

The amendment, as amended, was adopted.

Dancer of Decatur offered the following amendments and moved their adoption:

Amend Senate File 184 by inserting after the comma in line 38 of Section 19 the following: "or by legally adopted children,".

Further amend line 40, Section 19, by striking the period following the word "relatives", and inserting the following: ", or by legally adopted children."

Amendments adopted.

Dancer of Decatur offered the following amendment and moved its adoption:

Amend Senate File 184 by adding as Section 24, the following:

"Sec. 24. If any portion of this act should be declared unconstitutional, such invalidity shall not be construed to affect any other portion of this act which can be given force and effect without said invalid portion."

Further amend by renumbering the following sections.

Amendment adopted.

Fishbaugh of Page offered the following amendment and moved its adoption:

Amend Senate File 184 as follows: Strike Section 23 thereof.

Further amend by renumbering the remaining sections.

IOWA PIONEER LAWMAKERS' ASSOCIATION

The time having arrived for the meeting arranged for the reception of the Iowa Pioneer Lawmakers' Association convention, under Senate Concurrent Resolution 11, and the Senate having adjourned out of respect for the death of Senator T. F. Driscoll, the House proceeded in accordance with the provisions of said resolution.

The members of the Senate appeared and joined in the meeting.

Senator H. D. Miller of the Cedar-Jones district moved that a committee of three, one from the Senate and two from the House, be appointed to notify the Iowa Pioneer Lawmakers' Association that the convention was ready to receive them.

The motion prevailed and the Speaker appointed as such committee: Senator Miller and Representatives Peisen of Hardin and Keeney of Palo Alto.

The committee escorted the members of the association to the seats at the Speaker's station.

Senator William S. Beardsley gave the following address of welcome on the part of the Senate:

MR. SPEAKER, PIONEER LAW MAKERS, MEMBERS OF THE HOUSE AND SENATE AND ASSEMBLED GUESTS: I am pleased at this time to appear in behalf of the Senate and extend to the Pioneer Law Makers a welcome in behalf of that body. I sincerely regret that the members of the Senate are unable to attend this meeting in a body this afternoon because the grim specter of death has entered our Chamber within the last twenty-four hours and taken from our midst one of our most distinguished and esteemed members. The Senate is in adjournment today out of respect to the memory of our colleague.

It occurs to me that this is a most splendid and happy occasion and it is quite timely that the Pioneer Law Makers can assemble in this Chamber which was the scene of many of your great achievements and accomplishments to renew friendships and enjoy the fine spirit of fellowship which prevails.

The Pioneer Law Makers have contributed a great deal to the institution of representative government and progress. It is my opinion that this is borne out by the fact that down through the years our State has been one of the best governed States in the Union. This in itself is a tribute to the Pioneers and indicates that they did their work well and most splendidly.

We are living in a peculiar time. There are those among us who say that everything that harkens of the past is useless. On the other hand there are those who contend that everything new and looking to the future is sublime. In my humble opinion both of these schools of thought are wrong. It seems to me that Sir Richard Steele some hundred years ago gave us the key to the solution of the quandary which we find ourselves in at this time.

He said, "Tradition is not a fetish to be prayed to but a useful record of experience. Time should bring improvement but not all old things are useless. We are served by both the ancients and the moderns. The useful man is he who clings to the best of the old and appropriates the best of the new." I think that if we will embrace this wholesome philosophy of Sir Richard Steele we will find in it the essence of wisdom which will give us a solution to our present day problems. It is necessary in changed conditions to change our approach to the solution of some problems. However, if we would be worthy of our vocation we can not ignore the traditional land marks which have charted our course thus far.

May I assure you gentlemen that we members of the Forty-seventh General Assembly rejoice with you in your accomplishments. We sincerely hope that in the succeeding years that fate and fortune may deal

most kindly with you and that we may have many more happy occasions of this kind and in conclusion may I again say that we salute you and tender you a most hearty and cordial welcome.

Representative J. P. Gallagher of Iowa delivered the address of welcome on the part of the House.

The Speaker then introduced Hon. F. A. O'Connor who delivered the following address:

WHAT ABOUT REPRESENTATIVE GOVERNMENT?

It is a privilege duly appreciated to speak to this joint session of the Iowa General Assembly and honored guests, on behalf of the Pioneer Law Makers' Association.

My presence in this chamber and on my feet is rich in memories of the many happy days I spent amidst these surroundings, but richer still in friendships that have endured and constitute a part of that golden chain of friends without which a man would be poor indeed.

