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SKETCH OF JUDGE EDWARD JOHNSTONE

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The picture accompanying this article is a good likeness of the subject of this sketch at seventy-five years of age. He was six feet and four inches high and weighed two hundred and fifty pounds. He was a notably handsome man, erect in carriage, shapely, of fair complexion, carrying the bloom which marks a perfect performance of the nutritive functions. He was courteous in manners and possessed the recognized marks of the well-bred gentleman. His voice was musical and his laugh in harmony with the satisfaction he felt in hearing or relating a wise or witty thing, of which he was very fond. The depressing passions seemed to be unknown to him, at least there is no record of manifestation of them among his intimate friends. He was endowed with the *Suaviter in modo* in an eminent degree; yet lacked nothing of the *Fortiter in re* when coolness, firmness and dignity demanded it. He came of a long-lived race, marked by splendid physical development.

He often spoke of the time when he looked upon the form and features of his father who lay in his coffin, having nearly completed his hundredth year. Many felt, also, when he lay in his coffin at seventy-six years, that there seemed to be all the power and machinery needed to add many other years. He was not wasted nor worn, shriveled nor shrunken, in the decrepitude of age, but as the picture is, so was his face the very day it was closed from mortal sight, in the profusion of flowers, bathed in the extreme unction of tears from loving eyes, gazed upon by hundreds who admired him for his nobility of character and those estimable qualities which endeared him to all who knew him.

His knowledge of books was varied and accurate. He was unostentatious. Making no pretensions to a specific acquaintance with the sciences and their revelations, he had a general idea of their scope and the main principles deduced from them. He was especially fond of the writings of the French and read the original with fluency. He clung with affection to the Latin poets, reading Virgil with delight and Horace with the highest enjoyment. He quoted freely and translated literally from their poems, odes, and satires, and never lost his love for their simplicity and beauty. The wideness of the range of his reading made him the most delightful of conversationalists. It was an unmixed pleasure to listen to him on any subject, he having the peculiar faculty of using the right word in the right place, and abounding in a vast store of apt illustration. His mind was full of facts of history, of philosophical epigrams, of witty aphorisms, personal recollections, and individual observations.

With all this store, with all these excellent qualities added to his legal studies and professional work, it may be thought singular that he has left no treatise, address, speech, lecture, no sustained effort, or other form of elaboration of his thought. He was not an orator, a writer, nor a speaker. How may this be interpreted? A singular timidity, perchance diffidence may be a better word, seemed to close his way to political preferment. To illustrate this, it is sufficient to say that his autobiography, written in his own hand in 1886 after repeated urgings by his most intimate friends and associates in business, and after many and sincere promises, occupies less than two small octavo pages of manuscript. And yet he could and did relate incidents of his life in the most charming way, in connection with his days at school, as lawyer, clerk, legislator, judge, in trade and business, for hours at a time. These were often of the most valuable character. Valuable? Yes, eminently so, as contributing to the contemporaneous history of the several periods of his active and useful life.

When a young man, in 1837, while a law student at Greensburg, Pennsylvania, he saw in a newspaper an offer of a prize of \$100.00 to be awarded the author of the best poem to be used at the dedication and formal opening of the first theater erected

west of the Mississippi River. The poem was to contain only so many lines, and was hedged about with other limitations. He entered the list. He wrote a poem, mailed it to Saint Louis and gave the matter no further concern. He came west the spring of 1837, and being in Saint Louis on the evening of July 3 of that year, he went with a friend to the theater. It was opening night. The curtain rose and, to his astonishment as well as delight, his own poem was read from the stage, receiving the hearty plaudits of the audience. He made himself known as the author, received the prize the following day, and the hearty congratulations of his friends who thought it an auspicious token that his good fortune and his twenty-second birthday could be celebrated together. As often as he narrated this fact he agreed it was one of the proudest moments of his life. He often promised to write this episode, and much is lost in not having it written by himself instead of being related at secondhand.

