

JOINT CONVENTION

In accordance with House Concurrent Resolution 13, duly adopted, the joint convention was called to order, President Elthon of the Senate, presiding.

Senator Byers of Linn moved that a committee of three be appointed to notify the Pioneer Lawmakers that the joint convention was ready to receive them.

Motion prevailed and President Elthon appointed as such committee Goode of Davis and Hanson of Lyon on the part of the House, and Senator Byers of Linn on the part of the Senate.

The committee previously appointed escorted the Pioneer Lawmakers to the House chamber.

President Elthon presented to the joint convention Senator Lord.

On behalf of the Senate, Senator Lord of Muscatine welcomed the Pioneer Lawmakers with the following remarks:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION, AND PIONEER LAWMAKERS:

It gives me great pleasure to welcome you and to pay our respects to the Pioneer Lawmakers of Iowa on behalf of the Senate. We have several members of the Pioneer Lawmakers who are presently active in the administration of the laws and the making of laws of our state:

His Excellency, Governor William S. Beardsley,

Honorable Leo Elthon, Lieutenant Governor,

Honorable Frank C. Byers, Senator from Linn,

Honorable Arch W. McFarlane, Representative from Black Hawk,

Honorable Dewey E. Goode, Representative from Davis, and

Honorable Art C. Hanson, Representative from Lyon,

are all active in the business of the state while holding their memberships in the distinguished and venerable Pioneer Lawmakers Association.

In view of what has been said and will be said here today, let us take a look into the future of our state and nation as to the problems that will affect our lawmakers of the future.

We look back with pride and appreciation for the good work that has been done in the past. We are ever mindful of how the liberties have been preserved for the citizens of our state and nation, thereby creating a beacon of freedom, the light of which may be seen throughout the world and cherished by free men everywhere. Should that light in America ever be extinguished or even dimmed, mankind throughout the world would suffer a loss from which it would require centuries to recover. Our responsibilities are great!

In the coming years our population will become more dense—thereby the complexity of our society will become greater—which will call for more laws to govern the lives of the individual and greater demands will

be made upon government for the solution of problems arising therefrom. Likewise, the individual citizen will endeavor to get rid of many personal problems by turning them over to the state. Many individual citizens are quite willing to exchange their freedom for the illusion of security. They wish to have the government solve their personal perplexing problems, and are quite willing to forego their liberties in exchange. Each time the government takes over the individual's responsibility, the more the individual is dependent upon government, and also becomes less capable of taking care of himself. The end result will be that the light of freedom will be dimmed and finally extinguished in America unless we legislate wisely and well.

In the future, as in the past, lawmakers must resist this trend with judgment and wisdom, weighing well the need of our times, keeping abreast with modern government, yet still preserving the freedom of our people. Lawmaking is and should be an exact science. If the trends of public thinking and public demands are understood by our lawmakers well in advance of their movement, ways and means can be devised to meet these needs and yet preserve free enterprise and individual freedom.

We are pleased to give you this glimpse of the future problems as we see them, and to assure you that we are not unmindful of the pitfalls that lie ahead. We hope that we will justify the heritage that you have given us, and that we may pass on to our posterity a heritage as great.

President Elthon presented to the joint convention Representative Fred Schwengel who gave the following remarks on the part of the House:

It is indeed an honor to have been asked to represent the Fifty-fifth General Assembly on this auspicious occasion, and it is with a spirit of humility as I try humbly to represent you in honor of our distinguished guests today.

It is always good and especially in these times to reflect on the past and to have it *show us* how to chart our course for the future.

It is extremely fitting that we do honor where honor is due. Certainly, too, we who represent our people are honored to have these patriots of previous days, so important in the past history of our great state, on this occasion.

Looking back on the problems of our state twenty or thirty years ago, you were pioneers in a very real sense—then it was re-charting and adopting new philosophies on tax, reducing the state property tax burden, meeting the challenge of bringing Iowa out of the mud and setting the pattern that they finally gave to the citizens of Iowa that we are still building on today. In instances, you brought order out of chaos: when the financial laws of Iowa needed amending and readjusting in the interest of the people, you brought about financial stability within our society; you saw the need of under-girding a good economy by recognizing, through tax relief, those things that make for stable citizenry, the homestead exemption is the case in point.

