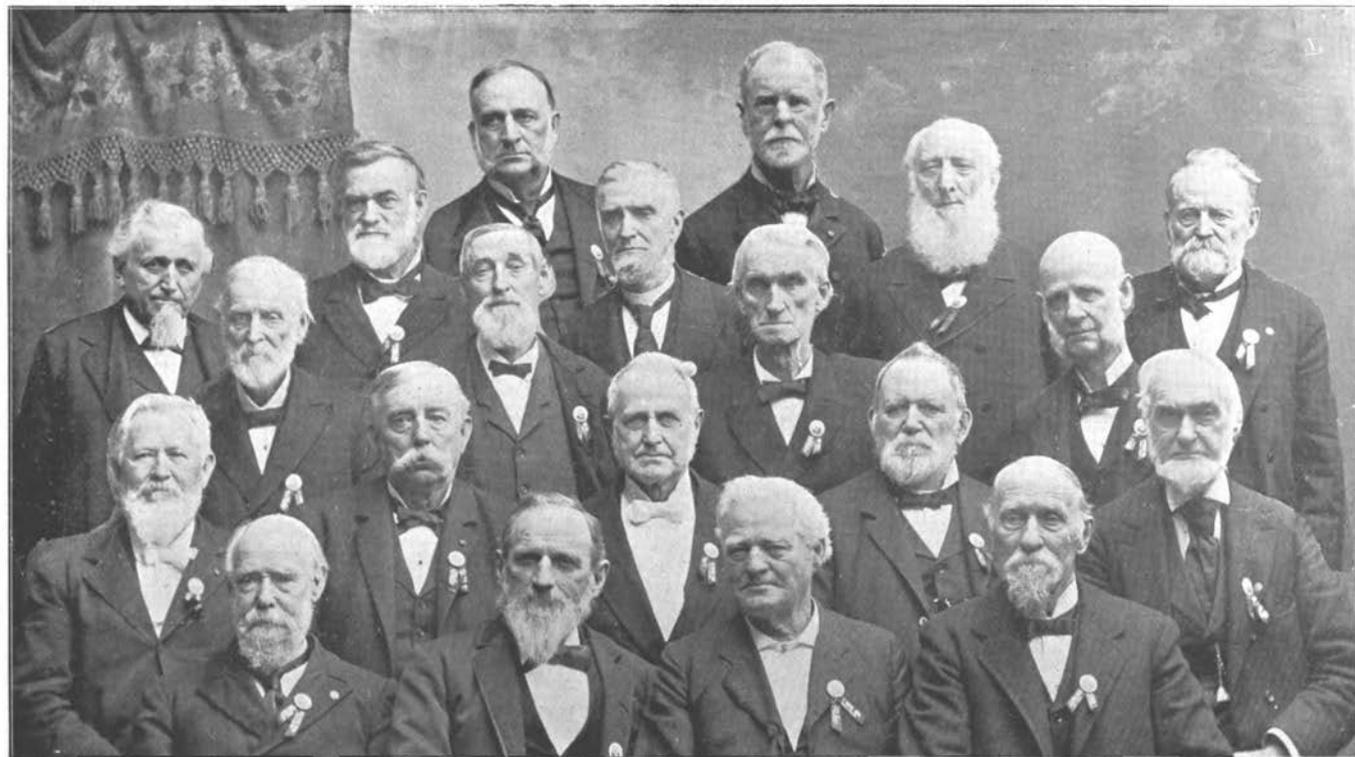




PIONEER LAWMAKERS PRESENT AT RECENT REUNION.

F. M. Knoll, E. H. Stiles, Hoyt Sherman, J. H. Powers,  
P. M. Casady, J. G. Day, Samuel McNutt, Peter Melendy, L. W. Ross,  
E. Lindley, Lewis Todhunter.



W. Dungan, R. D. Kellogg, Isaac Brandt, R. S. Finkbine, S. P. Yeomans,  
S. A. Moore, John Meyers, J. F. Hopkins, R. C. Webb.

PIONEER  
Lawmakers' Association  
OF IOWA.

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REUNION OF 1898,

HELD AT DES MOINES, FEBRUARY 9, 10 AND 11, 1898.

SIXTH BIENNIAL SESSION.

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PUBLISHED BY AUTHORITY OF THE STATE.

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DES MOINES:  
F. R. CONAWAY, STATE PRINTER,  
1898.

No. 4653

Rec'd April 23, 1907

## REMARKS.

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The committee on publication find the report of the *extempore* speeches by the stenographers far from complete, greatly to their regret. It was their first attempt to report the proceedings of a deliberative body, and their services were given without expense to the association. There are no funds provided to pay postage in the distribution of the pamphlets containing the report of our biennial meetings, and hence the officers are unable to make as general a distribution as they would wish.

COMMITTEE ON PUBLICATION.

## ARTICLES OF ASSOCIATION.

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On the 28th of February, 1892, the following articles of association were adopted by the persons in attendance at the third reunion of the pioneer lawmakers of Iowa:

*Name.*—The name of this association shall be PIONEER LAWMAKERS' ASSOCIATION OF IOWA.

*Who Eligible to Membership.*—Its members shall consist of all former state officers, including members and officers of territorial and state legislatures, senators and representatives in congress, members of the cabinet from Iowa, United States supreme, circuit, and district judges, members and officers of constitutional conventions and state boards of education, judges and district attorneys—who served twenty-five years prior to each biennial reunion.

*Time of Meeting.*—The reunions shall be held at the capital of the state, beginning on the second Wednesday of February of the years in which the general assembly holds its regular sessions, unless otherwise called by the executive committee.

*Officers.*—The officers shall consist of a president, and one vice-president from each congressional district of the state, a secretary and two assistants, and an executive committee composed of three members.

*Election of Officers.*—The officers shall be elected on the second day of each biennial meeting and hold their offices two years, or until their successors are chosen.

*Inaugural Address.*—The address of the president shall be delivered at the opening of each biennial reunion.

*Committee on Publication.*—On the morning of the first day of each reunion the president shall appoint a committee on publication, whose duty it shall be to take charge of all papers read or received at the various sessions, including resolutions and letters from absent members, and preserve all records of such meetings. This committee shall, with the assistance of the secretary, prepare the proceedings of each session for publication, and supervise the printing and distribution of the same, and mail a copy of the proceedings to each member.

*Enrollment of Members.*—At the opening of each session the president shall invite all members present to enroll their names, giving their terms of official service, place of birth, number of years in Iowa, and present postoffice address. These statistics shall be published with the proceedings.

*Standing Committees.*—The president shall at each session appoint a committee on statistics, consisting of one from each congressional district, whose duty it shall be to prepare a biographical sketch of such members as may die during the two years intervening between the time of their appoint-

ment and the next reunion. It shall be the duty of each member of this committee to prepare biographical sketches of such members as may die in the district in which he resides, all of which shall be reported to the next succeeding reunion for publication.

The following additional committees shall be appointed before the adjournment of the forenoon session of the first day of each reunion.

*First.*—On nominations for officers, five members.

*Second.*—On resolutions, five members.

*Third.*—To visit the governor and convey to him an invitation to attend the sessions of the reunion, two members.

*Fourth.*—To visit each house of the general assembly and extend to them an invitation to meet with the Old Lawmakers, four members, two for each house.

*Executive Committee.*—It shall be the duty of the executive committee to make all necessary arrangements for each successive reunion, and to fill all vacancies in offices.

All officers of this association shall perform the duties ordinarily devolving upon such officers.

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#### OFFICERS OF THE ASSOCIATION FOR 1897-8.

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*President.*—Col. John Scott, Nevada.

*Secretary.*—B. F. Gue.

*Assistant Secretaries.*—J. M. Davis, Frank A. Sherman.

#### VICE-PRESIDENTS BY DISTRICTS.

*First.*—Gideon S. Bailey, Vernon.

*Second.*—Samuel McNutt, Muscatine.

*Third.*—F. M. Knoll, Dubuque.

*Fourth.*—\*Reuben Noble, McGregor.

*Fifth.*—T. S. Parvin, Cedar Rapids.

*Sixth.*—Dan Anderson, Albia.

*Seventh.*—Lewis Todhunter, Indianola.

*Eighth.*—W. S. Dungan, Chariton.

*Ninth.*—L. W. Ross, Council Bluffs.

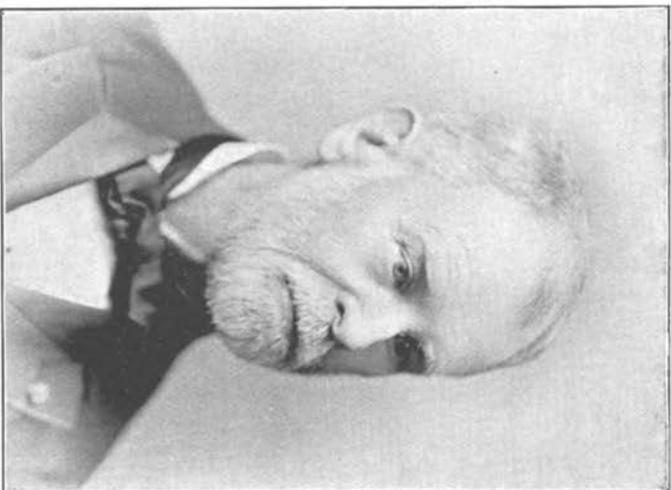
*Tenth.*—Walter C. Wilson, Webster City.

*Eleventh.*—Rodney A. Smith, Spirit Lake.

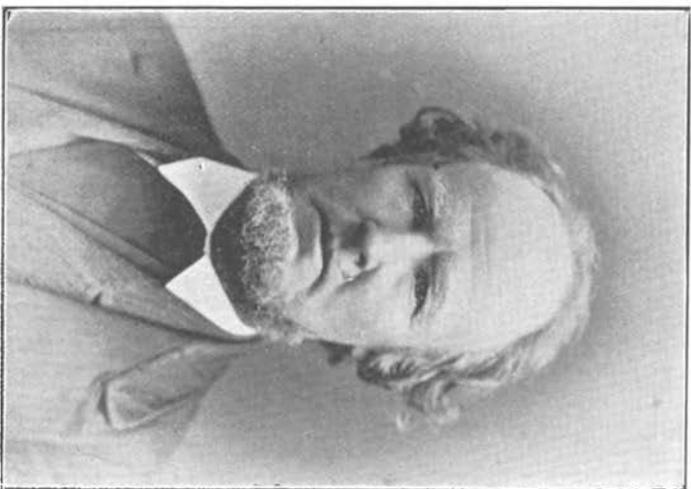
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\*Deceased.





HON. HOYT SHERMAN,  
Sixth President Pioneer Lawmakers' Association.



*Samuel Newark*



## SIXTH REUNION

OF THE

# Pioneer Lawmakers' Association, OF IOWA.

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On Wednesday, February 9, 1898, at 10 o'clock A. M. the association convened at Plymouth Congregational church in Des Moines, and was called to order by Col. John Scott, president.

Rev. A. L. Frisbie, pastor of the church was called up by the president, and offered a prayer.

A fine solo was given by W. P. Guiberson, a son of Hon. Edwin R. Guiberson, who was a member of the house of representatives of the Seventh General Assembly, the first which met at the then new capital of the state, which had recently been moved from Iowa City to Des Moines.

### ADDRESS BY JUDGE DAY.

Judge James G. Day delivered the following address of welcome to the members in attendance:

PIONEER LAWMAKERS OF IOWA—To me has been assigned the pleasant duty of welcoming you to the hospitality of this metropolis. Intelligently and wisely you wrought in the past. By your devotion to principle, by your courage in the discharge of duty, by your loyalty to the state of your birth or of your adoption, you laid strong and deep and well, the foundations of greatness, upon which those who succeeded you grandly builded, and those having charge of the affairs of state, hopefully and courageously, are building now.

Every honest employment is dignified and honorable, but no employment more honorable and dignified can be conceived of than that of prescribing laws for a great and intelligent commonwealth.

Where law rules there is harmony, order, happiness. Where law reigns not, there is confusion, disaster, despair.

It was of law that Hooker said: "Her seat is the bosom of God, and her voice the harmony of the world. All things in Heaven and earth do her homage, the very least as feeling her care and the greatest as not exempted from her power." The blotting out of law from the social structure would have its parallel only in the "wreck of matter, and crush of worlds" which would follow the destruction of the laws of gravitation in the physical universe.

How wisely you performed your duties as legislators, this magnificent state with its two millions of population, leading the van of the entire sisterhood in education and intelligence; with its constantly increasing wealth, with its charitable and reformatory institutions, with its school-houses, colleges and churches, attests.

To you it has been given to see, springing into the full stature of greatness, as if struck by a magician's wand, this vast commonwealth, an empire in itself, unsurpassed for the fertility of its soil, the salubrity of its climate, the variety of its productions and the courage and patriotism of its people.

You have seen the wild rose and the prairie flower give place to fields of bending corn and waving grain. You have seen villages and towns, wonderful as the creation of Aladdin's lamp, spring into existence at every crossroads and at every railway station. You have seen the cottage of the thrifty farmer rise upon every hillside and in every valley.

You have seen the inhabitants of remote cities, conversing with as much ease and pleasure as if seated by the same fireside. You have seen the comfortless stage coach painfully traversing roads almost impassable, at a rate of from three to five miles an hour, supplanted by the iron horse, traversing valley, climbing hillside, leaping river, bearing the commerce of every clime, and the denizens of every nation, thundering onward with a power irresistible and a force that never tires, at the rate of thirty miles an hour. You have seen the farmer conducting the operations of husbandry, with ribs of iron and arms of steel.

Doubtless the time is within the memory of some of you, when the savage red man pursued the antelope and the buffalo over prairies where now stand cities with their teeming populations. Such marvelous progress has scarcely a parallel. You have seen this capital city of your state grow from a village of less than 3,000 to a city of 68,000. Over the street which you traversed on foot or were borne in boats to your daily legislative sessions; seated in a car comfortably warmed, you can now be borne by lightning.

You have seen that noble structure which crowns your Capitoline hill, the creation of your munificence, rise, stone upon stone, arch upon arch, till with its gilded dome reflecting the first rays of the rising sun, and throwing back a flood of golden light to meet his declining beams, in the beauty of its symmetry, the grandeur of its appointments, and the magnificence of its strength, it stands the pride of the citizen and the admiration of the

stranger, built without any suspicion of speculation or the misappropriation of a single dollar.

And now, full of years, and full of honors, having surrendered to younger, though not wiser, heads the discharge of the important duties which you so faithfully performed, you have again made your biennial pilgrimage to this legislative city, to extend cordial greetings, to renew and cement old friendships and form new ones, and recount your legislative struggles, defeats and victories.

And, yet, this happy occasion, with so much of hope and inspiration and felicitation, is not without its tinge of sadness. Some faces which we saw with us upon our last meeting, we shall see no more until "we meet beyond the river."

They have rested from their labors and have gone to the reward of a life well lived, and of duty nobly performed. "The old guard dies," the new one arises to take its place. At every biennial reunion, the circle is enlarged, and, under your constitution the range of eligibility is widened. Old faces disappear, new ones come to take their places, and thus, Phœnix-like, your organization arises from its own ashes and becomes as immortal as the state itself.

Nor is your association limited to those who, in the strictest sense, as legislators, have participated in the making of laws. Your constitution embraces all who, at any time, not less than twenty-five years prior to any biennial meeting, were connected with the legislative, executive, or judicial branches of the government, or with any department of the state. It is only when these several departments, distinct in themselves, move harmoniously in their appropriate spheres, assisting and complementing each other, that the highest ideal of government is realized.

Laws, unless enforced by a strong and vigorous executive, soon cease to command respect, and become worse than a dead letter, for nothing is more pernicious than familiarity with law, violated with impunity. "Woe to thee, O land, when thy king is a child!" But no factor is so potent for the preservation of order and the maintenance of social security as an intelligent, fearless, impartial judiciary.

If a people should ever become so unfortunate as to lose confidence in the just interpretation and impartial administration of its laws through its properly constituted judicial tribunals, it is ready for anarchy, with all its attendant train of direst evils. When such a condition arises, a Pandora's box is opened, from which issue all the ills which afflict mankind, permitting with them the flight of even hope itself.

The beginner in the study of law is almost always surprised to learn that notwithstanding the fact that the legislative department is intrusted with the duty of making laws, the acts of the legislature embrace perhaps not one-fiftieth part of the laws by which wrongs are redressed, and rights are enforced. In our own state, whilst the legislative acts in force are embraced in one large volume of 2 000 pages, the decisions of the courts; construing, interpreting and applying them embrace 102 volumes, and the principles of the common law are embodied in more than 5,000 volumes

The mathematician, who has solved the problem in permutation, as to how many times seven men can seat themselves differently at the dinner table, when he comes to consider that in a highly organized society the

factors instead of being seven, are almost infinite, will readily understand how innumerable are the cases which are likely to arise, and that scarcely any two of them will be exactly alike. To such an one, the idea of a code, providing in advance for every possible case likely to arise, will appear to be the merest chimera. When a new case arises the judge, drawing from the analogies of the common law, which embodies the wisdom of ages, and is "the perfection of human reason" must apply the proper remedy, or the right must remain unenforced, and the injury unredressed.

In the interpretation of laws, the judiciary also performs a most important function. Whilst it may not be true, as was said by Talleyrand, that the proper function of language is to conceal thoughts, the fact remains that the imperfection of language is so great that it often fails to express with clearness and accuracy, the idea intended.

But the most important function of the American judge is that of determining the constitutionality of laws. When the constitution is invaded, when the violent passions of majorities disregard the rights of minorities, and when might becomes synonymous with right, it is then that an enlightened, just and fearless judiciary must stand like a wall of adamant against which the waves of popular prejudice may beat in vain, and must say to the surging passions, "Hitherto shalt thou come but no further, and here shall thy proud waves be stayed."

But I am admonished that I detain you too long. Legislators, governors, judges, officers of the various departments of the state, I need not assure you that you are welcome. This goodly city, from its 15,000 homes, extends the hand of cordial greeting, and bids you welcome. Long may you live to enjoy the prosperity, and witness the increasing grandeur of a state which owes so much to your wisdom and prudence. Ever may this, our matchless Iowa, continue the brightest star in the bright constellation of states.

"Sail on, O ship of state!

\* \* \* \* \*

We know what master laid thy keel,  
 What workmen wrought thy ribs of steel,  
 Who made each mast, and sail, and rope,  
 What anvils rang, what hammers beat,  
 In what a forge and what a heat,  
 Were shaped the anchors of thy hope."

And now, pioneer master workmen, makers of keel, and mast and sail, and anchor to hold in safety when storms arise and tempests beat, with gratitude for the past, and with faith in the future, we again bid you welcome, thrice welcome.

Hon. John F. Duncombe, of Fort Dodge, responded on behalf of the members as follows:

A moment ago Colonel Scott informed me that I would be called on to speak. I suggested that Colonel Scott would respond as chairman, but I have no objections and I feel honored with the opportunity of saying, in response to the welcome address made by Judge Day here to us, that the people of Des Moines have been, within my knowledge, from the time there were less than a thousand people here in this city, and it has been



**COL. JOHN SCOTT,**  
**Fifth President Pioneer Lawmakers' Association.**



my privilege to meet with them always year after year from that time to the present moment, and when, as president of this association at the original meeting, I was called upon to address the people that were present at our lawmakers' association, I was delighted with the opportunity of saying, that in all my experience I have never met with a more kind, sociable people than those of our capital city. I have been conscious of their kindness on the many times and places that I have met with them, and while it is thirty-eight years ago, and a little over, when I first came here to help make the laws for the state of Iowa (the best state in the world, in my opinion), I, together with other members of the legislature, have been welcomed and honored by the people of this city of which we are all so proud.

I happened to be in the legislature at the time our capitol was started, and I had the opportunity of seeing it grow, and of seeing these great railroads center here in your beautiful city. It has been my privilege to travel in every state in the union, and I say to-day, without fear of successful contradiction, that the people of Iowa, of whom the inhabitants of Des Moines are good representatives, are unsurpassed by any people on the face of the earth. They have nobleness of character, are true and honest, and have progressive ideas, and while it has been my privilege to travel a part of every summer, I never returned to glorious Iowa and to her beautiful cities, and to her noble people without feeling thankful to God Almighty that my lot is cast in the best country in the world.

I desire to extend the kindest and best feelings from the hearts of these old pioneer lawmakers for your acts and your kindness and your most faithful and generous hospitality to the people that assemble here together, and on behalf of one and all, I most sincerely thank you.

Col. John Scott, the president, then delivered the following address:

MEMBERS OF THE PIONEER LAWMAKERS' ASSOCIATION—I extend you most kind and tender greetings. On this sixth session of our association we come together to again renew our personal and social relations. The passing years make mellow the landscape of the past, and backward glances disclose only the beauties of a picture pleasant to our memories. All asperities are softened; all emulations and jealousies are as though they had never been. We now see more brightly than ever the lights of the painting, while the shadows interspersed but render the scene more inspiring. As the years pass there comes to those of this association a new sense in the inscription upon Iowa's contribution to the monument to the memory of Washington, a personal as well as political significance, as hand clasps hand, and as face answers to face, and we say: "Iowa, the affections of her people, like the rivers of her borders, flow to an inseparable union."

Responsive to the words of welcome which we have just heard from the lips of our eminent brother who represents the judiciary, I might say that there is no part of the prosperity and growth of Iowa that appeals more directly to our sense of pleasure and pride than does that which is exemplified in the progress and wealth of the capital city. It is but natural that she should attract to herself as citizens many whose first knowledge of her excellencies has come from those services to the commonwealth which have

made them members of this association. And thus we find ourselves in a certain sense the guests as well as the associates of our comrades of the olden time. To say that this adds to our pleasure on such occasions, and that these hospitalities are for this reason doubly welcome, is but a cold expression for that which we so warmly feel. It is fortunate for us all, both hosts and guests, and I feel that I may speak for both, that the quality of hospitality, like that of mercy, is not strained, but "blesseth him that gives, and him that takes."

I hope I may be pardoned for some words of congratulation extended to these gentlemen, and to their fellow citizens, not only upon what has been achieved in the building of such a city as this during the lifetime of those who laid the foundations, and who have builded so wisely and so well, the material city, as well as her civil, commercial and social institutions; but also on the unmistakable future of this capital city of this great midland commonwealth. And I truly believe that as in the past we failed to foresee what of prosperity has been already achieved, so now, we can but feebly imagine the grandeur and glory of the future. Is it not a boon to have lived in the century now closing, and to have been permitted to lay our hands to the upbuilding of this American empire?

And may I not add that I also truly believe that the history of this commonwealth will show that not elsewhere has the beautiful theory of government of the people, by the people, for the people, been more sacredly carried out? Our system was organized for the protection of the weak against the strong, and for the security of all. In its practical operation it has created and fostered great charities that care for the helpless. It has lavished immense sums on the education and training of those who are now and will be in the future the support of the state. It has protected without fear, favor or partiality, the entire population in the absolute possession of the right to life, liberty and the pursuit of happiness; and in the yet brief history of but half a century there has been no scandal, no stain upon the escutcheon of the state.

It is a pleasure to announce that since our last session the general assembly has recognized our association by providing for the publication of the papers and discussions with which we may be favored. This should give permanence and increased usefulness to our organization, enabling us to carry out its purposes and make its records a not unimportant part of the history of Iowa. All can now feel encouraged to contribute interesting facts to the general fund from which history is culled, and thus obey the injunction to gather up the fragments, that nothing may be lost.

If this fact were fully appreciated by our membership it would result in contributions to our files of many important memoranda of value as a collection, but which, scattered and wasting, are mere rubbish for the bonfire or dust-heap. For such accumulations there should be a safe repository. This will no doubt eventually be found in the archives of the memorial hall that is soon to be built and to the purposes of that hall this association will doubtless be an efficient helper. One can thus see possibilities for our association that were not fully appreciated, perhaps, at its first inception.

Within the past two years our ranks have been invaded by the "reaper whose name is death." Perhaps in some cases, our membership being

widely scattered and our organization of recent date, deaths may not have been reported. More attention will be given in the future, no doubt, to the communication of such facts to the officers of the association. It should be, and is, one of our purposes to note upon our records some of the salient events in the lives, and also the personal characteristics, of those whose names are borne upon the executive, legislative and judicial rolls of the state.

Among the deaths which have been reported since our last meeting is that of Judge Reuben Noble, vice-president for the Fourth district. The executive committee has invited his friend and neighbor, Col Alonzo Abernethy, to present a memorial sketch of his life and services, at this session.

Colonel Abernethy will also perform a like duty to the memories of Judge Murdock and Lieutenant-Governor Bullis.

Governor Carpenter will present memorial sketches of Judge Whiting, Judge Pendleton and Hon George W. Bassett.

Hon. John M. Davis will present a memorial sketch of Hon. Elijah Sells.

Hon. Samuel McNutt will present a memorial sketch of Hon. N. A. Merrill.

Hon. J. M. Shaffer will present a memorial sketch of Hon D F Miller and Hon. William Thompson.

Governor Gue will also present a tribute to the memory of our late president, Judge Wright, whose greatly lamented death occurred but a short time previous to the session two years ago

It is desired that on the presentation of these papers members of the association and invited guests shall contribute to the interest of the occasion by appropriate remarks.

My correspondence in the interests of the association has brought advices from a number of our members whose engagements forbid their attendance at this session. They have uniformly extended regrets and kind wishes. Others, of service dating far back, plead delicate health and the impairment of faculties and strength. Hon. Harvey J. Skiff, of Jasper county, and Hon. Gideon S. Bailey, of Van Buren county, have almost completely lost the sense of hearing. Those of us not so unfortunate must extend to them our sincere sympathy.

Dr. Bailey was a member of the first four territorial legislative assemblies, the first meeting being in 1838. He was also a member of the first constitutional convention, in 1844, and of the senate of the Seventh and Eighth General Assemblies of the state. At the age of four score and nine years, with a record of public service dating back sixty years, he awaits the final summons in his first Iowa home. It is a record perhaps not surpassed.

I beg to tender thanks for the honor of being called to preside over your deliberations, and to my successor in this chair congratulations upon the increasing dignity and broader scope of usefulness that is presented for the years to come.

On motion of Judge P. M. Casady, Mr. E. D. Hadley was elected to an honorary membership in the association.

On motion of Gov. W. S. Dungan, Hon. B. F. Clayton, of Warren county, was elected to an honorary membership.

The President announced the following committees:

*Committee on Publication.*—Hon. John M. Davis, Hon. E. M. Stedman.

*Committee on Nomination of Officers.*—Maj. R. D. Kellogg, Hon. F. M. Knoll, Hon. George W. Bemis, Hon. Samuel McNutt, Judge P. M. Casady.

*Committee to visit the Governor.*—Hon. F. M. Knoll, Hon. A. B. F. Hildreth.

*Committee to visit the Senate.*—Col. Warren S. Dungan, Col. S. A. Moore.

*Committee to visit the House of Representatives.*—Hon. Peter Melendy, Hon. E. M. Stedman.

*Committee on Resolutions.*—Hon. L. W. Ross, Judge Chester C. Cole, Hon. L. L. Ainsworth, Hon. John F. Duncombe, Dr. J. D. Wright.

Colonel Scott said:

We have nearly an hour for the transaction of business and for visiting, according to which may be the pleasure of the association. I would, myself, be very glad to take gentlemen by the hand and look into their faces as opportunity may offer, and at the same time any gentleman having business to present will be recognized by the chair.

Senator Ainsworth:

MR. PRESIDENT—My voice has changed some since I was Senator Ainsworth, and at the same time all of us who were here together have changed since 1860.

I desire to say, gentlemen, that it is no time for any extended remarks, but there is one thing Judge Day referred to in connection with the Iowa legislature, the old pioneer lawmakers, the present lawmakers and the officers of our state, and it is this that none of these lawmakers ever disgraced themselves. They have sat as legislators of every territorial and state legislature from 1838. There are men living in the state who were members of the first territorial legislature; there are men who have known the members of the legislature from that time to the present, and be it said, and to the credit of all of them, that there is not a man with memory long enough, there is not a man with memory strong enough to recall a name among them all who was ever accused of bribery or corruption. Can any other state say the same thing? I think not. I want to say to you, old lawmakers, that I am very glad to meet you.

Hon. L. W. Ross said:

I did not think, Mr. Chairman, that I could come here on this occasion, but when I read the names of the committee on reception, recalling as I did all but one member, I felt as though I would like to take these men by the hand.

Now, I do not want to take up time, but I should like to see as many of the old lawmakers as possible and take them by the hand. Among that class, however, I am almost alone. Many who were members of the Tenth and Eleventh General Assemblies have long since passed away, and as I look around I find that I am not only alone, but I begin to feel lonely.

A friend of mine met me on the street the other day and as we stood looking at some "kids" enjoying a sleigh-ride he asked me if I would not like to be a kid again. I said, "no, I don't know that I would." I have done my work and when my time comes I shall be ready to pass out without many regrets.

I want to subscribe to what Senator Ainsworth said. I believe that no legislature in this state has ever disgraced itself, and I think, upon the whole, our legislatures have been as pure as the purest in this world, and I am thankful for it. I believe that I never heard of any having to spend time in the "pen;" the personal history is clean, and as I go back to 1864-66 and look over my brethren, I think they were all good and true men. We did not wear store clothes in those days, we did not wear plug hats, we were plain, unpretending gentlemen, but the Tenth and Eleventh General Assemblies did good work and left a record of which I, for one, am not ashamed

Lieutenant Governor Dungan, being called upon, said:

I was engaged in trying to make my mark here and did not hear you. I left home this morning a little after 6 o'clock on a slow train. Only got here a few moments ago and did not hear the opening exercises. It being so late, I thought if I could register I would take the opportunity to do so.

I can only say I would rather hear others speak. It does me good to look into your faces. It is a great pleasure. There are reasons why my presence at home was very important these three days, but I said: "This is the meeting I must attend," and it does me a great deal of good to be here. I hope we will have a good social time and let the old memories come back to us, and I take great pleasure in the personal intercourse of these old pioneer lawmakers. I thank you.

Dr. Yeomans said:

MR. PRESIDENT—The meetings of this association bring forth very many pleasant memories. I am sure it is a very great pleasure to be here. Otherwise, I certainly should not have made the trip from Chicago here for the purpose of attending. I have felt repaid already, although they talk of our voices having lost their melody, which is no doubt true, yet I like to hear from these old comrades of early times.

Judge Day spoke of the wonderful changes that have occurred in this country. I think it can only be appreciated by those who have been here from the beginning. I crossed the Mississippi river at Ft Madison and came to Iowa in 1837, and have been here ever since. I did all my voting in this state and have watched its progress step by step. But, it is wonderful, as Judge Day says; and I sometimes fear that as we come up to our biennial meeting and such pleasant compliments are showered upon us, that we may forget other important factors concerned in the progress of Iowa. We did not do it all, we did not make Iowa. We performed our part in the position in which we were placed. We have done our part, perhaps, and it is gratifying to know that our successors appreciate the work we have done and are satisfied therewith.

I am glad to greet these old pioneer lawmakers. I do not know that I can be with you again; seventy-six years is pretty well along in the

journey of life and I begin to feel some of the infirmities of age, but if nothing prevents I shall certainly be with you again. I thank you.

The committee from the house of representatives was here announced, who said:

We have the privilege of extending to the honorable pioneer lawmakers a cordial invitation to visit the house of representatives at the convenience and pleasure of this body.

Lieutenant-Governor Dungan, said:

I take the responsibility, as their representative, of extending the thanks of the association to the general assembly for the honor which they have conferred upon us in this invitation, and would most cordially and earnestly request that the members of the committee, who bring us this pleasant message, will come forward and consider themselves at home in this association, an association to which we trust the years will be vouched them in the future that they will come as a matter of right and not of courtesy.

On motion of Maj. R. D. Kellogg, the invitation was accepted, and Friday afternoon at 2 o'clock, fixed as the time for such meeting.

Hon. A. B. F. Hildreth was called out, who responded as follows:

I am surprised to be called upon at this time to offer remarks. I have nothing prepared to say; did not expect to be called upon to speak, but perhaps I shall occupy a moment or two.

There is no meeting, perhaps, that I look forward to with more pleasure and satisfaction to myself, than attending this meeting of the old pioneer lawmakers. I am not very well acquainted with the members, however. I am confined somewhat at home attending to the duties of life, and my acquaintance is rather limited, but I enjoy, and always do, the meetings of the pioneer lawmakers. I hope that we are all in the enjoyment of good health. I hope to be able to hear something of the achievements of these men in the days passed by.

I accomplished but little as member of the legislature. The Tenth Assembly was a memorable assembly to my mind.

I hope you will expect nothing more from me; but let me repeat, before I take my seat, I am glad to be here to-day. I hope you are all in the enjoyment of good health. I thank you.

An invitation to the members of the association to attend a reception at the residence of Maj. Hoyt Sherman this evening, was then announced by the president.

Brief remarks were made by Hon. J. H. Powers of Chickasaw and Dr Dashiell of Warren, after which Governor Shaw was introduced by Hon. Isaac Brandt. The governor said:

MR. CHAIRMAN AND GENTLEMEN—I came in because I would not be able to attend the reception tendered your body and because I wanted to look into your faces and thank you for some of the things you have done.

I was diverted as I sat down here. A gentleman stepped up to me and asked me who I was and where I lived. I told him my name was Shaw and that I lived in the city. He gave me his card and told me he was a candidate for alderman, but I will not divulge his name.

It only goes to prove that I am about the same size and look about like other men, and made of the same kind of clay, and am not always recognized and do not always recognize those that I ought to, so that things are even in that regard.

I want to thank you because I realize that much of the growth of the state is due to you. I realize something of the hardships through which you passed. I was much interested in the remarks that were being made as I came in. It recalls even now what I saw, coming as I did in 1869, but nothing compared to what some of you saw. I want to thank you for the good laws that were passed under your supervision, and I feel like thanking you also for having vetoed so many laws, but I fancy that if all bills had passed that were introduced, we would scarcely know the good. I judge this because of the fact that always there are attempts to modify nearly every law and I presume you had the same experience.

Happy, prosperous Iowa owes much of her growth and prosperity to you and to those who were associated with you in the work of the legislature. There are men in Iowa who are willing to make any sacrifice for the sake of their beloved state, and we have learned to love her as dearly as if we had been born this side of the Mississippi.

I thank you for the privilege of looking into your faces.

Gov. B. F. Gue thereupon moved that Governor Shaw be made an honorary member of the association.

Hon. L. L. Ainsworth moved to amend by including all other governors of the state.

The motion as amended was carried without opposition.

The association then adjourned until 2 o'clock in the afternoon.

After adjournment Governor Shaw, by invitation, remained for a short time for a general introduction and handshaking with the members.

The Capital City Commercial college of Des Moines, kindly furnished two stenographers to report the remarks of members made extemporaneously. They are Mrs. Sarah G. French and Miss Jennie Ruecker.

## FIRST DAY'S SESSION.

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WEDNESDAY AFTERNOON.

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Pursuant to adjournment the Pioneer Lawmakers' association convened at 2 o'clock P. M. and was called to order by the president.

Music—A solo by Miss Bessie Coddington, entitled, "Only a Rosebud," with piano accompaniment by Miss Grace Johnson.

Hon. E. H. Stiles, formerly of Iowa but now living at Kansas City, was introduced and read the following very interesting paper:

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### A GLIMPSE OF THE PERSONNEL OF THE HOUSE OF 1864 AND SENATE OF 1866.

BY HON. EDWARD H. STILES.

[Senator Stiles, now of Kansas City, was for many years a prominent citizen and public official of Iowa. He served in the house and senate, and was for many years reporter of the supreme court.]

"Speak of me as I am; nothing extenuate, nor set down aught in malice."

Lord John Campbell, in his "Lives of the Lord Chancellors of England," displayed the unhappy faculty of smirching in some way every one of his subjects before finally dismissing them; whereupon Sir Charles Wetherell, while speaking on a certain occasion and desiring to address himself to Lord Campbell, turned toward that nobleman and said: "And here is my biographical friend who has added a new terror to death."

The house of representatives of the Tenth General Assembly convened on the 11th of January, 1864, in the somewhat wind-shaken building which had been prepared and used temporarily for state and legislative purposes. It was organized by the selection of Jacob Butler of Muscatine as speaker, and Jacob Rich of Buchanan county as chief clerk.

William M. Stone was the newly elected governor, and James Wright was secretary of state; Jonathan W. Cattell, auditor of state; William H. Holmes, treasurer of state; Josiah A. Harvey, register of the state land office; N. B. Baker, adjutant-general, and Charles C. Nourse, attorney-general.

It would be beyond the scope of my subject to say much regarding these men. I cannot, however, refrain from referring briefly to Governor

Stone. It is fitting that his memory should be perpetuated in the proceedings of this reunion. The latter portion of his life, by reason of poor health and disappointment, was not as happily circumstanced as we would have wished.

In many respects he was a remarkable man. With but few aids he had fought his way up from obscurity and poverty to a position of distinction. He was very tall, his presence commanding, and his confidence in himself supreme. His education had not been a liberal one, but he could both speak and write with elegance. Upon the hustings he was one of the most effective political orators that the state has ever had.

In his personal and familiar bearings he was lacking in a sense of dignity properly incident to one occupying his position. He was sometimes not only "rude of speech," but a little unseemly. He was a wonderful story-teller; the stories were sometimes very broad, and told without a proper regard to the character of his audience. But on the platform addressing a vast political audience, his bearing became lofty, his attitudes graceful, his utterances, propelled by a powerful voice and well measured in good English, stirring and effective.

On the rostrum he talked in much the same style as he wrote. The following is a quotation from his inaugural to that general assembly:

"For nearly three years this deplorable war, inaugurated by the mad ambition and treason of southern men, has progressed with its varied results. Though disaster has sometimes overtaken our advancing columns, the triumphs which have crowned their heroic efforts, in the glorious cause of the country, have far outweighed all the reverses they have sustained. We have penetrated the insurgent country from almost every point, by land and sea, and rescued from their grasp the most productive and populous states of the south. To-day the ancient flag of the union floats triumphantly over the soil of every rebel state and waves again from the battered walls of Sumter.

"The rebel armies, defeated and demoralized, are being rapidly driven to a common center; their currency worthless and their credit gone; their pretended jurisdiction reduced to nearly one-third of its original limits, and a surplus population crowded within them to subsist upon their meagre harvests; impending death or exile to the leaders, ruined fortunes and desolated homes to the unwilling masses—this is the end of treason and the doom of traitors.

"There is no longer middle ground where loyal men can stand and find refuge from the stern and positive obligations of the hour. The times are fraught with mighty events, involving the welfare of the present and future generations and impose the most solemn duties upon every patriot in the land. It is not the mere dominion of a political party, nor territory, nor empire, but liberty, and the eternal principles of natural justice, born of God and under him established on this continent by our fathers, which are staked upon the issues of the struggle.

"It needs no words of mine to show that the vigorous and successful prosecution of this war is life to the republic, while to hesitate for a single hour, upon any pretext whatever, or stop short of the unconditional recognition of the federal authority by all the revolted states would be but a hollow truce and death to our nationality.

"Great and holy interests are involved in the contest. There is no longer any hope of their preservation by the ordinary modes of adjustment. They are, therefore, to be saved or lost by the arbitrament of battle. In the terrible ordeal through which we are passing, many old conditions are likely to be rejected and some things which have been, may not be again, but the patriotic heart may find reasons for its faith, that all such as are good and substantial will be retained and consecrated in the new life of the nation. Let us hope that enemies in the disguise of friends will never again occupy the high places of power; that the people's treasury will not again be robbed by official hands; their arms, their arsenals and fortifications turned against their own government; that the blighting curse of human slavery will no longer receive protection by the statutes of the land, nor exist in any form under the national flag, and that traitors may never again sit in the council chambers of the nation, nor plot their treason beneath the dome of its capitol. Let us pray to a righteous God that such scenes may never stain the coming annals of the republic, and if need be that the havoc of bloody, desolating war may abate not until the day of regeneration shall come."

Again, in speaking of the emancipation proclamation and the events which led up to and justified it:

"The period at length arrived when, to insure success to our arms and make the overthrow of the rebellion a speedy and certain event, an effectual blow at this formidable element of rebel power was imperatively demanded. Our authority over the subject was broad and ample and the necessity for the step no longer doubtful. Why hesitate to terminate the war and save the union by losing slavery? It became obvious that amid the throes of this mighty revolution, one or the other must go down. The union and slavery cannot both be saved from the wreck, for the same power which rescues the one must inevitably crush the other. Which is the more valuable for preservation? After all its manifold crimes against liberty and humanity, against God and his holy laws, what claim has slavery upon this government for protection and perpetuity? To this reckoning had the nation come on the 1st day of January, 1863.

"I thank Almighty God that at this momentous juncture we had a man at the helm of this government who fully realized the situation and possessed the sublime courage to perform his duty and place the seal of condemnation irrevocably and forever upon this convicted criminal of mankind. The deed is done; the righteous judgment has been pronounced, and from his honest heart the author tells us 'it cannot be retracted.' No earthly power can send back to slavery 3,000,000 of freedmen, for between them and such power stand more than 20,000,000 of other men to defend the broad seal which that proclamation bears.

"In its diminished and attenuated form, slavery still lingers; but it is robed in the habiliments of the grave, waiting only for the rights of sepulchre.

The victim of a morbid and treasonable ambition, slavery, has been murdered in the house of its friends. Upon them, not us, the responsibility of its death must ever rest. The union as it was, the people of the north were willing to maintain and abide by, but as the south has determined otherwise, it is our duty now to insist upon the union as it should be, and as our fathers intended it."

What was thought of it at the time was shown by the following resolution passed by the house, introduced by W. J. Moir, now an honored member of your association:

*Resolved by the House of Representatives, That in the inaugural address of Gov. William M Stone, delivered to the general assembly of the state of Iowa, on the 14th day of January, 1864, we recognize an able, an eloquent, patriotic and statesman-like document, second to none ever presented to a state legislature."*

The war did not end, however, as soon as anticipated, for the surrender at Appomattox was not reached until April of the following year.

At the age of 29 he had become so potential as to secure the nomination and election for district judge. While holding a term of his court in Washington county, the news came of the firing on Fort Sumter. He immediately adjourned his court, declaring that his country had a higher call upon him as a soldier in her defense. He at once organized a company for the Third infantry and entered the struggle. He was subsequently promoted to major of the regiment.

At the bloody battle of Blue Mills Landing, where our forces were pitted against more than four times their number, and led with a courage that was sublime by Lieut.-Col. John Scott, afterwards the distinguished colonel of the Thirty-second Iowa, Major Stone was wounded and at that of Shiloh was taken prisoner and confined for a while in a rebel prison. On his exchange he engaged in raising the Twenty-second regiment and became its colonel. He distinguished himself for gallantry in several battles, and in the attack on Vicksburg was again severely wounded. Coming home on a furlough, seemingly to await the healing of his shattered arm, he arrived there as the republican state convention of 1863 was about to meet.

There had been but two gubernatorial candidates in the field—Fitz Henry Warren and Elijah Sells.

It was generally conceded that Warren would receive the nomination overwhelmingly and that he ought to so receive it by reason of his eminent ability and services. It was thought that the office of the convention in naming Warren as its candidate would be little more than perfunctory, but when it was learned that Stone's name had been brought forward, the matter assumed a different look, and when the hero himself walked down the aisle of the convention with his wounded arm in a sling he was greeted with uproarious applause. The feeling became infectious and his nomination was made in a whirlwind. He was then the most rising man in the state.

At the end of his first term as governor, he was renominated and again elected. At the close of his administration he returned to the practice of his profession; but his brain had become so filled with political thoughts and aspirations as to seriously interfere with his professional success. He sought the nomination for congress in his district and had aspirations for the United States senate, but his rapid advancement and control had made enemies whose opposition conspired with other causes in the accomplishment of his defeat. He removed to Colorado. He commenced the practice of his profession in Pueblo and engaged in some important mining projects there. In the end this failed, and he returned to Iowa, considerably broken in health and spirits by his ill fortune. During the administration

of President Harrison he was appointed assistant commissioner of the general land office, and upon the resignation of the commissioner-in-chief, he was nominated and confirmed in his stead.

I saw him in Washington about this time. He had been seriously ill, but had so far recovered as to resume the duties of his office. He seemed cheerful and confident that his recovery was permanent, but I could plainly see that the hand of death was upon him. He did not survive long after the close of the administration. Why it was that this star that had so brilliantly burst upon the political heavens so soon waned to its setting, various reasons have been ascribed, not necessary to consider here.

The house of 1864 was composed of ninety-two members, and while there were no distinctively great men in it, taken as a whole it was a strong body. It is true there was now and then a little buncombe indulged in on the part of fervid members who were occasionally in favor of hanging, by resolution, Jeff Davis without any further delay; exterminating at once all the rebels without the benefit of clergy, and ending the war right then and there on the floor of the house; and one member sought to revive a section of the Connecticut blue laws by introducing a bill making swearing a criminal offense. It might just as well have been introduced in the 'Army in Flanders,' whose soldiers achieved historical reputation for much swearing. Nevertheless, it was, in its legislative functions, a highly practical body. It had the happy tendency to restrain rather than to enlarge legislation. The laws passed by it will compare favorably with those of any other assembly in the history of the state.

I cannot now mention the different important measures that were passed. One of them was for the relief of soldiers in continuing cases that had been commenced against them, while they remained in the field. Another prohibited the sale of their property so long as they remained in the service and until four months after the close of the war. Another was a bill to relieve Gen. James A. Williamson and some others from certain liabilities to the state in consideration of their conveying to it of the temporary capitol building and grounds. Williamson was a royal good fellow whom everybody liked, and as a soldier and officer had covered himself with glory by his conspicuous bravery and services on the field. He was large, and ordinarily phlegmatic and docile, but in battle he was said to have been a very fury. It is hardly necessary to say that the bill passed. In Grant's second administration, he became commissioner of the general land office, and at its close, attorney and counsellor for the Atlantic and Pacific Railroad company, with headquarters at Albuquerque. While there, a heavy contractor in the construction of some part of the road had forfeited his rights under the construction contract. If the contract were to be strictly enforced, his sacrifice would be great. At this juncture General Williamson, by his influence and authority, averted the disaster and restored the man to his lost rights. Upon this man's death a few years after, it was found on reading his will, that in recognition of General Williamson's kindness, he had left almost his entire fortune to him, valued, as I was informed at Albuquerque, at from \$75,000 to \$100,000. Who shall say in the face of this that the Damon's and Pythias' are all dead, or that generous sentiments have become extinct?

Another for the relief of the settlers on the Des Moines river lands, and whose rights and titles had become seriously vexed by the different constructions which had been placed upon the grant as to its extent. Another for the increase of the judges of the supreme court of the state. An additional judge was added and Chester C. Cole was appointed to fill the office until the next general election, at which, having been previously nominated by the republican convention, he was elected, and continued to be so nominated and elected for a period of some fourteen years. Judge Cole had already achieved high distinction as one of the brightest and ablest lawyers in the northwest, and the great ability he displayed on the bench fully sustained his previous reputation. His opinions, which help to adorn the Iowa reports of that period were always vigorous, clean cut and trenchant. The entire bench was very strong at the time of his appointment. But one of its members survives, John F. Dillon, now of New York, who would by a majority of the American bar undoubtedly be named as the most deeply learned and widely accomplished lawyer in the United States. To his distinction as a lawyer he has added that of an author, in his work on "Municipal Corporations," one of the chef d'ouvres of legal literature.

I cannot refrain from mentioning another son of Iowa whose career has shed lustre on her name; who was a member of the previous general assembly, and now one of the great men of the nation—Henry C Caldwell, as pure, able and fearless a judge as ever adorned the bench of any country or time.

Looking back through a distance of nearly forty years, it is not to be expected that I should be able to remember or delineate all of my associates, and I can only refer to those who occur to my memory.

The speaker of the house, Jacob Butler, of Muscatine, was a person of very strongly marked individuality. He was among the early lawyers of Muscatine. His name first appeared in the Iowa reports as counsel for defendant in the case of Woodward v. Gregg, decided at the June term, 1851, and reported in 3d Greene, which would indicate that he had been in practice there for some time before that. He was a man of decided ability and high character, but of the most irrepressible disposition. He was extremely irascible, rather inclined to be aristocratic, haughty, dictatorial, and could brook no opposition to what he thought ought to go ahead. Prompted by this characteristic, he would frequently resign the gavel to some other member, descend from the speaker's stand, walk about half way up the aisle, face about, and address himself to the subject with a vigor of voice, manner and gesticulation that left no doubt of his earnestness. He could throw himself into a tempest quicker than any man I have ever seen. He was a radical of the first order; a fierce hater of slavery; was denominated an abolitionist, and had he lived in Boston would have been a worthy and efficient coadjutor of Phillips and Garrison.

The following circumstance will illustrate the confidence he had in his ability to impress himself on other men.

Some years after we had separated at the close of the session, I walked into the Chicago depot to take a train homeward. I casually noticed a genteely dressed man and a fine looking woman with several children; he seemed to be nervous, frequently rising up and walking about and sitting down again. Looking more closely as he walked in my direction I saw it was Butler and stepped forward to greet him. "You are just the man I

want to see," said he, "have you got any money?" "A little," I replied. "I would like to borrow \$10," said he. "I have my railroad tickets, but we are tired and want sleepers and I have no money." Of course I gladly let him have the money. He then gave me this explanation of his penniless condition: he had been visiting seaside resorts with his family; the last one was the beautiful town of Stamford, on the Sound. The amount of his hotel bill, when he came to go, obliged him to recuperate his funds to get home on; this he put off to the last moment, and directed the driver on the way to the depot to stop at the National bank of Stamford, which he did, and Butler went in, called for a blank draft, made it on the First National bank of Muscatine, handed it to the cashier with the statement that he was an officer and director of the bank, and desired him to cash the draft. Instead of rushing to do so the cashier looked at him out of the corner of his eye significantly and said, "Oh, that is too old a trick to be played in this part of the country." He positively refused to let him have any money until Butler had angrily thrown down his heavy gold watch and chain as security for a sum much less than he wanted, and of which every dollar had been spent when he reached Chicago. He quit the practice to engage in banking, became wealthy, removed to Chicago to engage in the same business on a larger scale, met reverses that wrecked his fortune and caused him to die under unhappy conditions. He was a good man and true. Peace be to his ashes.

William Hale of Glenwood, though a very young, was a very useful member. He was devoted to the interests of his constituents and was a leader in every measure designed to relieve or benefit them. He worked with an ardor that made him conspicuous. He became influential in politics, was most favorably mentioned for congress, and was subsequently appointed governor of Wyoming by General Grant, and died while occupying that position. He was a good thinker and a good lawyer, and one of the best fellows in the world; bright, witty, good-natured and companionable in the highest degree. To me his presence was always a charm. His untimely death is mourned to this day by those who knew him.

Another useful and eminently practical member was Wm. L. Joy of Woodbury. He was a Vermonter and a good specimen of the "Green Mountain boys;" tall, angular, a little awkward, but full of good sense and logical thought. He was a member of the judiciary committee and scrutinized carefully every measure brought before the house. He was afterwards recognized as one of the ablest lawyers in his part of the state.

Wm. J. Moir of Hardin county was also a member of the judiciary committee. A Scotchman by birth, in whom were well combined the sturdy qualities of his race. No legislative body could well have a member of greater usefulness. His industry was untiring and but few important measures passed the house that were not benefited by the touchstone of his highly sensible mind.

The chairman of the judiciary committee was Col. A. H. Bereman, of Henry county. He had been in the service as the commanding officer of the Forty-fifth Iowa, and was regarded as a man of solid parts and a good lawyer. He was a strong contestant with Jacob Butler for the speakership, but if I recollect rightly gave way before the close and was rewarded by what was then regarded as the best place in the gift of the speaker.

The other members of the committee in their order were W. J. Moir, E. H. Stiles, Samuel Russell, William Hale, John E. Burke, D. D. Holdridge, William P. Wolf, William L. Joy, William Elliott, and John L. McCormick. Of Hale, Moir, and Joy I have already spoken; of the others I can only say a passing word. Wolf served in a subsequent session and was speaker of the house. He also served the constituency of his district as a member of congress. Burke removed many years ago to Chicago, where I think he still continues to successfully practice his profession. He was a gentleman of liberal education and polite manners. He is now verging close to 70, but I can only think of him as the blonde and blithesome gallant, the best dressed member of the house, a favorite with the ladies, and in for any sort of social amusement, from the polite step of the levee to the wild whirl of a German ball.

McCormick lived at Knoxville, and if I remember rightly had been a Douglas democrat. It is my present recollection that he quit the profession and became a journalist. I do not know whether he is living. He was a broad-gauged, liberal man of decided convictions, which he was always able to maintain with force and bravery. He had been a captain in the Eighth and also in the Forty-seventh Infantry, and served with ability not only in the Tenth, but afterwards in the Eleventh, Twelfth, Thirteenth, and Fourteenth General Assemblies, which shows the confidence reposed in him by his people.

Russell, of Washington county, or as he was familiarly known, Sam Russell, was the most eccentric and at the same time the most gifted in some respects of any member of the house. He was then getting along in years, but his mind had lost none of its sprightliness. He was seldom heard, but when these occasions did occur and we saw arise from his chair that somewhat weather-beaten and homely dressed form, we knew that something worth listening to was coming and that "fur would fly." With his head set off with some thin locks of sandy hair that seemed to have faded rather than grayed from its original color; his face still retaining a little vestige of its youthful floridity; his eyes near-sighted, but which, when aroused, seemed to pierce the very spectacles which shaded them, he was the personification of a satirist of the most merciless order. He could take the skin off and hang it up to dry in a manner that would have made most artists in that line envious of his skill. And he did it so exquisitely that the victim felt worse after the operation than he did during its process. Not with a meat axe and coarse words did he do it, but with a scimitar, and in language enriched with learning and graced with a polished oratory. I know nothing of his antecedents, but I have often wondered how it was that he was content to hide his light under a bushel at the obscure little village of Crawfordsville, where he then lived.

The most ready debater in a general sense was B. B. Richards of Dubuque. He was then the leader on the democratic side of the house. This leadership, however, had only a corporal's guard of followers at the time. But they were excellent men and useful members, and stood to their convictions with Spartan bravery. Richards was a man of fine talents and a silver-tongued orator; and in readiness of resources, whether on the offensive or defensive, I doubt whether he has ever been excelled in the history of the house. He was incisive and pungent, but so courteous in his speech as to never give just ground for personal offense. He

possessed not only an abundance of the *suaviter in modo*, but the *fortiter in re* as well.

Another prominent member was Samuel McNutt, of Muscatine. Born in Ireland, he possessed in a high degree the impetuous and histrionic characteristics of his people. Samuel was nearly always ready to address himself to any subject that came up. He could arise to his feet and get recognition from the speaker with more celerity than any man I have ever seen. Quicker than a flash he was on his feet, and with a sort of "wildness in his aspect," his raven hair standing out, his large, black eyes gleaming, his hand upraised, his whole attitude theatrical as ever was that of Sheil or Curran, he would cry out "Mr. Speaker," with a voice so percussive, and with an air so dramatic that it had the immediate effect to impress both the speaker and the house, that some startling announcement was about to be made. He seldom failed to get his shovel in ahead.

His education had been liberal, he had been a teacher and a college professor, an editor and lawyer, though he never practiced that profession to any extent. Subsequent to his service as a member of the Tenth General Assembly, he was re-elected and served in the Eleventh and Twelfth General Assemblies.

At the close of his service in the house he was nominated and elected to the senate for the full term. His ten years of consecutive service made him one of the most efficient and useful legislators that the state has ever had. He was the originator and promoter of several important measures which passed into its laws. Muscatine county never had a more faithful and honored representative.

Jones county was well represented by John Russell, who retained much of the simplicity of his Scottish ancestors, and would smoke his clay pipe with as much complacency, and a great deal more comfort than if it had been a Vanderbilt cigar. He was plain but substantial, and exercised a potent influence in the house. He afterward served the state in various positions of trust and was never found wanting.

Another member equally plain and equally efficient was Addison Oliver of Monona county. He cared not for the advice of Polonius to his son in the matter of apparel, for his dress was decidedly plain and old-fashioned for so young a man, but it nevertheless verified the truth of what Polonius said that "the apparel oft proclaims the man," for he was as plain and old-fashioned in his makeup as his dress. He was a lawyer of ability, and afterward served the state in congress, and I believe, on the bench.

Johnson county was ably represented by Bob Finkbine, the best possible combination of a good legislator, a good architect and builder, a good political manager, and an all around good fellow.

