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## AN ERA OF OPEN DEBATE IN IOWA

By ORA WILLIAMS

The story of human achievement would be incomplete without a chapter on oratory. On the anvils in the forge of open debate men hammer out their patterns of society.

The rise of mankind has been slow and sure. It is by the steady unfoldment of all human faculties, step by step, measuring the pathway to the divine goal by the yardstick of experience, that the race is being prepared for its destiny. The substantial fruit which sustains the onward going comes out of the open debate where the lessons of history are explained and applied by the power of logic.

Oratory is a brilliant flower blooming by the wayside. But it is more than a framing of fine phrases. It is the adornment of the realities. It clothes the naked truth with fitting garments. Its workshop is the forum.

There was an era of open debate in Iowa, perhaps more than one; but it was my good fortune to have had a choice ringside seat as an observer of such an era that now seems like a sort of half-way place between the beginnings and the more substantial structure of today. It was a transition period. New lines of demarcation were being found and delimited. It was a time of growth.

They did not fully understand it, but now it can be easily recognized that these clashing debaters were at work on at least one part of the substantial structure built by the industry and loving kindness of strong sons of pioneers and courageous daughters of frontier women—this incomparable Iowa.

They who were out in front in the time I have in mind

did not line up for or against by any arbitrary rule. It was because of what they were that they adhered to views and opinions that clashed harshly. They ironed out their differences with candid discussion. It was simply that they had to do it that way. The traditions that came down from the high prairies and filtered through the green fringe of woodlands forbade concealment. The pageant of progress was a noisy parade.

In the time when Iowa folks cut notches in their gunstocks, the neighbors sat around bright hearthstones in candle-lighted cabins and gravely discussed the sayings of great American orators. They passed the blue-backed spelling books and ponderous readers on to their children. They were familiar with the gems of oratory and the sound maxims of the good life.

The era of open debate I have in mind was in full swing in the middle of a cold winter. That was not uncommon, but it seemed colder because it was a long walk from the business district of the capital city to the almost finished state house. It was better, anyway, for a poor reporter to walk and pick up ideas on the way. The mules toiled hard with the toy streetcars on the unpaved streets. The big folks used herdies with hard springs, and some of the boys had bicycles with high wheels. The board walks were easy on the feet.

#### ADVENT OF A GOVERNOR

A new governor was about to step into office and the Des Moines people were somewhat disturbed. He was a stranger, a farmer and miller from somewhere on the Turkey river, a Connecticut yankee become an Iowa business man and student of statecraft. Here was new blood coming into the life stream of the state. All worth-while periods are like that. Government by the people is ever in the process of being made over.

The new governor came to his job splendidly equipped. He had been a leader in the state senate several sessions. Here he was with a legislature pretty well filled with able men. There had been twenty previous legislative meet-

ings. Not all legislation had been good. William Larrabee was resolved, as governor, to show that Iowa had come of age, or was about to reach maturity. He was not an orator, nor a debater; but he was a thinker and a worker.<sup>1</sup>

As if to link the past with the future, a little group of pioneers about that time formed the Iowa Pioneer Lawmakers association and pledged that reunions would continue. That was my opportunity, as a raw reporter on the leading daily paper, to contact some of the real pioneers and to help them in keeping history straight. I nearly lost out by not keeping my eye on important manuscripts; but was saved by recovery of the same from the composing room waste basket. That act of rescue won for me the lifelong friendship of that grand lover of Iowa history, Charles Aldrich, whose name will always be associated with the unique organization of former legislators and their reunions. Why, there were men present who had been in the territorial legislatures and in the state constitutional convention.

The new capitol smelled of fresh paint, and in my daily rounds I visited the rickety old temporary state house where the battered desks of the state senators were still in use by the supreme court. The scars had not yet been removed from the doors where an elected state official had been evicted with a crowbar as a substitute for a door key, by Company A of the Iowa National Guard.

The supreme court had not yet been given a permanent habitation and was still "on wheels." But the new legislative halls, already once used, were so fine that the Iowa folks stepped on the rich red carpet with awe and profound respect.

#### THE STATE CAPITOL YET UNFINISHED

There was the din of hammers resounding in the deep well of the state house rotunda, and the capitol commis-

<sup>1</sup>Wm. Larrabee was governor from January, 1886 for four years. This article was prepared by the writer on request of the late Curator E. R. Harlan, a number of years ago and left by him in the file of reserve material for THE ANNALS OF IOWA, but recently resurrected and slightly revised.

sion had moved from across the street and was closing up the books. Not a beam or panel had been set without the personal supervision of Robert Finkbine. In the office, Col. Peter A. Dey pored over the blue prints and Gen. Ed. Wright made up the payrolls. When the commission was dismissed, rather unkindly, a check-up of the accounts showed a balance of errors amounting to \$3.77 on a three million dollar job lasting fifteen years.

There was no great flood of bills before the Twenty-first General Assembly (1886) in part due to the fact that writing out bills on foolscap paper with scratchy pens is tiresome. But there were junketing trips, committee investigations and the pocketing of surplus bills and useless petitions.

Here, with history in the process of being made, it was my privilege to sit in the scorner's seat and calmly survey the proceedings. It was part of my business to correctly report as to what some men wanted and what others did not want. There were no supermen around, but there were several groups of determined men who had come with ideas. It was really high time for a change in some things, and this fact was sensed by a goodly number of earnest workers and able debaters. Another thing that helped matters along was the fact there were four daily newspapers in the capital city and they vied with each other in carrying to their readers accurate summaries of what was said and done in the legislative halls. "Ret" Clarkson was in the heyday of his great influence, and in his den beneath the old "clock tower" he carried on with the zeal of a social crusader.

There was a hang-over from the discredited Granger days, and Governor Larrabee soon became engaged, right at his desk in the executive office, in writing his book on the railroad question. The question what to do about the drinks was also becoming irritating. There was abundant material for discussion.<sup>2</sup>

The old school, if it might be so called, was still vig-

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<sup>2</sup>The book "The Railroad Question" written by Governor Larrabee while in office became a much used text book for the campaign to secure regulation of freight rates, in which Iowa took a leading place very early.

orous. In the Senate there was Wm. G. Donnan, who had served in Congress and was now wrestling with state problems. There, also, was John S. Woolson, already a veteran in legislation, and later to go to the Federal bench. Both of these men were strong debaters. Perhaps they could fairly be called orators.

Over in the House there was a group of young men. James G. Berryhill and Robert G. Cousins were newly in the field. They were both aggressive with firm convictions. The Polk county man had come fully determined upon a solution of the railroad rate question that would give Iowa industries a chance to grow. The Cedar county man was trying out his unrivaled eloquence in defense of things as they were. They and others represented the new spirit of Iowa as separate from the old.

If the best news stories developed in the House, it was because there were fewer restraints on the floor. Some of the men who are best remembered also are worthy of mention.

The voters of Des Moines had sent to the House the intrepid pioneer, Wesley Redhead, printer, miner, book seller, banker. Occupying seats on the floor were S. M. Weaver and W. S. Withrow, both of whom were to go to the supreme bench in after years. They had keen intellects. One there was who held in restraint his fine gift of oratory, Oley Nelson, the Sage of Slater, who staged a much later come-back. Near him was the square-jawed Col. Phil Schaller, of broken but vigorous speech, who got nearly everything he went after except the soldiers' home. John E. Craig spoke always to the point, and he later made his mark on the bench. John T. Hamilton and John H. Keatley watched over the interests of the minority, politically, and the one became speaker at a later session by a queer compromise of a deadlock, while the other kept the "Missouri slope" awake as an editorial critic of almost everything.

