

## JOINT SESSION.

In accordance with law and concurrent resolution duly adopted, the joint session was called to order, Hon. W. L. Harding, President of the Senate, presiding.

By unanimous consent the roll call was dispensed with, it being evident that a quorum was present.

The members of the Pioneers Lawmakers' Association were escorted to seats on the west side of the House chamber by the program committee composed of Senators Whitmore and White, and Representatives Ball and Brammer.

Senator Frailey delivered the address of welcome from the members of the Thirty-sixth General Assembly.

President Harding presented the Hon. Lot Abrams, President of the Pioneer Lawmakers' Association, to the joint session, and Mr. Abrams introduced Hon. G. L. Dobson who responded to the address of welcome.

Senator Chase then addressed the joint session on behalf of the Senate.

Representative Ring addressed the joint session on behalf of the House.

The Hon. W. P. Hepburn addressed the joint session on behalf of the Pioneers Lawmakers' Association.

A vocal solo was rendered by Mr. Thomas Dyer.

Thompson of Des Moines moved that the addresses delivered before the joint session be printed in the journal.

Motion prevailed and the addresses were ordered printed in the journal.

## SENATOR FRAILEY.

*Mr. President, Members of the Pioneer Lawmakers' Association, Members of the Joint Assembly, Ladies and Gentlemen:*

In my endeavor to carry out the commission which you have so kindly entrusted to me today I shall not hope to rise to the exalted station demanded by this occasion, and yet I hope that my shortcomings will be attributed to the head and not to the heart. I cannot quite understand why I was selected to make this address. I say this, because these visiting lawmakers do not understand the situation. I understood that the address was to be made by a lawmaker. I want to state frankly that I am not a lawmaker. I think that about seventy-five per cent of the bills that I voted for have been defeated and about seventy-five per cent of the measures that I voted against have been passed and will become a law.

It is no small honor to welcome here these legislators of the past generation who have made the history of this state,—they and their prede-

cessors who have given to us of this generation and to the future that which we so proudly call the history of Iowa, and gentlemen, it is a marvelous history that you have given us, this history of our state, a history whose title page is written in the blood of sacrifice, a history of a powerful people who, in less than half a century overran this domain between the Missouri and the Mississippi rivers; the history of a people who, standing steadfast to the ideals that inspired the pilgrim fathers at Plymouth Rock, standing steadfast to the ideals that made those starving regiments in rags, barefoot in the snows of winter, immortal at Valley Forge; standing steadfast to the ideals that made Yorktown a possibility and Appamattox a certainty. In this state of Iowa in the very heart of the Mississippi valley they have built up this commonwealth that today more nearly reflects the fundamental ideals of our fathers than does that of any other state in the union; a history of soldiers and of sailors who, in field and flood and savage wilderness, have borne the flag triumphant even to the gates of the sunset; a history of statesmen who, in the wisdom of their legislating, have guided themselves to majesty and might; a history of seers and prophets and historians who have given to the early generations of the earth a haven and a hope; a history of a state whose cradle song was the confluent murmur of two of the greatest rivers on this continent, whose constitution is the guaranty of civil and religious liberty to all mankind, the stamp of whose imperishable knighthood is noble, honest toil and whose crowned jewels are a Kirkwood and a Larabee, an Allison, a Dolliver, a Gear and a Harlan, and gentlemen, with all this marvelous history behind us, we are prompted in this generation to more strenuous endeavor, more glorious achievement. It is indeed eminently fitting and proper that we of this Thirty-sixth General Assembly should set aside this morning to do honor to you men of the generations past.

The study of the beginnings of representative government, no matter in what part of the world, seem to me to be the most interesting study that can attract the human intellect, notwithstanding that so much of it is legendary and so obviously false, and I have sometimes wished that some great historian, some divinely gifted man or woman might write down for us the marvelous history of the beginning of this state of Iowa, might take us back to the beginning of things, might show us the people and the pioneers of those early days, the houses in which they lived, the languages they spoke, and their lives as they lived them, for, gentlemen, it is a marvelous study, the early history of this state, and the significant thing to us today is, that it was you pioneer lawmakers and the generation that preceded you, beginning away back in the first territorial legislature in Burlington, coming on to Iowa City and then to Des Moines; it was these early pioneer lawmakers who laid deep and firm and true the foundation stones upon which we are building today and upon which the generations of the future will build tomorrow.

