

Pioneer Lawmakers Honored

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THIRD SERIES

PIONEER LAWMAKERS HONORED

By EMORY H. ENGLISH

The severe and prolonged snow storms of March occasioned postponement of the Thirty-first biennial meeting of the Pioneer Lawmakers Association of Iowa, to have been held the 14th. Pursuant renewed invitation of the Fifty-fourth General Assembly a new date was fixed, and the sessions held March 28, 1951.

The morning meeting convened under unfavorable weather conditions with about forty present in the Grenville Dodge room of the State Historical building at Des Moines. Vice President Carl W. Reed of Cresco, presided in the absence of President C. F. Clark of Cedar Rapids. Illness had required his spending the winter in Florida, though he had planned the program of the meeting. Mr. Clark had previously served as vice president of the association. His legislative service as representative from Linn county was in four sessions, 1919-1924, becoming a leader in the house, and in the senate, 1927-1931.

A practicing attorney in Cresco since 1886, Judge Reed's official career has been noteworthy. He served as county attorney of Howard county four years, as state senator representing Howard and Winneshiek counties, 1919-1926, judge of the district court of Iowa in the Thirteenth Judicial district, 1926-1933, and a member of the state commerce commission since 1940.

The program opened with invocation by the Rev. Claude R. Cook, curator of the Iowa Department of History and Archives, as follows:

Our Heavenly Father, we are grateful to Thee for all Thy blessings, which we are very anxious to acknowledge in this

hour. We are thankful to Thee for the privilege of being here on this historical occasion and in this historical building.

We thank Thee for the services which these distinguished citizens have rendered to our State and are grateful that they are still permitted to be among us as contributors to the welfare of our commonwealth. And we pray this morning that Thy blessing may rest upon them in this meeting and in this gathering today, and in all of the activities in which they engage, and that it may go with them and that they may come again and again in such similar assemblies as this.

Vice President Reed expressed regret that President Clark could not be in attendance, stating however, that he had sent two papers which he had prepared and had hoped to present, one of which the vice president would read at the morning meeting and the other at the afternoon session.

The secretary presented the list of those of former Iowa official station of twenty or more years ago, now becoming eligible for membership, largely including those now living of the membership of the Forty-fourth General Assembly of 1931, a considerable number of that group being present.

WELCOMED BY THE GOVERNOR

Vice President Reed: Just now I will inject something just a little personal. Some years ago, soon after I went on the bench, I was with a group of friends and one of them said: "We are at a loss to know how to address you. We don't know whether we should call you captain, senator, or judge. Now what should we do?" I said to them: "If you feel that you know me well enough, call me Carl. If you don't feel that you know me that well, you had better get acquainted."

Now, we have with us this morning a man who has been in the senate and later became a gentleman in the house. In another two years he will have another distinguished position as a member of the Pioneer Lawmakers Association. Those of you who know him well enough to call him Bill are welcome to do so. If you don't know him that well I would suggest that you get acquainted with him. I give you His Excellency, the Governor of Iowa.

Governor Beardsley: Officers and members of the Pioneer

Lawmakers Association of Iowa: Indeed it is a happy privilege for me as a former legislator, one who served his early days in the senate and then later had the privilege of being known as a gentleman in the house, and later to be elected governor, to come over here and meet with you Pioneer Lawmakers.

I am happy to extend greetings to you and a cordial welcome to Capitol Hill. I have profound respect for the Pioneer Lawmakers. I have looked forward to the time when I might become a Pioneer.

You know that means something to be a pioneer. We have got an Old Settlers Association down in New Virginia, my home town. You have to live there at least twenty years before you become eligible to become a member of the Old Settlers Association. I don't know whether they patterned that after the Pioneer Lawmakers or whether it antedates that. But I am glad to be here.

As I look back over the years as a freshman in the senate and later back in the house, I feel that there is no higher privilege than to serve in the legislature. I do not know of a higher recognition that can come to one, the pleasant association, the rich experience of having served in the legislative chambers.

As I look back I have the feeling that each generation in its way, and that applies to legislators too, have made their contribution to the development, the progress and the stability of our great state, and we do have a state that we may well be proud of. When you look at the Kefauver investigation, when you compare the standards of service, the performance of public service, I think we here in Iowa have a right to be proud. We have a very high-grade system of government, and quite properly much credit for that belongs to you men who in the earlier days laid the foundation. The work that was done by you has been an inspiration and it has been a guide to the legislators who have followed you.

So, I am here on this occasion as Governor of this great state to pay that compliment to you, and that is not just idle conversation either.

LEGISLATURE LEADS IN IOWA

I recall some years ago that when a chap was writing a book on "Inside America" and what makes the various states tick, he spoke about Iowa; that actually in Iowa it was the legislature that gave character to the quality of government. And I am sure of that. I have sincere appreciation of the representative form of government. We want to maintain that system.

People talk about democracy, and we subscribe to the altruistic principles of democracy. The facts are, however, that the only thing that ever approached the true or pure principles was the old Athenian system of government in ancient Greece. Here in

our nation we have what we choose to call the representative form of government, wherein the people themselves elect their representatives and those representatives are responsible to the people, and constantly responsible to them.

I remember the farewell address of Tom Marshall to the United States in 1921. May I tell you about it? Tom Marshall was making his farewell address to the United States senate. He had served eight years as vice president. He had been more or less overshadowed by the world-famous administration of President Wilson. But I was a young fellow down in Van Buren county, Iowa, just before we went over to Warren county, and I read his farewell address to the United States senate. I had preceded this reading by reading the inauguration address of President-elect Harding, but this splendid little address of the vice president to me was more impressive than President Harding's inaugural address.

SERVANTS OF THE PEOPLE

He was reviewing the experience of the past eight years that he had presided over the senate. The World War had been won. Friendships had been made which would last as long as life itself, and he was thanking those gentlemen for the courtesies and honors they had shown him during those eight years, and he closed with a statement of which I am very fond. He said, "Gentlemen, in going back to the ranks of the common people I do not feel that I am being cashiered or sent down, because I have never risen above them." And I submit to you that this is the true American creed, and those are words that all public servants may well take to heart.

We should say that. We should admit it. We are the servants of the people. We should be conscious of responsibility. We should appreciate with eager zeal the discharge of our duty, and if we can do that we can rise to the occasion where we merit the confidence that has been reposed in us.

Again I want to commend you gentlemen and you pioneers for the firm foundation that you have laid, and I have explicit confidence in the ability of your successors to carry on this work.

ABLE LEADERSHIP IN IOWA

There has been a great change in our time. The state house was occupied in 1884. Sherman was governor then. I have known all the men who have occupied that office since Governor Carroll, with the exception of Governor Clarke. It was not my privilege to meet him. I met Governor Carroll afterwards. I met Nate Kendall earlier, when he was a member of the house, forty years ago. I had the privilege of meeting Governor Cummins when I was a boy. Of course we all knew Cummins as United States senator in the later days. I think of those men of integrity, men of character. I am mindful of the rich traditions that are

theirs, and I want you gentlemen to know that I am motivated by a sincere desire to carry on those rich traditions. All of those men in some measure, some more, some less, have made contributions to the advancement of our state in conserving the high principles and the fine precepts of good government, and that is what we seek today to do as governor and as a legislature.

It is my sincere hope that good fortune will attend you, that Providence will deal most kindly with you, and that your fondest hopes will all be realized. Thank you all.

SENATOR SCOTT'S RESPONSE

Following a brief recess, during which those present extended personal greetings to the governor, former Senator Ray P. Scott, of Marshalltown, responded to the executive's address of welcome, in part as follows:

Judge Scott: Your Excellency, Mr. Chairman, Gentlemen of the Pioneer Lawmakers: It affords me pleasure indeed to be called upon to respond to the very kind words of the governor. . . . Perhaps we are of the same mind as the bachelor girl whose belated engagement was rumored and the newspaper boys came to her to confirm the rumor. She blushed and stated that modesty and honesty compelled her to deny the report, "but thank heaven for the rumors." When we hear these kind words of the governor we are glad to have them even though we may be of the opinion that the governor perhaps has been a little extravagant in his remarks.

Long ago in my town there was an old-time doctor, who took himself very seriously, and after a good deal of effort was elected mayor of the city. It was his practice to come to public meetings and throw bouquets up at himself and catch them, but each time would add "but without any personal egotism to myself." Now, if we were arrogating to ourselves the truth of all the kind words of Governor Beardsley, perhaps in all humility we should add, "but without any personal egotism to ourselves."

But my feeling is, as the governor has suggested, that right straight through, the members of the legislature would compare favorably with any other like group. We made mistakes through the years and, unlike physicians, we were unable to bury them, until they became more evident every day and we had to confess them. But my idea is, that for the most part, those mistakes were rectified intelligently by the legislatures and that everything worked out to the best interests of all the people. I suspect, too, that some of the suspicion, or rather criticism, was within as much as without.