If anyone expected to get a measure through involving any important interest without his close inspection, they were sure to be deceived. He was, I think, the most eminently practical member in the house. Your magnificent capitol building is an enduring monument to his skill and ability.

B. S. Merriam, of Lee county, already an elderly man and somewhat broken, was one of the sages of the house. In earlier years he must have been a grand looking man; he was still grand looking, for though infirmities had somewhat bent and shaken his once erect physique, on his fore-

head "nature had written gentleman," and in the lineaments of his amiable face God had left the traces of His own mercy.

Charles Paulk, of Allamakee county, was the democratic Nestor. He was then between fifty-five and sixty years old, and must have ere this paid the debt of nature. He was an old hero, and once seen would never be forgotten, so peculiarly striking was his appearance. The contour of his face, the shape of his head, the high cheek bones, the resolute mouth, the sallow complexion, the erect form, made him look for all the world like a Seminole chieftain, resolute in purpose and born to command. Notwithstanding this ferocious appearance he was one of the kindest hearted of men, but if anyone at any time wanted a racket with him they could get a very lively one. He was promoted to the senate at the next election and served well his day and generation.

Iowa has had two other men who could compete with him in Indian-like appearance: Colonel Pollock, formerly of Dubuque, and Sachem Al Swalm, for a long time the able editor of the Oskaloosa Herald and present consul to one of the South American states. If they had dressed in Indian toga and gone to see the great father at Washington, they would have been accredited as chiefs of their respective tribes, with the possible exception of Paulk, the color of whose hair and eyes might have given him away on close inspection.

Then there were William I. Gilchrist, of Clayton, the efficient chairman of the ways and means, and S. G. Magill, of Clinton, with a voice so like the Stentor himself, that when he presented a report of his committee it commanded silence by its very force and with the same effect that a long, rolling peal of thunder has on an audience; and A. B. F. Hildreth, of Floyd, the Puritan of the house, with a stubbornness as rigid as his morals; but with an intelligence that bespoke his culture as a scholar and his experience as an editor. And there was Washington Galland, of Lee, a hero of two wars, honored son of an honored father, Dr. Isaac Galland, one of the earliest and ablest of the pioneers of Lee county; and Doctor Hurst, of Davis county, now of Los Angeles; and Nicholas Baylies, of Polk; and Doctor Glendenning, of Wayne; and William Elliott, of Ringgold; and Doctor Sears, of Poweshiek; and good old John Smith, who hailed from the scene of the then recent Indian massacre of Spirit Lake; and Doctor Van Sandt, of Page; and Charles Weare, of Linn; and George Fry and Owen Bromley, of Jefferson; and Elwood Lindley, of Dallas, and several others that my limited time forbids me to further mention.

In conclusion on this branch of my discourse, let me mention a measure for the relief of our soldiers that I had before forgotten:

The war was not near its end; we were in the midst of it. Its fortunes varied from victory to disaster, and from disaster to victory. Vast armies were battling in the front and at times the combat so deepened that the fate of the nation trembled in the balance.

Thousands of Iowa men had laid down their lives in defense of the flag and thousands more maintained the field. We were determined that the family of no Iowa soldier should suffer from want, and with that end in view, provided by special tax a fund to be expended for the purpose under the direction of the county boards of supervisors.

There is one more thing to which I desire to refer in order to show the difference between then and now in the modes of conveyance. From the

south there was no railroad within seventy-five or eighty miles of the capital. The nearest point on the old Burlington & Missouri railroad, now the Chicago, Burlington & Quincy, was at Ottumwa, ninety miles away, and on the Des Moines Valley railroad, now the Rock Island, at Eddyville in Wapello county, between seventy-five and eighty miles distant. In the first days of January, 1864, a winter of great severity, the senator from Lee county, George W. McCrary—God bless his sainted memory—J. W. Dixon, the very able senator from Wapello, Peter Knox, my associate in the house, and myself, started from Eddyville for Des Moines. It was a fearful day. The wind whistled and cut like a knife, the snow blew and the thermometer registered considerably below zero. We were to be conveyed by the Western Stage company, and for that purpose were directed to lie down in a wagon box filled with straw and placed on runners, while completely over us were piled blankets and buffalo robes to protect us from the scathing blast; and away we went at the crack of the whip of the old fashioned driver, who from head to foot was boxed in furs as closely as an Esquimo. We drew up for the night at Prairie City and next day made our entrance to the capital, and were soon warming ourselves before the fire at the grand hotel of the place, the wooden caravansary standing on the river bank at the foot of Walnut street and yclept the Des Moines house.

Turn we now to the senate. I cannot stay there long for I have spent too much time in the house.

It was no ordinary body. In it were men grown gray in the service of the state, and young men who hoped to. There were lawyers, doctors and preachers of distinction; and there were soldiers that had led the surging lines of battle on bloody fields, displaying "a courage which in its contempt of death is a presage of immortality."

The war had ended in the preceding April, and a few days later Abraham Lincoln had been assassinated. Andrew Johnson had become president of the United States. The absorbing theme of the nation was the work of reconstruction.

Of course we did all we could in our feeble way to accomplish this by resolutions, the most of which I am bound to say, however, had no more effect on the subject than the "pope's bull against the comet."

On the whole, the work of the senate of 1866 was in keeping with the high character of that body. Many suitable measures were passed, that I cannot pause to review. Among others, one ratifying the amendment to the national constitution abolishing and forever prohibiting slavery. It passed without a single dissenting vote.

Let us briefly glance at the presiding officers and some of the members.

The incumbent lieutenant-governor and president of the senate until after the inauguration, was Enoch W. Eastman, whose name is so closely interwoven with Iowa as to make it "as familiar as household words." A more original character, and a more perfect specimen of a real old fashioned, down east, backwoods, nasal talking Yankee could not well be imagined. Very tall, slim, bony, gaunt, long necked and loose jointed, he always reminded me of Ichabod Crane the Yankee schoolmaster in Irving's "Legend of Sleepy Hollow." In facial expression his features were long and pointed, and deeply pitted by small pox; but this, it was thought, was rather an improvement to his appearance than otherwise. He was reared

in the mountains of New Hampshire and worked in the saw mill and on the farm of his father until he was nearly of age, occasionally going to school in the coldest portions of the winter. He used to relate that he worked one season for a farmer seven months at \$10 a month and at the end handed his father \$67 of the earnings. This was characteristic of the man. Notwithstanding his early disadvantages he subsequently acquired, by dint of his own effort, in teaching district and singing schools, an academic education; and from the time he came to Iowa in 1844 until his death, he was justly regarded as one of the best equipped lawyers and men of the state. But he never could, and probably never desired to, throw off his Yankee dialect or Yankee tone imbibed among the hills of his native state. In opening the joint conventions of the senate and house assembled to declare the result of the election and inaugurate the newly-elected governor, he would announce in his peculiar tone: "The jint," not the joint but the "jint," "convention is now in session," and in referring to the district court he always persisted in saying the "deestric" court. He could look as grave as a Presbyterian deacon and sing psalms as solemnly as one of Cromwell's soldiers. At the same time he had a keen sense of the ridiculous and was "as cunning as a fox."

On one occasion he appeared before a young judge who had been elected in his district, and who was more conceited than wise. To enforce a point he desired to make, Enoch brought with him, and attempted to read, Blackstone to the young judge, whereupon the latter, after moving uneasily about in his seat for a while, said: "Mr Eastman, I've read Blackstone." "O, hev ye," responded Enoch looking at the judge over the top of his spectacles with an air of surprise. On another, while trying a case in Mahaska county, to which he first came, Crookham, who was as quaint perhaps as himself, was on the other side in a hog case. Crookham told the jury he was a farmer and knew all about hogs. Enoch in his reply said, in his shrill voice, "the gentleman says he knows all about hogs. He oughter, for he's the biggest b-o-r-e in the county."

But there was a deeper and more sublime character in his nature than what I have said would seem to indicate. As the erection of the Washington monument was approaching its completion, each state was called upon to contribute an appropriate motto to be inscribed on its face. Enoch composed and presented the following for his state: "Iowa: the affections of her people, like the rivers of her borders, flow to an inseparable union." What could be more beautiful? It was adopted and inscribed along with the mottoes of the other states and is universally conceded to be the rarest gem of them all. It is sufficient to render his name as enduring as Iowa itself.

The newly-elected lieutenant-governor, and who became president of the senate after the inauguration, was Benjamin F. Gue. If he were not living I would feel at liberty to speak more freely concerning him. As it is, I may say of him, that no lieutenant-governor ever more highly graced the position, and as a presiding officer, what Charles Lamb said of the blackberry; that "doubtless God could have made a better one, but doubtless God never did." As a citizen, as a journalist, as legislator and public officer, he has rendered valuable services to the state. His efforts in preserving and contributing material necessary to its correct history, and in organizing and preserving this association, alone render him deserving of the

gratitude of the people. There are three men to whom the state is more greatly indebted for conspicuous service in these lines than perhaps anyone else: T. S. Parvin, Charles Aldrich, and B. F. Gue.

Marcellus Cutts, the senator from Poweshiek, was a natural born satirist, and there was scarcely an occasion on which he failed to show his inclination in that respect. In sardonic ridicule and irritating invective he was without a peer, and when these were poured without stint on the object of his attack, in that grating voice of his, the effect on the victim was harrowing. And yet he was kind-hearted and companionable, and everybody liked to hear him except, of course, the victim who smiled and writhed and writhed and smiled during the operation. There was but one man in the senate competent to hold his own with him in these tilts, Gen. Fitz Henry Warren, to whom I shall again refer. Cutts was a man of fine talents and an able lawyer. As was once said of Lord John Russell: 'He became not indeed an orator, but a very keen debater, who was especially effective in a cold, irritating sarcasm which penetrated the weakness of an opponent's argument like some dissolving acid.'

He subsequently served the state as attorney-general and his district one term in congress. He was re-elected for another term, but died before entering upon it, and your humble servant was nominated to fill the vacancy; but luckily for the people and himself, was defeated by a few votes in the fusion between the democrats, the greenbackers and the idiots. Cutts was a rising man, and had he lived until the full maturity of his powers, he doubtless would have occupied still higher positions.

The senator from Mahaska was J. A. L. Crookham, who was par excellence the eccentric member. He was one of the early lawyers of the state. He was plain and homely in dress and appearance and delighted to represent the common people. He was perfectly *sui generis*. There never was and never will be another Crookham. He saw through a glass darkly, though he was unable sometimes to very clearly describe what. He was not felicitous in speech, very absent minded, and perpetually perpetrating bulls at which, however, he never laughed himself, because he never noticed them. I heard Judge Loughridge relate this incident which he said occurred in his presence. Crookham was trying a hog case. His client's name was Fifield. After other witnesses had testified, he put his client on the stand and, with a wave of his hand, said: "Now, Mr. Fifield, tell these hogs all you know about the jury." Nevertheless he was a man of no mean ability, and before a jury of his county, every member of which he would personally know, he was a most formidable adversary.

John A. Parvin, of Muscatine, was an influential member. His tall form, rather clerical dress, grave manner and rigid morals, always reminded me of a Puritan. He was a man of high character, self-willed, strong and useful. He has joined the silent majority.

We had five conspicuously tall senators, of whom Parvin was one, L. W. Ross another, D. P. Stubbs the third, J. W. Cattell the fourth, and Gen. Fitz Henry Warren the fifth. Ross and Stubbs were ranked among the strongest men of the senate. Both were able lawyers and both exercised great influence on legislation. Both are still alive and occupy distinguished positions in their profession.

Jonathan W. Cattell, it was thought, bore a striking resemblance to Lincoln, both in build and facial expression. He had served the state as

auditor and in other positions and was one of its best tried and truest servants. I have never seen a man in whom was wrapped up more of the old-fashioned elements of official integrity. Honest, incorruptible and competent, he served the state well and deserves to occupy an appropriate place in her history.

In the senate I found Richards and Paulk, to whom I have referred in connection with the house. All three of us had been promoted; it is hoped for good conduct.

Then there was H. C. Henderson, of Marshall, an able lawyer, a painstaking legislator and an amiable gentleman.

And there was J. F. McJunkin, of Washington, one of the clearest-headed lawyers in the state. He subsequently became attorney-general, and died in the prime of life, sincerely mourned by all who knew him.

And J. M. Brayton, of Delaware, whose thoughtful, spectacled face gave him the air of a college professor. And he was just as thoughtful as he seemed to be. Of high culture and intelligence, and the most lovable character in the senate. He subsequently served as judge in his district.

And G. W. Bassett, of Webster, a good lawyer, imperturbable, alert and clear-headed. No measure affecting finances ever escaped the most searching attention at his hands.

And Dr. Bullis, of Winneshiek, an accomplished physician who had allowed his taste for politics to interfere somewhat with his profession. He was a clean and efficient member, and subsequently served the state as lieutenant-governor and in other capacities with credit.

And J. G. Patterson, of Floyd, another good lawyer, and a faithful and hard working senator. He met with an untimely death in a railroad accident some years ago. And Theron W. Woolson, of Henry, the most careful, the most painstaking, the most technical, and probably the closest observer of everything that came up of any man in the senate. He was the father of your federal district judge, and died many years ago. And J. R. Reed, who subsequently became judge of the district court, later a judge of the supreme court, and at present a judge of the United States court of land claims. A well rounded man, who has honored every position in which he has been placed.

And J. B. Powers, of Black Hawk, an able, clear-headed lawyer, afterwards judge of his district. And Nathan Udell, of Appanoose, the Nestor of the senate.

And Ezekiel Clark, of Johnson, a brother-in-law of Governor Kirkwood, and an able financier; and W. B. Lakin, of Fayette, delicate in physique, but in intellect clear-headed and strong.

And John Hilsinger, of Jackson, another lawyer—and it does seem to me that lawyers were thicker than fiddlers in Tophet—but John was all right, a high-minded, brainy, substantial man and a most useful legislator. I do not know whether he is living or not. My absence of thirteen years from the state has caused me to lose track of most of these men. I know, however, that the great majority of them rest from their labors.

B. T. Hunt, of Clayton, was, perhaps, the finest looking man in the senate. He had a magnificent presence, "a front like Jove; an eye like Mars." He was a high liver, an excellent story teller, and liked most of the good things of this world. He was ordinarily rather turgid, but when aroused showed that he was a man of power. He subsequently became

judge of the district court, and died a number of years ago. He was an able man.

And there was F. M. Knoll, of Dubuque, a Frenchman by birth, but in appearance and in fact quite the opposite of the slender, bowing, scraping, gaily dressed, picturesque Frenchman of our fancy, for he was broad shouldered, heavy and substantial in all respects. He was a member of the old guard of the democratic party and stood by its colors with Norman fealty. He was a man of but few words, a good listener, a close observer and a most reasonable and useful member. He had previously served in the house of the Ninth, and subsequently served in the senate of the Tenth, Eleventh, Twelfth and Thirteenth assemblies, and again in the house of the Seventeenth and Twenty-third. A most remarkable record and one that speaks for itself.

And there was Coker F. Clarkson, the senator from Grundy. He was a New Englander by birth, but had settled early in Indiana, where for many years he was a prominent journalist of great influence in his section. When past middle life he emigrated to Iowa and engaged in farming on a large scale in Grundy county. It was my pleasure to become better acquainted with him, perhaps, than any other senator, as we boarded at the same place. He had been personally acquainted not only with the leading men of Indiana, but with many of the nation. In physique he was large, rugged and commanding, and his mentality was as rugged and commanding as his physique. His convictions were deep and abiding, and his opinions based thereon held with such tenacity as to sometimes subject him to the charge of stubbornness. And it must be confessed that he did not brook opposition with a very good grace. But it was always known just where he stood. Equivocation had no place in him, and there was not a single false fiber in his make-up. He could not have prevaricated if he would, and would not if he could. His morals were rigid, but he prescribed none to others that he was not willing to be governed by himself. He was seemingly stern and austere, but beneath his exterior there beat a kindly heart.

His long observation of affairs and his wide acquaintance with public men, made him a most interesting personage. He could tell of little events relating to the inner life of distinguished politicians, lawyers and statesmen, which we do not find in books. One now occurs to me: He, with others, had been constituted a committee to accompany Henry Clay on a speaking tour. On them devolved the duty of looking after the preliminaries at the different places, and at the request of Mr. Clay there was on each occasion placed before him on the speakers' stand a pitcher of white Catawba wine instead of water, from which the "Gallant Harry of the West" might occasionally refresh himself. Brother Clarkson said that while the efforts of Mr. Clay were generally grand, they were sometimes miserable failures. As to whether this was because too little or too much wine had been drunk, he gave no opinion, though I thought I knew what his opinion was. Doubtless the real cause was that great orators, like other mortals, experience at times a state of mental lassitude which renders them unable to reach the desired apotheosis or climax.

After a long and useful life "Father Clarkson" recently passed over the river, followed by the benediction of Iowa's people, "Well done, thou good and faithful servant."

And then there was that splendid soldier, Maj. John Meyer of Jasper, with the smoke of battle still clinging to his garments; and another in the person of Major Farwell of Jones; and another in Col. Ezekiel Sampson of Keokuk; and another in Col. S. A. Moore of Davis, who had led his company in the glorious Second Iowa in the fearful charge on the rifle pits at Donelson, and who subsequently fell in the front, shot through both legs, at Shiloh, where Lieut. James B. Weaver stopped under a galling fire to pick him up and bear him from the field, as "Aeneas, our great ancestor, did from the flames of Troy the old Anchises bear;" and another in Gen. Fitz Henry Warren of Des Moines county. Warren was the most remarkable and highly accomplished man in the senate. To a finished education, strong literary taste and wide reading, nature had added a brilliant mind and the gifts of genius. There was scarcely any field of literature that his research had not invaded, and he had drunk deep from the Pierian spring.

In appearance he was most distinguished; his high-born instincts and his great culture were traced upon his face and visible in his bearing. Had he been set down in the French assembly or in the British lords or commons he would have attracted immediate attention. As an orator, he was too refined and classical for the hustings, but in the forum he was the most polished one I have ever heard. While his discourse was neither ornate nor diffuse, it was elegant, chaste and scholarly; "a current that worked its way into the light through the filtering recesses of thought and learning."

He had been an efficient assistant postmaster-general; he had a national reputation as a political writer; he had been on the editorial staff of the New York Tribune and was the author of the famous war editorials that had appeared in that paper, entitled: "On to Richmond." These varied accomplishments were backed by a highly sensitive nature, and a spirit as proud as Lucifer. He had the consciousness that he was born to command and could not brook opposition or the control of those whom he regarded as his inferiors.

But alas! it was these characteristics that thwarted his progress all along his pathway and prevented him from attaining that eminence to which his talents entitled him. He was as brave and valorous as a knight and in appearance every inch a soldier, but instead of rising to that distinction which he would otherwise have done, he narrowly escaped a court-martial for insubordination. His "On to Richmond" articles, assuming to direct the army over the heads of the commander-in-chief and his generals, embarrassed both the administration and the Tribune. Instead of biding his time when he lost the gubernatorial nomination to Stone, and trusting to the people's returning sense of justice to right his wrongs, he wrecked his political future by going over to Andrew Johnson and received a miserable mess of pottage in the appointment of minister to Guatamala.

He doubtless lived long enough to fully understand the causes of his downfall. Broken by disappointment and sorrow, he is said to have spent his last days in a hospital under the most distressing circumstances. Of him it may be fitly said what Justin McCarthy has said of Lord Durham: "His proud and sensitive spirit could ill bear the contradictions and

humiliations that had been forced upon it. He wanted to the success of his career that proud patience which the gods are said to love, and by virtue of which great men live down misappreciation and hold out until they see themselves justified, and hear reproaches turn into cheers."

But I must stop here and bring this rambling discourse to a close. There are others of whom I would like to speak, but time forbids, and they and their friends will have to take the "will for the deed."

Hon. John M. Davis read the next paper:

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THE CONSTITUTIONAL CONVENTION OF 1857.

BY HON. LEWIS TODHUNTER.

**MR. PRESIDENT AND PIONEER LAWMAKERS**—As a member of the committee on statistics from the Seventh congressional district of the state of Iowa, I make the following report and biographical sketch of the members of the constitutional convention of 1857. My report will be but limited and not very satisfactory:

Edward Johnson, a native of Pennsylvania, was at the time of the convention from Fort Madison, Lee county; was 41 years old; a resident of the state 19 years; a lawyer by profession; a democrat.

William Patterson was a native of Virginia; was at the time of the convention from Keokuk, Lee county; was 54 years old; a resident of the state for 19 years; a pork packer; a democrat.

Squire Ayres was a native of Pennsylvania; was at the time of the convention from Bonaparte, Van Buren county; was 56 years old; a farmer; a democrat.

Timothy Day was a native of Ohio; was at the time of the convention from Winchester, Van Buren county; 53 years old; 12 years in the state; a farmer; a republican.

M. W. Robinson was a native of Ohio; was at the time of the convention from Burlington, Des Moines county; 42 years old; in the state 18 years; a farmer; a democrat.

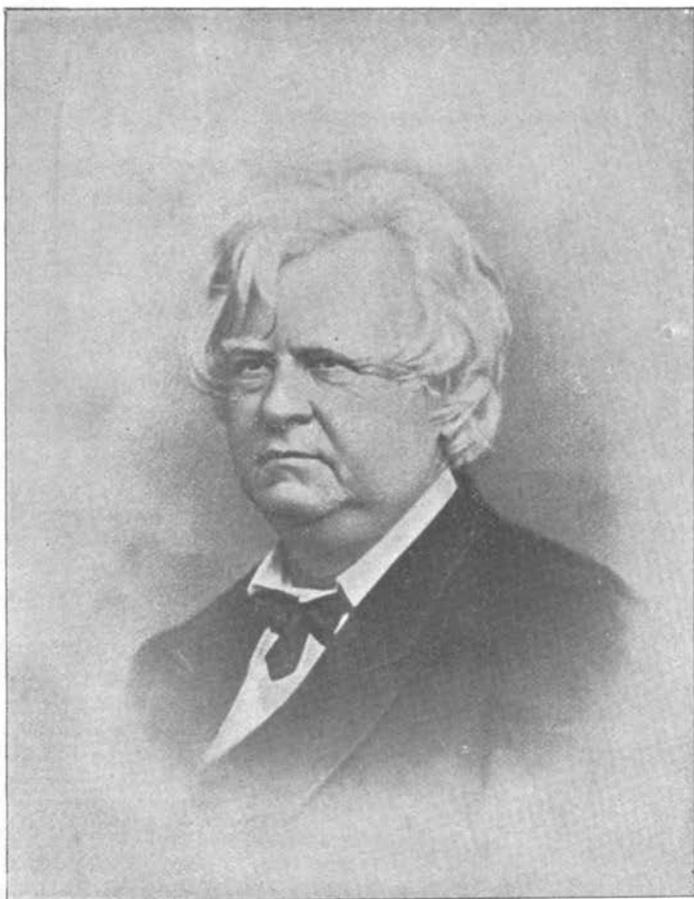
J. C. Hall was a native of New York; was at the time of the convention from Burlington, Des Moines county; 47 years old; in the state 18 years; a lawyer; a democrat.

D. P. Palmer was a native of New York; was at the time of the convention from Bloomfield, Davis county; 40 years old; in the state 10 years; a democrat.

James F. Wilson was a native of Ohio; was at the time of the convention from Fairfield, Jefferson county; 28 years old; in the state 3 years; a lawyer; a republican.

R. L. B. Clark was a native of Connecticut; was at the time of the convention from Mt. Pleasant, Henry county; 37 years old; in the state 6 years; a lawyer; a republican.

George Gillaspay was a native of Kentucky; was at the time of the convention from Ottumwa, Wapello county; 42 years old; in the state 16 years; a farmer; a democrat.



A handwritten signature in cursive script, reading "George Johnson". The signature is written in dark ink and is positioned below the portrait.

Third President Pioneer Lawmakers' Association.



John Edwards, a native of Kentucky; was at the time of the convention 42 years old; in the state 3 years; from Chariton, Lucas county; a lawyer; a republican

Amos Harris was a native of Ohio; was at the time of the convention 34 years old; in the state 8 years; from Centerville, Appanoose county; a lawyer; a democrat.

Daniel H. Solomon was a native of Virginia; was at the time of the convention 27 years old; 3 years in the state; from Glenwood, Mills county; a lawyer; a democrat.

D. W. Price was a native of Kentucky; was at the time of the convention 30 years old; in the state 3 years; from Council Bluffs, Pottawattamie county; a lawyer; a democrat.

David Bunker was a native of Indiana; was at the time of the convention 46 years old; in the state 17 years; from Richmond, Washington county; a farmer; a republican.

Jeremiah Hollingsworth, a native of Indiana; was at the time of the convention 47 years old; 16 years in the state; from Richland, Keokuk county; a farmer; a republican

James A. Young, a native of Virginia, was 41 years old; 8 years in the state; from Oskaloosa, Mahaska county; a merchant; a republican.

H. D. Gibson, a native of Tennessee, was 37 years old; 12 years in the state; from Knoxville, Marion county; a merchant; a democrat.

Lewis Todhunter, a native of Ohio, was 37 years old; 7 years in the state; from Indianola, Warren county; a lawyer; a republican.

J. A. Parvin, a native of New Jersey, was 49 years old; 18 years in the state; from Muscatine, Muscatine county; a farmer and engineer; a republican.

Wm. Penn Clarke, a native of Maryland, was 39 years old; 12 years in the state; from Iowa City, Johnson county; a lawyer; a republican.

George W. Eells, a native of Connecticut, was 48 years old; 2 years in the state; from Davenport, Scott county; a bookseller; a republican.

Robert Gower, a native of Maine was 53 years old; 16 years in the state; from Gowers' Ferry, Cedar county; a farmer; a republican.

Aylett B. Cotton, a native of Ohio, was 30 years old; 12 years in the state; from Lyons, Clinton county; a lawyer a democrat

Hosea W. Gray, a native of Pennsylvania, was 40 years old; 19 years in the state; from Marion, Linn county; a farmer, a republican.

J. C. Traer, a native of Ohio, was 30 years old; 11 years in the state; from Vinton, Benton county; a banker; a republican.

Harvey J. Skiff, a native of New York, was 36 years old; 7 years in the state; from Newton, Jasper county; a banker; a republican.

Thomas Seely, a native of New York, was 33 years old; 3 years in the state; from Guthrie Center, Guthrie county; a farmer; a republican

William A. Warren, a native of Kentucky, was 45 years old; 23 years in the state; from Bellevue, Jackson county; a mail contractor; a republican.

A. H. Marvin, a native of New York, was 49 years old; 2 years in the state; from Monticello, Jones county; a farmer; a republican.

J. H. Emerson, a native of Virginia, was 49 years old; 16 years in the state; from Dubuque, Dubuque county; a real estate dealer; a democrat

John H. Peters, a native of Connecticut, was 28 years old; three years in the state; from Delhi, Delaware county; a lawyer; a democrat.

Alpheus Scott, a native of Massachusetts, was 32 years old; 4 years in the state; from Strawberry Point, Clayton county; a real estate agent; a republican.

Sheldon G. Winchester, a native of New York, was 26 years old; 5 years in the state; from Eldora, Hardin county, a druggist and book seller; a republican.

John T. Clark, a native of New York, was 40 years old; 3 years in the state; from Waukon, Allamakee county; a lawyer; a republican.

Francis Springer, a native of Maine, was 44 years old; 18 years in the state; from Columbus City, Louisa county; a farmer; a republican.

The following professions were represented in the convention, to-wit:

Lawyers, 14; farmers, 11; pork packer, 1; merchants, 2; book seller, 1; bankers, 2; mail contractor, 1; real estate dealers, 2; druggist and book seller, 1.

Nativity of members as follows: Ohio, 7; New York, 7; Virginia, 4; Kentucky, 4; Connecticut, 3; Pennsylvania, 3; Indiana, 2; Maine, 2; Maryland, 1; Massachusetts, 1; New Jersey, 1; Tennessee, 1.

At the time of the meeting the country was greatly excited over the Kansas troubles. In the convention were members of both parties who were rabid politicians, and who, soon after we were organized, made long speeches in the endeavor to instruct the people as to the true policy.

On the final vote seven democrats voted against the adoption of the constitution, as follows: Ayres, Emerson, Gibson, Hall, Harris, Peters and Solomon.

Francis Springer was elected president; W. Blair Lord, reporter; Thomas J. Saunders, secretary; Elsworth Bates, assistant secretary; S. C. Trowbridge, sergeant-at-arms; Francis Thompson, doorkeeper.

There are now but nine of the members living, as follows: R. L. B. Clark, aged 80 years; William Penn Clark, aged 82 years; Daniel H. Solomon, aged 69 years; Lewis Todhunter, aged 80 years; Aylett E. Cotton, aged 73 years; J. C. Traer, aged 73 years; H. J. Skiff, aged 79 years; Francis Springer, aged 85 years, and John H. Peters, aged 69 years.

The next paper was:

#### THE SPIRIT LAKE RELIEF EXPEDITION OF 1857.

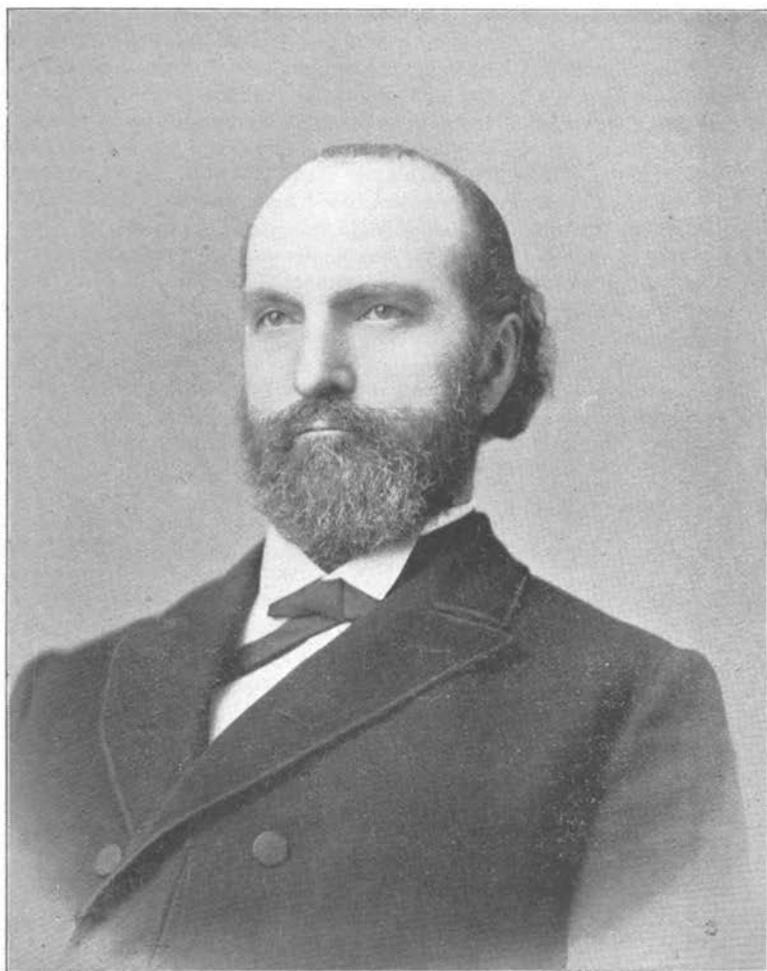
BY HON. JOHN F. DUNCOMBE.

MR. PRESIDENT AND GENTLEMEN OF THE PIONEER LAWMAKERS' ASSOCIATION OF IOWA—I have been requested to write up my recollections of the relief expedition under Major Williams, better known as the Spirit Lake expedition of 1857, to be read at your meeting to-day.

To do this with the care and attention it deserves requires more time than I am able to devote to that important event in the history of Iowa.

I suppose the request is made of me as the only officer of that expedition above a lieutenant now remaining in this state.

I will give some of these recollections of the event which occurred at the time in which the cruel, treacherous Sioux came down from their wild, northern homes in Minnesota and Dakota into our beautiful land to harass, insult and murder our peaceable citizens.



**HON. JOHN F. DUNCOMB,**  
**Second President Pioneer Lawmakers' Association.**



The cause of this hostile Indian raid originated, as I think, in a desire for revenge on the part of Inkpadutah, the leader of this renegade band of Sioux, and his followers, on account of murders committed a few years before by a white man named Lot, at the point near the line of Humboldt and Kossuth counties, at the mouth of what is now called Lot's creek.

The Indians came down the Little Sioux river to a place where there was quite a number of settlers, where the prosperous village of Smithland is now located, and there these settlers refused to permit the Indians to go further, and turned them back up the river.

As the Indians came down the river no depredations were committed upon the few scattering settlers. But on their return a change was very soon observed in the savage sullenness of the band, their insolence, and finally this bad temper broke out in acts of waste, violence and cruelty.

The settlers were insulted, their provisions taken, their stock shot down, their children abused and their women outraged. This was continued until this band of renegades, half breeds, robbers and murderers left the head waters of the Little Sioux and arrived at the southerly part of West Okoboji. At this point the cruelty of the savages increased, ending in the utter annihilation of all the settlers at the time on the borders of these lakes, except four captive women, only one of whom now survives (unless Mrs. Marble is still living, which is not certainly known), Mrs. Abbie Gardner Sharp, the author of the "History of the Spirit Lake Massacre," then Miss Abbie Gardner, whose father and mother were murdered at the point where a beautiful monument erected by the state marks the spot where fell the first victim of this cruel slaughter, and three men absent at the time from the settlement.

Having tasted blood, these fiends continued their bloody work until they were checked and repulsed at what was then called Springfield—now Jackson, Minn.

In January, 1857, word was brought to Fort Dodge that a large band of Indians under the lead of Inkpadutah had followed down the Little Sioux river to a point near Smithland. That this band was composed of Sioux, half breeds and straggling renegades of the Sioux tribe, and that they had become exceedingly insolent and ugly. The next information received at Fort Dodge was in the latter part of February, when Abner Bell, a Mr. Weaver and a Mr. Wilcox came to Fort Dodge and gave Major Williams and myself the startling intelligence of the acts and depredations of these scoundrels, said to be about seventy in number, including about thirty warriors.

These three men had left the Little Sioux river and coming through the awful storms and almost impassable snows for sixty miles without a house or landmark on the way, sought aid from our people. They gave a sad and vivid description of the shooting down of their cattle and horses, of the abuse of their children, the violation of their women and other acts of brutishness and cruelty too savage to be repeated. They pictured in simple but eloquent words the exposures of the dear wife, mother, children, their starving condition and their utter helplessness.

These reports were repeated from day to day by other settlers from the Little Sioux, who from time to time came straggling into Fort Dodge. These repeated accounts of the acts of the Indians led every one familiar with the Indian character to become fully satisfied that they were deter-

mined on some great purpose of revenge against the exposed frontier settlements, and caused much alarm to the people.

Among the number giving this information were Ambrose S. Mead, L. F. Finch, G. M. and W. S. Gillet and John A. Kirchner, father of John C. and Jacob Kirchner, who are citizens of Fort Dodge.

These depredations commenced at the house of Abner Bell, on the 21st day of February, 1857. On the 24th day of February, 1857, the house occupied by James Gillette was suddenly entered by ten or more armed warriors, and the two families living under the same roof, consisting of the heads of each family and five small children, were terrorized and most villainously abused. After enduring outrages, too horrible to relate, at midnight they managed to escape and late the following evening arrived at the residence of Bell, poorly clad, and without food for over thirty-six hours. The sufferings of those people and their little children will be appreciated by those who remember the driving storms, piercing winds and intense cold of the unparalleled winter of 1856-7, to my knowledge the longest and most severe of any winter for the last forty-three years.

From Gillet's grove, near the present beautiful and prosperous city of Spencer, the Indians went to Spirit lake and the lakes connected with that lake. No preparation could be made for resistance on account of the scarcity of the population and the thin, scattered homes. In fact, it is improbable that any family knew that depredations had been committed by these red devils until they were attacked, and that they were wholly unprepared for any such attack.

As soon as the few people in Fort Dodge learned of these depredations and outrages committed, an effort was made to organize a rescue party to go to the relief of these suffering, starving settlers, but the distance was over seventy miles across an unbroken, treeless, trackless, prairie, constantly visited that winter, by storms, wholly unknown to Iowa since the state has been dotted with buildings and beautified and protected by thousands of thrifty groves, and much of the distance covered with snow from eighteen inches to three feet in depth everywhere, and in many places from ten to fifteen feet deep, in the beds of streams and ravines, all of which cut off any hope that such a party would be successful, and would expose the lives of the brave men who volunteered to go to very great peril.

The first attack was made, as before stated, at the Gardner cabin, now occupied by Mrs. Sharp. This attack was followed up by attacks on every cabin then located around this beautiful chain of lakes, now delightful summer resorts so well known and so highly appreciated by the people of the state.

These attacks completely annihilated the settlements in Dickinson county with the exception of four women taken prisoners, two of whom were murdered afterwards by the Indians, and two of whom were rescued, Miss Abbie Gardner, then about 14 or 15 years of age, and Mrs. Marble, supposed to be living in California, and the three men before referred to.

Information of the destruction of the settlements around Spirit lake was brought to Fort Dodge by O. C. Howe, afterwards law professor in our State university, and a companion, R. U. Wheelock, and another gentleman whose name has passed from my memory (but I think it was Parmeter) who was absent from the settlement at the time of the massacre.

This information was given to the people of Fort Dodge on the Saturday night of the 21st day of March. On Sunday, the 22d, a public meeting was called in the old brick schoolhouse (since torn down) in Fort Dodge, and on Monday, the 23d, two companies were organized in the town—Company A, commanded by Capt. C. B. Richards, and Company B, of which I was chosen captain.

Word had been before sent to Webster City and a company commanded by Captain Johnson was organized there and joined our companies here. Maj. William Williams, who had been with the United States soldiers at Fort Dodge until 1853, when they were ordered to Fort Ridgely, was unanimously given command of the three companies.

These three companies were supplied with teams and wagons and with the supposed necessary supply of provisions, clothing, blankets, and with such arms and ammunition as could be furnished at the time, consisting of nearly every kind of guns from double-barreled shotguns to the finest repeating rifles, and all started from Fort Dodge on the 24th day of March, less than three days after the first news of the massacre had been received.

The Fort Dodge Sentinel, the first newspaper published in the north-western quarter of Iowa, stated that this expedition left Fort Dodge on the 17th of March. This was an error. The editor evidently had enjoyed a long rest after St. Patrick's day and had that day in mind above all other days, and failed to remember the correct date, which was one week later.

The first day the companies, after a hard fight with great drifts and enormous snow banks, only made a distance of six or seven miles, and camped close to the timber on the banks of Badger creek. The men in almost every case rolled themselves in their blankets, covered their heads and lay down on the snow.

When I left Fort Dodge I had a very stiff neck and a badly inflamed ear, which propped my head over to one side at an angle of about forty-five degrees, and which required careful handling; as the slightest jar caused intense pain. My first night on this expedition will never pass from my memory. It is as vivid now as it was at the time. I, too, slept on a snow bank and had as my next neighbor one of those horrible snorers who could make a danger signal louder than a locomotive whistle and more musical than a calliope in the procession of a circus.

The following day we shoveled snow, tramped down the snow for our teams, and when no other plan was possible, fastened a long heavy rope to a wagon and, every man taking hold of the rope, hauled the wagon through snow banks so deep that the snow would pile up in front until it reached the top of the dashboard. When we got our wagons through such a bank we would haul our oxen and horses through places where it was impossible for them to travel.

In this way we reached the point now known as Dakota City, after wading the Des Moines river fifteen or twenty times where there was a place to drag our wagons over, as we could not get down to the river at any place where the water was sufficiently frozen to carry our heavy loads. We had made about ten miles on this day, by dark.

A few of the men found places to lodge in houses and sheds; others rolled up in their blankets and lodged in the groves, and the balance of the companies lay on the snow, rolled in their blankets as on the preceding night.

This night I have planted in my memory so vividly that nothing but death can drive away the recollection.

During the night the pain in my ear was excruciating.

Before morning the gathering in the ear broke, giving some relief from pain but causing great inconvenience. The hardships suffered in the two days caused two of the men to be discharged on account of snow-blindness and severely frozen feet, and one or two faint hearts to desert.

The following day the command started for McKnight's Point, a distance of about eighteen miles in a direct line northwesterly from Dakota City. Our course lay over a rather low, flat prairie, which had gathered and retained the great bulk of the accumulation of the earlier winter storms, without guide, land marks or track of any kind to direct us. This necessitated having some one go ahead and find the best places to cross over the deep and almost impassable drifts.

This duty was assigned to me, and it necessitated double the amount of travel required of the command. During all the forenoon I traveled two or three miles in advance of the companies, signaling back from high points the direction to take to avoid, so far as possible, the depressions in the ground which were filled with snow, in many places ten or twelve feet in depth. All this distance there was a crust on the snow on which a light man could sometimes walk five or six rods without breaking through, but a heavier man would break through and go in to his hips, thus making the march exceeding difficult and very tiresome.

At about noon the men stopped a few moments and took a cold lunch, but as I was in advance too far to return for lunch, selecting roads, and was compelled to travel long distances above and below the way traveled by the men, in order to find the best crossings, I had no dinner or lunch and from my weakened condition and from lack of sleep the two preceding nights, I became somewhat fatigued. Shortly before dark I was joined by Lieutenant Maxwell, of Company C, and Private R. U. Wheelock, of my own company, who had been engaged a part of the afternoon in the same work as myself.

At dark the companies were together, about three or four miles back, and we were about the same distance from a grove of timber at McKnight's Point, on the west fork of the Des Moines river. We held a consultation and concluded it would be as easy to reach this timber as to return to the command, and then immediately started in the direction of the timber. One of our number would go ahead for a few rods and the other two follow in his footsteps, at one time on the crust of the snow and at another time sinking down to two or three or more feet into the snow, wedged in by the hard crust and making it almost impossible to extricate ourselves for another plunge. Then another would change with the leader. We continued on in this way until we were within about two miles from the grove, when Mr. Wheelock took from his pocket a small vial of medicine which he said Doctor Olney had given him at Fort Dodge, to prevent his taking cold. He took a little of it himself and asked me to take some of the contents of the vial, which I did. This medicine proved to be almost entirely composed of that deadly drug, laudanum.

Within two minutes from the time I took this medicine, on account of the weakened condition of my system and the condition of my stomach

from lack of food during the entire day, although I bit my lips until they bled to keep up, supposing that I was becoming exhausted and not thinking of the medicine I had taken, I was compelled to surrender. I could not stand alone or take a single step, and would instantly fall asleep unless violently shaken. I urged Lieutenant Maxwell and Mr. Wheelock to leave me and try to save themselves, as they were too much exhausted to have any possible chance of getting me to the timber. The night was cold and we had not even a blanket for protection, and I could see no possible hope for myself. In my dazed condition, caused by the laudanum I had taken, I distinctly remember thinking that my time had come. But Lieutenant Maxwell and R. U. Wheelock were made of material that would never permit a companion when helpless to cross the dark river alone, and they would consent to nothing of the kind. To their manly, courageous and self-sacrificing spirit I undoubtedly owe my life.

Lieutenant Maxwell started, but too much exhausted to walk, he lay down on the crust of that cruel snow and rolled over and over that two miles to a cabin in the grove, suffering injuries from which he never fully recovered. Wheelock kept himself from freezing by his violent efforts to keep me awake, refusing to leave me for a moment and faithfully staying by me for hours until help came. At the cabin Maxwell found the old pioneer, Jeremiah Evans, and William Church, and these two men followed back the tracks Maxwell had made to where Wheelock had remained with me, busily engaged in keeping me from that sleep that knows no waking.

By almost superhuman efforts these two brave men dragged me to the cabin, and my faithful protector, Wheelock, walking, falling, and plunging along, sometimes lying down and rolling on the crust of the snow, succeeded in making the cabin about the same time late in the night. I immediately went to sleep, not to awake from the effects of the dose of laudanum I had taken until late the following day, after the command had reached the grove.

Doctor Bissell, the surgeon of the command, examined the contents of the vial, pronounced it almost entirely composed of laudanum and told me that it was a miracle that in my condition it had not killed me, and that my chance of living had not been over one in a thousand, which chance, fortunately, I was permitted to take.

In the afternoon the men succeeded in making their way over the snow from their cold, icy rest of the night, to the Evans cabin. Here they remained until the following morning, having traveled by the most desperate exertions a little more than thirty miles in four days. Here several men became faint-hearted from exhaustion and suffering, to which most of them were unaccustomed, and refused to continue the march.

One brave man whose courage had been tested in the Mexican war and who was the third soldier to enter the Mexican fort when Cherubusco was stormed, declared that it was suicidal to continue the march, that it would result in the destruction of the entire command, and refused to go farther.

But this was not the spirit of the officers and of nearly all the men. They had started to rescue the Spirit Lake settlement, if any were left, to bury the dead, and if possible to overtake the Indians, and nothing but absolute impossibility could induce them to give up their purpose.

From McKnight's point the command led by that brave, intrepid old soldier, Maj. William Williams, continued on, each day being a repetition

of the preceding day, until we reached what was then called the West Bend, and beyond that the Irish colony located a few miles northwesterly from what is now the flourishing city of Emmetsburg, the fine growing capital of Palo Alto county. Here we rested for a short time and were joined by several persons living in the settlement and by Hon. C. C. Carpenter and Angus McBane and others, who happened to be there on business but resided at Fort Dodge.

During the time the command went from McKnight's point, a tar box on one of the wagons was lost by a man by the name of Brazee and found by one who was not blessed by an extra supply of brains.

To keep the minds of those who were suffering from the severe exposure of the march it was determined that Brazee should be tried for losing the tar box. A court-martial was organized, witnesses examined, and a formal finding was had and verdict rendered holding Brazee guilty, and sentence was pronounced against him that he be shot, and the man with but few brains was selected as the executioner.

He took the proceedings in dead earnest and he undoubtedly would have carried out the sentence, only he was informed that he must wait until he received his orders, and until the time was set for the solemn execution. The result was that Brazee was in great terror, fearing that his executioner would carry out the sentence without further notice or order. Finally, however, Brazee was pardoned and released from the peril which he considered so imminent.

After the command moved on from the Irish colony signs of Indians were found around the lakes in that neighborhood.

A few cattle had been shot and tracks that appeared like moccasin tracks were seen, and every little grove was searched.

It was considered quite likely that the savages, after killing the people at Spirit Lake, would cross over onto the Des Moines river and kill the few settlers there. I have always believed that some of the band did this, for unless such was the case it would be very difficult to account for the signs of Indian depredations we found east of the west fork of the river around the lakes.

Near the lakes we first saw in the distance some objects which seemed to be moving and were supposed to be Indians, and a detail was sent ahead to investigate. The belief was that it was a part of a body of Indians, but a closer investigation and a nearer view revealed an ox team and a sled.

This showed plainly that it was white people. As we approached we found that they had mistaken us for Indians. They had put themselves in an attitude of defense, evidently intending to sell their lives as dearly as possible, and determined never to fall into the hands of the savages alive. When they found us friends, the joy of these people, about seventeen or eighteen in number, can be better imagined than described. They were trying to escape from the town of Springfield, in Minnesota, where the Indians had been repulsed, but at the cost of several killed and wounded.

The leader was a Mr. Thomas whose son had been killed at the door of his own cabin, and whose arm was broken by a rifle ball, and amputated on his arrival at Fort Dodge. Mrs. Church, whose husband found us at McKnight's point, a woman of fine presence, and who in the Thomas cabin had used a rifle with as unerring aim as the best rifle shot in that company;

a sister of hers, Miss Swanger, who had been severely wounded in the fight; a Mr. Garver, who had also been severely wounded, two boys whose relatives had been killed in that fight, except the father of one of the boys who was in Mr. Thomas' company, and others whom I can not now call to mind.

While we were at the lakes, and after supplying these refugees with food, the appetites of our men, on account of the cold and severe labor, had nearly exhausted the estimated amount of food for the march, and we were reduced to half rations. Much of the time, however, we were supplied with raw meat, some of it beavers' meat, which was cooked by our night fires, each one furnishing a stick, fastening to it a piece of meat and holding it over the coals until ready for supper. When there was no other stick handy, a ramrod answered the purpose.

For the last few days of the march we were constantly in expectation of meeting Indians, of whom every settler gave information such as best suited his fancy. This constant watchfulness, which required the stationing of guards at night, permitted but few hours of good, sound, restful sleep during the entire march. The labors of the men were of the most severe character. They were almost constantly shoveling snow, dragging our teams and wagons by ropes through the deep snow banks, traveling with sore, wet and swollen feet, and to add to the difficulty, several became snow blind.

The men, however, showed themselves worthy of all praise, for they endured their sufferings without a murmur.

No trained veterans, thoroughly equipped and armed, ever did duty more willingly, more cheerfully or more faithfully.

Few of the men were accustomed to such hardships. None of them were fully prepared for what they had to endure. Not a man shirked his duty.

After meeting the refugees from Springfield, who would have perished but for our timely aid, all believed the Indians would follow them. This necessitated double diligence and vigilance. All were constantly on the watch after we left Mud lakes. In order not to be taken by surprise, a body of scouts was dispatched ahead of the main body to carefully examine the timber bordering on the lakes and report any further signs of Indians that might be discovered.

The signs that we had already seen indicated that Indians were near. The scouts sent out were given strict orders by our commander not to fire a gun unless they saw Indians, and this was to be the signal for the main body to hasten to their relief. The scouts had gone three or four miles ahead of the main body and had just passed through a grove of timber bordering on one of the lakes. At the time I was on horseback, about half way between the command and the scouts, looking out a safe place to cross some creeks and ravines.

Suddenly I heard the crack of a dozen or more rifles (at least, it sounded to me that many) and saw two persons running out of the timber, about two miles beyond where I was. As I was well armed and knew the order given the scouts not to fire unless Indians were discovered, I supposed the men I saw were Indians driven from the timber by the scouts whom I had seen enter the grove. After carefully examining the caps on my double-barreled gun and revolver, I started my horse on a full run, where

he was not prevented by snow banks, to head off the supposed Indians. When near enough to see them plainer, I saw that they were two of our own scouts, and learned that in passing through the grove the old hunters had suddenly come upon a number of beaver lying on the ice, sunning themselves, and the temptation to these old hunters was too great for them to resist, and forgetting their orders and their duty, they fired at the beaver. The two men I had seen running from the timber were chasing beavers.

Immediately upon finding out the facts and knowing the men would be anxious to know the cause of the firing, I started back and found everybody preparing for a fight.

Major Williams gave me a severe reprimand for needlessly exposing my life. If this reprimand could have been taken by a phonograph, and the picture of the scene with a kodak, it would have been more amusing than I thought it was at the time. Some things he said to me seemed comical. He was at the boiling point with rage, and those who ever knew him will understand what that implies. I remember, after saying a few severe things to me in a loud, angry tone of voice, he demanded, "Did you expect to whip all the damned Indians yourself?" I received my reprimand in silence, and two years after took my revenge by marrying his daughter.

From this point no particular incident occurred worth relating until we reached Granger's cabin, near the Minnesota line, several miles above Esterville, where our reception was very chilly. When the scouts returned to the command, Major Williams gave them, in his forcible style and emphatic language, his ideas of the duty of a soldier and their disgraceful conduct and the great outrage they had perpetrated in violating his commands.

At the Granger cabin a soldier from Fort Ridgely met us and reported what the soldiers from that point had done and gave us what information he had relating to the Indians and the direction they had taken. He said that after their repulse at Springfield, they had hastily fled and were then probably a hundred miles northwest of the place where we were encamped for the night.

The officers then held a council and all concluded the Indians had such a start that we could not overtake them, and by this time the sun had melted the snow to such an extent that the streams were rising rapidly and in many places were almost impassable.

It was then decided to send a detail to bury the dead and find whether any were yet alive around the lakes. Volunteers were called for and Captain Johnson, of Company C, and many others, more than could go, volunteered. The names of this party, about twenty in all, have been preserved and it will be unnecessary for me to repeat them. Captain Johnson was placed in command by Major Williams, and we parted with these brave men expecting to meet them on our return to the Irish colony.

The balance of the command then started on the return march. The fast melting snow had raised the streams and in places they were almost impassable. After a hard, toilsome march we finally reached the Irish colony, expecting to meet our men who had been sent to bury the dead. Captain Johnson never returned. William Burkholder never returned. The night before our arrival at the Irish colony it turned cold and there

was quite a blizzard. Captain Johnson and his detachment started to cross from the lakes to our place of meeting as soon as they had buried the dead. They became bewildered and disagreed as to the proper course to take, remained all night with their frozen clothing and wet feet, in the open prairie without shelter or food, and in the morning those who had taken off their wet boots were unable to get them on and they separated into squads and each party took the course that the men considered right, and during the day most of them reached the place of meeting. Captain Johnson and William Burkholder, two as noble men as ever lived, were frozen to death, and though for weeks they were hunted, their bones were not found until years after and they were identified by the rifle which Burkholder carried and had with him when he died. Many of those who came in were actually crazy, so that they did not recognize any of their companions for some time after. It has always been a mystery to me that any of the detachment survived that terrible night. On the open prairie in the neighborhood of the lakes, the storm was the worst that we had experienced up to that time and one of the worst of Iowa storms. The hardships which these brave men experienced and endured on the march undoubtedly accustomed them to greater hardships and increased their powers of endurance, or not one would have been left to tell the tale of their sufferings. At the Irish colony, as we had but little food, we tried to purchase a steer, to be killed to aid our commissary, George B. Sherman. The people refused to sell without the cash and we were compelled to take the steer by force.

We then started down the Des Moines river, keeping on the hills to avoid the water, which by this time covered the bottom lands. About two hours before dark we arrived at Cylinder creek, which we found had raised so rapidly that it covered the flat land for nearly half a mile in width for a depth of from two to four feet, while the main channel of the stream was fifty or sixty feet wide and very deep.

Captain Richards and myself concluded to rig up a boat from a new wagon box, which we caulked with the cotton in a bed quilt, and taking Guernsey Smith from my company and Mr. Mason from his, we started across, hoping in this way to be able to get the remainder across. The wind, however, raised suddenly from the northwest and blew so hard that although we bailed constantly we barely reached the other shore until our boat was swamped and sunk, all getting more or less wet.

Captain Richards, Smith, and myself tried to reach the men on the other side by calling to them. In this we failed. We were exhausted and knew unless we could reach the cabin about three miles away our chances for the night would be poor, indeed, as all our blankets were left with the men. As we could accomplish nothing more we started as rapidly as we could go with our wet feet, frozen boots and clothing for the Shipley cabin, which we reached after dark. We secured a little bread, bacon, and coffee, and then sat around the fire drying our clothing, looking out of the door to see if there was any change for the better in the awful storm and wondering how it would be possible for the men to live through the night. This was one of the longest nights I ever experienced. It seemed like a month to me.

As soon as we could see we started back to the point where we had left the men. Captain Richards and myself did reach the place through the

blinding storm with the mercury away below zero and the wind blowing at a fifty-mile rate, but the other men did not.

When we reached the Cylinder creek, we could see that the men were all hidden from sight by the blankets and canvas coverings of the wagons and then we were in great fear that all were frozen to death, as there was not the least sign of life. We remained as long as we could stand it and then returned to Shipley's cabin. About 3 o'clock we again faced the storm and reached the place a second time opposite our men. Captain Richards and myself had brought a rope with us when we crossed over and on our first trip had made great exertions to cross. We renewed our exertions at this time and I tied the rope around my body, Captain Richards taking the other end, and finding two boards of the wagon box, put them on the ice, and by moving one and then the other ahead of me, while lying flat down tried to cross the stream, but on account of my weight constantly breaking the thin ice over the rapid portion of the stream, found it impossible. Then Captain Richards, who was lighter than myself, tried the same experiment, I holding the end of the rope, but with no better success.

At this time, however, I saw and talked with two of the men, who informed me that all were safe. By the aid of the cool, level heads of the men, they had piled up as close together as they could lie, covered themselves all over with the blankets they had, scarcely a person moving from Saturday evening until Monday morning, when the ice had frozen over so solidly that the loaded wagons and horses, as well as the men, crossed over in perfect safety.

That was the most remarkable freeze and the worst storm I have ever seen in April, from the 4th, 5th, and until the morning of the 6th, in the forty-three winters I have lived in Iowa.

On account of the lack of food the men at this point separated somewhat, going in squads, with a view to securing sufficient to supply them until they should reach home.

Thomas Calligan, a powerful, big-hearted Irishman of my company, whenever we reached a stream would throw me on his shoulders as easily as if I had been a child, and carry me over in spite of my protests against his doing so.

Major Williams, when the storm came at Cylinder creek, rode back on a wagon to the Irish colony to look after the men who had not yet arrived of the detail to Spirit Lake, sent to bury the dead.

