

REMARKS MADE BEFORE JOINT CONVENTION
HONORING THE PIONEER LAWMAKERSWELCOME ON BEHALF OF THE SENATE BY
SENATOR J. T. DYKHOUSE OF LYON COUNTY

MR. PRESIDENT, MR. SPEAKER, SENATOR HICKENLOOPER, AND MEMBERS OF
THE GENERAL ASSEMBLY:

It is a privilege and an honor to welcome the legislators of the past here assembled, who have made their part of the history of the state, who, with their predecessors, have given to us of this generation and to the future that which is so proudly called the history of Iowa; and it is a splendid history that has been given to us.

This opportunity gives me particular pleasure because I am one of the Pioneers and a member of the Association. As you know, there are several members of the Pioneer Lawmakers who are presently active in making the laws of the state, and I will give you a list of those who are now serving:

Senator Moore has been in the legislature eight years, and first came to the Forty-fifth General Assembly;

Senator Scott, 18 years, serving his first term in the Forty-sixth;

Senator Prentis, 20 years, serving his first session in the Forty-eighth;

Senator Lynes, 20 years, serving his first session in the Forty-ninth;

Senator Long, 12 years, serving his first session in the Forty-ninth;

Representative Hanson of Lyon County, serving his first term in the Forty-fifth and has been serving 14 years;

Representative Goode, 22 years, serving his first session in the Forty-fifth;

Representative Johannes, 18 years, serving his first session in the Forty-sixth.

Senator Lynes has served in consecutive sessions for 20 years, and I have served in consecutive sessions for 24 years, beginning with the Forty-seventh.

I recall that my first legislative initiation was as a member of the House when the House was divided fifty-four Republicans and fifty-four Democrats. It goes without saying that it was a most interesting beginning, and I might say that I see several of the group around here now that were members of that General Assembly, and I was taught some of the maneuverings that took place to organize a General Assembly.

I doubt very much that any of us here today thought about ourselves as pioneers in the lawmaking business; yet even today lawmaking is still a good deal of a pioneering process. Some of our problems, such as roads, schools, public welfare, are the same as they were in the past; but as was true then, we are constantly entering new fields of public activity made necessary through progress.

It is indeed a matter of personal pride to me that my name is on the rolls of the Pioneer Lawmakers, and it gives me a great deal of pleasure on behalf of the members of this General Assembly, the Fifty-ninth General Assembly, to welcome you here today. I hope you enjoy the day.

**WELCOME ON BEHALF OF THE HOUSE
BY REPRESENTATIVE DARRINGTON OF HARRISON COUNTY**

MR. PRESIDENT, SENATOR HICKENLOOPER, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION, PIONEER LAWMAKERS, AND LADIES AND GENTLEMEN:

It gives me great pleasure to welcome you and to pay our respects to the Pioneer Lawmakers of Iowa on behalf of the House of Representatives. Each session it is a privilege of the General Assembly to pause in its work and reflect on the many formidable men who have occupied these chambers before us.

Time marches relentlessly onward, and although styles change, and our world becomes more and more complex, in actuality the basic problems confronting the legislature and the state today are the same. Only the means, methods and goals change to conform with the times.

Thomas Jefferson once said: "No democracy can survive without frequent recurrence to the fundamental principles." This is something that all of us should be thinking seriously about, the survival of democracy and the fundamental principles that make it so.

William Allen White once said: "This nation can survive if only men can speak in whatever way given them to utter what their hearts hold. Only the muteness of indifference and ignorance can open the floodgates of oppression against us." Therefore, it is reasonable and right to turn back the pages of time and study what we have so that we might better right and chart our course for the future.

I am ever mindful of how hard each session of the General Assembly works to preserve the liberties of the citizens of Iowa and our nation. As world demands become greater, greater demands are made upon government for the solutions to the many problems. Individualism is growing more and more obscure as citizens tend to rid themselves of many otherwise personal problems by turning them over to the state and the nation. The more and more government takes over individual responsibility, the more the individual is dependent on government and the stimulation for self-reliance and independence grows dimmer and dimmer.

