Speaker's station, the Secretary to the Chief Clerk's desk, and the members of the Senate took seats in the west side of the chamber.

## JOINT CONVENTION

In accordance with House Concurrent Resolution 8 duly adopted, the joint convention was called to order, President pro tempore Irwin of the Senate presiding.

President pro tempore Irwin announced a quorum present and the joint convention duly organized. The joint convention then received the Iowa Pioneer Lawmakers Association.

Senator L. T. Shangle gave the following address of welcome on the part of the Senate:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE PIONEER LAWMAKERS ASSOCIATION: We all feel honored in having you with us today in this twenty-fourth session of your biennial reunion and in being permitted to have a part in this celebration which means so much to you in this happy renewal of old and cherished associations. It is my pleasant duty in behalf of the Senate to give audible expression to that kindly welcome we feel for you in all our hearts.

The word "welcome" is one of the sweetest and pleasantest words in the English language, but it is sweet and pleasant only because of the sentiment that lies back of it. If it comes from a heart filled with real kindness, it will excite in the recipient some of the finest emotions known to the human heart. It is in that spirit and that spirit alone that I here and now bid you "well come" or "welcome."

To simply say you are welcome were superfluous, but just how welcome are you. "You are as welcome as good tidings after distressing fears." As welcome as fresh showers to the dry and parched earth after such a drouth as we had last summer.

My own life has fallen far enough into the sere and yellow leaf that I have some personal appreciation of the universal respect we have for the gray hairs that betoken old age. By common consent gray hairs are a crown of glory: the only object of respect that never can and never does excite envy. We all venerate old age; we love not the man who can look without emotion upon the sunset of life when the dusk of evening begins to gather over the watery eye and faltering step, and the shadows of twilight grow broader and deeper upon the understanding.

Your active days are over. You have reached that period in life when you can say with Goldsmith:

"Oh blest retirement, friend to Life's decline,
Retreat from cares, that never must be mine.
How blest is he who crowns in shades like these,
A youth of labor with an age of ease."

With heads silvered o'er with the gray hairs that the poet has been

pleased to call "Death's Blossoms," it is your happy privilege to revisit the scenes of your former triumphs and live over again those sturdy battles where in the clash of mind with mind, and opinion with opinion, you hammered out upon the anvil of Truth that wise and beneficent legislation that laid broad and deep those sure foundations upon which our great state was built and that have made her second to none in all that makes for a happy, a contented, and a prosperous citizenry.

In that return may you meet with nothing but joy and pleasure and that happy appreciation of reward for service well done that is so justly your due.

And now, venerable men, may that Providence that has bounteously lengthened your days that you might behold this joyous occasion, continue to be gracious unto you and continue to grant to us, your successors and your countrymen, the proud and happy privilege of meeting you here and in the name of the state thank you for your patriotic services that have so enriched our people.

Whether a man is rich or poor depends more upon what he is than upon what he has.

Our grand old state of Iowa is rich by both what she is and by what she has, to both of which, by your patriotic services, you have largely contributed. May our joy in you and your joy in us never be less.

"Welcome ever smiles and Farewell goes out sighing." So with a Hail and Farewell, I greet you. A smile of welcome and a tear for that farewell so soon to follow. Let me add this parting wish: When your little day of life on earth shall end, as end some time it must, may you each and all behold a glorious sunset. I don't know whether this address is more of a how-de do or a good-by.

Representative Arch W. McFarlane gave the following address of welcome on the part of the House:

It is with profound pleasure that I bespeak the sentiments of every member of this assembly, in extending to the Pioneer Lawmakers of Iowa a hearty welcome home. To you who have labored here in the days gone by, I can only say that you played your parts well, and have contributed in no small degree to the upbuilding of one of the leading commonwealths of the nation.

Your conception of governmental institutions was in accord with those of the great George Washington, whose natal day we celebrate this week, and the founders of this republic. You kept in mind the fundamental principles of government, with a keen sense of right and wrong. You asked no special favors from the state or nation, only the protection of liberties and property, and the guarantee of an equal opportunity and chance in the race of life.

