

Comment by the Editor

THE RULE OF RIGHT

For more than a year after the Iowa country was opened for settlement, the pioneers had no legal means of settling their disputes. Claim associations and vigilance committees protected property and maintained peace according to rules of their own. Even after Territorial government was established, judicial facilities were inadequate. For the authority of courts the people substituted extralegal autonomy.

Though the early settlers may have been beyond the law, they were not above it. They preferred regular civil processes. From June, 1834, to February, 1837, only "two terms of a county court of inferior jurisdiction" were held in "the whole country west of the Mississippi," declared the delegates who assembled at Burlington on November 6, 1837, to petition Congress to establish the Territory of Iowa. In response to such an urgent demand, the administration of justice was improved. Seldom has any tribunal excelled the legal wisdom of the first Supreme Court of the Territory of Iowa.

Thrifty, practical, and ambitious, the pioneers

were also men of vision. They had the rare capacity to perceive ideals beyond immediate necessity; and they were guided by principle when right and expediency seemed to clash. They believed that every man should have what he deserves, but not at the price of his neighbor's opportunity. Above other virtues they esteemed justice, which is the principal object of civil society.

Suppose that justice had become the distinguishing characteristic of our Commonwealth. What a triumph it would be if Iowans, cultivating the pioneer sense of social honesty, could be known far and wide for their transcendant righteousness!

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