And so, gentlemen, it is not only the past that belongs to you, but the future as well, you who have been the moulders of our future, and it takes no prophet's vision to behold the future of this glorious state of ours, to see the home of the happy millions of people who rise up every morning to vast hives of industry and thrift; her country side the treasure vault

from which her wealth is drawn, her streams everywhere buzzing with the whirr and hum of the wheel and the shuttle, her fields tranquil in the white and gold of the harvest, her hilltops resound with the music of the bells as her flocks and herds go forth from the folds; her rulers honest and her people contented; her homes happy and her hearthstones bright and her conscience clean. Peace and sobriety walking hand in hand in her borders; honor in her midst, straight and simple faith in the hearts and the faces of her sons and daughters and sunshine everywhere and all the time. That, gentlemen, is the Iowa that you pioneer lawmakers have given to us and to the future, and now, makers of our past, moulders of our future, on behalf of this Thirty-sixth General Assembly I bid you welcome to the fellowship and deliberation of this occasion.

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HON. G. L. LOBSON.

*Mr. President and Members of the Thirty-sixth General Assembly:*

I haven't words sufficient to thank you for the address of welcome that has been tendered the Pioneer Lawmakers' Association. Go back, as we did yesterday, to the time when Iowa was a territory, when the western part of Iowa was part of the great American desert, and then as we come on down, there are men here who helped plan and lay the very foundation of this great state, as the Senator spoke of, men who could surely look a long way into the future when they planned this beautiful capitol. Go back for a half century in Iowa, and who could ever have dreamed that the time would come within a half century when we would stand first and foremost of all the states in the union in regard to agricultural products.

Friends, I am informed that I have just five minutes and so I will have to condense what I have to say, but we do thank you people for this address of welcome. We did what we could in our ways many years ago to build for the future, and yet what little conception we had of what was coming. I remember only eighteen years ago as a member of the executive council of the state we had turned over to us by the Genral Assembly of that time fifty thousand dollars which we were instructed to spend for the building of a complete historical building and buy the grounds besides, and when we met to spend that money we said we did not know how to spend it, and so we refused to spend a dollar and waited until the next legislative assembly came and then the beautiful west wing of the present building was put up. In all cases where money has been spent in Iowa for public buildings, homes for the unfortunate, schools of every class, criticism was made at the time, but, friends, there isn't an intelligent man in Iowa today who would want one stone taken out of that building and put a poorer stone in its place or have the least part of one of those buildings taken down.

We have but little conception, friends, of what Iowa has in store for her. I go back in my early days when you could get a homestead in north-western Iowa where there was no railroad, for a very small figure. When land came to ten dollars an acre we thought it had about reached the limit, but yet, friends, in my judgment, in the next ten years you will see land go to five hundred dollars an acre, and you want to look ahead and build with that in view. Nothing is too good for Iowa, and I am glad,

friends, to meet with a body of men at a time when the day of partisanship is gone. Thank God. Back in my day no measure of importance came up scarcely in regard to the common welfare of the people but that it was made a partisan measure and it was fought out on partisan lines, but today, gentlemen, when I come to look into the faces of the men of both great political parties and see you standing shoulder to shoulder, battling for the interests of common humanity, battling for the best there should be in Iowa, friends, I thank God that I have been permitted to see this day, when I can look into the faces of the men who are doing the very best they can for the good of humanity from the very lowest strata of society, for the cast out, to lift them up and give them a chance in this great magnificent state.

As we come here to spend these few moments Iowa is continually marching on; she is at the forefront; she should be at the forefront, and when men come to Des Moines from the remotest parts of the state in the next ten years they will behold the most magnificent grounds surrounding any capitol in the union, and I am glad I had a part in making it the most beautiful spot on all this continent, and you will be proud of the day and we as old members of the Pioneer Lawmakers' Association are perfectly willing to pay whatever taxes you think are necessary for us to pay to carry out this great program for a larger Iowa and a greater Iowa.