He and the remainder of the company arrived at Fort Dodge on the 10th or 11th of April. All of those we had rescued arrived safely in as good form as could have been hoped for in their destitute and wounded condition.

All of the command finally arrived safely except Captain Johnson and Mr. Burkholder, who perished in the awful storm not far from the Irish colony, on the west side of the west fork of the Des Moines river. Some of the party, however, had received injuries from the exposure on the march, from which they never recovered.

I have doubts whether any body of men for the same length of time, on any march, ever suffered more severe hardships, more constant exposure, more severe bodily labor

I do not believe the march on the Spirit Lake expedition has been surpassed by the same number of men who have ever exposed their lives to rescue their fellow men from peril and death.

Many accounts have been published, written by different persons who belonged to this command, by Major Williams, Captain Richards, Lieutenant Maxwell, ex-Governor Carpenter, Frank R. Mason, Michael Sweeney, Harry Hoover and others, but while these several accounts differ in some slight particulars, they do not give in detail the incidents of this entire march, with only two or three exceptions, and I have tried to put in form for a part of the history of Iowa, the most important events according to my best recollection, aided by a former account written by me and by such memoranda as I have before me.

Forty-one years have passed since the events herein recited took place, but my recollection of these events is as distinct on about every point as it was the following year after they occurred.

From a residence at Fort Dodge of about forty-three years and during that time, the greater part of it constantly associated with pioneers, men who had gone hundreds of miles beyond railroads, friends, relatives and home, I say without fear of successful contradiction, that these men and their wives who have made Iowa what it is to-day, deserve the grateful remembrance of all her people, deserve to be honored and loved by those who now enjoy the rich rewards of their labors.

I never meet one of these old pioneers, I never think of one of them, without my heart warms with genuine affection and kindly regard for them and for their welfare.

Many of the boys who marched with us on this expedition have crossed the silent river; many are still on this side of that river, near its shore; but so long as the people of Iowa admire pluck and true courage; so long as Americans are freemen, the story of the Spirit Lake expedition will be told with pride by every true man of our state and by all who are familiar with her history.

You, Mr. President, and pioneer lawmakers, with whom I commenced my work as a legislator in the state senate in January, 1860, over thirty-eight years ago, I thank you one and all for asking me to put in form for preservation the thrilling story of the most notable event that has occurred within the limits of the "beautiful land," to all of us the dearest and best country on the whole earth; and I only regret that I have not had the time to make the picture more striking and the story more entertaining, and that I have been compelled, in giving my personal recollections, to speak of myself in connection with these recollections far more frequently than becomes a modest man.

On motion of Hon. R. D. Kellogg, the association adjourned until 9 o'clock to-morrow morning.

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**SECOND DAY'S SESSION—MORNING SESSION.**

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**THURSDAY, FEBRUARY 10, 1898.**

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Pioneer Lawmakers' association met pursuant to adjournment, at 9 o'clock A. M.

President Scott in the chair.

Meeting was called to order.

Miss Nellie Thompson favored us with a song; accompaniment by Mrs. M. R. Bartlett.

**COLONEL SCOTT:** We cannot expect to offer you anything that would be more pleasant than this looking into the faces and taking by the hand, but time waits not for this, and we must proceed to our program.

I will take the liberty of calling for Colonel Moore's paper now, which is next on the program after Judge Cole's, as Judge Cole will probably come in later.

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**RECOLLECTIONS OF PIONEER DAYS IN IOWA.**

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**BY COL. S. A. MOORE.**

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**MR. PRESIDENT AND PIONEER LAWMAKERS—**Let us join in congratulating each other that we have been permitted to meet together once more after a separation of two years. We are here for the purpose of renewing the friendships of the long ago, to transact the business of the association, receiving the reports of the various committees—listening to the addresses, the music and songs arranged by the committee on program, for the entertainment and enjoyment of the members and the visitors who may honor us with their presence.

We will miss the familiar forms and faces of some of our members who at our meetings in the years gone by thrilled our hearts with their presence, the zest and good cheer with which they entered into every feature, every thought and work that would extend the boundary of our affections, make our greetings warmer and our hands slower to unclasp.

We will miss them to-day. The hush of silence, at the call of the roll will speak their names more tenderly than we can in loving words pronounce them.

If they were not of our own kindred and tongue, they were united to us by ties of companionship and association, by the memories of by-gone years; by the incidents and struggles connected with the lives of the pioneers. Sacred be their memories. The peace of the Infinite Father, who giveth His beloved sleep, is theirs, and His loving arms are around them.

This meeting I trust will be a pleasant and profitable one. It is always refreshing to meet and commune with old friends, whom we have known in other years—when we were younger and the world was sunny and bright, and our hopes and aspirations and visions of the future were more cheerful and hopeful. More hopeful and cheerful than now, because the years of young manhood had given us more health and strength to battle with the conditions incidental to the pioneer who sought to build a home for his old age in the wilderness of prairie that stretched out beyond his vision, and seemed boundless in its length and grand in its wideness, "like the wideness of the sea."

As the years wear on, and the wrinkles and crow-feet come to mark the flight of time, and the "old arm chair" and the slippers and the hickory cane become fixtures beside the grated fire, my memory wanders back nearly fifty years to the little cabin home in Iowa, that sheltered wife and children—the priceless treasures of my young manhood twining around my heart-strings, with a strength of tenderness and comfort that gave me a measure of wealth and happiness which the king in his palace never enjoyed, though purchased with the revenue of an empire.

There were many of my neighbors in the pioneer days who, like myself, had come to Iowa not only in search of a home, but in the earnest hope of finding a healthy country. In my part of the country there were a large number of emigrants from Indiana, myself among the number. We had come from a section of Indiana that was rich and fruitful, but unhealthy. Many of them had battled with the ague almost every year from early childhood, and we found it a great relief to be free from that pestilential scourge whose skeleton clutch had held us for so many weary years.

This change for the better was oftentimes the subject of conversation and congratulation among the settlers. One of my neighbors told me a story of an eccentric Hoosier who was raised in a swampy region of Indiana. He was a thin, cadaverous looking creature, who came to Iowa and settled with a young wife near the southern border of Davis county. He told my neighbor that he was born and raised in the state of Indiana; that he had never been in any other state until he started to move to Iowa; that he had the ague regularly every year from boyhood to manhood. Some of his neighbors had visited Iowa, and on their return to Indiana had told such wonderful stories about the health and climate, and the marvelous fertility of the soil that would produce five or six ears of corn to the stalk and instead of tassel there was a gourd filled with shelled corn; that one pound of the fine black soil, filtered through a rag, would produce a pint of the best quality of lamp oil; that a crowbar or bar of iron, if stuck into the ground at night, would be sprouted with tenpenny nails in the morning. He said he did not have the most implicit faith in these stories. He thought them highly colored, but as he had some hope of getting to a more healthy climate, he resolved to marry the girl he had been courting,—to move to Iowa, and if he could get rid of the ague, to "grow up with

the country." He said that when he arrived in Iowa he was so thin that speaking after the manner of men, he could go through a space so narrow that the friction would take the temper from the blade of a jack-knife. But he came to Iowa to get rid of the "ager."

But when he got here everything seemed so new and strange to him. The associations of his whole life were broken up. The playground of his childhood, his relatives and acquaintances were so far away. The manners and customs of his new neighbors were so different from those of his old home, that his homesickness became so oppressive as to be almost beyond his control. It grew upon him from day to day until in his desperation he resolved to go back to Indiana to his "wife's people."

But the oppressive thought struck him with the force of a pile driver that he had left Indiana to get rid of the "ager," and that he had not had a chill since he came to the state; that he had an appetite like an ostrich, and but for his homesickness he could sleep like a tired boy.

If he should return in perfect health his old neighbors would laugh at his boyishness, until his life would be a burden, and he would feel that he richly deserved their derision.

If he could only get the "ager" and go back shaking, he would feel better. His excuse for returning would be a good one, and put to silence the jeers of his old neighbors. He resolved to "catch the ager."

The water on the prairies, filtering through the grass and settling in the draws and little pools, was clear as crystal, and pure as if filtered through a bed of diamonds. There was no ague to be found there, and so he turned his footsteps to a stagnant pool on the bottom land, where the deep shade from the dense woodland surrounding it shut out the wind and sunlight until the water was coated with a green, slimy moss that was found in all the primitive frog ponds in the "hairy nation."

Here, on his bended knees, he was ready to exclaim with the ancient philosopher, when he had solved a difficult mathematical problem, "eureka!" (I have found it). Flattening himself out on an old mossy log, used by the ancient frogs as a stage in their gymnasium and concert hall, he bent down his head to the sluggish, stagnant water that had never been vexed by the ripple of an oar or the dip of a passing wing. He blew aside the green coating from the surface and drank a long, deep draught of what he thought was veritable distilled ague, warranted genuine, "name blown in the bottle."

And then he went to his cabin, ate lavishly of yellow cucumbers, put on his jeans wammus and laid down in the blue stem grass and waited for the chill. The chill did not come; but he slept for hours in the dewey grass that beautiful summer night, the moon and stars gemming the sky with their splendor, kept watch and ward over the homesick Hoosier.

He repeatedly drank from the same pool and for a time went about listlessly waiting for the coveted chill. But the chill never came. The sunlight and refreshing breezes of the Iowa prairies counteracted the evil effects of the stagnant water. His health begun to improve, new life and vigor, with strengthened nerves and muscles, came rapidly until he felt that he was in perfect health. With restored health, Iowa became to him a new heaven and a new earth. He lost all desire to return to his old home, and in after years when relating the incident to his neighbors, said: "I declare to goodness that instead of catching the 'ager' I caught my

health and strength and lost my homesickness, and began to gain weight from the time I took the first drink of the scummy water."

At the county convention in 1855 I was nominated by the whigs of Davis county as a candidate for county judge, in opposition to the Hon. Harvey Dunlavy, who was afterwards a member of the house in the Eighth General Assembly.

The campaign was spirited from the beginning to the end. I had been in the county so short a time that in some portions of it I was almost a total stranger.

One of the leading lawyers of the county, a gentleman who has since been honored by his party with the nomination for judge of the supreme court, volunteered to go with me to one of my appointments, and introduce me to the settlers, a majority of whom were of the opposite party. We found a group of roughly clad men, many of them with wolfskin caps, awaiting our arrival. They held a hasty caucus and decided that the little fellow might speak. As the spokesman expressed it, "We've decided to hear what the little feller has to say. He's pirty narrer between the eyes, but maybe he's a swinge cat."

They gave me very close attention with only a single interruption, to know my views about freein' the niggers right amongst the whites.

At the conclusion of my speech the lawyer attempted to say a few words in my behalf; but a great part of the audience rose to their feet, and swinging their wolfskins, opened upon him with a yell terrific as the roar of a tempest and completely drowned his voice. He stopped speaking, stood still, and casting his eyes over the erowd, the color would come and go from his cheeks, his lips pressed down closely upon his teeth, while his eyes seemed almost ready to flash with his look of contempt and defiance.

The crowd now seemed anxious to hear what he had to say to that kind of a reception. The howling ceased, and for a moment the hushed silence seemed painful. "Now, said he you've presented your argument against free speech, and don't you feel ashamed of yourselves? I came down here with my friend to introduce him to his constituents, with whom he is to do business when he becomes the judge of the county court. I know every man of this howling mob that has tried to deprive me of my constitutional right of free speech. And I give you fair warning here and now, that if you persist in disturbing me, while I am speaking, that the very next time you are arrested for stealing hogs or sheep that I will not defend you." They gave him the most respectful attention.

I was elected by a large majority. The duties of the office were numerous, arduous and responsible and before I had time to become familiar with the simplest and plainest routine work of the office, I was called upon to decide a question of the most vital importance to every citizen of the county.

My predecessor had submitted the question of voting the aid of the county in the sum of \$150,000 to two contemplated railroads, one from St. Louis, Mo., and the other from Fort Madison, Iowa. The proposition was carried by a large majority. At that time there seemed but little faith in the road from St. Louis, and many well meaning men advised me as financial agent of the county to subscribe all of the \$150,000 except a mere nominal sum in the Fort Madison road, it being considered a very

live project. In a few days after I had assumed the duties of my office the president and several of the directors of the Fort Madison, Keosauqua & Bloomfield railroad waited upon me and urged me to subscribe the whole amount of the stock in that company. I gave them respectful attention when not engrossed with other business. They were three days trying to persuade me that it was my duty to subscribe the stock; they told me that the people had instructed me by their votes; it was their will, and I should not hesitate to fulfill their instructions. But I refused to subscribe the stock, and when pressed by the directors for my reasons, I told them plainly, "Gentlemen, you have given me no evidence of your ability to complete the road to the east line of my county. When you have graded, bridged and tied your road to my county line, and there are no deferred payments to be paid out of Davis county subscription of stock you may come and see me again; until that time I will excuse you."

They went away. They never returned. I did not subscribe a penny. The road was not built. Seventeen years after the courts enforced the collection of deferred payments of stock. If I had subscribed the stock, that together with the accrued interest on the bonds and the costs of litigation, it would have cost my county some \$300,000. I claimed no special wisdom nor foresight in refusing. A desire to temper my power and responsibilities with prudence, led me safely through the crisis, and in my old age I am comforted in the reflection that if I have contributed but little to the prosperity of my people, who intrusted me with their confidence, I have not squandered the inheritance of their children.

Many of the pioneers came to Iowa with but little means except those invaluable treasures of the young man in a new country, hope, health and muscle.

In the spring of 1851 I came to Davis county, purchased some land and then went to St. Paul, Minn. The little town was full of young men who made my stay of ten days very pleasant. They offered to protect a very valuable claim for me for six months until I could move my family. But I had already spent much the greater part of my ready money in Iowa, yet I purchased four lots in St. Paul, making a partial payment and taking bond for a deed. I selected a favorite among my new acquaintances as my agent, and gave him power of attorney to sell the lots on my order.

In the spring of 1853 I moved my family to Iowa, and like the great majority of the pioneers, by the time I had bought my team, wagon and tools, I had no money. I directed my friend to sell the lots, pay himself for his trouble and remit the balance. Not hearing from him I wrote to another acquaintance, asking him what had become of my agent. He replied promptly that my lots which I had bought for \$230 were worth \$1,000 or \$1,200, but that my agent had sold them for \$650. That he had become very dissipated, was avoided and shunned by his old friends, that he had no doubt squandered the money, and that I would never get a cent. A friend was sitting near me while I was reading the letter. I finished the reading, placed the letter in my pocket, and arose to go to my home, six miles in the country. He arose and following me to the door, placed his hand on my shoulder, and looking full into my eyes as if searching for my inmost thoughts, said to me, "Moore, I know that there was some bad news in that letter. I could read it in your face as you were reading

the letter. If you are in trouble tell me. If I can not aid you I can at least give you my sympathy."

I told him the whole story and my dependence on that money, and that while I had plenty of land, I had not money enough to pay my way to St. Paul; if I had I would go there and, perhaps, secure something. Said he, "It will take \$50 to take you there and back. I wish I had the money to loan you, but I have not. Wait a moment right here until I return." In a few minutes he returned and handed me \$50 in gold. A few days after this I arrived at St. Paul, in the early morn, and in the dim twilight I was making my way from the steamboat landing to the hotel. Alone, without his coat or hat, I met my agent making his way to his shack on his claim across the river. He was going home after his night's debauch. I had not seen him for two years. When I last saw him he was a clean, bright, intellectual and lovable manly man, surrounded by many friends and prosperous in his business. He was now the mere wreck and outline of a man.

Alone, in the twilight of that summer morn, he told me the story of his fall, and leaning his head upon my bosom sobbed like a child in deep sorrow, promised reformation, and that if upon the value of his claim he could borrow the money he would pay me every cent he owed me.

I met many of my acquaintances made two years before. One of them invited me to take tea with him. When I arrived at his house I found my valise. He had paid my bill at the hotel, and insisted on my making his house my home during my stay in the city. I met my agent several times within the first two days. He told me he was trying very hard to raise the money. But my friends told me that there was no reliance to be placed on his promises. That perhaps to-morrow he would go away into the Pembina country and thus wear me out in waiting and expenses. Believing that any further stay would be useless, I said to my friend with whom I was stopping, that I would go home to-day. This was in the morning while we were at breakfast. He seemed thoughtful for a moment, and then said, "I can not give you much encouragement. But stay one more day. Go down into the city and see your old friends, to pass away the time. Come back to dinner about 12 o'clock, and if I am not here don't wait dinner for me."

I wandered listlessly and despondently about the streets until nearly noon and then started for the home of my friend. Wholly absorbed in the thoughts growing out of my disappointment, I was aroused by a sharp blow from the open hand of my agent, whose eyes glowed like balls of fire. I thought him crazy, and that I was in the clutch of a madman. I do not know how I looked, or felt or acted. "Don't shoot," he said, "but sit down on this log" (which was a large hewn sill on trestles). I sat down. He sat down astride of the log, facing me. He pulled off his hat, threw the perspiration off his forehead with his hand, and then thrusting his hand into his pocket drew forth a buckskin pouch and swinging it over his head brought it down onto the sill with the force of a madman. "There sir," said he, "is your money, in gold, every cent that I received for your property. For three days I have been in hell-fire. Satan has had possession of me, soul and body. More than fifty men have been on my track like blood hounds since day light this morning. I could not avoid them. They seemed to be stationed on every street corner, and wherever I turned I met a man who hailed me and spoke to me the same burning

words, 'you are trying to rob him—you must pay him this day.' As I turned away I met another one standing on the corner, and still another one, and then one by one until their name was legion. I could not endure the pressure. I mortgaged my claim to secure the money. This day shall be the turning point in my life. I will never drink another drop of the devil's broth. It has ruined my health, driven away my friends and robbed me of my manhood. God help me to keep my vow."

We parted. I never saw him again. Twenty years after, I met a gentleman in Memphis, Mo., who knew him well. He told me that in the spring of 1860 he sold him a drove of young cattle and accepted his check for \$8,000, which was promptly paid by the bank on presentment.

These incidents which I have here related, came to my mind while looking backward through the mist of the restless years intervening between my first view of the boundless wilderness of prairie that stretched away beyond my vision as I stood enraptured with its beauty, its grandeur and sublimity. And in close touch with this review, came the memory of my early neighbors who had staked out their claims and built their cabins before my arrival. I recall the names, the faces and features of many of them, and my memory clings to the kindness shown to me on so many occasions when I was sorely in need of their friendship and helpfulness; coming to me in days of trouble, financial and otherwise, when the world looked dark and cheerless.

Many of those men were what the society man would term "unconventional, illy clad and rude of speech," taking part in the sports and games common to a new country; making no claim to the observance of religious rites and ceremonies, but recognizing and respecting the religion of all others; helping to build the first log churches, and contributing to the support of the circuit rider at home and the missionary abroad; but many of them were outside the pale of the church. But they were kind and helpful to each other and to the stranger within their gates. Hundreds of them whose friendship I have shared in those pioneer days have become weary, laid down their burdens and journeyed onward, seeking rest and another home, amidst the everlasting light. It is but speculation, but the thought is comforting, that my early pioneer friends whose unselfish kindness I have this day remembered, will stand in the great day of judgment in the presence of the Infinite Father with less stain on their souls than if they had wantonly wounded a sparrow.

Do not understand me that the religious sentiment of the pioneers was neglected. The rites and ceremonies of the church were observed and cherished with zealous care. The itinerant minister or the local preacher, or in their absence the class leader, or some one noted for his ability to conduct religious services, would preside at the weekly meetings held in the small log schoolhouses, but more frequently in the cabin homes of the settlers, where rude benches were provided to supplement the few splint-bottom chairs, and the edge of the bed and bed-rail. These neighborhood meetings were usually led by someone who would read a chapter in the Bible, line out a hymn, which all persons present, whether they belonged to the "meeting" or were simply known as "worldlings," were expected to assist in the singing, after the request of the leader that someone would "please rise and start the tune." Then would follow the prayer, with

deep-toned and earnest supplication for the forgiveness of the sins of "omission or commission"—for health and strength to bear the burdens and trials of the life that now is, and for clearer visions to "read their title clear to mansions in the skies." Full of pathos, the voice of the great strong man would grow soft and silken in pitying tenderness while pleading for the safety and quietude of their homes, their families and friends, until the tones were sweet and thrilling as the tones of a harp when its strings are touched by the gentlest zephyr. And then the whole race of sinful men would be remembered. In his deep, earnest love, he would bear them on the wings of his supplication to the throne of the Infinite Father, and leave them there, with their heads resting on His bosom, like a weary dove, until the sensitive and receptive ones would seem to hear the beating of His heart and feel that the everlasting arms of His infinite love were around them

As old age creeps on and the eyes grow dim, and the sunlight grows paler, and the twilight seems omnipresent, I close down the curtains at night and with slippers on sit and read my books and papers beside the grated fire in my little cottage home, until the weary eyelids close and the shadowy past moves like a panorama before me. But there is no picture on that moving canvas that clings to my memory of Iowa, the beautiful, as seen in my manhood's early morn with wife and children; and my cabin home nestling amid the wild roses beside the little rivulet, picturesque and beautiful as the "banks and braes of Bonnie Doon."

On the boundless prairies the wild flowers were brilliant in colors, and fragrant as the lilies of the valley. Stretching beyond the boundary of vision the wild grass, kissed by the summer winds, would rise and fall in undulations, glinting in the sunlight or seen by the full moon on a summer night, when the stars were gemming the sky in all their splendor, the scenery was beautiful beyond description—grand and glorious as the prophet's vision of "a sea of glass mingled with fire."

The committee appointed to report the names of persons for officers for the ensuing two years, submitted the following report:

For president, Hon. Hoyt Sherman, of Des Moines.

For vice-presidents: First congressional district, Hon. D. P. Stubbs, Fairfield; Second congressional district, Hon. Samuel McNutt, Muscatine; Third congressional district, Hon. F. M. Knoll, Dubuque; Fourth congressional district, Hon. L. L. Ainsworth, West Union, Fayette, county; Fifth congressional district, Hon. T. S. Parvin, Cedar Rapids; Sixth congressional district, Hon. Dan Anderson, Albia; Seventh congressional district, Hon. Lewis Todhunter, Indianola; Eighth congressional district Ex-Lieut.-Gov. W. S. Dungan, Chariton; Ninth congressional district, Hon. L. W. Ross, Council Bluffs; Tenth congressional district, Ex-Gov. C. C. Carpenter, Ft. Dodge; Eleventh congressional district, Hon. R. A. Smith, Spirit Lake.

For secretary, Hon. B. F. Gue.

For assistant secretaries, Hon. John M. Davis and Hon. E. M. Stedman.

For executive committee, Hon. Isaac Brandt, Hon. Robert S. Finkbine and Hon. R. D. Kellogg.

Hon. Charles Aldrich moved that the report be received and adopted, and that such adoption be deemed an election of all the officers so reported. Motion carried unanimously.

Then followed one of the most valuable historical papers ever read before the association, entitled:

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#### THE IOWA FRONTIER DURING THE WAR OF THE REBELLION.

BY HON. R. A. SMITH.

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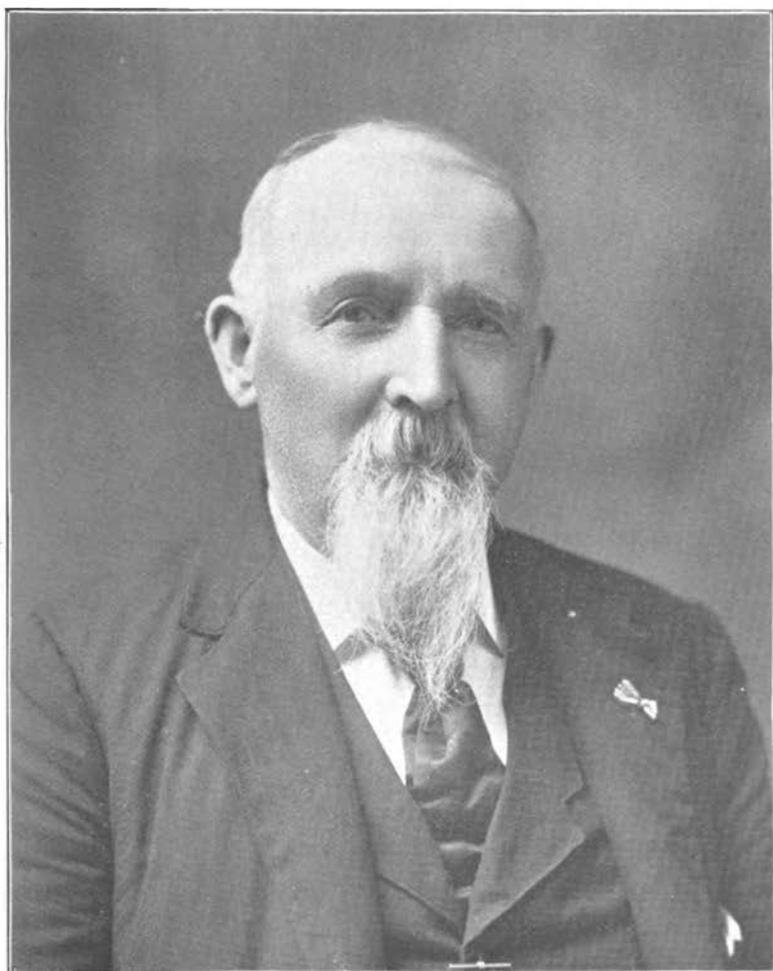
In order to understand and properly appreciate the situation of affairs on our northwestern frontier at the time of the breaking out of the war of the rebellion, it will be necessary to make a short review of the main events of the few years preceding that time. It will be remembered that the Iowa frontier line was pushed rapidly westward during the '50s, and that, though the settlements were small and confined mainly to the groves and streams, which were often many miles apart, yet by 1857 it may be described as commencing at Sioux City and extending irregularly in a northeasterly direction, by way of Correctionville, Cherokee, Waterman, Peterson, Sioux Rapids, Gillett's Grove and Okobojo, to Spirit Lake; thence turning abruptly to the east by way of Estherville and Emmet to the headwaters of the Des Moines and Blue Earth rivers, where it extended into Minnesota, terminating at Mankato.

During the flush times preceding the panic of 1857 the settlement had been remarkably rapid. The tide of emigration had swept across the state with an impetus that carried everything before it. It was not then deemed possible to settle on the open prairie away from timber, consequently the settlements were confined to the immediate vicinity of the streams, lakes and groves, with which the country abounded. It will be remembered that, at this time, the only railroad in Iowa was from Davenport to Iowa City, with a branch to Muscatine, and that all supplies, provisions and household goods had to be hauled by teams across the country, a distance of from 200 to 300 miles.

A whole chapter might be written, and it would not prove a very uninteresting chapter either, made up of experiences and reminiscences of following the prairie schooner by day and sitting around the jolly campfire at night, by the families of these sturdy pioneers when journeying to their new western homes.

From the very nature of the situation it will be seen that the frontier settlements were separated from each other by vast reaches of unoccupied prairie.

The details of frontier life, its hardships, privations and dangers on the one side, and its pleasures, excitements and compensations on the other,



HON. R. A. SMITH.



have been so often and so ably portrayed that I will take neither time nor space to review them. As before stated, the frontier line, commencing at Sioux City, extended in a northeasterly direction about 200 miles, with Spirit Lake at the northwestern angle.

Between the different settlements were stretches of open prairie varying in width from five to forty miles.

The relations existing between this line of frontier settlers and their Indian neighbors on the north and west had been more or less strained for years. In fact the cordial relations which are known to have existed between different bands of Sacs and Foxes and their white neighbors in the northern part of the state were totally wanting in the intercourse between the early settlers and the Sioux. During the few years preceding the settlement of the northwestern border counties, the strained relations then existing had been intensified by several unfortunate occurrences, the most prominent of which was the premeditated murder of Chief Sidommatoh and his family by the desperado, Henry Lott, in Humboldt county, in January, 1854.

The logical and legitimate outcome of this unprovoked and unpunished murder was the destruction of the entire settlement at Spirit Lake in March, 1857. Notwithstanding the fact that the band which perpetrated the outrages there had for years been known as an outlaw band, having no treaty relations with the government, yet it was impossible to get rid of the impression that many of the agency Indians so far sympathized with this band of outlaws as to be willing to share their plunder and to help shield them from the punishment they so richly deserved at the hand of the government. In order to understand this matter more clearly, a more detailed account of the location of the Indians, their reservations and the agencies to which they were attached is necessary.

While nearly all the Indians between the Mississippi river and the Rocky mountains at this time were known as Sioux, those most intimately connected with the border history of northwestern Iowa consisted of four bands with their reservation on the Minnesota river, about seventy miles north of the Iowa line. The numerical strength of the Sioux on this reservation was estimated by Judge Flandreau, Indian agent at that time, to be about 8,000 men, women and children.

This reservation was comprised of a strip of land ten miles wide on each side of the Minnesota river, extending from a point a short distance below Fort Ridgeley to its source.

This would make a strip over a hundred miles long by twenty miles wide. There were two agencies, known as the Lower and Upper agency. The Lower agency was at the junction of the Redwood with the Minnesota river, where two of the four bands mentioned received their annuities and supplies, and the Upper agency was near the mouth of the Yellow Medicine river, where the other two bands were similarly accommodated. In order to make the location of the various points around which our border history centers better understood, I will give them as follows: New Ulm is in range 30, about sixty miles north of the Iowa line. Fort Ridgeley is in range 33, and about sixty miles from the state line, thus bringing it about north from Estherville. The Lower agency was about seventy miles

due north from Spirit Lake, while the Upper agency was about twenty-five miles northwest from there.

Between the reservation and the Iowa frontier line was one vast, unbroken stretch of open prairie, penetrated only by the west fork of the Des Moines river, on which, in Jackson county, Minnesota, there was a small settlement. The Indians that committed the massacre at the lakes in 1857 were originally connected with the Upper agency, but had, years before, through quarrels and dissensions, separated themselves therefrom, and making their headquarters on the Vermillion river in Dakota, had been for a long time known as the outlaw band, and while they were the immediate and principal actors in most of the petty difficulties that occurred between the settlers and the Sioux, it is not difficult to believe that they were sympathized with and, to some extent, backed up by the agency Indians. Of the Indians having their headquarters in Nebraska and along the Missouri river, I know but little. They were nominally at peace with the whites during the trouble with the Minnesota Indians.

Little Crow, the war chief of the agency Indians, lived in a house built for him by the United States government a short distance above the Lower agency. At the time of the Spirit Lake massacre, this chief claimed to be the firm friend of the whites, and assisted materially in fitting out the relief expeditions sent out for the rescue of Mrs. Marble and Miss Gardner. Five years later we find him leading his savage followers in the most bloody and brutal massacre recorded in the annals of our pioneer history.

It is well known as a historical fact that during the years of 1855 and 1856 there had been a rush of emigration to the west such as had hitherto been unknown, producing an era of wild speculation and extravagance. Many neglected their legitimate business and ran wild in town lot and real estate speculations.

All kinds of property advanced in value at fabulous prices. Vast amounts of money were loaned out at as high a rate as 5 per cent a month for the purpose of investing in western lands. Towns were laid out and railroads projected in every conceivable direction. The wildest excitement and extravagance took the place of judicious economy and practical business sense. This state of affairs could not last and finally culminated in the crash of 1857.

Nowhere were the disastrous consequences of that panic more severely felt than on the frontier. Emigration came almost to a standstill. Real estate became valueless and town property a by-word. The gold was soon swept out of the country and the currency was worthless.

It is not hard to realize the effect of such a state of affairs on a new settlement. Many who fancied themselves as quite well-to-do and on the highway to prosperity and affluence, suddenly found themselves buried beneath the wreckage of their own air castles. It took time for the frontier population to adapt themselves to the new order of things. In the meantime it became necessary to adopt a system of economy and self-denial never before nor since known in Iowa. It was with the utmost difficulty that the commonest necessities of life could be obtained. I remember the only time I ever saw my mother give up in utter discouragement and sit down for a good cry was when the salt gave out and it was a serious question where we could get some more. This was doubtless a small thing to

cry about, but I ask my lady hearers, what would you have done under the same circumstances? All luxuries and much of what are now deemed necessities were wholly dispensed with. Such articles as tea and coffee, in fact groceries of all kinds, were indulged in by but very few and by them but sparingly. In the matter of clothing the same rigid economy had to be observed. Many were the men who wore moccasins made of rawhide and pants made of grain bags because they could get nothing better. Not worthless tramps, either, but men of education, intelligence and energy. It was no uncommon experience for families to live for days with no breadstuffs but such as they could grind in a coffee mill which, together with a supply of meat, milk and vegetables, furnished their entire stock of provisions. Add to these privations the instinctive consciousness of impending danger, the ever-present fear of an uprising of the hostile savages, and you have something of an idea of the difficulties and dangers, the toils and privations that were met, overcome and conquered by the pioneers of northwestern Iowa.

During the few years previous to the war, and subsequent to the Spirit Lake massacre, there were no Indian troubles of any great magnitude and yet there was a continuous succession of annoying and suspicious occurrences which kept the frontier settlements in a state of perpetual dread and apprehension, and made life a burden to the timid and apprehensive.

In February, 1858, a collision occurred between a party of Indians and a small body of settlers, near Peterson, in Clay county. After a running fight of about an hour in which one or two were slightly wounded, the settlers drew off, leaving the Indians in possession. This affair created a considerable alarm along the frontier and it was decided to appeal to the state for protection. The legislature was then in session. A statement of the affair and a petition asking immediate assistance was forwarded. By the way this petition was many years afterwards dug out from among the rubbish in the basement of the old capitol by Hon. George Perkins, and published in the Sioux City Journal as one of the curious finds relative to pioneer history.

Governor Carpenter was our representative. His district embraced nearly one-fourth of the state. A bill was rushed through as rapidly as possible, providing for the raising of a company for the protection of the northwestern frontier. This company was raised mostly in Hamilton and Webster counties. Henry Martin, of Webster City, was captain, and William Church, of Homer, first lieutenant.

The company was divided into three squads and located respectively at Spirit Lake, Peterson and Estherville. They arrived on the frontier about the first of March, and were kept on duty until July, when they were ordered in, but not disbanded. They were again ordered into service in the fall of 1858, and kept on duty until the following spring, when they were discharged.

This question of frontier defense was a serious one for the state authorities. While the soldiers were at their posts and on duty but very few Indians were to be seen, and the few that were met with were profuse in their protestations of friendship. No outrages were committed and no indignities offered to the settlers, thus seeming to justify the criticisms that were made on the state authorities for such an extravagant use of the public funds as keeping an armed force on the frontier simply to gratify

the ambition of a few favorites who were desirous of wearing shoulder straps.

But just as soon as the forces were withdrawn the old annoyances commenced again. For about a year now the frontier was left without any pretense of protection by the state whatever. In the meantime the United States authorities had been appealed to, to furnish more adequate protection for the frontier, but at that time they were too busy plotting treason and planning rebellion to have any thought or care for the few struggling settlers on the Iowa border.

The state was in no condition to stand the expense of maintaining an armed force on the frontier, and yet the settlers were clamorous that something should be done. In March, 1860, at the regular session of the Eighth General Assembly, a bill was passed with the following provisions:

Sec. 2. That the governor be, and hereby is authorized to cause to be enrolled a company of "minute men," in number not exceeding twelve, at the governor's discretion, who shall at all times hold themselves in readiness to meet any threatened invasion of hostile Indians as aforesaid, the said minute men only to be paid for the time actually employed in the service herein contemplated.

Sec. 3. That, of the said minute men, under the orders of the governor, at his discretion, and under such regulations as he may prescribe, a number not exceeding four may be employed as an active police for such time, and to perform such services as may be demanded of them, who shall be paid only for the period during which they shall be actively employed as aforesaid.

Sec. 4. There is hereby appropriated from the state treasury the sum of \$500, or so much thereof, as may be necessary for carrying into effect the provisions of this act.

This act was approved March 9, 1860.

Thus we see that the state of Iowa was put on a war footing of four men in active service, a reserve of eight more to fall back on in case of an emergency, and the whole backed by an appropriation of \$500, and this was for the defense of 200 miles of exposed frontier.

The minute men were enlisted and stationed on the frontier with headquarters at Cherokee. Prominent among them were two brothers by the name of Purcell, from Hardin county. Sam, the older of the two, was their leader. George Lebanevowx, one of the first settlers in Cherokee, was also a member.

Whether there is any record in existence giving the names of the party in full, how long they were kept in service, what they were paid when they were discharged, or any other facts in relation to them I do not know. I know they were on duty from a year to a year and a half, and I know they did splendid service. They were vigilant, active and alert, and attended strictly to their business, which was to carry dispatches from one point to another, to investigate and get at the truth of all reports regarding the movements and whereabouts of the Indians, and in short to make themselves generally useful. And they did it faithfully and well. It may be interesting to note in this connection that the last hostile Indian killed in Iowa was by these scouts. The story as told by the men themselves and afterward written up by Jacob Palmer, for the Spirit Lake Beacon, in February, 1892, is substantially as follows:

About the 1st of September they (the Purcell brothers) were out scouting near the headwaters of Mill creek and did not return until quite late at night. At this time they were making their headquarters at Cherokee and boarding with Lieutenant Lebanevowx. Not caring to disturb the family, who had already retired, they put their horses in the stable, which was covered with prairie hay, and then climbed on top of it and wrapping themselves in their blankets were soon sleeping the sleep of the weary. But ere long the alert ear of one of the scouts detected an unusual noise in the stable below. Quietly waking his brother they listened and became convinced that Indians were attempting to steal their horses. The night was moonless but starlit. How many savages were in the stable they did not know, yet fearlessly grasping their rifles they prepared to kill each his red man. Soon two of them appeared, each leading a horse, one of which belonged to the lieutenant and the other to one of the scouts. Each selected an Indian and fired. The one leading the horse belonging to the lieutenant fell dead in his tracks, while the other one, though badly wounded, succeeded in making his escape. A party followed the trail next day and ascertained that the horse had dragged the Indian several miles before he was able to mount. It was afterward learned that this Indian, though badly wounded, succeeded in reaching the agency, and that he finally recovered, and more than that, he kept the stolen horse.

Immediately after the breaking out of the war in the spring of 1861 there were unmistakable signs of universal activity, and in many instances of hostility, on the part of the Indians; thefts clearly traceable to them were more and more frequent. Horses were stolen, cattle and other stock killed, gardens and fields were robbed, and finally on the 9th of July two men, Robert Thomas and Henry Cordna, were murdered in broad day, light within three miles of Sioux City, and their horses taken.

Governor Kirkwood seems to have anticipated this state of affairs from the start. His sound judgment and keen penetration enabled him to foresee that even as hostilities commenced at the south, they would undoubtedly be accompanied by more or less serious trouble on the frontier. The suspicion that emissaries from the south were among the Indians endeavoring to incite hostilities was also prevalent.

As early as the 25th of April, or only a few days after the fall of Sumter, Governor Kirkwood wrote to Judge Baldwin of Council Bluffs, recommending the forming of volunteer companies. He says: "I authorize you to make any such arrangements as you may think the safety of the border requires in the way of organizing companies and perfecting a system of communication with each other in case of need. I leave the whole matter to your discretion, confident that you will in all respects act with due regard to the safety of the frontier and the public interest."

Judge Baldwin appointed Gen. G. M. Dodge his adjutant and on the 6th of May published an open letter or circular to the inhabitants of the frontier counties, embodying Governor Kirkwood's idea and explaining the details of their organizations.

These communications are decidedly interesting as reflecting the state of public feeling at the time, but are too lengthy to be given here. Companies of "Home Guards" were formed in most of the frontier counties, some of them under the authority of Judge Baldwin and General Dodge, and some wholly independent of any authority. Of these volunteer companies the

one doing the most service and making itself the most prominent was the company of "Frontier Guards" of Sioux City, under the command of William Tripp who, during the four or five months of the summer of 1861, made several dashes after the Indians but with indifferent success. Another company that acted in concert with Captain Tripp's was Capt. J. P. Morton's company from Plymouth county.

On one occasion Judge Baldwin, having heard exaggerated reports of the danger threatening Sioux city, ordered up a company of mounted minute men from Mills county who, upon their arrival at Sioux City, found that they had been following up a false alarm.

Not far from this time the authority for looking after frontier protection was transferred from Judge Baldwin to Judge A. W. Hubbard of Sioux City, as being more convenient to and having a more intimate knowledge of the needs of the inhabitants. While the incidents above referred to were transpiring in the southern and more populous counties of the western border the more sparsely settled counties further north were more exposed if the Indians actually meant war. While their operations were confined merely to horse stealing they would naturally go where horses were plentiful. And this is what they did do.

During the years 1860 and 1861 but very few parties of Indians were seen in the neighborhood of the lakes or the Des Moines river, and the few that were seen always took special pains to convince the settlers of their friendship. I think this was true of all the settlements to the north and east of us.

The thieving and marauding bands seemed to be getting in their work along the Little Sioux from Peterson to Correctionville and up the Floyd and Big Sioux.

During the summer and fall of 1861 most of the young men and others who could do so enlisted in the United States service, thus taking out the very class on whom the settlers had learned to depend for scouting and information.

True, many of them enlisted in a company having headquarters in Sioux City and known as Sioux City cavalry, but it was not then known how soon they might be ordered to the front.

The feeling of unrest and insecurity which prevailed at all times to a greater or less extent became much intensified. The premonition of coming danger and impending disaster was more strongly felt now than ever before.

No person realized the importance of defending the frontier along its then existing lines more than Governor Kirkwood. This he resolved to do though he might at times stretch his authority in so doing. In July, on the strength of threatening reports from the border, he ordered the enlistment of forty men in this city, the command of which was given to Judge Mitchell. On the 17th the company left for Sioux City, where they received their outfit, including tents and camp equipage. From there they went to Cherokee, where they established headquarters, from which point they sent out scouting parties in every direction, Captain Mitchell himself going north, visiting the lakes and the various points along the Little Sioux. This company remained at Cherokee until some time in September, when they returned to Des Moines.

It was about this time that the Sioux City cavalry was being raised, and through the active efforts of Judge Hubbard was for the time being held for service along the frontier. This company was under the command of Capt. A. J. Millard of Sioux City, and was ordered into the state service September 25th, by the governor, and mustered into the United States service November 19, 1861. They numbered about a hundred men and were divided into squads and stationed at different points, as the exigencies of the case seemed to require.

This arrangement proved the most satisfactory of anything that had yet been devised for frontier protection, and was kept in force up to the time of the outbreak in Minnesota in August, 1862. For about a year now comparative peace and quiet reigned along the frontier. No depredations of any magnitude were reported, and but few small parties of Indians seen. It was the proverbial calm before the storm, and when the storm did break it was with unprecedented violence and fury.

In order to properly appreciate the situation of affairs on the Iowa frontier at this time it was necessary to know a little of what was going on in Minnesota. At the same time, as before stated, there were about 8,000 Indians on reservations along the Minnesota river at a distance varying from sixty to 100 miles north of the state line. Between these reservations and the Iowa frontier settlements was one vast stretch of open prairie that the Indians could cross at any time in two days, so that in case of trouble the Iowa frontier was just as much exposed as was that of Minnesota. Various reasons have been assigned as causes for the outbreak of 1862. Judge Flandreau, formerly Indian agent, who doubtless understands the subject as well as any man living, assigns it mainly to the manner in which the annuities were paid. They were paid largely in goods and not in money, and the war sent prices up so much higher than they had ever been before, that the Indians only received about one-third as many blankets, or one-third as much ammunition and provisions as they had formerly done. This they did not understand, and thought they were being cheated by the officers, and taken with the fact that the payments had been unavoidably delayed is given as one of the chief causes of the outbreak.

Another, and perhaps the most potent, cause was that the agent proposed paying the money part of the annuities in greenbacks instead of gold, as had formerly been done, but the Indians, not long up in the modern ideas of finance, absolutely refused to receive the fiat money. It was afterward exchanged for gold.

Judge Flandreau's account of the commencement of the trouble is about as short and concise as it could be made. In an article written thirty years later he says: "Everything about the agencies up to the 18th day of August, 1862, presented the unusual appearance of quiet and security. On the 17th of August a small party of Indians appeared at Acton and murdered several settlers. Whether these Indians left the agency with this intention is doubtful, but on the news of these murders reaching the Indians at the Upper agency on the 18th open hostilities were at once commenced, and the traders and whites were massacred.

Similar events occurred at the Lower agency on the same day, where nearly all of the traders and whites were butchered, and several who got away before the general massacre commenced were killed before reaching Fort Ridgely, thirteen miles below. Nearly all the buildings at both agen-

cies were destroyed and such property as was valuable to the Indians was carried off and appropriated by them.

At this time Fort Ridgeley was garrisoned by a single company, mostly raw recruits, under Captain Marsh who, upon hearing of the trouble at the agencies, immediately set out with about half of his command for the Lower agency. He saw no Indians on his way up and on arriving at the ford opposite the agency halted his men before attempting to cross. At this moment Indians sprang out of the grass and bushes on every side and poured in on them a deadly fire. The attack was made with such suddenness that only thirteen of the original number lived to reach the fort. This was on the 18th of August. On the afternoon of the 20th they made a furious attack on Fort Ridgeley, but did not succeed in carrying it. During the night the Indians were reinforced and renewed the attack the next day, but were finally driven back. Finding their efforts baffled, the Indians drew off, and concentrating all of their available forces, descended upon New Ulm, thirteen miles below, the next morning. Here the fighting was desperate. Over one hundred houses were burned and sixty men either killed or wounded during the first hour and a half, but the settlers fought with determination and the savages were finally driven back. The Indians now retired up the river and were not heard from for several days. On the 31st of August a force of 150 men under Maj Joseph R. Brown was sent up to the Lower agency to bury the dead and learn what they could of the movements of the Indians. They met no signs of Indians and on the evening of the second day went into camp near the head of "Birch Conlie," about thirteen miles from the fort, having seen no signs of Indians. They selected their camp ground more for its convenience to wood and water than its means of defense. They even neglected the usual precaution of posting sentries or throwing out pickets, but, partaking of a scanty meal, they threw themselves on the ground to sleep as unconcerned as if they were not in an enemy's country. During the night they were surrounded by the largest body of savages that had yet been brought together, and in the morning twilight a murderous fire was poured into them from every side by an invisible foe. It was the old story so often repeated in American frontier history, of reckless confidence, an ambuscade, a surprise, an unseen foe and indiscriminate slaughter. For over thirty hours this band lay exposed to the deadly fire of a concealed enemy many times their number, and it was not until near noon of the second day that they were relieved by the arrival of General Sibley with his command. Over one-half of Brown's command were either killed or severely wounded. General Sibley knew that the Indians had in their possession many white captives, how many he did not know, but his first object was to rescue them alive if possible. In order to open communication with Little Crow, he left the following communication fastened to a stake on the battlefield of Birch Conlie: "If Little Crow has any proposition to make, let him send a half breed to me and he shall be protected in and out of camp."

Little Crow's answer was evasive and did not mention the prisoners at all. Several other communications were sent back and forth, but without satisfactory results.

Sibley finally became convinced that the Indians would not give up their prisoners without a fight. Accordingly on the — of September he attacked

them at Wood lake, winning an easy victory. He now made another demand for the prisoners. The Indians were by this time hopelessly divided. Some were in favor of throwing themselves on the leniency of the government and the others were in favor of fighting it out to the bitter end. The final result was that the main body, with the prisoners, surrendered, while Little Crow, with a considerable number of followers, escaped up the river. The number of prisoners rescued was about 250 women and children. There was but one man among them. Of the Indians taken prisoner, most of them had been more or less concerned in the unprovoked massacre of hundreds of women and children, and the serious question now arose what should be done with them. To treat them as prisoners of war would be a burlesque, and it would hardly do to kill them. It was finally decided to try them by a military commission, and one was immediately formed, and between September 30th and November 5th examined 425 cases, of which 321 were found guilty and 303 sentenced to be shot. About this time a great outcry was raised that Minnesota was contemplating a horrible crime, in the murder of defenseless prisoners. President Lincoln ordered a copy of the proceedings to be sent to the department, and after full investigation issued an order designating thirty-nine of the leaders to be executed and fixing Friday, December 16, 1862, as the date of their execution. The order closed as follows: "The other condemned prisoners you will hold subject to further orders, taking care that they neither escape nor are subjected to any unlawful violence."

The president's order was obeyed. The leaders were executed in accordance with their sentence while the balance were held as prisoners in Mankato until the next spring, when they were put aboard a steamer and taken down to Davenport, where they were kept confined until July, when they were sent up the Missouri and turned loose on a reservation. This move has always been regarded by those who understood the situation as a grave mistake.

It is doubtless true, or largely so, that most, if not all, the subsequent troubles with the Indians on the upper Missouri and the great western plains have grown out of the evil counsels of these Minnesota Indians.

It is claimed that the same Indians planned and executed the Custer massacre in 1876 that ambushed Major Brown's force at Birch Conlie and Captain Marsh at the Lower agency in 1862. But I have already given altogether too much space to this Minnesota campaign.

The first intimation we in Iowa had of the troubles in Minnesota came about as follows:

On the morning of the 22d of August, 1862, a Norwegian by the name of Nelson came into Spirit Lake, bringing two children that he had carried in his arms from his home on the Des Moines, some five miles above Jackson. It appears that the inhabitants along the river had become alarmed at the reports of the depredations at the agency and held a public meeting to devise some means of defense.

This was on the 21st day of August. Upon returning to their homes they found that the Indians had been there during their absence and plundered their homes and murdered their families.

The man Nelson referred to found his family murdered except the two children before mentioned and they had been taken up by the heels and

their heads knocked against the corner of the cabin and left for dead on the ground.

One of the children afterwards died; the other recovered.

A small party immediately went from the lakes to the Des Moines, who, making a hasty reconnoissance, returned next day, when a larger party was organized, who went over, and, upon arriving at Jackson, were joined by a small party from Estherville. Together they followed up the Des Moines some fifteen or twenty miles and camped near a cabin that the Indians had besieged for about forty-eight hours, and had only left that morning. Both parties returned next day. The total number of bodies found and buried on this trip was about fifteen. By comparing dates, it will be seen that the settlement on the Des Moines was destroyed the same day as the attack on Fort Ridgeley, and the two places being over sixty miles apart, the same Indians could not be at both places, showing conclusively that they were carrying out a previously formed plan, and it has since been ascertained that the plan embraced the destruction of the settlements on the Upper Des Moines, and at the lakes in Iowa and down the Little Sioux, as well as those in Minnesota. It is more than probable that the Indians found that they could not execute their designs as rapidly as they had planned to, and this gave the settlers time to pull themselves together and measure their danger and prepare to meet it. The excitement which followed the affair was intense. The whole line of frontier settlements, from Mankato to Sioux City, was for a time abandoned, except Estherville and Spirit Lake, which were, by the way, the most exposed points on the whole line. The inhabitants of Dickinson county gathered at the court house, which was then in course of construction, the walls being up and the roof on.

Efforts were immediately made to secure more efficient government protection. Either this must be done or the entire frontier line would be abandoned. In the meantime the settlers determined to do the best they could for themselves. A detachment of the Sioux City cavalry arrived at Spirit Lake the same day the second party of scouts returned from up the Des Moines, and it was decided to at once erect a stockade around the unfinished court house. There was a saw mill at Okoboji, with logs enough in the yard for this purpose. These were taken possession of and the logs cut into planks about four inches thick. These planks were set on end in a trench about three feet deep and from twenty to thirty feet from the court house walls. After remaining fortified up at the old court house for about a week, the settlers decided to go back to their claims, and the court house was occupied from this time on by United States troops.

At Estherville, also, the inhabitants took immediate steps for defense by building a stockade fort and organizing a company for such service as might be needed.

In the meantime a vast deal of scouting was done by persons acting independent of any organization. At the time of the Minnesota outbreak, Governor Kirkwood issued a proclamation calling a special session of the Ninth General Assembly, to meet on the 3d day of September, for the purpose of putting Iowa's quota of troops in the field, but deeming that the emergency required immediate action, he at once, on the 29th of August

sent a communication to Col. S. R. Ingham, of Des Moines, of which the following is an extract:

"S. R. Ingham, Esq.:

SIR—I am informed there is probable danger of an attack by hostile Indians on the inhabitants of the northwestern portion of our state. \* \* \* \* \* You will please proceed at once to Fort Dodge, and to such other points as you may deem proper. Use the arms, ammunition and money placed at your disposal in such manner as your judgment may dictate as best to promote the object in view, to-wit, the protection of the inhabitants of the frontier. \* \* \* \* \* Use your discretion in all things and exercise any power I could exercise if I were present, according to your best discretion. Please report to me in writing.

Very respectfully, your obedient servant,

SAMUEL J KIRKWOOD."

Colonel Ingham at once proceeded to the performance of his duties. He visited the most exposed settlements on the frontier, and, upon his return to Des Moines, reported to the governor. This report was quite lengthy. I will give a few extracts. He says:

"I have the honor to report that in compliance with your order, I at once proceeded to the northern border of our state to ascertain the extent of the supposed difficulty. \* \* \* I visited Dickinson, Emmet, Palo Alto, Kossuth, Humboldt, and Webster counties, and found many of the inhabitants in a high state of excitement and laboring under constant fear of an attack by Indians. Quite a number of families were leaving their homes and moving into the more thickly settled portions of the state.

"This feeling, however, seemed to be more intense and to run higher in the more inland and remote counties from the border than in the border counties themselves.

"In Emmet and Kossuth I had the settlers called together in order that I might learn from them their views, or rather what was necessary to satisfy and quiet their fears and apprehensions. They expressed themselves freely and were very temperate in their demands. They said all they wanted or deemed necessary for the protection of the northern border was a small force of mounted men stationed on the east and west forks of the Des Moines river to act in concert with the United States troops then stationed at Spirit Lake, but that this force must be made up of men such as they could choose from among themselves who were familiar with the country and had been engaged in hunting and trapping for years and were more or less familiar with the habits and customs of the Indians, one of which men would be worth half a dozen such as the state had sent up there on one or two former occasions. In a small force of this kind they would have confidence, but would not feel safe with a much larger force of young and inexperienced men, such as are usually raised in the more central portions of the state.

"I at once authorized a company to be raised in Emmet, Kossuth, and Palo Alto counties."

This report of Colonel Ingham's, which is quite lengthy, was not filed with the governor until after the legislature had convened.

The first measure passed at this session was a bill for an act to provide for the protection of the northwestern frontier of Iowa from hostile Indians. I will give the first section only;

"Section 1. Be it enacted by the general assembly of the state of Iowa, that the governor of the state of Iowa be and he is hereby authorized and required to raise a volunteer force in the state of Iowa from the counties most convenient to the northwestern border of said state, of not less than 500 mounted men, and such other force as he may deem necessary, to be mustered into service by a person to be appointed by the governor, at such place as he may designate, to be stationed at various points in the northwestern counties of said state in such numbers in a body as he may deem best for the protection of that portion of the state from hostile Indians, at the earliest possible moment."

The balance of the bill relates to the enlisting, mustering in, equipping, and arming the force thus created. This bill was introduced, run the gauntlet of the committees, passed both houses and was signed by the governor inside of five days, which, considering its magnitude and importance, was remarkably quick work. While the above bill was pending the legislature also passed a joint resolution asking aid from the general government, of which I will give only the preamble:

"WHEREAS, For several months past, the Indians residing along the northwestern lines of the state of Iowa, in Minnesota and Dakota, and in the country in that vicinity, have exhibited strong evidence of hostility to the border settlers, and have committed depredations upon the property of these settlers, and have finally broken out into open hostility, not only committing gross acts of plunder, but have committed the most cruel barbarities upon the defenseless citizens residing in the southern and southwestern border of Minnesota, murdering with unparalleled cruelty a large number of these citizens and their families, in the immediate vicinity of our state, burning their homes and destroying their property; and,

"WHEREAS, It is believed from the general uprising of these Indians and the great extent of their depredations, and from various circumstances relating thereto, that they are invited to these acts of cruelty by evil-disposed whites from our enemies, and that a general Indian war is impending; and,

"WHEREAS, The people along the borders of Iowa and Minnesota are deserting their homes and fleeing to places of safety in the interior of the state, and entirely abandoning their homes and property for places of safety, therefore,

*Resolved*, By the general assembly of the state of Iowa," etc.

The resolution was an urgent appeal to the general government for immediate assistance and was passed at the same time as the bill providing for the northern border brigade. This bill and resolution were approved by the governor on the 9th day of September and Colonel Ingham reported to the governor on the next day.