Abraham Lincoln once said: "The legitimate object of government is to do for a community of people what they need to have done but cannot do at all or cannot so well do for themselves in their separate and individual capacities. In all that the people can do as well for themselves, government ought not to interfere." We who mold and form the laws of Iowa intend to uphold this basic truth in the future with judgment and wisdom as it has been upheld in the past.

Let us for a moment go back some 185 years in our history to one of the most critical periods of the Revolutionary War, the winter the Father of our Country and his courageous men spent at Valley Forge. During this time General George Washington issued this order to his officers: "Let none but Americans be placed on guard."

I am afraid that we as Americans have been so busy enjoying this great way of life that we have forgotten all about this very important order. So with world problems and tensions as they are today, I say to all of you here: Let none but Americans be put on guard.

We are humbly honored to have the Pioneer Lawmakers as our guests, and we hope that we may pass on to our successors the torch of liberty burning as brightly as it was when you passed it on to us. Gentlemen, on behalf of every member of this assembly, I say to you, Welcome.

THE 1897 CODE OF IOWA
BY REPRESENTATIVE SCOTT SWISHER OF JOHNSON COUNTY

SENATOR, GOVERNOR, SPEAKER, HONORED GUESTS, MEMBERS OF THE ASSEMBLY:

From a brief glance at the pioneer laws—and if we are going to talk about the Pioneer Lawmakers I think it is only probably right to also discuss some of the pioneer laws that we have been dealing with—from a brief examination of the pioneer laws as against the Pioneer Lawmakers, I would say from my observation the Pioneer Lawmakers are in better shape than the pioneer laws.

As our state came into being and laws began to get passed, one of the important things of course that had to be done was to find out some of the laws that had been passed to find out what they were, and, a few years after they had been passed, where they were. An attempt was made to put these together.

We have various codes in the State of Iowa, including the Code of 1873, which tried to compile the statutes, put them together so that somebody could tell what they were. Subsequently there were some private revisions, much better than anything the state had been able to do, one known as Miller's Code, one known as McClain's Annotated Code.

The 1897 Code that you see before you is quite a notable bit of work in Iowa law generally, and in that which we are particularly interested in today, because this is the first real advance made in the codification of the Iowa laws as they were up to that date. This was not easy. It was about as difficult as any of the bills that we have seen today, apparently, from reading some of the history. It would appear that these three volumes were probably just as tough to pass, or perhaps more so, than some of the fights we have had in the last few years on reapportionment or even fireworks.

The 1897 Code came about this way: The General Assembly of 1892 authorized a tax study committee. If that should come as a surprise, that is the 1892 tax study committee. Its report showed that in addition to having the tax laws overhauled we had a great need for the general overhaul of all statutes, and that it ought to be done all at the same time.

So in 1894 the Legislature created a commission with very broad powers to reorganize and complete all of the existing statutes into one book, to revise and rewrite them, to insert amendments, and to make them complete; and also authorize the members of this commission to consult with the other states, go over to the other states and see what they had done, with a little sub-amendment at their own expense.

The names on this commission are of interest to all of us because they are great names in the history of Iowa and the history of the legal profession of Iowa, led by Emlin McClain, former Chief Justice of the State of Iowa, a man whose name is known certainly throughout Iowa in all legal circles. Others are John Y. Stone, Charles Baker, H. F. Dale, H. S. Winslow, L. G. Kinne and H. O. Weaver.

Some of those names, as you well know, carry down to today. This commission rewrote the tax laws; they found the municipal laws, as they said in their own words, "unbelievably confused." They wrote the indeterminate sentence law, as far as criminal statute is concerned; rewrote the corporate law; and got into administrative law for the first time.

They came out with their suggestions in what is known as the Black Code, which is over to your right, as the commission report, and they presented it to the Twenty-sixth General Assembly in 1896. They fought this, apparently, on and off through the entire hundred days in 1896 and found

that it could not be completed during that time, to they resolved that it would be completed not later than January, 1897.