And again, friends, just a word more. You are on the right track. And oh! friends, when it is possible to forget that we belong to parties when we are battling for the good of humanity, it is a wonderful thing. You could not have been made to believe that ten years or twenty years ago, but it is on hand now. You have great plans here for the future bettering of Iowa in every part of it and you are going on with them. This broad, healthy spirit has gone out from this state, reaching every other state. Men say in Maine, "I would like to come to Iowa, for there they are planning great things for the future." Down south they say, "I like to come to Iowa, as I have heard them say that their men are planning great things for the future." And so, friends, do not be afraid of the critic that will come up and assail you. I remember when we built the wall around the state house that a great howl went up because we were spending the people's money, and so it will come up on all great questions. Look at what is for the best interests of the future and you will be glad you served in the Thirty-sixth General Assembly.

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#### SENATOR CHASE.

*Mr. President, Gentlemen of the Association:*

I am very glad, indeed, to assist in tendering a welcome to the Pioneer Lawmakers of Iowa. It gives me greater pleasure because I believe that I am eligible to a membership in the association. I had the honor to serve in the Twenty-third and Twenty-fourth General Assemblies as a member of the House. I came back after an interval of twenty years as a member of the Senate. I intended to come back sooner, but with some assistance I kept putting it off. However, when after this lapse of years I returned to the capitol, I saw some ancient landmarks. I recognized on the calendar the old repeal of the labor exemption, which was on the calendar when I was here. I remembered a few familiar faces among

the doorkeepers, and occasionally I would see a lady committee clerk, which like the college widow had withstood all changes and was still smilingly on the job. But that which impressed me most was a matter which was referred to by the eloquent speaker who has just addressed you. When I became first a member of the Twenty-third General Assembly, it was the occasion of the famous deadlock. There was a tense feeling of political excitement. The republicans sat on one side and the democrats on the other, and they were equally divided. And the feeling ran so high that no pairs could be arranged, and it is a fact that members were brought in on stretchers in order to answer to roll call so that no advantage could be taken, and it was six weeks before any organization was made.

On my return I find there is practically no political alignment. There are democrats and republicans as formerly, but it is largely a descriptive term. It is put into what has been called the herd book the same as a man's religion or the place of residence, but there are today classifications running on other lines. In this legislature there has been a classification of wet and dry, and moist, which is somewhere betwixt and between, like Mohammed's coffin, which is suspended half way between heaven and earth. And in the newspapers I have seen some classified as outlaws or insurgents. I prefer the latter because it is a little milder, and I am somewhat of an insurgent myself. As I understand the term, that simply represents different stages and different degrees of intelligence.

It seems to me that sometimes we do not properly recognize the obligation that we are under to the great men who laid the foundations deep and broad for the great commonwealth of Iowa. Some distinguished man has said that the present is the lineal descent of the past, and, if there be such a thing as conscience in law making,—which I understand is a matter somewhat in doubt and dispute,—it would seem to consist in a sort of evolution. We derive our ideas from those who have gone before us; and I say this state has been peculiarly fortunate in those men who formed it in the beginning. There is one thing particularly that we can say for the state of Iowa and its early lawmakers. In the entire period of its history, there has never been a time when there was any accusation that any lawmaker in Iowa had ever violated his trust; there has never been a time when there was a taint of bribery or a suspicion of men being bought. Where there has been so much scandal in surrounding states, that is a matter of universal congratulation that from the first General Assembly down, the record has been absolutely straight and clean in that respect. I do not know but what I heard a whisper over here about the word "graft" that has been used from a high and distinguished source in the recent past, but I want to say that that does not in any way deteriorate from my remark. As I understand it, this word was used, not in a dictionary sense, but purely, gentlemen, in a Pickwickian sense. I want to repeat and emphasize and accentuate that one thought, that throughout the history of this state there has never been a member of the legislature against whom the charge has been brought of being unduly influenced.

It has been made possible for us today, owing to the foundations that were laid deep and broad by these gentlemen and those before them, to go on legislating safely upon a firm foundation and building wisely upon what they did; and, therefore, it seems to me proper and fitting that we should recognize the immense obligation that we and all who follow us must owe to you. It is with pleasure that I add my mead of praise, for I realize, and realize fully, as a sort of connecting link between these two generations what we owe to those who have gone before us who have made it possible that we shall have as a blessing in all the future generations from this experience no blood on our escutcheon, but that we shall continue to build up a greater and a better Iowa.