The speaker on this occasion at each recurring biennial session has usually dwelt upon incidents affecting individuals or events in his experience within the General Assembly or other state office in which he served. I might well follow this precedent and review some of the stirring and interesting events which I experienced and in some of which I played a very modest part. For instance, during my service in the General Assembly, the titanic battle over the Woman Suffrage amendment; the Oregon plan for the election of United States senators; the important contest over the creation of a public utilities commission; the adoption of the law which provides for the present State Board of Education; and the historic deadlock for the selection of a United States senator to succeed the temporary appointee, Hon. Lafe Young, named in the interim to succeed the lamented and distinguished Jonathan P. Dolliver. In that contest the Senate and House met in joint session at noon throughout the entire session, but the deadlock was not broken until three p. m. on the day of final adjournment.

Each of these, and other events, were sufficiently colorful and striking to merit my time and your patience, had I the power to depict and recount them in correct perspective. Likewise, in the 34th General Assembly the story of the divided groups within the majority party and the many strategic plays for position and power would be interesting and refreshing, and what a tale could be told had I the gift of words with respect to that little band of patriots who inhabited the north-easterly section of the Indian country, known as the Cherokee Strip; those valiant homeless souls, who surely left partisanship and party behind them and, like all true Jeffersonians, devoted their efforts unselfishly to the public welfare. I need not comment on how this nomadic tribe has left the strip and now overrun the mainland. Too, what an inspiration it would be to dwell upon the lives and services of some of my contemporaries, many of who made history in those eventful days. Of dear old George Koontz, elected by the voters of Johnson

County, but by common consent the uncrowned King of the State University of Iowa; of Charlie Miller of Bremer, the sworn foe of the American Medical Association; of the lovable speaker of the House, Paul Stillman of Jefferson; of Bill Harding, late Governor, Bill Larabee, Ernie Moore, John Jacobs, Garritt Clay, and others in the lower house. And, across the hall in the Senate, the colorful Shirley Gilliland of Mills, the competent Jim Smith of Mitchell, the brilliant and rakish Cady Chase of Hamilton, the finished orator J. U. Sammies of Plymouth, the serious but able John Clarkson of Monroe, and the waggish Billy Haskell of Linn, besides many others whose services and antics are recorded indelibly in the memories of those who served with them, and recorded imperishably in the statutes which have brought comfort and privileges to untold thousands who knew them not.

And no reference to that period during which I served would be complete did it not include the capable chief executives, Governors Carroll and Clark.

All these men at heart were honorable men, and in their days served their state and districts with honor and distinction.

I have elected, however, to forego the happy task of speaking of particular men or particular measures, or either, as such, but nevertheless of men and measures as instruments of government, and to that end I crave your patience for a brief spell.

I hope it will not be regarded as presumptuous on my part if I devote my time today to what I might denote "a homily on government", or "What about representative government?"

I need not tell an intelligent group such as I address on this occasion of the continuing complexity of government, from the day we set up the instrumentalities which were to serve us in both nation and state. Life, and all its incidents, in a governmental sense, were portentous then, but infinitely more complex in the succeeding years. To trace the development of laws and the principles which give rise to them would indeed be an interesting study. In the early years, as a people we were concerned largely in the enactment of laws which affect the natural impulses and aspirations of men, the right of representation in government; of freedom of the press and of speech; the untrammelled right of religious worship; the establishment of legal tribunals and principles affecting them as they involve our personal and property rights; the foundation of these inherent rights which men crave were firmly engrafted into our governmental system and have been strengthened through the passage of years.

In the course of events we settled as a result of a cruel and bloody war the momentous question of human slavery and as a result thereof banished it from the sacred soil of this Republic. In the course of events again the principle of sound representative government became a problem in a new and different sense. The development of industry and the growth of powerful industrial organizations and the selfish interests of those who control said instrumentalities in the affairs of government, gave rise to new issues. These may be appropriately referred to as an attack on the principles of equal opportunity, as they affect the daily lives of men.

These issues arose out of the claim that selfish interests undertook to place in positions of power, in the enactment of legislation, representatives who would serve a particular interest as distinguished from the public welfare. That struggle in our own state became the paramount issue in the days which marked the turn of the century. The result in our own commonwealth was the enactment of the primary, anti-pass and kindred laws. The march of time has left many of these modern problems with us, and in addition has multiplied the problems many fold. Government today is a complex skein of involved intricate and difficult problems, which confound even the best students of the science of government.

