

Dwight G. McCarty

Dwight Gaylord McCarty must be considered one of the outstanding legal minds in Iowa. Born in Sioux City on April 1, 1878, he moved to Emmetsburg with his parents at the age of six months and has always made the County Seat of Palo Alto County his home town. He graduated from Emmetsburg High School in 1897, and from Grinnell College with honors and a Ph.B. in 1901 and an M.A. in 1904. He received an LL.B. from Harvard Law School in 1904.

It is given to few men to rise to the heights of excellence gained by Dwight McCarty in his chosen profession. His keen mind and unflagging ambition, coupled with his own desire to dig down to the roots of any legal question, were qualities that augured well for success. An astute judge of human nature, he had an insatiable desire for research long before he was admitted to the bar. Thus, when he entered the Harvard Law School, he gained permission from the registrar to take seminar courses from three outstanding historians — Albert Bushnell Hart, Edward Channing, and visiting professor Frederick Jackson Turner. His studious nature in both history and the law made his Harvard years some of the most satisfying and

rewarding. Few Iowa historians of the 20th Century could point to a more celebrated triumvirate under whom they had studied than Hart, Channing, and Turner.

Dwight McCarty published his first historical essay in the State Historical Society's *Iowa Historical Record* in January 1902. It was entitled "Early Social and Religious Experiments in Iowa" and won the Colonial Dames Prize open to all Iowa university and college students. It contained references to such scholars as Professor Jesse Macy of Grinnell, Frederick Jackson Turner of Harvard, and Benjamin F. Shambaugh of the State University of Iowa and the State Historical Society of Iowa.

McCarty leaned heavily on reminiscences, autobiographies, and contemporary newspaper accounts and displayed the same zeal in historical research as he was later to exhibit in preparing a case for his clients. Eight years later, in 1910, the State Historical Society of Iowa published his *Territorial Governors of the Old Northwest*. This was one of the first books issued by the Society and appeared at a period when his law practice was just beginning to take root. To add interest to his community he published the *History of Palo Alto County* in that same year — 1910.

Interesting as were his contributions to Iowa history, the books that Dwight McCarty authored for the legal profession are even more significant.

- LAW OFFICE MANAGEMENT (Prentice-Hall Inc., New York, First Edition 1926; Revised Edition 1946; Third Edition 1955 in six printings, Prentice-Hall, Englewood Cliffs, N.J.)
- IOWA APPLIED EVIDENCE 2 Vols. (Callaghan & Co., Chicago, 1927)
- PSYCHOLOGY FOR THE LAWYER (Prentice-Hall Inc., New York, 1929)
- IOWA PLEADING 2 Vols. (Callaghan & Co., Chicago, 1934; Second Edition, 4 vols. 1953)
- IOWA PROBATE 2 Vols. (Callaghan & Co. Chicago, 1942; Second Edition 4 Vols. 1964-1965)
- Edited the Iowa State Legislative Sessions Laws, 1939, 1941, 1943.
- Prepared the index volume for the 1946 Iowa Code.
- PSYCHOLOGY AND THE LAW (Prentice-Hall, Englewood Cliffs, N.J., 1960, three printings)
- HORIZONS UNLIMITED, a book of selected poems, 1967.

A prolific writer, Dwight McCarty was much sought after as a lecturer before legal groups. He also was a frequent contributor to various legal and professional journals. His name became a byword in Iowa law offices and he was often consulted by lawyers who sought his advice on pleading and probate cases.

Dwight McCarty's reputation extended far beyond his writings. He was quick to identify himself with various groups representing his chosen profession. He has been a member of the American Bar Association since 1918 and he is a Life Member of the Iowa State Bar Association.

He is a member of the Palo Alto County Bar Association and has served as its president from 1932 to 1964. He has served as secretary of the 14th Iowa Judicial District Bar Association from 1922-1934, and as its president in 1934. He is a member of the American Judicature Society and the American College of Probate Counsel. He holds a membership in "Scribes," a national organization of legal writers. Among the other legal organizations with which he has been identified over the years is the Iowa Conference of Bar Association Presidents. He was president of this group from 1962 to 1964. In addition to these, Dwight McCarty has served on several editorial boards associated with his specialties in the legal profession. Through it all he remained a general practitioner.

With all his writings one would expect Dwight McCarty to be almost a recluse. Far from this, he married Guinevere Craven immediately after finishing Harvard. The McCartys had three sons — Gaylord, Gordon, and Stanton who died in infancy.

McCarty took an active part in the Emmetsburg Chamber of Commerce, serving as both president, secretary, and on the board of directors. He served as chairman of the City Planning Commission for 25 years, and did much to help beautify his hometown and make it a showplace in Iowa. He is an active member of the United Church

of Christ, a Mason of more than 50 years standing and the Dad for the Emmetsburg DeMolay Chapter for 30 years. In 1967 Dwight McCarty published a book of poetry entitled *Horizons Unlimited* that clearly demonstrates that time has not dimmed the vision or the vista of this amazing 89-year-old-Iowan.

WILLIAM J. PETERSEN