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HON. HERBERT C. RING.

*Mr. President, Members of the Pioneer Lawmakers' Association and Members of the Joint Convention:*

I am glad the president of this convention called attention to this unequal balance of power,—one plebeian and two from the other side. I noted the remark of the gentleman from the House of Lords that he had heard a strange and unfamiliar word "graft". I wish to say to him and to those whom he represents that the air in this chamber and the members are as clean and as pure and as wholesome as the breath of an early June morning and no graft abides on this side, and I listened with utter amazement, gentlemen, to his statement that in the Twenty-third General Assembly or some preceding General Assembly it was necessary to bring in some members on a stretcher. I am glad that I belong to the Thirty-sixth General Assembly and that prohibition is coming. Aren't you? And then I listened to Mr. Dobson as he pointed out the beauty of the Iowa farms, the capitol extension, of which some of you have heard, and you know truly, gentlemen, back in my home county I heard some remarks on the other side during the campaign that didn't sound a bit like his. But I am glad we did it.

Yesterday the committee from the House having this matter in charge asked me if I would speak a few words at this session on behalf of the House. I have answered that call and am glad to stand before these pioneers this morning, as well as those who are here in the Thirty-sixth General Assembly. I will confess to you that I didn't quite understand what the Pioneer Lawmakers' Association stood for and I took opportunity to investigate. Perhaps all of you were familiar with the situation, but I alone may not have been. I found that former officers of state, former members of the General Assembly, judges of the federal and state courts, members of the board of education and distinguished attorneys who began their period of service twenty years or more prior to this time are eligible to membership in that organization. And so this morning, when there seems so much that summons us to work, when every hour seems freighted with its every load of care, when there is so much pending here, like there was those twenty or more years ago, that summons us to work, it seems to me that it is altogether fitting that we should pause for this hour and in a figurative sense tender to each one of these members of the Pioneer' Lawmakers' Association an American beauty perfumed with our love and respect and esteem, and on behalf of

the House of Representatives of this Thirty-sixth General Assembly, Mr. President and members, I am glad to be the bearer of that message.

Gentlemen, you belonged in a way to the nineteenth century in your activities, perhaps. We belong to the twentieth. Those closing days of the nineteenth century had problems of their own, and yet many of them were problems that were age long in their importance. Many of these problems are yet with us and will be with every assembly through all coming time. And yet, as I look back over those years and know something of the measures then pending, I cannot help but understand that each succeeding assembly has new problems that it must face.

Two years ago it was my good fortune and privilege as a member of the Thirty-fifth General Assembly to be here when our junior United States Senator, Kenyon, delivered that splendid address upon the life and the character of a former governor of this state, Mr. Larrabee, and I remember that in that address he quoted these words from Lowell: "There are men with empires in their brain." Gentlemen, I would not speak untruly, but I am of the opinion that there were men in the beginning of the history of this state, men who were pioneers, such as you men, who did have empires in their brain, and you did build wisely and well. No monuments will mark their pathway that the visible eye can see, but if you will look into the records of the different offices of government here, if you will turn to the statute books, if you will turn to the decisions of the judges of our courts, you will find there the record of the progress through the years, and I repeat again that we have men in Iowa who did have empires in their brain.

Men of the Thirty-sixth General Assembly, it would be presumptuous for me to advise you, my fellow members, but I do not and will not now refrain from this statement: We ought not alone in our legislation to look today, but we ought to turn and look through the years with prophetic inspiration and say, what import will our acts have upon the twenty years that are to come? And if we shall do as well here and now as you did in the days that are gone we shall have done wisely and well. Seated by my side, listening to the addresses here, was one of the Senators of this Thirty-sixth General Assembly, and he said, "Where will we be twenty years from now?"