Many a person of his age and aspiration would have seized upon this golden opportunity and might have won fame, as well as riches and honor. Many a one from this beginning would have pursued literature as the work of life, and become enrolled among the mighty men whose pens have directed the civilization of the race. For after all those only live in the long, long future who have "written something worth reading." These live even after those who have "done something worth writing." Why did he return to his dry law books and his mechanical secretaryship, instead of grasping the occasion and turning to literature? The answer is found in that natural modesty and lack of self-appreciation which stood in the way of his being statesman, orator, author. This is forcibly illustrated in the fact that the *Gate City* reprinted this poem fifty years after its first presentation. Sam M. Clark, in introducing it, says, "It may not be improper to add that the author of this address is one of our well known citizens, upon whose head, although 'the snows that never melt have fallen abundantly, yet his

* * * age is as a lusty winter,
Frosty, yet kindly.'"

Though exactly half a century had elapsed, July 3, 1887, Judge Johnstone declined to have the authorship made known, except

in the inferential way as above. And this, not because he saw no merit in his poem, for it is a beautiful and suggestive piece of versification. Two quotations will show somewhat of its character. He places the poet of England above the grandeur and greatness of the empire of Great Britain thus:

"Beware!" 'tis whispered. "This is holy ground.
Why? 'Tis on Briton's Isle our footsteps stand.
Nay, it is more! 'Tis Shakespeare's fatherland."

Concluding are these stanzas:

If e'er this house with scullion jesting rings,
Or desecrated be to vulgar things,
Let the bold player his presumption rue,
And curse the player, and his temple too.
But if the muse, enlightened, never strays
From out the pleasant path of Virtue's ways,
Then may fair genius sanctify this dome
And social pleasures find their lasting home.

And the last stanza is a fulfillment of prophecy:

And may this house be ever richly blest,
And stars arise hereafter in the west.

He was monotheistic in his views. A constant attendant at the Protestant Episcopal church, he enjoyed its form of service. The congregation in its varied positions of praise and worship was pleasant to his sight, and he delighted to hear and to take part in the responsive readings, and heartily enjoyed the music and singing. To him these services and ceremonies had no deep spiritual significance. He accepted nothing of the dogmatic beliefs crystallized into creeds, neither did he combat them. To him the Bible was a wonderful product of the genius and inspiration which came to the Israelitish poets. It had no supernatural sanctity; and it was like all other books, the subject of fair criticism and candid investigation. While he imagined that the people of that day and age would stone a man to death for gathering a few sticks on the Sabbath to kindle a fire, perchance to make a gruel for a sick child, according to the command of Moses, he regarded it as inconceivable that God should make so cruel and so absurd a command. He appropriated the broad faith of James Freeman Clarke as indicated in his "Ten Great Religions," and the "Legend of Thomas Didymus," by the same

author, was quite close to his conception of the nature, office, and character of the Christ. His belief in one Great Purpose governing the world by law, in immortality, in conscious personal identity, in the ultimate holiness and happiness of all God's human children, was a fixed principle. His own purity of life and rectitude of conduct were the resultant of this hearty and wholesome belief.

He was wont to quote:

Whene'er I take my walks abroad
How many poor I see!
What shall I render to my God,
For all his gifts to me?

He esteemed this as fairly good rhyme, but very poor philanthropy, not to say poor philosophy. He thought the invocation of the last two lines should be in the direction of rendering some of the gifts to the poor, rather than attempting to render anything special to God. It was a picture of the self-complacent man, and therefore the selfish man, looking around and seeing the poor, and then looking in and seeing his own gifts from God, and taking especial care not to distribute to the poor, but to piously render a vote of thanks for them.