In addition to meeting problems like these with forthrightness and conviction, you, as history proves, did all things well in the many other areas of state responsibility—illustrated by the fact that our state is in

fine condition financially and it has grown and progressed in every phase of its manifold activities.

You, honored guests, like our forefathers, were devoted to the system best described by a seer who once said: "The objective of a representative form of government is the *cause of the people*. *Of the people* because men are what the holy doctrine teaches, for if it were not so, to sacrifice oneself for others would be extremist folly. Their devotion to this cause has made the patriots and philanthropists of all ages illustrious and their memories the richest inheritance of the human race and set them aside in an area of devotion and admiration for all mankind.

It is a fundamental truth that great men mold and shape the era in which they live—as we reflect on the history of the world, how different it would have been without a Moses; Christ; Alexander the Great, of ancient times; Cromwell; Napoleon, and Disraeli of a later date; and without Adams, Washington, Jefferson, Lincoln and scores of others in panorama of more modern times; and in Iowa without Lucas, Kirkwood, Harlan, Grimes, Cummins, Clarke, Kendall and scores of others, almost all of whom were members of the Iowa General Assembly at one time.

All of this prompts me to call to your attention an appropriate and memorable poem by Lord Byron:

"Tis, thus, the spirit of a single mind
Makes that of multitudes take one direction.
As roll the waters to the breathing wind
Or roams the herd beneath the bull's protection,
Or as a little dog will lead the blind
Or bell-wether form the flocks' connection,
By tinkling sounds of speech when they go forth to vital
Such is the way of great men over little."

Or in the words of an American poet, Edwin Markham, who wrote so glowingly on American tradition and life and people, when he said of Lincoln in that now memorable poem, "Lincoln, the Man." After comparing Lincoln to all the great, fine things of nature and how he represented it, he pointed to his statue in Boston and said: "Here was a man to hold against the world, a man to match the mountains and the sea," and then he went on to describe him as the great spirit that represented the fundamental laws of man and truth, he said, in effect, when he left, these words: "T'was as a mighty fallen tree and when it fell, it left a lonesome place against the sky."

Honored guests, we have missed you, the state has missed you and we are happy to honor you this day. For it was you who handed us the torch of liberty, and God grant that we may hand it on to our successors as brightly lighted and untarnished as you handed it to us.

Gentlemen, there is no question that I express the hearts and minds of every member of this Assembly when I say to you on this auspicious occasion, welcome.

President Elthon introduced the Honorable Burton E. Sweet, president of the Pioneer Lawmakers, with the following remarks:

It is certainly a pleasure and an honor at this time to introduce to you the Honorable Burton Sweet who is president of the Pioneer Law-

makers, and at this time will appear before you to preside over the rest of the joint meeting.

Honorable Burton Sweet:

MR. PRESIDENT, MR. SPEAKER, AND MEMBERS OF THE FIFTY-FIFTH GENERAL ASSEMBLY OF IOWA; THE PIONEER LAWMAKERS, LADIES AND GENTLEMEN:

At the outset I wish to express to you my profound appreciation for the compliment that has been paid to the Pioneer Lawmakers at this time for the welcome we have received at your hands.

I was elected to the legislature of Iowa as a representative about fifty-four years ago. I served in the Twenty-eighth and Twenty-ninth General Assemblies.

We had in those sessions men of great ability and they made history for the great State of Iowa. As I stand here today, the Twenty-ninth General Assembly rises before me like a dream.

I look to the right, and I see Nate Kendall sitting there. He was a great orator. He was afterwards elected to Congress and afterwards elected as Governor of this great state.

I look over in the body of the House here and see George Clarke from Dallas County, and remember that he was elected as Governor of this state.

I look to my right in the back part of the room, and I see Gardner Cowles. Shortly after his service in this House, he purchased the Register and Leader as it was known then, and he built up the Register until it has become the greatest newspaper in the State of Iowa . . . yea, in the Mississippi Valley.

I look over here and I see M. L. Temple, a great lawyer, who represented the mining interests of the southern part of the State of Iowa.