Members of the Pioneer Lawmakers' Association, I doubt not, in fact I know, that many of your associates have gone to plead the justice of their cause before that bar where justice is administered with a mercy that is unknown in the administration of earthly affairs, and members of the Thirty-sixth General Assembly, when twenty years shall have come and gone, we shall have aged correspondingly, many of our members will have gone before that same court; and while we are busy with these affairs here that seem so large and seem so important, let us, remembering the past, not forget the finer things that, after all, go to make up life and real manhood.

Gentlemen, again on behalf of the House, permit me, as its humble representative this morning, to bear to your our tribute of love and respect and veneration.

COL. W. P. HEPBURN.

*Gentlemen of the Thirty-sixth General Assembly:*

It has never been my good fortune to be permitted to address either one of the houses of our legislature, although I had some connection in an official way with the sixth and seventh General Assemblies, and while I have not been permitted to address the legislature of Iowa, I have witnessed, as a boy and man, something of its transactions since the first territorial legislature met in 1841 in the then new capital of the territory. I knew Iowa when the territorial limits of Iowa included all of the present state, all of Minnesota west of the Mississippi river, and probably something more than half of the two Dakotas. In all that vast empire there were then a little more than 43,000 people—43,000 where now there are seven millions of people. My father's cabin was very near to the 91st meridian. West of that line, only a few miles from our door, you could not have found in all the United States as it then appeared upon the maps the homes of five thousand white families. From our cabin, moving westward to the border line of our state, you would have traveled without the sight of the smoke from a single chimney. It was a wilderness that God had planned to invite the coming of the men who have built the commonwealth. In those early days there were no railways, very few stagecoaches; probably not more than two lines of daily mail. Of course, the telegraph, the daily paper, the telephone and all those modern means of communication were unknown, and when the ambitious men of Iowa sought acquaintance, when they had some message to deliver to their fellow men, they came to the capital, and meetings of the legislature and meetings of the various conventions always brought throngs of men who wanted to aid. It was a custom in those days to organize the third house of the General Assembly, to which all of these members were eligible and where they discussed those grave questions so important when the foundations of a state were being laid. My stepfather was the clerk of the supreme court. He had his office in the then old capitol, and it was my fortune to see very many of these early patriots, and when old enough, to hear very many of their discussions. I remember very distinctly the discussions that occurred when men of progressive thought were striving to change the old English common law with regard to domestic relations, to give to the wife the right to own real estate without the intervention of a trustee; to give to a wife the power to own and control her own property; to take from the husband the right to own whatever of hers he reduced to possession; to give to the wife equal control and right of custody of the children. I remember the discussion when it was proposed to emancipate capital from the conditions under which it was held, when corporations were decried, and when each stockholder of a corporation was liable for all indebtedness of the corporation. I remember some of these discussions and I remember with veneration, Oh! with gratitude, those grand men who effected these changes and reduced from thralldom burdensome indeed those who suffered under the old system.

I listened to a gentleman here today thanking God for the absence of partisanism and apparently decrying parties. I sympathize with no thought like that. I look back and I find that every step of progress made



in a state and nation, every law lifting humanity higher, every law bringing blessing to mankind, has been wrought out by partisans and parties. I believe that that state or nation is best governed when there are two contending parties, each with ideas and each in turn responsible for the good or bad that comes to the state. Can you think, gentlemen, of any great step, any progress of any great movement that has lifted mankind higher or has brought us civic blessings, that was not wrought out through the intervention and instrumentality of parties? There are today and always will be where there is stable government, parties political. There is not a government or a dynasty today in this universe that is not sustained by a dominating and controlling party. The Czar of Russia could not hold his throne or maintain his crown a month without behind him there was a dominating party, and so it is, and so in my judgment it always will be.