Two young members long survived. Ed C. Roach lived until a late day, and John A. Storey, served on the bench,

then back to the House from another county, and still lives in fine old age.

Among the captains there was Capt. Albert Head, to be speaker, and Capt. A. J. Lyons who became state auditor. Silas Wilson was growing apples in Cass county but was a hard worker in legislation. W. B. Culbertson knew how to talk longer than anyone else and there were no rules limiting debate.

It seems a little odd now to recall that there was an active "third party" represented. Geo. L. Finn was at the beginning of his queer career, and W. H. Robb started things off in the House with a resolution looking to have somebody at Washington coin all the silver in the world and pay off the petty national debt. But it was too soon to work up much heat about the weight of dollars, and the legislature yawned when told that wealth doesn't come out of the ground but out of a mint or a printing press.

#### MANY MEN OF GREAT ABILITY

If there was spirited debate in the House, there were fierce and almost bitter arguments that made the Senate chamber ring. It seemed to me then that there were giants come out of the small communities. Perhaps it was the distortion of comparison. Even at that there were some mature reporters in the press gallery—Bryson Bruce, Freeman Conaway, Henry Shaver, L. F. Andrews, Ella Hamilton and others. But it was in the Senate that legislative proposals were hammered into laws by the good old way of open debate and honest discussion. Much more than in later years legislation was made on the floor.

Reference has been made to Donnan and Woolson, able men of entirely different temperaments; one a man with a heavy club and the other the ideal scholar in politics. Gifford S. Robinson was finding his place in legislation preparatory to a long career on the bench and board of control. There were sedate and thoughtful new men like Dr. Timothy J. Caldwell, Eli Wilkin, Lewis Miles, John

D. Glass and Ben McCoy. J. G. Hutchinson, of Ottumwa, was earnest in proposing the then novel idea of registration and the secret ballot, or as it was then called the "Australian ballot," now universally used. But it failed to carry him to the governorship against the rising tide of demand for "liberty," as against prohibition.

This "liquor question" kept bobbing up at every turn. Able orators like Talton E. Clark and Preston M. Sutton made eloquent talks on the subject, and W. W. Dodge expended at least a part of his fine oratory on the subject. Dodge published a book on oratory and included a lot of his own good speeches.

The Civil war (not a "war between the states") was not so far off but there were colonels a-plenty in the legislature—Gatch, Sweeney, Scott, McCoy, and others. Lafayette Young was a new-comer in the field and not yet entitled to be called a colonel. The always wise Matt Parrott was preparing for a later career as presiding officer of the Senate.

On the off side, politically, there was the conspicuous Lemuel E. Bolter, the "tall cottonwood of the Missouri," as his friends called him; and the courtly Wm. J. Knight, from Dubuque; associated with Chas. E. Whiting, W. O. Schmidt and P. B. Wolfe.

That which is best remembered of this period is the freedom and frankness of open discussion of every live topic. In both the Senate and the House there were many ready debaters. And there was much to talk about and much to do. Social legislation was coming to the front. The session of 1886 provided for arbitration of labor disputes, for pure food, for mine inspection, for regulation of medical practice, for protection of lakes. It abolished the circuit courts and took the supreme court off its wheels, regulated corporations, and gave us the first law for registration of voters.

#### TRoublesome ISSUES FOR LEGISLATION

Then there was the troublesome question of what to do with the demand of women for the right to vote. J. Ellen

Foster, a brilliant woman attorney, headed a petition, and was joined by Mrs. Callanan, Mrs. Aldrich and others. Most of the legislators preferred to side-step the issue they raised.

But the question of what to do about the drinks was a live issue and in its heyday. Trial had been made of everything—almost. Happily up to that time whiskey regulation was something related to the male sex only. It had not become timely for authentic declaration as to how nearly full should be the glasses of super-ladies. The height of the foot-rail, the price of the city license, and such things, sufficed for a vast amount of oratory.