On the 12th Governor Kirkwood issued general orders No. 1, directing where the several companies should be raised and appointing Colonel Ingham as his representative in seeing that the law was complied with. He ordered the companies to be recruited as follows, to-wit:

One at Sioux City, one at Denison in Crawford county, one at Fort Dodge, one at Webster City, which, with the one already raised in Emmet,

Palo Alto, Kossuth and Humboldt counties, made up the five companies. These companies were officered as follows:

Company A—W. H. Ingham, of Algona, captain; Ed. McKnight, of Humboldt, first lieutenant, and Jesse Coverdale, of Emmet, second lieutenant.

Company B—William Williams, of Fort Dodge, captain; John M. Hefley, of Fort Dodge, first lieutenant, and Jasper N. Bell, second lieutenant.

Company C—H. W. Crupper, of Webster City, captain; L. L. Estes, of Webster City, first lieutenant, and Samuel M. Purcell, of Alden, second lieutenant.

Company D—James M. Butler, of Denison, captain; Henry C. Laub, of Denison, first lieutenant, and John L. Grossman, of Little Sioux, second lieutenant.

Company E—J. N. White, of Sioux City, captain; Charles Rustin, of Sioux City, first lieutenant, and Charles Atkins, second lieutenant.

Lieut. James A. Sawyer, of the Sioux City cavalry, was chosen lieutenant colonel, this being the rank of the commanding officer. Lewis H. Smith, of Algona, was appointed quartermaster. The men were assigned to their posts as rapidly as possible. One company was stationed at Chain Lakes, one at Estherville and portions at each of the following points: Ocheyedan, Peterson, Cherokee, Ida, Sac City, Correctionville, West Fork, Little Sioux and Melbourne. Captain Millard's company of United States troops was stationed at Spirit Lake, thus forming a complete line of communication between Chain Lakes and Sioux City. The state troops were kept in service about a year and a half. In the meantime the bulk of the hostile Indians had been driven west of the Missouri river and the situation was considered one of comparative safety. After the state troops were discharged a portion of the stations were abandoned and the balance occupied by United States troops, mostly detachments of the Sixth and Seventh Iowa cavalry.

The services rendered by these soldiers on the frontier have never been appreciated at anywhere near their true value. The taunt that at the time was so often heard, that they went into the frontier service so as not to be obliged to go south, was an unjust one, as any of them, except those who had families on the frontier settlements, would have been glad of the change. The frontier service, if not so dangerous, was far more laborious and tiresome than service at the south.

Now that I have devoted so much time to the military operations on the border, I have none left for the settlers—the common people—for the settlers of northwestern Iowa were very common people. We had no Daniel Boone or Moses Van Camper; no Kit Carson or Jim Bridges—just every-day people who had come west to make their homes and "grow up with the country."

How they lived, how they fared, how they felt, what they did, what they thought—these are all interesting questions which I have no time to answer.

Agriculture was neglected. The settlers had not had time to turn their claims into farms when the outbreak came, and in the turmoil and excitement which followed, it was impossible to do so. Then soldiering is not very conducive to regular habits, any way. One important source of revenue for these early settlers was the fur business. The country being on

the "height of land" is more diversified by sloughs, ponds and small lakes than the balance of the state. These waters were inhabited by large numbers of otter, mink and muskrats, while the streams were alive with beaver.

It will be remembered that during the war, fur was one of the few articles of commerce produced in the United States that would command gold in the European markets, consequently it went up to a fabulous price.

I would like to have given some statistics of the fur trade in northwestern Iowa during the 60's, but so far as I know there are no reliable figures to be had. I have already exceeded the limits set for myself, and yet there are so many things that I have not touched upon, so many points left unnoticed, that my paper seems very incomplete, long as it is.

It would be interesting to contrast the conditions and note the changes the last thirty years have produced. The vast expanse of treeless prairie stretching away indefinitely to the northwest, which was once considered but a northern extension of the great American desert, has been converted into fertile fields and busy cities; thriving villages and prosperous communities are scattered through this region, where so short a time since seemed one vast expanse of loneliness and desolation. Vast herds of sheep and cattle are now grazing on the fertile plains where then roamed the elk and buffalo. The hum of industry is heard in lieu of the preparations for defense against the attacks of a savage foe. The Indian trail has given way to the iron track. The shrill warwhoop is superseded by the shriller whistle of arriving and departing trains.

Travel and traffic are substituted for scouting and picket duty. The old stockades have long since been torn down, and in their places are now seen the depot, the machine shop or the power house. The frontier line has been wiped out, and the hardy pioneers who defended it so faithfully and so well have many of them passed to the mysterious beyond, while the few remaining have become old and gray, and bent and bowed, and are only waiting the final summons when they, too, shall pass down and out, and the places that know them now shall know them no more forever.

Hon. John F. Duncombe said:

I will take the liberty of making a statement. I was captain of one of the companies in the United States service at the time of this Minnesota trouble, and a gentleman gave me for the first time the information, which he stated that he had received from General Sully, that the real foundation of this massacre lay in the fact that they had attempted to pay the Indians in paper money when, before, they had been paid in gold, and it arose out of that circumstance. That was the real foundation of that trouble.

Dr. Yeomans said:

I desire to express my appreciation of the paper that has just been read. I think that paper and the paper by my friend Duncombe are two of the most important papers that will go on the record. I am especially interested, for the reason that I was a resident of Sioux City during the time that all of the events occurred, and I know the statements made are true.

I was an officer under General Sully, and mustered into the service of one of the United States companies that Mr. Smith has mentioned.

Hon. Peter Melendy arose and made a few remarks with reference to the paper just read, having participated in some of the exciting incidents referred to.

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#### SURVIVING OFFICERS OF THE TERRITORIAL AND STATE GOVERNMENTS FROM 1838 TO 1858.

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BY EX-LIMUT.-GOV. B. F. GUE.

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I was delegated by the association at the session of 1896, to present to this session a list of the surviving officials of our territorial and state governments up to the close of the year 1857. From the best information I have been able to procure I submit the following roll of the survivors at the date of the assembling of this session.

#### TERRITORIAL GOVERNMENT FROM 1838 TO 1846—EXECUTIVE DEPARTMENT.

Hon. Theodore S. Parvin is the sole survivor. He served as the first private secretary to the first territorial governor, Robert Lucas, in 1838-39. was the first territorial librarian, having been appointed in 1839 by Governor Lucas.

#### JUDICIAL DEPARTMENT.

Hon. T. S. Parvin, who was district attorney of the middle district of Iowa for 1839-40, is the only survivor of all the judges, clerks, reporters, prosecuting attorneys, marshals and practicing attorneys who were admitted at the first term of the supreme court.

#### OTHER UNITED STATES OFFICERS.

Of these none survive. The venerable Gen. George W. Jones, the last of them, who was surveyor-general of Iowa in 1840, died last year.

#### LEGISLATIVE DEPARTMENT.

First territorial legislative assembly, 1838, convened November 12th; the council consisted of thirteen members and the house of twenty-six members. Dr. Gideon S. Bailey, who was a member of the house is the sole survivor of that legislature, and also of the Second Assembly, which met November 4, 1839. In 1840, the Third Assembly, which convened at Burlington, November 2d, Dr. Bailey was a member of the council, and Judge Francis Springer, of Louisa county, was also a member of the council; they are the only survivors of that assembly. Dr. Bailey still lives at his old home, Vernon, in Van Buren county, and Judge Springer lives at Albuquerque, in New Mexico.

Of the Fourth Assembly, which convened at Iowa City, December 6, 1841, Dr. Bailey and Gen. C. H. Booth, of Dubuque, are the only survivors.

Of the Fifth, which met at Iowa City, December 5, 1842, Judge Springer is the sole survivor.

Of the Sixth, which assembled at Iowa City, December 4, 1843, Judge Springer, and Robert Smyth, of Linn county, who was a member of the house, are the only survivors.

Of the Seventh, which convened at Iowa City, May 5, 1845, Frederick Hancock, who was a member of the house from Van Buren county, is the only survivor.

Of the Eighth, which assembled at Iowa City, December 1, 1845, and was the last of the territorial legislatures, Frederick Hancock is the only survivor.

Of the officers of these eight territorial assemblies, the only survivors are: T. S. Parvin, who was secretary of the council in 1840, and then lived at Muscatine; and Judge J. F. Kinney, secretary of the council in 1845, who then lived at Fort Madison, now living at San Diego, Cal.

#### FIRST CONSTITUTIONAL CONVENTION OF 1844.

This convention consisted of seventy-two members, and assembled at Iowa City, on the 7th of October; Dr. Gideon S. Bailey is the only survivor.

#### SECOND CONSTITUTIONAL CONVENTION, 1846.

There were but thirty-two delegates in this convention, which assembled at Iowa City, on the 4th of May. The survivors are, Gov. Alvin Saunders, Omaha, Neb.; Judge J. S. Richman, Muscatine, and Dr. John J. Selman, Bloomfield. Dr. Sylvester G. Matson, of Jones county, died a few days before this session began.

#### STATE GOVERNMENT OF IOWA, 1846.

The survivors, as far as I can learn, are, Hon. James Harlan, Mt. Pleasant, superintendent of public instruction, 1847; Hon. John F. Kinney, judge of the supreme court, now at San Diego, Cal.

Member of the senate of 1846, Hon. John J. Selman.

Members of the house, Hon. Robert Smyth, Mt. Vernon, Linn county; Hon. Anderson McPherrin, Mt. Zion, Van Buren county.

#### MEMBERS OF CONGRESS.

Both deceased.

#### UNITED STATES DISTRICT COURT.

Dr. G. S. Bailey, marshal, at Vernon; Hon. T. S. Parvin, clerk, Cedar Rapids.

#### CONSTITUTIONAL CONVENTION OF 1857.

This convention consisted of thirty-six members and assembled at Iowa City on the 19th of January, 1857.

The survivors are as follows:

The president, Judge Francis Springer, now at Albuquerque, N. M.; Hon. R. L. B. Clarke, Henry county, now in Washington, D. C.; Hon. W. P. Clarke, Johnson county, now in Washington, D. C.; Hon. A. R. Cotton, Clinton county, now in San Francisco; Hon. J. C. Traer, Benton county, Vinton; Hon. Lewis Todhunter, Warren county, Indianola; Hon. Daniel

H. Solomon, Mills county, St. Louis, Mo.; Hon. Harvey J. Skiff, Jasper county, Newton, and Hon. John H. Peters, of Delaware county.

The following letter of J. L. Clarey of the Saturday Review, was read, relative to obtaining photographs of the members for the use of the next number of the "Illustrated Iowa."

*Maj. Hoyt Sherman, City:*

DEAR MR. SHERMAN—I do not know whether or not to address you as president as yet, as I have not noticed whether or not your election to that office takes effect immediately; but whether you are president or not I would ask you to kindly suggest to the attendants upon the meeting of the Pioneer Lawmakers' association that I would like very much to have group photographs of them, from which to make engravings to be used in our next number of "Illustrated Iowa."

I would suggest that better effect can be had if they could be photographed in groups of about twenty or twenty-five each, and, if they decide to sit for photographs, think it would be well to ask the photographer to so pose them that the heads and shoulders only would show.

We expect to make the plates at our own expense, but would be very glad if the photographs could be furnished us. Would also appreciate it if someone connected with the association would write a suitable article, telling briefly of the Pioneer Lawmakers' organization and of the personnel of its members. The personal remarks would necessarily have to be very brief.

As I understand it, photographers nowadays can give satisfactory sittings even on cloudy days, so that it will not be necessary to let the discouraging condition of to-day's weather bar the members from taking the step suggested. Yours respectfully,

J. E. CLAREY.

On motion of Maj. Hoyt Sherman, Mr. Clarey's proposition was accepted and the necessary steps were taken to comply with his request.

The committee appointed to visit the senate and invite that body to meet with us, reported that they had performed that duty and that the invitation was accepted.

Hon. T. B. Perry of Albia, Monroe county, then read an interesting paper entitled "The Old Board of Education," of which body he was a very competent and efficient member.

THE IOWA BOARD OF EDUCATION.

BY HON. T. B. PERRY.

The board of education of the state of Iowa was created by article 9 of the new constitution of 1857. It was composed of one member from each of the eleven judicial districts in the state, and the governor ex-officio, the lieutenant-governor being the presiding officer and entitled to give the casting vote in case of a tie. The first election occurred on the 12th day of October, 1858, and the following members were chosen:

- First district, Charles Mason, four years.
- Second district, T. B. Perry, four years.
- Third district, George P. Kimball, two years.
- Fourth district, D. E. Brainerd, four years.
- Fifth district, Dan Mills, four years.
- Sixth district, S. F. Cooper, two years.
- Seventh district, T. N. Canfield, two years.
- Eighth district, F. M. Connelly, four years.
- Ninth district, O. H. P. Roszelle, two years.
- Tenth district, A. B. F. Hildreth, four years.
- Eleventh district, I. J. Mitchell, two years.

The number of years service as indicated above was determined by lot. Judge Ralph P. Lowe, of Lee county, was the first governor elected under the new constitution, on the 13th day of October, 1857, and his term of official service commenced in January, 1858, ending January, 1860. He was ex-officio the twelfth member. Oran Faville of Mitchell county, was lieutenant-governor for the same period, and the presiding officer.

The first session was convened on Monday, the 6th day of December, 1858, in the senate chamber of what we now term the old capitol building, but what at that time was the new capitol, and continued in session until Saturday, December 25th. The principal work of the session was an effort to adopt the township district system instead of independent districts. The township system was, in the main, the conception of Horace Mann. In pursuance of the act of July 14, 1856, Governor Grimes appointed a commission of three to revise the school laws of Iowa, consisting of Horace Mann, of Ohio, Amos Dean, chancellor of the State University of Iowa, and F. E. Bissell, who was afterwards attorney-general of the state; but on account of ill health Mr. Bissell did not take any part in the report made to the general assembly. The commission prepared a bill embracing the township system, and in an able report urged its adoption. On the 12th of March, 1858, the general assembly passed the bill as recommended by the commission. On the 9th day of December following, the supreme court in

the case of the District Township of the City of Dubuque v. The City of Dubuque, 7 Iowa, 262, decided that this act was unconstitutional, for the reason that this power belonged to the board of education. The board had only been in session three days when this decision was announced. It was not long in passing such a curative statute as would save the law to the people, and secure to them all rights under it so far as its authority extended.

There was more or less conflict of opinion among the members of the board as between the township and the independent system. Judge Mason and I favored the independent, he being the more conservative in this respect. The other members were more or less friendly to the township system. A bill for an act entitled, "An act to provide a system of common schools," was passed at that session. It was drafted by Judge Mason as a compromise of more than one bill which had been introduced and discussed during the session. While it set forth the township system, it was a modification in this respect of the Horace Mann idea, as expressed in the act of March 12, 1858. Though it has undergone many changes since that time, it is, nevertheless, the substance or ground work of what we still have of the township system. The most important change of the law since the passage of this act was that enabling the people to organize independent districts, and to come out from under the township system, as they might determine. As a result, a large per cent of our school district organizations now are independent. While the township system has much to recommend it as applied to rural settlements, the independent district plan will doubtless continue to be preferred in many localities, more especially in cities and towns. I am aware that some of our ablest and most influential educators are still earnest advocates of the township system in all its fullness; but, so long as the subject is left to be determined by those directly and most interested, the principle of self-government, so firmly lodged in the affections of the people, will incline them to stand by independent local organizations, as being more direct and better calculated to subserve their own immediate interests.

As to the membership of the first board, a large per cent were teachers, which peculiarly fitted and qualified them as useful legislators on the subject of education and schools. Lieut.-Gov. Oran Faville was an intellectual and finely educated man, a successful teacher, a good parliamentarian, a superior presiding officer, and was highly esteemed by all. Dan Mills was the father of the Mills brothers, so well known in Des Moines as enterprising publishers and prominent business men. D. E. Brainard was the oldest member and I the youngest. Mr. Brainard was the humorist of the body, and could tell a good story. S. F. Cooper was a useful member. He had a good education and considerable experience in teaching, and was active and efficient in all that pertained to his duties as a member of the board. T. H. Canfield was a Congregational clergyman, strong in his political convictions, but of good intentions and kind impulses. Still he was always satisfied to keep in line with his party in all its movements. F. M. Connelly was a young man who had just entered upon the practice of law. He was regarded by all as honorable and upright in every way, and one whose desire was to do right, fearlessly and at all times. O. H. P. Roszelle had been a teacher and, as I now recollect,

county superintendent of Buchanan county. He was an honest, earnest, unassuming man, and made a useful member. He was one of the most zealous advocates of the township system. A. B. F. Hildreth, then and still a resident of Charles City, was a thoroughbred Massachusetts yankee, and never afraid to express himself in advocacy of what he believed to be right. He was a newspaper editor, but, from his manner and conversation, I always suspected that he had had a large experience as a teacher. He was not subject to any embarrassment while occupying the floor in advocating the township system. In fact, I do not call to mind now that I ever saw him laboring under what might be called embarrassment. But he was one of the most active and useful members of the board. I. J. Mitchell, of Boone, was an excellent young man. There was no more conscientious, fair minded or worthy member of the board. He had a red head, and, when occupying the floor, seemed to be terribly in earnest, and no man ever doubted his sincerity. Governor Lowe was so well known in Iowa for his high character and useful life as not to require special notice at my hands, further than to say that he gave the subject of education his heartiest support and was an active member of the board. George P. Kimball was a teacher, and very much in earnest in all his undertakings, which rendered him quite a useful member. He was a warm friend of the township system, and gave it his hearty support. In conclusion of what I have to say of my personal recollections of the membership of the board the first session, I shall speak of Judge Mason. He was clearly the ablest member. Besides his great intellect, he had the benefit of superior opportunities and advantages over most men. His education was of the first order. He graduated at West Point at the head of the class of 1829. In the same class Robert E. Lee was second and Joseph E. Johnston thirteenth. Jefferson Davis was twenty-third in the class of 1828. Charles Mason was chief justice of the territorial supreme court of Iowa from 1838 to 1847, principal author of the code of 1851, and commissioner of patents under Franklin Pierce. He was favored with an excellent memory, was a first-rate lawyer, an able jurist, upright and just in all things, and was not excelled in most attributes that make men great, excepting that he was not much of a public speaker. He enjoyed the most perfect confidence and respect of all the members.

Judge Mason undertook to make the trip from Keokuk to Des Moines via steamboat on the Des Moines river. I was at Ottumwa when the "Badger State" hove in sight, on which he was a passenger. This was the afternoon of Saturday, the 4th day of December, 1858. A cold wind was blowing from the northwest and the boat stopped only a few minutes and passed up the river; but it was not able to ascend higher than Eddyville, where it landed its passengers, unloaded its cargo and at once returned down the river to escape the threatened "freeze up." Judge Mason completed his journey from Eddyville by stage coach, and I from Ottumwa in the same way. During the first session we roomed together at Dr. Shaw's, whose residence occupied the present site of the Catholic church across the street and immediately west of the old capitol building. I shall always appreciate the benefits resulting from being thus associated with Charles Mason.

The second session of the board convened in the senate chamber of the capitol building on Monday, December 5, 1859, and continued in session

until its adjournment on Friday, December 24th. We had the same membership and officers as those of the first session, excepting that Judge Mason did not attend, and Josiah T. Tubby was secretary of the first and Thomas H. Benton of the second session. Toward the close of the first session the board, for reasons supposed to be political, passed an act abolishing the office of superintendent of public instruction, which was then elective by the people, and quite ably filled by Maturin L. Fisher, of Clayton county, and conferred the duties of the office upon the secretary of the board of education. It then became an appointive office. As will be seen, Mr. Fisher was legislated out of office and disposed of in short order to furnish a place for another. But as soon as it was discovered that he was fairly dead to the office, it was revived, and we ever since have had the office of superintendent of public instruction elective by the people; however, Mr. Benton was well qualified and made an excellent officer as secretary of the board, as well as in the discharge of the duties of superintendent of public instruction.

The subject under consideration would be incomplete without appropriate reference to some of the leading school journalists of the state, who were conspicuous as reporters during the sessions of the board. Samuel Storrs Howe, an aged Yankee teacher, well known in those days by all the public men of the state, was editor and proprietor of the *Literary Advertiser* and *Public School Advocate*. J. H. Sanders, of Sigourney, was publisher of the *Iowa Instructor*. He was a teacher of experience, and one among the brightest of the young educators of the state. Mills & Co., of Des Moines, were publishing the *Iowa School Journal*. Theirs was at that time one of the foremost publishing houses of the state. Frank M. Mills, of that firm, afterward became state printer and state binder. C. C. Nestlerode, of Cedar Rapids, like some of the school journalists named, was agent for a school book publishing house, and was present most of the time during the session in the interest of his house. He was a young man of more than ordinary intelligence and worth. In this connection, the name of Gen. William Duane Wilson, secretary of the Agricultural bureau at that time, should not, by any means, be omitted. He was an old man of more than seventy years, whose face was ornamented on both sides by quite a rich growth of gray whiskers. He manifested an unbounded interest in agriculture, and never could understand why the board should not make extensive provision for his favorite subject, among the first and foremost of its enactments. He continually labored for the founding of the "Agricultural College and Farm," and never would tire in conversation upon his favorite topic. He was a kind-hearted, good-natured, old gentleman, and always enjoyed the friendship and esteem of the members of the board.

The third session of the board met Monday, December 2, 1861, and adjourned Friday, the 20th day of the same month. The new members were Philip Viele, successor of Judge Mason; D. C. Bloomer, successor of George P. Kimball; S. F. Cooper, re-elected; D. W. Ellis, successor of T. H. Canfield; Lyman N. Ingalls, successor of O. H. P. Roszelle; Daniel D. Chase, successor of I. J. Mitchell; Gov. S. J. Kirkwood, *ex-officio*; N. J. Rusch, president, *ex-officio*. All the other members were present in the third session whose terms were for four years. Governor Kirkwood was quite an active and interested member. He was a man of sound judgment and rather conservative in his views. He had been a member of the gen-

eral assembly of the state of Ohio and of this state, and was well known as a legislator before becoming a member of the board. Enough is known of his successful public career in this state not to require any further mention in that direction on this occasion. Lieut.-Gov. Nicholas J. Rusch, of Scott county, had not been in this country many years when he was elected to the state senate in 1857, for four years. He was a fair representative of the large German element we had in Iowa at that time. He was a man of intelligence, a good German scholar, and had succeeded in acquiring a pretty fair knowledge of the English language, considering the short time he had been a citizen of this country. He was impartial and just in his official action, and well regarded by all the members; but certainly was not the superior of Oran Faville, as an educator and presiding officer.

Of the new members at this session I shall speak briefly. Philip Viele, of Lee county, was the republican candidate, who opposed Augustus C. Hall for congress in 1856, the second time he was elected. He was quite an old man, a native of Holland, as I now recollect, and died shortly after the close of the session of 1861. D. C. Bloomer, of Council Bluffs, the successor of George P. Kimball, was the husband of Mrs. Amelia Bloomer, an estimable lady from whom the name "Bloomer costume" was derived, and which was more prominently mentioned then than at the present time. He was a very excellent gentleman, indeed, alive to the cause of education, and an active and useful member of the board. D. W. Ellis, of Clinton, was a brother of the present state senator Ellis of that place, and the successor of T. H. Canfield. He was a young man of commendable habits, of fair qualifications, and gave promise of a successful career in the life before him. D. D. Chase, of Webster City, the successor of I. J. Mitchell, of Boone, afterward judge of the district court for several years, was a young lawyer just starting out in life, and gave every promise of succeeding well as a public man, which afterward was fully verified.

The last state census report sets forth that the third session of the board was held in December, 1862. This is a mistake; it was in 1861, as I have herein before fully shown. While it is true that there was an election of members of the board in October, 1862, to succeed those elected in October, 1858, whose terms were for four years, still they did not meet in December, 1862, and a fourth session was not held. The cause of this failure, as I now recollect, was that the legislature failed to make an appropriation to defray the expense of the session. In March, 1864, the general assembly, in the exercise of a special power given it by the constitution, discontinued the board of education, and no session ever was held since its final adjournment at the third session, December 20, 1861.

Of the members I met during these three sessions, I only know of the following as still living, viz: Col. S. F. Cooper, of Grinnell (now of California); D. C. Bloomer, of Council Bluffs; A. B. F. Hildreth, of Charles City; D. W. Ellis, of Minneapolis. My best information is that the others, including all who, in any way, served as officers of the board, have passed away. I shall always cherish their memory with becoming reverence.

Hon. A. B. F. Hildreth made a few remarks relative to the township school, and of a controversy had with Hon. Oran Faville, relative to the education of boys and girls together

Mr. Faville was very much opposed to such innovation, but Mr. Hildreth strenuously advocated it. He related an anecdote of a whole family, in a certain township, where there was no school-house, not one of whom could read or write. For their benefit, in particular, he assisted in having a school-house erected in said township, and a school established. He said that our State University was the first to adopt the system of educating the sexes together.

Mr. Tjdhunter made some explanation of the origin of the board of education.

Mr. Duncombe favored us with some remarks in the same direction.

President Scott now arose and made a few brief remarks relative to his successor in office, who had just been elected by the association, and concluded by requesting Hon. R. D. Kellogg and Hon. Samuel McNutt to conduct him to the chair.

Maj. Hoyt Sherman was inducted into office, Col. John Scott, who had been our very efficient presiding officer for the last biennial period, gracefully vacating the chair in his favor. Upon taking the chair, the newly elected president said:

FELLOW PIONEER LAWMAKERS—I am deeply appreciative of the great honor which you have bestowed upon me, by selecting me as your president. Though when I think of those who have preceded me in this honorable position, I cannot but hesitate in my acceptance. Our association was launched under the able guidance of Judge Reuben Noble, who was followed by John F. Duncombe, with us to-day, genial, clear-headed and earnest; then the eloquent and majestic Johnstone has graced this chair; the beloved Wright, peerless as a presiding officer, whose strong but cheery face is ever present in our memories, has sat upon this rostrum and directed your deliberations; rugged but kindly John Scott surrenders a duty, well and thoroughly performed. Well may I hesitate before accepting a chair which has been filled by men of such distinguished ability.

Therefore, on assuming the duty of this high office, I bespeak your kindly forbearance and patience, and trust that no invidious comparisons with former presiding officers be drawn.

I esteem it a great honor to be selected as president of this association. Sixty years ago, within the memory of some men here present, the vast expanse of territory lying between the two great rivers, bounded upon the north and south by arbitrary lines, enclosing 56,000 square miles, and now known as the state of Iowa, was practically without laws or government, save such as had been enacted by the general government for the regulation of other unoccupied domain. In fact, there were few to govern, few to regulate. A small number of scattering settlements upon the Mississippi river, and all else was rolling prairie, watered and nurtured by never-failing streams of water, a paradise upon earth, waiting only the hand of industry and thrift to make it the abiding place for the highest civiliza-

tion. Within that time all our present civilization has come. With statehood came a system of laws suitable to the requirements of that early time. As year after year rolled by, and population increased, new necessities arose; as business developed and human affairs became more complex, new rules of action were required; then, and in each event, we and our many absent brothers were called by a rapidly increasing population to assemble together at intervals and provide laws and regulations to meet each emergency. Thus, by slow accretions has the structure of our jurisprudence been constructed. We, as the masons and artisans employed upon this structure, feel proud of our work. And in gathering together every two years to renew acquaintanceship and observe how our work is progressing in hands of other and younger men, we may well feel a pardonable pride and self satisfaction in looking backward upon what we have done. A trite saying is: "As the twig is bent, the tree is inclined." We may take upon ourselves the proud consciousness that we bent and trained the tender, budding slip which has grown to a broad, spreading tree.

The state of Iowa is an empire in itself. In area it is more than 80 per cent of that of all New England. Practically all of this is cultivable, and all is well watered, not by irrigation ditches or other artificial means, but by the rains from heaven. The first farmer did not have to clear the forests or grub the ground; nor was he compelled to clear away rocks to find the soil; the plow turned over prairie flowers, and the land was ready to receive the seed, and give food to millions. I do not believe there exists upon earth a similar area of land of which so much can be said. With good reason may its pioneer lawmakers feel proud of their state. Hence it is, fellow pioneers, that I have an exalted estimate of the honor you have conferred upon me; and though I cannot hope to emulate the abilities of those who have preceded me, I shall endeavor by the exercise of my best effort to show my appreciation of your confidence. I thank you most heartily.

The association then adjourned.

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## SECOND DAY—AFTERNOON SESSION.

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Pursuant to adjournment the Pioneer Lawmakers' association met in session at 2 o'clock P. M., President Maj. Hoyt Sherman in the chair. Meeting was called to order, whereupon we were favored with a solo by Mrs. G. L. Godfrey, entitled "The Wild Rose," words by our own Iowa poet and author Maj. S. H. M. Byers. It was exquisitely rendered and pleased the audience immensely, who gave her an encore. She responded with another selection entitled "Bessie, the Maid of Dundee," which was given with much pathos and tenderness. The accompaniment to both selections was played by Miss Nellie Thompson.

A committee of the senate of the Twenty-seventh general assembly, composed of Senators Berry, Blanchard, Lothrop, Hurst and Everall was announced and requested in behalf of the senate that our association meet with that body at such hour as may suit our convenience. On motion of Hon. Warren S. Dungan the invitation was accepted and the hour for such meeting fixed at 8 o'clock P. M. of the 11th inst.

Col. John Scott, ex-president, made a few remarks, tendering his thanks for the kind and courteous treatment he received from the association during his administration.

Judge C. C. Cole was called out and responded as follows:

MR. PRESIDENT—A little over two weeks ago our very worthy and efficient secretary requested that I should prepare for the Pioneer Lawmakers' Association of Iowa, an epitome of the personnel of the Iowa supreme court. At first, the request seemed to me to be hardly in accord with the practical good sense which has ever characterized our secretary, since I was myself, for a dozen years or more, a member of that tribunal.

Upon further discussion and consideration, and remembering that I had a personal acquaintance with every member of the Iowa supreme court, as well in its territorial days as in the days of its statehood; and recalling in hurried mental review the high character, distinguished ability as well as the multiplied manifestations of their profound learning and wisdom, possessed by so many of the judges, that in my inconsiderate, if not youthful zeal, I agreed to undertake to discharge the duty involved in the request.

Nearly thirty years ago I was honored with a nomination for a seat on the Iowa supreme bench, as an associate with two of the ex-judges of the territorial supreme court. In my relation with them during the canvass, resulting adversely to all three of us, I became very intimately acquainted with their personal characteristics, as well as having gained some knowledge of their legal ability and habits of juridical thought. I supposed that I could readily lay hold of sufficient statistical information to enable me to prepare, as to those two gentlemen at least, a brief personnel, and thus enter upon the discharge of the duty assigned me, which it was contemplated would form a serial for at least three of our sessions. But when I sought the statistics I found that those within my reach were too limited to enable me to prepare such a personnel as I purposed, and as they respectively deserve. As sometimes happens in connection with resolves to perform a cherished duty, an unexpected accumulation of current daily demands have come upon me and rendered the performance of my promise, at this session of our association, quite impossible.

Rather than to fail entirely to enter an appearance before you, and thus make an earnest of my good-faith promise, I have presented this as my introduction and apology, accompanied with a renewed promise to execute the duty assigned me as best I can, and to be prepared at the next meeting of our association to give you as much of it as your time will justify you in hearing.

Asking your charity for this failure, and inviting you to an indulgence in hope for the future, I wish you better success, at this session, as to others to whom special duties have also been assigned.

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REPORT FROM THE THIRD DISTRICT.

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BY HON. PETER MELENDY.

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*Mr. President and Members of the Association:*

GENTLEMEN—I received word from our faithful secretary, Hon. B. F. Gue, saying: "Be sure and come to Des Moines and make your report on statistics for the Third district."

And you say, Mr. President, in your call, "that every member is expected to be present and do his duty."

I find in the articles of association, the duties of the statistical committee are, that each member shall prepare biographical sketches of such members as may die in the district, and report same to the next succeeding reunion for publication.

Mr. President, it has been my privilege during forty-two years of residence in Black Hawk county, to have lived in four congressional districts. I came to the state in the spring of 1856. At that time we had but two congressional districts. Black Hawk county was in the Second district, then comprising the north half of the state (sixty counties), and was represented in congress by Hon. James Thorrington, of Scott county. Afterwards by Hon. Timothy Davis and Hon. William Vandever, of Dubuque county.

In 1862 the state was re-districted and Black Hawk county placed in the Sixth district, comprising about one-third of the counties in the northwest part of the state, was represented by Hon. A. W. Hubbard, of Sioux City.

In 1872 the state was again re-districted and Black Hawk county was placed in the Fourth district, represented by Hon. H. O. Pratt, of Charles City.

Again in 1882, we were placed in the "monkey wrench" district, the Third, and have for sixteen years been represented in congress by "our Dave," Hon. D. B. Henderson, of Dubuque county.

Mr. President, it is something for one to say that he has resided in one county forty-two years, through some of the most eventful years in our state's history, to have been intimately associated with the old lawmakers of these four districts, and to have had some small part in the development of the state.

Who among us does not feel a glow of pride and satisfaction in recalling the men and history of the days from 1856 to 1872? What wonderful changes from the then to the now.

You say, Mr. President, there are many still left of the old members that climbed the brushy path up the hill that led to the modest court room and halls of legislation, that then occupied the place where the war monument now stands. I do not find this statement true in my district; not many of those grand men of the sixteen years prior to 1872, are still

with us. I count but sixteen. It seems rather strange not to speak of those noble old lawmakers in the old Second, Sixth and Fourth districts, that I have been intimate with so long. The names of the old pioneer lawmakers in my district that are left, so far as I know, are the following:

Dubuque county—Thomas Hardy, Francis Mangold, F. A. Gniffke, C. H. Booth, W. T. Stuart, J. B. Longuevill, B. B. Richards, J. K. Graves, Fred M. Knoll, Fred O. Donnell, Jacob Rich.

Delaware county—James Grimes.

Buchanan county—William G. Donnan, George W. Bemis, Jed Lake.

Black Hawk county—J. B. Powers, R. P. Speer, Bradley Carpenter, John H. Leavitt, G. B. Van Saun, G. W. Couch.

Bremer county—John E. Burke.

Hardin county—W. J. Moir.

Wright county—S. B. Hewitt.

These old lawmakers are deserving of more than a mere mention; a biographical sketch of each, prepared by those possessed of the necessary information, would furnish a volume not only of intelligent and interesting matter to the general reader, but to which future historians might refer with safety and pleasure.

Mr. President, I am glad to say to you to-day, that I have no report to make of any death since the last meeting, in the district I represent. I may have missed some one, but I have used due diligence to obtain all facts as to the death of any of the old members.

I desire to mention one of our respected members who died in 1895, of which no mention was made at the last meeting of this association: J. S. Woodward, of Independence, Buchanan county.

I labor under some embarrassment in appropriately paying this last public tribute of respect to the memory of one of the early lawmakers.

I was not aware until a few days ago of the fact that Mr. Woodward's death was not referred to at your last meeting.

I was well acquainted with Mr. Woodward; I met him the first time here in Des Moines, at the meeting of the Seventh general assembly the first session in the old, then the new, state house, in 1858.

My intimacy with him was close, up to ten years ago.

J. S. Woodward, of Independence, Buchanan county, a lawyer by profession, was born in Cheshire, Vt., 1830. Came to Independence, Buchanan county, Iowa, in 1853; was a member of the house in the Seventh general assembly, at the age of 28 years. He died May 18, 1895, at the age of 65 years. He was a man of good judgment, rare mental power, which, together with much self-reliance and entire independence of character, rendered him at once a successful member. He was a man of convictions, but not of policy; he despised those who sacrificed the former to the latter. A self-reliant temperament, he would not conform to the prevailing conventionalism of the day. He was a candid man, caring little for popular favor or prejudice; he pursued the even tenor of his way, enforcing the ideas he advocated with earnestness and vigor.

He was always courteous, remarkable for his consideration, forbearance and kindness, was willing to give advice and assistance to those who needed it.

He was deeply loved and fully trusted by his co-workers in the house of which he was a member. I can do little more than express the general estimation of his public life and character and service, entertained by myself in common with the people of his adopted state. Others here knew him, it may be, as a student, a teacher, a lawyer, a legislator or a neighbor, and in the amenities and benefactions of home.

In his departure we shall miss him. That he has left his impress upon the page of history of our state, none can dispute.

Mr. President, he is gone! peace to his ashes.

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A PAPER FROM HON. A. C. FULTON.

DAVENPORT, Iowa, January 7, 1898.

*To Col. John Scott, President, and the Honorable Members of the Pioneer Lawmakers' Association of Iowa:*

GENTLEMEN—A journal now before me informs me that I and others are requested to verbally, or through writing, lay before the sixth session of the association our acts and recollections of Iowa pioneer days.

During our sessions of ten years Iowa's historical and legislative fields have been well gleaned.

Territorial and infant state days have been rehearsed, many honorable members have given an interesting history of their entrance, and the part they took to build up a finished world in a wilderness, reducing the labor of those in the rear.

When each member of the association furnishes his page, a fair history of Iowa and beyond will exist.

As in duty bound, I must add my page to history. I entered the Mississippi river by Pass A Lautre, from off the Gulf of Mexico in 1831, under adverse circumstances, to immediately ship again for the West Indies, under the good pay of \$16 per month.

I again entered that river, and in December, 1831, visited the then sparsely inhabited states of Mississippi and Florida. The population of Mississippi then numbered but 136,690, and that of Florida but 34,790, Indians not included. We had taken possession of Florida and formed a territorial government there but ten years previous to my visit. I then settled permanently in New Orleans.

I passed a portion of 1835 and 1836 in Texas, then a state of Mexico, where life was at a discount and human blood freely flowed.

In 1838 I made a sea voyage from New Orleans to New York, and journeyed back to New Orleans by land over the Alleghany mountains via Wheeling, Va., and St. Louis, Mo. Quartered for a few days at Vandalia, the state capital of Illinois, on the Kaskaskia river, and attended the legislature, then in session, and debating on the question of the removal of the capital to Chicago, or to Springfield.

Cairo forbid the act of its removal to Chicago, as she was then contending with Chicago for the supremacy. Whilst at Vandalia I entered 160 acres of Uncle Sam's land south of and near the capital city.

This extended inland journey taking in many large states, with their mountain passes and their long stretches of uninhabited prairie and dilating valleys, startled the imagination, and presented a wild grandeur never to be forgotten. But propriety, calls a halt, and orders me to the hamlet of Davenport, Iowa, where I made a landing from New Orleans on July 4, 1842, now over fifty-five years passed and gone.

I established a general store at the hamlet, and almost immediately joined a Mr. William Bennett, and Mr. Lambert, to be the half owner of a water power created by the Wapsipinicon falls, in Buchanan county. Mr. Bennett had erected a log house with two rooms and a shed roofed kitchen, the first white man's habitation ever erected in that county.

We, with great hardship and labor, dammed the Wapsipinicon river and erected the ordinary frontier grist mill, built a warehouse and a blacksmith shop. We had to haul our sawed lumber from Dubuque, but the bulk of all our lumber, even the flooring of dwellings, had to be procured from the forest with the axe. Oh, my! the task to make a world.

We fondly hoped to plant the metropolis of the great west at Quasqueton. On August 5, 1842, the entire population of Buchanan county numbered fifteen, self included.

In the spring of 1843 the Buchanan county lands were sold at auction in the town of Marion, and I purchased, and in February, 1844, sold the town of Quasqueton to William W. Haddin for a mere bagatelle, as the county records now witness.

I did not cease mill building, but in 1847 erected the two first steam merchant mills in Scott county, one of them costing \$14,000.

Time brought 1854 around, and the presidency of the state senate caused a deadlock for many days to the great injury of the state. I, a freesoil republican, broke from my moorings, and placed the Hon. M. L. Fisher, of Clayton county, an avowed pro-slavery democrat, in the president's chair, for which act I received the censure of many.

During the extra session of 1856 our railroad laws were enacted, and are now amongst the laws that exist in their original form. Sailor, I had the honor to originate and draft those laws, and act as their guardian.

During the session of 1855, when the main question was Nebraska or anti-Nebraska, or the extension of slavery, and party lines were strained, the supposed leading candidate for United States senator was a friend and a citizen of my district, and who would be one of the arbitrators, but as I had, when under trying circumstances at sea, in 1829, pledged myself ever to battle against human slavery, I had to disobey the almost unanimous petition of my constituents to abandon the Hon. James Harlan, notwithstanding he had received but four votes at the previous count. But I stood by and saw him elected to make Iowa known at home and in distant lands. To have withdrawn would decree his defeat.

I leave the rejection or the confirmation of this momentous history with the Hon. James Harlan. Respectfully yours,

A. C. FULTON.

## THE SEVENTH GENERAL ASSEMBLY.

BY EX-LIEUT.-GOV. B. F. GUE.

The assembling of the legislature of 1858 at the new capitol in Des Moines, on the 11th of January, was the beginning of a new era in our state government, which gradually opened the way to great material prosperity. The constitution of 1846 under which Iowa was admitted into the union, was in many respects an admirable instrument, which, but for a few unwise provisions, might have endured through the nineteenth century. Its fatal errors were:

*First.*—An absolute prohibition of banks, or the issue of paper currency by persons, associations, or corporations of any description.

*Second.*—Limiting the compensation of members of the general assembly to \$2 per day for the first fifty days, and to \$1 a day for the remainder of the session.

*Third.*—Providing that the supreme judges should be chosen by the general assembly, instead of by the legal voters of the state.

*Fourth.*—Limiting suffrage to white male citizens.

The effect of the absolute prohibition of banks of issue in the state, instead of protecting the people from losses by bank failures, as was the design of its authors, was in practice disastrous to business enterprise, and the people whom it was intended to benefit. Gold and silver, the only legal money, could not be obtained in sufficient amounts to transact any considerable portion of the ordinary business, and grain buyers, merchants, and private bankers found it necessary to procure from other states bank bills to supply the deficiency. These bills were practically irredeemable in gold or silver, being far from the banks issuing them, and in most cases issued under laws that required no adequate security for their redemption. The state of Iowa exercised no control over that sort of currency, and had no law at that time prohibiting its circulation within its limits. Gold and silver were hoarded, and the state soon became flooded with the most utterly worthless paper money that ever was issued in any country. Irresponsible banks from Maine to Florida, from Canada to Texas, from New Brunswick to Nebraska, sent their finely engraved promises to pay to Iowa brokers, private bankers and produce buyers; the discount allowed was sufficient to silence all scruples of the consignee, and they did a thriving business in exchanging these bank bills for wheat, pork, beef, corn, barley and potatoes, as rapidly as possible. Bank note detectors were in better demand than bibles, while gold and silver were hidden away in old stockings, to be fished out only to enter land, or pay taxes. Bank failures were so frequent that no one felt safe in holding their bills over night.

The losses became innumerable, and the demand for sound home banks was irresistible. The only way to them was a change in the constitution. A convention was ordered by the legislature of 1856 and approved by the people by a vote of 32,790 for a convention, to 14,162 against. The convention assembled at Iowa City on the 19th of January, 1857, and in a session lasting to the 5th of March framed the present constitution. The important changes were:

*First.*—Reducing the term of the governor from four to two years.

*Second.*—Providing for the election of a lieutenant-governor who should be president of the senate.

*Third.*—Providing for a state board of education to consist of the lieutenant-governor and one member to be elected from each judicial district in the state, to have entire control of all public school and State University legislation.

*Fourth.*—Raising the limitation of state indebtedness from \$100,000 to \$250,000

*Fifth.*—Authorizing the establishment of a state bank and branches, and also a general banking law, provided a majority of the electors at a general or special election shall approve of the acts of the general assembly for the establishment and management of such banks.

*Sixth.*—Requiring all bills passed by the general assembly to receive the votes of a majority of the members elected to each branch. Increasing the pay of members to \$3 per day.

*Seventh.*—Providing for the election of judges of the supreme court by the people.

*Eighth.*—Permanently locating the capital of the state at Des Moines, and the State University at Iowa City.

*Ninth.*—Submitting to a vote of the people a proposition to strike the word "white" from the article on the right of suffrage.

Under such change in the organic law of the state, the Seventh General Assembly convened at the new capital to enact, revise, and adapt the laws of the state to the new constitution.

Des Moines was at that time a little shabby frontier town of less than 3,000 inhabitants. It was remote from railroads, and reached only by stage coach or private conveyance. The new state house had been located on the east side of the river a mile or more from the hotels, and the streets leading to it were, for a long distance, simply wagon tracks made through a long stretch of low, swampy river bottom, and up a steep ungraded hill, where the yellow clay soil rolled up on the wheels of the vehicles which tried to fathom the depths of mud, like the prairie sod from a huge breaking plow. One long straggling walk of native lumber boards, warped and slippery, could be seen strung out lonesome and wabbling in the direction of the new brick capitol. The speculators in real estate, who had built the state house on the then desolate hill in the distance, far from every accommodation a rude frontier town possessed, had hastened to plat into lots, streets and alleys, a vast region of swamp, woodland, and cultivated farms. Prospectively they were gazing anxiously for a mighty "boom" which should lift them from poverty into millionaires. But the crash of 1857 was lowering over the entire country, and the practical problem of bread and butter was, for the time, absorbing their chief attention and entire available resources. But they were liberal, broad-gauged, hospitable and hope-

ful people. They had lived through the hardships of pioneer life, and now the capital of the state had come to them (not without a mighty lift on their part), and "Sellers" like, they could "see millions in it."

No legislative body was ever accorded a more generous welcome by citizens, than was extended to us of the Seventh general assembly by the excellent people of Des Moines, during that winter of 1858. They opened their houses to the members, surrendered their parlors and sleeping rooms, and supplied the tables with the best that the frontier markets afforded. The only hotel of much pretensions was the old Des Moines house, kept by the genial Colonel Spofford. It was a native lumber, three-story frame structure, standing near the river bank on the south side of Walnut street. Here the Western Stage company deposited the members, strangers, and gentlemen of the "Third House," as they came to the new capital on their various missions. Here Governor Grimes had rooms; and here the newly elected governor, Ralph P. Lowe, was waiting to be inaugurated. Its soft coal stoves glowed with a red heat as crowded and cramped with cold, we unloaded the thirteen benumbed passengers from the old Concord stage that had day and night wallowed through the great snow drifts that filled the sloughs and ravines of the bleak unsettled prairies, from Iowa City.

The law providing for the removal of the capital to Des Moines required a building to be furnished for a state house free of expense to the state. When the location was made by the commissioners, on the east side of the river, the west side citizens declined to contribute towards a building to accommodate the legislature and state officers. The east side land owners were rich in newly platted city lots and great expectations, but had very little cash. A syndicate was formed, of which W. A. Scott, James A. Williamson, Dr. T. K. Brooks, J. M. Griffiths, Dr. Alexander Shaw and H. H. Griffiths were members, to build the state house. They mortgaged their real estate and borrowed the money required, of the school fund, and erected a three-story brick building, furnished it, and had it ready for the Seventh general assembly. "Alex." Scott, who was the most extensive land owner on the east side, was liberal, enterprising and sanguine. He had built a bridge across the Des Moines river on Market street, and erected a large, fine brick residence on the site where the gas works now stand. He had donated to the state the fine grounds now occupied by the permanent state house, as well as the land upon which the old capitol was built. Had not the great financial depression of 1857 prostrated the entire business of the country, his large possessions would in time have made him a millionaire. He furnished and opened the rooms of his large, new residence to help accommodate members of the legislature. His house was crowded with senators and representatives and was the best boarding place in the city. The floods came and wrecked his bridge across the river; the financial revulsion that swept over the entire country in 1857 greatly depreciated the value of his heavily incumbered city lots. He made a manful struggle to hold his large possessions and meet his obligations, but it was in vain. When the great gold discoveries near Pike's Peak caused a wild rush over the plains in 1859, he went with the crowds in the hope of redeeming his waning fortune. But alas! for all his hopes; he was stricken with disease and died among strangers. A few friends in Des Moines raised money to bring his body back to his old home, and bury it on the

most slightly point in central Iowa. There on the spot he had long before selected for his final resting place in prosperous days, he sleeps in an unmarked and neglected grave, overlooking the beautiful grounds he donated to the state for its magnificent capitol, that he saw in visions of the future, but not in his lifetime.

There are few of the old landmarks of 1858 left in Des Moines of to-day. The soldiers' monument occupies the site of the first state house. Father Nugent's church stands on the lot where Dr. Shaw's three-story brick mansion was then. Slatten's Hawkeye house has tumbled into ruin. B. F. Allen's fine residence, surrounded by beautiful trees and shrubbery, was demolished to give room for the Aborn block, while his bank building made way for the Register block. Captain West's cosy home stood where the Valley bank now looms up. The walls of the old Savery house (now the Kirkwood) had just been inclosed, away up town, remote from business, which centered about Second and Third streets and Court avenue. Sherman's block, at the latter corner, was the opera house and auditorium of that day, while Wesley Redhead, then a Buchanan democrat, kept the postoffice on the first floor.

The residences of Elijah Sells, John W. Jones, John M. Davis, Dr. Brooks, Colonel Griffiths, and Judge M. D. McHenry, on the east side, have survived the march of improvement of forty years. Out on the town line road, about half way to the sanitarium, stands a venerable relic of an enterprising syndicate of 1857. As the stage coaches reached the western summit of Four Mile ridge, passengers coming to the capital saw looming up in the midst of the wide expanse of low, wet prairie a large, white, two-story building, remote from farm, tree or sign of other habitation. Inquiry of the driver as to what public building that was, brought the reply, "The Prairie Queen." It was profusely supplied with windows, but no signs of occupants, excepting heavy curtains, were visible. No explanation of its mission was given. But during the winter, from the east side of the capitol, long after dark, its windows were always seen to be lighted up, carriages were going and coming, and sounds of revelry were borne on the east wind. Of the character of the entertainment given to its visitors, the record is judiciously silent. It is now a quiet, weather-beaten farm house, going to decay. It has survived, while the state house, the Hawkeye house, the Grout house, the Shaw and Scott mansions have crumbled to ruin.

There were two weekly and one monthly papers then published in Des Moines. The Iowa Citizen, published by John Teesdale, with J. M. Dixon associate editor, was the republican paper. William Porter was the editor and proprietor of the democratic paper, the Iowa State Journal. Gen. William Duane Wilson was publishing the Iowa Farmer. During the session of the legislature the Citizen and Journal were issued tri-weekly and gave very good reports of the proceedings of the daily sessions of the general assembly. In the evolution of years, proprietors and names, these three journals have come down to us of 1898 as the Daily State Register, the Daily Des Moines Leader, and the weekly Homestead.

The state officers at that time (besides the governor and lieutenant-governor), were Elijah Sells, secretary of state; Martin L. Morris, state treasurer; John Pattee, auditor; Theodore Parvin, register of state land

office; Maturin L. Fisher, superintendent of public instruction. The first three were republicans and the last two democrats. George G. Wright was chief justice, and W. G. Woodward and L. D. Stockton associate judges, and Lewis Kinsey was clerk of the supreme court. Samuel A. Rice was attorney-general, all republicans.

The republicans had elected a good majority of each branch of the general assembly, and were now for the first time able to elect a United States senator. James Harlan had in 1855 been chosen to the senate by a union of the anti-Nebraska, free soil, and whig members of the legislature, taking the place of Gen. A. C. Dodge, democrat. All of these elements had helped to make up the new republican party which was organized in Iowa on the 22d of February, 1856. Governor Grimes had been a whig, and had served three terms in the legislature before he was elected governor by the anti-Nebraska union of 1854. He wrote the call for the first republican state convention of February, 1856, and was now an able and influential leader of the new republican party. He was a plain, straightforward, earnest man, reserved in manners, and one who never would resort to the methods of modern politics to secure an office. He was ambitious, and anxious to be elected to the United States senate. He did not hesitate to say so to his friends. But he would make no bargains or pledges to secure support. James Thorington, his chief competitor, had served a term in congress as a republican in the Second district. He was an able and influential member, and was largely instrumental in securing the liberal land grants made by congress to aid the building of four trunk lines of railroad through Iowa. But by a combination of representatives of counties which had failed to secure the land grant roads through them, he was defeated for renomination, and was now a candidate for the senate. Judge William Smyth, of Linn, and F. E. Bissell, of Dubuque, were also candidates. A strong effort was made to unite the members of the Second congressional district, which then embraced the entire north half of the state, upon one candidate, but Governor Grimes had warm supporters in various parts of northern Iowa, and united action could not be secured. Governor Grimes was nominated on the first formal ballot, and easily elected. When the contest was ended, the ex-governor gave a banquet at the Des Moines house to the members of the legislature, at which speeches were made by the lately contesting candidates, and all united in extending congratulations to the newly chosen senator. He succeeded the veteran democratic leader, Gen. George W. Jones, who, with Gen. A. C. Dodge, had held the two seats from Iowa in the United States senate from the first. Now the long reign of the democratic party in the state was to end, and no member of that party has since occupied a seat in the senate from Iowa. From being a staunch democratic territory and state, from that time forward for more than a third of a century, Iowa has been a republican state, excepting at two elections.

Ralph P. Lowe was inaugurated governor on the third day of the session. He was a man of mature years, affable manners, polished address and fair ability. He had been a member of the first constitutional convention, and, at the close of one term as governor, became chief justice of the supreme court. He brought to Des Moines as his private secretary a rosy-cheeked, boyish-looking young man, Thomas F. Withrow, who then gave

little promise of the great lawyer and able political leader into which he grew as the years passed by. He was for a long time reporter of the supreme court.

At the session of 1858, many strong legislators were developed, of whom little had heretofore been known. In the senate, Oran Faville, the first lieutenant-governor of Iowa, presided. He was a scholarly and affable man. As a presiding officer, he was firm, courteous, impartial, and won the respect of every member of the senate. Afterward elected superintendent of public instruction, he served with marked ability.

Samuel J. Kirkwood was serving the second session of his term, and was regarded as one of the most useful members of the senate. He was not a frequent speaker, but when he had occasion to express his views, it was always in a familiar, conversational manner that won the confidence of his hearers. Never an "offensive partisan," but always clear, firm and convincing in his arguments. He made no pretense to oratory, and delivered no long, carefully prepared speeches; but his common sense and judgment led him to correct conclusions. He was never brilliant, but always solid and reliable. No one at that time would have surmised that the plain, homely, ill-dressed, middle-aged farmer senator from Johnson county would develop into a great war governor, an eminent United States senator, and be called to a seat in the president's cabinet. Alvin Saunders, a tall, fine-looking man of genial disposition and polished manners, was the senator from "High Henry," then the banner republican county of Iowa, with its round 1,000 majority. In later life, he became governor and United States senator in Nebraska. J. B. Grinnell, William Loughridge and William G. Thompson, of that senate, became members of congress in later years; while Nicholas J. Rusch, the scholarly German senator from Scott county, succeeded Faville as president of the senate and lieutenant-governor, and died young in the service of his adopted country, in the great rebellion. J. W. Cattell, of Cedar, and Aaron Brown, who represented twelve counties of northern Iowa, became prominent state officers, Henry H. Trimble, of Davis, and David S. Wilson of Dubuque, then talented young democratic politicians and lawyers, became distinguished officers in the union army a few years later. J. W. Rankin, of Lee, and Dan Anderson, of Monroe, republicans, became colonels of Iowa regiments. Charles Foster, of Washington, gave his life for the union during the rebellion. William F. Coolbaugh, a staunch union democrat, and Lyman Cook, a strong republican, both notable financiers, represented Des Moines county. W. H. M. Pusey, a fine-looking, polished and genial young democrat, represented twenty-two counties in western and northwestern Iowa. It was said that he could count more muskrats and prairie wolves among his constituents than any other legislator in the west. His home was then, and is now, at Council Bluffs. Gideon S. Bailey, from old Van Buren, the nursery of statesmen, had been a member of the first territorial legislature of Iowa, in 1838, twenty years before; had also served in the Second, Third and Fourth legislative assemblies, and had helped to frame the first state constitution in 1844. He is still living at his home in Van Buren county, the sole survivor, I believe, of that constitutional convention and of the First and Second territorial legislatures. He has been a lifelong democrat. Dr. William P. Davis was the senator from Polk county, and his brother, Dr. George M. Davis, represented Clinton county in the senate.

George E. Spencer, a constituent of J. B. Grinnell, was chosen secretary of the senate. He was a bright, sharp, active and fine-looking young man, who had a remarkable career before him. Soon after the adjournment of the legislature, he, with a few adventurous companions, went up into Clay county, entered a large tract of land, laid out a town near its geographical center and named it Spencer. It has since become the county seat, although the location was afterwards moved across the Little Sioux river. He went into the army and became a brilliant staff officer. When reconstruction of the seceded states began, George E. Spencer managed to secure an election to the United States senate from Alabama. When his term expired, although a hated "carpet-bagger," his good fortune did not desert him, and, by patronage judiciously distributed, he secured a re-election and held a seat with Conkling, Sumner, Bayard, Edmunds, Trumbull, Sherman, Thurman, Morton and Logan as colleagues for ten years. He died a few years ago, and was buried in the Arlington national cemetery.