Your triumphs come to us as an obligation, and your unstinted sacrifices invoke our pledge of devotion to the responsibilities of our time. To you we pay our tribute of praise and appreciation, as we accept the burdens of the tasks unfinished and seek to carry on.

Let us also admonish those who shall rise to fill our places in the long line of generations yet to come, to follow in the footsteps of the Pioneer

Lawmakers—the Old Dealers of Iowa—and be guided by your precepts, and governed by your examples. Your advice and counsel is valuable to the members of this assembly, and we bid you welcome today and every day.

The program was then carried out as arranged by the Iowa Lawmakers Association, President John T. Clarkson of the Association in charge.

President Clarkson then introduced Ex-Senator A. V. Proudfoot, who addressed the joint convention as follows:

## LEGISLATIVE AND POLITICAL REMINISCENCE

MR. CHAIRMAN, MEMBERS OF THE FORTY-SIXTH GENERAL ASSEMBLY, PIONEERS AND CITIZENS: As a former legislator in the Thirty-third, Thirty-fourth, Thirty-seventh and Thirty-eighth General Assemblies, together with two or three extra sessions, and now numbered among the pioneer lawmakers of the state, I greet you one and all with an open heart and hearty hands. And speaking for your predecessors who are present, and who ere long will contemplate the time which the poet refers to as the "sere and yellow leaf," and entertaining, I trust, a proper degree of sympathy and understanding, I salute the Forty-sixth General Assembly now in the midst of its biennial session.

To be entirely frank, it is proper for me to say, what Iowa history has already revealed, namely, that prior to this very moment, I had not lived long enough to have been confronted with a legislature of the political complexion borne by the decided majority which I see before me, and to be again entirely frank, I must say that a preliminary survey does not reveal countenances any more swarthy than those I saw in former years about these corridors.

Quite aside from any political affiliations or party preferences however, I am entirely truthful when I say that I am not these days, very anxious to be occupying seat No. 40 in the chamber across the rotunda. I shall speak somewhat briefly, and will be pardoned by being personally involved in some reminiscences, which reminiscences are given in no partisan spirit, but historically only. However much we would like to do it, I have not conceived this afternoon to be the time, nor this legislative hall to be the place, for discussion and recommendation as to the many controverted problems, state and national, that weigh upon the minds and hearts of legislators and congressmen.

My experience has taught me also, that members of a General Assembly are in no great hurry to accept the opinions of others than themselves. This Pioneer Lawmakers Association is purely voluntary, without politics, without platforms, without responsibility, save only the responsibility, grave though it is, of continuing as good citizens of the state and community. We are subject to no official investigation by this body, even though prior sessions have appropriated a very modest sum for printing, etc., and this appropriation, I think, has been withdrawn. Therefore, we are entitled to immunity from any inquisition and are entitled to go home

and vote when the time comes, and worship under our own vine and fig tree.

These occasions are very largely reunions of a reminiscent character, and incidentally afford an opportunity of lending age and some dignity to present and future statesmen, both men and women to whom the world looks for salvation, and to impose upon them our political contacts and experiences now twenty years old and more, shake the dust from our feet and return in peace and quiet to our homes.

It is true that once in a while some distinguished pioneer on occasions like this may have seen fit to advance his own opinions and arguments as to pending or future legislation, but he was no doubt sure of his audience. I shall take no such chances. The passing years continue to breed new ideas. Now for some reason not altogether patent, former legislators never saw the necessity of stretching a cordon around the seats of the mighty, and I have never heard of any of them suffering martyrdom for a failure so to do, and I am persuaded that the people of the state could very properly regard a barrier of that kind as serving two distinct purposes, namely: That of keeping those on the outside from getting in and those on the inside from getting out. From all this it is not to be anticipated that this new form of protection will ever develop into a picket enclosure. If I were to divulge the whole truth, which after the lapse of two decades I am disposed to do, it would be to tell you that on one certain occasion which I very vividly recall, when an important bill was under serious consideration and a vote was soon to be taken, a closely woven web fence, with three barbed wires on top, should have been thrown around my room in a certain hotel, and an inside enclosure of similar structure thrown about my humble cot, as a member of the so-called "third house" in the wee small hours of the morning gained admittance, seeking an advance pledge for my vote on the measure he was hoping to save from defeat. Pioneers of other days, however, who had similar experiences may now be disposed not to withhold approval of the new departure on the part of the Forty-sixth Senate.