It might naturally be assumed that with our 150 years of experience in education, freedom of speech and the press, and the widest possible diffusion of knowledge, we would have simplified and refined the processes of government, and that we should, in the truest sense, be the masters of it. A survey of our accomplishments and of the problems immediately before us may well cause us to pause and inquire: How successful have we really been in mastering the principles of self-government? Who knows if the mighty machine we have built us will stand the test which time and circumstances will inevitably lay upon it? Events and changes have come upon us so quickly that the answer is perhaps not yet ready. The tremendous moment of the problem may be indicated in a series of questions:

First: What is to be the government's permanent place in the economic and social problems which affect the national welfare?

Second: Is there a complete answer to what are to be the relations between business and labor? If so, what is it?

Third: Where is the true line beyond which we may not safely pass if we are to preserve our Republic from socialism and related isms?

Fourth: What is to be the final answer of the true relationship between the Federal government and the several states?

Fifth: How far may the government go in safety in insuring security in prices and otherwise to selected groups without incurring dangerous reprisals from other groups, thereby affecting the solidarity of the nation?

Sixth: What is to be the final answer of government to the millions of men and women who day and night are haunted by the spectre of insecurity?

I might continue on ad infinitum in marshalling problems of government as they affect humankind in this Republic, but I need not do so. I enumerate the few stated only to emphasize the great responsibility which rests upon us, as a self-governing nation, and to point out the gravity of the responsibility which rests upon men and women called to the service of the state and nation in a representative capacity.

I might conceivably denote an equal or greater list of social, economic, fiscal, and other problems which concern those who, like you, are called upon to serve the people of a great commonwealth.

It is evident to you that we have not found an acceptable solution of the problems which inhere in taxation, education, transportation, utili-

ties, social security, etc., because the issues are constantly before us in new forms and new phases.

I am not one childish enough to believe there is a specific as to any one or all of these perplexing queries. I can, however, as one deeply concerned in the welfare of representative government, bring home to you the assurance that the solution of the problems is becoming constantly more difficult and is to be a never-ending task. The cosmopolitan quality of our citizenship, the diversity of interests, the swiftly changing phases of modern civilization, at home and abroad, the unrest of millions of human beings in all the countries of the world, those who speak to one another through the invisible meshes of the air and convey the burdens of life in tragic messages,—all these are factors in the drama of life and government in this modern age. You ask, Why do I paint this picture of seeming doubt to the legislators of a great state? Is it a signal of distress, a call to arms to meet a stranger who would charge upon us whilst we are in a maze of bewilderment and doubt? Indeed no! I sketch the picture only as a warning to you, as symbols of legislative authority, and for myself and others like me outside the realm of such responsibility, to the end that we may all gather vision and courage to meet the problems of a new era and solve them through formulas of acknowledged statesmanship.

This new era of legislation is upon us. Restless men are seeking new laws and new methods of creating them, as they challenge the accepted forms of one hundred years. There are unmistakable signs that many men are dissatisfied with government as is and an undoubted declaration of belief that old forms and principles are no longer sacred. I think that we in America and we who live in the great commonwealth of Iowa can not ignore the universal unrest in the world around us. It certainly behooves every lover of his country to study and understand something of the character of the men and the circumstances through which they have risen to power and have transformed, figuratively, overnight, the governments of many European countries. Countries from whence have sprung a large majority of the citizenship of our own country.

Let me enumerate and comment briefly:

Joseph Stalin, the highest living example of an absolute dictatorship; the acme and essence of communism in its deepest hue. He has brought under his dominion more than 160 million human souls in Russia and Siberia; this stolid, dogged character who decrees that every human thought and act is wrapped in the magic wrapper of impenetrability and indestructibility called the state; a dictator who defies the ordained concepts of Christianity, who reduces God to the level of the brute, who wipes out the foundations of society as related to religion, and with a single stroke sweeps away the foundations upon which governments and society have builded and flourished for 2000 years. His philosophy has found root not alone in Russia, but in almost every country of the world. Even in our own Republic the Red Flag of communism has been unfurled and thousands of men who live under the protection of the Stars and Stripes pay tribute to the devastating principles of the Red emblem.

John Gunther, in his graphic chapter on Stalin says: "He is the most powerful single human being in the world: and one of the very greatest. He is different from other dictators because he is not only the undisputed leader of a National State but of a movement, the Communist International, which has roots in all countries."

Let us turn from Russia to Germany, and the Nazis, under the leadership of the strange and mysterious dictator, Hitler. True, he recognizes the principle of private property, but in most other respects he glorifies the state and reduces to the level of non-essentials the principles of government which have been universally regarded as the supreme attributes of an enlightened civilization.

