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PIONEER LAWMAKERS ASSOCIATION

By DAVID C. MOTT, Secretary

The Twentieth Session of the Pioneer Lawmakers' Association of Iowa met in the Portrait Gallery of the Historical, Memorial and Art Department, Des Moines, on February 23, at 10:00 A. M., President A. B. Funk in the chair. Invocation was made by Reverend Charles Blanchard of the Christian Church. Governor Hammill delivered an eloquent address of welcome, which was responded to extemporaneously by former Senator George M. Titus of Muscatine in which he dwelt on the wonderful advance in civilization, science, and invention during the last quarter of a century. President A. B. Funk then delivered the following address:

THE PRESIDENT'S ADDRESS

By A. B. FUNK

The old almanac in its weather prognostication used occasionally to say, "About this time look out for frost." It seems to have become the settled policy of our program makers to note in their announcement, "About this time look out for a speech by the president." On this occasion the president has no message of importance to deliver, but out of respect to tradition and usage it seems necessary for you to possess your souls in patience while he shall comply with a custom which you may have reason to feel might have been "more honored in the breach than in the observance."

The span of life covered by the members of our association is by large odds the most eventful, if not the most important, of any like period since the making of history had its beginning. From a subordinate place in world organization the United States has advanced to unquestioned pre-eminence among the nations of the earth. From a station well down in the list of states, Iowa is now supreme in agricultural importance and well forward in other essentials of actual greatness.

Compared with the complex and tempestuous character of American

life of today, existence a generation ago was at once simple and serene. The luxury and indulgence of the earlier day is now regarded as actual necessity of endurable existence, while creature comforts and extreme gratification then undreamed of, are now assumed to be inherent legacies of all classes and conditions, whether or not all individuals have been able to realize their genuine birthright.

In our brief day the world has gone far, far forward in the development of sublime factors of rare usefulness. When much younger, it was our way to marvel at the achievement of science and invention, but more and more we are prone to accept the more and more wonderful products of modern genius as merited gifts of the gracious gods and to look to the future with eager expectancy. Social and economic adjustment to the privileges and allurements of this amazing development is chief among the problems of an ingenious generation.

The affairs of government become more and more perplexing. With service as our purpose, and with progress as our shibboleth, we have seemed determined to fix no limitation within the zone of possible efficiency and desirable consummation to the demands upon the sources of state revenue. We can remember when by state law the tax levy for state purposes was for many years fixed at two mills on the dollar. At several sessions of the General Assembly the product of this levy seemed inadequate, so the question of increasing by special statute an additional half mill became the issue upon which legislators risked and sought to achieve reputation at the roll call. Meanwhile, the valuation of property real and personal has multiplied and in spite of the fact that other resources since developed have provided a vast increase and that new sources of revenue have poured into the state treasury enormous sums annually, levy upon property real and personal is now ten mills on a dollar. It is well understood that the heavier burdens of taxation are due to local, and not to state levies, and in the communities the increase is even more pronounced than on the part of the state.

Vast expenditure, making vast contribution more and more inadequate, is by no means due to official prodigality. Experience has taught the members of this association that the normal attitude of legislators in matters of appropriation is that of resistance, so it is wont to be with most officials in authority over public money. But the demand upon public revenues has been inexorable. Expansion of the public service has been definitely due to popular pressure. The people have demanded better schools. The people have insisted upon increased public service in response to developing needs, real or assumed. Our progressive tendencies, our humanitarian impulses, our sense of justice, have all appealed for the development of state efficiency and state responsibility never suggested in the earlier years. Complain as they will, and as they must, over the increasing burden of taxation, the people should understand where to place the responsibility. They have rarely failed to endorse a bond proposition submitted to popular vote.

They want the state and the county and the school district to provide ways and means to establish justice in industrial relationship, to regulate and restrain corporate activity, to afford the most sympathetic treatment to the unfortunate wards of society, to insure the enforcement of law, to provide for the development of colleges and schools to the highest degree of progressive efficiency. While they may betimes condemn dispensing agencies of public money for complying with their own demands, they can not successfully deny their own responsibility.