LEGISLATOR'S SHORTCOMINGS

I remember one incident, a very humorous incident—I don't

remember whether there is anybody here from Mahaska county or not, but it is a true incident and I am going to tell it. My father-in-law always said that you don't want to spoil a good story for relation's sake. Now, on one occasion, we went over to one of these churches north of the capitol to have lunch. I recall that there were about eight of us sitting at one big table. The debate in question at the table was as to how some of our brethren could be elected to the legislature by their constituents. It was a hot debate. There was one gentleman present, Finley of Henry county; some of you fellows remember him. He has been gone some time. Mr. Finley was a very serious-minded man, never given to swearing or cursing. He was, as I recall, a lay member of the Methodist conference. He hadn't made any contribution to the debate.

Finally he spoke up, and said: "Well now, I have spent all my life in Henry county. I have never set foot in Mahaska county. But some time when I have opportunity I am going over to Mahaska county. I want to see what kind of damn aborigines live in Mahaska county who send the present house member and senate member to the legislature of Iowa." Now some of you that served back there will know, and I might add, that all of the apprehension was not Mr. Finley's.

I have been coming down here for some time now. I was reminded the other day by a little note in the paper that I was an officer of this association ten years ago. Each time I come down I see new faces, and then I look in vain for some others who have gone on "to that bourne from which no traveler returns." I learned a couple of weeks ago of the passing of still another member of our senate, Carl, Senator Buser of Muscatine, reminding us of the ravages of time. Senator Buser was the thirty-fifth member of our fifty, Carl; the thirty-fifth member of our fifty to pass on. All of which reminds us that we hold no mortgage on the future—that our tenure here is uncertain at the best.

Now, on this occasion we have come over to Des Moines, away from the everyday vocations of life, to spend a little time, a few hours, with our brethren in companionship and friendship and fellowship, and we look back in retrospect over our legislative experience. Governor Beardsley, we are very grateful to you for your very kind words of welcome. We thank you.

Governor Beardsley: Thank you, sir! Thank you for your kind remarks, and may I re-affirm my statement to you. It is true that even the men of science cannot cure all the ills that afflict humankind, but we do make progress. Old Doctor Norris, with whom I used to ride when I was a boy in knee britches, told me of his enthusiasm

when he left the medical college at Keokuk in Lee county, Iowa. You have seen the building where the medical school was. It looked down the valley towards Alexandria, Missouri. It said to him, "Bring me suffering humanity and I will cure their ills;" and do you know what he said? "Billy, I had not practiced medicine six months when I found out I could not stop a toothache. Still I do a little good."

Vice President Reed: The governor tells me that he has people waiting at his office, so he must leave. I told him that we could not impose upon him, or take any more of his time.

Now we are going back to Frank Clark. I have here a paper prepared by him which he hoped to submit to you. His inability to be here affords me opportunity of presenting it. This paper is entitled:

THE FARM BLOC IN 1923

This session was the regular session of the Fortieth General Assembly, which convened in January of 1923. The "Farm Bloc" organized early and thoroughly. They had nearly sixty-five members out of the house membership of 108. I had many friends among the farmers and was running for speaker of the house, but the pressure was too strong. One of my farmer friends came to me the day before the caucus with tears in his eyes and begged to be released from his promise, saying, "What will my farmer friends think of me if they hear that I voted for a lawyer for speaker of the house?" So Joe Anderson of Winnebago was elected speaker and I only had the meager satisfaction of coming in second best.

The "Farm Bloc" were determined to get everything there was in sight. This followed right after the collapse of the farm real estate boom and the dropping of corn from \$2.00 a bushel to twenty-five cents. We can hardly wonder that they thought they had something coming.

Up to the time of the March 1st recess they pounded the opposition into the ground on every vote. I went home with the feeling that there was no use of my going back for the rest of the session, that it would be entirely time wasted as they had such full and complete control. However, after resting up a little, I made up my mind to see what a counter-organization could do.

The first evening I was back, I called in Lake of Woodbury, Hauge of Polk, and a couple others for dinner and outlined my plan. They were rather skeptical as to what could be done, but joined with me and we made ourselves the steering committee

and called another dinner a couple evenings later, with about a dozen present. Then, a couple evenings later, still another dinner, with something over thirty present. In each case none of them knew anything about the meetings that had preceded, but we went through the same organization, selecting the same steering committee, with Clyde Doolittle, then of Delaware county, (now trust officer of the Iowa-Des Moines National Bank) as whip.

We met for dinner every Friday night. Nobody outside of our group knew when we met, or where we met, or what we discussed. We outlined our procedure for the week to come and carried it out as well as we could. There were some others in between the lines, but there were about 39 out of 108 whose votes we could rely on. Then we had to pick up what we could among the others. We were ourselves astonished at the success we met with, in some of our efforts, in defeating radical legislation.

MILLIONS FOR FARM LOANS

The "Farm Bloc" were determined to bond the state of Iowa for \$400,000,000 for "Rural Credits,"—real estate and personal property loans to farmers. The senate was considerably more conservative, but this bill passed the senate and came over to the house. When it was being reached on the calendar, I called the steering committee together to find out what we should do. All of them were of the opinion that we could not possibly defeat the measure—there were too many votes against us. "Well," I said, "let's do the best we can." The bill was called up on the last week of the session. Of course, we knew that one of their number would immediately move the previous question, which would shut off all debate. I filed an amendment, inserting the words "or urban" between the words "rural" and "credits," so that it would apply to cities as well as to the country. This gave me an opportunity to present the amendment in a brief speech under a five-minute rule. That's all we expected. Then the motion for previous question was made, as applying to the bill and the amendment, and immediately carried.

During this time our steering committee and others of our group were not idle. We knew there were a number of the members of the "Farm Bloc" who if the question came to a vote would feel obliged to vote with the bloc, but who did not believe in the principle involved. So our friends went around and suggested to these men that they take the opportunity of leaving the chamber and go over the river before the vote was taken. This might have been prevented by a "call of the house," which would have compelled every member to be present and in his seat and voting. However, the "Farm Bloc" were so confident of success that they did not take this precaution. Several of their members left the chamber when the vote was called, the green lights (yes) numbered only 53 and it required 55 to make the

constitutional majority that would carry the bill. One of their men, Mr. Moen, who was in charge of the bill, changed his vote so as to be able to file a motion to reconsider, which he filed immediately, but did not call it up for immediate consideration.

This was our chance. The house rules provided that any motion to re-consider made during the last six days of the session "must be considered when made." The opposition did not have this in mind and waited a few days until the last Saturday afternoon of the session, when they called up the motion to re-consider. According to our plans, Lake of Woodbury immediately raised the point of order that under the house rules the motion to re-consider was dead and could not be considered. Speaker Anderson hesitated. He knew how he had to rule, but he knew it would disappoint many of his friends if he did. I therefore took the floor and suggested as it was Saturday afternoon, that the speaker withhold his ruling until Monday morning and I would be glad to submit a brief to him on the question. He was very glad to take advantage of this opportunity.

PLANS TO DEFEAT ACTION

On Sunday we gathered a crowd of half a dozen, including Henry L. Adams, meeting at his office, with all of the works on parliamentary law and procedure that we could find in the state house, and prepared a brief that was unanswerable.

On Monday morning at 8:00 o'clock, I presented this to the Speaker in his office and explained it briefly. He said nothing. The house convened and when the time arrived, the motion to re-consider was called up. Speaker Anderson then, to avoid passing on the question, made the unheard-of statement that in view of the importance and difficulty of the question, he would not rule on it, but pass it to the house. Although motion of this kind is not debatable, I asked for five minutes to explain the point of order. This was granted. I tried to explain it in words of two syllables so that the farmer members would all understand it, and as my five minutes was expiring, I happened to have a thought. Looking across the chamber I saw Harrison of Pottawattamie, one of the leaders of the "Farm Bloc," but one who felt that the action really should not be taken. I therefore said, "Mr. Speaker, will the junior member from Pottawattamie county take the floor and answer a question?" Harrison immediately replied in the affirmative and I said, "What does the gentleman from Pottawattamie county think of the point of order now before the house?" His immediate reply was, "If you are going to have any rules you will have to sustain the point of order. The point of order must be sustained or you might as well throw the rules out of the window." I then called for a vote on the point of order, and, strange as it may seem, nearly 100 responded by voting in the affirmative.

This slender point of order saved the day and this was all that prevented the state of Iowa from issuing \$400,000,000 worth of bonds to raise money to loan farmers. If it had been done the result would have been disastrous. Politics would have entered into the selection of the borrowers. South Dakota at about this same time went broke financially by issuing bonds of this character, but the action taken in the house killed the Bill forever and Iowa did not issue the bonds.

Vice President Reed: During the morning session we have the election of officers for the ensuing term. It has been our custom to appoint a nominating committee to submit a list of names recommended for your approval. Of course that does not prevent nominations from the floor. I now name on such committee Frank Hanson, Frank Shane and Lloyd Ellis.

