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March 26, 2014

THIS WEEK: Response of the Pioneer Lawmakers

BACKGROUND:

The following are remarks to the Pioneer Lawmakers Association in 1900 by Samuel McNutt. Speaking on the changes in Des Moines, in Iowa, the legislation to help women and the poor, and the growth and influence of the United States around the world.

Response of the Pioneer Lawmakers

BY SAMUEL M'NUTT.



Samuel McNutt

The words of welcome which have been spoken by Hon. Lafe. Young have fallen on the ears of grateful men—the members of Iowa's Pioneer Lawmakers' association. This city of Des Moines has always treated us nobly, and it is a wonderful city in itself. Forty-five years ago, in the spring of 1855, I first passed over the ground now occupied by this city. There was no city here then, there was only a small village consisting mainly of a row of cottages and shanties on the west bank of the river, over which there was neither a bridge nor a regular ferry, and I drove my team and wagon through the stream, following the trail and the marks of preceding emigrants. For hundreds of miles east and west,

north and south, on our beautiful and seemingly boundless prairies, the settlements were few and far between.

Nine years afterwards, in January, 1864, I was sent here from Muscatine county as a member of the house of representatives of the Tenth General Assembly, and lo, the changes that had taken place were wonderful to behold. The humble little village had become the capital of the state, and a fine looking brick building, said to have cost \$40,000, stood on the hill on the east side, in which the legislature was to meet, that being the capitol building.

I had the honor of serving ten consecutive years in that first building as a member of the house and senate, and owing to the unprecedented progress and growth of our state, I was one of the first, and always consistent, friends of a new capitol building, which was finally constructed and is to-day an honor to this city and to the state of Iowa. It is now to me a delightful memory that, by my votes cast in the legislature, I assisted in the movement to begin and to erect that noble building, and to know that every dollar appropriated was economically and honestly expended. That grand building stands to-day one of the enduring monuments to the foresight, the integrity and honesty of Iowa's mechanics, artisans, citizens in general, and pioneer lawmakers.

How wonderful the changes, the developments, and the unexampled increase of population in Iowa during the past fifty years. From a little over 300,000 to 2,000,000, and our soil could feed 20,000,000 more; we possess 56,000 square miles of the best land on the globe, in a temperate climate. Our population is made up of the most enterprising class of citizens from the older states, and the better class of emigrants from the civilized and enlightened nations of the old world. Here on our rich prairies they have settled down to earn a livelihood, and better their condition, speaking various dialects and languages. But under the benign influences of our democratic-republican institutions are on an equality before the law, each man feeling that he is a free sovereign citizen of the grandest and the best country upon the globe. Our magnificent free school system is the common property of all, and their children meet in the common school and grow up together in a common brotherhood. These are the people among whom our pioneer lawmakers arose and made their mark in laying the foundations and in building the framework of our civil state. Their work was among the best specimens of manhood and womanhood. One of the first matters that took our attention was the fact that by the common law the existence of the wife was almost merged in the existence of the husband, and her property and all her rights were under his control by the rules of the common law, which originated in the dark ages of English legislation. In the words of the late Judge Wright, "the poorest and the most contemptible scamp could win her affections and be taken to the home of the wife, the purest and the truest and the best of the land, a home he could never have acquired by his own efforts, and for his drinking of poor whisky, his gambling debts or bad speculations, all she had could be swept away to pay such debts, and she might be turned from her home a pauper, though it was hers by inheritance, or by will, or by her own industry. This was the rule and the operation of the common law for centuries before Iowa become a state. But the pioneer lawmakers of this new state, in an age of advancing and enlightened thought, assisted in the upheaval and the overturning of old ideas, and in doing so and applying the proper remedies was a work of great importance. This good work in a progressive and advancing civilization is still

going on, and now the wife can have her own property free from the husband's debts, sue and be sued, and prevent the sale or encumbrance of the homestead, unless she consents in writing."

Another matter that may be noticed is, that less than fifty years ago the last vestige of property, real and personal, could be taken from the poor debtor by the remorseless creditor, and the poor man, not able to pay his debts, be committed to the common jail for months or perhaps years. But the debtor's jail in Iowa is forever closed, and the debtor is secured in certain amount of personal property, and a homestead, by the possession of which he may obtain subsistence for his family. This is in accordance with the truth that the more secure and sacred you make the citizen's home, you secure and advance both state and national prosperity.