Then there was the "railroad issue," which at that time meant rail rates and railroad taxation. The new governor read the riot act to the then railroad commission, and scotched the railroad lobby. As he wrote his book on the subject, while sitting at his desk in the executive office, he paused more than once to ask me, and perhaps other news-gatherers, as to matters touching the question. But the rate question did not reach a climax until the next session, when Governor Larrabee put through, with the assistance of Albert B. Cummins and other noble statesmen of the Twenty-second General Assembly, the commission law which still stands.

Incidental to the temperance issue there was an occurrence about this time that caused a great furore. An appealing lecturer on temperance (Mrs. Helen Gougar) was asked to address a meeting in a legislative hall. Now it so happened that somewhere there had been placed in the law a provision forbidding the use of the legislative halls for any purpose other than the sessions of house and senate. The proposal to profane the halls with ordinary oratory aroused deep resentment. Of course, being a woman, she had her way and spoke in the senate chamber to a committee meeting largely attended.

A sharp and troublesome battle was waged over location of the soldiers' home just authorized. They were going to do it by ballot in joint assembly. The cities and places that were bidding for the location had splendidly



entertained the junketing investigators who looked into the merits of about twenty places. And through sixty-one fruitless ballots there was division and a failure to agree on location. The choice was finally left to an independent commission.<sup>3</sup>

As I look back now after the lapse of more than a half century and survey the scene, it seems to me that the most conspicuous feature of legislation was that of framing and finishing the bills on the anvil of open debate with the hammers of sincere eloquence.

Now this art of oratory was not artificial. We still loved the town lyceum and the rural "night school," in which there was much of training for the young people. Our boys and girls held their heads high and their shoulders well back as they were drilled in the traditions of the McGuffey era of scholarship. In political circles a wise sifting process was carried on in the precinct caucuses and county conventions. Men were chosen for legislative service who had been tested for ability and measured for their understanding of the rights and duties of citizenship.

#### IN THE OLD BRICK CAPITOL

As I have previously stated, the old pile that had served as seat of government for twenty-five years was still being used. The basement floor of the new state house was cluttered with debris. It was never intended, anyhow, that there should be offices in these low rooms. They were to be storage vaults only. But the room right under the corner stone that bears the inscription "Iowa 1873" had been swept out and the geological survey had a display of rocks and coal. Yes, and rather grudgingly, the State had granted to Charles Aldrich the right to set up alongside the fossils, his cases of precious autographs

<sup>3</sup>At the beginning of the balloting for location, Burlington led with Marshalltown one behind, followed by Sac City, Jefferson, Colfax, Mason City, Cedar Rapids, McGregor, Hampton, Dubuque, Indianola, Decorah, Ottumwa, West Union, Des Moines, Webster City, Grinnell, Algona, Boone, Fort Dodge, Denison and Davenport. Votes were also given later for Shenandoah, Marengo, Fort Madison, Red Oak, Oskaloosa, Bloomfield, Winterset, Clarinda, Le Mars, Lost Nation, Highlandville, New Hampton, Harlan, Calmar, Van Horn, Woodburn, Iowa Falls, Newton, Polk City, Pulaski, Rising Sun, Chariton, Sioux City, and Creston. The final selection of Marshalltown was by a commission of eleven named by the governor.

which became the foundation for the state historical department, so long guided worthily by him and Edgar R. Harlan, his splendid successor.

In the office of secretary of state at that time sat the late Frank D. Jackson, long in retirement in the far west. He knew the story of that marvellous ceiling decoration in his office, the product of a Danish decorator, who wanted to earn a little and then moved on.

Voltaire P. Twombly, he of Fort Donelson glory, had but recently succeeded that brilliant Major E. H. Conger as treasurer, and the latter had started on his career that adorns the pages of American diplomatic history.