Next in order will be the Necrology report by our secretary.

DECEASED DURING THE BIENNIUM

Secretary English: As nearly accurate as has been possible to compile is the list of members of the association who have died since its last meeting in March, 1949, to date.

LEGISLATORS	COUNTY	SESSIONS SERVED	FIRST YEAR
W. W. Cornwall	Clay	R 25-26-26x Supreme Court Reporter	1894
Wm. C. McArthur	Des Moines	R 26-26x S 27-28	1896
Geo. P. Christianson	Hamilton	R 29-30-31	1902
Fred C. Gilchrist	Pocahontas	R 29 S 40-40x-41- 42-42x-43 U. S. Representative	1902
William Carden	Henry	R 30-31 S 42-42x-43- 44-45-45x	1902
Wm. D. Jamieson	Page	S 32-32x-33 U. S. Representative	1907
Dennis P. Hogan	Cass	R 34	1911
Fred P. Hagemann	Bremer	S 35-36	1913
Albert T. Stokes	Plymouth	R 35-36	1913
Dan C. Steelsmith	Osceola	R 35-36	1913
Joseph E. Doze	Wayne	R 35-36 S 45-45x-46	1913

HONOR PIONEER LAWMAKERS

Ira W. Jones.....	Cerro Gordo	R 36-37	1915
Milton B. Pitt.....	Harrison	R 36-37	1915
		S 38-39	
Benj. J. Gibson.....	Adams	S 37	1917
		Attorney General	
Chas. V. Findlay.....	Webster	R 37-38	1917
		S 49-50-50x-51-52	
Wm. E. Giltner.....	Monroe	R 37-38	1917
J. D. Buser.....	Muscatine	S 38-39-40-40x-41	1919
T. E. Moen.....	Lyon	R 38-39-40-40x	1919
		S 42x-43-44	
James S. Francis.....	Taylor	R 38-39	1919
Wm. R. Blake.....	Fayette	R 39-40-40x-41	1921
C. A. Hollis.....	Black Hawk	R 40-40x-41-42-	1923
		42x-43-44	
R. S. Clark.....	Emmet	R 41	1925
F. C. Stanley.....	Mahaska	S 41-42-42x-43-44	1925
John F. Hale.....	Howard	R 42-42x	1927
Frank Hollingsworth.....	Boone	R 42-42x-43-44	1927
Otto Albert.....	Grundy	R 43	1929
H. B. Carroll.....	Davis	S 43-44	1929
Chas. W. Files.....	Cerro Gordo	R 43	1929
L. W. Hatter.....	Iowa	R 43	1929
J. E. O'Brien.....	Allamakee	R 43	1929
Geo. C. Figgins.....	Union	R 43-44	1929
William Paisley.....	Lee	R 44	1931
A. H. Avery.....	Clay	R 44-45x-46-46x-	1931
		48-49-50-50x-	
		51-52-53	

OTHER MEMBERS	RESIDENCE	POSITION	FIRST YEAR
Albert F. Dawson.....	Davenport	U. S. Representative	1905
Roger Leavitt.....	Cedar Falls	Board of Education	1909
Wm. P. Boyd.....	Cedar Rapids	Board of Education	1909
Maurice F. Donegan.....	Davenport	District Judge	1913
		Supreme Justice	
		U. S. Dist. Attorney	
Oscar Hale.....	Wapello	District Judge	1913
		Supreme Justice	
Horace M. Havner.....	Marengo	Attorney General	1917
J. W. Bowdish.....	Marion	Board of Education	1923
James W. Kindig.....	Sioux City	Supreme Justice	1927
James C. Gillespie.....	LeMars	State Printing Board	1927
F. C. Davidson.....	Emmetsburg	District Judge	1924
Daniel F. Steck.....	Ottumwa	U. S. Senator	1924
Truman S. Stevens.....	Sidney	District Judge	1931
		Supreme Justice	

LEGISLATURE FIFTY YEARS AGO

Vice President Reed: We have a pleasant surprise. On account of the illness of Mrs. Forsling we had been informed that the judge could not be here. But her condition has much improved, and he came down from Sioux City by plane this morning upon her urgent request, just arriving, and will be with us this afternoon. So, now we are to have Burton E. Sweet, of Waverly, give us his address on the "Iowa Legislature Fifty Years Ago," instead of at the joint session after lunch.

Mr. Sweet: It was 51 years ago that I served in the house. I was in the Twenty-eighth and Twenty-ninth General Assemblies. When I first came into the house there was a controversy between Governor Gear and A. B. Cummins. A. B. Cummins was an aspirant for the United States senate and so was Governor Gear. I remember that when we held the Republican caucus, Governor Gear won by one vote—just one vote. I at that time voted for Governor Gear.

It was at a time when the railroads of the country dominated largely the politics of the state. To some of you this is only a tradition, but to me it was a genuine reality. When we held our conventions, the delegates began to refer to the delegates from the counties through which the Rock Island and other railroads passed as "troops." That is what they really were. So when I came into the legislature that question was up and the contest was on.

One of the things that was up for our consideration was the Hughes anti-pass bill. That legislation has all passed into history. The reason for that legislation was that as soon as a fellow was elected to the legislature, no matter what his politics, he received a thousand-mile book from the Illinois Central, Northwestern, Great Western, Rock Island railroads, depending of course on what territory he came from, and as a consequence he could travel one thousand miles on any one of these railroads without costing him a cent. Some of the attorneys for the railroads would explain to the newly-elected member that there was no obligation whatever connected with the issuance of these thousand-mile books; that they were simply sent to him as a compliment owing to the fact that he had been elected by his constituents to the legislature of the state of Iowa. That was the manner in which they were presented.

I was elected in the fall of 1899 to the legislature of Iowa, and the first thing I knew I had three of those thousand-mile books in my pocket. My good old father was alive at that time and I went to him and said, "Father, I don't like to be carrying these books around. It looks to me as though there is sort of an obliga-

tion there, even though they say there is not; but after all there is something about these books that I don't like." My father said, "Burton, you send those books back. I don't want you to go down there and vote against the railroads, but," he said, "I want you to do it without any reflections being cast upon you." So, I sent the books back.

It happened that one of the books was returned to the attorney for the Rock Island railroad by the name of Carroll Wright, who lived here in Des Moines. He sent word that he wanted to see me. When he saw me he said, "That doesn't mean that you are going to be against the railroads does it?" I said, "Oh, no."

ANTI-RAILROAD LEGISLATION

The two-cent fare bill was up for consideration and also the Hughes anti-pass bill. That was the type of legislation that we were considering. When the anti-pass bill came up, I voted for it. When the two-cent fare bill came up, I did not think it was fair, for they could not carry passengers for two cents a mile, and I voted against it. It gave me a unique position with the railroads, and other legislation that came up for consideration affecting the railroads. In other words, I was a legislator standing unshackled in the arena of politics.

It happened that during the Twenty-eighth General Assembly I became acquainted with Mr. English. He then was a clerk in the house, and afterwards was elected as a member of the house and served in the Twenty-ninth General Assembly, also in later sessions. He was an active and aggressive member.

In the Twenty-ninth General Assembly the biennial election law came up for passage. You will observe that I served in the legislature in 1900 and 1902. Legislators serve in the odd-numbered years now, but in those days we served in the even-numbered years. The biennial election law was fathered by Senator Titus of Muscatine. It was known as the Titus amendment to the state constitution. The Twenty-seventh General Assembly had passed it, and the supreme court had knocked it out because it was not properly minuted on the records of the senate. I was chairman of the committee on constitutional amendments in the Twenty-eighth General Assembly and the responsibility fell upon me to pilot it through the house.

The foregoing gives you some conception of the type of legislation that we dealt with in the Twenty-eighth and Twenty-ninth General Assemblies of Iowa.

My recollection is that the state budget at that time was about \$3,000,000.00 It is very much larger now. The burdens of taxation were not as dominant as they are today. We were all living modestly in those days.

LEGISLATORS BECAME PROMINENT

The Twenty-eighth and Twenty-ninth General Assemblies of

Iowa were composed of many men who afterwards became prominent in state and national politics. Nate Kendall was a young man at that time. He afterwards became a member of congress and governor of Iowa. He was a good governor. George Clarke of Dallas county was in the house and afterwards became governor of Iowa. M. L. Temple of Clark county held many prominent positions. M. F. Edwards of Butler county became a judge of the Twelfth Judicial District of Iowa. George Dunham of Delaware county became a judge of the Tenth Judicial District of Iowa. There were many others who held numerous positions of trust and responsibility in our state and national governments. From my standpoint the Twenty-eighth and Twenty-ninth General Assemblies were important because of the men who served and the legislation that was enacted.