Because of these popular demands it has become necessary for the state to install public service unknown to a former generation. When I was first a legislator, the range of duty of our chief offices of the state were comparatively simple. Commissions and separate departments were few and all functions exceedingly limited. Now the principal officials are loaded down by public charges, while auxiliary departments are numerous and strenuously engaged. Occasional charge is heard that state affairs are too highly organized—that sundry commissions must be abolished. It may have occurred that some such agency has been created without adequate requirement and that some measure of elimination might be happily exercised. Nevertheless, it is certain that in the main these legacies have been necessarily crated to administer service demanded by government exigency or social emergency. While the demand for such service exists, the department must continue to function. Combinations, often suggested, would mean merely a change in form but not in substance and not in the interest of economy.

The thoughtful citizen seriously reflects as to how long we may continue to exercise our progressive tendency, to indulge our sympathetic impulses, within the limits of taxation reasonably endurable. As members of this association have retired from the active business of lawmaking and system creating we will have to leave these problems to those who are standing at the helm of the ship of state, and to politicians who would assume to regulate human affairs as self-appointed representatives of the sovereign people who are expected to reciprocate in the rewards of political preferment.

Lawmaking in Iowa, through all its history, may be contemplated with substantial approval by the discriminating observer of human events. The record is not without error. Good men, able men, have been mistaken in their judgment as to the operation of statutes enacted and of measures rejected. In the endeavor to adjust legislation to rapidly changing conditions, it has been necessary to exercise the element of experiment where experience could not serve to point the way. Our Board of Control and our Board of Education systems are in evidence, as in their creation originality of detail if not in general structure it became necessary to build without experimental knowledge, as none was available. So it was with the primary system, the Australian ballot system and other important legislation.

All these experiments have not been justified in actual experience,

but the extent to which approval may be given after the lapse of years is really remarkable. The average Iowa legislator has been a man of intelligence, patriotism, and courage. We have had in this service an occasional trimmer and timeserver, a self-seeking demagogue, of whom it might be said as has been said of another:

"He stood within the Capitol
And spoke with vim,
He did it for his country's good
To him."

But such men have been the rare exception in our legislative halls. In all our years of statehood there has scarcely ever been any suggestion as to the passing of money for legislative votes.

We sometimes hear talk of a comparison between men serving the state in Senate and House now and in the earlier days, and such comparison is indulged as to national leadership. In each case, however, attempted parallel is mere speculation without conclusion. In state and nation, we have less of leadership than in the earlier years. Oratory is not the influence in affairs political it used to be. Great movements affecting public policy were led by great orators such as Webster, Clay, Seward, Lincoln, and Blaine. Their influence upon private thinking and public tendency was tremendous. They now have no counterparts in our national life. Their seats among the mighty are occupied by men of entirely different type. In fact, it may be doubted if they could successfully cope with public problems of today grappled by practical business statesmen. Alexander Hamilton is called our greatest secretary of the treasury. Too much credit cannot be given him for his masterly shaping of financial policies of the new nation, but a man of his kind might make a sorry mess of work so wonderfully done today by Andrew Mellon. In this generation Iowa seems to have in its public life no such epoch markers as Grimes, Harlan, George G. Wright, James F. Wilson, and John A. Kasson, but we may not with any degree of assurance say that they could have shaped our public affairs to the requirements of the present day any better, if as well, as it is now being done by men bearing the brand of statesmanship far less conspicuously. So comparison between actors on the political stage at different periods is apt to be mere futile vamping.

I entered the General Assembly in 1888. During my legislative service of seven sessions there was much of transition in manner and method, as well as in the general range of legislative program. In my first session I heard more eloquence than at any later time. Knight of Dubuque, Sweney of Mitchell, Wolfe of Clinton, Young of Cass, Bolter of Harrison, Clark of Page, Woolson of Henry, Gatch of Polk, and Finn of Taylor formed an oratorical battery not since equalled in the Senate. A. B. Cummins led the eloquent host in the House. I am very sure, however, that in subsequent sessions, where there was less of oratory,

and perhaps less of conspicuous intellectuality, results of more substantial importance were established.

As we now sit upon the sidelines witnessing the legislator in action, much change in procedure is manifest. When I entered the Senate there was no printed daily journal. Reading of the journal of the legislative day previous was the first order of business, and it was the custom to interrupt the reading clerk soon after he began with a motion to dispense with further reading, a motion which always carried. There was no stenography available to legislators, and if there was a typewriter in any committee room I did not see it. Most committee clerks had little to do, though every senator and member of the majority party had one, and provision was made for the minority. Smoking never occurred during any daytime session. It was against the rules for any member on the floor to refer by name to the co-ordinate legislative body. Such reference as was expressed at all was to "another body in session somewhere on Capitol Hill," or "somewhere in this building," or perhaps some irreverent speaker might say "sitting on the other side of the rotunda hole." Strict regard was given to the classification of committees in the order of their assumed importance—Ways and Means leading the list, followed by Judiciary, Appropriations, Railroads, and Agriculture. In the Senate the previous question was very seldom moved. I was surprised at the sensation created when I first felt it time to stop debate by this motion. My motion carried, but I was warned by a veteran not to try it again—that it simply wasn't done, except on very rare occasions.

I have recently spent odd hours with proceedings of the earlier meetings of our association, which are to me of absorbing interest. Therein appear speeches and letters from members of the Territorial Council, of the constitutional conventions of 1844 and 1846, and the earlier general assemblies. They talked not only of legislative experience, but also of rare and interesting incidents of the pioneer days, strange to this generation. Hawkins Taylor of Lee County, appeared as the only survivor of the First Territorial Council. Speaking before the House of Representatives, he said when he was in legislative service he and his associates did not think this part of the state would be occupied in their time except by wolves and gophers. He said they had a row with the governor over paying officers and employees \$3.00 a day, the same as legislators received.

Uncle Zimri Streeter, "Old Black Hawk," said in commenting on a demagogic measure (it seems they had such even in the long ago), "I hope our benevolent friends will not trim up this law so as to prevent a feller from paying his debts if he wants to." One other speaker said, "We organized courts and tried cases without lawyers and the decisions were final, fatal, and eternal." One old-timer said he tried to immortalize himself by introducing a dog law, but others beat him to it. It came out in the discussion that it was the general desire of men to

have everybody's dog killed but their own. But they got the law, and it was said the governor had to call an extra session, and it was again a race to see who could immortalize himself by having the dog law repealed.

A senator in 1860 introduced a measure proposing to appropriate \$18.00 to build a two-plank walk "from the Grout House to the Capitol," so that he might bring his wife to the Capitol with him. It was denounced as a piece of extravagance. Senator Duncombe said the other senator's wife could do as his wife did, "pull herself along by the hazel-brush." When the news of the fall of Fort Donelson entered the House in the session of 1862 it brought on a riot, resulting in a successful motion for adjournment for the day. Whereupon Adjutant General Baker mounted the speaker's stand and moved that the prohibitory law be suspended until the day following.

I saw many of these old boys march into the legislative halls, and heard their interesting talk of early experience, such as we of the later day have no personal knowledge. It was inspiring to hear from such noble veterans as George G. Wright, H. H. Trimble, Cassidy, Noble, Murdock, Kasson, Nourse, Gue, Johnstone, and Hoyt Sherman, not overlooking such patriarchs as Senator George W. Jones, T. S. Parvin, Hawkins Taylor, and Elijah Sells, most of whom had a large part in establishing the firm foundation of our splendid commonwealth.

I heard it recalled how only a few hundred more votes would have been required in 1845 for the adoption of a constitution fixing the western boundary of the state about fifty miles west of Des Moines, the voters being influenced by the argument that all territory west of a line drawn there was merely a part of the great North American desert.

These old lawmakers were pioneers indeed. They knew Iowa as it came fresh from the hands of nature. They broke the trails across our prairies, and in their devotion to its development scorned hardship and made sport of privation. They had farmed with oxen, worn homespun, feasted on cracked corn and long sweetening, with the latch string always out to neighbor or stranger. They had seen cows sold for six or eight dollars, and most of the money of their earlier experience was likely to become worthless over night. Some of us have lived in log cabins and fought blizzards and grasshoppers, but none of us have had to labor and to wait, to dare and to sacrifice, as did the real pioneer lawmakers who broke the trails and bore the brunt of early settlement.

I am sure I express the common sentiment of all who attend this meeting of the Pioneer Lawmakers' Association in saying that it is an occasion so rich in comradeship and so complete in satisfaction as to justify any effort it may have cost, and in the suggestion that the continuance of these reunions, at any pains required, should be regarded as an established fact.

Short talks of a reminiscent character were then made by Joshua Jester, H. T. Saberson, B. F. Carroll, Shirley Gilliland, A. B. Funk, George McCulloch, Philip Livingston, E. D. Chas-sell, Perry Engle, J. P. Cruikshank, Milton Remley, and Harvey Ingham.

The Committee on Nominations was appointed by the chair, as follows: R. G. Clark, John Lister, and R. T. St. John.

A motion passed instructing the secretary to extend an invitation to J. D. Edmundson of Des Moines and Lewis H. Smith of Algona to attend the sessions of this association, they both having been employees of the House of the Eighth General Assembly during the regular session of 1860 and the special session of 1861, Mr. Edmundson as a messenger and Mr. Smith as enrolling clerk.

The afternoon session convened at two o'clock and was devoted to the installation in the Portrait Gallery of the Historical, Memorial and Art Department of portraits of Warren Garst, by Louise Garst McBroom; Jonathan P. Dolliver, by Arvid Nyholm; Albert B. Cummins, by Arvid Nyholm; and Lafayette Young, by Karl A. Buchr. Curator E. R. Harlan presided at this session and on taking the chair spoke as follows:

The biennial meeting of your association is the point from which this institution best observes whether it keeps up with opportunity. Your service of twenty and more years ago, and the substance of your memories of still earlier times, are the records of our state of which we should have taken care. Your testimony of the two decades last past and your vision of the years to come are safe for us to regard as the scope and purpose of our public service.

This is a memorial hour. Four of your personal friends, your public associates in legislative contributions the state would be poor indeed without, have been delineated through the deep study and the facile brushes of well known portrait painters. These form the first group painted from life by artists selected by this institution. They mark the era of our achievement of that purpose. The past has through good fortune rather than good management, given us this valuable collection of good portraits of great citizens of Iowa.

The day promises the first ideal consummation of a plan to join the achievement of the brush with that of the pen, and the acquisition in one moment of the finest results of both.

Of Governor Garst, no one can better speak than Mr. Ora Williams. Of Senator Cummins, no one better than General H. W. Byers. Of

Senator Dolliver, none better than Mr. Harvey Ingham. Of Senator Young, none better than Governor Carroll.

First, then, Mr. Williams will speak.

WARREN GARST

By ORA WILLIAMS

Warren Garst was fairly representative of the wholesome good that abounds in Iowa. His life was affirmative of the truth that right thinking and right living are worth while.

He was born in Dayton, Ohio, December 4, 1850, and died in Des Moines October 5, 1924. He was of a family of rugged and forceful characters. His father was a physician whose descendants rose to high positions in professional, commercial and public life. He came with his family first to Champaign, Illinois, then to Boone, Iowa. The father and the eldest of the sons fought for preservation of the Union side by side. Warren was a sturdy boy of sixteen when he arrived in Iowa to take up his great adventure among strangers. The larger part of his life was as a merchant at Coon Rapids. He was married in 1889 to Clara Clark. Upon his retirement from business he removed to the capital city of his state.

His official life is easily recounted. Commencing with the Twenty-fifth General Assembly, to which he was elected in 1893, he labored in eight successive Senate sessions, including the notable Code revision extra session of 1897, sitting for the district composed of Carroll, Sac and Greene counties. During five of the sessions he was chairman of the Senate Committee on Appropriations. Upon his election in 1906 as lieutenant governor he presided over the Senate of the Thirty-second General Assembly in regular and special session. In November, 1908, he was inaugurated governor to succeed Governor Cummins who had been elected to the United States Senate. In January, 1909, he delivered to the joint session of the Thirty-third General Assembly the biennial message on state affairs. A year later he was called for invaluable service to make a survey of the educational needs of the state. In July, 1913, he took charge of the newly created office of state industrial commissioner, from which he retired January 1, 1916. For a full third of a century he gave of himself for the public good.

Senator Garst was a good legislator. That is a worth while compliment. He came into the arena at a time when men of his sterling worth were needed. He earnestly applied himself to the task of remodeling and rearranging the machinery of government. There was no place in the workshop for men of faint heart. Few things good come to men or to states without a struggle. It was a time when the equipment for progress was wrought on the iron forge of factionalism. There were those who deplored the sharp divisions and protested against the clash of honest opinions. Timid ones shrank from the contentions and the controversies. It was no place for men with ignoble motives

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