He was a Democrat by education, by conviction, and by heredity. He was identified with that party and perhaps believed in a general way in the right and in the ability of the people to govern themselves, as an abstraction. He was never a candidate for any prominent political office and sparse opportunity was given to learn the lines upon which he builded his faith. He was the cautious and intelligent adviser of other people who sought office, and it is well known that men of the opposite party took counsel of him, though as to his vote no one is supposed to know anything. He could have attained high and exalted position in his party, for it trusted him and would have honored him, and very many of his political opponents would have helped him to place and power if he had chosen to enter the arena. What was his reason for declining the honors of the politician—rather of politics? His natural abhorrence of controversy.

He was timid, many thought to a fault, in expressing and

enforcing his opinions on great public questions, and was content to direct the minds of a few, that they in turn might direct the minds of the many. No one perhaps ever succeeded in provoking him into a discussion on controverted points. He admitted nothing and absorbed everything, not assailing or defending, but gently directing the conversation. Thus it appeared to one who was a combatant on the other side.

He knew the men and the workings of both parties better than any other person in Iowa, having been in their councils from its territorial existence down to the day of his death. He could have written more about them than any man now living. Possessing caution to a remarkable degree, he had the shrewdness to extract all he wished to know without showing his own opinion until the proper time for action. And he made no use of his confidence to the detriment of one side or the other.

In the Constitutional Convention of 1857 he was on the committees on Rules, Legislative Department, Incorporations, Militia, Judicial Department, Accounts, and School Fund. His name is stenciled in many places through the twelve hundred pages of the debates, not in long addresses or cumbersome reports, but in ready suggestions, short paragraphs, quick replies, and the conclusions of the supposed deliberations in the committee room.

Once he wrote a delightful newspaper column on the song birds of the forest and hedges and gardens. He discoursed poetically on the melody of their songs, of the utility of birds as the friends of the farmer and gardener, of the pleasing variety their presence and plumage gave to the landscape, and of the wrongfulness of killing them and using them as ornaments in female attire. An answer was printed combatting all of his propositions—setting forth that their early songs were a discomfort disturbing the hard worked man and woman in their needed morning slumbers; that birds were voracious in their appetites, destroying insects indiscriminately, not selecting those called injurious, and not refusing the large class called beneficial; that they would pass by swarms of larva and perfect insects to regale themselves on the luscious juices of berries and fruits, not eating them, but ruining them from pure wantonness; and that the

wearing of feathers as ornamentation and for use was no more cruel than the wearing of kid gloves, leather shoes, silk dresses, or a hundred other articles of apparel derived from the animal kingdom. Though this reply was open to abundant criticism, he made no rejoinder. He concluded that the reader might sift out the truth from its mixture of error in both articles, and reach his own conclusion without further debate.

He fell asleep, after this long, useful and honored life, at his home in Keokuk, Sunday evening, May 17, 1891, lacking forty-eight days of being seventy-six years old. At that date he was chairman of the Iowa Columbian Commission, member of the Iowa Soldiers' Monument Commission, and cashier of the Keokuk Savings Bank.

It is in the thought of many, in what manner human enterprises will be affected when a good and strong man interested in them is removed by death. Judge Johnstone is missed on the streets, in the public assemblage where his magnificent presence was the admiration of all, in his place of active work, in his church, but is it not especially as a pleasing memory? A cyclone or flood prostrates crops and houses and other emblems of human thrift and industry; a few days of sunshine and a little intelligent effort effaces every trace of the disaster. A fire sweeps away a regal city; another rises from its ashes. A gallant ship with its valuable cargo measured by gold and its more precious freight of human life is swallowed up in the sea; another ship is launched and nobly rides the waves. The commander of an army is stricken down, yet the mighty hosts present their unbroken columns. The king is dead, but there is no disintegration of the sovereignty, or stoppage in the wheels of progress and action of the realm. The president of a mighty republic falls, yet there is no jar in the machinery of the government, and in all its multiform influences, there is not a shadow of turning. The Judge frequently quoted *Haec est conditio vivendi*. In the realm of nature and in human affairs, such is the beneficent law of the loving God.

Keokuk, Iowa, May 17, 1892.

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