There were others who will be remembered. There was McDill and Dey and Coffin on the railroad commission, George E. Roberts, later a vice president of the City National bank of New York and a writer of authority, directed the state printing. Wm. L. Alexander was head of the Iowa national guard. Attorney General Baker had a little covey-hole near the north entrance of the state house for his sole office. Dr. E. R. Hutchins was getting the bureau of labor statistics started, later to turn it over to that fiery agitator, James R. Sovereign. John W. Akers was at the head of the educational department, but gave way later to Henry Sabin.

The Twenty-first General Assembly was guided by Capt. J. A. T. Hull, presiding on the senate side, and Capt. Albert Head on the house side. You see, it was not only the days of oratory but also of captains and colonels. About the same time had then elapsed after the day at Appomattox, as has elapsed since Armistice day. The flags were everywhere.

At the desk in the senate was Don Donnan and Ernest Hofer and W. R. Cochrane. Donnan came back a few years ago to be sergeant at arms. Hofer rose high in the newspaper ranks out west. J. K. Powers, who had been in the land office, read the bills to the house. The late Mollie Heist was started on her long career of usefulness as engrossing clerk of the house. If you got into the senate you showed your credentials to that rigid veteran,

Theodore Schreiner, who had his training at the door of a Masonic lodge.

### THE FAMOUS IMPEACHMENT TRIAL

The real sensation of the day related to the office of state auditor. One of the first things done by Governor Larrabee was to put back into office, the fighting John L. Brown,<sup>4</sup> who had been forcibly removed by the last governor. Thus the stage was set for his impeachment on a tiresome list of technical accusations long since forgotten. He went out again pending the trial and came back when acquitted. Long years afterwards I met him hovering about legislative halls seeking reimbursement for the ruin of his little savings by the harsh treatment he had received.

The impeachment trial is deserving of several chapters by itself. A house committee of prosecution conducted the trial, consisting of Messrs. Keatley, Riley, Ball, Weaver, Berryhill, Craig and Cousins. They hammered away for thirty days or more to convince the senate of their view. But a strong battery of legal talent had been summoned to the aid of the accused official. Charles C. Nourse and Frederick W. Lehmann, who were long time rivals at the bar, collaborated in the defense and won an acquittal. It was perhaps the biggest lawsuit ever tried in Iowa.

The coming in of the administration of Gov. William Larrabee had much of significance as to revival of the old order of transaction of public business out in the broad daylight. He brought into his office as his confidential secretary, a college professor who had been trained in the consular service, Frederick W. Hossfeld. His predecessor was Welker Given, prominent in the journalistic ranks, who ended his life in retirement in Clinton. Back of him had been the walking cyclopedia, Wm. H. Fleming,

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<sup>4</sup>John L. Brown had been removed from office by order of Governor Sherman, and as he had refused to acquiesce in the order of removal, a company of the Iowa National Guard was called out and he was forcibly ejected from office. He was later restored to office by Governor Larrabee, then impeached by the House on charges of irregularities in examining insurance companies, and upon the failure of the Senate to convict, he was again restored to his office and served out his term.

and the eloquent John S. Runnells who later became president of the Pullman Car company. Little did I then imagine that some day I, too, would be drafted for that confidential post, and that some time in the future the present president of the Pioneer Law Makers association, Emory H. English, would follow in the same position.

It was the Larrabee way to play the game in the open. He reinstated the ousted auditor of state and insisted upon having the law take its due course. When a great hullabaloo was raised over an effort to pardon a young rascal, the governor printed a little leaflet giving the facts and sent it out to inquirers as an answer to why he did not do any pardoning. In the end this brought him to the bar of the criminal court on indictment for libel. He refused to let the court instruct the jury for acquittal, but he was acquitted.

It is interesting to recall that he brought into his office for a special job of indexing old records a young printer who had been in the legislature a few years before; and when the governor was called into court to answer to indictment he entrusted his case to this young printer-lawyer. Charles A. Bishop so acquitted himself that later he became chief justice of the supreme court. The hours he spent dusting off the records in the vaults of the executive office were not wasted.

This incidental reference to the court suffices to recall that it was at this session the supreme court had its sittings fixed at the seat of government. So it was that in June, Gilbert B. Pray the clerk, moved out of the old capitol the meager records of the court, and the gorgeous new court room was dedicated. The sedate Austin Adams presided, and one of the justices, Joseph R. Reed, was a young soldier who had been a schoolmaster in the rural district in Dallas county near my birthplace. Judges Rothrock, Beck and SeEVERS completed the list of five, whose wisdom had been ripened by age and experience.

#### GORGEOUS NEW SUPREME COURT ROOM

The dedication of that new court room was quite an interesting event. It was all solemnity as compared to

the garish paintings that adorned the ceiling of the room. To me it was something wonderful. About a year before, I had come down off the high prairies to the west where the Musquakies used to camp at sugar making time. In January, 1886, I had been given a key to a reporter's desk in the senate chamber. All things were of great interest to me.

I had slipped into the court room and standing on a chair at the rear had taken notes of what was said and done at the dedication. Late that night I sat in a dimly lighted room at a hotel and read off these notes to refresh the memory of the great speaker of the occasion. As I did so, he dictated to a stenographer and built up anew his dedication address. I have carried through life a pleasant picture of that event—a young reporter timidly reading off the headings, Charles Dahlberg, court reporter, taking down the rebuilt speech, a kerosene lamp at one end of a rough table, and a great jurist, kindly and graciously dictating. Thus did Justice Samuel F. Miller,<sup>5</sup> he who had come into the law as a disgusted doctor, he who had been taken from Iowa to be given a place on the highest bench by Abraham Lincoln—thus did he perfect his great speech of tribute to the country lawyer that has found its place in books of worth-while eloquence.

In a spirit of prophesy, Justice Miller declared that "the great lawyers of the future are to be raised up in the agricultural regions," and in compliment to the state he loved, added that "Iowa stands as fair a chance as any other state." In legislation as well as at the bar there was potency in the thrust and parry of open debate.

In accord with the ancient traditions of the modest profession into which I thrust myself while yet the dust of the furrow was on my boots—that of a newspaper reporter—I have tried in this somewhat crude survey of an almost forgotten transition period to recall a few incidents that are a part of Iowa history.

Yet it would hardly be worth while to thus delve into

<sup>5</sup>Justice Samuel F. Miller had been a doctor in Kentucky and in Iowa; then a lawyer, and was appointed by President Lincoln to the supreme bench where he served many years. Miller made the dedication address.

the neglected recesses of memory but for the golden opportunity of again scanning the little of history that lies at our doorstep in search of lessons of present day value. It has been done often before. It should be again in the future. The story of homemaking in the wilderness and of character building out of the roughness of pioneering, has fascination for itself and value in showing how far and how fast we have gone along the way of state making.

I have recalled all too briefly names that live in memory and in the history of Iowa. Their bearers lived worthily and wrought honorably in the public service. Perhaps another half century and their names will be forgotten; and in that time the names of those now on the stage will stand high and receive the homage of the historians who survive to that period.

I do not pass judgment on the past or the present; we all love to recall the past and dwell upon the achievements of the men and women we have intimately known. There may be lessons to be learned in this pastime. But I do feel that we of Iowa ought not to forget what I believe to have been a golden era of the open debate.

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### EARLY IOWA LAND AND LOAN AGENTS

The *Sioux City Iowa Eagle*, dated October 10, 1857, copy of which has just come to the State Department of History and Archives, has among others the following advertisement:

E. D. Thompson . . . . . F. M. Hubbell  
Thompson & Hubbell

GENERAL — LAND — AGENTS  
Sioux City, Iowa.

Land located for settlers or distant dealers at lowest rates; Land and town lots bought and sold on commission; Land warrants bought and sold; Land warrants and money loaned at western rates of interest.

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