Now, some funny things happen in politics. Most of these men, if not all of them, are dead, so I can talk with impunity about them, and as to what happened and I can use names, and for a few minutes I would like to show you the political significance of the situation.

In the Twenty-eighth General Assembly Leslie M. Shaw was governor. Dr. Bowen of Allamakee county was speaker of the house. A. B. Cummins was a young lawyer, and aspired to be United States senator. I have already told you that I voted for Gear; so did Nate Kendall. In the house was Thomas A. Way. He afterwards became manager of the A. B. Cummins campaign for governor, and finally for United States senator. One day Tom Way said to me, "Would you like to have dinner with A. B. Cummins?" I said, "Yes, I am friendly to Cummins. I am voting for some of the things he advocates. I will be glad to be present." On a certain night I went to the residence of A. B. Cummins on Grand avenue. When I arrived there I found Nate Kendall, who with Tom Way and myself, were his guests. We enjoyed a splendid evening with A. B. Cummins and his wife. And, I may say, that from that time on Nate Kendall and I were staunch friends of A. B. Cummins, and we stood by him in all political battles during his career.

What was the significance of this? A. B. Cummins was elected governor of Iowa for three terms and was elected to the United States senate. Nate Kendall was elected to congress and afterwards became governor of Iowa. Thomas Way enjoyed many political honors and was successful in the conduct of the campaigns of A. B. Cummins. I might add, with some modesty, that I was elected to congress, from what was then known as the Monkey Wrench district, once represented by Senator Allison and Speaker David B. Henderson. I served for many years.

I am of the opinion that the whole scheme and plan worked out pretty well. Now, there is a little secret history, not generally

known, which was worked out, and was done simply by men who stayed together and stood by each other. A. B. Cummins, Nate Kendall and Thomas A. Way have all gone to their long rest, but the memory of their lives will live forever in the annals of Iowa.

I have listened to many orations. I have heard men of exceptional ability address vast audiences. I have heard men who were splendid talkers, men who could explain matters mathematically, logically and clearly; men who could present splendid arguments in court and elsewhere, make convincing speeches to juries. But few of them could measure up to the old Websterian definition of oratory. True oratory must come from the individual like the bursting forth of a fountain, naturally and spontaneously, carrying everything before it. On this occasion, I must say, that of all the men I ever knew, Nate Kendall had the genuine gift of oratory. I feel that I would be remiss in my loyalty to him if I did not make this statement about him.

I have this to say about A. B. Cummins. When I served in the house of representatives at Washington he was in the senate. He was a faithful and honorable representative of Iowa at all times. He was a real gentleman as I saw him. That is my judgment. Some others might not feel that way about him. Elihu Root once said that he was the greatest lawyer in the United States senate, and many of you know that Elihu Root was no slouch of a lawyer himself. A. B. Cummins was a very great lawyer. That is the reputation that he had.

THE WESLEY ELKINS PAROLE

I now will go into a little matter that is somewhat personal. I said awhile ago that Bowen was the speaker in the Twenty-eighth General Assembly. In the Twenty-ninth General Assembly Willard Eaton was speaker. Willard was a friend of mine. We had tried law suits together and against each other. When he was ready to appoint the committees of the house, he said to me, "Burton, I want you to be on the pardons committee." I said, "I don't want to be on the pardons committee." He replied, "I will give you other committees, but I am telling you I want you to be on the pardons committee." I acquiesced in his suggestion. At that time a life-termer serving in the penitentiary could not be paroled unless the general assembly passed a resolution recommending to the governor of the state that he be paroled. After a resolution of this kind had been passed by the legislature of Iowa, the governor could pardon or parole the individual as he saw fit.

Before the pardon committee of the house came the case of Wesley Elkins, known as the "boy murderer." Wesley Elkins was sentenced to the penitentiary for life by the district judge presiding in the district court of Clayton county. He had killed

his father and step-mother. He had been in the penitentiary about ten years under a life sentence. He had committed this crime at the age of eleven years. His case was being presented to the pardons committee. I looked over the record and examined the case carefully and was surprised to find that a boy of eleven years was sent to the penitentiary on his own confession. I concluded that he had not had a fair trial and that the penitentiary was no place for the boy. While in the penitentiary he had acted as librarian. He had read many books. He had studied Shakespeare, Tennyson, and Byron, and other great authors. He knew more about literature than any member of the house, because he had made a study of all the great books on literature. Flenniken of Clayton county came before the committee and displayed the club with which he had killed his step-mother and the rifle with which he had killed his father.

I took it upon myself to represent the boy. The vote was taken in the committee. There were nineteen members on the committee—ten votes against him, nine votes for him. I concluded to take the matter to the floor of the house on a minority report. When I made this report Speaker Eaton said to me, "Now you know why I put you on that committee. I knew that the case of Wesley Elkins would come before the committee, and that you would naturally plead his case. I knew your disposition. I tried to get a resolution through the house in a preceding assembly but failed to do so."

Well, to make a long story short, the day was set in the house for the hearing on the minority report which I had filed. Speaker Eaton generously gave me one hour. He was unusually nice and indulgent. He did it because he was interested in the Wesley Elkins case. George Dunham of Delaware county opposed my minority report. We both argued at some length and after spending the whole day the house voted upon the question. The first vote taken I lost by one vote. But, there was an old fellow from Polk county in the house named Teachout. Immediately after the vote was taken he put his hand on my shoulder and said, "put in a motion to reconsider. I am going to change my vote. I have paid my debt to Flenniken of Clayton county. I am with you." So he changed his vote. The next morning the house passed the resolution by a five majority. It was then taken up in the senate and such men as Senators Trewin, Bishop, Healy and others were in favor of the resolution and it passed in the state senate by a good majority.

During the consideration of the minority report in the house a very funny thing happened. While I was talking, someone spread the word that Governor Cummins would not parole Elkins even if the resolution was passed. Someone placed in my hand a note from the governor in which he stated, "You can say this if you

want to. I will not turn down the legislature if the resolution is passed. I will parole him if the legislature so recommends." You naturally begin to wonder "what was the end of this matter?" Wesley Elkins was taken care of generously by his friends. Vice-president Harlan of Cornell college took him into his own home, and he was educated at Cornell college. Boyd of Cedar Rapids, who was the editor of the *Cedar Rapids Republican*, extended him many favors. He afterwards went to the state of Minnesota. He became president of the declamatory association of the state of Minnesota. The last I heard of Wesley Elkins he was writing editorials for the *Minneapolis Journal* under a nom de plume.

My good friend here, taking notes, Gordon L. Elliott, was a reporter on the *Des Moines Capital* at the time that the Wesley Elkins case was being considered. He reported part of my speech in the *Capital* and gave me considerable publicity. At the present time he is a court reporter here in Des Moines with one of the district judges. He has been a life-long friend of mine.

You know that I am reminiscing and I have to talk about myself a little bit. If you reminisce that is necessary. I generally look toward the dawn, but for the moment I am looking toward the sun-set. In connection with the closing remarks that I made in the Wesley Elkins case I said something like this:

"We know something of ourselves; we know something of the average man; we know something of his successes, something of his triumphs, something of his defeats. But we do not know where the wild storms are born, or the tempests which wreck and rend. We do not know in what mysterious realm the clouds gather which dim and darken all the heavens of the brain, which, in an unguarded moment, and quick as the lightning's flash, the terrible deed is done that leaves a curse, an everlasting curse, upon the soul. Our ignorance should make us hesitate. Our weakness should make us merciful."

Did you ever hear that before, Elliott? You heard that fifty years ago. That was when you heard it.

CHANGES COME IN FIFTY YEARS

When I was in the legislature it was in the horse and buggy days. We did not have the automobile, we did not have the radio; we didn't have moving pictures or television sets. We did not have the atomic bomb. How things have changed! I don't want to go back to it. But then, you ask me to reminisce about this. We scarcely had any typewriters—just coming in. We talked occasionally over the telephone; it was not universal at all. So a big change has taken place.

But just a moment! You know as I look at the present situation I wonder sometimes whether we are not building up a great national government at the expense of the states. I think we are. We are building a great national government, which has all

of its various ramifications that are submerging the state. Long ago, in the civil war, we talked about states' rights. Of course that is history. In truth and in fact at the present time I think it should be impressed upon everyone, and I think we should make an autonomy of the state. We should be an integral part of the nation, but we should not be dominated by the national government to the extent to which we are today. That is my view of it. I think legislators should keep that in mind, and I hope you will agree with me about that.

Now, gentlemen, I could talk to you for quite a while and on a lot of other things, as far as that is concerned, but I realize that we have to conclude here. I expected to say a great deal more to you, but this will give you a sample of what I am thinking about in my old age.

"We are living, we are dwelling
In a grand and awful time,
In an age on ages telling,
To be living is sublime."

We have gone so far in some respects I doubt whether we can ever get back where we were, but I am not one of those who say, "Oh, everything has gone to the devil." I am willing to take it up and fight for it right where it is to the end, for I am an American through and through.