In the house of representatives there were some brilliant young men, as well as some veteran legislators, in the winter of 1858. Col. S. B. Shelledy, of Jasper county, was elected speaker by the republicans over ex-Congressman Lincoln Clark, of Dubuque, the democratic candidate. Lincoln Clark was a fine looking, courtly and most accomplished gentleman of the old style; a scholar of culture and refinement, who won the respect and esteem of every member of the house. Colonel Shelledy made a model presiding officer. He was a native of Kentucky, had been a citizen of Iowa for sixteen years, had represented Washington, Keokuk and Mahaska counties in the Seventh and Eighth territorial legislatures, and was a member of the convention which framed the first and second state constitutions. He was 56 years of age, lived at Monroe, and was now the representative from Jasper county.

William P. Hepburn, then a young lawyer 24 years of age, living at Marshalltown, was elected chief clerk of the house. His subsequent career as district attorney for the Eleventh judicial district, colonel of the Second Iowa cavalry, and member of congress for ten years, is remembered by all. The leader of the republican side of the house was James F. Wilson, of Jefferson county. He had made a fine reputation as one of the framers of the new constitution, and was one of the most eloquent public speakers of that period. He had been active in the organization of the republican party at Iowa City in 1856, and was a radical of radicals. He was a vigorous and aggressive fighter, and terribly in earnest. There was no compromise, or political trimming in his make-up. No one who knew him at that time doubted that a brilliant political career was before him. He fulfilled the most sanguine expectations of his colleagues "Honest" John Edwards, of Lucas county, who was second in leadership, and had also served in the late constitutional convention, was a typical Kentuckian. He was fourteen years older than Wilson, was of mild, genial, pleasure-loving disposition, and a gallant "ladies' man." He was a good talker, and would have addressed the galleries with fine effect—had there been any galleries in the new state house; in the absence of these modern accommodations "Honest" John often forgot the dignified speaker, and shed his eloquence in the direction of the wooden settees in the rear, where the gay millinery of the capital city was daily displayed in rows. But the genial member from Lucas was a good lawyer, a useful legislator who became speaker of

## PIONEER LAW-MAKERS' ASSOCIATION.

the house in 1860, colonel of the Eighteenth Iowa infantry in the war of the rebellion, and settling in Arkansas after the war, he adapted his politics to that latitude and became a democratic congressman.

Wm. H. Seevers, of Mahaska, was one of the strong men on the republican side, an able lawyer, and chairman of the judiciary committee. In 1866 he was appointed by the governor one of the "commissioners of legal inquiry," and five years later was one of the commissioners who revised the laws for the code of 1873. From 1876 to 1888 he was one of the judges of the supreme court. As chairman of the judiciary committee his duties were arduous, as the radical changes made by the new constitution required a vast amount of labor in adapting the laws, both old and new, to its requirements.

On the democratic side of the house, Dennis A. Mahoney aspired to leadership. He was a native of Ireland, was a slow and hesitating speaker, but a strong man intellectually. He had been editor of the Dubuque Herald and was an aggressive partisan. In order to defeat a proposed registry law, of which James F. Wilson was the champion, Mahoney as a last resort once attempted to break up a quorum by leading his party out of the house as the roll was about to be called. But Lincoln Clark, W. W. Belknap and G. W. Gray declined to resort to revolutionary methods, and the stampede availed nothing. But the most aggressive, sharp-tongued and uncompromising democrat in the Seventh general assembly was Martin Van Buren Bennett, of Marion county. He was a young lawyer but 25 years of age, but sharp as a razor. He could always be relied upon to fight any republican measure proposed. His invective was of the John Randolph style, and he was irrepressible. He was a little weazen-faced youngster, always spolling for a fight. When he addressed the house with one cheek distended by a large quid of tobacco, his finger pointing to the victim he was flaying, he was an object of terror to the republicans generally. During war times he published a red hot "peace-at-any-price" paper named "The Copperhead." He moved to Kansas many years ago, and won a wide reputation as an eloquent champion of prohibition. While the average age of the members of the house was about 45, there were fifteen youngsters in their twenties, some of whom have since won national fame. The youngest of these was a smooth-faced, boyish-looking youth, barely 22 years of age.

Senator Rankin, of Lee, used to tell this story on the boy member of the house from his county: "When the conductor on the Valley railroad, which had then been completed from Keokuk to Bentonsport, came into the car to examine the tickets, the boy member exhibited an annual pass issued to him as a member of the general assembly. The conductor looked at it, then at the youth, and thundered out: 'Where did you get this, young man?' The reply was: 'From General Reid.' 'You can't work that on me,' said the conductor as he took up the pass and strode on. As he came to Senator Rankin's seat he said: 'Do you know that boy over by the door? He tried to pass himself on me as a member of the legislature.' 'Why,' exclaimed Rankin, 'don't you know George W. McCrary? He is one of the representatives from our county.' 'What! that boy? He don't look to be over nineteen.' George got his pass back, with an apology." Four years later that boy was a member of the senate. In 1869 he was in congress where he served eight years, and framed the bill providing for

the electoral commission which seated Hayes in the president's chair. George W. McCrary became his secretary of war. Some years later he was appointed United States circuit judge, and died in the meridian of life with a reputation for ability and purity seldom attained.

One of his colleagues from Lee county was a young democratic lawyer a few years his senior, William W. Belknap. He was tall, rather slim at that time, with sandy hair and florid complexion. He had a scholarly face and cordial manners. He was extremely modest for a lawyer, made very few speeches and took no part in political discussions. He made no more impression upon his colleagues of the house, generally, than did Abraham Lincoln in his single term in congress in 1847-48. After Belknap became famous as a general in the Union army, few of the members of the Seventh general assembly remembered that he there began his remarkable public career. But serving on a committee with him that session, we became well acquainted, and were warm friends to the day of his death. As Grant's secretary of war for many years, he was very popular with the army, as well as with all former Iowa soldiers. The misfortune that drove him from public life never shook the firm faith of his host of friends in his honor or integrity. Heroically he bore the fault of another, and with nobility of soul unsurpassed, died and made no sign of the anguish that blighted his life. Only his most intimate friends knew the secret of his martyrdom. Another brilliant young man in the house was Tom Drummond, of Benton. He was a native of Virginia; tall and slender, with black hair, straight as an Indian's; dark, flashing eyes, and decision of character written in every line of his face. He was editor of the Vinton Eagle, a radical republican weekly. He was of the same age as Van Bennett, 25, and was the only republican member in the house who was able to meet Bennett with his own weapons and vanquish him. Both were entered in the statistical table as having no religion, but they had a liberal allowance of what Fitz Henry Warren termed the "energetic idiom." Tom was regarded as a "little fast" in his habits, but was as true as steel in large matters. When the supreme test came a few years later he scorned the absurd fallacy of state sovereignty that carried Robert E. Lee with his state into the ranks of rebellion; and Virginian as he was, brave, heroic Tom Drummond rode to a soldier's death with Sheridan in the last battle on Virginia soil. Another young man made a lasting impression upon members of the house. Cyrus C. Carpenter, of Fort Dodge, represented seventeen counties in that section of the state. He was studious, a good thinker and an eloquent public speaker. He dealt in logic and candid statement of facts; never in ridicule or denunciation. He won the confidence and respect of all his associates. As register of the land department, governor of the state, member of congress and second comptroller of the treasury, he has left an unspotted record. T. Walter Jackson, of Tama, a brilliant young lawyer of New England birth, gave promise of a fine career. When the rebellion came on he was made adjutant of the Tenth Iowa infantry, but resigned early in 1862, and I have never seen his name since, connected with public affairs.

Thomas Mitchell, the genial member from Polk county, had a most difficult duty to perform in trying to represent his warring constituents bitterly engaged in a fight between East and West Des Moines. No living

man could have managed that deadly feud better than the popular member from the rural district.

E. E. Cooley, of Winneshiek, was one of the strong men among the young members. He devoted his entire time to his profession after leaving the house, and has become a great lawyer.

There were more brilliant men than Ed Wright, of Cedar, in the house, but few, if any, did the state better service. He had served in the Sixth general assembly at Iowa City two years before, was a tireless worker, a fine parliamentarian, and an excellent practical legislator. He was among the early volunteers in the Union army in 1862, rose to the rank of brevet brigadier-general, and after the close of the war was chosen speaker of the house of the Eleventh general assembly. His subsequent career as secretary of state, secretary of the capitol commission and custodian of the state house, is well remembered.

M. M. Trumbull, of Butler, was a native of England, a clear-headed, independent republican and a talented member. He attained the rank of brevet brigadier-general in the calvary service during the rebellion, moved to Chicago, where for many years he ranked among the ablest writers of the country on economic and theological subjects. He was the author of several books which took high rank as literary works.

Philip B. Bradley was one of the veteran democratic members. He had served in the council of the Seventh and Eighth territorial assemblies, was a member of the senate of the first and second state legislatures, and the man who engineered the nomination of Ansel Briggs for governor. He had been an able and trusted leader in his party for more than fifteen years. Zimri Streeter, of Black Hawk; I. C. Curtis, of Marion; E. A. Richardson, of Fayette; Samuel E. Rankin, of Washington; J. L. Dana, of Story; J. W. Thompson, of Scott; W. H. Clune, of Des Moines; D. N. Sprague, of Louisa, and E. W. Bates, of Cedar Rapids, were legislators of fine ability and influence.

The work of the First general assembly under the present constitution was herculean. The radical changes made in the constitution required a general revision of the state laws, and the framing of many elaborate new statutes. In those days none of the standing committees employed clerks. The members chose one of their own number to keep the records of their transactions. The pioneer legislators were willing to work. Their records were as well kept as in modern times when the committees are furnished with salaried clerks; and no one considered the work burdensome.

Our session lasted until the 23d of March, and 161 laws and fourteen joint resolutions were passed. Much time and work was given to the new banking systems which were enacted. Under the state bank law capital was promptly furnished to establish eight branches of the state bank, and for the first time in the state's history we had sound currency under state supervision sufficient to transact its business. Seven more branches were soon established, and under the management of such men as Hoyt Sherman, Hiram Price, Samuel J. Kirkwood, W. T. Smith, W. F. Coolbaugh, Ezekiel Clark, J. K. Graves, and their associates, no better banking system was ever inaugurated in any state or country. Its bills were always redeemable in specie, and no man ever lost a dollar in deposits or currency. It lifted the business and credit of Iowa and its monetary system from near bankruptcy to the highest standard. When the rebellion suddenly

came upon the country these banks, through the patriotic action of their managers, furnished the funds to uniform and pay the first regiments that Iowa sent to the front. The Seventh general assembly also gave to Iowa the act establishing the Agricultural College, at Ames, which has grown into one of the foremost of the educational institutions in the west. It provided for the revision of the laws, and a new code of civil and criminal practice, which is known as the revision of 1860. It also devised a plan for the settlement of the long pending controversy over the land grant to the Des Moines Navigation company. It established a college for the blind at Vinton. It re-enacted all laws repealed or suspended by the new constitution which were not in conflict with its provisions. It would be tedious to enumerate all of the important legislation of that session; but it might be of interest to mention some of the positions of honor and usefulness subsequently attained by members of the first legislature which assembled at Des Moines, forty years ago this winter. It has given to the public service three cabinet officers, four United States senators, three governors two lieutenant-governors, nine representatives in congress, one United States circuit judge, one supreme judge, one secretary of state, one auditor, one state treasurer, two registers of the land office, three brigadier-generals, ten colonels and three majors in the civil war; while eleven of the representatives were afterward elected to the senate.

When the day was fixed for final adjournment the members determined to show their appreciation of the numerous courtesies bestowed upon us by the citizens of Des Moines. A large fund was subscribed to entertain them at the capitol with a grand ball and festival. The desks and carpets were removed from the floor of the house, fine music provided, and an elaborate feast spread in the supreme court room. The gay festivities were kept up until near morning.

On the 22d of March, we held three long sessions to finish the important business, adjourning at 3 o'clock on the morning of the 23d, when the hour for final separation came; the night session was prolonged by a disagreement between the two branches over items in the general appropriation bill. After a long continued, monotonous call of the roll upon the passage of bills, lasting until midnight, the end was reached, excepting the appropriation bill still in the hands of a conference committee, with no immediate prospect of agreement. As the hours passed slowly by, many of the members were asleep at their desks. Some of the youngsters, together with some who had been youngsters thirty years before, declared that something must be done to keep the members awake. A petition had come in from Mt. Vernon asking for a law to prevent profane swearing. A most estimable member from Linn county, and who was a devout and fervent Methodist, was made chairman of a special committee to consider the petition. He promptly reported a bill defining the crime, and fixing a penalty that would have satisfied any admirer of the ancient "blue laws" of Connecticut. He had repeatedly tried to call up his bill for passage, but without success. Word was now quietly passed around, "Let us take up W—'s bill." All agreed. So Tom Drummond arose and in his most serious manner moved that the house go into committee of the whole on house file No. —. The motion prevailed, the gentleman from Benton was called to the chair, and the bill was read. The gentleman from Linn made an earnest plea for its passage. Trumbull, who was an agnostic, said that before

it became a law he thought "swearing" should be clearly defined; as the penalty was rather severe, it would only be right to insert a list of the "cuss" words that were to be prohibited. The gentleman from Linn thought that unnecessary, as "we all know what swearing is." "We might not agree," said Trumbull, "and I insist that the gentleman shall define the crime in plain English." Another member arose and supported Trumbull's demand. Another followed and moved that the following "cuss" words be held to be swearing: "By golly," "gol darn it," "by ginger" and "by thunder." Another member wished to amend by adding "Holy Moses," "dog-gone it" and "Je-hos-i-phat." The amendments prevailed and a motion was made to report the bill back and recommend its passage. Mr. Streeter, known as "Old Black Hawk," slowly arose, and with great seriousness said he should support the bill if its author would agree to one slight amendment. "Old Black Hawk" was the wag of the house and everybody was instantly on the alert. Streeter proceeded to explain. Said he: "Mr. Chairman, I have had some experience in my day trying to break hazel-brush land with a mule team, and I have sometimes tried to drive a "razor-back" out of the corn through the same hole he came in at. I don't believe either of these things can be done very successfully without the help of some of the words we have put in this bill. Now, I am a law abiding citizen and I don't want to see any law violated. There is only one way that I know of to stop swearing, and my amendment will do it if it is enforced." He hesitated a moment until the members called out: "What is your amendment?" "Read it." "I would strike out that trifling penalty, a fine of \$100 and sixty days in the county jail. That won't stop the swearing. My amendment is that he shall be imprisoned in the penitentiary during the term of his natural life, and when his time expires he shall be hung by the neck until he is dead. Gentlemen, that'll stop the swearing, and nothing else will." The grieved expression that spread over the face of the gentleman from Linn, as he slowly realized the character of his bill as amended, was not soon forgotten. Just then the long-looked-for appropriation bill was reported. We passed it and adjourned.

A little steamer, "The Skipper" had come up the Des Moines river from Keokuk a few days before, and was lying near the mouth of Raccoon, waiting for a load. The water was very high, the mud almost bottomless, the stages would not hold half of us: the Skunk river was reported to be two miles wide, so fifty of us from eastern and southeastern counties decided to go home by way of the Des Moines and Mississippi rivers. At 1 o'clock the little steamer, loaded to the guards, swung out into the rapid current amid the cheers of several hundred of our Des Moines friends, who had gathered to see us off. We returned the salute, and some of the boys struck up the negro melody "Susanna," as we sailed away. That was a voyage never to be forgotten. The water was at flood stage, filled with floating trees and driftwood. But our pilot skillfully followed the channel, and when the darkness became black, the captain tied his craft up to a huge cottonwood, and we wrapped our overcoats about us and tried in vain to find a place where we could sleep. As the first tints of light appeared in the east "The Skipper" resumed her voyage, landing passengers at every stopping place. On Thursday, about noon, we reached Bentonsport, where many of us transferred to the cars and got into Keokuk at

2 P. M. A steamer on the Mississippi landed us in Davenport on Friday evening, after a trip of three and one-half days from Des Moines.

The president announced the committee on statistics.

First district, D. P. Stubbs.

Second district, Samuel McNutt.

Third district, Peter Melendy.

Fourth district, L. L. Ainsworth.

Fifth district, T. S. Parvin.

Sixth district, Col. S. A. Moore.

Seventh district, Col. John Scott.

Eighth district, Col. W. S. Dungan.

Ninth district, L. W. Ross.

Tenth district, C. C. Carpenter.

Eleventh district, R. A. Smith.

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## MEMORIAL SESSION.

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THURSDAY AFTERNOON.

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This session was devoted to memorial and biographical sketches of deceased members, at which the following papers were read:

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HON. ELIJAH SELLS.

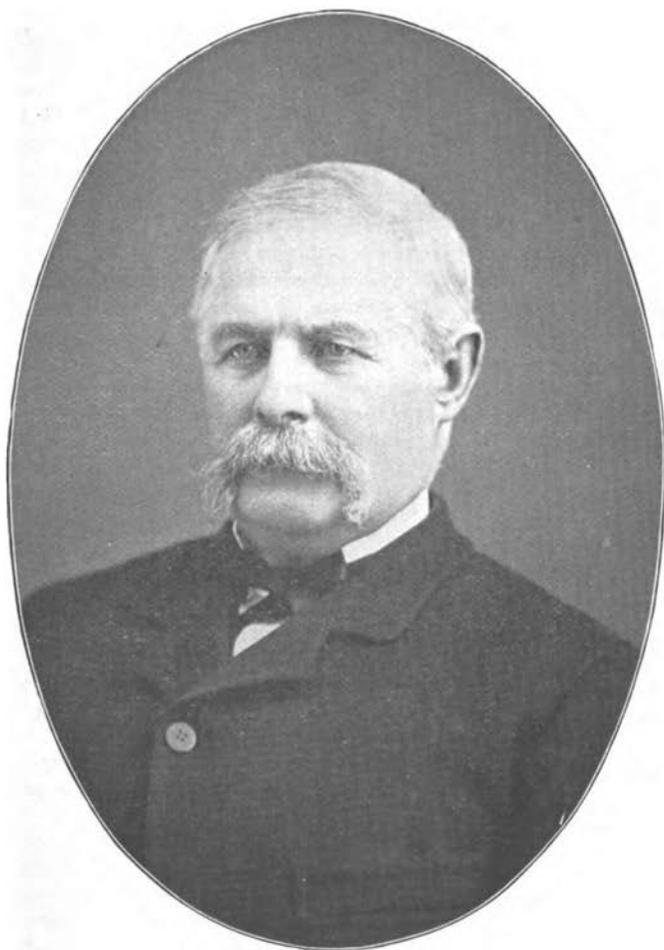
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BY HON. JOHN M. DAVIS.

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Since the last meeting of this association, another of our earliest pioneers, highly honored and dearly beloved, has passed from this life. Hon. Elijah Sells died after a brief illness, at his home in Salt Lake City, Utah, on March 13, 1897. The announcement of his death, so sudden and unexpected, spread a profound feeling of gloom in the neighborhood in which he lived, and a universal sadness with his friends and acquaintances everywhere.

The remains, in a casket covered with rare floral offerings, under the escort of members of the Grand Army post of which he was a member, the Twenty-fourth Infantry band, Daughters of the American Revolution and the Masonic fraternity, were taken to the First Congregational church of that city, where appropriate services were had, after which, under the same escort, they were conveyed to Mount Olivet cemetery where, over the grave, the grand and impressive Masonic funeral service was read, at the conclusion of which a squad of militia fired a salute and thus ended the last rites paid to the illustrious departed. His death was generally noticed by the press, with favorable comments upon his life and services.



*Young friend*  
*Elijah Sells*

Ex-Secretary of State.



Upon receipt of the sad intelligence at our capitol, his large portrait which hangs in the office of secretary of state was appropriately draped and many letters of condolence were sent to the family. He leaves a wife and little daughter, Beatrice, and four children by a former marriage, viz: William H. Sells of Salt Lake City, David M. Sells of Denver, Lucy Sells Bovard of Kansas City, and Elijah W. Sells of New York City, all of whom were present on the sad occasion. A sister in Illinois and a brother and sister in Ohio also survive him.

The death of a sister in Iowa at the advanced age of 87 years occurred about two weeks prior to his decease.

The youngest of the sons, Elijah W., who was known by friends of the family during their residence in Des Moines as "Little Tige," is now, as I learn, a very reliable, enterprising and competent business man in New York City, enjoying the confidence of all who know him.

Mr. Sells was born in Franklin county, Ohio, February 14, 1814, and hence at the time of his death had just entered upon his 84th year; he was of Holland descent, his great grandfather, John Sells, migrating from that country in the year 1723. His was truly an illustrious ancestry; his grandfather on the maternal, as also on the paternal side, were both heroes of the revolutionary war, serving in "the days that tried men's souls;" the former under the leadership of Gen. (Mad) Anthony Wayne, was killed at the battle of Stony Point, and the latter was killed at Yorktown; his father served in the war of 1812, under Gen. William Henry Harrison (Old Tippecanoe).

In the year 1833 Mr. Sells left his Ohio home and came to Winchester, Ill., removing from there to the then territory of Iowa in 1841, finally settling in Muscatine county; the business in which he was at the time engaged being the manufacture of stoneware; but he always took an active part in politics and was an energetic political worker, serving his party whenever opportunity offered, and, as might be supposed, affiliated with the whig party.

He early favored the abolition of slavery, always regarding it as a paramount duty to aid an escaping slave, and rejoiced exceedingly at the final downfall of that unrighteous institution.

At a county convention of the whig party held in Muscatine he prepared and introduced its platform, in which was incorporated the doctrine of "no more slave territory," declaring that congress had the right to prohibit slavery in the territories. This, it is claimed, and I do not doubt the correctness of it, was the first platform ever adopted by a regularly constituted political convention which promulgated this republican doctrine.

He was the recipient of many official places, state and national, of more or less importance, and varied in their nature and requirements, but his versatility and ability enabled him to adapt himself to the occasion and to discharge the duties of each with efficiency and general satisfaction. In this paper I will only briefly refer to the most important of them.

He was a member of the first constitutional convention, held in Iowa City in October and November, 1844; also a member of the house of representatives of the First and of the Fourth general assemblies of the state.

He assisted in the organization of the republican party, and received the nomination for secretary of state at the first republican state conven.

tion held at Iowa City in 1856, to which office he was elected for three successive terms, ending with January 5, 1863.

Soon after the conclusion of his service as secretary of state he received the appointment of additional paymaster in the army, a position which seems to have been distasteful to him, for after a brief service he resigned it.

He was then appointed an officer in the United States navy, and by Admiral Porter assigned to the command of the receiving ship *Grampus*, then stationed at Cincinnati, Ohio. After about a year's service in this command he was tendered the position of third auditor of the United States treasury department, by Hon. Salmon P. Chase, secretary of the treasury, which, with the advice and consent of Admiral Porter, he accepted. From this position he was promoted to that of auditor of the treasury for the postoffice department, in which he continued until Senator James Harlan was made secretary of the interior, when, at the senator's solicitation, he resigned the auditorship and accepted the position of superintendent of Indian affairs for the southern superintendency. This was a position of much labor and responsibility, requiring his personal supervision and attention over a large district of country included in his superintendency, involving extensive travel through regions often remote from civilization and more or less beset with hardships and danger. It was during the last year of his administration of this office, as I remember, that President Andrew Johnson was making desperate efforts to establish his "policy," and Mr. Sells was solicited by friends of the president with tempting offers of place, to become a supporter thereof, but declined to accede, and thereupon tendered his resignation, but it was not accepted for about six months thereafter.

After being relieved from this position he removed to Lawrence, Kan., engaging in the lumber business.

During his residence there he was elected for three successive terms to the house of representatives of the Kansas legislature, serving each session as chairman of the committee of ways and means.

From Kansas he went to Utah territory as the manager of a silver mining company, also was engaged in the lumber business in Salt Lake City from 1878 to 1894.

In 1889 President Benjamin Harrison appointed him secretary of Utah territory, which office he held for four years, and was the conclusion of his official political service.

The republican state convention held in Des Moines in 1863 for the selection of a candidate for governor was an exciting one; the contestants for that honor were Mr. Sells, Gen. Fitz Henry Warren, and Col. William M. Stone; an unusual amount of interest was manifested by the friends of each, who were disposed to be somewhat obstinate and unyielding. After a number of ballots were taken without choice, Mr. Sells, at a time when success seemed to be dawning, unfortunately withdrew from the contest, and the nomination of Colonel Stone was the result.

Mr. Sells once owned a large farm adjoining the town of Vinton, in this state, to which he removed after leaving the office of secretary of state, and where he for a time resided. He had a lively interest in the success of the institution for the education of the blind there located, being largely instrumental in securing the location, and was one of its trustees.

The city of Muscatine had been his residence for many years, but he came to Des Moines with the removal of the capital from Iowa City, bringing with him his family and personal effects, and making it their home until the termination of his office. They were a welcome and a desirable addition to the society of the new capital, contributing much to its life and enjoyment.

He was the incumbent of the office of secretary of state during the first two years of the war of the rebellion, and rendered valuable assistance in that memorable struggle for the preservation of the union. With the help of many loyal men and women of our city, necessary stores and supplies were from time to time collected and forwarded to the army for the benefit of our sick and wounded soldiers in the hospitals. His office was often used, temporarily, as a storehouse for such supplies preparatory to their being sent forward. On several occasions I have seen numbers of ladies there assembled, spending the afternoon and late evening in the patriotic duty of scraping lint and preparing and packing the much needed articles for shipment.

His son, David M. Sells, enlisted in Company D, Second Iowa infantry, commanded by Captain Crocker, afterward General Crocker, and went to the front with his company, but was subsequently promoted to a lieutenantancy in the marine corps and ordered to Washington, D. C.

The scenes and incidents of those eventful times will never be forgotten, but often pass in review before the memory. Mr. Sells had a widespread acquaintance in our state and was associated more or less with all of her prominent men; he made friends of almost everyone with whom he came in contact with a facility that was marvelous; he was possessed of a high order of executive ability and business qualifications, which, with a wonderful influence, made him successful in almost every undertaking; energetic and active throughout his unusually extended life; always cheerful and hopeful, never gloomy or despondent over disappointments, but philosophically resigned to those that could not be avoided, doubtless his longevity was largely attributable to his cheerfulness. His friendship was true and unwavering and his devotion was such that self was entirely forgotten; he loved the loyal and true and detested the treacherous and false.

In the early part of 1896, at the request of Hon. Charles Aldrich, curator of the state historical department of Iowa, I prepared a sketch of Mr. Sells, giving therewith some of my recollections of the scenes of early days, which, with a very excellent portrait of him, was published in the October number of the *Annals of Iowa*, for that year. In a letter received from Mr. Sells near the close of the same year, he kindly thanked me for the sketch referred to, stating among other things that he had spent the most of that summer and autumn in an endeavor to develop some silver mines in the Wasatch mountains with only limited success, but that the indications were so favorable he expected to renew the work the next summer. From the tone of some of his letters received prior to the last meeting of this association, we hoped that he would be with us upon that occasion, and his old time Des Moines friends, with the expectation of such pleasure, were, under the leadership of the Lincoln club, of which he was a charter member, making arrangements to give him a grand reception;

but alas! we were doomed to disappointment and fate has decreed that we shall meet with him no more in this life.

He furnished a very interesting paper, which was read at the last meeting of this association by Col. G. L. Godfrey, one of his early friends and associates, and is embodied in its published proceedings. I received several letters from him during the last year of his life, and he spoke of the courtesies extended to him by his good friends, Colonel Godfrey, Maj. Hoyt Sherman, Hon. Charles Aldrich, Gov. B. F. Gue and others.

In answer to a letter I had written to him relative to the death of our lamented friend, Senator George G. Wright, he said:

"I fully appreciate what you say of Judge Wright; I learned of his death the day after it occurred; my last letter from him was of date November 30, 1895. Iowa and the nation have lost a good man; I regarded him as a good friend."

While it would afford me pleasure to narrate at length the important part that Mr. Sells performed in the formation and making up of the early history of our state; his kindly efforts in the selection of her governors, members of congress and other officers; of the men of state and national reputation with whom he has had such friendly and intimate relations, I feel that this must necessarily be deferred for another occasion, and owing to the uncertainties incident to this life, the duty may devolve upon another.

It was my good fortune to be his assistant during his entire service as secretary of state, and I met with him occasionally for several years thereafter; our relations were most friendly. I had an abiding faith in his integrity and nobility of character and am pleased to have been accorded the privilege of adding this tribute to his memory.

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#### JUDGE GEO. G. WRIGHT.

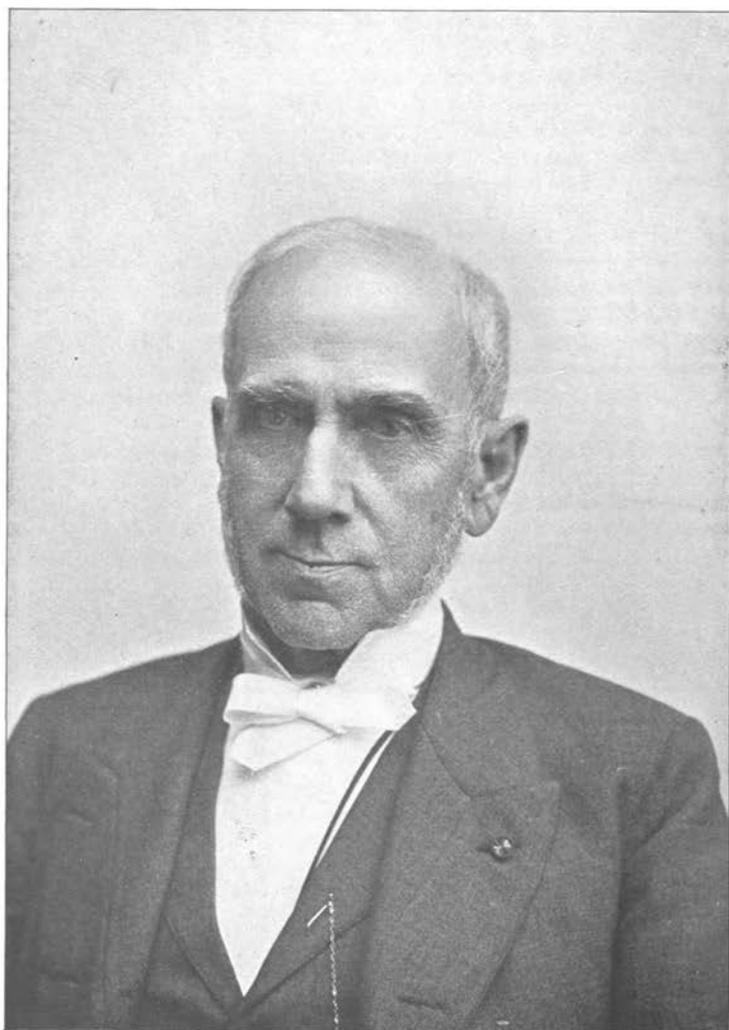
BY GOV. B. F. GUE.

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George G. Wright is a name which for half a century has been familiar to the public in our state, and for forty years has been as widely known, and as intimately associated with Iowa progress and its current history, as any in her formidable roll of honored public officials. All the mature years of a long and busy life were passed in this, the land of his choice. His father, John Wright, died at Bloomington, Ind., in 1825, when his son George G. was but 5 years of age. At 16 he was admitted into the State university, and graduated in 1839. His oldest brother, Joseph A. Wright, was then a rising young lawyer, located at Rockville, where George entered his office, and began his law studies. His brother was elected to congress four years later, serving three terms, was governor of the state two terms, and afterwards minister to Prussia.

George was admitted to the bar in 1840, and in September of that year he started for the new territory of Iowa. It was a long trip down the Wabash and Ohio rivers, and up the Mississippi by steamboat, and across the wild prairie by stage coach, to the new frontier town of Keosauqua,





**HON. GEORGE G WRIGHT (Deceased),  
Fourth President Pioneer Lawmakers' Association.**

which had been platted three years before. A few log houses had been erected, and it had just been made the county seat of Van Buren county. But one term of court had been held in the little log village, and it was a most unpromising place to make a living by law practice. But at 20 a young man is full of hope and enthusiasm, and this "Hoosier" youth could see in the not distant future visions of fame and fortune awaiting the studious, energetic law student, who was willing to work, and wait. From the start young Wright won friends by his genial manners, his cordial ways, his hopeful disposition and studious habits. Two years after his arrival he was nominated by the whigs for prosecuting attorney, and elected. In October, 1843, the young lawyer was married to Miss Hannah M., the daughter of Judge Thomas M. Dibble, who was in 1846 a member of the second constitutional convention. She was a woman of fine mind, decided opinions, and always faithful to her convictions of duty.

Joseph A. Wright, the older brother, was a staunch democrat, but George G. was a whig, and also took an active interest in politics. In 1848 he was nominated by his party for state senator, and elected for a term of four years. He soon became recognized as an able legislator, and was in 1850 made a member of the joint committee on the revision of the laws of the state which resulted in the code of 1851. The measure that he urged with most persistence in the formation of the new code, was the exemption of a homestead for each head of a family, from sale on execution for debt. It was at that time considered a radical departure from a time honored principle, and met with most determined opposition as a dangerous innovation. But he urged the justice of the reform with such ability, fortified by solid reasons for reserving a home for the family, that the measure prevailed, and with slight modifications has remained on our statute books to this day.

In the fall of 1850 he was nominated by the whigs of the first congressional district, which then embraced the south half of the state, for representative. Bernhart Henn was the democratic candidate, and as the district had a clear democratic majority he was elected.

In 1853, when Gen. George W. Jones was re-elected to the United States senate, George G. Wright received the votes of the whig members of the general assembly, when he was but 33 years of age. Young as he was, he had become the acknowledged leader of his party in the state. In 1855, when but 35 years of age, he was elected one of the supreme judges, and for fifteen years he served the state in that position with marked ability. Among his associates on the bench during this period were Judges Woodward, Isbell, Stockton, Baldwin, Lowe, Dillon and Cole, all of whom were judges of distinguished ability.

It will be generally conceded that during the period from 1855 to 1870 the highest judicial tribunal of Iowa was called upon to settle the most important legal contentions that have ever been brought before our state supreme court.

The code of 1851 presented many legal problems then unsettled by the court of last resort; the new constitution of 1857 embraced many radical changes in our organic law, the creation of a board of education with legislative powers; the acts of the Seventh general assembly, the first under the new constitution; the new code of civil and criminal procedure of 1860,

the remodeling of our judiciary system; the numerous complicated questions arising out of the various land grants; the new banking system; the beginning of the era of great corporations for railroad building, and other purposes—all of these problems affecting the interests of the people and the state, came before the supreme court in various phases during this period of Judge Wright's long term of service. How ably and equitably the conflicting contentions were settled by this tribunal, is a matter of history that reflects the highest honor upon the eminent judges who were members of that court in this formative period of Iowa jurisprudence.

In 1870 one of the notable senatorial contests in the ranks of the republican party took place. William B. Allison, a young member of congress from the Dubuque district, who was serving his fourth term as representative, and had won a fine reputation, was brought out as a candidate from northern Iowa for the United States senate. From the time the republican party had come into control of the state in 1856, the United States senators chosen by it had all been residents of the south half of the state. In the approaching election of a successor to James W. Grimes, a powerful combination was made by leading republicans of northern Iowa to secure the new senator in that section, and William B. Allison was chosen as their candidate. But the friends of Judge Wright, from all portions of the state, were urging his election as a suitable successor to Grimes. The contest became very warm throughout the entire state. Allison's supporters had a formidable advantage in location, and used it with great effect. A majority of his support came from the north half of the state. But as the contest progressed, the wide acquaintance and great personal popularity of Judge Wright was found to be making serious inroads upon northern Iowa, in spite of the eloquent appeals of Allison's supporters to stand firm for northern representation in the senate. But nothing could check the enthusiasm of the hosts of friends of Judge Wright, who flocked to the capital from all parts of the state, as the legislature convened, to work for the election of their old-time friend. The pressure became irresistible, and when the caucus convened Judge Wright was nominated on the first formal ballot. There was probably not another man in Iowa who could have won the nomination over William B. Allison, who has for a long time been the acknowledged leader of the United States senate. It was not the work of politicians, but the unbounded personal popularity, based upon his exalted public services, his commanding ability, and his stern integrity, that placed George G. Wright in the senate.

During the six years' term he won a high position in that body, serving on the committees on judiciary, finance, revision of the laws, claims, civil service, and retrenchment. He declined a re-election, preferring to return to the work of his chosen profession, for which he always had an abiding love.

This ended his official public services, which had been almost continuous for a period of thirty years. In the practice of his profession he had been first a member of the law firm of Knapp & Wright, in Keosauqua. Joseph C. Knapp was an eminent lawyer, who became United States district attorney, and afterwards a district judge. H. C. Caldwell, who later became a member of the firm, was a representative in the legislature of 1860; colonel of the Third Iowa cavalry in the war of the rebellion; was appointed by President Lincoln United States district judge, and has for a

long time been an eminent judge of the United States circuit court of appeals. Before the close of his term in the senate, Judge Wright became a member of the law firm of Wright, Gatch & Wright, the latter his eldest son, Thomas S. Colonel Gatch was for two terms a prominent member of the state senate.

In 1881 the firm was composed of Judge Wright, T. S. Wright, A. B. Cummins, and Carroll Wright. In 1887 Judge Wright finally retired from practice in his profession, having served two years as president of the American Bar association. In 1865 Judge Wright had removed from his old home at Keosauqua and settled with his family in Des Moines, and in the fall of that year he, with Judge C. C. Cole, established the first law school west of the Mississippi river. After the first year Prof. W. G. Hammond accepted a position with them, giving his entire time to instruction in the school. In 1868 the law school was removed to Iowa City, and by action of the regents became the law department of the State University, Judges Wright and Cole becoming law lecturers of the department.

Up to the last year of his life, Judge Wright took a deep interest in the University, and especially in the law department, which he had helped to establish. His lectures to the students were filled with wholesome advice, wise counsel, and sound enunciations of the fundamental principles of the science. His last lecture given before the law department was in June, 1896, and in it he refers with deep feeling, in eloquent and pathetic words, to the work of the pioneer lawmakers, who had in early times been his associates in laying the foundations of our state and its institutions. His closing sentences were as follows:

"Our state may challenge any other for the economy of its administrations, the ability and wisdom shown in the conduct of public affairs. If we look to those framing our constitution, making and revising our laws, and administering justice in our courts, we shall see how large a responsibility has rested upon our pioneers. No class of men have been more devoted to their state; none more faithful to their obligations; none more proud of its history and position, civil and military, in the great federal family. I love to think of the old guard, the steady march of the old column. I look over our constitution and statutes and there see the impress of their minds. I look abroad at our schools, our colleges and public institutions, and find in them noble monuments of their liberality and public spirit. I inquire for the master spirits who passed through the early days and trials of frontier life, and find the old guard ever in the van doing their whole duty. Those gone, and many of them living, animated by hope or depressed by care, often weighed down by sickness, or old age, or business depression, have performed a noble part in building here a happy, prosperous and free state, with institutions unexcelled, and a name which challenges the admiration of men everywhere."

Soon after I was requested to prepare this paper, I wrote my old friend, Judge John F. Dillon, who was long associated with Judge Wright on the supreme bench, to send me his opinion of our departed president as a lawyer and a judge. Although suffering from a serious accident, he promptly, from his bed, dictated the following:

NEW YORK, February 4, 1898

*Hon. B. F. Gue, Des Moines, Iowa:*

MY DEAR GOVERNOR—I have the pleasure to acknowledge receipt of your valued favor of January 30th. The recovery from my accident is, I think, progressing favorably, but I am still confined to my room and, the greater part of the time, to my bed. This will prevent me from writing a letter, as I had intended doing, concerning the bar and jurisprudence of Iowa generally. I must, however, comply with your special request to give you in a page, at least, my views concerning my old friend and former associate, the late Chief Justice George G. Wright.

I esteem it one of the felicities of my professional career that I was associated for six years with Judge Wright on the supreme court bench of the state of Iowa. It is scarcely necessary for me to express my opinion of his learning as a lawyer, and his merits as a judge. No difference of opinion on this subject, so far as I know, ever existed among the bar and the people of Iowa. The verdict of the bar on this subject is that, take him all in all, he had no equal among the state's chief justices or judges in her judicial history. Some of them may have had, in special and exceptional lines, superior gifts, or superior learning, but as I have just said, take him all in all, he easily stands conspicuous and foremost. To those who served on the bench with him, and to the bar who practiced during the period of his long connection with the court, the reasons for this are not difficult to find. I may refer to some of them briefly and without elaboration.

First among these reasons may be mentioned his zeal and conscientiousness in the performance of his official duties. As chief justice he was always present; and, having control of the deliberations of the court, would never consent to adjourn any term until every case which had been argued or submitted was considered. The period of my association with him was when there was no rule requiring the records and arguments to be printed. They were mostly in writing. Judge Wright was a rapid and most excellent reader; and his invariable habit during our consultations, in all cases submitted, was, first to take up the argument of the appellant; read it; next the argument of the appellee; then any reply, referring to the record whenever necessary; then to insist on a full discussion and a vote. I believe I may safely affirm that no case was decided during these six years that I was on the bench without this "formula" having been complied with. No case was assigned, previous to full consideration among the judges, for examination and an opinion by a single judge. I verily believe that the admitted excellence of the judgments of the supreme court of Iowa during the period of Judge Wright's incumbency of the office of chief justice, is due to the course of procedure above mentioned.

Another characteristic of Judge Wright was his intimate knowledge and memory of the legislation and course of decisions in the state. He was a living digest of these decisions. He carried in his memory every important case that had ever been decided, and thus kept the lines of judicial decision consistent.

As a presiding officer he was without any equal. He had remarkable executive ability. He presided with dignity; maintained the utmost decorum in his court, and yet no member of the bar, I believe, ever felt that he was exacting, oppressive, or that he in any way encroached upon their legitimate rights and privileges. He had almost in perfection what I

may call the "judicial temperament." He showed absolute impartiality, had great patience of research, and above all, a level headed judgment, and strong, sure-footed common sense. Combining these merits and qualities with ample learning in his profession, it is no marvel that the bar of Iowa hold him and his memory in such deserved honor. I am very truly yours.

JOHN F. DILLON.

Such an estimate from one of the most eminent jurists and judges Iowa has ever produced, who has since his removal from our state, won national fame in the profession, must forever fix the place Judge Wright will occupy in Iowa history.

During his busy life, while professional and public duties were crowding upon him, Judge Wright took a deep interest in the industrial development of the state. In 1860, he was elected president of the State Agricultural Society, serving for four years, and always after was one of the most influential and trusted advisers of its officers and managers. In 1879 he was elected a director in the Chicago, Rock Island & Pacific Railroad company, a position which he held the remainder of his life.

After retiring from practice of his profession, he was chosen president of the Polk County Savings bank, also president of the Security Loan and Trust Company, which position he held at the time of his death. For nearly six years he was the honored president of the Pioneer Lawmakers, Association, and I am confident that of all the honors that came to him during his long and busy life, this brought him the most unalloyed enjoyment. Here every member was an old acquaintance and friend. These reunions brought together his political associates, opponents and companions of youthful conflicts, defeats and triumphs. All of the animosities of partisan combats have long been buried in the lapse of years. The surviving actors in the fierce and bitter political rivalry of pioneer times, here meet as long separated members of one family, and clasp hands in friendship as they look upon the whitening hair and wrinkled brows from which youthful vigor and enthusiasm have departed. But passing years never cast a shadow of gloom over the sunny face of our late president. His cheerful greeting, his irrepressible fund of anecdote and wit, and happy rejoinders were contagious and permeated our sessions. He could call every member by name, and knew everyone's record in the past, his mental calibre and his peculiarities. He was one of the founders of the association and never missed a session. When the shadows of life's evening were gathering around him, his thoughts wandered toward the companions of pioneer days.

The last letter that his hand inscribed was addressed to an officer of this association, relating to the approaching session, then but a few weeks away, in which he felt a deep interest. But before it assembled he had "passed over the river."

His home life was an ideal one. The sunshine that his presence carried into every group of which he was a part, was never obscured by passing shadows. The wife and mother, the children and grandchildren, were always cheered by his kindly greeting and the household was brightened by his coming. His friends and neighbors were sure of a cordial welcome. His pure upright life was an inspiration to the young, and was the pride of his children. Three of his sons inherited the rare legal endowments of

their father, and attained eminence in the profession before reaching middle life. Our great state has reared and developed many talented, useful and noble men and women. Their achievements have shed lustre upon its fair name. Among those who have in early days wisely laid the foundation for the giant structure that has arisen like magic in a period of sixty years from a wild plain, the home of the Indian and buffalo, prominent and honored among its architects and builders will always stand the name of George G. Wright.

The following paper on Judge Wright was prepared by his old neighbor and friend, Judge Robert Sloan, of Keosauqua:

The judicial history of Van Buren county, Iowa, begins on the 10th day of April, A. D. 1837, when it was still a part of the territory of Wisconsin, and Hon. David Irvin, of the Second judicial district of that territory was the presiding judge. W. W. Chapman was the district attorney appointed by the court for that term and J. Weston Wood (Old Timber), was the only other attorney present, and in April of the following year the same judge held a second term at which Charles Mason was appointed district attorney, and the other attorneys present were W. W. Chapman, J. W. Woods, Chapman Eno, M. D. Browning and Frye B. Hazleton, which was the last term held while it was a part of Wisconsin territory.

The next term was held after Iowa was organized into an independent territory, and on the 12th day of November, 1838, by Hon. Thomas S. Wilson, who was judge of the Third judicial district of Iowa, and Isaac Van Allen was appointed prosecutor *pro tem*. The attorneys present and transacting business were M. D. Browning, Chapman Eno, Rorer & Starr, W. H. Buckland, Alfred Rich, Joseph B. Tras and I. N. Lewis.

The next term of court was held on the 12th day of August, A. D. 1839, by Hon. Joseph Williams of the Second district. The same attorneys were present, and in addition thereto, J. D. Larned and S. W. Somers.

The next term was held on the 8th day of November, 1839, by Hon. Charles Mason, judge of the First judicial district, and the attorneys present and transacting business were the same as at last term and in addition, Richard Humphreys, P. Viele, J. W. Woods and W. H. Starr—(there were two "Starrs," Henry W. and W. H., both of Burlington, and both men of ability).

On the 13th day of April, A. D. 1840, court was held by Hon. Charles Mason, with the same attorneys present, and in addition, William I. Case, David Rorer, James W. Grimes and Oliver Wild; and at the next term of court held by the same judge on the 21st of September, 1840, at which the same members of the bar were present, as shown by the records as transacting business, which shows the character of the bar which Hon. Geo. G. Wright met at the next term of the court, held on the 12th day of April, A. D. 1841, and at this first of the courts where his name appears as transacting legal business there were also present, Hugh T. Reid, R. Humphreys, Alfred Rich, J. Weston Woods, Oliver Wild, I. N. Lewis, S. W. Somers, David Rorer, James W. Grimes, W. H. Starr and J. C. Hall. Judge Wright had six cases at this term, and from this time the record shows that his business rapidly increased, and during the next few years James B. Howell, J. C. Knapp and Augustus C. Hall were added to the bar, and

the records show that he was associated with Oliver Wild in the practice, with whom he remained associated until his death, which was some time in 1844.

The records show him as a member of the firm of Wright & Knapp at the March term, 1846, with whom he continued in practice until the September term, 1851, when J. C. Knapp was appointed judge and remained on the bench for something more than a year, but on his return to the practice the partnership was again renewed and continued, as my recollection serves me, until the judge went upon the supreme bench.

Judge H. C. Caldwell was admitted to the bar September 5, 1851, while Judge Knapp was on the bench, and, I think, the firm of Wright, Knapp & Caldwell was formed when Judge Knapp returned to the practice, but I am not certain about it. You have data that will probably settle it. My researches and notes do not say anything about it.

My object in giving the names of those who practiced in the Van Buren district court is to show the men with whom he was associated and against whom he had to contend when he entered the practice. James W. Grimes, J. C. Hall, David Rorer, Henry W. Starr, N. H. Starr, J. W. Woods, and Hugh T. Reid had quite an extensive practice there until Iowa was admitted to the union, and the mention of the above names is only necessary for anyone to observe that they were among the ablest lawyers Iowa ever produced. When we remember the age of the judge, and the rapid growth of his practice, it is evident that he developed very early the qualities which afterwards so distinguished him as a jurist and an advocate.

Oliver Wild, who was his first partner, was an able lawyer and an excellent man. Hon. J. C. Knapp was a lawyer of great ability; was twice district judge; was United States district attorney under Pierce and Buchanan both, according to my recollections; candidate for governor on the democratic ticket, and also for supreme judge. Judge H. C. Caldwell, his third partner, has been, ever since 1864, on the federal bench.

When Iowa was admitted the judge was elected prosecutor for Van Buren county, and held the place for two years. Cyrus Olney was on the bench in that district and so continued until his resignation to go to Oregon, in 1851, where he was elected to the supreme bench.

When I went to read law with him, in 1860, he had just returned from the supreme bench to the practice, and was then a member of the firm of Wright & Baldwin, but his re-appointment in June of that year took him out of the practice in that county and he moved to Des Moines in the fall of 1864.

## HON. CHARLES BEARDSLEY.

BY REV. WILLIAM SALTER.

Charles Beardsley was born on a farm in Knox county, Ohio, seven miles from Mount Vernon, February 18, 1830. His father came there in 1818, walking the whole distance from Stratford, Connecticut, whither his earliest ancestor in America had come from England, from Stratford-on-Avon, in 1635, which was nineteen years after the death in that place of William Shakespeare, "the Bard of Avon." His mother was Mary Fitch, of New Haven, Conn. The third of six children, he acquired the carpenter's trade, studied at Granville academy, Ohio, and in the Wesleyan university at Delaware, in that state, and graduated at the Ohio Medical college in Cincinnati. At the age of twenty-five he came to Muscatine, Iowa, practiced medicine there a few months, and at Oskaloosa until 1861, meanwhile becoming editor of the Oskaloosa Herald. Mr. S. H. M. Byers recalls the kindly influence given to his youthful mind by Dr. Beardsley's words of counsel and cheer in those years, and there grew up between them a lifelong friendship. President Lincoln appointed Dr. Beardsley postmaster at Oskaloosa. Removing to Burlington in 1865, he was editor of the Hawk-eye for ten years, and senator from Des Moines county in the Thirteenth and Fourteenth general assemblies (1870-72), and twenty years afterward wrote a graphic and instructive history of the measures and public men in those assemblies, published in the Pioneer Lawmakers' Reunion of 1894, pages 78 to 100. As chairman of the committee on schools, he procured the passage through the senate of a law for compulsory education, but it failed in the house. He vigorously opposed perquisites to legislators in the shape of gold pens, pocket-knives, newspapers, etc., advocated the taxation of corporate property on the same basis as other property, and supported more equitable railroad legislation, and, as a partial offset to the injustice of existing laws, the taxation of railroad bridges across the Mississippi and Missouri rivers, on the same basis as other property in their respective localities. Regarding the treatment of women under laws made exclusively by man as the criterion of civilization, he favored the employment of women in the public service, and the extension to her of the right of suffrage.

In 1874 Dr. Beardsley traveled in Europe with the late Robert G. Saunderson, superintendent of the city schools of Burlington. He was afterwards called to the office of librarian in the war department by the Hon. George W. McCrary, secretary of war, with charge and custody of the war records of the rebellion, and subsequently appointed by President Hayes Fourth auditor in the treasury department, and held that office from 1879 to

1885. Returning to Iowa, for three years he rendered efficient service to the republican party as chairman of the state central committee.

An ardent student of moral, social and political questions, he held a vigorous pen and was straightforward and pronounced in his convictions. With a genial nature he possessed a fine presence and commanding form that represented the strength and benignity of his character. An indefatigable worker in the Christian cause and a pillar in the church, serving as clerk, deacon, superintendent of the Sunday school, friendly visitor, and delegate to ecclesiastical meetings, he was his pastor's right-hand man. Large-minded and inspired with "the enthnsiasm of humanity," he advocated advancing religion and a better application of Christianity to the present world, to commerce and trade, and the public interests of the state and the nation. He was a member of the council called by Plymouth church, Brooklyn, N. Y., in 1876, with reference to its pastor, Henry Ward Beecher, to whom he gave his confidence and support; of the National Congregational council, 1877, that met at Detroit; chairman of the board of trustees of the Congregational church of Washington, D. C., moderator of the general association of Iowa at its fifty-second annual meeting held at Sioux City, 1891; and a corporate member of the American board of foreign missions. At a meeting of the general association of Iowa held in Davenport, May, 1896, he read an instructive and earnest paper upon the duty of churches to improve the social condition of their respective communities.

His last public service was as chairman of the committee of arrangements for Old Settlers' day, October 2, 1896, at the celebration of the semi-centennial of the state. Animated by a surpassing zeal to honor the commonwealth and its founders, he made extraordinary exertions to bring together the pioneers of fifty and sixty years ago, and obtain their testimony as to the former days. He entertained at his own home the venerable Judge Murdock, the only one of the seven then surviving members of the legislative assemblies of the territory of Iowa who was present at the celebration; and soon afterwards both host and guest, who were so happy and jubilant together for the whole week of the celebration, passed within the veil. Dr. Beardsley's exertions made the occasion a more memorable one than can ever occur again. He seemed inspired with the same religious zeal to preserve the memory of our founders for the instruction of after times which was observed in the honorable Augustus C. Dodge at the fiftieth anniversary of the first settlement of Iowa, held in Burlington, June 1, 1883, a few months before his lamented death. The state can never again enjoy a grand public commemoration with a large number present who were coeval with its beginnings in 1833-1846. In his supreme ardor for the work Dr. Beardsley went beyond his strength and suffered a nervous prostration from which he did not rally. He died December 29, 1896, at his home in Burlington, aged 66 years, 10 months, 11 days, leaving the memory of a life ennobled by high qualities, by dignity of character, by shining personal worth, and by generous devotion to his country and to mankind.

## DR. SYLVESTER GRINNELL MATSON.

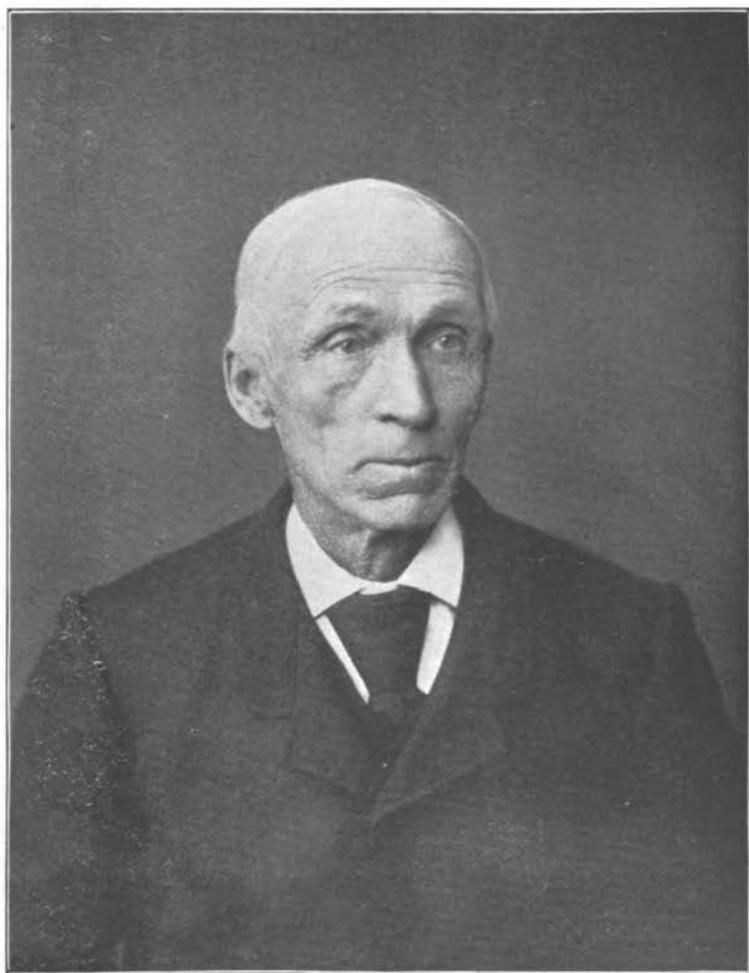
BY HON. CHARLES ALDRICH.