His sustained attack upon the forces of religion within his country; his deification of the state as the supreme arbiter and director under his absolute dictatorship; his cruel designing inhuman schemes whereby the enemies of his theories have been shot and murdered at home and away, (witness the planned death by the Nazi of Dollfus of Austria); his ambition to rule beyond the borders of his present dominion, all give proof of the danger he presents to a civilized world.

Turn to Italy, and the dynamic conquering Mussolini, who demotes a King to the stature of a common man, and grabbing the scepter of authority flouts it over the heads of forty millions of human beings and to the huzzas and hosannas of a united people proclaims himself in name and in fact the dictator of all. With more finesse and acumen than Hitler, but moved by the same instincts, he extoles the majesty of the state. Together they exalt the spirit of nationalism and march to the pinnacle of dictatorship, followed by the maddening mob of unthinking but loyal subjects.

I might dwell on the Spanish revolt and the Austrian debacle, but I need not do so to stress the point I urge.

That point, as I view it, is a warning to mankind everywhere. As I read the story of these movements there is more than a thread of similarity in each. The primary ultimate of Stalin philosophy is embodied in the "ABC of Communism", official publication of the Soviet government. I quote from it as follows:

"The Soviet power must exert the most fervent propaganda against religion. All religions are one and the same poison, intoxicating and deadening the mind, the will, and the conscience; a fight to the death must be declared against them. Our task is not to reform but to destroy all kinds of religion, all kinds of morality."

In a speech at Moscow the Communist Minister of Public Education declared:

"We hate Christianity and Christians; even the best of them must be looked upon as our worst enemies. They preach the love of our neighbors and mercy, which is contrary to our principles. Christian love is an obstacle to the development of a revolution. Down with the love of our neighbors. What we want is hatred. We must learn how to hate and it is only then that we shall conquer the world."

Those who have followed the activities of Adolph Hitler may justly conclude his mind is surely not antagonistic, at least in some degree, to these diabolical principles. Mussolini is presently devoted to prayer and

religion, but the basic philosophy of Fascism, as exemplified in the dictatorship of a nation, is not in keeping with such devotion. The same strain of anti-religion is manifest in the present Communist-Socialist ruling party in Spain, and in the Socialist group of Austria, and we have a manifestation of it in the western hemisphere in the Republic of Mexico.

In the light of this situation I think we may prudently enquire—Is our own country surely immune from the danger and the terrifying consequences of similar forces?

If the philosophy of Stalinism and Hitlerism is what it appears to be, namely, the driving out of God and the principles of Christianity in the life of the world, and if that philosophy is accepted as sound, then there is reason why the state should be exalted. If man is the creature only of his years; if eternity and the eternal life are a myth; if man, created in the image of his Creator, provided with an intellect and a will, dies as the brute dies, and the chapter thereby closes forever, then indeed there is little need for the principles of morality which a christian civilization proclaims, and every reason why man should lift high the banner of Stalin, with the deadening motto thereon, "Our duty is to destroy all kinds of morality."

After all, the mystery of life and death is perplexing and in a world in which a man has had naught himself to say as to his existence, the teachings of these malefactors of morals may find easy acceptance in the minds of those countless millions who are pressed and hardened in the economic and social struggle for an uncertain existence.

Little thought is given to the ultimate chaos if those principles were to supercede the acknowledged concepts of Christianity which have given to mankind the accepted standards of human conduct.

Pursuing this thought I come to our own beloved Republic. An analysis of our own fidelity to the Christian religion does not present a hopeful picture. A large majority of the people in these United States profess no attachment to or membership in any of our religious groups. This means that more than sixty-five million of our people know little or rather hear little officially of the concepts of Christianity. I do not mean they do not lead moral lives, but I do urge that a person deeply grounded in the faith of religion and belief in an eternal creator and eternal life cannot and will not become a follower of the dictators who proclaim "The State is all"—"Long live the State". I point this fact out, not as a reformer or preacher, but as indicating what might form a common bond of understanding and theoretically constitute a base for the development of these foreign and dangerous isms in this country.

My idea is that we do the things in this Republic which will make impossible the acceptance of the destructive theories of foreign dictators by any substantial number of our own citizenship.

Another factor which lends support to the bond between our people and those abroad is that from time to time policies and practices of Old World countries are held up to us by statesmen and economists as superior to our own. No doubt these claims in many respects are true. I mention it only insofar as such reference and approval of policies builds up a sentiment of respect in this country for the forms and leaders of such countries. Unrest among the body politic gives rise to all the troubles

of Europe. Unrest is the point of danger in this Republic. This unrest at home and abroad arises largely because of inequalities in life. The inevitable conflict between the rich and the poor. Social and economic unrest is the food upon which dictators sweep to power. It is not difficult to understand how and why a strong and persuasive man may lead a distressed people to the heights of disaster and destruction itself, as has already been done in Russia, Germany, Italy, Austria, and Spain. And what a price the poor are paying. Whatever their portion before it is infinitely worse under the scepter of the destroyer of men's natural rights under accepted forms of organized government.

The wreck of Europe as we look upon it today should not be lost upon the statesmanship of America. We have evidences of unrest all around us, and our supreme duty is to rise to the necessities of the hour and vindicate the worth of representative government. The very essence of representative government is that those entrusted with legislative responsibility truly represent the will of a free people, fairly expressed. In this Republic our chief executive is the acknowledged leader of all the people. He is the only executive whose credentials come from the voters of all the states. In the very nature of things he is the one in authority most likely to have a national viewpoint,—and generally our presidents have expressed the public will as decreed in the quadrennial national referendums. Governors and members of Congress, obviously act primarily for a restricted political unit. This is correspondingly true of our legislatures of the several states. Hence, my friends, let us not be too quick to criticise a chief executive who undertakes to give expression in laws to the unquestioned will of a free people, because the will of a people, in the light of history, cannot be denied.

I mentioned earlier in this paper certain problems of government, both state and national, that press on for solution. Let me remind you that in a Republic with as many conflicting selfish groups as we have the task is not simple and no matter what the remedy certain groups will howl in horror. This cannot, however, give pause to a leader of legislators, who, giving thought to all forces and interests, approximate justice notwithstanding acknowledged inequalities.

In this mighty political warfare of equal rights and opportunities within the law, there likely must be in this country a giving up by certain groups of the things they have heretofore looked upon as their own. We must, in some way, provide a more salutary distribution of our earnings, to the end that men may labor and live free from the terrible nightmare of dependence and insecurity. The Captain of Industry who does not see this looks not into the heavens, for it is written in the stars. Likewise, men who labor must be moved by an understanding that we must accept either the capitalistic system or surrender it for some ism foreign to the soil of this Republic,—“That we have the genius in this country to fight our way to victory” I believe. The forces of capital and labor must be brought together, in mutual undertakings, not after strikes but before. Application of sound principles of social and economic justice must be accepted and enforced if we are to surmount the evidences of unrest around us. This is peculiarly within the control

of legislators in state and nation. To it you, as members of the General Assembly, owe a prime and supreme duty.

Furthermore, in the field of government, local, state and national, there must be devotion from individuals to the principles of integrity and honor. The Public must not lose faith and confidence in the men who represent it in legislative bodies, but that faith will disappear if corruption shows its ugly form. Integrity in public office must be the Shibboleth which as a slogan symbolizes representative government.

The channel through which laws pass must be kept clean and pure, to the end the governed may not lose faith in those who govern. I appreciate what I say has some measure of idealism—easy of statement but not easy of accomplishment. The currents of greed and selfishness run deeply and the price of good government is eternal vigilance.

Representative government is always on trial. We are all a part of it. The test is the ultimate measure of justice or otherwise which flows from the results of the deliberations of law makers. The Body Politic is in large degree fickle. We denounce today what we approve tomorrow. So the duty of men and women chosen to act for others under our system is to weigh in the scales of conscience the rights of all, and then fearlessly, regardless of self or present consequences, do the thing they decide is right.

Johnson of Hancock moved that the address of welcome and the address by the Hon. Mr. O'Connor be printed in the Journal. Motion prevailed.

The Speaker announced the meeting adjourned.

The House reconvened, Speaker Foster in the chair.

The House resumed consideration of Senate File 184 and the amendment offered by Fishbaugh of Page at the time members of the Pioneer Lawmakers' Association were received.

On the question, "Shall the amendment be adopted?"

The ayes were, 9:

Benz	Flynn	Irwin	Thompson of
Blue	Hickenlooper	Nelson	Guthrie
Fishbaugh	Hoegh		

The nays were, 91:

Alesch	Copeland	Engel	Hendrickson
Baumhover	Cramer	Foster of Henry	Hultman
Beckler	Craven	Fox	Johannes
Beltman	Currie	Frizzell	Johnson of
Bowers	Curtis	Fuelling	Buena Vista
Brodersen	Dancer	Gallagher	Johnson of
Bruene	Davis	Gardner	Greene
Bulow	Dietz	Good of Boone	Judd
Burma	Dreessen	Goode of Davis	Keefe
Christoffersen	Dykhouse	Groves	Keeney
Clements	Elliott	Hathaway	Kephart