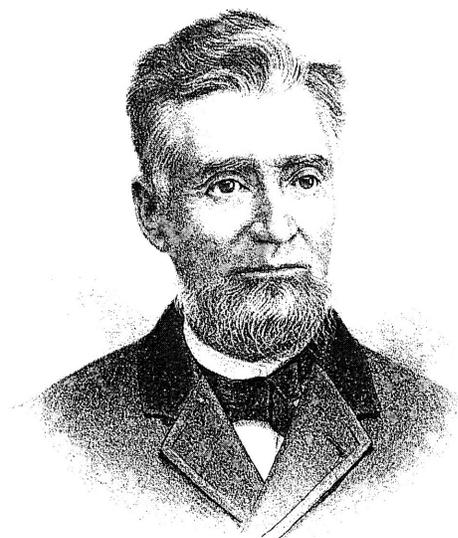
The Pioneer Lawmakers of Iowa deserve much credit for their advanced action on all the questions I have mentioned; it may be that in some things they made mistakes, and that in many things they built wiser than they knew. Now, with an increasing population, and various and multiplying interests, new questions will continually arise which demand the attention of our best and ablest minds. Our land is now filled with corporations, trusts, combines and organizations whose only object is to enrich themselves, cheat the people, and get something for nothing. This is a growing evil, and our legislators need to be on the lookout lest, by their action, they lend any encouragement whatever to the schemers whose sole object is to plunder the public, or bleed the state treasury for their own private benefit.

The creation of new official positions, the unnecessary multiplication of office holders, the increasing of the peoples' taxes to meet the wants and the demands of the tax-eaters, are all matters which the people's representatives in the legislature need to guard against. As a republic our nation has grown from feebleness to strength; from thirteen thinly settled states, with only 3,000,000 of inhabitants, to forty states, with 75,000,000 of energetic and enterprising people. Our territory reaches north and south, from the icebergs of Alaska to the orange groves of Florida, and east and west from the sugar fields and palm groves of the West India islands, to the rich and sunny plains of the Philippines. And now the sun never sets upon the flag and the territory of the United States of America. Before his setting beams leave the shores of our Porto Rico, in the West Indies, his morning rays have shone upon the fields of Mindanao and Luzon, in the Philippines. In a little over one hundred years we have grown to be one of the great powers of the earth, possessing more wealth and natural resources than any other nation, and in this fact lies our greatest danger. Power and wealth engender luxury, extravagance and corruption, and these have been the causes, I may say the national diseases, which destroyed all the great nations of whom history gives a record. We need not fear the attacks of foreign enemies. No military power can destroy us. Our decay and our destruction, if they ever come, will come from within ourselves, from our own wickedness and corruption. But, if we remain a republic for three or four hundred years to come, true to the principles of the founders of our system of government, the people of the lands now groaning under kings and emperors will rise in their strength and establish republics and the whole world will become one grand United States.

Assuring you that these Pioneer Lawmakers of Iowa have listened to your eloquent welcome with much interest and grateful hearts, and remembering that the good people of this city have always treated us with generous hospitality, we desire to extend to you our sincerest thanks.

Samuel McNutt was born near Londonderry, Ireland, November 21, 1822. His father emigrated to America when the son was a child and located on a farm in Delaware. Samuel was educated in Delaware College, taught school and studied law. He removed to Milwaukee where he was admitted to the bar in 1851. He came to Iowa in 1854, and engaged in teaching at Muscatine. He joined D. F. Wells in the publication of the Voice of Iowa, the first educational periodical in the State. In 1856 Mr. McNutt purchased an interest in the Muscatine Enquirer, assuming the editorial management. A few years later he became associate editor of the Dubuque Herald with J. B. Dorr. Up to this time Mr. McNutt had been a "Douglas Democrat" but when the Civil War began he became a warm supporter of Lincoln's administration as a Union Democrat. The "War Democrats" were displeased with the position of the Herald and united in establishing The Evening Union with Mr. McNutt as editor. It was a strong supporter of the war measures of Congress and the President. After the Union was discontinued he became one of the editors of the Dubuque Times, afterwards returning to Muscatine. Having united with the Republican party he was elected in the fall of 1863 Representative in the Legislature where he served by reelection for six years and at the close of his third term was elected to the Senate for four years. He was one of the early and able advocates of legislative control of railroads and in all matters before the Legislature was an earnest champion of the interests of the industrial classes and the author of many excellent laws. In 1872 he was a prominent candidate for State Treasurer before the Republican Convention but was defeated by the railroad influence which was united against him. In August, 1890, he was appointed by President Harrison United States Consul at Maracaibo, in Venezuela. (Source: *History of Iowa From the Earliest Times to the Beginning of the Twentieth Century*/Volume 4)

Samuel McNutt married Anna Lucas in 1857. Anna was the niece of Iowa's first



Samuel McNutt



Anna McNutt

Territorial Governor, Robert Lucas. They had three children, William, Robert, and Samuel.

Samuel McNutt passed away on January 10, 1911, at the age of 88.