MR. PRESIDENT AND GENTLEMEN OF THE PIONEER LAWMAKERS' ASSOCIATION—It is a sad duty which has devolved upon me to announce the death of one of our oldest and most distinguished associates, Hon Sylvester Grinnell Matson, which occurred at the residence of his son-in-law, the Rev. Dr. S. N. Fellows, at Fayette, Iowa, on the 5th instant. Had Dr. Matson lived until the 5th of March he would have seen his ninetieth birthday. In writing me Dr. Fellows enclosed the following obituary, which I will read:

"Sylvester G. Matson, M. D., was born in Middletown, Vt., March 5, 1808, and died in Fayette, Iowa, February 5, 1898. His early life was spent amid the hardships of New England. He had meager opportunities for securing an education, but by hard labor and close private study, he became qualified to teach school, and by teaching earned means to prosecute his studies in the medical department of the University of Vermont. From this he graduated with high honors in 1832. He then returned to Middletown, Vt., and soon after removed to Van Buren, near Syracuse, N. Y. He also practiced a few years in Chenango county, N. Y. Here he was frequently called to deliver addresses on the Fourth of July and other public occasions, and received from the general public and the press very high encomiums. In 1845 he removed with his family to Iowa and settled near Anamossa, in Jones county, and at a later period removed to Viola, Linn county, where the latter years of his life were spent.

"In 1846 he was a member of the constitutional convention, which framed the first constitution of the state of Iowa. He was also elected a member of the First general assembly of the state, which met at Iowa City, November 30, 1846, and in extra session January 3, 1848. Failing by one vote of being elected speaker of the house, he became chairman of the committee on schools and took a leading part in enacting the first school laws of the state. He also prepared and introduced the bill locating the State University at Iowa City, and was afterwards a member of its first board of trustees. He was thus associated with Senators James Harlan, A. C. Dodge, and G. W. Jones, and Governors Briggs, Hempstead, and Grimes in laying the foundations of this great state. Dr. Matson was proud of Iowa, of her history and institutions, and of the great and noble men with whom he was associated in the first years of her statehood.

"Dr. Matson was humane, patriotic and religious. He was the friend of the poor and no one in need was ever turned empty from his door. In private life he was remarkably temperate in his habits, using neither tea, coffee, tobacco nor intoxicating drinks; and in public and professional life



*Truly Yours -*

*S. G. Matson -*

Member Second Constitutional Convention.

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was a strong advocate of free schools, total abstinence, prohibition of the liquor traffic, and the organized charities of the state.

"In politics, he was originally a 'Jeffersonian Democrat.' He united with the republican party at its organization and voted for John C. Fremont for president in 1856. He continued an ardent republican, casting his last presidential vote for William McKinley in 1896.

"In appreciation of his services rendered the state, by request, a life-size oil painting of Dr. Matson was secured and placed in the historical department of the capitol at Des Moines.

"Dr. Matson was a member of the Methodist Episcopal church and a firm believer in the Lord Jesus Christ. In his last long and tedious illness of over fourteen months, he was ever calm, patient and trustful—thankful for all the little kindnesses shown to him, and frequently expressed a desire to join the many friends in heaven.

"He leaves an aged and invalid wife residing in Viola, Iowa, and three children, viz: Benjamin L. Matson, a lumber merchant of Anamosa, Iowa; Sarah L., wife of Rev. S. N. Fellows, D. D., of Fayette, Iowa, and Catherine L., wife of Professor Goodyear, of Chicago, Ill.

"Dr. Matson died at the home of his daughter, Mrs. Dr. S. N. Fellows, in Fayette, Iowa. The body was buried in the family lot in Riverside cemetery at Anamosa."

I feel that an appreciative and grateful word is due from the historical department to the memory of this excellent man. From the time of its organization in 1892, until the decrepitude of age settled upon him, no man in Iowa, within the scope of his means and opportunities, labored more earnestly than Dr. Matson to lay its foundations and promote its growth and usefulness. He became at once a collector of historical and biographical data, war relics, objects in natural history, geological, mineralogical and botanical specimens, anything and everything in short, which could add to its usefulness or make it an attractive place for visitors. If there was an item in his own or any of the surrounding counties which I desired to add to our collections, I had but to mention it to him and straightway he set about obtaining it. The department is indebted to him for scores of valuable items. Among these, as of most value, are copies of our early laws, legislative journals, and the journal of the constitutional convention of 1846—all long ago out of print and now scarce and almost impossible to obtain. When all of his contributions—many of which are very precious—are duly labeled and placed in appropriate cases, they will constitute a monument which will keep his memory green for many generations. As stated in the obituary notice which I have read, the historical department is the owner of a fine oil portrait of this distinguished pioneer lawmaker.

Dr. Matson was a man widely known and respected for his great kindness and benevolence. I was his guest at his home in Viola, Linn county, some years ago. He was still practicing medicine, though he was nearly or quite eighty-five years of age. Sometime after dark, a boy called to ask him to go and see his little sister who was quite ill. The house where he was wanted was several blocks distant, and Mrs. Matson protested against his going out at that time of night. She suggested that they employ a younger physician. "Oh, no," he replied, "I have doctored in that family for twenty-five years, and they think that no one else can do them any

good. I will go!" And the aged man lit his lantern and started out to visit the sick child. I was glad on his return to hear his report that the child was by no means dangerously ill. Soon after I made his acquaintance—in 1892 or '93—he sent the historical department his pill-bags and outfit of dental and surgical instruments, some of which were quite antiquated. Among them was one of those primitive "turnkeys" for pulling teeth. With power enough at the handle, it would come very near extracting a hickory stump. But every country physician in the days of my boyhood carried, and often used, one of these queer instruments. I suspect that away back in the fifties or forties some of those now present knew how these old "turnkeys" were operated. I had kept these articles a few months when the doctor wrote me that he was having quite a run of practice and wished I would return his dental and surgical instruments—but that they should ultimately come back. Of course I forwarded them to him promptly. He kept them a couple of years and sent them again in a quaint little wooden trunk, where they will be safely retained until the state provides a fit place for this novel exhibition.

During his whole life Dr. Matson bore the reputation of a good and useful man. He was a hard worker in his laborious profession, especially during his early years in Iowa, when the country physician had to ride long distances and face the terrible Arctic blizzards, often at the peril of his own life. As a legislator he achieved a reputation which will survive as long as the annals of early Iowa interest our people. As has been seen, he was one of the founders of our State University, and always a friend of the cause of education. He was a man of wide and versatile information, broad and generous sympathies, genial and kind in his intercourse with all, honest and just, respected and beloved throughout the circle of his acquaintance, in the best sense of the words, an old-time Christian gentleman.

"His youth was innocent; his riper age  
 Marked with some act of goodness every day;  
 And watched by eyes that loved him, calm and sage,  
 Faded his last declining years away.  
 Cheerful he gave his being up, and went  
 To share the holy rest that waits a life well spent.

"That life was happy; every day he gave  
 Thanks for the fair existence that was his;  
 For a sick fancy made him not her slave,  
 To mock him with her phantom miseries.  
 No chronic tortures racked his aged limb,  
 For luxury and sloth had nourished none for him.

"And I am glad that he has lived thus long,  
 And glad that he has gone to his reward;  
 Nor can I deem that nature did him wrong,  
 Softly to disengage the vital cord.  
 For when his hand grew palsied, and his eye  
 Dark with the mists of age, it was his time to die."

## HON. DANIEL F. MILLER, SR.

BY HON. C. F. DAVIS.

Daniel F. Miller, Sr. was born October 14, 1814, on a farm on the north bank of the Potomac river, eight miles from Cumberland, in the state of Maryland. His parents were farmers. About 1816 they sold their farm in Maryland, and removed to a farm in Wayne county, Ohio, where the subject of this sketch received the first rudiments of his education. The common school system was not then in vogue in Ohio, but through the favor of his parents, Mr. Miller received at private schools a fair English education, and himself taught a private school in Ohio from the age of 15 until he was 16 years old, for which he was liberally rewarded. Having concluded to study law and thinking Pittsburg, Penn., offered better opportunities for that end, in December, 1830 he left Ohio and went to Pittsburg, and was there engaged two years as clerk in a store, improving himself in English literature in all the spare moments from his business. While in Pittsburg he spent several months in the study of English grammar under the private tuition of N. R. Smith of that city, a noted grammarian and author of several popular school-books of that day.

Mr. Miller taught private schools in Pittsburg and neighborhood for about three years for which he was well remunerated, and which enabled him to acquire his legal education. On the 15th of October, 1835, he commenced the study of law, with the then eminent law firm of Livingston & Mahon in Pittsburg, and in four years and two months thereafter applied for admission to the bar, and was duly admitted as an attorney and counsellor at law at the Pittsburg bar. While he was a student his preceptors gave him their practice before justices of the peace, and referees, which was very considerable. He could have been admitted, according to the law of Pennsylvania, after two years' study, but he preferred to double the time, so that he might come to the bar with better opportunities than a shorter period of study would allow. In the spring of 1839 he came by steamboat down the Ohio, and up the Mississippi river to Iowa, and on April 15, 1839, first touched Iowa soil where Keokuk now stands. There were then three or four cabins in among the brush and woods near the river on the plat where the present city of Keokuk now is, and V. Vanorsdall had a cabin, and several acres of land in cultivation, about one-fourth mile from the river. Proceeding on his journey by boat he landed the same day at Fort Madison, and being pleased with the village as it then was, and the surrounding country, he made it his home, and stuck out his law shingle. At that time, all there was of Iowa soil which belonged to the United States, was a strip of land on the west bank of the Mississippi

river, about fifty miles in width and extending from the north line of the state of Missouri, to near the latitude of Dubuque.

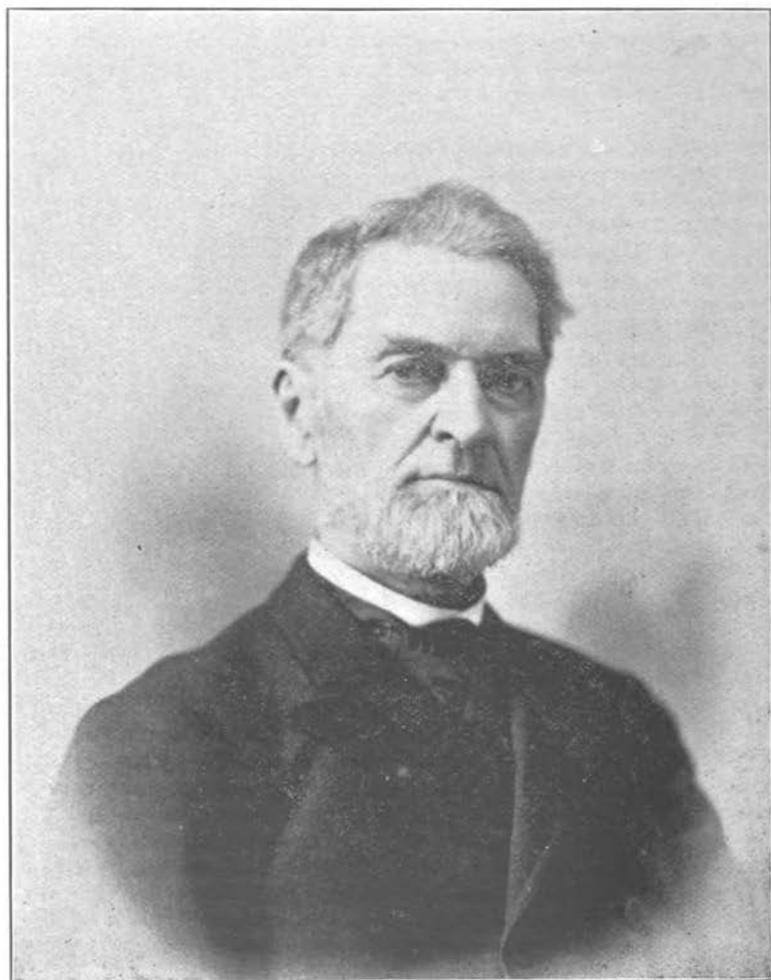
All the remainder of the present state of Iowa was then owned and occupied by Indians, and the white population at that time did not exceed 35,000. Mr. Miller was married on the first day of June, 1841, to Miss Rebecca P. Phillips, at Pittsburg, Penn. He has been in almost constant law practice from the day he landed in Iowa, in the spring of 1839, to the 22d day of February, 1882. He moved from Ft. Madison to Keokuk in 1859. He was a member of the Iowa legislature in 1840, which occupied 75 days of his time, and was mayor of Ft. Madison in 1858, and in 1873, was elected mayor of Keokuk, but the duties of these offices did not interfere with his law practice.

His close attention to business and his free and easy manners won for him from the early settlers hosts of friends, and he soon had a good practice. There were many eminent lawyers practicing at the Ft. Madison bar at that time, among whom were Alfred Rich, Cyrus Walker, Blannerhassett, J. C. Hall, Ried and Johnstone, and others, yet Mr. Miller was equal to the occasion, and held his position as peer with them all.

He continued the practice of the law without interruption, except to serve one term in the lower branch of the territorial legislature, to which he was elected from Lee county, although at that time there was a majority in the county against his (whig) party. In 1848 he was nominated by the whig party as their candidate for congress in the First congressional district. The canvass was a tedious one as there were but two congressional districts in the state, being about equally divided north and south, and extending from the Mississippi to the Missouri rivers. Candidates for congressional honors had to travel over one-half of the state to talk to their constituents. Mr. Miller was fairly elected, but by the manipulation, or rather the stealing and concealing the vote of a whole precinct, that of Kaneshville (now Council Bluffs), his opponent, William Thompson, received the certificate and boldly went on to Washington and took his seat. But the avenger was after him. Mr. Miller gave notice of a contest of his right to the seat, and after much time and labor succeeded in—not getting his seat—but a resolution declaring that a vacancy existed in the First congressional district of Iowa.

Mr. Miller came home from Washington, was immediately re-nominated, and elected over his opponent by a very large and flattering majority. Thus vindicated he took his seat in congress in December, 1850, from which he retired March 4, 1851. Since that time he has been devoted to his profession, not, however, losing his interest in the politics of the country. After the organization of the republican party, and the contest of 1856, resulting in the election of James Buchanan to the presidency, as against John Bell, whig, and J. C. Fremont, republican, Mr. Miller gradually drifted into the democratic ranks, and though seldom being a candidate for, or seeking an office at their hands, has ever, by his sagacity and eloquence, been a tower of strength to the party in all the political campaigns to this time. In the practice of the law he has been associated as partner with Hon. George H. Williams, Hon. J. M. Beck, Hon. George W. McCreary and others. Mr. Miller, as an advocate, is bold, energetic and forcible; presenting his case either to the court or jury with great clearness of conception and vigor of





**JUDGE REUBEN NOBLE (Deceased),  
First President Pioneer Lawmakers' Association.**

thought, speaking with great rapidity, earnestness and feeling. His greatest forte as a lawyer consists in a diligent and thorough preparation of his cases before bringing them to trial, and the skillfulness in seizing upon the instant every weak and unguarded point of his adversary, and turning it to his own advantage and profit. His brother lawyers denominate him the "Nestor of the bar."

In personal appearance he is about six feet in height, well formed, dignified and gentlemanly in manners, and agreeable in conversation, careful in dress, a heavy head of gray hair, standing almost straight up, reminds one of the portrait of Andrew Jackson, which Mr. Miller has always kept hanging in his law office. His appearance in the court room brings to memory the lawyers and statesmen of the time of Clay and Webster. He ranks as one of the first lawyers at the bar, and one of the ablest men of the state.

Mr. Miller has been the author of numerous essays, and lectures, written at his leisure moments, during his long professional career.

He wrote and published a work on mental philosophy while a student at Pittsburg, and in 1847 wrote a work on rhetoric from the standpoint of a lawyer, which has since been copyrighted and published by the publishing house of Mills & Co., of Des Moines, Iowa, and which has received favor from many eminent judges and literary men. Mr. Miller has never been connected with any church or organization, yet was a firm believer in a God and a future life.

Mr. Miller died in Omaha at the home of his daughter, December 10, 1895.

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### JUDGE REUBEN NOBLE

BY COL. ALONZO ABERNETHY.

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There are men whose lives stand out in bold relief among their fellows. As one tall tree towers above all others of the forest, they lift their heads far above those who surround them. Such men leave a lasting impression upon all with whom they associate. Their influence is never negative, always positive. They "stamp improvement on the wings of time." They are not content to travel in the old ruts, but seek for better paths in which to journey. They are ambitious, but their ambition is not ephemeral; rather the result of mature reason. Such a character was Reuben Noble.

His father, Henry Noble, was born in Maryland, October, 1772, and was of English parentage. When 23 years of age he removed to the state of Mississippi, where, in 1799 he married Mary Swazy, a native of that state, and of Irish descent. Henry Noble was a well informed man, and kept close watch of the stirring events of his time. He was a regular reader of "Niles' Register," a very ably edited periodical published at Baltimore, Md. He was the father of twelve children, of whom Reuben was the last one living. Henry Noble, on account of his anti-slavery sentiments, removed to Jersey county, Ill., when our subject was 12 years of age. He died there at the advanced age of 79 years.

Reuben was born near Natchez, Miss., April 14, 1821. In those early days educational advantages were very limited, and he attended school but three months after he was 12 years of age. He worked on his father's farm until he was 18 years old, when he decided to make the law his profession. He was admitted to the bar at 21. In 1842 he came to Fair Play, Wis., where he began practicing his profession, and, spending the winter at Lancaster, the county seat of Grant county, he removed in October, 1843, to Garnavillo, Clayton county, Iowa. On the 19th of June, 1844, he was married to Harriet C. Douglass, of Jersey county, Ill. He continued the practice of law at Garnavillo until 1857, when he removed to McGregor, which continued to be his home until his death, which occurred August 8, 1896.

He was, *first of all*, a lawyer, and bent to the mastery of his chosen profession with untiring devotion. For this profession he was peculiarly adapted, both by nature and training. He applied himself to the law with such energy and perseverance that he soon came to be recognized as one of the foremost lawyers of northeastern Iowa, and was consulted and retained by a numerous clientage over a large territory. In the practice of his profession he had a distinct individuality. When he grappled with the intricacies of a knotty legal question he went at it with full confidence and self-reliance. Of a rugged constitution, he shrank from no task however difficult, and applied himself to unravel the mystery with confidence, and a full determination to become perfect master of the case in hand. It should be said, however, that he seemed to have adopted one of Blackstone's principles of law, as his guide, viz., that "Man should live honestly, should hurt nobody, and render to every one his just dues." This was the rule of his life. Did he find upon thorough investigation of a cause that there was no need of a lawsuit that might make life-long enemies and pile up costs to no purpose, he at once addressed himself to bring about a compromise.

His prominence as a lawyer soon brought him into active political life. The whig party came into power in the state in 1854, and upon the free-soil ticket Mr. Noble was elected a member of the general assembly from Clayton county, and was chosen speaker of the house for the regular session, and also for the extra session, held in 1856. In this important and trying position he performed the duties of a presiding officer in an impartial manner, and won the respect and confidence of his colleagues, as well as of the people of the state. It must be remembered that these were trying times. Mutterings of discontent and even disunion were heard on all sides. Events were then shaping themselves for the bloody war that came upon the nation five years later. Amid these murmurings of discontent, and when the black cloud of war hovered over the nation like a pall, his voice was raised in defense of the union and in opposition to secession and rebellion. He hated and abhorred war, but he would not consent to peace purchased at the cost of honor. Hence he was found in the front rank of those whose voices were raised in opposition to the encroachments of slavery upon the people of the north. He believed in the union, and would not consent to a dissolution. His positive views on this burning issue made him a delegate to the national republican convention at Chicago, which nominated Lincoln in 1860. Of this honor he always felt a just

pride. All through the dark days of the rebellion he clung to his faith in the cause of union against secession, and when the southern confederacy went down with the surrender at Appomattox no man rejoiced more heartily. The attempted impeachment of Johnson, and the period of reconstruction wrought in him a change, and caused him to unite with the democratic party, with which party he affiliated to the close of his life.

In 1874 he was elected judge of the Tenth (now Thirteenth) judicial district, and was re-elected in 1878, but resigned before the end of his term. On the bench his abilities as a lawyer were most apparent. He proved himself not only a strictly impartial judge, but careful and painstaking in all his judicial work. His long years of close application and constant toil prepared him for this field of high usefulness, and he shrank from no labor or responsibility incident to its duties. He won the respect and confidence of the bar, and of all with whom he came in contact. He was twice nominated for supreme judge, declining the first, and to the second he paid no attention whatever. That he loved his profession is evidenced by the fact that he never missed a session of court in his county during his entire residence in Iowa.

His home life was in all respects an ideal one. Coming to Iowa when settlers were few, the spontaneous, generous hospitality of the early pioneers became the rule of his every-day life. At his home the "latch-string" was always out. He welcomed his friends with that cordial greeting which made them perfectly at home.

Three sons grew to manhood, two of whom have become leading lawyers in their states, while the other became a first-class locomotive engineer. He was also blessed with two highly cultured daughters, who, with the three sons and an adopted daughter, who was devotedly attached to him, composed a family of children of whom any father would be justly proud.

The following beautiful tribute to Judge Noble's lofty character is from his fellow-townsmen, Congressman Thomas Updegraff, who has known him intimately for more than thirty years:

"Mr. Noble really was a great man, and a great lawyer. He was a born leader of men. He was easily the leader of the bar in northeastern Iowa from 1850 until two or three years before his death, when his faculties began to fail him. He was a peace-maker by nature, and the greatest settler and compromiser of disputes whom I ever knew, and to a very large extent he infused the same spirit into the bar in northeastern Iowa.

"About 1858, he was well off in this world's goods, for those times. He became involved with some others in a large land purchase; the land depreciated, and left the purchasers very largely in debt. For thirty years from that time he devoted every dollar he could spare from a frugal living, until every dollar of that debt was paid. I have never known in all my life such a sacrifice to be made to free one from debt."

Judge Noble never missed a session of this association since its organization twelve years ago. At its last meeting he was honored with an invitation to address the house of representatives then in session, and at the previous meeting, served in a like position in the senate.

One year ago upon the assembly of the legislature in extra session a committee was appointed by the speaker of the house to draft and report

for adoption resolutions expressive of the sense of public loss sustained in his death, which were unanimously adopted.

Comrades! What a marvellous life was that of our brother. Noble was his name; noble was his life. Rare in his insight into human nature; hospitable and large hearted in spirit; of generous intellectual endowment; and of indomitable energy. We shall miss him from our midst; we shall see his face no more; but we shall never forget him, nor the genial and inspiring power of his presence and companionship.

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SAMUEL MURDOCK.

BY COL. A. ABERNETHY.

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As the shades of night began to gather at 5 o'clock Tuesday evening, January 27, 1897, the light of life departed from Clayton county's grand old man, Hon. Samuel Murdock. On Sunday, November 1st, while at North Beuna Vista, where he had gone to make a political address, Mr Murdock was stricken with paralysis. He came home the next day, but being in his 80th year, there had been a constant wearing out, until the darkness of death closed in upon the eyes of one of the brightest brains of Clayton county.

For more than half a century Mr. Murdock has been a conspicuous personage in Iowa, as the first lawyer of Clayton county, the first judge of the Tenth judicial district, and as one of the few survivors of the territorial legislature of Iowa.

His parents were of Scotch ancestry, but were born in County Armagh, Ireland. They emigrated to America in 1813, settling near Pittsburg, Pa. Here, near the scene of Braddock's defeat, was born the subject of this sketch, March 13, 1817. Ten years later the family moved to Cleveland, Ohio, and located on a little farm. Here it was that the boy grew to manhood, receiving such education as the common schools of that day afforded, although later he attended a two years' term in a Cleveland academy. After arriving at his majority he taught several terms of school.

In the fall of 1841 he left Ohio for the west, going by way of the lakes to Chicago and crossing the Mississippi to the small town of Davenport. Again he shouldered his pack, and started on foot across the country on an Indian trail for Iowa City, the future capital of Iowa, where he determined to make his abode, and in 1842 he was admitted to the bar of Johnson county.

Before finally locating, young Murdock determined to visit Dubuque; while there he heard of the rich prairies of Clayton county, and starting out arrived at Jacksonville, now Garnavillo, on the 9th of August, 1843, and staked out a claim. This farm for thirty-five years he adorned and embellished with the fir, the spruce and the pine, and from their numbers and luxurious growth the place was called "Evergreen Farm." From the time he began work on this farm to last fall, Judge Murdock has been with his voice, pen, and labor, disseminating useful information on the subjects of agriculture and horticulture.

In 1845 he was united in marriage with Miss Louisa Patch, who had come to the county from New York in 1837. Of the six children born to them, two with the aged wife survive, and were present at the last sad hour. Miss Marion is one of the pastors of Unity church, Cleveland, Ohio, and is said to be the first woman in America to receive the degree of Bachelor of Divinity. The youngest daughter, Amelia, resides at home.

Mr. Murdock was the first lawyer who permanently settled north of Dubuque, and during his long residence on the farm he maintained his law practice. In 1845 he was elected a member of the territorial legislature from the counties of Dubuque, Delaware and Clayton, and remained in that body until Iowa passed into a state, and while in this body was mainly instrumental in securing for the state her present northern boundary. In 1848 he was elected school fund commissioner, which position he held four years.

In 1855 he was elected the first district judge of the Tenth judicial district, which at that time included ten counties, and in several of these counties he held the first courts, and through this large district he traveled twice each year, generally on horseback, swimming rivers and wading sloughs, and accompanied by a number of attorneys.

In 1869 he was elected a member of the Thirteenth general assembly, in which he distinguished himself in a speech opposing the repeal of the death penalty for the crime of murder. His arguments have since been proven true many times over.

He was selected by the governor to fill Iowa's department of anthropology at the Centennial, and he shipped to Philadelphia some of the most curious and wonderful specimens of prehistoric man that had ever been unearthed on this continent.

On September 11, 1895, Judge and Mrs. Murdock celebrated their golden wedding, at which many friends testified to their feelings of honor and respect to the venerable judge and his companion. Judge R. Noble acted as spokesman on that occasion, and expressed the wish that the honored bridegroom might recover from his infirmities and be long years with his friends.

He was tender hearted in the extreme, a friend of the poor, a friend of the children, whom he delighted to gather around him, while he held them entranced with delightful and instructive stories of the wonders displayed in the heavens or hidden in the mysterious clefts in the rocks.

Always a successful attorney, he leaves but little of this world's goods behind, because of his unselfish character and propensity to give.

His long and useful life may be fittingly summed up by using his own lines on the death of a friend:

"You are gone, noble soul, to the land of the blest,  
Subservient to nature's great plan,  
And *one* stands above you, who can *say* to the rest,  
In this grave lies a good, honest man."

The following beautiful tribute unconsciously given by his own daughter, gives a glimpse of his own sunny home life: "It was in my father's home that his worth was best known. His patience, his forbearance under all trials, his self-denials, his tender indulgence of his children, made him

the idol of his family. Every child in the village knew him and loved him; and the small boys always knew where they could get 'show' money when they failed everywhere else. He would pay them for the commonest stone they might bring him for a geological specimen, if he knew they wanted to attend some new attraction. One of father's favorite poems was 'The Boys,' by Oliver Wendell Holmes, and the following lines from it always seemed applicable to him in my mind:

'You hear that boy laughing? You think he's all fun;  
But the angels laugh, too, at the good he has done;  
The children laugh loud as they troop at his call,  
And the poor man that knows him laughs loudest of all.

'Yes, we're boys, always playing with tongue or with pen;  
And I sometimes have asked, shall we ever be men?  
Shall we always be youthful, and laughing and gay,  
Till the last dear companion drops smiling away?

'Then here's to our boyhood, its gold and its gray!  
The stars of its winter, the dews of its May!  
And when we have done with our life-lasting toys,  
Dear Father take care of thy children, The Boys.'

At the time of our last reunion Judge Murdock was too feeble to make the trip to Des Moines. At a previous meeting he gave us an able paper on "Early Courts in Iowa." His last public appearance was at the celebration of our Iowa Semi-Centennial at Burlington, October, 1896, where he was an honored guest and principal speaker on pioneer's day.

"And when the sun in all his state,  
Illumed the eastern skies;  
He passed through Glory's morning gate,  
And walked in Paradise."

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#### JUDGE ISAAC PENDLETON.

BY GOV. C. C. CARPENTER.

Isaac Pendleton, of the class of 1854 of Union college, was born in Norwich, Chenango county, N. Y., on April 3, 1833.

His ancestors were English, with some admixture of Scotch, and were participants in the revolutionary war. His father's name was Peleg Pendleton, and his mother's maiden name was Lucy Ann Babcock.

He prepared for college at Oxford academy, Oxford, N. Y., John Abbott principal, a graduate of Union, and in 1851 entered the second term of the sophomore class, conditioned in Latin, Greek, and geometry. After graduation he commenced the study of law with Henry Van Der Lyn (a graduate of Union) at Oxford, N. Y., but his health failing he returned to his boyhood and father's occupation—farming. He subsequently entered the office of Comstock & Newcomb, Syracuse, N. Y., the former a graduate

of Union and judge of the New York court of appeals, where he completed his studies and was admitted to the bar.

After some delays, caused by ill health, he started west, stopping at Cleveland, Ohio, during the winter of 1857-8, and finally in the summer of 1858 reached Sioux City, Iowa, where he ever afterward resided and carried on the practice of law. When he crossed the Mississippi he had but \$10 in money.

On February 1, 1872, he was married to Miss Maggie McDonald, of Sioux City, Iowa, by whom he had three children, all of whom are now living.

He took the initiative in the formation of the republican party in his native county (Chenango), drawing up and having published the first call for same, and attending as a delegate the first state republican convention and the first county and judicial republican conventions of his section.

In 1859 he was nominated by the republicans as a candidate for representative in the general assembly of Iowa, and although the district, composed of four counties, was then largely democratic, was beaten only by a small majority (35) by Patrick Robb, his democratic opponent, also a graduate of Union.

At the next election, 1861, he was re-nominated for the same office and elected by a majority, lacking only three votes of being two to one, as a republican and union candidate against Captain Morton, subsequently colonel of an Ohio regiment in the war of the rebellion.

He was a member of the military committee, the most important committee of the session, and reported, and was directly instrumental in framing, the laws passed for the protection of soldiers in the service, and was at the head of the house special committee appointed at the extra session, which, together with the senate special committee, reported the law enabling the soldiers of Iowa in the army to vote.

In the fall of 1862 he was elected judge of the Fourth judicial district of Iowa, having twenty counties in the jurisdiction, which position he held four years, and then returned to the practice of law.

He was a delegate to the national republican convention held at Philadelphia Pa., which nominated Grant for his second term, and was chairman of the committee on credentials, and was one of the presidential electors for that year for Iowa.

The foregoing is a brief statement of the early career and public service of Judge Pendleton. What he was in character will be better understood by recalling something of his personality as revealed to his friends and neighbors, and as typified in his speeches and writings.

In the fall of 1859 the compiler of this memorial notice visited Sioux City, then a frontier village. One of the young men whom he met, and with whom he formed a pleasant acquaintance, was Isaac Pendleton. He was a sociable and genuine man; and one of a *coterie* of young, ambitious and enterprising men who had found their way to that new town and were laying the foundations for future business and future honors. Mr. Pendleton probably had the advantage of most of them in education. His ambitions were literary and political. He was a man of fine mind, an eloquent public speaker, and a good lawyer. Rev. Mr. Strickland, who preached the funeral sermon of Judge Pendleton, was asked by Mr. John H. Charles for a copy of his discourse. He replied that the notes from

which he spoke had been destroyed; and said in this letter: "He was a large hearted man whose impulses toward humanity were noble and led him to do much real kindness; possessed a big brain capable of grasping and solving great problems; and a lofty soul that delighted to climb the mountains and look beyond."

The writer received from Judge Wakefield, who married a sister of Judge Pendleton, a pamphlet copy of a lecture delivered by him. It more than justifies Mr. Strickland's estimate of his ability. It is entitled "THOUGHT: its products, progress and power." Every page is illuminated with the profound thinking of a philosopher. A few extracts taken almost at random from this lecture, will illustrate the character of Judge Pendleton, as an original thinker, better than anything that can be said of him.

He says:

"Directly or indirectly, the actions and destiny of the vast masses of society are guided and determined by the ideas that have been promulgated and the influence thus awakened by the thinkers of the world.

"The contributions they make to the general stock of human knowledge are transmitted from generation to generation, and gradually diffused throughout society—and these govern the beliefs and thus control the action of man, although he be unconscious of the influence and ignorant of its source.

"The great powers of society are the great thinkers; and he who wields or would wield the greatest influence is and must be the greatest thinker.

"Like an army, mankind march over the fields of time under the guidance of a few master minds, with their steps timed to the music of thought, as they advance with hesitating and slow or confident and rapid steps to freedom and a higher civilization.

"Thought may be justly regarded, also, as humanity's great emancipator.

"It is that which bursts the prison doors of the intellect and sets the captive reason free. It breaks the bonds that fetter faith and restrain action. It wakes men to a consciousness of their rights, and incites to efforts for obtaining them. It gives birth to the purpose that resolves, and nerves the hand that strikes for freedom. It wages perpetual warfare against the powers of darkness, wrong and oppression. It ultimately conquers, though sometimes doubtful, and almost always long the contest. It ultimately establishes the truth.

"Once established, a right opinion can never be destroyed.

"Government in vain puts forth its efforts to crush it. Sophists in vain undertake to undermine its strength. It defies power. It laughs the subtlety of the logician to scorn. It disregards enactments. It fears not anathemas. It bursts every barrier. It breaks through every restriction. It possesses a deathless vigor, which outlives the utmost crushings of governmental tyranny, endures through the strifes of parties and the wasting storms of ages of conflict. It may be repressed for a season, but it cannot be subdued.

"Like undying fires in the mountain's center, it gathers increased strength by the repression and at last bursts forth with an accumulated force that rends the mountain—that annihilates the power that attempted its suppression."

Again he says:

"The seeds of truth sown by the toiling hand of thought may not germinate as soon as planted, nor spring up to-day, nor mature during this generation—ages even, may be necessary for their full fruition, but yet the result is certain, the harvest sure—other generations shall gather the golden products though we do not, and re-implanting, perpetuate their benefits forever."

Again, speaking of the thinker:

"He has redeemed the untraversable morass for purposes of husbandry and transformed the wilderness into a paradise of plenty and beauty; made the earth yield up its hidden treasures and the sea its glittering gems; hewn his pathways through the solid rock, and perforated the towering mountain; filled up valleys, arched ravines and smoothed the rugged face of nature. He has fathomed the secrets of the ocean and mapped out the pathways of its currents; visited the home of the storms and pointed out the courses of the viewless winds; driven the stream to the mountain's top and made the darkness of the night bright as day; applied the force of the torrent to purposes of motion, and in those hives of industry which dot our country over, made subjugated steam his universal servant."

And again:

"Men, heedless of their limited capacities, with fearful self-reliance, rush up giddy steeps of thought, where angels, indeed, might fear to tread."

And again:

"The cold conservative, whose heart never throbbed with the generous warmth of ennobling purposes, may shudder at the untiring activity of the inquiring mind, and its daring, innovating spirit, and pious minds be shocked at its supreme disregard for institutions and customs, and ordinances, which former ages have pronounced holy and divine, and which are venerable for their antiquity; but who that is alive to the true and best interests of his race, does not prefer the free, open sea of unrestrained thought, with its boundless heavings, its restless billows and its dashing waves, in whose pellucid waters the pearl of intellect shines clear and bright as the rainbow-tinted shell in the depths of ocean, and which, though they keep society unquiet, yet preserve it pure,—than the stagnant pool of mental inactivity, in whose motionless waters corruption festers and despotism broods, and whose sickly exhalations spread an enervating and deadening influence over society?"

"Only through long struggles and contentions has man obtained the much or the little of the rights and freedom he now enjoys."

"Not when men are anxious, but when they are indifferent, are they most in danger. It is not the sleepless, but the sleepy, sentinel whom the enemy surprises."

"Formerly the masses were not permitted to think, or believe, or act on their individual responsibility. That was the prerogative of the ruling powers (priest or potentate) alone, who assumed to do all the thinking for the masses, and, prescribing their beliefs, enforced acquiescence by the dun-geon, the rack, the fagot and the scaffold."

And finally:

"Determined and directed by the general interests of mankind, it seeks the general good of all, and its tendencies are to enlighten, liberalize and elevate. Already it has triumphed to a great extent over prejudice and bigotry, over restriction and intolerance, over selfish customs and exclusive-

ness, over narrow policies and laws (whose apparent local benefits were purchased at the price of greater general detriments), over monopolies in knowledge, monopolies in government, monopolies in religion, monopolies in trade, and still continues eminently progressive.

"The principles of freedom, equality and fraternity begin to prevail, the narrow prejudices and petty distinctions that have so long separated mankind, to disappear, and the masses of all climes and nations to feel the affinities of a common humanity.

"These are some of the results already realized from the universal mental activity of the age, aroused by the influences awakened by the thinkers of the present and the past. But what shall they be when the masses shall attain, as they must, under these developing influences, all the development of which they are capable, when perfect freedom of thought shall exist, juster conceptions of right prevail, higher morality attained, and public opinion become, as in the nature of things it must become, when sufficiently enlightened, omnipotent? And the voice of power shall no longer come down from the palace to the people, but go up from the people to the palace? What ken of mind or power of imagination is capable of compassing or portraying the far-reaching and comprehensive results? Is it too much to say that time shall be, when thrones shall disappear, oppression cease, freedom prevail universally, righteousness reign everywhere, and the unfulfilled prophecies of inspiration be realized in the bursting glory of the millennial morning?

"The thinker, then, dies not. This worthless tegument may indeed moulder in the grave; but himself can never die. He still acts and exists in the thoughts he has left behind him, and thus will continue to live till the end of time.

"His years may be few; for too oft the lamp that genius lights expires too soon—the strained spirit breaks, or the clayey casement crumbles 'neath the ceaseless workings of the undying spirit within; but then his life is *long*—for 'tis not measured by the transitoriness of time, but by the eternity of thought."

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DR. HENRY CLAY BULIS.

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BY COL. ALONZO ABERNETHY.

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Dr. Henry Clay Bulis, after more than forty years of leadership in the social, political, and public life of Decorah, Iowa, passed "over the river" into the other life on the beautiful morning of September 7, 1897. He was born in Clinton county, N. Y., November 14, 1830, and his sixty-seven years of busy life made a record of which any man may well be proud.

Dr. Bulis was reared on a New England farm, and surrounded by all the healthful and invigorating conditions, both physical and moral, incident thereto. From 17 to 21 he occupied his time teaching and studying, and during the summer months he would assist his father on the farm.

Dr. Bulis began the study of medicine when he reached his majority, and at the same time continued to teach. About six years were spent in

teaching. He attended two regular courses of lectures at the Vermont Medical college, Woodstock, Vt., and took the degree of that institution in the summer of 1854. In addition to this he holds a degree from the Jefferson Medical college of Philadelphia, taken in 1857, after a six months' course.

October 3d, following his graduation in 1854, Dr. Bulis came to Decorah, Iowa, then a village, and began the practice of medicine. For one month he taught school, and then resigned, and this was the last of his duties as a pedagogue. His professional career has been a long and favorable one, and for over forty years he has practiced in the state, barring the time public office required his attention, a longer period of practice than that of any other physician in northeastern Iowa. In 1876 he was made president of the Iowa State Medical society, the highest honor within the gift of the profession, and served for one year, which is the longest service allowed by the custom of the organization.

In 1865 Dr. Bulis was appointed United States examining surgeon for pensions, and he acted in that capacity until 1876, when he resigned on his appointment as a member of the Sioux commission.

There are few men in the state who have had a longer or more varied public career than Dr. Bulis. His first public office was that of commissioner for the sale of intoxicating liquors, to which he was appointed in 1856 by Judge Reed, and held until the office was abolished. The office of county superintendent of schools having been created, Dr. Bulis was the first incumbent, having been elected in April, 1858; he served two years. In October, 1863, he was elected county supervisor, serving two years, the last year of which service he served as chairman of the board. In the fall of 1865 he was chosen by the republican party to represent Winneshiek county in the state senate, and at the end of a four years' term was re-elected by a handsome majority.

While in the senate Dr. Bulis served as chairman of the committee on claims, and also as the chairman of the State University committee. In the work of this latter committee he took especial pride, and was one of the moving spirits in founding this great institution, serving as regent for eighteen years and then declining re-election.

Political honors crowded on our subject thick and fast. In the middle of the second term in the senate (in 1871), while serving as president *pro tem.* of that body, he was nominated and elected lieutenant-governor of the state on the republican ticket. August 25, 1876, President Grant appointed Dr. Bulis a member of the Sioux Indian commission, created for the purpose of purchasing the Black Hills of this warlike people. The consummation of a satisfactory treaty with the Sioux by this commission is one of the cardinal facts in the political history of the country, and, as relating to Dr. Bulis, may be regarded as the climax of a very eventful public career. In 1878 Dr. Bulis was appointed a special United States Indian agent by President Grant, but resigned after nine months' service. In April, 1883, he was appointed special agent of the general land office, but resigned at the end of eight months. The duties of these last two offices required almost constant traveling, and to the extreme limits of the country. He found the work too laborious, and hence resigned. In 1889 Dr. Bulis was prominent before the republican convention when it chose its

candidate for congress. After some sixty ballots he withdrew in favor of Hon. J. H. Sweney, who was nominated and elected.

He served as mayor of Decorah during the years 1880-81 and 1889-90, resigning during his last term to accept the postmastership, which he held for four years. During his term as postmaster he organized the free delivery system, and secured the extension of the railway postal service from Calmar to Decorah.

Dr. Bulis was a member of the Iowa State Historical Society, and served as curator for several years.

No one has more earnestly desired the advancement of Decorah's interests than the subject of this notice. In 1869, while a member of the state senate, he worked unceasingly for the acquirement of the Chicago, Milwaukee & St. Paul railroad for Decorah, and his services were such as a man of small ability could not have rendered. The same is true of the Chicago, Decorah & Minnesota Railroad company, of which he served as president in 1883, and which built the Decorah extension of the Burlington, Cedar Rapids & Northern railroad, and is now operated by that company.

Dr. Bulis married Miss Laura A. Adams of Champlain, N. Y., September 11, 1854. Their children are, William, who died in infancy; Frank Hamilton, who is married and lives in Kansas City, Kan.; Ada Amanda, who resides at home with her father. She is a graduate of the Iowa College of Grinnell, and is a teacher by profession. Mrs. Bulis died in 1861. He married June 17, 1863, Miss Harriette S. Adams, a sister of the first wife.

As will be seen by the above, Dr. Bulis early assumed an active and prominent part in local and state affairs, and that he has been a faithful public servant is vouched for by the fact that he held office with but few intermissions from his twenty-fifth to his sixty-sixth year. It is not given to many men to participate in the public affairs of two generations.

After completing his term as postmaster, Dr. Bulis retired from public life, and, though enfeebled in health, continued the practice of medicine among those to whom he had been so long the favorite family physician, until within the last four weeks of the last great change.

Lieut.-Gov. Henry Clay Bulis was an honest, faithful and useful public servant, a public-spirited citizen, and an honored representative of his noble profession.

"God's finger touched him, and he slept."

## HON. NATHANIEL ANSON MERRELL.

BY HON. SAMUEL M'NUTT.

Hon. Nathaniel A. Merrell, the subject of this brief sketch, for forty years a resident of De Witt, Clinton county, was born in the village of Copenhagen, Lewis county, N. Y., June 26, 1829. His early boyhood was spent on the farm, and from the age of 16 to 23, his years were passed between farm work, teaching school, and attending school. He then began to study law with an elder brother, Eliada S. Merrell, who was a judge of Lewis county. His parents, Seth and Mabel Sanford Merrell, were from Connecticut. His paternal grandfather was a soldier in the American army in the war of the revolution, and his father was a soldier in our second war with England. Thus you see he was of good patriotic ancestors.

In July, 1855, when 26 years of age, he was admitted to the bar in Watertown, N. Y., and in the spring of the next year he came to De Witt, Clinton county, which continued to be his home in Iowa. Here he built up a good reputation as an attorney, his professional career being one of marked success. He was a fluent speaker, and in any reasonably just cause was strong and persuasive before a jury, and always a reliable counsellor.

Mr. Merrell went into the Union army in the fall of 1862, as captain of Company D, 26th regiment Iowa volunteers, and in the battle of Arkansas Post he was severely wounded January 11, 1863. That regiment went into the engagement with 447 men and lost in killed and wounded 113 men, being over 25 per cent of the whole number in the field. Captain Merrell did valiant service in the Union army. His company and regiment were in the hardest of that battle. After recovering from his wound he resigned his commission April 18, 1863, and returning to De Witt resumed the practice of the law, and succeeded in building up a large and lucrative practice.

His neighbors who knew him best esteemed him highly as is shown, from the fact that he was two years mayor of De Witt, and was elected a member of the Iowa house of representatives of the Fourteenth general assembly, and a member of the senate during the fifteenth, sixteenth, seventeenth and eighteenth sessions. He soon became a leader in both branches of the general assembly in which he served, wielding as much influence as any member of his party. He was elected as a democrat and was the acknowledged leader of his party during his legislative terms. Some years ago he was a very prominent candidate before the democratic convention for governor, but failed to be nominated because of the belief prevailing in his party that a farmer candidate was, at that time, the most desirable.

At the November, 1895, election, Captain Merrell was again elected representative to the general assembly for Clinton county, being the candidate on the democratic ticket, and at the regular session held in 1896 he was one of the most active and laborious members. But toward the close of this year his health gave way, and on the last day of the year, viz., December 31, 1896, Captain Merrell died, aged 67 years, 6 months and 5 days.

Mr. Merrell was married at Lordville, N. Y., July 17, 1855, to Mrs. Mary A. Moman Merrell, the widow of his brother. Two children, Mrs. Will Lee and Miss Emma, and a sister, Mrs. Robb, were his immediate relatives at the time of his death.

In person he was of commanding presence. He had grey eyes, a ruddy complexion, stood perfectly erect, was six feet in height, and weighed about 250 pounds.

Much of the foregoing sketch was furnished by Hon. E. H. Thayer, editor of the Clinton Age, and the following mention of Captain Merrell, is in Judge Thayer's words, "No prominent man in Iowa politics was ever more popular with the masses. He was one of those big-hearted men whom everybody loved and respected. To his friends he was as true as the needle to the pole. A good man, a noble man, broad-gauged and great, he has gone to enjoy the reward which such men are promised in the "book of books."

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### .. CAPTAIN ISAAC W. GRIFFITH.

BY HON. ISAAC BRANDT.

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Isaac Watts Griffith was born in Trumbull county, Ohio, April 2, 1820. He was the son of Philip Griffith and Lydia Lee Griffith. His mother was a daughter of Abijah Lee and a cousin of Bishop Lee. His father, Philip Griffith, was a carpenter and joiner by trade. He removed from Montgomery county, New York, to Trumbull county, Ohio, in 1816, where both he and his wife spent the remainder of their days. His death occurred at the age of 58, and his wife died at the advanced age of 92 years.

Isaac W. Griffith received his early education in the public and private schools of Trumbull county. After leaving the district school he attended the academy at Farmington, Ohio, a branch of the Western Reserve college, situated in Portage county. At the age of 18 he launched out in life for himself, being wholly dependent upon himself. He had no capital with which to begin life, but possessed energy and determination, and step by step worked his way upward in life. August 30, 1838, he left Farmington and made an engagement with Mr. Grosleck, who contracted for his services for one year. He drove a team to Fort Madison, Iowa, then known as the Black Hawk purchase, after which he cultivated a farm until the time of his service had expired. Then he rented the same land and engaged in business for himself. When he had gathered his crop he went to West Point, Lee county, and worked at the carpenter's trade.

In September, 1840, he was united in marriage with Miss Eales Brand, a young lady living in West Point, Lee county, but a native of Morgantown,

Va., the ceremony being performed by Parson Asa Turner, of Denmark, Iowa. She was the daughter of Samuel Brand and Margaret Gilbert Brand, both of whom were the descendants of the first families of Virginia.

In 1839, during the troubles concerning the boundary line between Iowa and Missouri, Isaac W. Griffith was sent to the disputed territory, where it was feared blood would be shed. The questions in controversy were settled, however, by the supreme court of the United States, and he returned home. Shortly afterward he was appointed lieutenant of the state militia by Governor Lucas, and in 1843 was commissioned captain by Governor Chambers. In 1846 he volunteered under the first call for troops for the Mexican war, but was unable to get into the army. Later a regiment was organized comprising six Ohio companies, two companies from Michigan, one from Wisconsin and one from Iowa, known as the Fifteenth United States Infantry. Captain Griffith was a sergeant in Company K, which formed a part of the regiment. In 1847 his regiment was ordered to Mexico to join the forces under General Scott at Vera Cruz. They reported July 10, 1847, and were engaged in a number of battles and skirmishes, in one of which, at Cherubusco, Sergeant Griffith was wounded, a ball striking him just above the elbow of the right arm. The wound proved to be a very serious one, and his arm was amputated. He remained with his regiment until October 27, 1847, when he was discharged from the service and he returned to his home in Lee county. The papers had reported that he had been killed and his return home was a glad surprise to his young wife. He was elected a member of the house of representatives in 1848, it being the Second general assembly. He discharged the duty of that honorable position with eminent ability and to the satisfaction of his constituents. At the expiration of the session he was appointed deputy sheriff of Lee county. In 1850 he was appointed on the police force in the city of Washington, D. C., where he continued to serve for a year after the election of James Buchanan in 1856. His family remained in Washington until 1858, when he was appointed register of the United States land office, which he continued to hold until July 1, 1861. During the exciting times attending the breaking out of the rebellion, he was appointed on a committee to attend to the war expenses and other matters. In the fall of 1861 he was elected sheriff of Polk county and entered upon the discharge of the duties of sheriff January 1, 1862. He served out his full term with great credit to himself and friends. In January, 1864, he was appointed deputy United States marshal for the western district of Tennessee, which position he held until 1868, when he and his family again returned to Des Moines. The succeeding six years of his life were spent in charge of a toll bridge and different enterprises with which he earned a livelihood for himself and family.

Isaac W. Griffith died in Des Moines, Iowa, January 6, 1897, aged 76 years, 9 months and 4 days. Isaac W. Griffith was a man of genial manners, strong and vigorous in stature, and of marked personality. His honest and frank expression commanded the respect of all persons who made his acquaintance. He was everybody's friend. He seemed to know just what to do to make his friends happy. He never spoke evil words about any person. His object in life was to do good and make the world better. His love of country was unbounded. He willingly embraced the first opportunity to give his services to his country in the Mexican war, and gave his strong right arm at the battle of Cherubusco. His military record is an

honor to his descendants and our state. He was one of Iowa's earliest legislators, and the impress of his thoughtful mind is part of the records of our state. He introduced the first bill to exempt the homestead from execution. As an officer he was painstaking and obliging, discharging every duty faithfully. He lived to a ripe old age, loved and respected by every one. His married life was a perfect one, raised a family of intelligent boys and girls, lived to have his golden wedding attended by his children and grandchildren, with hundreds of his friends and neighbors. His life was a model for future generations. His funeral was a military one, conducted by his comrades of the Mexican war and the Grand Army post of Des Moines. Part of a flag that he marched under during the Mexican war was placed upon his coffin when lowered in his grave, by Judge Josiah Given, a Mexican soldier. His remains rest in Woodland cemetery.

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### GENERAL WILLIAM THOMPSON.

BY JUDGE P. M. CASADY.

Gen. William Thompson was born at Manalens, Fayette county, Pa., November 10, 1813, and died at Tacoma, Wash., October 6, 1897 at the age of 84 years. His family removed to Mt. Vernon, Ohio, in 1817. He was admitted to the bar in the fall of 1838. He, soon after his admission to the bar, came to Mt. Pleasant, Iowa. In 1843 he became a member of the territorial legislature. He served a number of terms as chief clerk of the house of representatives and also as clerk of the constitutional convention in 1846.

His first service in the territory of Iowa was as lieutenant of the militia, was adjutant of General Brazelton's brigade, and served in that capacity in the boundary line war between Iowa and Missouri.

His last service was in the rebellion, as captain, colonel and brevet-general of volunteers, and as captain in the Seventh United States cavalry. His first service and his last public service was in the military. He was elected and served in the Thirtieth congress of the United States and was re-elected to the Thirty first congress. He performed all the duties of the number of civil and military offices which had been entrusted to his care from the lieutenantship of the militia and the mayoralty of the new town of Mt. Pleasant, with fidelity. The promotions show that his duties in the volunteers and regular army service were of the highest order for bravery and capacity.

I am indebted to the military order of the Loyal Legion of the United States, for his early history but from 1846 until his passing away I have been familiar with his public career. He attended our first Pioneer Law-makers' Association and was entertained by his old friend, Robert L. Tidrich. There never was a whisper against him for crookedness or unfaithfulness or neglect of duty, always reliable and strictly honest.

## HON. JAMES D. BOURNE.

BY CAPT. E. D. HADLEY.

Hon. James D. Bourne was born on Cedar River, Prince William county, Va., January 27, 1811, his parents, William and Elizabeth Chesley Bourne, belonging to prominent Maryland families, having removed from Calvert county, Md., several years prior to his birth.

In 1812 the family toiled across the mountains to Wheeling, floated on a flatboat down the Ohio river to Louisville, Ky., and settled in Spencer county, near Taylorsville.

In 1824 they voyaged by keel-boat down the Ohio river and up the Mississippi to Hannibal, Mo., from which place, the following year, they removed to La Grange, Lewis county, Mo., where the father of the subject of this sketch followed farming until his death in 1846.

The pioneer life of James D. Bourne began in infancy in the frontier log house and did not end until middle life. Never living, in his boyhood, within reach of free schools, his opportunities for education were meager.

In Kentucky, while a lad not yet in his teens, he walked four miles to attend a subscription school, and in Missouri he went three months to one ten miles away.

Leaving the parental roof in 1832, at the age of 21, he engaged in lead mining near Galena, Ill. In January, 1833 he was at Potosi, Grant county, Wis., in the same business, and, in conjunction with his brother Robert, erected the first log furnace at Potosi for smelting ore.

In May, 1833, he removed to Dubuque, again digging for lead ore, and from this year dates his residence in Iowa.

In 1836 he removed to a place on the banks of the Wapsipinicon river, now a part of Clinton county, in the southwest corner of Eden township, and erected a log cabin where he lived alone, except for the companionship of his four dogs and his gun, his only property, he being an accomplished hunter and woodsman, furnishing his table for several years with the spoils of the chase, his favorite game being deer.

In 1837 he was appointed postmaster at Wapsipinicon, on the mail route following the trail between Davenport and Dubuque.

In 1840 he removed to the incipient county seat, De Witt, and in 1841, erected a frame house in which he lived ever after and died, it being the oldest frame house in the county and now occupied by his son. He entered the land for the town site at the U. S. land office at Dubuque.

Mr. Bourne was the first sheriff of Clinton county, having been appointed by Governor Dodge, in 1840, and serving eight years, and as such sheriff organized the county.

As deputy United States marshal he took the census of Clinton county in 1840, and again in 1850, returning 841 inhabitants at the former date and 2,822 at the latter, and received flattering compliments for the excellence of his work from the authorities above him.

In August, 1848, he was elected a member of the Second general assembly as a whig, and affiliated with that party until its death, and maintained his allegiance to its principles afterward, but voted with the democracy, not that he loved that party more but the republican party less.

The fidelity, efficiency, and accuracy which characterized his official career in Clinton county were brought to the discharge of his duties in the larger field of the state legislature, in which he served on the committee of ways and means of the house. The constancy of his attendance upon the sessions of the house of representatives is evidenced by the journal's record of the votes cast upon division by roll call. In that brief session, which convened December 4, 1848, and closed January 15, 1849, there were 114 divisions by roll call and Mr. Bourne's vote was recorded upon 106 of them. Upon party measures he voted with his party, always in the minority. Upon measures not political he voted for what he deemed to be the best interests of the state. This session being held in the formative period of Iowa's history many measures were adopted which were the beginnings of Iowa's institutions of to-day, among which may be mentioned the homestead exemption law and a law establishing a system of common schools. Mr. Bourne was active in securing the passage of these two measures of primal importance.

The law creating the office of state printer was passed at this session. Mr. Bourne's vote was cast against it. In the election of state printer, that followed, he would not endorse it with a serious vote, but voted for Martin Van Buren, whom he did not by any means admire.