SURVIVORS OF EARLY SERVICE

Secretary English: Former Iowa legislators still living whose official service dates farthest back, from the 1896-1906 decade, so far as known to the secretary, include:

NAME AND RESIDENCE	FIRST SERVICE
Gov. Frank F. Merriam, Long Beach, Cal.	Rep. 26th G.A., 1896
Frank J. Blake, Akron, Ohio	Rep. 27th G.A., 1898
James J. Crossley, Portland, Oregon	Sen. 28th G.A., 1900
William G. Jones, Sigourney, Iowa	Rep. 28th G.A., 1900
William G. Kerr, Grundy Center, Iowa	Rep. 28th G.A., 1900
Burton E. Sweet, Waverly, Iowa	Rep. 28th G.A., 1900
Emory H. English, Des Moines, Iowa	Rep. 29th G.A., 1902
Edw. K. Winne, Laurens, Iowa	Sen. 29th G.A., 1902
A. M. Utterback, Hedrick, Iowa	Rep. 29th G.A., 1902
Chris N. Jepson, Sioux City, Iowa	Rep. 30th G.A., 1904
Charles A. Kennedy, Montrose, Iowa	Rep. 30th G.A., 1904
William C. Kimmel, Sheldon, Iowa	Sen. 30th G.A., 1904
L. D. Teter, Knoxville, Iowa	Rep. 30th G.A., 1904
Gov. Daniel W. Turner, Corning, Iowa	Sen. 30th G.A., 1904
John H. Darrah, Kansas City, Mo.	Rep. 31st G.A., 1906
John C. DeMar, Minneapolis, Minn.	Rep. 31st G.A., 1906

ELECTION OF OFFICERS, 1951-1953

Frank M. Hanson, chairman of the committee on nomination of officers for the ensuing year, reported the following recommendations:

For President—Burton E. Sweet, Waverly

For Vice-President—Arch W. McFarlane, Waterloo

For District Vice-Presidents:

First—Joe Wagner, Davenport

Second—Frank A. O'Conner, Dubuque

Third—Wm. G. Kerr, Grundy Center

Fourth—Lloyd Thurston, Osceola

Fifth—Anthony M. McColl, Woodard

Sixth—Frank J. Lund, Webster City

Seventh—Dan W. Turner, Corning

Eighth—J. A. King, Spencer

For Secretary—Emory H. English, Des Moines

For Assistant Secretary—Lawrence I. Truax, Des Moines

For Executive Committee: Carl W. Reed, Chairman, Cresco; Burton E. Sweet, Waverly; Emory H. English, Des Moines; H. J. Mantz, Audubon; Ray P. Scott, Marshalltown; Israel A. Smith, Independence, Mo.; C. F. Clark, Cedar Rapids.

No other nominations being made, on motion of Mr. Hanson those nominated were elected officers for 1951-53.

Then followed the period on the program for reminiscences by members, always interesting, informative, and very much enjoyed by those present. Among members who contributed from their store of long-remembered and treasured legislative events, were Israel A. Smith, Ray P. Scott, F. D. Augustine, E. J. Wenner, Ray Yenter, Roy Stevens, J. A. King, Samuel D. Whiting, Walter H. Beam, Lloyd Ellis, Victor Felter, Roy J. Sours, C. G. Cole, Frank Shane and George F. Slemmons.

A number of letters from absent members regretting their inability to attend the sessions were read, following which Vice President Reed announced that luncheon would be served at the nearby Christian church immediately, and thereupon the meeting adjourned.

JOINT CONVENTION SESSION

Pursuant House Concurrent Resolution 20, the Joint Convention of the Fifty-fourth General Assembly of Iowa, was called to order, William H. Nicholas, president of the senate, presiding. Members of the Pioneer Lawmakers

Association were assembled as guests, presented by a committee appointed by President Nicholas consisting of Berry of Calhoun, Hanna of Adams, and Ramseyer of Washington, on the part of the house, and Senators Byers of Linn, Molison of Poweshiek and Mercer of Johnson, on the part of the senate.

President Nicholas: It is not only a pleasure, but a distinct honor for me, upon this occasion, to welcome you, members of the Pioneer Lawmakers, to this joint convention. We who are your successors in the making of laws for the state of Iowa have a great privilege in looking into the records of the past to guide us in our deliberations of today. I personally have a very deep feeling of responsibility in the maintaining of the traditions of many years, whereby we meet as we do today in joint session, to give proper recognition and honor to you, the legislators of the past, for the splendid work you have done in the years gone by. So today we are most happy to greet you, to welcome you, and to look forward in great anticipation to the program which is about to be rendered. I therefore take great pleasure in presenting to you the senator from Muscatine, Herman B. Lord, who will extend the official welcome on behalf of the senate.

Senator Lord: The privilege of welcoming the Pioneer Lawmakers of Iowa on this occasion is an honor and an opportunity. With this understanding I have discovered a philosophy that otherwise would not have been revealed to me. There has come to me two thoughts:

Today we stand in the presence of those whose endeavor in the past has become a heritage to us as evidenced by the functions of government and institutions in this great state.

Throughout their labors there seems to run a thread of admonition to us. . . . Under the Bill of Rights man is a free agent and only such restraints shall be placed upon him as will require him to respect the same rights for others.

We are warned that as the population becomes more dense, our society will become more complex. As society becomes more complex, there will be more demands for rules and regulations made upon the legislature by special groups. As rules and regulations are increased, that freedom which our Pioneer Lawmakers intended for us is limited and restricted.

We have met in regular session for the 54th time. During that period there has been enacted over 17,000 sections within 795

chapters of the code. And it is safe to say that Iowa has not less than 50,000 departmental rules and regulations, and many have the force and effect of statutory law. It would appear that 17,000 code sections should be sufficient to regulate a complex society. Should Iowa legislatures continue in the next 54 sessions at this rate, the civil rights provisions of the constitution could well be nullified.

In gratitude to you, the Pioneer Lawmakers of Iowa, we the lawmakers assembled here today give thanks for your philosophy—that philosophy “that the least governed is the best governed.” We promise you here, we promise you now, that your posterity shall remain free.

President Nicholas: It now gives me great pleasure to introduce to you one of your fellow members, and still a member of the General Assembly of the State of Iowa, and recognized as the dean of Iowa legislators, Representative Arch W. McFarlane of Black Hawk county, who will extend to you a welcome on behalf of the house of representatives.

BUILDING OF THE CODE

Mr. McFarlane: It certainly gives me one of the greatest thrills of my lifetime to appear before this distinguished group of Iowa citizens today because I am one of the pioneers and a member of your association.

I was raised on a reading diet which included all of J. Fenimore Cooper's Leatherstocking tales, and I got my idea of what a pioneer looked like and acted like out of such books as the “Deerslayer.”

In later years, especially since the movies came along, my subconscious idea of a pioneer became even more glamorous; all pioneers were rugged heroes, all pioneer women were beautiful, and the few villains who moved in on them were speedily disposed of.

I realize now that all of the men and women I knew in my boyhood were pioneers, and pioneers of the sturdiest type. Many of you here today were reared under pioneer conditions and knew at first hand some of the tough side of pioneer life here in Iowa or elsewhere.

I doubt very much if any of you here today thought about yourself as a pioneer in the Iowa lawmaking business. Yet, even today, lawmaking is still a good deal of a pioneering process. We are constantly entering new fields of public activity, enacting measures never even thought of in our earlier days of statehood, and made necessary by the inevitable march of time.

As I look back upon the legislative history of Iowa, I begin to realize with the passing of years what a good job earlier pioneer

lawmakers did when they wrote the constitution of the state of Iowa to begin with, and when, through the sessions of each General Assembly, they built up what is now the code of Iowa.

I am also somewhat amazed when I realize that on really fundamental issues, such as roads, schools, and public welfare, we seldom find that our legislation needs repealing. I can't remember a single really important development along these lines which the General Assembly has found it necessary to go into reverse.

As we meet here today it is appropriate that we should pay tribute to the great men who have been our pioneer lawmakers throughout the years. Their greatness was not always recognized at once, sometime, indeed until long after they were dead. In my own time I have seen young men come into the Iowa house with little or no heraldry, and develop into governors and United States senators before my own eyes. I consider our lawmaking body sometimes in the light of a university for the training of public leaders, and it is, in my own opinion, a very great and successful school.

On behalf of the members of the house of representatives, I deem it a great deal of pleasure to welcome you here today and sincerely hope that your meeting will be beneficial and that you will all enjoy yourselves by renewing acquaintances with the older members and friends and becoming acquainted with the new members who are trying to follow out the program which you outlined in years gone by.