In seat No. 10, there sits, in my mind's eye, Mr. Edwards, he was elected as a district judge and served with great distinction.

I look again and I see Thomas Way. I see Senator Cummins, who made a great Senator. And I see others that are familiar to the mind's eye. One of these is Emory English. Emory English at the present time has charge of the publications of the state historical department and is secretary of the Pioneer Lawmakers. He served in the Twenty-ninth General Assembly with me, and I look again and I see a man by the name of Kerr from Grundy County—he is here today.

I look and I see many others that would be familiar, but time forbids a longer look even though it be in a dream.

I want you to see those men who worked well in a day and a generation that is gone. All that body of men has gone to the great beyond. They sleep in their windowless room at rest, but it matters not where it may be, or among whom they sleep, their going marks the end of an age.

And now I wish to present to you a veteran legislator, a man who has been in this legislature longer than any other man living or dead. A man who was twice Speaker of the House of Representatives and presided over that body with honor to himself and to the great State of Iowa.

He was also elected Lieutenant Governor, and he presided over the

Senate with distinction. I want to say to you that he has held that position with honor, with integrity, in all the legislative acts of his life.

Every important piece of legislation that has gone through this legislature in the last forty years has received the imprint of his active mind, and the stamp of his legislative genius.

To you, gentlemen, all of you, I now introduce that prince of parliamentarians, that leader of men, the Honorable Arch W. McFarlane, who will now address you on this occasion.

Mr. Sweet introduced the Honorable Arch W. McFarlane, who addressed the joint convention as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT SESSION, PIONEER LAWMAKERS, AND FRIENDS:

It is with humility and with a very deep sense of feeling that I take this opportunity to publicly express my appreciation to the Pioneer Lawmakers in selecting me as their president for the next two years. I can assure you that this came unsolicited and I feel very grateful for this honor. I shall endeavor to be an active president worthy of this high office.

As I appear before you here today my mind and memory cannot but dwell upon the past. I always feel, when the Pioneer Lawmakers meet, that there are present with us in an almost bodily sense, those other Pioneer Lawmakers who have drunk their cup a round or two before, and one by one crept silently to rest.

A few years ago, when I first became eligible to membership as a Pioneer Lawmaker, it was very hard for me to realize that I was in any sense to be classed as a pioneer. Most of us here have had, at times, much the same feeling. My idea of a pioneer came out of James Fenimore Cooper's "Leatherstocking Tales", and my thoughts of just what kind of people the pioneers were, and how they looked, tended to be derived from Blashfield's masterpiece of "Westward Ho," which we view every day as we near the House and Senate chambers.

Yet most of us here today will be regarded by the people of Iowa fifty years or so in the future as equally pioneers with the earliest men who moved into Iowa.

For Iowa is a young state, even today. There are men here today, such as my almost lifetime friends, Burton Sweet, Emory English and W. G. Kerr, whose span of life is more than three-fourths that of the lifetime of the State of Iowa.

As we look backward today our lifetimes reach back into the days when just about everybody in Iowa was a pioneer, or is so regarded today. And, as we stop to think the matter over a little, we get a better picture of what actually constitutes a pioneer, and the manner of men they were.

The pioneers who came to Iowa in the days before my birth were, as a matter of fact, men and women just like ourselves. Some of them came to Iowa seeking their own future, some also came to leave their pasts behind them. There were more sinners than saints, not all of the men were handsome heroes, and the sturdy women who helped create

this state didn't look, very many of them, like the movie stars who now portray them on the films.

And from this sturdy stock there developed the leaders who wrote the Constitution of the State of Iowa, who became the pioneer lawmakers of two and three generations ago, and whose memory we honor today.

I like to think of the General Assembly of the State of Iowa as a training school for leaders of men. From among those who have occupied seats in the House and Senate twenty-one have later become Governors of Iowa.