As former law makers returning to these familiar chambers, we are frank to confess we cannot suppress a flood of recollections, that crowd in upon our memories, as we recall our herculean efforts to save the state and leave our everlasting impress upon the statute books of the commonwealth. In those days as well as these, the number of willing and sacrificial embryo commissioners, board members, congressional aspirants, governors, consuls, etc., that appeared from the membership of a General Assembly was simply astonishing and altogether bewildering then as now, to the appointing power and to the voting constituency of the state. Yet while these personal interests frequently, and I should hope, unselfishly conflict, and very often clash, men and women otherwhere never get quite so close together in their relationships in life as do legislators when mingling together in state and social contacts for ninety strenuous days throughout these halls. Here we learn to know the motives, the ambitions, the histories of each other. Here we detect likes and dislikes, and learn each other's conception of life and its outcome, estimate loves and hates, if any there be, services to human kind and appraisements of the world that now is and that which is to come.

How many of us, in sadness, have gone home after adjournment, with hopes blasted, ambitions defeated, motives questioned, and the sense of failure to accomplish what we thought the state so sorely needed. However, with those of us who are so many steps removed, such experiences are well nigh forgotten and we are relegated to a day one-fifth of a century in the past.

Notwithstanding all this, the fair state of our birth with many of us, and the state of their adoption with others, for which we all studiously strove, lives on and will continue to live on, until the remnant of this assembly and its successors for decades to come, shall automatically be eligible to membership in a pioneer association. But who can tell, unless forsooth it be the Senator from Jackson, and her immediate proponents, how long it will be before your membership will be split in twain and Iowa will enact its laws in a unicameral legislature, a thing never dreamed of in daytime or night by a Pioneer law maker. And who knows but that this assembly along other lines may have come to the kingdom of the state for such a time as this? A time of newer and bigger and more unheard of problems than were ever before known to a General Assembly. May I take a moment along a little different line?

Legislatures and congresses as well, have ever exhibited a tendency to delegate their authority to other bodies or other high officials. This tendency has grown in recent years. We all feel some concern because of this apparent abdication of fixed authority in the legislative branch of both state and federal governments.

The Constitution of the United States, in its very first article, provides that all legislative powers shall be vested in a Senate and House of Representatives, and our own constitution in article three thereof, ordains that in the state also legislative authority shall reside in a General Assembly, consisting of a Senate and House of Representatives (unless of course the constitution shall be amended). The legislative department in both instances being the very first of the three great primary departments of government, to be set up by both state and federal authority, and for the manifest reason, no doubt, that the judiciary cannot construe and determine and the executive cannot execute and enforce until the legislative branch has enacted and possibly enacted such laws as may be submitted for construction and execution.

Congress is wrestling afresh with this very question, not yet fully knowing, legally, how far it may go toward conferring authority upon the Chief Executive and others below him. Legislation of such character is quite numerously in the hands of various United States courts, for determination, and the supreme court is being frequently called upon to say how elastic the constitution may be held to be, in authorizing such enactments, even in the days of extreme emergencies.

I am one of those who feels that the Constitution, inspired by the people and crystallized into written form by their direct representatives, was made to serve the people, who are its real authors, and should be construed from time to time to fit the various justifiable emergencies in which the people find themselves. All of course within legal bounds, and following the principles of right and justice and the good of human kind which

should be the goal of all interpretation. Mr. Cooley has said, however, "that there are some bounds to the authority of government" and that some people may entertain a vain impression that "government may rightfully do whatever it has the power to do." Such must not be the case. And such he further says "is not the theory of American constitutions. The sovereignty with us is in the people, who have delegated to the agencies of their creation only so much of the powers of government, as they deemed safe, proper and expedient." So when laws have been enacted and carried to the highest court for interpretation, we are still able to observe with what loyalty and almost respectful silence a patriotic people await the decision of the supreme judicial tribunal, and with what sensible submission they bow to the will of that decision.