President Nicholas introduced Senator and Judge Carl W. Reed, vice president of Pioneer Lawmakers, saying:

Due to the fact that your president, C. F. Clark of Cedar Rapids, is unable to be present on account of illness, it is now my pleasure to present to you, and introduce to the members of the Fifty-fourth General Assembly, the vice president of the Pioneer Lawmakers of Iowa, Carl W. Reed, who is presently serving the state of Iowa so ably as one of our commerce commissioners.

Vice President Reed: It is my pleasure at this time to refer to four distinguished members of our association that are now serving in the legislature—Senator Byers of Linn, Mr. McFarlane from Black Hawk, Mr. George Miller from Shelby and Mr. C. M. Langland from Winneshek county. Those are men who have been in the state service a long time and are still officially working for the people.

The introducing of myself as vice president brings to

mind a story that was going the rounds a good many years ago, back in what were known as the horse and buggy days. A farmhand, who in those days was called a hired man, after his evening chores were finished one day, was very busy polishing his lantern globe. He was going to have a very clean, polished clean, lantern chimney. His boss observed his industry working on that chimney and said to him, "Well, Al, what are you going to do tonight? Why are you so busy fixing up that lantern chimney?" And the hired man said, "Well, boss, I am going courting tonight and I am fixing my chimney so as to have my lantern in the best shape." And the boss said, "Well, that is strange, fixing up your chimney to go courting. Why, when I was a young man and went courting, I never took a lantern with me," and the hired man said, "No, you didn't take a lantern, but see what you got." Now if any of you came here to see Frank Clark see what you got.

However, Frank was very faithful and he sent up a story of these lawmakers which I am going to read to you. It is entitled:

THE CONSTITUTIONAL CONVENTION

The most dramatic event of the Thirty-ninth General Assembly was the killing of the constitutional convention bill by the house of representatives.

Section 3, Article X, of our state constitution provides that the question of calling a constitutional convention be submitted to the voters every ten years, and if the voters vote in the affirmative the general assembly shall provide for the holding of the convention.

This measure was submitted and defeated every ten years until the general election in 1920 when it was carried by a very small majority, with only half of the voters of the state voting on the proposition at all. It probably would not have carried even then if it had not been for eleventh hour telegrams sent out from Des Moines, urging votes for the convention, but without giving any reasons. The parties responsible for sending out these telegrams never suggested any reason for calling the convention, or any amendments that could not be made in the usual way without a convention.

Bills were introduced in the house and in the senate, the chief difference between the bills being that the senate bill called for non-partisan election of delegates to the convention, while the house bill provided for their selection on party tickets. The house

bill passed the house by a vote of three to one, and when this came up for consideration in the senate the senate bill was substituted. The house refused to concur in the senate substitution; the senate insisted and conference committees were selected.

Speaker Arch McFarlane was opposed to the convention and selected a conference committee, of which I was named chairman, which would endeavor to prevent the calling of the convention. I succeeded in delaying the meeting of the conference committees until the lunch hour of the closing day of the session. The house conferees insisted that the senate must take the house bill or nothing, hoping this would result in a deadlock which would prevent the measure from passing. The senate conferees at first were equally insistent on their bill, and I suggested that we report a disagreement. The senate chairman called for a conference of the senate conferees and they announced that they would accept the house bill rather than see the measure lost. A struggle then ensued in the committee, the house members urging that we agree to disagree, but the senate members would not consent to this and the report was made out, the senate receding from its substitute and adopting the house bill with the single modification of an age qualification of twenty-five years for delegates.

The report was drawn up and signed and, as chairman, I submitted it to the house at about 4:00 p.m., the legislative clock still standing at 11:40 a.m., as the assembly had voted to adjourn at noon. The report was submitted among the usual confusion and hubbub of a closing day and I merely suggested that, if the house really desired a constitutional convention along the lines of the house bill, it should adopt the report.

The vote showed up before us on the voting board, with two-thirds of the members voting in the affirmative, and the only thing remaining was to count and announce the vote.

RESORTED TO DELAYING TACTICS

Just then Joe Anderson of Winnebago county (afterwards speaker) rushed over to my seat and asked me whether that meant a constitutional convention. I replied that it certainly did unless someone made a motion to reconsider within the next thirty seconds. Neither he nor I could make the motion, as neither of us had voted on the prevailing side, but I suggested he go to Peters of Dallas county, who sat in the front row center, and get him to make the motion to reconsider as soon as the vote was announced, while I went up to the speaker's desk and advised him what we were trying to do. The motion was made and Anderson started the debate, while I sent to the law library for memoranda relating to the legal right of the legislature to defeat the bill and prevent the convention.

As Anderson took the floor and announced our purpose to

defeat the "Con Con" the confusion immediately subsided, and amidst intense excitement and silence unusual in the house, the debate proceeded. Information spread over the state house that a fight had been started on the "Con Con" and the galleries as well as the floor of the house—the doors having been thrown wide open for the closing day—were immediately packed to their full capacity, while ten or fifteen senators came over to watch the proceedings.

Among those who joined with us in the attack on the bill were Edson of Buena Vista (afterwards speaker), Powers of Crawford, leader of the Democratic minority (and afterwards supreme court justice), Moen of Lyon, Narey of Dickinson, Lake of Woodbury and others.

Among the arguments used was the fact that only about half of the voters voted on this proposition at all, and so while the proposition carried by a very small majority, less than thirty per cent of those who voted for president voted in favor of the convention. It was also claimed, and not denied, that a large percentage of those who voted for the convention did not know what they were voting for. Members reported that they had heard from home, and those who had been home reported that there was now a strong opposition to it all over the state, the people feeling that it was unnecessary and might involve the expenditure of half a million dollars, and that it was not advisable in unsettled times, when there are so many strange isms and theories abroad, to rewrite the fundamental laws of the state.

Those supporting the bill, led by Weaver of Polk, Mayne of Palo Alto, Westervelt of Greene, Forsling of Woodbury, argued that the general assembly was under obligations to listen to the mandate of the people as expressed at the last general election, and that it was a duty imposed on the general assembly by the constitution to provide for this convention, and that it would be a most unusual proceeding to override this mandate.

In reply we insisted that this mandate was expressed in the same terms as the constitution requirement that the state should be redistricted senatorially after each census, although this had been ignored by the legislature after each census for sixty years. Also, that there was nothing in the constitution that required any member of the legislature to vote against his best judgment and conscientious convictions on any proposition. I also called attention to the fact that the action we were proposing to take was not without precedent as similar actions had been taken theretofore by the legislature in half a dozen states, including two different occasions by the legislature of New Hampshire, and the courts had sustained the right of the legislature to block the convention in this manner.

EARLIER ACTION RECONSIDERED

When the debate started, none of us knew what the result would be. The question had been brought before the house as suddenly as a bolt of lightning from a blue sky, but at the close of the debate the house by a vote of 71 to 17 voted to reconsider and then by a similar vote rejected the report of the committee.

To prevent any interference with the expressed desire of the house, I then made a motion that the house request the return of the bill from the senate, and that the chief clerk be directed to retain it in his possession until final adjournment, and that the chief clerk and enrolling clerk be directed not to enroll the bill, and speaker not to sign it as speaker of the house. This motion was carried by an overwhelming viva voce vote, and as the Des Moines papers reported, "amidst wildest applause and confusion."

When this request from the house was presented before the senate, an attempt was made to substitute by receding from the senate amendments and accepting the house bill. This was defeated by a vote of 34 to 15, and the "Con Con" bill, back again in the hands of the house, was buried forever.

The only three constitutional amendments suggested during this debate were: an amendment giving women the right to be members of the general assembly; another making different provisions for the districting of the state in senatorial districts; and a third providing for collective bargaining by producers. The first amendment suggested giving women the right to be members of the general assembly was adopted by vote of the people in 1926. No change has been made relative to procedure in redistricting the state senatorially, but in 1928 an amendment was adopted which provides "but no county shall be entitled to more than one senator." Since 1916 no amendments to the state constitution have been submitted or adopted, aside from the two above referred to and the amendment of 1936 which repealed the provision for the taking of a state census, and the amendment of 1942 which provided that all motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of public highways exclusively within the state, or for the payment of bonds issued or to be issued for the construction of such roads.

The present constitution of Iowa was adopted in 1857 and there are but few states now operating under a constitution adopted at an earlier date. The amendments adopted prior to 1920 were few in number and of little general importance. Two of them provided for striking out the word "white" from various articles of the constitution. Two others made certain provisions relative to the establishment of judicial districts and abolishing

the office of district attorney and substituting that of county attorney; the amendment of 1904 provided for biennial elections and making slight changes in the election of members of the general assembly, and the amendment of 1908 provided for establishment of drainage districts. It would therefore appear that the constitution as now amended contains all the fundamental provisions of a constitution and has proved satisfactory to the people of Iowa for nearly a century.