I sometimes hear gentlemen say lamentingly that the era of opportunity is past for the individual and for the legislator. Our governor, who yesterday delivered a most admirable address to the association, spoke of a past period as the heroic period, giving peculiar advantages to the men of that day because of questions of great moment presenting themselves that they were able to solve. I was not content to believe that in all respects his judgment was well founded. I believe, men of the Thirty-sixth General Assembly, that before and before your successors there are as grave questions to be settled yet as were ever settled during the period when Abraham Lincoln as a blessing from God was permitted to preside over the destinies of this nation. We thought then that we had solved the one great question that stood as a menace before the prosperity of the nation. There are as grave questions for you to settle. The great labor question is before you and your successors to settle; the control of enormous capital is for you to settle; the management of the great agencies of commerce and manufacture are not settled yet. They are for you to settle. And there are innumerable questions in the present and the future to arise, giving place and scope for the genius, the learning and patriotism of the men of the day of their uprising. We often hear of the extraordinary virtues of those who preceded us. Undoubtedly they have played their part well and accomplished that that was set before them to do, but it is my earnest belief that the genius of the American people has not deteriorated, that the patriotism of this day is not excessive in comparison with the patriotism of the days past, that the ability for legislation is not buried with the days of the past, but that this generation has its full quota of genius, of patriotism, of worth, with the advantage of the larger accumulating experience that comes to you. I am not one of those who feel discouraged or lose hope in the republic. I expect from my grandchildren a great superiority over their ancestors. I expect you younger men to more than equal your fathers, and your children you will be proud of.

There is one word further that I would like to say, and that is, I want to raise my voice here on this very occasion, and I hope each one of you will do it, against those detractors, those creatures of venom, spite, hate, falsehood, who are constantly decrying men whom their neighbors selected as their public servants. Read the magazines, read a certain class

of journals, and all public men, as soon as they receive expressions of confidence from their neighbors who have known them, at once become grafters and thieves. Animated only by selfish desires, intent only upon rapine and spoil. How ridiculous it seems to one who stops a moment to think. Men who occupy your positions are men who have the confidence of the men who knew them best; men who have a knowledge of your capacities; men who are willing to trust to you the highest business of government—and yet legislators are the ones who seem to be most often selected by these blighted moral monstrosities.

There is one further suggestion that I would like to make, that in our state legislature those that were selected to make our laws are under serious difficulty. You are selected in November. You receive official notice of your election in December. You are called upon to enter upon the discharge of your duties early in the following month. The great majority of you gentlemen have had no experience, either in law making or law construction. The probabilities are, that a great majority of the gentlemen do not even know the process by which a thought is crystallized into a statute. Probably not one man, not half the men that come here, know the process through which that paper we call a bill must go before it becomes a law. A great many of you are not lawyers and perhaps had not read the law closely or critically that you are expected to amend. In addition to the difficulties of that kind, you find the rules on parliamentary law, something that you probably never thought of, consisting of a comparatively few pages, twenty maybe, but if all of the constructions that had been placed upon those rules during the life of the state and the territory by the presiding officers and by the chairmen of your various committees of the whole, were included, it would make a half dozen immense volumes. About all of that the average legislator knows nothing and he has got to learn it, because his efficiency is not of the highest standard without he has a knowledge of parliamentary law and what his rights on the floor are and what his duties may be. Those are difficulties. The best thought of a civilization ought to find reflection in the laws of the land. We boast of our civilization and the best efforts of the most intellectual of our nation and state have been addressed to the advance of our civilization as it may be reflected in our laws, or to reflect in our laws our civilization. And yet I am told that the last General Assembly enacted three hundred forty-six public statutes, every one of them a criticism upon that civilization of which we boast. Every new law is a criticism upon the existing civilization. It is a suggestion that it is not perfect and we are going to make it perfect. I sometimes think that we engage in too much hasty law making and I cannot but think that you gentlemen would be able to perform your duties much more satisfactorily to yourselves if your activities began some months later in your term of office. If I had my way with my view of the matter, I would have a short session where you have your one session for the members to become acquainted, to familiarize themselves more or less with processes—in other words, to learn the hang of the schoolhouse—and then I would give an interval for the purpose of studying, learning more of the duties and more of the better methods of accomplishing them, and I would have a long session later in the term, and I believe it would effectuate an improvement in our legislation, without criticising in the slightest degree the legislation that we have had.

Gentlemen, I know that the members of our Pioneer Lawmakers Association feel very grateful to you, indeed, for the gracious manner in which you have received us, for the very kindly expression that you have made for those entitled to membership in our organization, and in expressing, as I know that I do, the very earnest gratitude of all of our members, I thank you.

Thomas of Union moved that the joint session be now dissolved. Motion prevailed and the joint session dissolved.

House reconvened.