This attitude on the part of vitally interested citizens throughout the country, is being demonstrated anew since the momentous so-called "gold clause" decision, handed down only 48 hours ago, after a wait of months in almost breathless anxiety. While it was a five to four decision with which the minority flatly dissented, saying the "Constitution has been swept away," yet our people, schooled in the doctrine of majority rule, even among courts, will loyally submit as they have always done, when the highest legal authority has spoken.

But as before indicated, your body for the state, and congress for the nation, constitute the first and only authority of the three great triumvirate primary departments which solely and alone are charged with the highest duty of creating law. Mr. Blackstone says: "The power of making laws constitutes the supreme authority, and wherever the supreme authority in any state resides, it is the right of that authority to make the laws." At the risk therefore of being called in question by the executive and the judiciary, may I congratulate law making bodies here and elsewhere upon the exalted position to which Cooley and Blackstone have assigned them.

All this, however, means that the legislature must keep within its own bounds and enact no laws if possible which could be found to have no standing under the Constitution, much less undertake to say what the law shall mean or how it shall be applied rather than to state what the law is.

Removed as pioneers from the more active participation in the affairs of state, yet we continue to be interested and cannot refrain from expressing anxiety as to whether legislatures and the congress as well, are failing to hold fast and intact the grants solemnly conferred by the organic law of both state and nation. We are constrained to exhort this assembly to be wary of its high and exclusive authority and jealous of its inherent rights which should never be compromised, much less delegated away from its superior granted powers.

The congress of the United States now and for some years has been charged with this very abdication, and the supreme court as the interpreting branch of the government alone is clothed with power to say just how far the Constitution may be stretched even under an emergency such as today prevails throughout the country.

By reference to the "Annals of Iowa" of four years ago, in which

the proceedings of the Pioneer Association appear, I find the highly interesting speech of Hon. Irving R. Richman of Muscatine, recalling before the Forty-fourth General Assembly some Iowa politics under the significant title "Pioneer Iowa Law Makers Who Were Democrats." If he were delivering that address now I presume he would entitle it, "Iowa Law Makers Who Are Democrats" and it would take him most of the afternoon to do it. The minority then very much needed reviving, just as the minority now is suffering a very bad case of atrophy. Mr. Richman is a distinguished citizen and Democrat—a former assemblyman from Muscatine county, and by reason of his youth was referred to as the "boy" legislator. He was chairman of the Democratic state convention in Sioux City in 1889 that nominated Horace Boies for governor. He is a writer, having compiled a history of the state of Rhode Island and a history of the state of California. Was consul general to Switzerland, out of whose lofty peaks no doubt came some of the inspiration for his poetic and political oratory, and only recently published the interesting volume called "Ioway to Iowa" which many of you have read. He wound up his speech that day by saying "Long live the middle west, and as the heart of the middle west, long live Iowa, and as a badly needed element in Iowa politics long live Iowa Democrats." And they did live and lived long and seem yet to be very much alive, and Mr. Richman has stayed to see this element predominate. I wonder if we could induce him now to say that a badly needed element in Iowa politics is a little more Republicanism.

Like Brother Richman I have from a lad always been interested in political campaigns, political candidates and political platforms and elections, but after the recent most significant vote in the United States Senate, I am wondering just how much adherence should be attached to platforms and elections, especially on the part of those who helped to construct the platform and stood as candidates thereon. I have always regarded party declarations made in convention assembled by properly accredited delegates, as something more than a "mere scrap of paper" and learned to look upon candidates accepting nomination and election thereon to be solemnly charged with such adherence. Cleveland, you know, said way back yonder: "Party honesty is party expediency."