AMATEUR DIPLOMATS DEBATING

Vice President Reed: The principal speaker this afternoon is L. B. Forsling, judge of the District Court of Woodbury county. Judge Forsling was a member of the house in the Thirty-ninth, Fortieth, Fortieth Extra, Forty-first, Forty-second, Forty-third and Forty-fourth General Assemblies and the senate of the Forty-eighth, went to the district bench out there, for awhile was in the army and is now back on the bench. It is my pleasure to present to you Judge Forsling.

Judge Forsling: I served six terms on this side and a term on the other side. I spoke often, maybe too often, to the house members, and spoke often, maybe too often, to the senate members. This is the first time that the members of the senate and house together have been compelled to listen to me.

I don't know of any work that can be done that is better than legislating, and there is no work more fascinating. Certainly there is no work that is more important, and I am sure that there is no work that is so little appreciated.

It is good to be here and I appreciate very much this honor. It is nice to meet with men that we struggled with and had our legislative contacts with, with whom we agreed and with whom we disagreed. We thought that we were solving all of the problems of the state when we were serving here, but of course we did not, and maybe it is just as well we did not. It would not be much of a world, it would not be a good world, if we had. We thought we did a good job. Maybe we did. I think we did. But it is good to know that the work that we left unfinished, the work that is left to be finished, and is going to be done now, is in the hands of capable successors.

I propose to talk of that which is uppermost in the minds of Americans and now concerns Americans the most. I do not come as a partisan. America's tangled foreign relationship has brought troubles as big as the nation, solution for which calls for the courage and best thought of all patriots of both and all political parties. America is at it's Calvary. In our present situation there is no clear line of cleavage, with adherents of either party hav-

ing divergent views. Both major parties are guilty of fault responsible for our existing trouble; one party in the driver's seat, the other hopeful to drive, yet seemingly content to ride along. You may ask why an obscure person in the hinterlands of Iowa should presume to discuss the subject. The answer will be given later on.

We are at war in Korea—already our fourth largest war as measured by casualties—the war threatening tremendous enlargement, with causes, reasons and objectives stated in platitudes or sophistries.

This is a crisis of confidence. What is doubted by millions of Americans is the ability of our leaders to rightly decide problems or their ability to point the way. Lack of confidence in our present statesmanship in that these same persons have piled blunder on blunder, have brought us to our present danger. We have a feeling of bewilderment resulting from diplomatic ineptitude; a history of turns and reversals, a period of off again, on again. American people are afraid this rigamarole will continue on and on until our destruction.

We engaged in two world wars under the slogans "save the world for democracy" and "self determination of small nations." We were victorious in both wars, yet democracy is more restricted now than before our participation; yet small nations have been overcome by the larger. The manpower, military and industry of America achieved total victory in World War II, but in their turn our diplomats lost the peace as thoroughly as we had won the war. We destroyed German ability to again make war and boasted at the extent of that destruction. We are now feverishly endeavoring to rebuild, at our cost, that same destruction. Our amateur diplomats, debating tweedledee and tweedledum, lost babes not knowing what they want, opposed to the professionals of other people, who definitely do know what they want.

We boasted of the complete destruction of the military of Japan. We gave the Japanese a constitution. At the instance of those profound thinkers of ours we inserted in that constitution, and perforce accepted by the Japanese, a provision whereby the Japanese forever forswore war or the power to make war. Now these same profound thinkers are re-arming Japan—America, of course, paying the bill. Also the star-gazers are now urging the Japanese to eliminate the provision so ardently and fervently insisted upon by us.

We ousted the Japanese from Korea, then granted Russia a joint protectorate of that unfortunate country, victim of its neighbor. We now regret the invitation. We took Korea under a protecting wing—we led it by the hand to better and higher things under a benign and beneficent administration. When all

Koreans did not agree on the benefits conferred we engaged in shooting them and in the destruction of their countryside and cities. Such is the way of some guardianships.

We declare ourselves against dictators, but actually pick and choose, changing with the seasons and without apparent reason. Yesterday it was "good old Joe," today something else. Tito an enemy yesterday, a friend today. Franco unworthy of consideration yesterday, recipient of favors today. We love Vargas and dislike Peron. Our departments vociferous in the denunciation of communism abroad, and equally solicitous of the protection and welfare of the communist (and his fellow traveler) who lives and works and saboteur in our midst. We reject the communists abroad, embrace them here at home.

This recital of failure and contradiction could continue indefinitely. It is given to show a few of the reasons for lack of confidence. Water over the dam? Not water but blood and much of it; blood over the dam but still flowing, and those same crystal gazers still in charge.

INTERNATIONAL RESPONSIBILITIES FIRST

Who then are responsible for these tragic sequences. For the most part amiable and well-meaning gentlemen, but men obsessed with conflicting purposes, loyal to a world organization and super-government; secondarily loyal to American interests. The result is we carry, or try to carry, the world in a basket, the basket necessarily paid for by us. An optimism of welfare for the entire world, rather than welfare of nation. A divided loyalty, requiring a departure from organic law, a departure from established principles, a departure from honesty of statement, depending for justification on twisted reasoning. Twisted reasoning not confined entirely to the disciples of either political party.

A conflict of ideas between those who have an abiding and decent respect for our natural obligations to people of other lands without undue sacrifice of our own interests and those who think it America's duty to run the world willy nilly under and according to theories of the unrealistic and impractical. A perfect demonstration that two masters may not be served.

To carry into effect this business of running the world we have abandoned basic things, and are required to adopt strange, startling changes and innovations in the tenets of government.

We have abandoned the golden rule of individuals and nations, that we cannot arrogate to ourselves that which we do not grant to others, nor demand of others what we do not require of ourselves.

A departure from the concept as found in our declaration that when the bonds which have united one people with another become burdensome, then is the privilege to dissolve those bonds.

A departure from the accepted principle that we or any people may conduct internal affairs as we or they dispose without interference, they with us, we with them.

A setting aside of our constitution which grants to congress the sole power to declare war or appropriate for war.

Concealment of the truth in that the physical integrity of America is not now nor has been for a century menaced by outside forces; choosing to ignore that our real danger comes from maladjustments within; that if America and its priceless heritage is destroyed this destruction will arrive from internal stresses—a blowing apart at the seams.

A failure to recognize the upheaval which is taking place inspired by that same pronouncement which unlifted the colonists to freedom; the yellow and brown races breaking the chains of the outlander; resisting and throwing off exploitation, peonage, poverty and misery which attends empires or colonial systems. A movement which always heretofore has had our sympathetic understanding. A business strictly of those peoples in which the humanities tell us not to meddle. A movement necessary and offering eventual hope for a successful and useful congress of nations.

A departure from organic law in that under it we and they have the right to define, enlarge or limit our government organization; to have king, become dictator or representative government as we or they decide and will permit no questioning of that right even though outsiders greatly differ.

Under which golden rule we grant to others the same non-interference regardless of our opinions, likes or dislikes. Incidentally, history discloses that people unite in resisting the meddler and that foreign intervention seldom achieves its objective.

That thinking responsible for the abrogation of the provision which grants congress the decision of war; abrogation of the provision granting congress sole authority to appropriate for war; a thinking which would and at this immediate time does give other departments the privilege of embezzlement, the using of public monies set aside for building a military to the expenditure and dissipation thereof in various expeditions. A line of reasoning which brings rhapsodies such as this—I quote from a recent editorial in Iowa's largest newspaper:

"Think what a genuine federal world government with power to raise its own taxes and armed forces could do." Here consider all the implications as of the present—the United States the only have nation in a world envious, covetous, resentful.

URGE PLAUSIBLE FALSITIES

The apologists for those dreamers justify the Korean venture, descending in so doing to plausible falsities.

They state we are on a policing expedition—not involved in

war, even the American casualties already exceed those of the wars of 1812, Mexico or Spain.

The apologists say the dignity of the United Nations was involved; that war was required to sustain that dignity. The truth is the 38th Parallel, the Korean Mason-Dixon Line, was not established by the United Nations but by the prior joint action of Russia and the United States, a proposition with which neither the Koreans nor the United Nations had anything to do; the crossing of which reflected internal dissension by opposing factions of Koreans.

Again the apologists claim the Korean war to be the action of the United Nations. In this claim they are not candid. In making the decision Asiatic nations, India, Pakistan, Burma, Malaya and others did not vote affirmatively. Those nations are most directly concerned. Nor did the nations which voted with us at our importuning, cajoling, in consideration of favors granted or to be granted, bind themselves as full partners. The vote was little more than a sanction for us to undertake the venture. No delegate from another country would, nor could, have obligated his people to a full participation of troops, equipment or money. The proof of this may be found in the casualty lists. Despite reports issued to delude us, that disparity no doubt still continues and will continue. Beyond token forces no other government dares to go; casualty lists in proportion to ours would in parliamentary countries bring fall of government overnight. Mis-information blinds us to the real situation; other people realistic and not so misled know the Korean war can bring neither good nor permanent end. What is said may be considered a simplification of the issues; actually the issues can be further simplified. In 1947 Russia agreed to withdraw from Korea conditioned on similar withdrawal by us; this we refused to do, alleging the Russians had rigged the election proposed for Korea. Now we are engaged in killing Koreans, and they killing Americans, because Russia, a foreign power present through our acquiescence, did or might have influenced an election.

Koreans have no designs on us; a land of relatively primitive, poor and inoffensive people, yet the land of a major war with a rate of losses for us far exceeding that of the war with Japan.

What are the justifications from those responsible?

You know of the young marine and his father who made inquiry. The news account of the reply by Secretary Acheson said in his reply of 1000 words was two weeks in being formulated. In brief I shall give you that piece of tripe by Acheson which was two weeks in the cooking. I quote from the newspaper account:

"I thought then and I think now the real problem lies deeper than the question of particular decision, even the important ones

which distress your son. It lies (the second time he uses this word) in the fact, for which we thank God, that these boys have been brought up in the fundamental decency of American life. I appeal for a strong faith on the part of the American young people in the validity of the ideals on which the country was founded and in which it now endeavors to guide its action. The young men of the nation are denied the natural development of their lives and are undergoing an agony of spirit. This is due to the fact that some distant and shadowy figures in the Kremlin, controlling millions of people far from them, are setting out to make impossible the kind of life which Americans had every hope and right to live."

What an illuminating answer, and a fair sample of the bologna which is the portion of the American people.

It is self-evident that the secretary does not know the purpose of being in Korea, any more than we do ourselves.

The sad story of the Korean war will be entered in the histories as a war, not fathered by the American congress, nor actually sired by the United Nations—the product instead of artificial propagation, that kind of war for which descriptive and appropriate names can easily be supplied.

AMERICA'S RELATIONS WITH CHINA

And now consider China and keep in mind the golden rule of non-interference. The explainers say the Chinese communists attacked our forces in Korea. This is in accord with the fact. The explainers, however, fail to go on and say that the United States long ago took up the cudgel for the opposing Nationalists represented by Chiang; that we actively participated in Chiang's behalf in the Chinese factional war. We continued that support despite the fact that the Communist faction demanded and agreed to a cessation of internal hostilities and a joinder of the Chinese to oppose Japan—then the common enemy of China and of us, and further continued the support of Chiang after his refusal of that offer.

We continue the support of Chiang though he no longer purports to follow the Dr. Sun democratic tradition; even though he has failed to offer relief to his people from the exactions of the war lord, hordes of political grafters or from their intolerable poverty; no relief offered by him from the system which maintains the potentate at the cost of the toil, misery and degradation of the thousands. We continue that support though the Chinese have chosen to desert the horrible past for change in future hope; though Chiang and his cohorts were put on the scales by the Chinese and found wanting; even though he was ignominiously chased off the Asiatic mainland by the Chinese after and while receiving aid, comfort and money from us. We persist in that support though his reinstatement in China has no

more chance than the well known snowball. A support in what is none of our business, a continuance of which will mean tremendous slaughter, untold expenditure and inconclusive ending. Yet we still hold the torch and bag for Chiang. Witness Japan's experience—15 years of war without loss of a campaign, yet never holding more of China than the spot where the Japanese soldier at the moment was standing.

We are at war with the Chinese, traditional friends, they of us, we of them. Two nations with no designs against each other. Their farmers, laborers, business and professional men without enmity.

In the absence of valid reason, the explainers and warmongers concoct the scare head—China offers a huge reservoir of soldiers for Russia. China also offers a huge reservoir of soldiers for us. The explainers suppress the real factors. Until the present episode we always aided China against encroachment. The Chinaman is said to never forget.

The control in China is communistic, but the apologists fail to tell that the word 'communistic' is relative and elastic. The present government of China is absolute. So was that of Chiang. The communist movement in China constitutes a property reform movement which every informed American, rich or poor, knows is long overdue. Unlike some of its counterparts, however, the Chinese communist is not against religion or creed, nor is there evidence that it seeks enlargement at the expense of its neighbors, nor evidence towards empire. Probably the least predatory of nations. The party in power does, however, ask to be let alone so the Chinese may work out their destiny, a people innately peaceful, honest and industrious. This right they should have free from interference.

WHEN CHINA MAKES DEMAND

China heretofore has not suffered at our hands. The main thief of Chinese territory has been Russia. The Chinese, having pride of nation, when the time is propitious surely will demand and force a return of their people and land previously stolen from them. Russians are equally foreign to China with us. Pre-empt the Chinese reds accept aid from Russia, no longer wanted or needed when we get out. Then that time will come when China demands a return of what has been stolen. Russia has that to fear, we do not, something you may be sure that the Russians are fully aware. Important it is to note that Great Britain has written *finis* to the Chiang incident and now recognizes his opposition as the government of China.

I shall read what appears to be a carefully considered editorial from the conservative financial paper, the U. S. Weekly:

"For the sake of China and the rest of the world which has dealings with it, the reforming elements of China, including the

communists, should come to terms and bring order out of the existing chaos, and for us to come to terms with those best able to bring order to that distracted country. It does not mean the present party will not come to agreement with us on reasonable terms. Be assured the Chinese communists are not a mere appendage of Moscow, but is a genuine national movement fully capable of taking the line they think best for the Chinese people. That is the history of China."

Remove Chiang from the picture, as Britain has done, then there is no quarrel with China or any faction thereof.

Admittedly Russia is antagonistic to democratic or capitalistic government and therefore antagonistic to us.

Russia today is following the pan-Slavist ideas of the Czars. It may decide on further and immediate war. A better guess is not. The bear has again stretched out its paws to add additional territory, all aided and abetted by us. It now, as in the past, seeks to digest. As a part of its strategy and to gain time for that process it foments and stirs up trouble in other parts to annoy, to distract and to weaken by attrition its opposition, including ourselves. It is the old shell game with the United States entirely taken in. The Russian strategy has worked perfectly. Instead of preparing and conserving for possible trouble with the bear we are out in the wilderness pursuing John Chinaman. Certainly these shadowy figures mentioned by Mr. Acheson are happy in the complete success of their strategy and in our predicament.

If need there was to make demonstration in behalf of the United Nations, that demonstration has already been made and paid for in blood. As to future demonstrations we should be mindful that the organization is yet an infant, was born out of hatreds; to grow needs the nurture afforded by peace. All sincere people hope the present organization survives to outlive and live down this existing fiasco. As to future demonstration it is not unreasonable to expect, unlike the present, the assumption by others of a full share of the burden.

So then our advanced thinkers have woven a tangled web. Through them we have deserted actualities for rainbows, cast aside fundamentals for the expedient, from which has come danger.

In following these thinkers we have become the purveyors of good—as they see it—to all others whether they like it or not. They forget or do not want to know that we are up against a foreign-domestic conspiracy, sinister and diabolical, to destroy the American constitution. They would now let us bleed to death in Korea, China and other sectors; to keep on in this nightmare to save their faces; so they and we are participants in the Oriental game of saving face. They will continue this insanity, even precipitate us into a bigger gamble, hoping that somehow, some-

where, their already monumental folly will be forgotten though the forgetting may not come ahead of ultimate catastrophe.

Under these leaders of ours we have become the swashbuckler of nations. Jousters at windmills. Ours is the paradox of making war under the world flag and preparing for another war against a member partner without regard to that same world flag.

OUST DELIRIUM LEADERSHIP

Now then, we should conserve our manpower and resources by getting out of Asia. We should divorce our state department; require future war commitments be made by congress; return to the constitution; concentrate for possible armed conflict with Russia.

Comes the question, "why should an obscure person out in Iowa presume to speak?" Why a better place than Iowa, far from the influence of brass and braid, where the warmonger and the jingo are fewer, where chest beating and flag waving are at a minimum? Also in answer—in obscurity there is immunity from the hatchetman, name caller, malicious apologist; the destroyer and distorter of truth.

America's danger is not imminent, it is here. It is for those who would keep our light burning lest the entire world be made dark, to make known the public men in congress and others that the five per cent who make ninety-five per cent of the noise do not represent or reflect the opinion of the vast majority. Let them know that America will no longer tolerate delirium leadership.

In conclusion and to borrow an expression, out in the cattle and cow country we are fed up with all this foolishness. Americans are tired of being hoodwinked, or being prize dupes all the time. What America wants and needs is opportunity to set its own house in order, an end to the bloodletting, a return to the constitution as written and as intended, and a whole lot of resignations.

The Pioneer Lawmakers then retired from the chamber and thereupon, on motion of Representative Butler of Pochontas, the joint convention dissolved.

S.S. Iowa I Created A Class

The English navy, having to go all over the world, copied the Erickson turret but built its ships with higher freeboards and smaller batteries. English Influence found its way into the navy department, and the next American ship, the S.S. Iowa I, was built with greater freeboard and smaller guns. All later battleships were built to be ocean going, which became easier with oil fuel.—*Chicago Tribune*.

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