

ANNALS OF IOWA.

EDITORIAL DEPARTMENT

THE CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE ADOPTION OF THE CONSTITUTION OF THE STATE OF IOWA.

At Iowa City, the old capital of the State of Iowa, there was held from March 19 to March 22, 1907, a celebration of the fiftieth anniversary of the adoption of the Constitution of the State. The Thirty-first General Assembly made such a commemoration possible by appropriating \$750 for the purpose and placing the exercises under the auspices of The State Historical Society of Iowa. The event became a double celebration, for it marked also the fiftieth year of existence of The State Historical Society. At the same time and in the same historic building, the old stone Capitol at Iowa City, both the Society and the State Constitution came into existence, the one by act of the Sixth General Assembly meeting in the legislative halls upstairs, the other by the deliberations of the Convention of 1857, meeting in the Supreme Court room on the lower floor.

The committee of arrangements planned for a program of four days, consisting of addresses and conferences, in which not only men of prominence from Iowa but men of distinction from all over the country should participate. On Tuesday evening the meetings were opened by a lecture from Prof. Andrew C. McLaughlin of Chicago University, well known because of his historical writings. He spoke upon *A Written Constitution in Some of Its Historical Aspects* and outlined the lines along which written constitutions have developed. Prof. Eugene Wambaugh of the Harvard Law School delivered an address Wednesday evening upon *The Relation Between General History and the History of Law*. He discussed the history of law for the past two thousand years, showing the progress of the great

struggle between the Common Law of England and the Civil Law of Rome for supremacy, and paying tribute in closing to the Constitution of Iowa as an example of American efforts to put into written and permanent form the fundamental principles of right and just government.

Thursday was a day of conferences. In the morning was held a conference on the teaching of history. Members of the faculties of a number of the colleges of the State were present and read papers or took part in the discussions. Some of the subjects dealt with were the relation of history to economics, the best methods of teaching history, and the history of local institutions. A conference of historical societies was held in the afternoon, presided over by Dr. F. E. Horack of the State Historical Society of Iowa. The program was opened by the reading of a communication from Mr. Charles Aldrich of the Historical Department at Des Moines, who was unable to be present at the celebration. Then followed reports and discussions by delegates from nearly all of the local historical societies in the State. They showed enthusiastic work in all sections and indicated a growing appreciation of the valuable work that can be done by localities in preserving the sources of history. The number of such societies is yearly increasing, and their efficiency is growing in like degree. A short discussion by M. G. Wyer, librarian of the State University Library, on methods of preserving material closed the program for the afternoon. Thursday evening was given over to Dr. Reuben Gold Thwaites, superintendent of the greatest historical society in the west, the State Historical Society of Wisconsin. Dr. Thwaites' subject was *The Romance of Mississippi Valley History*. It was a topic of great interest and one with which the speaker was very familiar. He took the hearer back to the days when French explorers first appeared upon the waters of the great river. He pictured vividly the voyagers and trappers, the fur traders and adventurers whose songs were heard upon the rivers and streams as they came and went in the great valley. He showed how the settlers began to come in and cleared the

timber and set up their log cabins as forerunners of a future civilization. Scarcely can there be found in the extent of the continent a locality full of such romantic interest as the Valley of the Mississippi River.

On Friday morning Governor Cummins was present and introduced Judge Emlin McClain of the Supreme Court of Iowa, who delivered an address upon *The Constitutional Convention and the Issues Before It*. He told the story of the gathering of the thirty-six men at the old stone Capitol fifty years ago, and outlined their discussions of the provisions of the fundamental law. He showed that although elected on a party basis, the delegates did not conduct their proceedings in a partisan spirit, but met every issue in a spirit of fairness and decided it according to its merits. History has shown that they did their work well. Only four times has the Constitution been amended, and these changes have been in matters of detail rather than in principles of a general nature.

Friday's program closed the celebration. Perhaps the most unique feature of the exercises was the presence of three aged pioneers of the State, survivors from each of the three Constitutional Conventions. Three times in Iowa have delegates gathered together to frame a Constitution for the State. The first was in 1844, the second in 1846, and the third in 1857. All of these conventions met in the old stone Capitol in Iowa City. The members of the Convention of 1857 at the end of twenty-five years held a reunion in Des Moines at which twenty responded to the roll-call. But now that another twenty-five years has passed, they are no longer able to reunite, for as far as can be learned only one member is alive. John H. Peters, a lawyer from Manchester, had served in the Convention of 1857. He had been unable to attend the reunion of 1882, but when in 1907 the fiftieth anniversary of the Constitution he had helped to frame was being celebrated he appeared upon the scene. And although he was the only member from that convention, he found at Iowa City two men older than himself, who had come with like motives. One was J. Scott Richman of Muscatine, who

had served as a member of the Convention of 1846 which drafted the Constitution under which Iowa was admitted into the Union. The other was Samuel W. Durham, the only survivor of that oldest of all the conventions of Iowa; the Constitutional Convention of 1844. Tall in figure and clear of memory in spite of his ninety years, this pioneer settler told of the early days of the commonwealth. He said of J. Scott Richman, his colleague, as he called him, that in all his life, from the time he first knew him in 1840 down to the present time, he never made an enemy. All three men spoke at the luncheon Friday noon. They talked modestly of the conventions in which they had served, and told of men who have long since passed away—of Judge Charles Mason, and Joseph Williams and Thomas Wilson, the Judges who were appointed at the organization of the Territory of Iowa. It was J. Scott Richman in particular who remembered these men, for he had come to Iowa in 1839. The next year Samuel Durham reached the Territory, in the days when the first Governor was administering the government.

No one who attended the celebration will soon forget these three venerable figures. They came together, each one as the last of his group. It is perhaps safe to say that never again will the three gather together at a celebration, but though these pioneer constitution-makers must soon be beyond our ken, they have written their services into the enduring form of the fundamental law of the State of Iowa.

J. C. P.

THE CONSTITUTION OF 1857 AND THE PEOPLE.

The efficiency of laws or institutions, as of houses or shoes, is found largely, if not wholly, in the answers to the prosaic questions, "Are they comfortable and fit? Do they endure the wear and tear of life, and suffice?" If the people abide therewith contentedly, they then satisfy; at least the people so seem to think, and this is the important fact in an orderly society and a stable State.

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