A contemporary in the senate, Hon. P. M. Cassady, says, that although he did not come into close contact with him in committee or elsewhere, Mr. Bourne appeared to be a bright and active member of the house, with a reputation for economy in public expenditures. The record shows that he tried earnestly to guard the treasury.

In 1850 he was appointed United States commissioner. In 1851 he was elected recorder and treasurer of the county, and served two years. It is an historical fact that the records of Clinton county show that Mr. Bourne retired from office a creditor of the county in the sum of \$20, the amount overpaid by him on settlement, and which the county still retains.

In 1862 Mr. Bourne was the candidate of the Clinton county democrats for clerk of the courts, but the party was in the minority and he was defeated by a small majority.

In 1863 he was admitted to the bar of Clinton county by Judge Dillon, the suggestion coming from the judge himself, but he never practiced as an attorney.

In 1842 he was married to Miss Christiana Denis, a native of Lockport, N. Y., who died November 23, 1890. She was a faithful and industrious wife and a devoted mother. There were born to them ten children, of whom four are now living, Mrs. Mary E. Hadley and Mrs. Nannie B. France, of Des Moines; Mrs. Margaret V. Lambertson and Mr. R. L. Bourne, of DeWitt.

Mr. Bourne, in his active days, was a large dealer in real estate and a successful manager of his own business and of the extensive interests of others. His later years were peaceful and uneventful, while his mind was, to the last, clear and active and filled with an intense interest in current events, upon which his constant reading kept him thoroughly informed.

He was positive and outspoken in his opinions, firm in his convictions, scrupulously honest, a lover of justice and a despiser of shams. His children, grandchildren, and others received substantial evidence, unostentatiously given, of his tenderness of heart.

He manifested great interest in meteorological matters, and kept a daily record of thermometrical observations, taken three times a day, which, at the time of his death, had been published weekly in the local paper for eighteen years.

He died at DeWitt, Iowa, April 8, 1893, aged 82 years, 2 months, and 12 days.

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#### ANDERSON MCPHERRIN.

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Anderson McPherrin was born in Butler county, Penn., October 6, 1810, and died at the home of his son James, near Keosauqua, March 25, 1897, aged 86 years, 5 months and 15 days.

He settled in Van Buren county in 1841, and had been a continuous resident since. He was elected to the lower house of the legislature twice, first in 1846, and last in 1852. He was deputy sheriff under James Johnston, of near Utica, in 1846-8, and was the first superintendent of schools in the county in 1855.

Mr. McPherrin was married to Minerva Johnston in 1849. Four children were the fruit of this union, three sons and one daughter, all of whom survive him. His wife died June 7, 1887. He was a member and officer of the Presbyterian church for many years. Spare in form and careful in his habits, his life was prolonged to a good old age. Judge Wright said of him, "To say that he is good and honest is but simple truth and no faint praise." He was of religious stock, his father, John McPherrin, being a Presbyterian minister of no mean ability, and Mr. McPherrin himself was exceptionally able in prayer and exhortation. One of his expressions during the first part of his last sickness was, "When we are called to leave this world there is nothing so comforting as that imperishable faith that enables us to take hold of eternal life." He was buried by the side of his wife in the Miller chapel cemetery, March 26, 1897, after services held in the chapel by Rev. C. W. Shepherd.

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**HON. PHILO G. C. MERRILL.**

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BY DR. M. A. DASHIELL.

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Philo G. C. Merrill was born in Stowe, state of Vermont, in 1866. He emigrated while a youth, and settled in Meriden, N. H., where he received a liberal common school education. In early manhood he again returned to the state of Vermont and settled in Hartland, where, in the year of 1845, he married Miss Sophia Woodward. They remained at Hartland until the year 1853, when they emigrated to the state of Iowa and settled at Palmyra, Warren county, where he engaged in the mercantile business, until the breaking out of the rebellion in 1861, when he assisted in raising Company G., Third regiment of Iowa volunteers, and was elected and commissioned first lieutenant of said company, in which capacity he served his country faithfully for about two years, when he was wounded, and taken prisoner. After his release from prison his health became so poor that he resigned and returned to his home. Lieut. P. G. C. Merrill was elected to the state senate in 1863 and was a member of the Tenth general assembly, serving one session, when he resigned and removed to Grinnell, Poweshiek county, where he resided until 1890, then removed to Stillwater, Minn., where he remained till 1895, when he removed to Des Moines, Iowa, where he died August 27, 1897. Sophia Merrill, his wife, is still living in the enjoyment of good health, at 509 West Fourth street, Des Moines, Iowa. Born to Mr. and Mrs. Merrill three children, all boys, John H. Merrill of Des Moines, G. W. Merrill of Grinnell, and Dr. B. J. Merrill of Stillwater, Minn., who survive him, and mourn the loss of a kind and loving husband and father.

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**HON. GEORGE W. BASSETT.**

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BY HON. GEO. E. ROBERTS.

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George Washington Bassett, whose useful career closed at Elsinore, Cal., on the 6th day of February, 1896, was born of revolutionary stock, but in Canada. His mother, whose father had lost an arm at the battle of Bennington, and was a member of congress during Washington's presidential term, although then a resident on British soil, had the blood of the minute men in her veins, and to consecrate her boy to the land of her affections called him George Washington. The family later returned to the United States and moved to the west.

The intellectual heritage of the children inclined them to studious habits and to efforts for an education. The son George applied himself to

the cooper's trade, but while his hands made barrels his mind held to a fixed resolution to have a college training. There were eight children in his father's family and no help could come from there. Wages were small in those days and it was a great undertaking for a boy to work his way through college. There was not much "fun" in such a college career. It was serious business. It required a high purpose in life, and a sturdy character to sustain a young man through all of the sacrifices and discouragements which had to be met during the years that such an effort was maintained. The resolution that will carry a boy with unwavering purpose, through year after year of such labor needs only to be guided aright to make a noble career in any avenue of endeavor. George W. Bassett entered Wabash college, at Crawfordsville, Ind., and completed its course of study, paying his way by his own earnings at manual labor. It is probable that some results of over-exertion during those years were endured by him in after life. The members of the faculty were interested in him and urged him to enter the ministry, there being a fund to assist young men who were preparing for that career. But the young man, although a devout Christian, felt no call to preach and preferred to pay his own way.

After finishing his collegiate course, Mr. Bassett determined to adopt the law as a profession, and as soon as he could earn the money to pay his expenses, entered a law school at Cincinnati. After graduating there he came to Iowa, locating at Des Moines, where he remained some months in the office of Hon. John A. Kasson. Fort Dodge was considered a promising point and in 1858 he came here to locate, bringing letters of introduction from Mr. Kasson to Hon. C. C. Carpenter and others. He formed a law partnership with Judge W. N. Meservey, which lasted until he enlisted in the army.

Mr. Bassett's antecedents were anti-slavery and his convictions upon the subject were not only intellectually clear but rooted in his very nature. His act of enlistment may be taken as an index to his character. He had no taste for the camp or any of the bloody or spectacular business of war. He was quiet, studious, intellectual in his tastes, and methodical, industrious and thrifty in his habits. He was past 30 years old, and knew the value of his time. His health was so delicate that general surprise was expressed at his enlistment and few expected that he would ever be fit for active duty. One sentiment alone moved him to be a soldier, and that sentiment was the guiding force of his life, his sense of duty. He enlisted in the company which was raised here in 1861, and which became Company A of the Eleventh Pennsylvania cavalry. G. S. Ringland was elected first lieutenant and Mr. Bassett second lieutenant. Its service was in the army of the Potomac. His service as a soldier was like his service in every other line of effort, faithful to the utmost. He looked, and was, delicate, and his comrades wondered how he kept up, but they never heard a complaint, and he was always ready for duty. He was wounded twice, and as a result was mustered out in the fall of 1862.

He returned to Fort Dodge and the following year, 1863, was elected to the state senate and served in the Tenth and Eleventh general assemblies. He resumed the practice of law in Fort Dodge and continued it until he was made agent for the Iowa Agricultural College, in charge of its endowment lands. This position he held until the lands were practically disposed of, about ten years ago, when he resigned. Its duties were

discharged with perfect efficiency and fidelity, and he held the enduring regard of all who were connected with the institution during his term of service.

His health, impaired by over-exertion during his school days and weakened by the shock of wounds and by rheumatism acquired in the army, compelled him at length to seek a milder climate, which he found in California. There occurred one of the most fortunate and happy events of his life, his marriage to Miss Florence Requa, seven years ago. A daughter was born to them, now five years old, and it is comfort and joy to all who knew the gentle heart of the man and his unselfish life, out of which flowed kindness and goodness and blessings and service from boyhood to eventide, that his life was thus enriched and that his heart knew the love of his own child.

Mr. Bassett spent nearly all the years of his active business career in Fort Dodge, and none can so well appreciate his character as the old residents of this place. Among them, and indeed, among all who knew him, there is no variation in judgment. A thought of his life is an inspiration to good deeds. As student, as soldier, as public official, as business man, no influence that was not wholesome and beneficial ever came from him. His integrity knew no temptations. His conduct and career were not guided by considerations of passing interest or policy, but by principles of life to which he was true without calculation or debate. He did what he conceived to be right, and to be his duty, without suggestion, without complaint, without remark, without a thought of sympathy or reward. He was loyal to noble ideals—perhaps it would be truer to say *a noble ideal*, for he acknowledged one only. But his high conceptions of life, or character, and of duty, wherever obtained, stood over him, and led him, and ennobled his work, as he chopped the wood, and made the barrels, that paid his way through college, as he stood on picket in the Virginia hills, and in everyday business of life. He strove to make the most he could of himself, and although he lost much of time and energy by reason of ill health, he never lost any time, or strength, or money, by evil habits or associations. He was not impetuous, but he was resolute. He was not "enterprising," and "public spirited" in the sense those terms are sometimes used to describe a disposition to go into new projects readily, but when the future of Fort Dodge seemed to be threatened by a railroad project, he was one of the most active and determined in the little company of men who, at great hazard, built the road which afterwards passed over to the Minneapolis & St. Louis and secured a northern outlet. At a less critical time he would not have risked a penny in such an enterprise. By this same spirit, while prudent and conservative, knowing the value of money, he was systematically generous whenever there was good to be done or the public could really be benefited.

It was not his to be famous, or to play any conspicuous part in public affairs, but, now that the record is all written, who will say that the example of his life is of less value for that reason? It is idle for all young men to expect to achieve fame, and what the world needs is not men "great" in ability to surpass their fellows, but men firm in an enlightened purpose to be faithful to every duty which falls to them. Such a man has passed away. Judged by this supreme test his life was complete. May its

story, though told but briefly and without thousands of details over which those who knew him love to linger, plant in every young man who reads it a resolution to live to his purposes

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GOV. STEPHEN HEMPSTEAD.

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BY HON. F. M. KNOLL, DUBUQUE, IOWA.

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Hon. Stephen Hempstead was born at New London, Conn., October 1, 1812, removed with his parents to St. Louis, Mo., settling on a farm a few miles from the city, in the spring of 1830. He went to Galena and was there during the Sac and Fox war, and was an officer in an artillery company which was organized for the protection of the place. After the defeat of Black Hawk and the close of the war, he entered as a student of Illinois college at Jacksonville, remaining there about two years, then returned to Missouri and commenced the study of law, and finished the regular course under his uncle, Charles S. Hempstead, then a prominent lawyer of Galena. In 1836 he was admitted to practice in all the courts of the then territory of Wisconsin, which then embraced the territory of Iowa, and in the same year located in the town of Dubuque, and was the first lawyer who commenced the practice of his profession in the place. Upon the organization of the territorial government of Iowa, in 1838, he was, with Gen. Warner Lewis, elected to represent the northern portion of the territory in the legislative council, which assembled at Burlington during that year. He was chairman of the judiciary committee during that session. At the second session of that body he was chosen president thereof. He was again elected a member of the council in 1842, which was held at Iowa City, and was again chosen president of the same. In 1844 he was chosen one of the delegates of Dubuque county to the first convention to frame a constitution for the state of Iowa, and was chairman of the committee on incorporations. In 1848 he was, with Judge Charles Mason and Judge W. G. Woodward, appointed commissioner by the legislature to revise the laws of the state of Iowa, and which revision, with a few amendments, was adopted as the code of Iowa of 1851. In 1850 he was elected governor of the state of Iowa, and held that office for the term of four years, being the full term of the then constitution, and being the second governor of the state.

Toward the close of his term as governor he was nominated by his party for congress, but owing to the excitement at the time due to the passage of the Kansas-Nebraska bill he was defeated by James Thorington, of Davenport. In 1855 he was elected county judge of Dubuque county, and held that office, and afterwards that of auditor, until the 1st of January, 1874, when he retired to private life. He died early in the spring of 1883, the exact date I have forgotten.

To show the trait of Governor Hempstead's character I will give but one incident, which, perhaps, at present, is scarcely remembered by anyone else. In 1840, after the expiration of his first term in the legislative council, he was a candidate for re-election, General Geban, afterwards

United States marshal, was his opponent. At the day of election, owing to his deep sense of honor and his proverbial courtesy, he could not bring himself to vote for himself, but he cast his ballot for his opponent, thus electing General Gehan by one vote. He never seemed to like to talk about this, but in early times I often heard others speak about it, and upon asking him one time in later years he admitted it to be a fact.

Governor Hempstead, in his demeanor, was dignified, courteous, and polite to everybody. I have never heard him speak ill of anybody, neither have I ever heard anybody speak ill of him. He was the soul of honesty, and generous to a fault, causing him to die quite a poor man. His three children, two sons and one daughter, are living outside of this state.

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### GENERAL A. K. EATON.

BY JUDGE P. M. CASADY.

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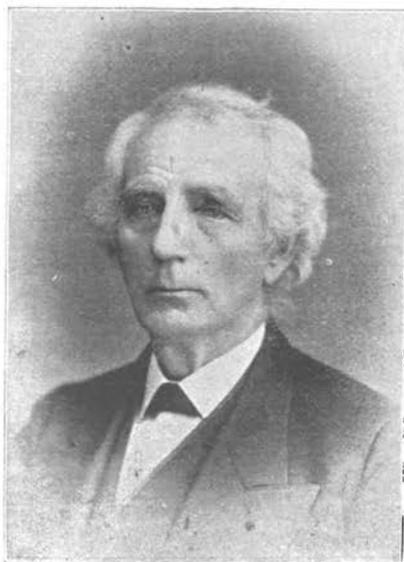
Arial Kendrick Eaton, was born in Sutton, N. H., December 1, 1813; and died in the city of Osage, Mitchell county, Iowa, July 14, 1896, in his 83d year. His early days were spent on the stony hill farm, working with his widowed mother to maintain the family, with but little time to spend in school until 1831, at which time he attended a select school. He, as soon as he was qualified, commenced teaching in his native state, Massachusetts, and Ohio. During the time he taught school in Ohio, he found time to study law with Hon. Wade Loofboro, and formed a personal acquaintance with Gov. William Allen, and a number of other prominent Ohio men. On the 3d of June, 1839, he was married to Sarah Ann McArthur, of Washington Court House, who died there on the 15th of June, 1840. He then turned his face to the west and came to Winchester, Randolph county, Ind. The county at that time contained about 11,000 inhabitants. The county is about the highest land in the state, for in or near Randolph county, the head waters of the Big Miami, White Water, Blue river, White river, the Mississenewa, the Solamonie, Wabash and St. Mary's, all running in different directions, take their rise. After a year's residence in the county he was elected county auditor and chosen his own successor in 1842, the people of the county having become acquainted with his qualifications and integrity in so short a time.

On account of ill-health he resigned his office in 1844. Prior to this date he had been licensed to practice law and soon became an attorney of prominence at the bar in Winchester. On December 7th of that year he was married to Miss Sarah Jarnagin, who survives him. During his residence in Indiana, and while he was engaged in the practice of the law, he became acquainted with Gen. Lightman Howard, Governor Milliard, Judge Jeremiah Smith, Judge Samuel E. Perkins, and many other distinguished men of that state. His straightforward course and genial manners soon attracted the attention of men of worth to him and made it easy for him to become acquainted in any community in which he might locate. In 1846, before Iowa became a state, he crossed the Mississippi river and settled at Delhi, Delaware county, in a log cabin, the second one built on the





**HON. CHARLES ALDRICH,**  
Curator Historical Department.



**GENERAL EATON.**

town plat. The people of the then new county soon became acquainted with Mr. Eaton and elected him to the offices of prosecuting attorney, county judge, probate judge, and a member of the house of representatives in the Third and Fourth general assemblies. In the Third general assembly he took an active and leading part in the debates of the house, suggested the name of Bremer county in honor of Fredrika Bremer, the Swedish novelist, gem of literature, writer for millions, and uplifter of humanity.

Mr. Eaton was chairman of the committee on schools, at that time an important committee. The state was new, having been organized only a few years, and the schools not systematized. Mr. Eaton devoted a great part of his time trying to devise a system for the new state. He said, in a speech delivered before the association of Pioneer Lawmakers, in February, 1892: "We had many meetings. Met with Benton, Mason and Woodward, and with the senate committee, many times, and made every effort to agree, but failed. February 4th 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. Mr. Eaton did what he could to pass it in the house, but failed. He said, "I consider it a relic of barbarism and it should be abolished."

He, at that time, favored a high license, but in after years modified his views on the liquor question.

During this session the code of 1851 was passed.

It was a session of labor from the first to the last, the yeas and nays having been called 204 times in a session of sixty-six days; members receiving \$116 and mileage for their services.

His record, from the time he left the Granite state, had been so reliable and the offices and positions held by him, had been filled with such marked ability, the president, Franklin Pierce, appointed him to the important office of receiver of public moneys, in the Turkey river land district in northeastern Iowa. The office was held at Decorah for nine months. In 1856, the land office was removed to Osage in Mitchell county; the general and family came with it and remained in office until the expiration of his term, and made Osage from that time until he passed away, his home for himself and family. The general retired from active duties as a lawyer some years since, but being gifted with the pen, he has contributed a number of articles for the papers of his town, entitled "Scraps of History."

On the 7th of December, 1894, at his home in Osage, his numerous neighbors and friends, some of whom had been acquainted with him and his good wife for nearly forty years, assembled at their residence to assist in celebrating their golden wedding, having been married December 7, 1844. Two hundred and fifty of the best people of the town of Osage were present. Presents were not desired nor expected; they crowded in unbidden. Two elegant gold spoons from the daughters of Iowa's venerable oak, Gen. George W. Jones of Dubuque, a rare book from the general and other presents, a gift from eighty-five Osage business men, and other sums and presents from others abroad, "but the gift above gifts, was the presence, the

assembly of the guests, which gathered around the patriarchal forms of the general and his wife to exchange kind greetings and fond remembrances." This was a notable event in Osage, and will be long remembered by the people of that place and vicinity.

General Eaton left two sons, one a farmer and Hon. William L. Eaton, the talented and brilliant member of the house of representatives of the Twenty-seventh general assembly, who, upon the visit of the pioneer lawmakers to the house, greeted the old lawmakers with an eloquent address.

The association was favored with music furnished by Mrs. Tillie Bartlett, Miss Mamie Hanna, J. W. Muffley and Capt. C. Sweeney, accompanied by C. M. Griggsby.

President Sherman said:

I would like to report that I have a communication from the Senate, stating that it will be convenient for them to visit us at 11 o'clock, and I intimated to them that that hour would be convenient for us.

A lengthy discussion, opened by ex-Lieutenant-Governor Gue, took place regarding a change in the name of the association, which was thought by some as somewhat misleading, inasmuch as there are members of the association who are not, properly speaking, pioneer lawmakers, but the idea was opposed by a number for various reasons, and it was finally decided that the name Pioneer Lawmakers should stand

Judge Cole said:

I would like to make a suggestion or request, and put it in the form of a motion. It relates to Judge Francis Springer, who was president of the constitutional convention of 1857, and who was judge of the district court for a long time.

Judge Springer was one of the most successful presiding officers that ever presided over a political body. He is, I understand, now at the home of his son, in New Mexico, and is very near his end.

I wish to say that in extending to Judge Springer the sympathies of this association in his affliction, and assuring him of our remembrances, we will thereby contribute to his joy and peace of mind, and will do ourselves much credit

I cannot say too much in honor of Judge Springer. I knew him as a district judge during the time of my jurisdiction on the supreme bench, and I know how he was recognized and with what deference his opinions were met with, and I can speak of him as a man who is well deserving of every honor in our power to bestow. I move, therefore, that the sympathies of this association be extended to Judge Springer.

Hon. E. H. Stiles said:

I desire to amend the motion of Judge Cole by adding to it the name of Judge H. B. Hendershot, of Ottumwa. He was the first clerk of Wapello county on its organization, immediately after the second purchase, which brought that territory within the control of the government. He has always been regarded as an able lawyer, and as a most upright gentleman in every respect. He was judge when I was admitted to the bar in 1857,

and he was esteemed and looked upon as one of the very best judges that adorned the bench in Iowa.

Some five or six years ago he met with an accident. On leaping from a car he was thrown to the ground, and from that time to the present, he has been a cripple. He is confined to his bed a good portion of the time, and only able to make his way about by the assistance of crutches

He was born in 1816, and is, therefore, now in his 82d year, and drawing near his end, and under conditions that are not the most hopeful, or at least as much so as we could desire.

I have always had the highest personal regard for him as a lawyer, judge, and citizen. He has always had the interest of the people of Iowa at heart, a patriot in every sense of the word, and I think a letter of the kind embodied in Judge Cole's motion would be very joyfully received by him, and would smooth away the pain to his resting place, where we must all come.

Judge Cole said:

I wish to say that I have known Judge Hendershot for forty years, and confirm everything my brother says regarding him, and my sympathies will go out to him, and I must second that amendment.

L. W. Ross said:

There is one man whom I would like to have noticed by this association. I am not aware that he has ever been a member of the legislature, but he was a member of this board of education, which Mr. Perry spoke of this morning.

He is now in his 82d or 83d year, and has lived an ideal life. He is without children, his wife has passed away, and he is alone, in one sense, in the world. I refer to Colonel Bloomer, of Council Bluffs.

I know of no citizen of Iowa who is more entitled to the reputation of having lived a perfect life, doing good all the while, and doing no evil or wrong. Our best school-houses are his monument, and he has devoted years of his life to the cause of common school education, and to the establishment and development of public libraries, so that in every respect he is a good, worthy and esteemed citizen.

Colonel Scott said:

I rise to the point as to whether Mr. Bloomer is not entitled to full membership in this association, although not having been present to claim it. Does he not occupy a position which entitles him to a place on our roll? I think so. I would simply suggest that in place of awarding him, if you please, any membership in this association, he having the right to be entered upon our rolls, that instead of that there be taken the same action in regard to Mr. Bloomer that has been taken in regard to the other gentlemen named. I think it is more significant than it would be to enroll him as an honorary member of the association; that is my thought in regard to it.

I would prefer it, myself, and I regard it as altogether his due, and a higher honor than this honorary membership, which I understand is con-

ferred upon those who have not the rights. To this, our associate, Mr. Bloomer, has a right, so that I would prefer, if our Brother Ross would withdraw his proposition, and let it be placed upon the other basis.

It was finally ordered that a letter of greeting should be sent by the president and secretary, on behalf of the association, to the parties named, and also to Cole Noel, J. C. Traer, Gideon S. Bailey, Judge Shane, A. H. McCrary, John Selman and other absent members.

Mr. Todhunter suggested that a member be appointed in each county to report names of those entitled to membership.

Mr. L. Hollingsworth moved that the vice-president of each particular district perform that duty, and that this authority be conferred at once, which motion prevailed.

Gov. Warren S. Dungan offered a resolution to be submitted to the general assembly now in session, relative to the construction of a state historical building, which, after some favorable remarks from Hon. A. B. F. Hildreth, was unanimously adopted. The resolution is as follows:

*To the Senate and House of Representatives of the Twenty-seventh General Assembly of Iowa:*

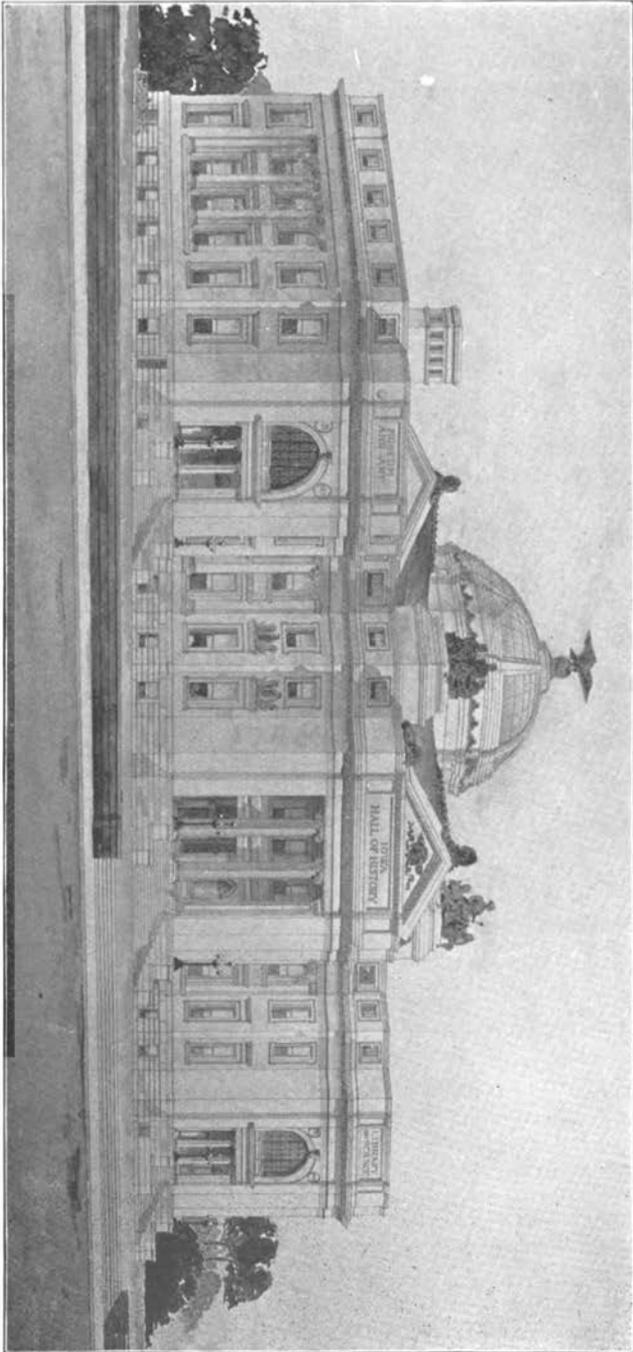
The Pioneer Lawmakers' Association disclaiming any purpose in its organization or action to attempt in any way to influence the current legislation of the state, yet being organized, in part, for the purpose of collecting and recording the earlier history of the state, and in that interest alone we respectfully, but earnestly, invite your attention and favorable action upon such measures as may come before you having for their purpose the securing of a proper and commodious historical building for the use of the historical department of Iowa, putting our beloved state in the front rank of states in the fullness and richness of its historical treasures.

A motion by Hon. R. D. Kellogg was made and carried that our president present this resolution in person to the two branches of the general assembly upon the occasion of our visit on the 11th inst., as agreed upon.

The following additional communication was received by the association from J. E. Clarey, relative to members' photographs.

MR. SHERMAN—Mr. Edinger, 609 Walnut, would like the pioneer law-makers to sit to-morrow forenoon. He says if they are all there at 9 o'clock he can be through with them by 9:20 or 9:30. If any other members go home to-night, please have them be sure and send photographs that they may have. Address them to me or to Illustrated Iowa, Des Moines.

J. E. CLAREY.



**PROPOSED IOWA ART HALL AND HISTORICAL MUSEUM.**

*By permission O. O. Smith, Architect.*



Hon. Samuel McNutt moved that the members of the association proceed to the artist in squads to have their photographs taken, as per request, beginning at 10 o'clock, on the 11th inst. Motion carried.

On motion of Judge Cole the association adjourned until 9 o'clock to-morrow morning.

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### THIRD DAY—MORNING SESSION.

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FRIDAY FEBRUARY 11, 1898.

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The Pioneer Lawmakers' Association met, pursuant to adjournment, at 9 o'clock A. M. and was called to order by the president, Maj Hoyt Sherman.

A quartette led by J. W. Muffly sang our national hymn, "America."

The committee to visit the governor reported that he had left the city. He returned in season to receive us in his office.

The question of eligibility to membership was sprung, and by request President Sherman read the words of the constitution in regard thereto, but it appears that the constitution needs an interpretation, which the association alone is competent to render.

Mr. John M. Davis insisted that it would be a satisfaction to many, if such interpretation could be given.

Hon. C. S. Wilson moved that a committee be appointed to whom such matter be referred. Col. John Scott suggested that the executive committee could attend to it, and there the question seems to have rested.

A committee of the senate composed of Senators Berry, Blanchard, Everall, Hurst and Lothrop called and announced that the legislative body they represented would be ready to receive the members of our association in the senate chamber at 3 o'clock P. M. The invitation was accepted and the committee, on motion of Mr. Braudt, were invited to seats with us, after which they were severally introduced to our members.

Upon motion of Judge Chester C. Cole, Senator Dashiell, was authorized to prepare a biographical sketch of P. G. C. Merrill, deceased, a former senator from Warren county, for publication with our proceedings.

The widow of Senator Merrill was a visitor with us this morning.

Senator Ross, chairman of committee on resolutions, made the following report:

1. Grateful to the common Father of all for continued life and health and strength of mind and body, we here extend congratulations to all the people of this commonwealth for growth in intelligence, morality and material well-being.

2. Thankful to those of our number who have so wisely planned this reunion, calling out many contributions to the early history of our state, we now express our belief that our association will be made a valuable auxiliary to the historical department of Iowa, and that the future student of our generation will find in our archives reliable facts upon which to construct a true history of that which we have seen and of which we have been humble factors.

That the thanks of this association are justly due and are hereby cordially extended to Gov. John Scott, our retiring president, for the dignified, kindly and considerate manner in which he has discharged the duties of his office.

The association also extends thanks to Gov. B. F. Gue, the efficient secretary, for his successful efforts in making the sixth session so complete in every particular. The assistant secretary, John M. Davis, is commended for his faithful work in recording the proceedings of the association.

Thanks of the association are hereby extended to the executive committee, Isaac Brandt, Maj. B. D. Kellogg and E. S. Finkbine, for the aid the committee rendered to the secretary for the arrangements made for the accomodation of the members.

We take pleasure in acknowledging the welcome accorded us by the good people of Des Moines, and in assuring them of the enjoyment experienced from the opening session to the moment of final adjournment.

We further acknowledge our obligation to the Capital City Commercial college for reporting the proceedings of this reunion so accurately, and we here express our appreciation of this particular service, and of the ladies, Mrs. Sarah G. French and Miss Jennie Ruecker, executing the same. The excellence of this work evidences that the instruction given in that institution is of high order.

We still further desire to tender thanks to W. P. Guiberson, Miss Grace Johnson, Miss Bessie Coddington, Miss Nellie Thompson, Mrs. Colonel Godfrey, J. W. Muffy, Mrs. Ottelia Bartlett, Miss Florence Hanna, Capt. C. H. Sweeney and C. M. Grigsby for musical numbers rendered at our daily sessions, and to express the hope that they and each of them may long be preserved in heart, in hand and in voice.

And lastly we desire to express to Maj. Hoyt Sherman our heartfelt thanks for opening his comfortable home and extending to us an honest hand. The reception was so cordial and sincere as to make the occasion a lasting memory.

On motion of Gov. Frank Campbell they were adopted unan-  
imously, by a rising vote.

On motion it was ordered that when our association adjourns it will be to meet at 1:45 o'clock in the office of the custodian of the capitol and to proceed from thence in a body to the house of representatives; which order was announced by the president from the chair.

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### FRIDAY AFTERNOON.

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The members of the association assembled at the state house and proceeded in a body to the house of representatives. They were received by Speaker Funk with words of welcome, after which Representative Eaton of Mitchell county was called out and spoke as follows:

**MR. SPEAKER**—I beg permission to turn from you and the members of this house to our guests, the Pioneer Lawmakers of Iowa.

Gentlemen, it gives me pleasure to speak on behalf of the members of this house and at this hour tender to you a generous and kindly greeting. The welcome that I extend to you is one to our hearts and affections. It would touch the confines of absurdity to welcome you to this beautiful room. Your heads are frosted with the snows that never melt. Many of you participated in laying the foundations of this beautiful building. You watched its erection as it was majestically upreared and finally crowned by that golden dome which catches and reflects the glory of the sun, and is the pride of Iowa. It is your home; you have a better right to it than we. We abdicate and turn it over to you while you are here with us.

I congratulate you on being able to be present with us on this occasion.

I have the grand heritage of having been born in this beautiful state. It has always been my home, and I love it. I have the more priceless heritage of being the son of one who, in the infancy of the state, represented in the general assembly one-third of the northern part of the state, and so as you unlock the chambers of your memory, roll back the tide of the years and reveal to us the scenes of bygone days, I feel myself in close touch with you. Every pulsing throb and quivering fiber of my being is in close sympathy with you, the pioneers of Iowa.

I congratulate you that your lives have spanned the most glorious days since "the morning stars sang together." You have not only basked in the glorious sunlight of this proud nineteenth century civilization, but you have also been a part of it. You have helped to make it. You have given as well as received.

The name pioneer has a wealth of meaning. It includes bravery, heroism and sacrifice. It is a great thing to help found a prosperous state. It means something to cross the Mississippi, to climb the rugged hills that keep the mighty river in its course, and go out upon the tenantless prairie and build a home with hope and faith and courage for household gods. It means something to be a pioneer. It is because we appreciate the wisdom, the labors and the sacrifices of those who laid the foundations of this

matchless state so wisely, broad and deep that we are met this afternoon to do you honor.

And now may the balmy breath of health keep you vigorous, and "white-winged" happiness hover over you until you come again on another occasion like this.

Again, and again, as the representative of every member of this house, I bid you welcome.

President Hoyt Sherman then said:

I desire on behalf of our association to present to you the Hon. S. J. McNutt, who will respond for us to this generous welcome we have received.

Hon. S. J. McNutt:

I feel unable to express the emotions I entertain and to return proper thanks for your reception. Thirty-four years ago I was a member of the Tenth general assembly in the old house across the street. The whole number, of whatever party, were the choice men of the state. I am sure there was not a man there who could not have answered to the Savior's question, "All these have I kept from my youth up."

Every one is now anxious to make a record, to introduce a popular bill that may be approved by the people. But I learned in the progress of years that it was safe to vote "no" on a great many propositions. I would say to these boys that have taken our places it is not always wisdom to be changing the laws, and be cautious about making new ones. The fact is, we have laws enough if they were observed. I believe, however, that the people of this state are a law abiding people; there are few who disregard the law. There is not a portion of earth of the same number of square miles as this glorious Iowa that is a better land than this state of ours.

I beg pardon; I should not talk so long. I will say again to these boys who have taken our places that when they have lived to be as old as we are, they will find that the fewer changes in the laws the better. I thank you for your attention most heartily.

Representative Porter was the next speaker:

I do not believe the glories they have wrought for the state have been dimmed by the lapse of time. From association with certain members of the Pioneers' Association I have learned to develop a feeling of gratitude for all. When we wander off to-day into legislative labyrinths, we have only to return to the beaten paths you established to get our bearings. While I would not detract from the glory of our military heroes, it does seem to me peace has its victories, no less renowned than war. When our pioneer lawmakers came here they encountered difficulties we do not now experience. You had little to guide you. I can only wish that in our later days we will have the same pleasant memories of which you relate—memories that follow only right doing.

President Sherman said:

I now wish to introduce to you a gentleman who will respond to the last speaker, a member of our association with whom, perhaps, many of

you are personally acquainted; one who had the pleasure of occupying the same position as our representative friend, Lieutenant-Governor Dungan, of Chariton.

Lieutenant-Governor Dungan said:

It gives me very great pleasure to assist in returning the kind and pleasant greetings we have received here to-day from your members. We shall carry with us many pleasant recollections of this meeting of the Pioneer Lawmakers,' but none more pleasant than the reception that we receive here this afternoon.

We did not come to you, Mr. President and gentlemen of the house of representatives, to advise you what course to pursue. We claim no superiority of wisdom, nor anything of that kind. We desire to collect and preserve in the archives of the state the history or building up of this great commonwealth. We claim to be your ancestors, and I suppose you think we are all centenarians.

The members of the Twenty-seventh general assembly have the advantage of our experience in addition to their own knowledge, and we expect you to profit by that experience.

After singing "Iowa" the Pioneer Lawmakers' Association presented a memorial asking that the legislature take proper action regarding a memorial hall. Speaker Funk replied that the memorial would be entered on the journal and given the consideration to which its importance entitled it, and also on account of the hands and hearts and brains from which it sprang.

The pioneers of legislation then filed out of the house, while a special choir from the house sang "God be With You 'Till We Meet Again."

#### THE VISIT TO THE SENATE.

The Pioneer Lawmakers visited the senate late in the afternoon, that body holding an afternoon session in order to receive the association during a sitting. The session opened nominally at 2 o'clock, but nothing was done till the time for the Pioneer Lawmakers to arrive. It was 2:45 when they came, and filed in, headed by Maj. Hoyt Sherman. The senate, at Senator Blanchard's suggestion, vacated the east side of the hall, allowing the seats there to be taken by the visitors. The double line of white-haired men filed in and took possession, the senators standing until the visitors were seated.

Lieutenant-Governor Milliman, in receiving them, paid a tender tribute to the men who sat in Iowa legislative halls in years gone by, and gave them the full freedom of the senate. No honor was too great to be conferred upon these men who

had made Iowa history and had made Iowa the state that it is.

Lieutenant-Governor Milliman, at the close of his remarks, called to the chair Maj. Hoyt Sherman and Col. John Scott, who, thirty years ago, was lieutenant-governor. He then placed the gavel in the hands of Major Sherman, who said:

Senators, this is an unexpected honor. I had helped to arrange a list of venerable men to talk to you, expecting to find an obscure corner for myself. I feel highly honored. I take pleasure in introducing to you Col. John Scott, who will address you in behalf of the Pioneer Lawmakers' Association.

Colonel Scott said:

In occupying this platform after the lapse of thirty years, you may imagine that I am unable to say all of the thoughts that come to me reminiscent of that time. I might go back to thirty-eight years ago, when I was on the floor of the senate and was associated with such men as Kirkwood [applause], the man for the troublous times then darkening the horizon; and Jas. F. Wilson, and others. The nation has had her cabinet ministers and this state has had her strongest representatives from these men. I might refer to Bussey, who led Iowa soldiers to gallant records; to the erratic and brilliant Drummond, who fell gallantly facing the foe, saying, "It is sweet to die for one's country." There would be no room for anyone else on the program were I to tell you all that comes to my mind. I remember the hopefulness that was in my young heart when I first presented myself for enrollment in the senate in the year 1860. I am glad to say that senate is fairly represented in this meeting. Ainsworth and Powers and the magnificent Duncombe were among them. I remember the sense I felt at being an Iowa senator. I had it whispered to me that this was the strongest senate the state had ever had. I said I thought he was inclined to flatter. He said, no, he had heard two-thirds of the members say so.

Senator Ellison, of Jones, responded in behalf of the senate. He said:

I extend to you a most cordial greeting to the senate hall. We greet you as those who gave to the state of Iowa a code of laws second to no other state in the union. As we look back we see a grand procession of events which have shaped the destiny of this state. There are those among you who helped rock the cradle of Iowa when it was in its infancy; those who were members of the constitutional convention; those who when dark clouds of war hung over and it was not so much questions of law as it was the preservation of the Union; those who went to the front to bear the brunt and stand by the old flag, who raised it on the tops of southern hills, who carried it through the valleys. You brought the flags back to us, and to-day we have them here in this capitol. You have men in your midst who returned to their homes and their various callings; men who have been honored by positions of trust, on the bench, and in legislative halls, who framed laws that have endured almost a half century. Many of those

statutes still stand recorded as you enacted them, without a word changed, despite the long time spent re-codifying the laws. You have given us a splendid school system and educational opportunities that make every boy in Iowa the means of being master of his own destiny. You have given us equality before the law of all citizens, whether male or female. You have provided a means for caring for the poor, with asylums and places where the unfortunate can be cared for. You have given agriculture, commerce and manufacturing encouragement. Not only this, but you have provided so that the state may go marching on year by year. You have protected society by wise penal laws. You have provided institutions where they may be cared for in a humane and just manner. And so I might follow this indefinitely. You have provided so that Iowa to-day has the smallest per cent of illiteracy and pauperism and of the criminal element. You have so shaped the destiny of this state that to-day we have the smallest amount of taxation. We look across this broad country and are we not proud of the sons of Iowa at our nation's capital, who are in foreign courts? Members of the Pioneer Lawmakers' Association, I greet you. I again extend to you our most cordial welcome. You have made Iowa what she is to-day. With the hope of a grander future, we still press on.

Col. S. A. Moore, of Davis county, said:

I esteem it an honor to stand in the new capitol and address the senators, three-fourths of whom I know personally, and whose friendship I have shared so many years. I wanted to beg off, because of my modesty. There is so much that crowds upon the mind that I know not where to begin, and in my garrulousness I might not know where to stop. When the world grows dark and cheerless and things appear discouraging, I turn and get inspiration from looking backward over Iowa and her progress. This beautiful valley, richer than the valley of the Nile, I look back upon and remember the days when it took longer to come and go than we spent while here—a blessed country, having no parallel this side that heavenly country where we expect to go eventually.

Colonel Moore spoke with a soul full of tender memories, and as he eloquently, and in the most touching manner, referred to the past, and the pioneer days in this state, the entire senate was subdued. It was one of the most eloquent addresses ever made on the senate floor of the Iowa legislature. Veterans, members of the senate and visitors were charmed with the graceful manner of the old war horse, while from his eloquent lips burst a flood of oratory that fairly held spell bound those who heard it. It was entirely extemporaneous, and was pronounced by nearly every one who heard it as a most remarkable effort.

Major Sherman presented a resolution unanimously adopted by the association asking favorable action on the appropriation for the historical and memorial building. Major Sherman called upon Judge Cole for a brief address on the point of federal law

making. He said that the question of changing the name of the association had been considered, because it was thought it was not broad enough, when some one pointed out that judges and state officials might very properly be regarded as law-makers.

Judge Cole said:

The responsibilities, like the pleasures of life, are all along life's pathway. The responsibilities performed by the pioneer lawmakers does not relieve you of your duties. The enactment of a statute to control is in imitation of the Supreme Being; it is the highest duty to which man can be called. [Applause.] It is essentially important that there should be wise interpretations of the laws you may enact as will work out the largest good to the largest number. In this way I have sought to serve my state. Our constitution, federal and state, classifies government as the executive, the legislative and the judicial. I rejoice that in the formation of the association a place has been reserved for the judicial. I am grateful to appear before you. I need not say I enjoy a feeling of pride in visiting here that I can not express in words.

He spoke of the respective duties of the lawmakers and the judges. "Lawmaking," he said, "is God-like; the giving of the law for a people is the highest duty to which one can be called. I grant that in the frailties of our language there is necessity for the proper construction of every statute; but those who make laws perform a duty so much higher that they can scarcely be called on the same level. I rejoice that in this association a place is given to the judges of the court. Since the makers of the law are human, they are liable to err, and a second, even if a lower, body may add to the wisdom and efficacy of their legislation."

Senator Harriman moved that the resolution be printed in the journal. It was so ordered. The resolution appears elsewhere in these proceedings—see page 144.

#### MESSAGE OF GREETING.

In accordance with instructions of the association, the following letter of greeting and remembrance was prepared and sent to the absent members designated in the various resolutions:

PIONEER LAWMAKERS' ASSOCIATION OF IOWA, }  
DES MOINES, February 11, 1898. }

As our session is drawing to a close after a very pleasant reunion, we miss the presence of many who could not be with us. Some we shall meet no more in this life; others we hope to welcome at future reunions.

To you, who in the pioneer years of our state, rendered such valuable and faithful service in its upbuilding, we extend our cordial greeting. We trust that your health may be preserved and your useful life may be prolonged for many years. It is a pleasant reflection now in the closing years of the nineteenth century, that your work in the past has contributed to make Iowa one of the most prosperous states in the Union, and that we live to realize some of the substantial results of your early efforts.

Our proceedings will be published in full by the state, and a copy will be forwarded to you at an early day

With fraternal regards, we extend to you our most cordial good will, in which all members of our association heartily join.

Signed on behalf of all present, by

B. F. GUE,  
Secretary.

HOYT SHERMAN,  
President.

The following responses were received:

FROM JUDGE JOHN F. KINNEY.

SAN DIEGO, Cal., February 25, 1898.

*Hon. Hoyt Sherman, President, Hon. B. F. Gue, Secretary, Des Moines, Iowa:*

GENTLEMEN—Your highly esteemed favor of the 11th inst. has just reached me, and in reply, I beg leave to say, that I am deeply moved by the complimentary expressions therein contained. You speak of the valuable services I "rendered in the pioneer years of the state," and say that you "live to realize some of the substantial results of my early efforts." At my age in life these are comforting words, especially as in giving expression to your own sentiments, you enunciate the views of the "Lawmakers' Association" you, as officers, represent. I cannot find words to express in adequate language my high appreciation of the compliment conveyed by these words. During my somewhat long political life I have been the recipient of many expressions of approval—notably among them—the resolutions of the Iowa bar at the time of my resignation as judge, at Iowa City, in January, 1854, and responded to by my brother judges (see Iowa reports of that date), but all of these testimonials do not afford the satisfaction that your letter does, as after forty-five years' trial, my work is commended by the Pioneer Lawmakers' Association, among its members a few survivors, who were associated with me in pioneer work, materially aiding in making Iowa the grand state it is, the pride of all her citizens.

I shall cherish your letter as a precious heirloom for my children, and shall live in hopes (notwithstanding my advanced age), being in fine, robust health, of meeting with you at your next gathering, and by personal reunion cement more closely the fraternal bonds which unite us as pioneers in the great work of preparing the way for future settlement.

Accept for yourselves, and for the association, my highest regards, and believe me,  
Fraternally yours,  
J. F. KINNEY.

## SIXTH REUNION OF THE

FROM JUDGE JOHN F. DILLON.

*Hon. Hoyt Sherman, President, Hon. B. F. Gue, Secretary Pioneer Lawmakers' Association of Iowa, Des Moines, Iowa:*

GENTLEMEN—I was very much touched and pleased with the honor of receiving your communication of the 11th inst., expressing your regret at my necessary absence from the last reunion, and containing expressions of personal regard for me and my public labors in the state. While I can not feel that I am fully entitled to the praise which you give, it is a great satisfaction to know that my work has met with your favorable consideration. I shall be pleased to receive a copy of the proceedings, which you say will soon be published in full by the state.

Cordially reciprocating your good will and that of the members of the association as expressed in your communication, I am,

Very truly yours,

JOHN F. DILLON.

FROM GOV. ALVIN SAUNDERS.

OMAHA, Neb., February 28, 1898.

*Messrs. Hoyt Sherman and B. F. Gue, Des Moines, Iowa:*

With sincere feelings of thankfulness I acknowledge the receipt of your joint favor as president and secretary of the Pioneer Lawmakers' Association of Iowa. When I reflect that it is now more than forty years since our acquaintance began, I am doubly flattered when I receive from you the high compliments you are pleased to bestow on the services I rendered your great state, at what we might call the beginning. I am aware that our works on earth are soon forgotten by most of people. I never shall, while reason holds her throne, forget the kindness I received from the pioneer settlers of Iowa. I went into her borders before it was named, a poor boy just off of the farm, and took my chance to work out a living for myself. Without friends this is a difficult task to perform, but with friends it is possible to most of the youths of the country, who strive in the proper direction. I soon found friends, and to them I owe much of the little success of life. I have served a little more than thirty years in a public life, in Iowa and in Nebraska, and in Utah (when I was one of the United States commission or what was called the "Utah commission") and it is a gratification to me now that I would not now change my record in any essential point if I had to make it over again. But I have already made this letter too long, and again thanking you both, and the others of the association whom you say, joined with you in your excellent letter,

I am very truly your friend,

ALVIN SAUNDERS.

FROM HON. WM. PENN CLARKE.

WASHINGTON CITY, February 22, 1898.

*Hon. Hoyt Sherman, President, and B. F. Gue, Esq., Secretary, of the Pioneer Lawmakers' Association of Iowa, Des Moines, Iowa:*

GENTLEMEN—I am in receipt of your favor of the 11th inst., which reached me to-day extending to me the greetings of your association, at its late meeting, as one who rendered valuable and faithful service in the upbuilding of the state in which you state "it is a pleasant reflection now in the closing years of the nineteenth century that your (my) work in the

past has contributed to make Iowa one of the most prosperous states in the union, and that we live to realize some of the substantial results of your (my) early efforts."

I sincerely thank your association for its kind remembrance of me on the occasion referred to, and you, gentlemen, for the too complimentary language you have employed in giving expression to the greetings of your association, and which it would be vanity in me to say that I merit.

I came to Iowa for the purpose of making it my home in 1844, and in 1845 I was admitted to the bar at Iowa City. Since that date a period of half a century has elapsed, and of the attorneys who then had prominence at the bar few remain. Nearly all have passed to their final account. Even the names, if not the memories, of the greater number of them have sunk into oblivion. My location at the capital of the territory afforded me the opportunity of making the acquaintance of many of them, and it may not be inappropriate to recall the names of some of the more prominent ones, who were then considered leaders of the profession. At Dubuque there were Platt Smith, who stood at the head; W. E. Bissell, afterwards attorney-general of the state; Lincoln Clark, elected to congress from the northern district of the state; McKinley & Poor, Stephen Hempstead, afterwards governor, and Wiltse & Blatchley. At Muscatine (then called Bloomington) were Ralph P. Lowe, governor and judge; Wm. G. Woodward, judge of the supreme court; Stephen Whicher, Henry O'Connor, attorney-general, and J. Scott Richman, district judge. At Iowa City were James P. Carleton, district judge, who would have attained high position if his life had been spared; Gilman Folsom and Wm. I. Gilbert. At Marion were N. W. Isbell, judge of the supreme court and I. M. Preston, United States district attorney. At Davenport were Ebenezer Cook and James Grant, district judge. At Burlington were Henry W. Starr, James W. Grimes, governor and senator; David Rorer, M. D. Browning, J. C. Hall, judge of the supreme court. At Keokuk were Samuel F. Miller, judge of the United States supreme court; J. W. Rankin, Archibald Dixon and T. W. Claggett, judge. At Keosauqua were J. C. Knapp, judge; George G. Wright, judge and senator, and H. Clay Caldwell, United States circuit judge, while in the interior of the territory were many others who became prominent in the subsequent history of the state, but to give their names would extend this communication to an inordinate length. All these men, I believe, came to Iowa while it was a territory. They were generally employed in important cases and it was my good fortune subsequently to meet some of them at the bar, either as colleagues or opponents. The greater number of them were prominent, also, as politicians, and filled the higher offices of the state after Iowa was admitted into the union, and contributed largely by their labors to the founding of its institutions. They were, in fact, among the fathers of the state. The history of their labors should be preserved in some permanent form, and I trust that my friend, Charles Aldrich, Esq., who is doing so much to perpetuate the memories of the early Iowans, through the "Annals" will bend his energies in this direction.

At my advanced age, being now in my 81st year, and suffering from the complaints incident to my time of life, I cannot anticipate the pleasure of joining my brethren in any of their "future reunions," but they may rest

assured that I feel a warm interest in their success and welfare, and doubt not they will continue to maintain the high character for integrity and ability which has heretofore pertained to the bar of Iowa.

Again thanking you, gentlemen, for your kind communication, and for the promise of a copy of the proceedings of your association, which I shall be pleased to receive, I sincerely return your most "cordial good will," and subscribe myself fraternally yours,

W. PENN CLARKE.

FROM HON. D. C. BLOOMER.

COUNCIL BLUFFS, Iowa, February 23, 1898.

*To Hon. Hoyt Sherman, President, and Hon. B. F. Gue, Secretary, of Pioneer Lawmakers' Association of Iowa:*

GENTLEMEN—I have received your kind note of 10th instant, informing me that a copy of the proceedings of the recent session of the Pioneer Lawmakers' Association of Iowa, would be sent to me, and also extending to me personally very kind and sympathetic greetings. I had also previously received notice from the Hon. L. W. Ross that my name had been presented and approved as a member.

My own part in the early legislation of Iowa was very limited, but I have always taken a deep interest in the successive steps in legislation through which our noble state has attained its present high position, and fully appreciate the earnest and intelligent labors of those charged with the making of its laws. The veterans in this work may justly congratulate themselves on the success that has followed their efforts, and in their annual meetings review with pride and satisfaction the glorious results of their devotion to the public good. With kindest regards,

Respectfully,

D. C. BLOOMER.

FROM JUDGE H. B. HENDERSHOTT.

OTTUMWA, February 24, 1898.

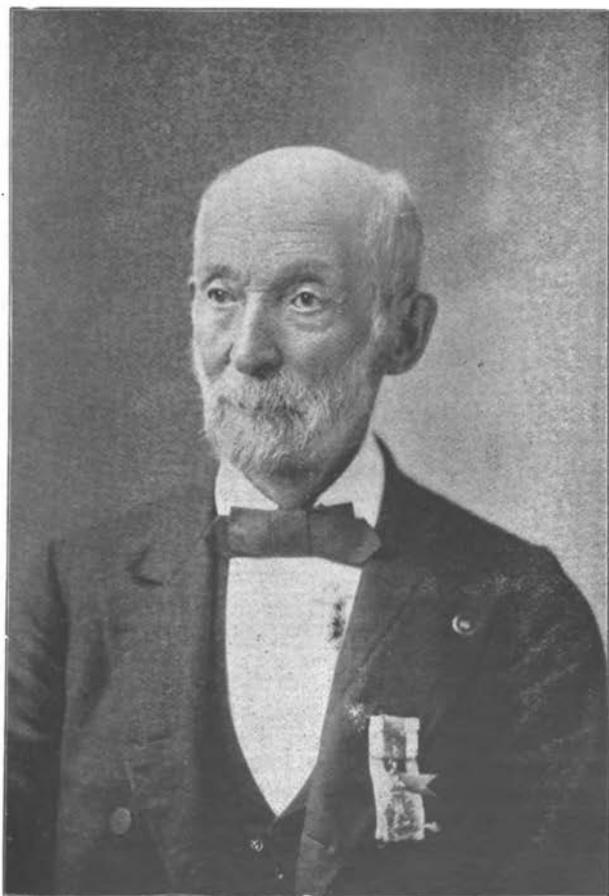
*Hoyt Sherman, President, and B. F. Gue, Secretary, Pioneer Lawmakers' Association:*

I have received your communication of 11th inst. Words are too poor to express the gratitude I feel for the kind terms you employ.

I write this from my bed and hence its brevity and imperfection.

Yours truly,

H. B. HENDERSHOTT.



HON. THEO. S. PARVIN.



## LETTERS FROM ABSENT MEMBERS.

FROM HON. T. S. PARVIN.

CEDAR RAPIDS, Iowa, January 10, 1898.

*B. F. Gue, Des Moines, Iowa:*

MY DEAR FRIEND—I am just in receipt of your letter this afternoon. I leave to-morrow noon, but, as the printers say, stop the press to write you. I spent Saturday and Sunday in Iowa City, the first a day of business and the second visiting with my daughter and her family. While there Major Alder sent me a copy of the Register containing your very interesting, instructive, and valuable article on the first general assembly held in Des Moines. I read the entire article with much pleasure, because it brought freshly to mind so many facts that were altogether familiar to me, and in some of which I had a part. I could have whispered in your ear, had I known of the publication of the matter, some matters that would have been both amusing and instructive, as illustrative of the character of some of the prominent members,—one especially,—my old friend, J. B. Grinnell. I shall have to postpone, however, the telling of the story, with others, which I may in some future time relate.

Now, my friend, that entire paper should be presented to the association and incorporated in their proceedings, and published as a historical sketch of that first general assembly in Des Moines.

I agree with you that a somewhat full history of the first territorial legislature should be published, and am inclined to think that no one, present or past, could do the work better than myself, if I had the leisure, as I knew personally every member of both houses. I do not recall at this moment whether the history of the First state general assembly has been written, though I rather think it has. If not, then that should be prepared, so as to have the first of the assemblies of the territory, of the state, and at Des Moines.

I had a very interesting letter to-day from my old friend, Judge Springer, the president of the convention of 1857. He is in Texas, at Fort Worth, in very feeble health, which I much regret to hear.

I had, a few days since, an interesting letter from another old timer, Judge J. F. Kinney, of San Diego, Cal. He was one of the three first judges of the state supreme court, you will remember.