So much in my youth was I interested in men and campaigns that as a boy in my teens, I rode sixteen miles on top of a freight train to hear James G. Blaine of Maine, that versatile, accomplished legislator, Speaker of the National House of Representatives, United States Senator, orator, statesman, Secretary of State in Harrison's cabinet, father-in-law to Walter Damrosch, of orchestral fame, candidate for the presidency, to whom Robert G. Ingersoll, in nominating him for that position, referred as being like "an armed warrior, like a plumed knight, who walked down the halls of Congress, and threw his shining lance full and fair against the brazen foreheads of his defamers." James G. Blaine never said it, but Samuel D. Burchard, one of a deputation who visited him in 1884, made this radical and unwarranted statement: "We are Republicans, and don't propose to leave our party and identify ourselves with the party whose antecedents have been Rum, Romanism and Rebellion." That

statement defeated Blaine. Though he tried to explain it away, he never succeeded. Sometimes a man's fool friends are as dangerous as his enemies. How I recall the gallant, soldierly, commanding General James B. Weaver, who entered the army from Davis county—almost nominated for Governor against Kirkwood. Afterward in Congress, as a Greenbacker—an ardent prohibitionist, candidate for the presidency. During one of his active campaigns I saw him in action before a whole township of people, out in the open air, a campaigner of the old school, interesting and dramatic but the champion of a lost cause.

Then in those same Greenback days, we had from this district, right out from under the shadow of this capitol, a congressman by the name of Gillette—E. H. Gillette, somewhat contemptuously called "Heifer Calf" Gillette—elected in 1878—reflecting somewhat the adverse economic conditions of those days. I think heifer calves in recent months have been worth about what they were at that time. He appeared also with his distinguished colleague, General Weaver, at the township out-pouring above referred to. I wonder if these men would have a following if they were here now. But Gillette didn't stay long in Washington, having been succeeded in 1880 by the able, pioneer Iowa lawmaker, long-time prominent statesman and accomplished diplomat, whom many of us have heard with profit and delight, John A. Kasson.

William Howard Taft was a guest of the joint assembly during my day, soon after involuntarily retiring from the presidency by reason of an avalanche of Democratic votes, which left him only eight electors, and which swept Woodrow Wilson, the classical professor from Princeton, into the White House for eight years. While we are dealing in reminiscences more or less personal, may I be pardoned for saying that it fell to my lot on that occasion to introduce the jolly ex-president to the lawmakers of Iowa from this platform.

Most of my hearers do not know it, and had you known it, have long since forgotten it,—and that is that my name once upon a time appeared on the Republican primary ballot for nomination to the highest office in the state. I sometimes wish I might forget it myself. But that ticket received 30,000 votes, yet notwithstanding that vote Perry Holden and I went down to inglorious defeat and Governor Clarke was nominated and subsequently twice elected, and the opposition got mighty close to Governor Clarke in one of his elections. We shall not soon forget his campaign, however, in which he championed extension of the capitol grounds as one plank in his platform and because of which some people feared a coming high tax, but none ever came. Who now among all our citizens regrets for a moment that this state house occupies one of the most commanding sites of any capitol in the country?

In this same connection, if you please, I am going to boast of having made the first capitol extension speech ever made in the state. During my first term there was a movement on foot, brought about by the city of Des Moines, to beautify the river front and move the soldiers' monument to the foot of one of these streets. This to be done without expense to the state. Captain and Senator J. D. Brown of Leon was on the military affairs committee of the Senate to which the proposal had been referred. The old soldiers were opposed to it. Senator Brown induced me to make

a speech adverse to the proposition. I said the old soldiers' preference should be respected—the monument ought not be moved. Why not the state get title to all this land south clear down to the railroad tracks, clean it off, beautify it, so that every man, woman and child going through Des Moines by rail would see the beauty spot where the capitol and monument stand. A fine advertisement for the state. The state got the land. The monument was not moved, not from what I said but because of the wishes of the soldiers of 1861.