There was Samuel J. Kirkwood, who showed up in the Iowa State Senate in the guise of a grizzled farmer with seeds in his hair, and proceeded to demonstrate to his astonished colleagues the qualities of greatness which made him our Civil War Governor, and later a United States Senator. There was Tama Jim Wilson, who once occupied the Speaker's chair on this rostrum, who rose to become the greatest leader that American agriculture has produced to date. There was William Larrabee, possibly the best beloved Iowan of his time. There was Albert B. Cummins, the unknown young lawyer who gained his election as an independent, and founded his political career by putting the barbed wire fence trust out of business. There was that great Governor George W. Clarke, who envisioned the Capitol Extension of which we are so proud today, and fought it through until his dream became a reality, and the saloons and brothels disappeared from the State House steps. An' there was Nate Kendall, who also sat in the Speaker's chair, perhaps the most eloquent orator who ever sat in this chamber.

I could go on and on with this list of Pioneer Lawmakers of Iowa. I cannot even stop to enumerate the men who have gone from these halls almost directly into the halls of the National House of Representatives. I cannot enumerate, either, the men who have become our district judges and judges of our Supreme Court. And were I to attempt to list the civic honors which have been bestowed upon former members of the Iowa General Assembly by the State of Iowa, or by its counties and cities, or communities, my task would be endless.

It was a former pioneer lawmaker, Senator Anthony McColl, who laid the foundation for most of the activities of our State Board of Control, and whose work is being so ably carried on today by Henry Burma, who also sat in the Speaker's seat.

We, as Pioneer Lawmakers, have had our part in making Iowa what it is today, along with those who have gone before. The test of our worthiness, and of the unseen Pioneer Lawmakers who are with us in spirit today, if not in body, is to be judged by a standard set up by the Savior of all mankind: "By their works ye shall know them."

Each generation of lawmakers finds its new problems to solve. Each generation of lawmakers becomes pioneers in its own right.

We are perturbed today about what to do about our public schools. But the first Pioneer Lawmakers had to be concerned about having any schools at all. They had the job of creating all of our educational institutions, of founding our great State University, our great State College at Ames, and our Teachers College at Cedar Falls. They had vision and

foresight. They were the founders; we, who are here today, have been the builders, and those who follow us must continue to build.

It has been my privilege to have participated in more of the legislative deliberations of Iowa than any other man living or dead. As I look backward to 1915, and hunt up the old Iowa Red Book in which my picture is pretty much of a deadringer for that of my present colleague, Jack Schroeder of Scott County today, I cannot but be sobered by the feeling, I who was considered the bright young man of the Thirty-sixth General Assembly, must at some time pass on my duties to the bright young men of today. I am not saddened, because I feel, as I believe you who are gathered here today also feel, that they will do a better job, perhaps because they will have the opportunity to profit by our mistakes.

Yet the history of the state reveals that it is seldom indeed that the Iowa General Assembly takes backward steps. The laws which are upon our State Books today are the product of the best efforts of four generations of lawmakers. They are the foundation for our free government and our liberties in Iowa. I, as a pioneer lawmaker, am conceited enough to make the statement that we pioneers have done a pretty good job.

We have established, in Iowa, a state and local system of government which, in the very nature of things, has its faults, but which I would not exchange for that of any state in the Union.

Iowa has good government, and the laws we have passed help keep it so. Iowa has good schools, established under the laws we have passed, and our successors will make them better schools.

We have set up a judiciary under which the protection of our laws is guaranteed to all, and whose integrity has never been questioned. We have established protection for our poor, our widows and our orphans. We have safe working conditions for the employees in our industries; we have shown due regard for our problems of sanitation and public health.

I myself have seen our road systems pass from paths into highways, here again we have laid the foundation for things to come.

The General Assembly of Iowa has an enviable record. Its proceedings have never been tainted by a major scandal. It has preserved its independence of thought and action, and has been jealous of its own prerogatives. The most decisive step toward the disintegration of any democracy, and the loss of the liberty of its people, is a surrender of the powers of the popularly elected assembly to dictators or bosses, whoever they may be.

I remember a session, it was that of the Thirty-seventh General Assembly when we had the most bitter fight over highway legislation that has ever occurred in this chamber, when a member of the House voiced, on the floor of this House, a principle which I believe was inviolate in the minds of our predecessors, and should forever be retained by ourselves and our successors.

The argument revolved over whether or not the State Highway Commission should be deprived of its powers, the offices moved to Des Moines, and our infant policy of building roads upon a state and county basis, instead of haphazard, was at stake.