Now, my friend, don't fail to have that paper of yours of the first Des Moines assembly published with the proceedings of this year.

It is a source of much regret to me that I am not able to attend the coming meeting, because, as you say, I have attended all of the previous

ones, and shall miss very much the hand-shaking of the few survivors of "ye olden time" that may gather together upon the coming occasion.

I shall leave Iowa on the 10th of the coming month for an extended visit to Mexico, visiting for the sixth time its great capital city and spending some time with my sons at San Luis Potosi. I had long desired to prepare a paper, either for the association or for publication, in reference to the first territorial legislature of Iowa. There is but a single member of it living, Dr. Gideon S. Bailey of Van Buren county, who, from infirmity of age (although he is only four or five years my senior) is incapable of preparing such a paper as he could and should have prepared a quarter of a century ago. He was one of the most active and useful members of that first session, and could have prepared a much better paper than I, although at the present time I am probably the only person competent to execute this work, but I am so pressed with labor in the preparation for an early departure and long absence that I cannot, as I see my way at present, prepare the paper. If I had a typewriter in Mexico, and the journals of that session, I might find time there, but with my right hand still lame and troubling me, the task would be quite difficult for me to accomplish, so that I dare not give you any assurance of my ability to undertake the work.

I have not heard whether the proceedings of the meeting two years ago have been published or not. I judge not, because I have received no copies. I wish when the volume is complete that you would send me half a dozen copies. The reason of this is that I have placed in this library in the Iowa department, also in my son's library here and another in the Republic of Mexico, because I wish him to keep advised of the progress of our history, the previous volumes; then I had nicely bound all the previous volumes and placed them in the library of the Young Women's Christian association at Iowa City, because I want "my girls" to study Iowa history. So you see I can make good use of half a dozen copies, and I am sure that you are actuated by the same motive that has controlled my action for many, many, years to "put things where they will do the most good."

I am in most excellent health, and if I can escape, this winter, the return of the grip, think I shall come home in very much better condition than from previous visits. I weighed when I went to Mexico this month a year ago 112 pounds; had the grip two months and came home weighing 102; was weighed Saturday and weigh 112½, half a pound better than a year ago. I have had this grip six winters in succession; enough, certainly, to satisfy the ambition of the most ambitious man in the health department of the country.

I shall make my principal stoppage at San Luis Potosi, where I have two sons engaged in railroad work, the elder being chief engineer of the great railway system, and when your session is over I would be pleased to hear from you of that and of any other matter of interest you may be pleased to communicate. Remaining as ever, your old time friend,

T. S. PARVIN.

SAN LUIS POTOSI, Mexico, February 17, 1898.

*Maj. Hoyt Sherman, Des Moines, Iowa:*

MY DEAR MAJOR—Do not be surprised at receiving congratulations upon your selection (so in harmony with my views and the "eternal fitness of things") as president of the Pioneer Lawmakers' Association. This is not

perfunctory as an old member but as an old friend and citizen of our beloved Iowa. I have known you long and well since and before the removal of the capital to Des Moines, when I was an officer of state, and during all these years have recognized in you one of our best and most useful citizens.

I regretted very much I could not be with you at the recent reunion, but having had the grip for six winters, my family insisted that I should try and escape it by running away; but of no avail; it followed me, and for three weeks I have suffered much from it. I receive the Register daily and so keep posted on what is going on in Des Moines, Washington, etc. This is the first and only meeting I have missed. You may not know, but I celebrated my eighty-first anniversary the day I crossed the Rio Grande and when not suffering with my old enemy, the grip, can "shove along and keep moving" with any of the boys of fifty years, and when at home work as hard and effectually as ever, save that I get tired, a feeling that in earlier years never troubled me.

Have you ever visited this land? I met Governor Larrabee, Judge Shiras, their families and friends (tourists) a week ago, and my son Theron, a civil (chief) engineer entertained them with as many (25) Mexicans (speaking English) including the governor, his wife's uncle and General Rivera, her father, much to the delight of our Iowa friends.

But pardon this, I only meant to congratulate you, my old friend, upon the honor so worthily bestowed by my and your colleagues. May the mantle of our beloved Wright fall upon you and make your administration, like his, an abundant success. Ever and very truly,

T. S. PARVIN.

FROM GOV. WILLIAM LARRABEE.

CLERMONT, Iowa, January 8, 1898.

Hon. B. F. Gue, Des Moines, Iowa:

MY DEAR GOVERNOR—Yours of the 7th is received. I expect to leave home in a few days to be absent a month or more, and hence it will not be possible for me to prepare the papers suggested for the meeting of the Pioneer Lawmakers. You will find in the Annals a very good biographical sketch of Judge Murdock. In the historical record at Iowa City, there has been published a good biography of Judge Noble. The latter was written by Mr. Crosby after full consultation with the friends of the judge. I regret that I cannot be with you at the coming meeting of the association.

Yours very truly,

WM. LARRABEE.

FROM GEN. G. M. DODGE.

NO. 1 BROADWAY, NEW YORK, December 21, 1897.

Hon. B. F. Gue, Des Moines, Iowa:

MY DEAR GOVERNOR—I am in receipt of yours of December 15th. Nothing would give more pleasure than to be present at the reunion of the Pioneer Lawmakers, but it is very uncertain where I will be at that date. There are a great many members of your association whom I have known long, and whom I met at an early date, and I appreciate that if it was possible for me to be present, it would be a great pleasure for me to

meet them. If I cannot be present, I will endeavor to send you a letter that you can read, which may be of interest.

Very truly yours,

G. M. DODGE.

FROM GOV. C. C. CARPENTER.

FORT DODGE, Iowa, January 10, 1898

Hon. B. F. Gue, Des Moines, Iowa:

DEAR GOVERNOR—I have your letter of the 7th inst. and also the enclosed documents. I hope I may be able to attend the reunion of Pioneer Lawmakers on the 9th of February, prox.

If any members, or persons entitled to membership, have died in the Eleventh district during the past two years I would like to write something in regard to them; but I hardly know how I am to get these facts. Can you put me on the track?

I have read your very fine article in the Register concerning the Seventh general assembly. I think you did full justice to everybody but yourself. I remember that you were the chief promoter of the Agricultural College enterprise, and as the institution grows in influence its early defenders should not be forgotten.

Yours truly,

C. C. CARPENTER.

FROM GOV. ALVIN SAUNDERS.

OMAHA, Neb., February 3, 1898.

DEAR GOVERNOR GUE—Permit me to return to you my sincere thanks for your invitation to me to attend the sixth session of the Pioneer Lawmakers of Iowa, to be held on 9th instant. I had so much pleasure in meeting so many old friends at the meeting of the association two years ago, that I felt I must attend those meetings regularly if possible. But I have had a two months' tussle with the grippe and am not able to come this time, which I regret very much. While many, very many, of my old friends and acquaintances there have fallen asleep, still I see many names left in the list in the circular, which call to mind pleasant recollections of the past. When I see such names as are found in your circular, as Col. John Scott, Dr. G. S. Bailey, T. S. Parvin, Col. Dan Anderson, Lewis Todhunter, L. W. Ross, R. S. Funkhouser, H. H. Trimble, Hoyt Sherman, Ex-Governor Sherman, Ex-Governor Carpenter, J. F. Duncombe, C. C. Cole, G. L. Godfrey, and others, I feel that I would indeed be in the house of my friends if I could only be there. All I would ask and hope is, that this meeting may be as pleasant to you all, as was your last one to me.

I am, dear governor, with great respect very truly yours,

ALVIN SAUNDERS.

FROM JUDGE DILLON'S SON.

NEW YORK, January 5, 1898.

Gov. B. F. Gue, Des Moines, Iowa:

DEAR SIR—On Christmas eve my father had a number of relatives visiting him at his country home. At about 9 o'clock in the evening one of the servants reported that one of the chimneys was emitting sparks in such a degree as to be dangerous. My father went out in the dark to see about it and fell over a small carriage block which stood near the front door; his leg bent under him and he broke both bones about six inches above the

ankle. I spent yesterday with him. I found him resting comfortably and everything progressing as rapidly and favorably as can be expected. My father wished me to write you fully about his accident. Of course, under these circumstances, he will not be able to be present at the coming reunion of the Pioneer Lawmakers' Association on February 9th, but my father wishes me to state that if his recovery progresses rapidly he would endeavor to write a paper for the occasion. He said to me on leaving, "give best regards to my old friend, Governor Gue, and offer to him best greetings for the New Year." Very truly yours,

JOHN M. DILLON.

FROM SENATOR JAMES HARLAN.

MT. PLEASANT, IOWA, January 8, 1898.

DEAR GOVERNOR—I received your letter of 15th ult., by due course of mail and am now in receipt of your second letter, relating to the approaching session of Pioneer Lawmakers, and have to say that I delayed acknowledging the receipt of the first hoping that I might, as the days passed, find myself in a condition to make the engagement suggested. But as I do not see my way clear to do so, I regretfully request that my name may be omitted from the program.

Hoping that you may all have a delightful reunion, I am, with great respect and affection for you and all our associates in this brotherhood,

Your obedient servant,

JAS. HARLAN.

FROM HON. JOHN A. KASSON.

DEPARTMENT OF STATE, WASHINGTON,  
OFFICE OF SPECIAL COMMISSIONER PLENIPOTENTIARY, }  
February 4, 1898.

Hon. B. F. Gue, Secretary, etc., Des Moines:

DEAR GOVERNOR GUE—The Pioneer Lawmakers assemble very soon in their biennial meeting. I regret that it is impossible for me to meet with them this year. I beg you to convey to them my fraternal greetings. I wish for them long continued years of health and prosperity, as well as for the state which they have done so much to build up in worth and honor.

Yours most sincerely,

JOHN A. KASSON.

FROM HON. JOHN RUSSELL.

ONSLow, Iowa, January 24, 1898.

MY DEAR FRIEND GUE—I received your last letter to-day requesting me to prepare a paper for the meeting of our old legislators to be held on February 9th.

I have been afflicted with sore eyes for several weeks past and have done little reading or writing during that time. Unless they speedily get well I will be unable to attend or take part in the proceedings of the body. That being the case you had better leave me off the program.

If it is so I can, I want to attend and meet once more with the dear old friends of other days. As it is, I cannot promise the preparation of any paper, but will try, if circumstances are favorable, in the future.

If I cannot be present to take part in the meeting I trust you will have a grand reunion of the old guard, while you talk over the reminiscences of

the past and contemplate the glories of the present Iowa as largely the result of the wise and practical common-sense legislation of our earlier legislatures. Your old friend, JOHN RUSSELL.

FROM JUDGE H. B. HENDERSHOTT.

OTTUMWA, February 7, 1898.

*Hon. B. F. Gue, Secretary:*

DEAR SIR—I have just received notice of the meeting of the Pioneer Lawmakers' Association of Iowa, to take place February 9, 1898. I deeply regret my inability to be present on that occasion, and to meet again the members of the association. I hope your meeting will be as pleasant as its purpose is patriotic. Tender kind greetings to all present.

Respectfully yours,

H. B. HENDERSHOTT.

FROM HON. A. H. McCRARY.

KEOSAUQUA, February 2, 1898.

*To Hon. B. F. Gue, Secretary of the Pioneer Lawmakers' Association, Des Moines, Iowa:*

It is with feelings of gratitude that I acknowledge the receipt of an invitation with others to be present and take a part in a reunion of the old Pioneer Lawmakers in Des Moines, on the 9th, 10th and 11th of the present month. It gives me pleasure to have my mind called back to those happy days when the vigor of manhood was upon us, both mental and physical. We were so completely imbued with the interests of our embryo state, that we would leave our farms, shops and offices and go to the capitol to aid in enacting such laws as would lead our beautiful state to its present and future high position. We not only legislated but we taxed ourselves severely to build school-houses, churches, cities, colleges and universities, and we began to feel the weight and duties of years bearing heavily upon us while strength was declining, though our energy was unabated for the prosperity of our beautiful state, and, in our enfeebled condition, we are still trying to make our state blossom as the rose. I would, in this connection, insist upon every officer in the state performing his official duties so as to sustain our reputation for honesty and morality, for we are only great as we are good. I am still unable to walk without my crutch. My rheumatism, sciatica and neuralgia is upon me and I am largely confined to my room. While it would be a valuable treat to me to be with you on the 9th, 10th and 11th, my affliction is such that I could not enjoy it, therefore I ask you to excuse me. My age has much to do with my helplessness; 84 years is a pretty heavy load.

I hope you will have a happy time.

A. H. McCRARY.

FROM COL. H. H. TRIMBLE.

KEOKUK, Iowa, December 20, 1897.

*Hon. B. F. Gue, Des Moines, Iowa:*

MY DEAR SIR—Yours of the 15th at hand. I am much obliged for your kind invitation, and intend to arrange to be present at the meeting, but I hope you will not expect me to deliver any set address. This takes a lot of hard work, if the address is to amount to anything, and that

is a kind of work that I am trying to avoid. I have now all the hard work that I want to do, in fact a good deal more than I want to do.

I am not situated to add anything to the history of the state that would be of any real value, unless I should go to work and make diligent investigation so as to refresh my recollection on dates, names, circumstances, etc., and this kind of work I do not like to undertake. Besides I do not believe I am specially fitted for that kind of labor. But I thank you for the invitation, and will be present if possible.

Yours truly,

H. H. TRIMBLE.

FROM HON. NATHAN UDELL.

DENVER, Colo., 109 W. Ellsworth street, December 27, 1897.

*Gov. B. F. Gue, Des Moines, Iowa:*

MY DEAR SIR—Your letter over your own well known signature stirs up quite pleasantly many scenes of long, long time ago. Our relations in the senate and elsewhere, were ever without a jar. I cannot promise positively that I will send you a paper, but I will try to prepare a short one. I am now almost 81 years of age, and my faculties, never brilliant, feel the wearing impress of time

Yours sincerely,

N. UDELL.

FROM HON. J. M. SHAFFER.

KEOKUK, Iowa, January 21, 1898.

*Hon. B. F. Gue, Secretary, Des Moines, Iowa:*

MY DEAR SIR AND OLD FRIEND—I shall not be able to attend the meeting February 9th. I am hedged in with a heap of work, commonplace enough, but it has to be done. The day comes, the routine begins, the day goes, and there seems to be no tangible result of the apparently well-spent hours.

I have no doubt you will have a grand meeting, and that what may be gathered in will make a volume of great interest. It takes away the keen edge of my desire when I think of the splendid fellows of 1862 and later, and know that they have gone into the silences. Not a dozen can I recall whom you will meet February 9th.

Wishing you great success in organizing and recording the meeting, and your health, peace, and gladness, I am ever your friend,

J. M. SHAFFER.

FROM HON. S. G. FINNEY.

BLAKESBURG, Wapello Co., Iowa, February 7, 1898.

*To the Pioneer Lawmakers' Association of Iowa:*

GENTLEMEN—Being desirous of meeting with your body on the 9th inst. depends upon my physical ability, the weather, etc., etc.

I think my claim to membership in your association is clear from the fact that I came to Burlington, Iowa territory in 1841. Later on I moved to Fairfield, and was elected its first mayor in 1844. Subsequently I moved to Blakesburg, Wapello county, Iowa, in 1854, and in 1856 was a member of the house of representatives, it being the last session held at Iowa City, since then at Des Moines. Your scribe wishes to make favorable mention of his being in Washington, D. C., in June, 1856. Gen. A. C. Dodge was then

United States senator. Ex-Governor Dodge of Wisconsin was also a senator from that state, father and son occupying seats and desks adjoining in the senate chamber, a circumstance without a parallel in the history of the country.

Hon. Geo. W. Jones, of Dubuque, was also a senator from Iowa at that time. Hon. Bernhart Henn was a member of the house; he then lived in Fairfield.

Judge Chas. Mason, of Burlington, was commissioner of patents. Henry Clay Dean, of Mt. Pleasant, was then chaplain in the senate. One circumstance deserves mention: upon his arrival in Washington, and stopping at Brown's Hotel, the clerk assigned him room No. 318, which he occupied one hour. The clerk asked him why he desired to change his stopping place. The chaplain's reply was "I have had room one hour, and the privilege of traveling over three and one-half miles of plank road to get there." The people in Washington and Baltimore had it for breakfast in the morning papers; that gave him notoriety at once.

Those worthy names mentioned have since passed away down the stream of time, leaving a bright history in the memory of this association and those who may succeed them hereafter. Conscious that the world has been made better for there having lived in it, this ends my first chapter in pioneer life. Very respectfully,  
S. G. FINNEY.

FROM PROF. S. N. FELLOWS.

FAYETTE, Iowa, February 3, 1898.

*Gov. B. F. Gue, Secretary Pioneer Lawmakers' Association:*

DEAR SIR—I beg leave through you to convey to the coming meeting of the Pioneer Lawmakers' Association, the "greetings and God bless you," of Dr. Sylvester G. Matson. Doctor Matson was a member of the constitutional convention that framed the first constitution of Iowa. He was also a member of the First general assembly which met at Iowa City, November 30, 1846, and also in extra session January 3, 1848.

Doctor Matson was born in Vermont, March 5, 1808, and at this writing lacks thirty days of being ninety years old.

He is proud of Iowa, of her history, her institutions, and of the noble men with whom he was associated in laying the foundations of her greatness.

For fourteen months he has been confined to the house and home of his daughter, wife of Rev. S. N. Fellows, D. D., who has tenderly cared for him. He is now very feeble in both body and mind, and will doubtless soon pass away. He now sends his last greetings to the association.

Yours respectfully,

S. N. FELLOWS.

FROM HON. JOHN F. DUNCOMBE.

FORT DODGE, Iowa, February 5, 1898.

*Hon. B. F. Gue, Des Moines, Iowa:*

DEAR SIR—Since agreeing to read a paper giving my recollections of the Spirit Lake expedition on the 9th inst., Harl & McCabe, attorneys for plaintiffs in overcharge cases involving something like \$200 000 against the Illinois Central Railroad company, have given me notice to take depositions in Chicago. I wrote to Mr. Andrews, the assistant general

solicitor, asking him to attend to the taking of these depositions on the 9th inst., but he insists that I must be present on that day, much to my disappointment and very great regret.

I have written Harl & McCabe of Council Bluffs, asking them to postpone this until the afternoon of the 10th inst. I could then read my paper and that night go to Chicago. At the request of Mr. Ellsworth, the city editor of the Capital, I sent him a copy of the paper which I have prepared. I enclose you a copy also, so that in case it would be impossible for me to be present you will kindly read the paper for me. I shall be present if it is possible for me to be there, but the very large sums of money involved in these cases and their importance make our general solicitor and his assistant absolutely *demand my presence*, but I feel very sure that when Harl & McCabe get my letter they will release me on that day.

Yours very truly,

J. F. DUNCOMBE.

Mr. Duncombe was able to be with us one day and read his very interesting paper.

FROM JUDGE J. H. ROTHROCK.

CEDAR RAPIDS, July 9, 1898.

Hon. B. F. Gue, Des Moines, Iowa:

MY DEAR SIR—I have been in the south for some time. Your letter in reference to preparing a sketch of the lives of Wm. P. Wolf and Wm. Miller was forwarded to me but did not reach me and was returned here.

Judge Winslow prepared a paper in reference to Wolf and it was read at the last meeting of the State Bar association. I furnished part of the data, and his family aided in the matter. If I were to prepare anything now, it would be merely a repetition of that read at the State Bar association.

I knew Miller personally, but had little knowledge of his life other than his service on the bench. He has a nephew, a lawyer in Des Moines, named Miller, who is associated with the attorney-general. He could give you the necessary facts.

I regret that I did not receive your letter at an earlier date.

Yours truly,

JAMES H. ROTHROCK.

FROM HON. C. SANBORN.

MANCHESTER, Iowa, February 4, 1898.

Hon. B. F. Gue, Des Moines, Iowa:

DEAR SIR—I saw by a notice in the State Register that the ancient law-makers are to meet soon in Des Moines.

I was a member of the house of representatives in the Twelfth and Thirteenth general assemblies, and it would give me great pleasure to meet with the survivors who may be present. And it is barely possible I may do so. But if I am not present, please remember me kindly to those who may be present, who belonged to that period.

Yours truly,

CUMMINGS SANBORN.

## SIXTH REUNION OF THE

FROM HON. THOMAS B. KNAPP.

IOWA FALLS, Iowa, February 8, 1898.

*Hon. B. F. Gue, Secretary, Des Moines, Iowa:*

DEAR SIR—I regret to inform you that contrary to our expectations, Hon. L. O. Bliss and myself will not be able to attend the meeting of the Pioneer Lawmakers' Association at Des Moines to-morrow.

Mr. Bliss is seriously ill, and unforeseen circumstances prevent me from doing so. Wishing the association a pleasant and happy time,

I am, very truly yours, THOS. B. KNAPP.

FROM HON. S. K. ROSENKRANS.

WEBSTER CITY, Iowa, February 5, 1898.

*Hon. B. F. Gue:*

DEAR SIR—Yours of the 3d received, inviting me to attend a reunion of the Pioneer Lawmakers. It would afford me great pleasure to attend, but I am unable to say whether I can, as my health is not good and I do not go much in the cold weather, still I may come if the weather is moderate.

Thanking you, I am truly yours,

S. K. ROSENKRANS.

FROM HON. W. C. WOODWORTH.

MARSHALLTOWN, Iowa, January 28, 1898.

*Hon. B. F. Gue, Des Moines, Iowa:*

DEAR SIR—I see the president of the Lawmakers' Association has issued a call for a meeting of said association, and all others who participated in making laws twenty-five years or more ago, to attend said meeting. I was a representative from Henry county in the Ninth general assembly, the winter of 1862. I should be happy to meet with you, and if my health will permit and the weather is good will do so. I am getting well along in years—will be 81 if I live until June next. Hoping your meeting will be a happy one, as I have no doubt it will, should I not be able to attend, would like to have my name added to the list of members.

Truly yours, W. C. WOODWORTH.

FROM HON. I. P. TETER.

NEW SHABON, Iowa February 1, 1898.

*Hon. B. F. Gue:*

MY FRIEND—I wish to be enrolled as one of the pioneer lawmakers, and if possible will be up. I was a member of the Ninth general assembly. I was, you will remember, senator from Keokuk county. Don't fail to remember me to Colonel Scott. Yours truly,

I. P. TETER.

At the reception given to the Pioneer Lawmakers by Maj. Hoyt Sherman there was a large attendance of members of the legislature, state officers, and citizens of Des Moines. The State Register made the following report of it:

## RECEPTION TO LAWMAKERS.

Maj. Hoyt Sherman entertained at his residence Wednesday evening in honor of the Pioneer Lawmakers, who are meeting and greeting this week in sixth biennial session. The number of grey heads was easily accounted for by the rules of the association, which renders a member of the state legislature eligible only twenty-five years after service. Invitations were also quite generally accepted by the legislators and their ladies, as well as the state officers. The grand army men were out in force, and many were the reminiscences recounted and stories told of years gone by. The absence of formalities but deepened the pleasures of the evening. Mrs. Frank Sherman, in a décolleté gown of black mousseline, looked after the comfort of her guests, assisted by her sister, Mrs. Belknap, in white faille skirt, with fancy bodice of pink flowered silk and chiffon; Mrs. Judge Deemer, wearing black satin and tulle, décolleté; Mrs. E. R. Clapp, in black velvet, with sleeves and vest of yellow brocade and lace, diamonds; Mrs. Pleas Mills in yellow Dresden silk, black lace, and sash of yellow mousseline; Mrs. Senator Garst, in black and green novelty cloth, black braided; Mrs. C. V. Keith, white organdie, ruffled; Mrs. J. Everest Cathell, brown satin brocade, turquoise velvet and chiffon; Mrs. Senator McArthur, white flowered silk, and Mrs. Harry West, green satin brocade, point lace. Little Sara Sherman, sweet and quaint in a black and white check silk, with black velvet bodice, directed the guests to the dressing rooms. A bowl of refreshing frappe stood in the recess of the stairway, and a two course supper was served in the large dining room, where the table decorations were exquisite. A cut glass vase of pink and white carnations rested on beautiful linen embroidered in pink and outlined with carnations laid loosely around the edge, while grouped around were a half dozen single candlesticks with pink shades. Mrs. Belknap's beautiful voice was heard with admiration in several vocal selections, which were heartily appreciated. Among the notables present were Mr. Peter Melendy, State Treasurer and Mrs. Herriott, Judge Cole, Major Jones, Senator and Mrs. Berry, Senator Lothrop, wife and daughter, Representative Dickins, Colonel Scott, Isaac Brandt, Representative Van Houten, Mr. Linderman, Senator Mullan, Senator Carney, Senator and Mrs. Garst, Senator and Mrs. McArthur, R. S. Finkbine, Colonel Beal, Captain Powers, Major Davidson, Hon. Lafe Young, Representative and Mrs. Miller, Owen Bromley, Senator Lewis, Senator Kilburn and daughter, C. S. Wilson and daughter, Representative and Mrs. Porter, Senator Ericson, Simon Casady and wife, Judge Casady, L. S. Ross, Judge Day, ex-Governor Dungan, E. R. Clapp and wife, Maj. S. H. M. Byers, Mr. Bacon, Pleas Mills and wife, Mr. Steadman, Major Kellogg and daughter, E. H. Stiles, Major Fleming, G. W. Bemis, Senator Bell, wife and daughter, and Lieutenant-Governor Milliman Gov. B. F. Gue, Gov. Frank Campbell, Hon. John F. Duncombe, H. F. Bain and mother, Miss Whitcomb and many others.

HON. A. B. F. HILDRETH.

In the Lewis memorial and biographical record of Iowa we find the following:

Hon. Azro Benjamin Franklin Hildreth is a gentleman whose name is closely linked with the history of Charles City, Iowa. For over forty years

he has been the moving spirit in the place. He founded and for many years edited the *Intelligencer*, one of the oldest and most influential newspapers in the state. A more recent enterprise, which stands as a monument to his business ability and desire to advance the best interests of the city of his choice, is represented in the "Hildreth."

The Hildreth is the finest block in Charles City, and it contains the best appointed hotel and opera house in northern Iowa. In this magnificent structure Mr. Hildreth invested no less than \$100,000, he being the heaviest stockholder in the Hildreth Hotel and Opera House company. This company is officered as follows: Azro B. F. Hildreth, president; Charles H. Shaw, vice-president; and Julia A. Hildreth, secretary and treasurer. The hotel was formally opened to the public on March 8, 1894, at which time an elegant banquet, presided over by the president of the company, was tendered a large number of guests. From that date onward the house has steadily gained popularity and is now favorably known throughout the northwest; and well it may be, as it is modern throughout and convenient and artistic in all its appointments. The terra-cotta floors lend elegance to the rotunda, which is reached from the main street office entrance, and by the park entrance, and from the rotunda passages lead to all parts of the house. The arrangement of the rooms shows careful study. All the sleeping apartments, seventy in number, are well lighted and ventilated, and also well furnished, and when sunlight passes away at night, electricity takes its place. In short, the hotel is a model in its every department, and its lessee, Charles H. Shaw, has all the qualifications of a first-class host. He is also the manager of the opera house. The Hildreth opera house has a seating capacity of 1,000, and, like the hotel, has every modern convenience. The stage and scenery are the best in the state, and are highly appreciated by the players, as well as by the audience.

Having thus referred to the prominent position Mr. Hildreth occupies in Charles City and the enterprises of which he is the head, we would now direct attention to that page of his history, which bears more especially upon his early life and ancestry.

Azro B. F. Hildreth was born in Chelsea, Orange county, Vt., on February 29, 1816, the eldest of a family of twelve children, six sons and six daughters. His father, Daniel Hildreth, was a native of Pepperell, Mass., born May 2, 1782, and at an early age removed with his parents to Corinth, Orange county, Vt. Subsequently he resided several years in Taverhill, N. H., in the family of John Page, afterward United States senator and governor of New Hampshire.

The Hildreths originated in England and were among the strictest of Puritans. James Hildreth, the grandfather of our subject, reared his family, after the straightest Puritan manner. His wife, whose maiden name was Esther Fletcher, was a daughter of Lieut. Timothy Fletcher, of revolutionary war fame.

From Corinth, Vt., James Hildreth removed to Stanstead, Canada, where he died in 1818, at the age of 73 years. After his death Grandmother Hildreth made her home with her son Daniel. She passed away in Chelsea, Vt., in 1826, at the advanced age of 80 years. Daniel Hildreth married Miss Clarissa Tyler, a native of Piermont, N. H., born July 5, 1794, their marriage being consummated June 9, 1814.

Azro B. F. Hildreth was married to Miss Liveria A. Knight, in Fryeburg, Me., October 21, 1844. She was a woman of education and of sterling worth of character, and to her management and economy is due, to a large extent, her husband's success as a financier. One child (Mary Liveria Aurette) was born of this marriage and died at an early age in Charles City. Mrs Liveria A. Hildreth passed away in Charles City, December 8, 1890, aged 73 years, and 6 months.

In 1858, and for several years thereafter, the state of Iowa had an educational legislature (separate from the general assembly) whose business it was to enact all laws pertaining to her free public schools and the State University. Mr. Hildreth was a member of this state board of education, and was prominent in the work of framing the laws which have given the Hawkeye state her superior educational system. Amid much opposition he succeeded in opening to young ladies the doors of the State University at Iowa City, there giving them in all respects equal rights with the young men. Thus was this institution made one of the first colleges in the United States to establish co-education. It should be added that, at the present time, the percentage of illiteracy in Iowa is less than that of any other state of the American union.

In 1863, Mr. Hildreth was elected a member of the Iowa general assembly. Here his influence was decidedly marked. He was placed on several of the more important committees, was chairman of the committee on schools and State University; a member of the committee on banking; also on printing and some others. While there, through the influence of the legislature, he succeeded in inducing congress to pass an act giving a large tract of land to aid in the construction of the Iowa division of the Chicago, Milwaukee & St. Paul railway. This railway leads from McGregor, westward through Charles City to Chamberlain, in South Dakota, and is now doing an immense business.

On March 1, 1892, Mr. Hildreth was married to Mrs. Julia A. Waterhouse, *nee* Brock, his present companion, a native of Lincoln, Me., and a lady of education and culture, and marked business ability. By her former marriage she has two sons, William E. and Charles S. Waterhouse, both living in Boston, Mass.

Mr. Hildreth now (1898) is in his 83d year, vigorous in health, step elastic, and posture erect. It is his boast that during his forty-two years' residence in Iowa, he has not lost one day by sickness. His religious views are those of the Unitarians. In politics he is a staunch republican.

## EX-GOV. CYRUS C. CARPENTER.

BY CAPT. J. A. O. YEOMAN.

Ex-Gov. Cyrus C. Carpenter, pioneer, Christian, soldier and statesman, died at his home in Fort Dodge, on Sunday, May 29, 1898, of Bright's disease.

The shock of this sad intelligence came to the community on Monday morning without forewarning. Two weeks previous Governor Carpenter had officiated as pall bearer at the funeral of A. E. Haskell. For a little over a week only, had he been missed from his office, and the general understanding was that he was but slightly indisposed. When the announcement of his death came on Monday, it was difficult of realization.

A long cortege followed the funeral party to Oakland cemetery, where all that was mortal of Governor Carpenter was laid to rest in the Burkholder lot.

Among those who came from abroad to attend the funeral were Governor Shaw and Private Secretary W. H. Fleming, Secretary of State Dobson, Ex-Governor Gue, Hon. Charles Aldrich, Miss Flora Wright, from Des Moines, and Arthur Burkholder from Washington.

The funeral was held on Wednesday afternoon from the Carpenter home. The obsequies were the most impressive in the history of the city. Business was entirely suspended during the funeral hours and all of the flags of the city hung at half mast during the day. The sympathy of friends from far and near had been expressed in a wealth of floral offerings of the most elaborate description. The humble little home of Fort Dodge's most honored citizen was surrounded for blocks around with carriages and the house itself was the center of a vast assemblage. The Methodist funeral service was carried out indoors, by Reverends Cochran and Green. Afterwards addresses were made from the front porch by Hon. John F. Duncombe, Ex-Governor Gue, Gov. Leslie M. Shaw and Capt. J. A. O. Yeoman.

Cyrus Clay Carpenter was born November 24, 1829, at Harford, Susquehanna county, Penn. There were six children in the family, three of whom survive: Gideon J., of Placerville, Col., Frederick D., a resident of the same state, and Robert E., of Des Moines. When Cyrus was 12 years old his parents died and the remainder of his youth was spent under the care of his grandfather, John Carpenter, who moved to Harford from Attleboro, Mass. For a few years he lived the hard life of the down east farmer, laying the rudiments of what afterwards developed into a broad and thorough education, during the short winter sessions of the dis-



EX-GOVERNOR C. C. CARPENTER.



district schools. During a few terms of school teaching he later earned enough to take a brief course in the humble little academy of his native town.

In 1852 his eyes and footsteps turned toward the west. He stopped in Licking county, Ohio, for two years, teaching school and carefully laying by enough money to take him to the frontier. It was in June, 1854, that he came to Des Moines, Iowa. A few days later, weary and foot-sore, he walked into Fort Dodge, with just one dollar in his pocket.

At that time the government land office here was just about to open. He turned his attention to surveying, at the same time studying law and gaining admission to the primitive bar. He taught the first term of school in Fort Dodge in the winter of 1854-55, and surveyed the original plat of the town site. He was attached to the government survey and served as chief of the survey in Kossuth county, in which there was then but one dwelling house. His long and useful record of public service began in 1856, when he was elected county surveyor of Webster county. In 1857 he was sent to the first session of the Iowa legislature that met in Des Moines. He was one of the volunteers at the time of the Spirit Lake massacre in the same year. He was married to Susan Burkholder in 1864. She survives him.

At the outbreak of the civil war he was prompt to offer his services to his country and was given an appointment on the staff of General Rosecrans. Later he served with General Dodge and the close of the war found him brevet colonel with General Logan.

In 1866 he was elected register of the state land office, and was re-elected in 1868. The crowning honor of his life work came in 1871, when he was elected governor of Iowa. He was re-elected in 1873. His first inaugural address made eloquent pleas for the establishing of a state university and also a state agricultural college.

At the expiration of his second term as governor he was, without his own solicitation, made assistant comptroller of the currency, which office he resigned two years later for magnanimous reasons, that proved how the innate nobility of his character had never been sullied by his political experiences.

Returning to Fort Dodge he was promptly made a member of the state railway commission, which office he resigned and was sent to congress as representative of the Ninth congressional district. He was re-elected two years later. The division of the federal district was one of his labors, and the selection of Fort Dodge as the United States court headquarters for the northern district was owing to his personal influence. The establishment of a system of government crop bureaus was also owing to his efforts while in congress.

After the close of his congressional service his neighbors again called upon him to represent them in the state legislature, and he was the acknowledged leader of the legislative session when the famous prohibitory amendment was passed. Under the Harrison administration he was again called upon to act as postmaster at Fort Dodge. He would have received the same commission this summer from President McKinley, had he lived.

For the past few years ex-Governor Carpenter has devoted his attention to his fine farm west of Fort Dodge and to his real estate business.

The lesson of a noble life never was brought home to our people as when they stood before the open grave of Cyrus C. Carpenter. Fortunate is the state or community that has held within its limits a man who so truly illustrated every virtue that has belonged either to a Christian or a pagan age.

Fort Dodge paused from its labor to return in some slight degree the honor which his residence and public service brought to the community where he has spent all the years of his manhood. Nor did Fort Dodge mourn for her dead alone; gray-haired statesmen, young and enthusiastic servitors of the commonwealth, the veterans whose love for him amounted to almost idolatry came from all parts of the state to render him the last sad service which man can pay his fellow. The strong and the feeble from every walk of life, gentle women and prattling children all came to do him honor and assist in bearing him to the green hills of Oakland. Never was service rendered more spontaneously; weeping comrades and neighbors lowered him to the grave where tender and reverent hands buried him beneath a "wilderness of flowers." No man ever lived in the state who so simply, so thoroughly, and so beautifully exemplified the gentler virtues of life than this friend and neighbor of our people.

He was a public servant in the truest and best sense. He was thoroughly imbued with the spirit that belonged to the constructive statesmen of the early days of the republic. To him the public service was a sacred thing as if he had been anointed therefor, and he brought to it all the strength of a clean and rugged manhood. No thought of personal aggrandizement, no desire for illegal wealth, no unholy ambition ever mingled therewith. The public service rather sought him, than he it. He had his ambitions, it is true, but he became a public man only because he felt within himself the conscious power to serve the state and the people whom he loved so well. He never for a single moment entertained the thought of service otherwise than for the public good.

He brought thereto the simple ways, the same unassuming manhood that marked his private life. Whatever difficulties met him in the discharge of his public duties he overcame them as completely and quietly as any man who ever lived. Whatever seemed to be the path of duty, that he followed. Patient, earnest, patriotic and industrious he solved every question that came to him and evaded none. He was as heroic in his civil life as he was in his military career. Strong with that sense of power that comes to and inheres in men of absolute truth and sincerity he felt and he was equal to any task that the state might demand of him.

With the exception of his army service, and his election to the general assembly of Iowa, his public life began at the close of the civil war. Elevated to larger office at a time when, by reason of war, proper discrimination in the choice of public servants had not been exercised, he found almost all the channels of public life more or less corrupt. The era of the greatest corruption in our public life was then at hand; the great fortunes amassed while the patriotic armies were struggling to save the constitution and the union, tempted the men who entered public life as never before in our history. It was a corrupt and profligate age, so much so that many clean and able men re-adjusted party lines upon this issue alone; upon such a stage our fellow citizen, our friend and comrade first made entrance upon the larger service he rendered the republic. He never for one instant

feared for that stainless integrity that was born in him; neither did his fellow men. Corruption shrank from him as "from the glance of destiny." The unclean lobbyist and the conspirator against the revenues of the state, passed him by without thought of trying him, and he avoided them as he would a pest-house. The very air and manner of the man marked him as belonging to that royal race of public men who dream of naught save that which is for the public good. In all his public life no man could put a finger upon a single act of his that was not honestly and faithfully done. His fellow citizens spent no time in explaining his record, for it shone with the same fixedness of truth and honor, in the firmament of public life, as the north star shines upon its fellow constellations of the universe.

A Christian man first of all, he was never a canter, he never prated of it; he had added thereto all the high qualities of truth and honor; his life was absolutely stainless. With all the noble service that he rendered the great republic, he was, in his ways, the simplest citizen of the commonwealth. Strong as he was to serve the people, he was gentle as a woman throughout it all. Men honored him, women loved him, and children idolized him. Take him all in all he was the knightliest soul that ever went up to God from the borders of our state.

With all that he has done for his country he died poor. He never sought the glittering prizes of modern business life; he left but little behind him beside the memory of the manner in which he lived and served his fellow men; and yet it seems to the writer that he has left his adopted son, Clay Carpenter, a richer heritage than all the money of the Vanderbilts. Of his army service it may simply be said that he was as faithful therein as in the civil life in which his fellow men knew him so well. He filled a military position from which many men did, and from which he might, easily have retired a wealthy man, but the thought of enriching himself at the expense of his country never entered his mind. He enjoyed the friendship and confidence in the highest degree of Generals Rosecrans, Dodge and Logan, but to his fellow citizens in private life he never boasted of a military career. He loved the veterans of the civil war, he liked to give them counsel freely and upon his strong breast these men enfeebled by age, and many of them poverty stricken, loved to lean. They knew that he gave to them the best counsel that his experience in life could give; they knew that his ear was open to every appeal, and he made their grief and their sorrow his own. He carried into his soldier life the same gentleness and tenderness that he did in his civil and social life. There was no veteran who stood beside his grave that did not weep for him. Comradeship in the largest and noblest sense he extended to them all. Generous soul that he was always, it was displayed to them in a larger degree than to anyone else. It is but a little tribute, dear governor, kind friend, honorable citizen, unselfish man, true patriot and loyal comrade, that we can pay. You have fought the good fight. You have made your march to that unknown and shoreless sea, which your Christian life has fitted you so well to explore; you have won a more glorious height than Lookout Mountain or Mission Ridge, which your brave arms helped win and hold. Farewell loving neighbor, farewell noble man, farewell great citizen, farewell loyal comrade; there rests in that republic of the dead at Oakland the remains of no more loyal comrade, of no truer man or gentler spirit than thine own.

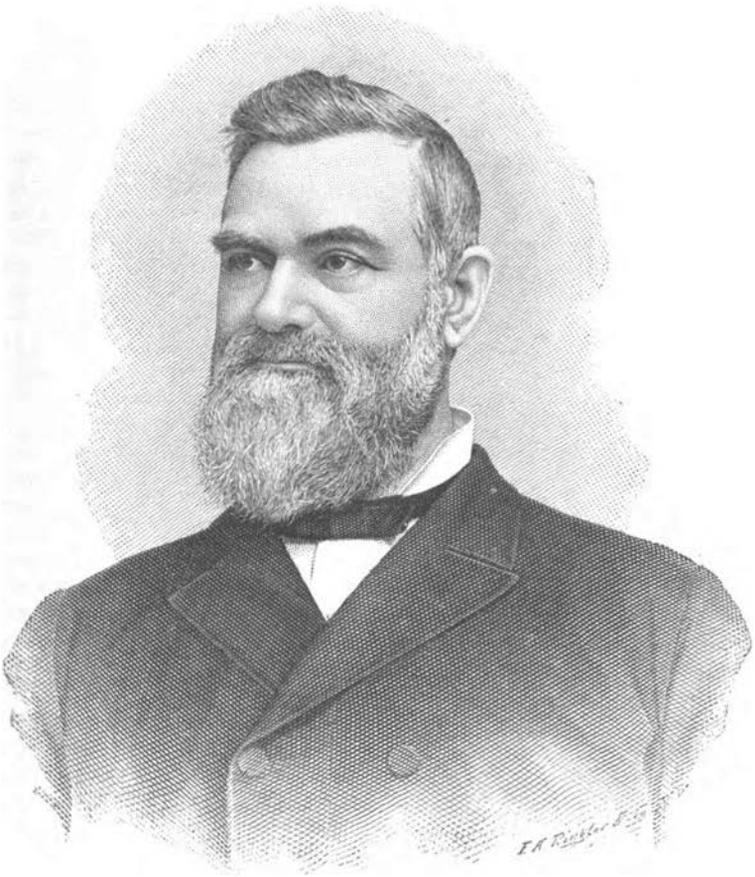
JUDGE JAMES G. DAY.

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James G. Day was born in Jefferson county, Ohio, June 28, 1832, and was the son of George and Sarah Day. The family was of English descent and was founded in the early history of the country. In his youth he attended the Richmond academy, and afterward entered the Cincinnati law school, from which he was graduated in the class of 1857. He came soon after graduating to Iowa and settled at Afton, Union county. He opened a law office and conducted a successful business until the fall of 1861, when he joined Company F, Fifteenth Iowa infantry, and went to the front with the rank of lieutenant. He soon won the admiration of the men under his command, attracted the attention of his superior officers, and was promoted to the rank of captain. He took a prominent part in many of the battles of the war, and at the historic battle of Shiloh, April 6, 1862, he received a gunshot wound in the hip which compelled him to resign his commission the September following. While in active service at Corinth, Captain Day was nominated by the republicans for the office of district judge, to which he was elected upon his return from the front. The eminent ability with which he discharged the duties of the position caused his re-nomination and re-election, and he continued on the district bench until 1870, when he resigned to accept appointment to the supreme court of the state to fill a vacancy caused by the resignation of Judge George G. Wright, chief justice, who had been elected to the United States senate. Judge Day was nominated for the position at a convention held previous to his appointment, and was elected in the fall of 1870, and by recurring elections continued to occupy the office until January 1, 1884. The fall previous he had been a candidate for the election, but was defeated because of a celebrated opinion rendered by him relating to the prohibition amendment, then recently adopted, to the state constitution. Without regard to personal or political sentiment, Judge Day declared as a lawyer that the amendment had not received legal ratification, but held it could be properly established, and that the delay necessary to accomplish the end in view was a less evil than the violation of the organic law. He was sustained in the position taken by the best legal talent of the state, but popular sentiment was hostile to the principles expressed in the opinion and he was defeated for re-nomination.

The opinion on the above subject written by Judge Day has attracted wide attention and is acknowledged to be a masterly document. It concludes with these strong words:

The cause of temperance can sustain no injury from the loss of this amendment, which would be at all comparable to the injury to republican



*James G. Day*

**Ex-Judge of State Supreme Court.**



institutions which a violation of the constitution would inflict. That large and respectable class of moral reformers which so justly demands the observance and the enforcement of law, cannot afford to take its first reformatory step by a violation of the constitution. How can it consistently demand of others obedience to a constitution which it violates itself? The people can, in a short time, re-enact the amendment. In the matter of a great moral reform, the loss of a few years is nothing. The constitution is the palladium of republican freedom. The young men coming forward upon the stage of political action must be educated to venerate it; those already upon the stage must be taught to obey it. Whatever interest may be advanced or may suffer, whoever or whatever may be "voted up or voted down," no sacrilegious hand must be laid on the constitution.

That Judge Day was actuated by the most conscientious motives, that he stood like a rock for his honest conviction at a time when such conviction meant disaster to himself, there were none to deny. The highest integrity, the keenest moral sense have always been accorded him, nor has his eminence as a jurist ever been questioned. In the quiet walks of private life, Judge Day was a man whom to know was to respect and admire. Though reserved and dignified in bearing, he was nevertheless cordial to friends and genial to all. He was the sort of man before whom there could be no wrong-doing. His memory will long be treasured and his name held in deepest reverence in this city which has been the home of the family since 1884.

Judge Day was thirteen years on the supreme bench of the state, and was thrice chief justice.

After leaving Afton Judge Day, some time in the latter '70's, located at Tabor in Fremont county. It was while at Tabor that Judge Day, becoming interested in a youth whom he first discovered herding sheep, found and developed Fred Lehman, whose fame as a scholar and able lawyer afterward became as wide as the boundaries of the state and who has been for four or five years engaged in the practice of law in St. Louis. Retiring from judicial calling, Judge Day removed to Des Moines and formed a partnership with Judge William Phillips. About one year ago the firm was dissolved by the retirement of Judge Phillips and a new firm organized under the name of Day & Corry.

He first met his wife, then Miss Minerva C. Manley, in Jefferson county, Ohio, in May 1856, at a May party, in which she appeared in the role of Queen of May. December 1, 1857, he led her to the altar.

Seven children, six sons and a daughter, graced the union of Judge Day and his wife, while an infant son, the youngest born rests in Greenwood. Curtis L., the first born, was graduated from the Iowa City college and Law school, and is now a leading attorney of Omaha; George, who was graduated from Tabor college and from the law department of the State University, married Miss Sarah Brown and is engaged in the practice as a partner with Curtis; Mary, who is the only daughter, is also a graduate of Tabor college and is the wife of Edmond B. Edgar, now a prominent attorney of Minneapolis; Charles M., also a graduate of Tabor college, is a young man of a high order of literary ability and editor of the Sioux Falls Argus-Leader; Harry B., who was educated at the Ames Agricultural College, and who made a special study of electrical engineering, soon achieved

success in his chosen field and is superintendent of the electric light plant at Hampton, Iowa; Edwin S. graduated from the Des Moines university and is practicing medicine at Earlham, Iowa, while James G. Jr., who also graduated from Des Moines university, is engaged in the practice of law, being a member of his father's firm.

The death of Judge James G. Day occurred Sunday afternoon, May 1st, 1898, between 1 and 2 o'clock, at his residence, 1305 Ninth street. Death was without warning of any kind, resulting from heart failure. He was talking to his son George a few minutes before his death and was apparently in good health. He was sitting in a chair and was leaning over to reach a book, when he gasped three or four times for breath and sank back in the chair dead. Restoratives were applied in vain. He had gone to join his beloved wife, who had preceded him a few weeks.

**REGISTER OF MEMBERS IN ATTENDANCE AT THE SIXTH SESSION OF THE PIONEER LAWMAKERS' ASSOCIATION, FEBRUARY 9, 10 AND 11, 1898.**

NAME	POSTOFFICE.	STATE.	No. years in Iowa.	PLACE OF BIRTH.	DATE OF BIRTH.	CHARACTER OF OFFICIAL SERVICE AND TIME SERVED.
P. M. Casady.....	Des Moines .....	Iowa.....	51	Indiana .....	December 3, 1818....	District judge and member of senate in 2d and 3d general assemblies.
R. S. Finkbine.....	Des Moines.....	Iowa.....	47	Ohio.....	July 9, 1828. . . . .	Member of house in 10th and 11th general assemblies and superintendent of capitol building
James G. Day.....	Des Moines .....	Iowa.....	40	Ohio .....	June 28, 1832 .....	District judge, 1863 to 1870, and supreme judge, 1870-1884.
B. F. Gue.....	Des Moines .....	Iowa.....	46	New York.....	December 25, 1823 ...	Member of house, 1858-1860; senate, 1862-1864; lieutenant-governor, 1866-1868; U. S. pension agent for Iowa and Nebraska, 1872-1881.
R. D. Kellogg .....	Des Moines.....	Iowa.....	44	New York.....	March 9, 1828.....	Member of house, 1860-1862, and major of 34th Iowa infantry.
John F. Duncombe..	Fort Dodge.....	Iowa.....	43	Pennsylvania .....	October 22, 1831.....	Member of senate, 1860-1862; member of house, 1872-1880.
S. P. Yeomans.....	Charles City.....	Iowa.....	60	New York .....	January 23, 1822.....	Member of house, 1854.
L. L. Ainsworth.....	West Union.....	Iowa.....	42	New York .....	June 21, 1831.....	Member of senate, 1860-1862; of house, 1872; member of congress, 1875-1877.
F. M. Knoll.....	Sageville.....	Iowa. . .	45	Alsace .....	March 8, 1833.....	Member of house, 1862-1878; member of senate, 1864-1866-1868-1870.
C. S. Wilson.....	Des Moines .....	Iowa.....	59	Louisiana.....	.....	Clerk of house, 1866; member of house, 1878.
Owen Bromley.....	Des Moines .....	Iowa.....	41	Wales .....	—, 1825 .....	Member of house, 1864.
B. A. Smith.....	Okoboji.....	Iowa.....	41	New York.....	October —, 1830.....	Member of house, 1868.
J. H. Powers.....	New Hampton.....	Iowa.....	41	Vermont.....	May 22, 1830.....	Member of senate, 1860.
Samuel McNutt .....	Muscatine .....	Iowa.....	44	Ireland.....	November 21, 1825 ...	Member of house, 1864-1866-1868; senate, 1870-1872-1874; U. S. consul to Venezuela, 1890.
Hoyt Sherman.....	Des Moines .....	Iowa.....	50	Ohio.....	November 1, 1827 ...	Member of house, 1866; U. S. military service, 1861-1864.

## LIST OF MEMBERS IN ATTENDANCE.—CONTINUED.

NAME.	POSTOFFICE.	STATE.	No. Years in Iowa.	PLACE OF BIRTH.	DATE OF BIRTH.	CHARACTER OF OFFICIAL SERVICE AND TIME SERVED.
A. B. F. Hildreth....	Charles City....	Iowa....	43	Vermont.....	February 29, 1816....	Member state board of education, 1868-1882; member of house, 1864.
David Stewart.....	North Liberty.....	Iowa....	38	Pennsylvania.....	March 24, 1830....	Member of house, 1870.
John Meyer.....	Newton.....	Iowa....	42	Pennsylvania.....	February 26, 1824....	Member of house, 1862; major of 28th infantry; member of senate, 1866-1868-1878-1880.
S. A. Moore.....	Bloomfield.....	Iowa....	45	Indiana.....	December 16, 1821....	Member of Indiana legislature, 1850-1851; county judge; member of senate, 1864-1866.
Edward H. Stiles ..	Kansas City .....	Missouri..	30	Connecticut.....	October 8, 1836.....	Member of house, 1864; senate, 1866; reporter of the supreme court of Iowa, 1866-1875.
James D. Wright....	Chariton.....	Iowa....	42	Ohio.....	November 30, 1820....	Member of senate, 1868-1870.
Warren S. Dungan...	Chariton.....	Iowa....	42	Pennsylvania.....	September 12, 1822...	Member of senate, 1862; house, 1880-1882; senate, 1888-1890; lieutenant-governor, 1894.
Charles Aldrich....	Boone.....	Iowa....	41	New York.....	October 2, 1828.....	Chief clerk of house, 1860-1862-1866-1870; member of house, 1882.
Chester O. Cole.....	Des Moines.....	Iowa....	41	New York.....	June 4, 1823.....	Judge supreme court, 1864-1876.
James Hilton.....	Hilton.....	Iowa....	57	New York.....	July 9, 1816.....	Clerk of district court, 1845-1848; county judge, 1857-1860; member of house, 1872.
Lewis W. Ross.....	Council Bluffs....	Iowa....	42	Ohio.....	October 15, 1827.....	Member of senate, 1861-1866.
George W. Bemis....	Independence....	Iowa....	44	Massachusetts.....	October 13, 1826.....	Member of house, 1860; senate, 1872-1874; treasurer of state, 1877-1881.
E. M. Stedman.....	Des Moines.....	Iowa....	43	Ohio.....	March 2, 1838.....	Member of house, 1872-1874; in revenue service.
Peter Melendy.....	Cedar Falls.....	Iowa....	42	Ohio.....	February 9, 1823.....	Trustee agricultural college, 1858-1872; United States marshal, two terms.
John Scott.....	Nevada.....	Iowa....	42	Ohio.....	April 14, 1824.....	Member of senate, 1860-1866; lieutenant-governor, 1868; colonel 32d Iowa infantry.
Lewis Todhunter....	Indianola.....	Iowa....	42	Ohio.....	April 6, 1817.....	Member constitutional convention, 1857.
W. C. Wilson.....	Websler City.....	Iowa....	42	New York.....	December 23, 1824....	Member of house, 1856.
O. Linderman.....	Ularinda.....	Iowa....	43	New York.....	February 4, 1829....	Member of house, 1866-1892-1894; clerk of supreme court, 1866-1872.
C. J. A. Ericson.....	Boone.....	Iowa....	39	Sweden.....	March 8, 1840.....	Member of house, 1872; senate, 1896-1898.
T. B. Perry.....	Albia.....	Iowa....	65	Ohio.....	April 1, 1832.....	Member of senate, 1892-1894; member of state board of education, 1858-1861.
L. Hollingsworth....	Des Moines.....	Iowa....	44	Ohio.....	March 5, 1831.....	Member of house, 1862.
John M. Davis.....	Des Moines.....	Iowa....	44	Ohio.....	June 25, 1831.....	Deputy secretary of state, 1854-1863; deputy and chief clerk state land dept., 1867-1890, except seven months of 1876.
John F. Hopkins....	Madrid.....	Iowa....	44	Ohio.....	October 4, 1831.....	Member of house, 1870.

E. J. Hartshorn.....	Emmetsburg .....	Iowa.....	28	Vermont.....	June 16, 1842 .....	Member of house, 1874; senate, 1876-1878-1890-1893
E. Lindley.....	Des Moines .....	Iowa .....	44	North Carolina.....	August 28, 1832.....	Member of house, 1864.
Isaac Brandt.....	Des Moines .....	Iowa.....	42	Ohio.....	April 7, 1827.....	Assistant state treasurer, 1867-1873; member of house, 1874.
Alonzo Abernethy...	Osage .....	Iowa.....	44	Ohio .....	April 14, 1836.....	Member of house, 1866; superintendent of public instruction, 1872-1876.
R. C. Webb .....	Des Moines .....	Iowa.....	33	Indiana .....	August 30, 1827.....	Member of senate, 1878-1890.
J. M. Otis .....	Des Moines .....	Iowa.....	40	.....	May 23, 1832.....	Sergeant-at-arms of senate.
F. T. Campbell.....	Des Moines .....	Iowa.....	40	Ohio .....	May 8, 1836.....	Member of senate, 1870-1876; lieutenant-governor, 1878-1890.
George Schramm ...	Des Moines .....	Iowa.....	52	Germany.....	February 12, 1816 ...	Member of senate 1852-1854; house, 1862.
G. L. Godfrey .....	Des Moines .....	Iowa.....	43	Vermont.....	November 4.....	Member of house, 1866.
J. M. Brown .....	Indianola .....	Iowa.....	42	Pennsylvania.....	July 11, 1820.....	Member of house, 1866.
M. A. Dashiell.....	Indianola .....	Iowa.....	44	Indiana .....	.....	Member of house, 1868; senate, 1872-1874-1890-1893.
C. O. Nourse.....	Des Moines.....	Iowa.....	47	Maryland.....	April 1, 1829 .....	Clerk of house, 1854; secretary of senate, 1856; attorney-general, 1861-1867.
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