In other words, they, the Legislature itself, provided for a special session, and the special session was called in January by Governor Drake, and apparently took up the matter of the codification of the Iowa laws, going from January until May 7, of 1897. They agreed on all this, I guess, but it had to be printed. This is the original handwritten Code.

It was recessed to July 1, and it was turned over to the Code editor and his committee, again some great names—Ebersole, Trewin, Ellis, Finch, Cornwall and O'Connor—again names many of which today mean a great deal in the Iowa legal circles and the Iowa laws.

This is the largest single volume put out by the state at the time, and up to now it had the most changes in our law of any single thing that any legislature has done, and it continued in force longer than any Code that we have had; it continued in force as it is there for twenty-two years.

So as I say to you Pioneer Lawmakers, this is the sort of heritage that I think all of us expect to leave, and I think if you are trying to judge a man you judge him on the basis of how well he is remembered when he is gone. Certainly these are great names on the 1897 Code, and I think the most that most of us can expect is that we will be remembered as well. Thank you.

ADDRESS BY HONORABLE BOURKE B. HICKENLOOPER

United States Senator from the State of Iowa

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE PIONEER LAWMAKERS ASSOCIATION AND THE JOINT SESSION OF THE IOWA LEGISLATURE, GUESTS, VISITORS AND FRIENDS:

I am delighted and honored at the opportunity to be here and visit with you today, especially on this traditional day, the day when the Pioneer Lawmakers of our state gather to renew the acquaintances, and those who still serve take a short respite from the arduous labors of lawmaking.

This day is an occasion for all of us to indulge in nostalgia, and the temptation to reminisce is almost uncontrollable. Many of you can reminisce much better than I, and I shall try to do my best to resist that temptation today. Needless to say, I am proud of my service in the Iowa legislature, and I look with nothing but fond and respectful memories upon the days when I first came here in January of 1935. Perhaps our hair is a little thinner, and we cannot run upstairs as quickly as we once could, but in retrospect it seems only yesterday, those twenty or more years that have gone by and have made us eligible to join the Pioneer Lawmakers. The memories of those days and the intervening events bring great comfort to those who have served.

I have said repeatedly in this chamber, and in the Senate chamber across the hall, that there is no public service that exceeds, and practically none that could possibly excel, the public service in the law making body of one's own state, because here in these chambers is the representative heart and fiber of American freedom and of individual responsibility; and here in these chambers is represented the obligation which citizens assume and discharge in their mutual responsibility to their fellow man.

I think one of the most outstanding differences between our own country and the other countries in the world is that under our system we pioneered the method by which a neighbor voluntarily assumed a part of the responsi-

bility for his own neighbor's welfare. Neighbors joined together to release a little of their own personal sovereignty and in the interest of common good built communities, counties, states, and constructed the fabric of the Federal Government.

Only by the assumption of such responsibility can government and its power remain with the people and not slip away to some centralized autocracy or bureaucracy.

Today think back and remember our acquaintances and friends. There are many in this chamber today, those who served when I served here, those who have served since, and those who served before my opportunity for service in the Legislature. I want to make a special reference to two members whom we all remember, one of whom has passed on but whose length of service wrote records in this body. I know you all join me today in a touch of sadness and regret that Arch McFarlane is no longer with us, and that Frank Byers is unable to be present on this occasion. I could go on, of course, and name many whose tenure of service is lengthening into the scores of years now, and the length of service which they rendered merits at least a special moment of thought today.

A legislative body requires dedication and service. Our legislative bodies, as we know them in this part of the United States, is not a profit-making venture, and compensation has never been adequate money-wise, and the reward comes from conscientiously serving.

This body constitutes a forum of strong convictions, and may it ever continue to be so. Those strong convictions result from the friction of the ideas of the people that we represent and the people of whom we are a part; and this body, the governing body of a sovereign state, defends the ramparts of our federal system of government.

Most of us do not give enough thought about the federal system of government which we have in this country. It is unique as there is no other government in the world exactly the same as ours. In our system the sovereign states unite in a federation for the common good, and under this basic concept the states and the people found it expedient over the years to delegate voluntarily some of their sovereignty and some of their control to a centralized government so that the whole nation could unite and receive the benefits of common and united effort when occasion demanded it.

We are a Republic in this country, but within that Republic are the instrumentalities and forms of democracy. The two are interlocked, but basically we have never strayed away from the federated system of independent states which are indeed sovereign. That is a thing that is most difficult to explain to people of other governments. They don't have the concept of the extent of basic sovereignty which the states of our nation possess. The interesting thing is that most other governments in this world today are not governments in which the power essentially and completely springs from the people.

This country was built from the bottom, and constructed on the basis that the individual is free and sovereign, and that his dignity is the controlling thing that must move men in the advancement of their social and political forms.

Our country in its broadest concept is a revolutionary type of government; not necessarily the armed, violent type. As a revolutionary system—a system of change, progress and advancement; we constantly face a danger. The major over-all danger, in my opinion, is the danger of slipping in times of emotion, stress and emergency from the system of responsibility in the individual to a system where we inadvertently or ineptly yield the

power, which was bitterly won, to a central government and to a bureaucracy which in turn can then inflict that power back upon the people.

Government cannot operate today as it did seventy-five years ago, as to keep abreast of the times, it is the responsibility of those who make up our system to see that in meeting these changes, that in delegating from time to time to either state government or federal government the responsibility for doing certain things that cannot be done locally to the best advantage of the people, that we do not chip away and abandon the basic responsibility which is fundamental in the American system.

The interesting thing today is that with all of the tensions in the world, with all of the uprisings of nations in other continents who seek and who acquire self-determination or sovereignty, it is probably fair to say that in every instance those countries who have this self-determination today are in the great struggle of history to divest themselves from the centralized governments that have been oppressing them throughout the years. They are moving toward our fundamental, and sometimes I think we are moving away from our fundamental toward centralization. In that field and in that area the responsibility of analysis, and the responsibility for calmness is so important in our legislative bodies, and it is more important in the thinking and the minds of the people.

Most of us here remember the depression of the late twenties and thirties. We remember that during that time economic distress was widespread in this country, and under the emotion of economic distress people turned, or were invited to turn, to the central government, and in that period many powers never before possessed by the central government were turned over to it in the hope that it would relieve a temporary distress. Most of those powers that were turned over in time of emergency have not been returned to the people, and today many of the restraints, regulations and restrictions—yes, and most of the taxes for internal matters result from the fact that that power was lodged in the central government then, in time of emergency, under the guise of emergency, and never returned to the responsibility of the people.

Now again we find that our country is allegedly in some kind of a recession. Again we are asked for emergency legislation, but the strange thing about emergency legislation is that once it is given it very seldom dislodges itself within the period for which it is given.

In that area, as I mentioned a moment ago, we as people, we as legislators, must exercise the greatest care that we do not under the guise of emergency unduly award to central government that which is remote and which does not contain the warmth and the association which goes with intimate contact with the people; power which oversteps and goes beyond that which is necessary to serve the people and which may in effect get over the boundary and into an area in which the people will serve the government.

It is a difficult balance to maintain, but it is a balance which must be maintained in the inherent common sense of the individuals and the people who are responsible for it.

We have heard a great deal about new frontiers these days, whatever that means, I am not quite certain. I don't mean to say that we should not continue exploration and advancement; of course we should, but in exploring so-called new frontiers we must not be deluded by will-o'-the-wisps. The targets which we set for ourselves must be real and not chimerical.

When our pioneers moved Westward in the settlement and the development of this country they moved toward new horizons; they didn't necessarily move toward new frontiers, but they moved toward new horizons

where the basic principles that they were determined to maintain could be maintained and could be exercised. It was the jealousy with which they guarded those principles that laid the strong foundation for the eventual success of our great country as a Federal Union.

The principles which guided and stimulated those people who developed this country as they moved toward these new horizons in our early days were so aptly set out by the Tenth Amendment to the Constitution, which, in effect, says that powers not delegated to the central government in Washington are reserved and retained by the state and by the people. They never forgot that the person, the individual, was sovereign, and that the states were the basic sovereignty of our country.

I am aware, as we all are, of the pressures from various groups that are constantly upon the legislators, whether it be in the state or whether it be in the nation. These pressures are usually well meaning, altruistic, forward looking in their fundamental concept; but often these pressures are for government to take over responsibility that should be discharged in the local areas and the local communities.

It is so easy to say, "Let's get state money; let's get federal money," and to forget that there is no state money, that there is no federal money, but that it is the money from the individual that he pays in taxes to support his government. The references to state money and federal money only refer to money that has been taken away from the individual, that has been paid by the individual to his government, and in return is to be used by his government either for the benefit of the country, or for its detriment, depending upon the interpretation.

The great danger that is facing us today, and has faced us for some years, is the constant effort on the part of many to shuck off responsibilities which the individuals in the local communities should exercise to the limit of their capacity onto the federal government. Bureaucracy is willing to assume the authority and is willing to govern you, rather than be governed by you.

Manifestly the national government, in the complexity of a society of 180,000,000 people, has been forced, in our own interest and in our own preservation, into the leadership of the free world. Government must do many things today that it never did before, and probably tomorrow it will have to do many things that it is not doing today. We face today as tense an international situation as we have ever faced in our history, and it is entirely possible that the tension may be greater, and that the threat may be greater today than ever before in our history, because of the bitter conflict between two great opposing ideologies—freedom on the one hand, as represented by the free nations of the world; autocratic communism, the slavery of the individual, on the other, as represented by the Kremlin. Each ideology is determined to prevail. One will not prevail in the long run.

We are determined that the philosophies of freedom will prevail, and I am thoroughly convinced, just as examples in the past few years have shown time after time, that if we as a representative of the free nations of the world, and our associates and our allies, stand free and vigorous in resisting the encroachments of communism, then communism cannot prevail; but if we as a free nation, and if our allies as free nations, yield or fail to show that vigor which is essential in the face of this encroachment of slavery, then the alternative of firmness is surrender and destruction.

Many times we say it can't happen, it won't happen; we are great, we have strength, the free nations will never let slavery and autocracy capture them. All I have to point to today is that other nations have been captured; other nations have been enslaved by communism and its allied

philosophies; other nations have lost that freedom which they once had; and we cannot, by neglect, refuse to recognize that possibility. We cannot through neglect weaken ourselves to the point where, as the communists say, capitalism and democracies will fall like ripe fruit from a tree if you give them just enough time. We must exercise the responsibilities of our freedom, we must exercise that responsibility for the generations to come.

I will not take the time today to discuss any details of the international situation that faces us, other than to say that in Laos, in Berlin, in Africa, in many other parts of the world today, humanity is boiling. Rightly or wrongly, that foment—and ferment, if you please—is occurring. The struggle now and in the foreseeable future will be the struggle to see whether that change and that alteration will be guided along the basic lines of freedom, human dignity and responsibility, or whether it will be captured by the philosophies of communism and autocracy.

These things are facing us today, and facing every citizen, and are not just the responsibilities of the government in Washington. These are the responsibilities of you and me as citizens, and the responsibilities of free men and free women every place.

It has been an honor to visit with you again and to see old friends. No public service that I have ever had do I value higher than that which I had in this building. I shall always remember it as a fundamental training ground in the business of government. Let us remember that government is all-important, because government can destroy or preserve all things.

I have enjoyed talking to you and sharing with you the responsibilities which you and I as Americans under a free system must assume in order to maintain that human dignity and that individual freedom which gives brightness and happiness for tomorrow. Let us not forget the oft repeated words of Henley, who said so ably a long time ago, and who put it rather succinctly, that "It matters not how straight the road, how charged with punishment the scroll; I am the master of my fate, I am the captain of my soul."

**REMARKS MADE BY GOVERNOR HISASHI AMANO OF
YAMANASHI PREFECTURE, JAPAN, BEFORE
JOINT CONVENTION MAY 1, 1961**

MR. SPEAKER, HONORABLE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, GOVERNOR ERBE, LADIES AND GENTLEMEN:

It is the greatest honor and privilege to me throughout my whole life that I have visited the State of Iowa to which Yamanashi Prefecture is linked as Sister-State, the first such relationship between Japan and the United States of America and that I am given such a warm and hearty welcome.

In the United States of America which, brimful of high spirits of frontiers and building-up, has long been the excellent leader of the whole nations following freedom and democracy, your State of Iowa is our big sister and our ideal, standing unrivaled in the world as typical agricultural state.

Such a very cordial welcome given me by you and the people of Iowa so generous and intelligent is not only a great happiness to myself, but also an honor to the whole Japanese, for which I wish to express my most sincere appreciation.

The purpose of my visit to the State of Iowa is to convey to you in person on behalf of the people of Japan, especially the people of Yamanashi Prefecture, the untold gratitude and appreciation for the warm friendship

and generous expression of sympathy which you demonstrated to us when Yamanashi suffered from unprecedented typhoon disasters in August and September of 1959.

The typhoons which hit us in 1959 inflicted enormous damage throughout the whole island of Japan. Particularly, a fatal damage amounting to 40.5 billion yen was inflicted to our Prefecture of Yamanashi where 105 persons were killed or lost, and 13,639 houses were washed away or broken down.

On that occasion, many citizens of the state extended hands of deep sympathy and encouragement to us, and for enhancement of our agriculture, seriously ravaged by the typhoons, donated us with thirty-five head of breeding hogs produced in Iowa and 60,000 bushels of corn to feed those hogs, with the cooperation of the United States Department of Agriculture.

Those contributions sent over the ocean from the far-away American continent, with the best wishes of the citizens of Iowa, so greatly encouraged us whole people of the Prefecture that we have decided to redouble our efforts for the rehabilitation of our Prefecture to repay the overwhelming kindness.

I am highly honored that I can take this opportunity to express my sincere appreciation for your warm friendship and heartfelt reliefs.

Yamanashi is an agricultural prefecture as large as 4,465 square kilometers with a population of about 800,000. The density of population being high, the farming acreage of farm household is nothing but 5.3 hectares on an average. We are now making every possible effort to obtain as much earnings as possible out of such a small cultivated acreage. Rapid improvement is seen in the raising of grapes, peaches and sericultures and particularly in the growing of livestock raising.

Therefore, the biggest question given me at the present time is how to raise better products out of such a petty farming and obtain higher income. Ever since I was elected the Governor, I have exerted utmost effort to solve this question, and I am now trying hard to accomplish my purpose through the promotion of fruit-growing and livestock farming.

The donation of Iowa breeding hogs, together with a large quantity of feed grains, to the Yamanashi Prefecture placed in such circumstances stimulated all the more the concerns of the people of the Prefecture for stock-raising and gave them great hope and expectations for future.

Taking advantage of my visit to your state, I fervently wish to learn as much as possible about agricultural pursuits of Iowa and thereby build up Yamanashi and Japan into a richer agricultural prefecture and nation.

I would like to express the deep thanks of the whole people of Yamanashi also for the formal resolution by your legislature on the sister-state relationship to tie our two states everlastingly.

I swear that I will make Yamanashi worthy of the sister-state relationship with Iowa, which is making marvelous progress, based upon brilliant history and tradition, and at the same time I sincerely entreat continued friendship and kind assistance of the citizens of Iowa.

I do hope that my present visit to your state will contribute to the strengthening of the ties of friendship and understanding between Japan and the United States of America and pave the way for the eternal friendship and prosperity between Iowa and Yamanashi.

Last of all please let me extend to all of you, and through you to the people of Iowa, my best wishes for good health, great happiness and prosperity. Thank you.