There was a member of the House at that time from my neighborhood

county of Grundy. His name was Bill Moaty, and a son of his sits in this General Assembly.

The battle was a political one, in which the political fortunes of one of the slickest state machines ever put together in the State of Iowa were involved. The lines were closely drawn, in fact, the battle ended in a draw, with fifty-four members of the House on one side and fifty-four on the other.

The Governor of Iowa had called Mr. Moaty "downstairs." Most of you know what that means, and had put the pressure on Mr. Moaty pretty tightly. Mr. Moaty came back to his seat with his hair bristling, and took the floor.

"I am a pretty good Irishman," Moaty said, "and I am a pretty mad Irishman. I want to tell the members of this House that no governor is going to tell me how to vote. If he can convince me I am wrong, he has a right to try to convince me, but he isn't going to order me around. I know what kind of roads my people want, and how they want them built, and I am going to vote that way as long as I get a chance to vote."

I am citing this incident to emphasize the point that I am trying to make, as I turn from the record of the past and try to look into the crystal ball for a glance at the future of not only Iowa and its people, but of the United States and every American citizen.

Legislatures do make mistakes. We made one right here in this chamber back in 1945 which we are now doing our best to correct. I might comment that in my opinion that mistake was made because we paid too much attention to what we were told to do and not enough in determining what we ought to do.

But mistakes of representatives and senators elected by the people are seldom selfish mistakes. They arise because even legislators are human beings.

Dictators rise into power through the elimination of governing bodies such as the Iowa General Assembly. Hitler rose to power only after the German Reichstag had been emasculated and then destroyed. The same thing happened in Italy when Mussolini took command, and in Russia, Rumania, China, Bulgaria, Hungary, Poland and Czechoslovakia the rise of communistic power was the direct consequence of the loss of power by the elective representative bodies of those nations.

The mistakes of legislatures and parliaments, as I have indicated, are honest ones, and they are made without intention to deprive people of their liberties.

The mistakes of dictators are often fatal to their peoples, and they are generally irreparable, because once human liberties are lost, they are not regained, in most cases, without the pouring out of human blood.

Our Pioneer Lawmakers survived the era of the Civil War, when the liberties of Americans were threatened. They were unflinching in the emergencies of the first World War, and we didn't back down in the last World War.

The world now confronts, in my mind, a greater menace to human liberties than it has ever faced before. An evil man passed away the other day, and the power of Joe Stalin to do any more evil has been lost.

But it was well said by William Shakespeare that "the evil which men do lives after them, the good is oft interred with their bones."

The evils that Stalin and Lenin have created still live, and they menace us. The communistic ideology threatens every representative body in any nation, or in any village, upon the face of the earth. So I urge upon us today, as Pioneer Lawmakers, to oppose, with our dying breaths, if need be, any ideology which directly or indirectly menaces the freedom of legislative bodies anywhere.

It seems that the artists and the educators have discovered that the Pioneer Lawmakers of a century ago didn't do the best job in the world of designing the Great Seal of the State of Iowa. I am not much of an artist, but if they start revamping the Great Seal of the State of Iowa, there is one thing I want left strictly alone—by all future Iowa lawmakers. It is the motto upon that State Seal, which I commend to you in closing: "Our liberties we prize and our rights we will maintain."

Senator Hedin of Scott asked and obtained unanimous consent to have the remarks by Representative McFarlane, Senator Lord, Representative Schwengel and the Honorable Burton E. Sweet printed in the Journals.

President Elthon offered the following remarks:

This brings to a close our meeting here this afternoon, and I want to say it surely has been a pleasure for us in the legislature to meet with you Pioneer Lawmakers in joint session, and we wish you the best of luck. We hope you can come back to us, session after session, and we hope that you may have many pleasant days yet to live.

Christiansen of Worth moved that the joint convention be now dissolved.

Motion prevailed.

The House reconvened, Speaker Lynes in the chair.

MOTION TO RECONSIDER VOTE

I move to reconsider the vote by which Senate File 30 passed the House.

DEWEY E. GOODE.

MOTION TO RECONSIDER VOTE

I move to reconsider the vote by which the amendment by Vermeer on Senate File 18 was adopted on March 19.

CONWAY E. MORRIS.