I have never been quite willing to admit that I was an uncompromising, hide-bound partisan, at least till that matter had to be decided in the voting booth where every one of us, men and women alike, should deposit his ballot confronted with his conscience and his God. I have really had some consideration at the hands of those who honestly differed with me in matters of political affiliation. As one of these considerations I had the rare privilege of dining with William Jennings Bryan when he was at his zenith, and was after dinner called upon to introduce him to a chautauqua audience of fifteen hundred people who sat spell-bound for an hour and a half while he swept them to their very depths with his soul-stirring lecture on the "Prince of Peace." Such flights of oratory, such sublime conception, such convincing statement and such commanding Christian expression I have scarcely ever heard before or since from the lips of any man. A polished Christian gentleman, a delightful companion, orator of the first magnitude—twice candidate for President of the United States, but differing with his own party, thousands of whom would not follow his lead—probably wrong on the money question. Congressman, churchman, Secretary of State with Woodrow Wilson—got out of the cabinet because the war spirit was too strong—such was William Jennings Bryan, the boy orator of the Platte—but we could not vote with him. But if he were wrong then, just how nearly would he be right now?

## Conclusion

We have just passed the 12th of February, the day on which 126 years ago America's great Emancipator was born, and whose birthday is annually observed by a grateful people numbering one hundred thirty millions.

In getting its permanent organization finally perfected I have read that the Forty-sixth General Assembly has been talking a good deal about prayer observance, quoting scripture, and among other suggestions announcing the doctrine that the laity as well as the clergy may also pray, and indeed indicating that it is his duty to do so, even silently. This movement on the part of any legislature is altogether a hopeful sign.

Ida M. Tarbell, the distinguished, reliable and life-long biographer of the martyred President, has a brief article in the current March number of the Cosmopolitan, which she calls "The Greatest Lincoln Story of All." In this article she pictures the great burden-bearer of a race at night upon his knees before a table in his dingy law office in Springfield, pouring out his great soul in prayer, asking Divine guidance as to whether he should enter upon those now historical and never-to-be-

forgotten debates with Douglas, the final outcome of which made Lincoln the successful candidate for the presidency.

There he knelt, silent and alone, his great angular frame shaking with emotion, saying to his God: "Here I am in middle life, politics aside, and just settled down to the practice of the law, with a family of boys to educate. How my political enemies will ridicule me, as they are already doing, saying I want a negro wife and am trying to break up the Union. I can't win against a great man like Douglas—me, a nobody—all I can do is try to make more people see that his efforts mean an America all slave. Oh! God, not that—The men who started this Union never meant that. Thus he continued to wrestle until rising from his knees, he began pacing up and down, his great soul in utmost agony. How like Gethsemane of old—In fact he picked up his old Bible that lay upon his office table, and read Matthew's account of that age-old tragedy, in the garden. There was no escape. That prayer led Lincoln into the fray, and into the spotlight before the American people.

Months later when taunts of ambition were hurled into his teeth he wrote these words in memory of that night—"God knows how sincerely I prayed from the very first that this field of ambition might not be opened."

Lincoln was a layman. He was not then even an office holder. A country lawyer in a dingy office in the town of Springfield. But he was Divinely called. With an exception or two his legislature is composed of laymen. You are part and parcel of this same government that was then at stake. You are here to legislate for one sector of that government. Great problems confront you. Problems of taxation—problems of relief—problems of social betterment—problems of department reorganization—problems of liquor control—problems of crime and law enforcement. Problems of actual want coming up from thousands of men, women and children—citizens and wards of the state.

May your predecessors who were once similarly called, modestly indicate that the same spirit which hovered about Lincoln in his deepest trials and led him forth to duty and to die, is also your spirit for the asking, to encourage and inspire in the weeks and years that are to come.

"This I'll say for the men I know;
Most of them want to be clean and true;
In spite of the selfish things they do
Most of them try, as they come and go
To leave some glory for men to view.
A few turn traitor to God and State,
But most of the men I know walk straight."

Senator Kimberly moved that the addresses of welcome and the address of ex-Senator Proudfoot be printed in the Journal. Motion prevailed.

Representative Scott of Fayette county presented the following resolution: