



John T. Lacey
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MAJOR JOHN F. LACEY

MEMORIAL VOLUME

ALSO CONTAINING THE REPORT OF
THE IOWA PARK AND FORESTRY
ASSOCIATION FOR 1913



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This volume is dedicated to Mrs.
Martha Newell Lacey by her many
friends throughout this land

PREFACE

It is with great pleasure that the Iowa Park and Forestry Association presents to the many friends of the Honorable John F. Lacey, lawyer, statesman, soldier, citizen, and lover of nature, a collection of his important papers on natural resources, the protection of game, the establishment of forest reserves, and the protection of our national parks. Moreover, there was added to the above a number of Memorial Day addresses. There were few in our broad commonwealth who could give us better patriotic addresses than Major Lacey. There have also been added a few of his many addresses made at soldiers' reunions. Here, as elsewhere, the Major spoke with fervid eloquence. He was a great friend of the soldier; no truer or better champion of the old soldier ever sat in the halls of Congress. When the history of game protection and forest conservation shall be written, a large amount of credit will be given to the Major. As a friend and neighbor he will ever rank among the first of the citizens of Oskaloosa and Iowa.

It fell to the writer, representing the Iowa Park and Forestry Association, to gather the material in this volume. I am greatly indebted to the many friends of Major Lacey who have made possible this publication, and to his daughter, Berenice Lacey Sawyer, for their assistance, to Miss Lena Rowe for copying the manuscript, and to Miss Harriette S. Kellogg for proof reading and other valuable assistance.

L. H. PAMMEL

AMES, IOWA
APRIL 1, 1915

29 May 16 W.B. Co. 55

CONTENTS

| | |
|---|------|
| LIST OF PATRONS | xi |
| LIST OF MEMBERS | xiii |
| BIOGRAPHICAL | 1 |
| IN MEMORY OF MAJOR LACEY | 3 |
| By Hon. James A. Davitt | |
| JOHN F. LACEY | 12 |
| By William T. Hornaday | |
| TRIBUTE TO MAJOR LACEY | 16 |
| By Col. G. O. Shields | |
| ✓ JOHN F. LACEY | 19 |
| By Hon. Edward H. Stiles | |
| ✓ MAJOR LACEY AND THE CONSERVATION OF OUR RESOURCES . | 36 |
| By L. H. Pammel | |
| REMINISCENCES OF CONGRESSMAN LACEY | 48 |
| IOWA'S CONGRESSMAN AT HOME | 50 |
| ✓ FUNERAL OF MAJOR LACEY | 52 |
| ✓ A POEM — JOHN F. LACEY | 56 |
| By Major S. H. M. Byers | |
| FUNERAL SERMON | 57 |
| By Rev. Allen Judd | |
| RESOLUTIONS | 60 |
| ADDRESSES, PAPERS, AND LETTERS OF MAJOR LACEY . | 67 |
| ✓ DESTRUCTION AND REPAIR OF OUR RESOURCES | 69 |
| ✓ FORESTRY | 78 |
| ✓ FOREST VITAL TO NATION'S WELFARE | 88 |
| ✓ ON FORESTRY | 92 |
| ✓ HOMESTEADS IN FOREST RESERVES | 99 |
| ✓ FORESTRY-TREE IS MOTHER OF THE FOUNTAIN | 103 |
| GRAZING PRIVILEGES ON THE PUBLIC LANDS | 116 |
| ✓ THE PUBLIC DOMAIN | 125 |
| ✓ POWERS OF THE DEPARTMENT OF AGRICULTURE | 136 |
| ✓ INTERSTATE COMMERCE IN GAME AND BIRDS | 141 |

| | |
|--|-----|
| BISON PRESERVE | 154 |
| HOW TO SAVE OUR BIRDS AND MAMMALS | 160 |
| PROTECTION TO GAME AND BIRDS | 168 |
| BIRD PROTECTION | 172 |
| STATEMENT ON GAME PROTECTION | 175 |
| FEDERAL PROTECTION OF MIGRATORY BIRDS | 178 |
| TWO LETTERS FROM EX-PRESIDENT ROOSEVELT | 183 |
| A LETTER ON MIGRATORY BIRDS | 185 |
| LACEY ON FISH AND GAME PRESERVES | 187 |
| ADVANCE IN GAME PROTECTION | 193 |
| FOREST RESERVES AS BREEDING PLACES | 195 |
| PETRIFIED FOREST NATIONAL PARK | 203 |
| PRESERVING PETRIFIED FORESTS | 207 |
| PAJARITO | 210 |
| CLIFF DWELLERS' NATIONAL PARK | 220 |
| ON PENSIONS | 224 |
| NORTHWEST IOWA VETERAN REUNION | 232 |
| WHY DO WE CREATE BATTLEFIELD PARKS | 247 |
| MEMORIAL DAY | 256 |
| PATRIOTISM | 264 |
| INDEPENDENCE DAY | 276 |
| EXCERPTS FROM ADDRESS AT EMMETSBURG | 287 |
| OLD FRIENDS AND NEIGHBORS | 290 |
| PILGRIM DAY | 301 |
| OLD SETTLERS' MEETING | 307 |
| THE LOUISIANA PURCHASE | 313 |
| THE MONROE DOCTRINE | 328 |
| REMINISCENCES OF OSKALOOSA CITY PARK | 342 |
| PENN DAY | 350 |
| RIVER AND HARBOR IMPROVEMENTS | 357 |
| ON STOCK EXCHANGES | 361 |
| ALASKA | 365 |
| HARVEST FESTIVAL ADDRESS | 367 |
| LETTER FROM COLONEL A. W. SWALM | 371 |
| LETTER FROM GENERAL JAMES RUSH LINCOLN | 373 |
| EXCERPTS FROM THE AUTOBIOGRAPHY OF JOHN F. LACEY | 375 |
| IOWA PARK AND FORESTRY ASSOCIATION | 425 |

CONTENTS

ix

| | |
|--|-----|
| SOME RETURNS FROM FOREST PLANTATIONS IN IOWA | 427 |
| NEGLECTED STATE PROPERTY | 437 |
| THE PRESERVATION OF SOME OF IOWA'S INTERESTING SPOTS | 440 |
| GET ACQUAINTED WITH THE BIRDS | 449 |
| PROTECT THE MIGRATORY BIRDS | 452 |
| DEFEND THE BIRDS OF IOWA | 458 |
| WHAT BIRD CONSERVATION MEANS | 460 |
| IMPROVEMENT OF SCHOOL GROUNDS | 465 |
| A WEEK IN RANIER NATIONAL PARK | 469 |
| JAMES ELLIS GOW | 475 |
| SAMUEL MAHON | 476 |
| JOHN MUIR | 477 |
| INDEX | 483 |

PATRONS

| | |
|---------------------------------|---|
| Ames, Asa L. | Traer, Iowa |
| Anderson, Lew W. | Cedar Rapids, Iowa |
| Baldwin, W. W. | Burlington, Iowa |
| Barrington, E. P. | Des Moines, Iowa |
| Bowdish, J. W. | Des Moines, Iowa |
| Boyd, W. R. | Cedar Rapids, Iowa |
| Brewer, Luther A. | Cedar Rapids, Iowa |
| Brewster, Eleanor Lacey | San Francisco, California |
| Brewster, Doris | San Francisco, California |
| Brewster, James B. | San Francisco, California |
| Burrell, Walter C. | Oskaloosa, Iowa |
| Byers, Major S. H. M. | Des Moines, Iowa |
| Christian, G. M. | Des Moines, Iowa |
| Cole, Cyrenus | Cedar Rapids, Iowa |
| Cowan, Wm. R. | Oskaloosa, Iowa |
| Dawson, A. F. | Davenport, Iowa |
| Devitt, James A. | Oskaloosa, Iowa |
| Dodge, G. M. | Council Bluffs, Iowa |
| Edmundson, J. D. | Des Moines, Iowa |
| Foster, Thomas D. | Ottumwa, Iowa |
| Greene, Wesley | Des Moines, Iowa |
| Harlan, E. R. | Des Moines, Iowa |
| Hoffman, C. V. | Oskaloosa, Iowa |
| Hornaday, W. T. | New York Zoölogical Garden, New York City |
| Howard, H. S. | Oskaloosa, Iowa |
| Jerrel, B. O. | Oskaloosa, Iowa |
| Johnson, I. C. | Oskaloosa, Iowa |
| Kalbach, George | Oskaloosa, Iowa |
| Kalbach, W. H. | Oskaloosa, Iowa |
| Keating, W. H. | Oskaloosa, Iowa |
| Kellogg, Harriette | Ames, Iowa |

| | |
|---------------------------------------|----------------------|
| Lacey, Mrs. Martha N. | Oskaloosa, Iowa |
| Lacey, W. R. | Oskaloosa, Iowa |
| Lane, Joe R. | Davenport, Iowa |
| Lazell, Frederick J. | Cedar Rapids, Iowa |
| Macbride, T. H. | Iowa City, Iowa |
| Mahon, Samuel | Ottumwa, Iowa |
| Malcolm, J. O. | Oskaloosa, Iowa |
| McCoy, Ben | Oskaloosa, Iowa |
| McNeill, James F. | Oskaloosa, Iowa |
| Milliman, J. C. | Logan, Iowa |
| Nash, Frank | Oskaloosa, Iowa |
| Oppenheimer, Art | Oskaloosa, Iowa |
| Pammel, L. H. | Ames, Iowa |
| Preston, Judge Byron W. | Oskaloosa, Iowa |
| Putnam, H. S. | Davenport, Iowa |
| Rankin, E. N. | Tarkio, Missouri |
| Ray, W. G. | Grinnell, Iowa |
| Reynolds, S. V. | Oskaloosa, Iowa |
| Rickey, Mrs. A. B. | Oskaloosa, Iowa |
| Sargent, A. H. | Cedar Rapids, Iowa |
| Sawyer, Mrs. Berenice Lacey | Oskaloosa, Iowa |
| Sawyer, Carroll | Oskaloosa, Iowa |
| Schee, Geo. W. | Sheldon, Iowa |
| Seevers, G. W. | Oskaloosa, Iowa |
| Sheriff, H. H. | Oskaloosa, Iowa |
| Shields, G. O. | New York, New York |
| Shimek, B. | Iowa City, Iowa |
| Smith, W. I. | Council Bluffs, Iowa |
| Spencer, A. P. | Oskaloosa, Iowa |
| Spencer, H. L. | Oskaloosa, Iowa |
| Stern, Almor | Logan, Iowa |
| Stiles, E. H. | Pasadena, California |
| Swalm, Albert W. | Nottingham, England |
| Swalm, Mrs. A. W. | Nottingham, England |
| Walling, Charles S., Oskaloosa Herald | Oskaloosa, Iowa |
| Wentworth, E. N. | State Center, Iowa |

MEMBERS

| | | |
|----------------------|-----------|---------------------|
| Alexander, E. A. | | Clarion, Iowa |
| Allen, M. C. | | Nevada, Iowa |
| Allen, A. F. | | Ames, Iowa |
| Allen, A. F. | | Sioux City, Iowa |
| Arey, M. F. | | Cedar Falls, Iowa |
| Bates, C. O. | | Cedar Rapids, Iowa |
| Becker, F. | | Clermont, Iowa |
| Bennett, Fred A. | | Sioux City, Iowa |
| Black, G. D. | | Independence, Iowa |
| Bliss, G. R. | | Davenport, Iowa |
| Buchanan, Mrs. R. E. | | Ames, Iowa |
| Carter, Charles F. | | Fairfield, Iowa |
| Clark, John H. | | Chariton, Iowa |
| Clarke, Charles F. | | Adel, Iowa |
| Clarke, G. W. | | Adel, Iowa |
| Conard, H. S. | | Grinnell, Iowa |
| Crossley, Varick C. | | Webster City, Iowa |
| Culley, Frank | | Ames, Iowa |
| Erwin, A. T. | | Ames, Iowa |
| Ewers, A. F. | | St. Louis, Missouri |
| Fields, E. A. | | Sioux City, Iowa |
| Fitch, C. L. | | Ames, Iowa |
| Fitchpatrick, J. A. | | Nevada, Iowa |
| Flickinger, R. E. | | Odebolt, Iowa |
| Frink, S. G. | | Tipton, Iowa |
| Gow, James Ellis | | Cedar Rapids, Iowa |
| Greeley, W. M. | | Ames, Iowa |
| Harding, W. L. | | Sioux City, Iowa |
| Harrington, F. O. | | Williamsburg, Iowa |
| Hartman, John C. | | Waterloo, Iowa |
| Hauser, M. A. | | Ames, Iowa |

| | |
|-------------------------------|----------------------------------|
| Hayden, Ada | . Ames, Iowa |
| Haynes, L. J. | Des Moines, Iowa |
| Hayward, W. J. | . Sioux City, Iowa |
| Henderson, O. J. | Webster City, Iowa |
| Herrick, R. S. | . Ames, Iowa |
| Holbrook, P. K. | . Onawa, Iowa |
| Iowa State Library | Des Moines, Iowa |
| Johns, H. A. | . Sioux City, Iowa |
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| Kaye, G. F. | . Iowa City, Iowa |
| Kenoyer, L. A. | . Toledo, Iowa |
| Lamoreux, H. H. | . Meriden, Iowa |
| Lau, Charles W. | . Davenport, Iowa |
| Lees, J. H. | Des Moines, Iowa |
| McCall, Ed. | . Nevada, Iowa |
| MacDonald, G. B. | . Ames, Iowa |
| MacDonald, John | . Sioux City, Iowa |
| McGhee, E. R. | . Farley, Iowa |
| McPherrin, J. M. | Des Moines, Iowa |
| Moninger, W. R. | . Marshalltown, Iowa, R. F. D. 3 |
| Morbeck, Geo. C. | . Ames, Iowa |
| Morrison, Theodore N. | . Davenport, Iowa |
| Mueller, H. A. | St. Charles, Iowa |
| Nagelstad, O. T. | . Sioux City, Iowa |
| Orr, Ellison | . Waukon, Iowa |
| Palmer, E. L. | Cedar Falls, Iowa |
| Payne & Sons | . Nevada, Iowa |
| Pearson, R. A. | . Ames, Iowa |
| Pellett, Frank C. | . Atlantic, Iowa |
| Peters, E. C. | . Sioux City, Iowa |
| Reeves, Elmer | . Waverly, Iowa |
| Ross, Ozron | Webster City, Iowa |
| Shull, H. W. | Des Moines, Iowa |
| Soper, C. M. | . Nevada, Iowa |
| Spurrell, John A. | . Wall Lake, Iowa |
| Stanton, E. W. | . Ames, Iowa |
| Stephens, E. F. | . Nampa, Idaho |

MEMBERS

xv

| | |
|-----------------------------------|--------------------|
| Stephens, F. C. | . Sioux City, Iowa |
| Summers, H. E. | . Ames, Iowa |
| Taff, Paul | . Ames, Iowa |
| Taylor, Rose Schuster | . Sioux City, Iowa |
| Thompson, L. O. | . Mitchell, Iowa |
| Truax, E. R. | . Ames, Iowa |
| Von Tungeln, G. H. | . Ames, Iowa |
| Watrous Nursery Company | . Des Moines, Iowa |
| Wilson, D. O. | . Des Moines, Iowa |
| Wylie, R. B. | . Iowa City, Iowa |

IMPORTANT EVENTS IN LIFE OF JOHN F. LACEY

COMPILED BY HARRIETTE S. KELLOGG

- | | | |
|-----------|----------|--|
| 1841 | May 30 | Born at New Martinsville, West Virginia (Virginia). |
| 1853 | | Family moved to Wheeling, West Virginia (Virginia). |
| 1855 | | Family moved to Oskaloosa, Iowa. |
| 1855 | | Attended Drake's Academy. |
| 1856 | | Family moved to farm near Oskaloosa. |
| 1857 | | Worked on farm in summer, at school in Oskaloosa in winter. |
| 1858-1859 | | Taught school during winter months and attended school in town during the intervals. |
| 1860 | | At school in town. |
| 1861 | | Enlisted as private in Company H, Third Iowa Infantry. |
| 1861 | May 30 | Left home for camp. |
| 1861 | June 8 | Mustered in at Keokuk. |
| 1861 | Sept. 17 | Taken prisoner at Battle of Blue Mills, Missouri. |
| | Nov. | Paroled; returned to Oskaloosa; began study of law. |
| | Nov. 7 | Discharged under order of President. |
| 1861-1862 | | Read law during winter. |
| 1862 | Feb. 11 | Death of brother James. |
| 1862 | Spring | Order for exchange of prisoners. |
| | Aug. 9 | Reënlisted in Company D, Thirty-third Infantry. |
| | Aug. 23 | Commissioned Sergeant-Major under Colonel Rice. |

- 1862 Oct. 1 Mustered in at Camp Tuttle, Oskaloosa, Iowa.
- 1863 Apr. 16 First Lieutenant Company C, Thirty-third Infantry.
- May Acting Adjutant-General of Division under Colonel Rice.
- July 4 Battle of Helena, Arkansas.
- July 7 Commended in letter by Colonel Rice.
Assistant Adjutant-General of U. S. Volunteers.
- 1864 Apr. 2 Battle at Terre Noir Creek, Arkansas.
- Apr. 4 Battle at Elkins' Creek, Arkansas.
- Apr. 10 Battle at Prairie d'Anne, Arkansas.
- Apr. 15 Battle at Poison Springs, Arkansas.
- Apr. 30 Battle at Jenkins' Ferry, Arkansas.
On staff of General Steele.
- 1865 Apr. 8 Siege of Spanish Fort.
- Apr. 9 Siege of Fort Blakeley.
- Apr. 10 Entered Mobile.
- July 17 Mustered out with rank of Brevet-Major.
- Sept. 16 Order for discharge from army.
Admitted to bar in Iowa.
- Sept. 18 Opened law office in Oskaloosa, Iowa.
- Sept. 19 Married Miss Martha Newell.
- 1866 Jan. 1 Formed partnership with W. E. Shepherd.
- 1866 June 25 Birth of daughter, Eleanor.
- 1869 Elected to State Legislature of Iowa.
- 1870 Published *Third Iowa Digest*.
Crossed Plains by stage.
- 1871 Published Vol. I, *Railway Digest*.
- 1872 Birth of son, Raymond Fletcher.
- 1873 Jan. 1 Partnership with W. E. Shepherd dissolved.
Mr. Shepherd moves to California.
- 1874 Oct. 16 Birth of daughter, Marion Lurena Kate (Dumpsie).
- 1876 Sept. 10 Birth of daughter, Berenice.
- 1878 Traveled abroad with Mrs. Lacey.
- 1880 Oct. 9 Death of son, Raymond Fletcher.

- 1880 Nov. 2 Death of daughter, Marion.
- 1884 Second journey abroad with Mrs. Lacey.
- 1884 Published Vol. II, *Railway Digest*.
- 1888 Congressional campaign against General Weaver.
- 1889 March Member of Fifty-first Congress.
- 1892 Elected to Fifty-third Congress.
- 1894 Elected to Fifty-fourth Congress.
- 1895 May 7 Traveled through Mexico with daughters, Eleanor and Berenice.
- 1896 Elected to Fifty-fifth Congress.
- 1897 Honorary degree, A.M., conferred by Penn College.
- 1898 Elected to Fifty-sixth Congress.
- 1898-1899 Traveled in Cuba and Porto Rico with daughter, Berenice.
- 1900 May 25 Passage of "Lacey Act."
- 1900 Elected to Fifty-seventh Congress.
- 1900 Dec. 25 Presented with watch by L. A. S.
- 1902 Elected to Fifty-eighth Congress.
- 1904 Elected to Fifty-ninth Congress.
- 1906 June Passage of Federal Bird Refuge Law.
- 1907 Resumed practice of law at Oskaloosa, Iowa.
- * 1907 Trip to Alaska, down the Yukon, and to Nome.
- 1913 July Elected President of State Bar Association.
- 1913 Sept. 29 Died at Oskaloosa.

BIOGRAPHICAL

IN MEMORY OF MAJOR LACEY ¹

Mr. President and Members of the Bar Association:

A year ago I was unable to be present at the meeting of the State Bar Association, by reason of professional engagements in which Major Lacey and myself were mutually interested. After the adjournment of the Bar Association at Sioux City, by arrangement I met Major Lacey in Chicago. We went east on a business trip, and I am sure that the members of the association who were present and conferred upon Major Lacey the honor of the presidency of the association, would have been pleased to know with what high sense of appreciation Major Lacey received the honor. He stated to me that he did not believe that any political honor that had come to him had touched his sense of appreciation as much as his election as president of this association.

It was my good fortune to become acquainted with Major Lacey when I was a young lawyer. Leaving law school I went to Oskaloosa and I sat down and waited for clients. During the years that elapsed prior to Major Lacey's death I was closely associated with him, and during all of those years I learned to respect and honor him for his inherent worth.

As a young lawyer I frequently called upon Major Lacey to assist me in the trial of cases, and there can be no better test of the courtesy and dignity of a lawyer than the older lawyer who is called by his young and inexperienced associate, and in all these relations I found Major

¹ Address delivered by Hon. James A. Devitt, of Oskaloosa, before the State Bar Association at Cedar Rapids, June 25, 1914.

Lacey was, as you have all known him to be, a perfect type of the cultured lawyer.

Major Lacey's career is remarkable in many respects. Born in what is now West Virginia, coming as a boy to Iowa at about fourteen years of age, and raised on a farm in Mahaska County, he learned the trade of a bricklayer, and to the day of his death he pointed with pride to buildings in our city in the construction of which he had performed the arduous labor of carrying the hod and laying bricks.

He early determined to become a lawyer, and in the time when his work as a bricklayer would permit, he read law in the office of Attorney General Rice.

On the breaking out of the Civil War, Major Lacey enlisted as a private, his name being the fourth in the list of names from Mahaska County when the first call came for volunteers. He was captured during one of the early battles and sent home as a prisoner of war, but as soon as an exchange was made he reënlisted in the Thirty-third Iowa. His record as a soldier was one of credit. I need only say that he was promoted as a captain and was mustered out of service as a major. As a young soldier Major Lacey exhibited those traits of character which endeared him to his friends later, and which is well stated and set forth in a brief statement contained in a letter from General Steele. At about the time of the close of the Civil War, when the French invasion of Mexico was being resented by our government, an expedition under General Phil Sheridan was organized for the purpose of moving the army to the Mexican frontier. At the time of the organization of this expedition, Major Lacey was serving on the staff of General Steele. He was detailed to accompany this expedition.

Immediately after the close of the war he returned to Oskaloosa and took up his study of the law; studies which

had not been entirely interrupted by his army service, as he was in the habit of carrying in his saddle-bag law books from which he read when opportunity presented itself.

He was admitted to the bar, members of which were at the time, Judge W. H. Seevers, later judge of the Supreme Court of the state, M. E. Cutts, and Judge Loughridge, whose names were at the time in the forefront of the bar of Iowa. Trained to compete with these men, Major Lacey received that training which is most desirable for a young lawyer, having an opportunity of seeing the best and ablest men of his profession in the trial of cases. That he was an apt student is shown from the success that he attained in the bar where these men were his competitors.

Major Lacey's political career was long and distinguished. But the fact is not generally known that his political career arose from his success as a lawyer. In the campaign of 1888, when the Republicans of the Sixth Congressional District were looking around for some man who could successfully compete on the stump with General James B. Weaver, then in the height of his power as a speaker, the members of the bar received attention, and Major Lacey was drafted from the legal profession into the political arena for the purpose of making a contest which the Republicans felt was desperate indeed. The history of these contests is a part of the political history of the state. He brought to his political contests the same energy and zeal he exhibited in his law practice.

I remember attending a meeting of the state committee where those interested in the management of the campaign were arranging their plans. All of the party candidates for Congress were present, and, as the various dates were arranged, frequently the other candidates offered this or that excuse for not being able to comply

with the wishes of the committee, but every time an assignment was proposed for Major Lacey, he promptly answered, "Yes, I am ready to go." This readiness of the Major to perform whatever political duty was assigned him by the committee was favorably commented upon by men in charge of the campaign, and the Major made the following characteristic explanation of his readiness for political duty: "When I was practicing law, I never allowed anything to interfere with my practice, and now that I am in politics, I never allow anything to interfere with my politics."

Such was the system Major Lacey had in politics and in law. He had developed those traits of readiness and resourcefulness that stood him in good stead in politics.

The history of these controversies with General Weaver is full of stories of his ability to take care of himself under any and all circumstances with a man who was then perhaps without a peer in Iowa in the rough and tussle of those days.

During one of the early debates, before General Weaver had felt Major Lacey out, he got him up before the audience and referred to his opponent as the "dapper little corporation attorney." When Major Lacey's turn came to reply, he referred to the "dapper little corporation attorney," and, drawing from his pocket the postal card received by attorneys when cases have been determined in the Supreme Court, Major Lacey read to the audience the statement, "That the case of Way vs. Chicago, Rock Island & Pacific Railroad Company had been affirmed," calling the attention of the audience to the fact that he had been attorney for the plaintiff in a five year battle through the courts in a case that had attracted the attention of the entire district. The crowd joined in the laugh at General Weaver's expense, and no more

reference was made during their debates to the "dapper little corporation attorney."

But, after all, Major Lacey was preëminently a lawyer. His career in Congress was one that reflected credit upon him. He secured and retained the confidence of Presidents Harrison, McKinley, Roosevelt, and Taft, the men who were Presidents during the time he held office.

His great work was on the public lands committee and in the land and forest conservation — not conservation for political purposes, because at that time conservation had not been urged as a political asset — but he was a conservator of land of the nation when he stood alone; he was a conservator of the natural resources of the United States. He drafted and prepared the law which set aside Yellowstone Park, and drafted the rules for its government. He was peculiarly interested in the preservation of all the great natural curiosities of the country. He secured the legislation that made the petrified forests of Arizona a national park. He was the pioneer in the American Congress of the legislation for the protection of bird life, and the Lacey bird law, which was enacted into a law principally by his efforts, was the forerunner of other national legislation for the protection of the wild birds of America from extermination. At the time of his death, Major Lacey, by the appointment of Secretary of Agriculture Houston, was one of the committee drafting the rules and regulations under which migratory birds might be shot under the act of the last Congress passed to protect the migratory birds. In all these things, as President Roosevelt said, he worked as a man, who, with no thought of his own advancement, engaged in doing what ought to be done for the general public, looking alone to the good results of his work for his reward rather than personal advancement.

Major Lacey's career in Congress terminated, and, although at the time of his retirement the President of the United States and numerous of his friends associated with him and who held him in the highest esteem, were anxious and willing to do something in the way of appointing him to political office, he promptly announced that he was going to retire, leave Washington, and go back to Oskaloosa to practice law. I remember with what great pleasure he told me that, shortly after this announcement appeared in the public press, at a reception at the White House at which he was present, Justice White, then one of the justices of the Supreme Court, and now its honored Chief Justice, seeing Major Lacey in the crowd, made his way to him, with the greeting: "Major, I want to shake the hand of a lawyer; I want to shake hands with a man who has not been divorced from his profession by the fact that he has served a number of years in Congress."

The one characteristic of Major Lacey as a lawyer that stood out more prominently than any other, was his untiring industry. Whatever Major Lacey attained of success, either in law or politics, came to him, not as a result of genius, except it be the genius of hard work. No other man with whom I have ever been acquainted possessed his capacity for constant and continuous toil. The Major, as we boys used to say, loved work like the rest of us loved to laugh. A few days ago Judge McPherson was telling me of an experience of his with Major Lacey. He and the Major had been retained in a case. Judge McPherson stated that he had devoted considerable time and study to the case when he went to Oskaloosa. They both worked at the case, getting ready for trial, until supper time, when Judge McPherson said he was going to his brother-in-law's for supper and that he would meet the Major in the morning. "No," said

the Major, "we had better come back this evening." They went back and worked until eleven o'clock. The Major said he could meet him at the office in the morning at seven o'clock, as the court opened at nine.

That capacity for work Major Lacey also carried into his recreation. His recreation consisted in his love for literature and love of travel. Although not a college graduate, Major Lacey, in the best sense of the word, was a learned man. He turned for rest from his law work to the literature of this and preceding ages, and he became a scholar in the truest sense of the word. His vacations were generally occupied in travel and, while he had visited Europe, he knew the United States as few men have known it. He had visited every state and territory in the American Union, as well as Alaska and its foreign possessions. He acquainted himself by personal investigation with substantially every one of the national parks and Indian reservations, and this habit of travel resulted in his early and constant interest in the preservation, for the use of coming generations, of those natural wonders in which our country abounds, and, as a result of these travels, he fathered and, with tireless energy, secured the enactment of laws which have preserved for all time many of these natural wonders, including not only Yellowstone Park, but the petrified forests of Arizona, Crater Lake in Oregon, and Yosemite Park in California.

In the community in which Major Lacey lived he was a part of its life. There was no movement in the community of which he was not one of its leaders. It was not the case of a man being too big for a small town; he was one of us and with us in every good work. He was one of the most willing men to give up his time or money for any public purpose. If it was possible for him to grant requests for addresses in schools, colleges, high schools, and on Grand Army and old settlers' occasions,

they were always given, and he devoted himself to the preparation of these addresses with zeal and energy, looked upon the invitation as a compliment, and he returned the compliment by preparing something for the occasion that he felt was fitting.

It was indeed fortunate in many respects for Major Lacey, living as he did, to a ripe age, that he went down into the shadow of death in the full possession of his mental and physical vigor. On the Thursday before his death on Monday, I was with him before the Supreme Court of the state, presenting some cases on oral argument, and he, in the presentation of those cases, seemed to possess the same energy, zeal, and resourcefulness that he had when I first knew him. Within an hour of the time of his death he was at my office, taking up matters of importance and apparently in the full enjoyment of perfect physical health. He said, laughingly, he never drew a pension as a soldier until the law was passed giving the soldiers a pension on account of old age. He laughed when he stated that he owed Uncle Sam some money, because he came out of the army physically much stronger than when he went into it.

Possessing this capacity for labor, Major Lacey, down to the minute of his death, was actively and energetically engaged in the practice of his profession, and the hour before his death he was talking business in his office and going from place to place in the town with no more expectation that his end was near than any of us have today.

He walked home and was instantly stricken with death. To those of us who had known him, Major Lacey will ever be remembered as the type of man a lawyer should be. His influence on the bar of the district has been an uplifting influence. His death will not remove that influence among the profession.

I deem it entirely proper, in closing this brief address,

to read a poem written by Mr. S. H. M. Byers, who was a boyhood friend and schoolmate of Major Lacey in our county, and who went into the army with him and who knew him as intimately as it was possible to know another.²

² The poem referred to has been given in another connection. — Ed.

JOHN F. LACEY¹

BY WILLIAM T. HORNADAY

It was the free, wild birds of the Iowa prairies that once inspired a strong man to champion their cause in the council chambers of our nation. To know our birds of song is to love all birds. Fortunate indeed were the birds who sang to John F. Lacey, during his boyhood and his young manhood. It was the meadow lark, the white-throated sparrow, the brown thrasher, the catbird, and the whippoorwill that filled his great heart with love for all birds, and nerved his strong right arm to strike in their defense.

Out of all the achievements of Major Lacey for the better preservation of our bird allies, one fact looms up prominently, and dwarfs all others. He was the first American congressman to become an avowed champion of wild life. It is true that even before he entered the lists as the persistent, uncompromising, and permanent defender of wild creatures in need of defense, other members of Congress had manifested the spirit which later on developed the pronounced game protectionists. But Major Lacey, we repeat, was the first man in the Congress of the United States to take up the new white man's burden, and make it peculiarly his own.

The date of this new departure may be given approximately as 1900. At that time, few large men in public

¹ This biographical sketch was prepared for the *Annals of Iowa*, and is published here, by permission of Mr. Edgar R. Harlan and Dr. Hornaday. It is a splendid appreciation of Major Lacey's work on the conservation of wild life.

life took the woes of wild life seriously. Slaughter was the order of the day. The sportsmen who advocated game protection, and secured the enactment of protective laws, were animated by a desire, not to stop killing, but to preserve today in order to kill more abundantly tomorrow. It is well within the bounds of truth to state that even down to 1890, wild life preservation in America was little more than a pleasing dream, a shadow without substance. Excepting the Yellowstone Park, there were not then in existence any large game preserves in which killing was totally prohibited. Everywhere, without a single exception, wild game was being killed far faster than it was breeding.

At the date mentioned, the killing of game was everywhere a ruling passion. The protection of our song-birds had only just begun. Every member of Congress was regarded by his constituents as a chore-boy, of whom all kinds of personal service might confidently be demanded. The number of pension-claim burdens that were laid upon congressmen was very great; and the measures of the nation often waited upon the personal tasks of the constituent.

Acting under what may well be called an inspiration, and in spite of other burdens and other causes, Mr. Lacey deliberately elected to champion the cause of the vanishing birds. We know not just when that call to arms first was heard by him. It is in the silent watches of the night, the still small hours of the new day, when the minds of men are most free from surrounding influences, that our mental vision becomes keenest, and we most accurately measure the things that *Were* against the things that *Are*. It is in the early morning watch, when sleep has swept all cobwebs from the brain, that man's mental negatives are most sensitive to great impressions. It is then that the voice of *Duty* is heard in clear, bell-like tones,

calling upon us to arise, put on our armor, and sally forth.

I doubt not that the-call to John F. Lacey, to arise and stand forth as the champion of the birds, came to him at a time that he himself never set down, and could not name.

But come it did; and the while other men were laboring for commercial and industrial causes, and striving to pass bills that would appeal strongly to their own constituents, there was one man who constituted himself a Committee of One on Everybody's Business. It was, and ever has been, everybody's business to save our valuable wild life from slaughter and annihilation; but alas! how often it is treated as nobody's business!

I repeat that Major Lacey was the first member of Congress who made the cause of the wild birds and beasts particularly his own. At first he was treated by some of his colleagues with good natured raillery, and taken every way but seriously. But, like the good soldier that he was, in more causes than one, he enlisted in the birds' cause, not for three months' service, nor one year, nor three years, but during the period of the war. From that moment down to his last day in Congress, he was never elsewhere than on the firing line.

His victories for the wild life cause were numerous and important; but his first one was the greatest of all. The Lacey bird law is enough to render any name illustrious. That act, to prevent all interstate traffic in game illegally killed or shipped, was the first federal act for the better protection of birds; and it placed in the hands of the national government a weapon more powerful and far-reaching than any cannon ever cast. It has prevented the illegal slaughter, and sale in the markets, of uncountable millions of game birds; and the rogues that it has brought to justice would, if herded together, make a great army.

The long history of Mr. Lacey's labors and achievements in Congress in behalf of wild life will be written

elsewhere, in detail. His effective efforts in the founding of national bison herds, with which we are most familiar, were only the latest of his achievements in the field of protection. The enabling act, and the appropriation of \$15,000 by which the first national bison herd was established, in the Yellowstone National Park, was secured through the persistence of Representative Lacey against much opposition. I am inclined to believe that his last work in Congress in his favorite cause was bestowed in securing the legislation by which the national government joined the New York Zoological Society in the mutual action which created in Oklahoma the Wichita National Bison Range and Herd, now a pronounced success.

The proud state of Iowa may well regard John F. Lacey as one of her most illustrious men. His work has added lustre to the state made famous by Allison, Harlan, and Kirkwood, and throughout this nation, wherever wild birds are protected, his name is known and honored. To him the people of Iowa, and the bird-lovers of America, owe a monument as lofty as his own purposes, and as imperishable as his fame.

A TRIBUTE TO MAJOR LACEY FROM A FELLOW BIRD LOVER

BY COL. G. O. SHIELDS

I have never known so busy a man as Major Lacey, who yet gave so much and such careful thought to the proper entertaining of his friends. A man of entire leisure and with ample means could not be more studiously attentive to his friends than was this great man. No matter how deeply he might have been buried in work, or how many people might have been calling on him, yet he treated each one as if he were the only caller, and as if he had hours of leisure on his hands.

In greeting an old friend he would frequently extend both hands, and when they started to walk away to some other room, or even on the street, I have frequently seen the Major put his arm around his friend and treat him as if he were his own son or his own brother. No matter how much work the venerable statesman might have on hand he would invariably devote to his caller all the time necessary to go over the matter in hand, and would send him away feeling that he had been communing with a big-hearted, broad-minded, whole-souled friend.

No American ever did a greater service for his country than did Major Lacey during his eighteen years in Congress. He drafted and secured the passage of many bills for the preservation of forests and other natural resources. His greatest work, however, was in preparing, introducing, and finally securing the passage of a bill to prevent interstate commerce in birds and animals killed or taken in violation of state laws.

He fought for this bill through six of the busiest years of his life, and it finally passed both houses of Congress in April, and was approved May 1, 1900, by President McKinley.

That act has saved the lives of more birds than any other law ever enacted in this or any other country.

Here are some extracts from a speech delivered in the House of Representatives, by Major Lacey, in support of his bird bill, and which indicate the fondness of this great man for birds:

I have always been a lover of birds; and have always been a hunter as well; for today there is no friend that the birds have like the true sportsman — the man who enjoys legitimate sport. He protects them out of season; he kills them in moderation in season. The game hog is an animal on two legs that is disappearing. May he soon be extinct! The game hog formerly had himself photographed surrounded by the fruits of a day's "sport," and regarded the photograph as imperfect unless he had at least 100 dead ducks, grouse, or geese around him. Today a true sportsman would be ashamed to be pictured in connection with a larger number of birds than a decent share for an American gunner, having due regard to the preservation of game for future. . . .

We have given an awful exhibition of slaughter and destruction which may serve as a warning to all mankind. Let us now give an example of wise conservation of what remains of the gifts of nature.

It is late. It is too late as to the wild pigeon. The buffalo is almost a thing of the past, but there still remains much to preserve, and we must act earnestly if we would accomplish good results. I love the people who love birds. The man or the woman who does not love birds should be classed with the person who has no love for music — fit only for treason, stratagems, and spoils. I would love to have a solo singer in every bush and a choir of birds in every tree top.

The people of Iowa never made a greater mistake in their lives than when they allowed Major Lacey to retire

from public life. His loss was a loss not to the people of Iowa alone, but to the people of the entire nation, and no man has since appeared in Congress to take up the great work of the conservation of wild life in so able, so persistent, and so effective a manner as Major Lacey did that work.

Major Lacey enjoyed the confidence and respect of his associates in Congress, to an unusual degree. They all considered him an absolute authority on everything pertaining to nature and the great outdoors.

He was also recognized as an authority on constitutional law. In fact a member of the House of Representatives told me that Lacey was generally regarded as the greatest constitutional lawyer in that body.

JOHN F. LACEY ¹

BY HON. EDWARD H. STILES ²

Major John F. Lacey, from humble beginnings became one of the most distinguished lawyers and constructive statesmen that Iowa has produced. His strength lay in his constant persistency and tireless industry, backed by strong resolution, sound judgment, and an eminently practical mind. He was born in New Martinsville, West Virginia, in 1841. He was educated in the schools of his native place and in those of Oskaloosa, Iowa, his parents removing to the latter place in 1855, when John was fourteen years of age. Though not a collegian, he became a man of learning. His eager spirit, his thirst for knowledge, and his quite wide reading, made him one of the most accomplished men in the state. In his profession he was the most persevering and industrious of lawyers. In that respect I do not think he had his equal in the state; the nearest approach to him, so far as my observation goes, was William McNett, of Ottumwa. Major Lacey was not rugged in appearance, and to look at him the unacquainted observer would not think him capable of enduring long and trying strains of professional labor. But such a judgment would be erroneous in the highest degree, for in that respect I have never seen his superior.

¹ From *Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa; with anecdotes and incidents illustrative of the times. 1835-1880.*

² Mr. Stiles was for many years a member of the Iowa bar, member of House of Representatives 1863-1864, member of the Senate 1865-1866, 1867-1875, reporter of the Supreme Court, author of digest of its decisions from the earliest territorial period to the *56th Iowa Reports*. Now resides in South Pasadena, California.

For many years he had a wide practice and was engaged in many cases of the greatest importance. He worked unceasingly while carrying on a large practice and engaged in intellectual exertions that would have exhausted most men. But he never flagged; and in the midst of his ardent professional labors he prepared a general digest of the railway decisions that had been made in the United States, which appeared in two volumes, under the title of *Lacey's Railway Digest*, which came into general use and made him known throughout the country. The first edition of his work was published in 1875. Before that he had prepared and published in one volume, a *Digest* of the decisions of the Supreme Court of Iowa, supplementing the prior digests, each in one volume, of Judge John F. Dillon and Professor William C. Hammond. I may remark as a matter of legal history, that these were supplemented by the digests prepared by the writer, in four volumes, containing the decisions of the Supreme Court from the earliest territorial period to the *57th Iowa Report*; which in after years was in its turn superseded by the *Digest* of Judge Emlin McClain.

What has been said will, without entering into details, illustrate not only his extraordinary ability and deep learning as a lawyer, but also his working powers and great endurance. To exemplify the latter qualities I may, however, refer to the case of the State against Pleasant Anderson for the murder of Chris McAllister, referred to in my sketch of Daniel Anderson, and which attracted wide public attention. I was employed to assist the district attorney, John Donnell, of Sigourney, in the prosecution; Major Lacey, with Judge H. B. Hendershott and Daniel Anderson, appeared for the defense. The case was tried at Oskaloosa, on change of venue from Wapello county, and Major Lacey was active in conducting the defense. The trial lasted two weeks with both day

and night sessions, and at its close each and all the lawyers engaged showed evident signs of exhaustion, except Major Lacey. He seemed to me as fresh and vigorous as at the beginning.

He had been a youthful soldier and officer in the great Civil War, and he has unconsciously disclosed much of his own heroic career in the sketches he has drawn of General Samuel A. Rice and Major-General Frederick Steele.³ While in those sketches he modestly refrains from saying scarcely anything of himself, the halo he has shed upon the career of his subjects reflects itself upon his own, for he was an active participant in the scenes he describes.

To the Oskaloosa *Daily Herald* of October 4, 1913, I am indebted for many of the details of his military services. On the outbreak of the Civil War, when not fully out of his teens, he was among the first to respond to the President's call for volunteers, and was the fifth person to get his name down upon the enlistment muster roll. He left Oskaloosa on his twentieth birthday, May 30, 1861, to enter the service as a private in Company H of the Third regiment of Iowa Infantry. This regiment was sworn into service at Keokuk, Iowa, in June, 1861. The details of its service will be found in Stuart's *Iowa Colonels and Regiments*, page 83. Its early service was in north Missouri and its first severe battle was that of Blue Mills Landing, on the Missouri River, not far below Kansas City, and nearly opposite the town of Liberty. The command was under the gallant Lieutenant-Colonel John Scott. The engagement was a severe one, and Lacey among others was taken prisoner, and carried to Lexington, Mo. He was later paroled, and discharged as a paroled prisoner, in November, 1861. He was fully released by subsequent exchange of prisoners.

³ *Annals of Iowa*, vol. iii, third series, 424.

He had commenced studying law before he entered the service, and upon his return to Oskaloosa resumed his legal studies, under the already civilly distinguished Samuel A. Rice. In August, 1862, Rice himself entered the service and was commissioned colonel of the Thirty-third regiment of Iowa Infantry, and young Lacey again laid down his law books to enlist as a private under the command of his preceptor, in Company D of that regiment. He was soon made sergeant-major of the regiment, and in May, 1863, was promoted and commissioned first lieutenant of Company C, and later served as acting adjutant of the regiment. Upon the promotion of Colonel Rice to the position of brigadier-general, Adjutant Lacey was promoted to a position on his staff, and continued as such officer until the death of General Rice, resulting from the mortal wound he received at the battle of Jenkin's Ferry. When the general received that wound Major Lacey was by his side and helped to carry him from that bloody field. He was then appointed on the staff of General Frederick Steele as adjutant-general and served in that capacity until after the fall of Richmond. During this service he was brevetted major for gallantry on the field of battle at the siege of Mobile, Alabama. This special promotion was made at the personal request of Major-General Canby. Shortly after the fall of Richmond, General Grant, anticipating some trouble with Mexico by reason of circumstances not necessary here to relate, sent an army of about 40,000 men under General Steele to make observations on the Rio Grande. Major Lacey accompanied this expedition as assistant adjutant-general. The headquarters of the Army of the Rio Grande was Brownsville, Texas. From there Major Lacey was transferred to the staff of General Phil Sheridan, commanding the Division of the Southwest, at New Orleans. In releasing Major Lacey from his staff, Gen-

eral Steele addressed the following communication to General Sheridan:

The undersigned deeply regrets losing from his staff so gallant and meritorious an officer, and from his military family, so amiable and accomplished a gentleman as Major Lacey. He entered the service at the age when most young men have not left school, and by his energy and good sense soon became distinguished as a staff officer.

He served for four years and until the end of the war with conspicuous gallantry, and participated, among others, in the following engagements: Battle of Helena, the Yazoo Pass expedition, the campaigns against Little Rock and Camden, the battles of Terrfenoir Creek, Elkin's Fort, Prairie d'Anne, Poison Springs, Jenkin's Ferry; and finally, in the last engagement of the war, the storming of Fort Blakley, opposite Mobile, on April 9, 1865, the day of Lee's surrender.

Upon his return to Oskaloosa he reopened his law books, was admitted to the bar, and entered upon the practice at Oskaloosa in 1866.

I turn now to briefly advert to his political career. He was a strong, but always conservative Republican. In 1869 he was elected on that ticket to the lower house of the legislature, and became an influential leader in that body. He also served a term or two as city solicitor of the city of Oskaloosa. In 1888 he was elected to Congress from his district. This was the commencement of his long congressional career. He continued to be reëlected until he had served for a period of sixteen years in the 51st, 53d, 54th, 55th, 56th, 57th, 58th, 59th congresses. But few, if any, members of that body accomplished more for his state and the country at large, than did he. I shall not undertake to detail his services in that behalf. They will be found in the congressional record of that period, and in the different measures which

he originated or was instrumental in having passed. Of him President Roosevelt, in one of his speeches, said:

In public life generally, we are not apt to find the man whose efforts go to the whole country. I wish to congratulate this district in having in Congress a man who spends his best efforts for the welfare of the whole United States. I can ask Mr. Lacey to come to me or I can go to him on a matter of consequence to the nation, with the absolute certainty that he will approach it simply from the standpoint of public service. I regard this as high praise for any man in public life.

Again, in a personal letter to Major Lacey, President Roosevelt thus wrote:

I desire to say to you how much it means to any man who believes in hard, intelligent and disinterested public service to see such a career as yours has been in Congress. It has been my privilege to be closely associated with you and to watch the many different ways in which, without hopes or expectation of personal reward, you have rendered efficient public service.⁴

Major Lacey was a lover of nature. He was fond of the fields, of the woods, and of all the natural beauties which the Almighty has spread about us. Above all, he loved the birds that gladden with their songs. He was the author and secured the passage of what is widely known as the "Lacey Bird Protection Act." Our forest reserve system is due to his efforts. He drew the bill under which the Yellowstone National Park is managed and governed. As was well said by the *Oskaloosa Daily Herald*:

His judgment and foresight established a conservation policy for the government far in advance of its present advocates. His services in connection with the public lands committee have been of inestimable worth to the country and will be all enduring.

And of him the *Sac City Sun* said:

While on most matters political he lined up with what is

⁴ Oskaloosa (Iowa) *Daily Herald*, October 4, 1913.

known as the "old guard," an examination of his work will show that he was one of the original conservationists. He had a prominent part in securing legislation to protect the lives of coal miners in the territories. He was a forceful factor in establishing our system of forest reserves. It was also he who prepared the law for the government and protection of Yellowstone park and of other noted national objects of interest. He was also the author of a measure for the protection of birds, adopted many years ago. Major Lacey will be remembered as one who has contributed worthily toward the welfare of his countrymen.

Of him, Congressman S. F. Prouty said:

Major Lacey was one of the brainiest men I ever saw. For twenty years we were thrown constantly together in our law practice, he at Oskaloosa and I at Pella. We differed on politics, but were warm personal friends. Major Lacey was one of the most influential men in Congress. He was an indefatigable worker. He was an authority on forest reserves and was active in the conservation fight. As chairman on the committee on forestry he framed most of the laws dealing with forests and wild animal preservation.

As I have already indicated he was a Republican of the uncompromising conservative order, and without doubt would have been indefinitely continued in Congress, and probably elected United States Senator, but for the split in or weakening of his party by what was known as the "Progressive movement," with which he had no patience. Through this he lost his seat in Congress, and was defeated for the United States senatorship by Governor A. B. Cummins, after a close and somewhat embittered contest. He was more than once called upon to be a candidate for the office of governor, but steadily declined this honor. After the close of his political career he fully resumed the practice of his profession from which he never separated himself and which had been ably sustained by the help of his partner and brother, W. R. Lacey, under the firm name of Lacey & Lacey. In the height of his

professional and personal activities he was suddenly stricken with death, on September 29, 1913. He left his office a little after the noon hour, walked down the street in his accustomed sprightly manner, stopping on the way to converse with friends. Arriving at his residence he was met by a member of the family to whom he said, "I am not feeling well. I believe I will lie down for a few moments. Please bring me a glass of water." The water was at hand almost instantly. He held the glass for a moment, then his hold relaxed, the glass fell to the floor, and Major Lacey dropped back on the couch, dead. It was a painless end, which one with such a background might well have wished. He needed no time for preparation; his noble life was a sufficient one.

The death of no public man has caused more general grief in Iowa than did his. Political enemies and friends shared in it alike. At his funeral there was an immense gathering from all parts of the state.

The universal sorrow that prevailed, and the esteem in which he was held, was voiced by the entire press of the state — Democratic as well as Republican. To confirm what I have said of him and to aid in giving a graphic picture of the man, I can do no better than give a few brief extracts from this source.

Thus the *Oskaloosa Herald*:

Oskaloosa never had another citizen who had won such great distinction in so many fields of labor. In every walk of life and wherever he might be, he was always alive to the best of the situation. He was observing, keen, and witty, ever the life of the group about him. His triumph in politics and his victories in court, never changed the character of the man. He was persistent and bitter in a fight, but never harbored a spirit of retribution. He never hesitated to express his opinions nor wavered from his fixed ideas of right, but he respected the beliefs and principles of others. As a citizen he was plain "John" to his

associates, and he lived the life of the true gentleman and friend.

He was a Protestant and a member of the Episcopal Church, but Father Loftus, of St. Mary's Catholic Church of Oskaloosa, did not hesitate to pay him this tribute:

John F. Lacey in his life and in his death has been visibly and signally dealt with of God. He blessed him with a high purpose, an ambition to live a noble life. God blessed him in his search for material out of which to construct the edifice of that life. . . . The very suddenness of his death, coming with the sure swiftness and brilliancy of the lightning flash, rifted the clouds that obscured our view, pulled back the curtains and we beheld in all the refulgence of transfiguration, Lacey, as he was before his God, the perfect master piece of the highest and noblest in American life.

Thus the *Clinton Herald*:

With the sudden and unexpected death of John Fletcher Lacey there passed from the world of activities one of Iowa's grandest men. His death will bring universal sorrow and will be mourned as is the death of all good and great men. For half a century he has played an important part in the making of the history of this state. Few men have done more for it; few men will be remembered with greater reverence.

Iowa City Citizen:

That Major Lacey was one of the ablest congressmen Iowa has sent to Washington is conceded. As a debater he had few equals. If he leaned to what seemed conservatism in his later years it was not from any lack of courage or progressive ideas, but merely from the habit of considering good what he had helped to fashion and believed to be based on sound and enduring principles.

Cedar Rapids Republican:

Major Lacey is dead. He was a man of varied talents and many activities; a man of tender heart and strong mind. The men of the Civil War period knew him as a fine soldier, courageous and devoted; the lawyers of Iowa knew him as an op-

ponent worthy of their best efforts, the politicians knew him as a man who always stood steadfast by his convictions, and who always fought with clean hands; and the people as a whole knew him as an honorable man, a patriotic citizen, and one of nature's noblemen.

Council Bluffs Nonpareil:

Major John F. Lacey was one of the grimmest political fighters in Iowa. He gloried in his standpatism. His political beliefs were convictions of the most sincere character. Lacey defended these with the ardor of a crusader. He disliked a trimmer and never did such things himself. He made political enemies and he retained political enmities. But Lacey was as honest as he was sincere. And he fought his political battles on the square and accepted results with soldierly courage. As a man and citizen he commanded the respect of both political supporters and opponents because both knew that he was prompted by the best of motives. In his death the state loses a splendid citizen and the old flag one of the most heroic defenders.

The Vinton Eagle:

Major Lacey was a thorough student. Probably he had no equal in his knowledge of public affairs. He participated in debates on all leading questions before Congress.

Dubuque Times:

Major Lacey was one of the old school of public men of which few are left. He was a stickler for principles and even those who disagreed with him politically admired his firmness and honesty of purpose. Political enemies he had by the score, but personal enemies none. He was never known to straddle an issue, and he stood firm and steadfast in defense of what he believed right.

Oskaloosa Times (Democratic):

Whatever of honor or distinction may have come to Major Lacey, the soldier, lawyer, and politician, was far overshadowed by the record of Major Lacey, the citizen. The writer had known the major for many years, and though we differed from him in politics, there never was an hour in all our acquaintance

that we did not recognize him as Oskaloosa's foremost citizen and most kind and generous neighbor. The kindly advice, the encouragement and counsel he has given to his friends at home, the countless deeds of kindness and of love to his neighbors will build for him a monument in the memory of his friends higher and more enduring than any marble shaft.

✓ *Knoxville Journal* (Democratic):

Major Lacey has a notable career as a lawyer, soldier, and statesman. For many years he was one of the men who had a real voice in the government of his country. His political convictions were intense and he never faltered in them or swerved from the path they marked out for him. He was one of the most approachable of men, kindly and cordial. His soldier comrades idolized him and no reunion of the old boys was ever complete without John F. Lacey.

Fairfield Ledger:

✓ Major Lacey was a man of strength and vigor and he used both against the sham and pretense of the politics of these days, which he thoroughly hated. He went into public life clean-handed, and he came out clean-handed.

Dave Brant, in the *Iowa City Republican*:

In Congress Major Lacey was a natural leader. He was not a political legislator. He stood in Congress for something better than politics. He was constructive. He was called a stand-patter, but there was never a moment in his career when he did not stand for something new, something of benefit to the people. Few men are they but would have weakened when defeat was before them. But John F. Lacey was the exception. He retired from public life rather than surrender his principles. To-day when we have weathervane men in Congress from nearly every district in the state, with the same kind of men in most of our public places, it is refreshing to pay a tribute to one who never faltered.

Major S. H. M. Byers writes:

I have known him intimately since boyhood. We were boys together in the public schools — studied law at the same time,

and together entered the Union army. He was a true patriot, a good soldier, and quickly won promotion. His important career in Congress is known to everybody. Personally I regarded him as the ablest member of the lower house. He scarcely had a superior as a debater anywhere. He had the power of repartee and no man in Congress was better acquainted with men and books, and history, than he. He had a powerful memory, and possessed books to read, and not for parlor ornament only. As a youth at school he was proficient and ambitious. Ambition never forsook him. He had a right to it, for he was able and prepared for any post. It is said that President McKinley looked on him as one of the most potent men engaged in public affairs. As a lawyer he had few equals and he possessed a kindly wit that served him before juries as it did on the floor of Congress. Major Lacey will be remembered by many as an intense partisan in the political controversies that have divided the Republican party. He took his stand with decision, and he maintained it with earnestness. He belonged with the old guard, and never faltered. He never minced his words. But those who knew him best will remember him as a man of varied talents and many-sided activities. In the legislature every measure came in for a share of his attention. As a member of Congress it was his pride to cover a wider field than any member of either house. And he did with thoroughness everything he turned his hand to. He was always a hard-working lawyer. Those who met him before the jury and the judges before whom he practiced regarded him highly. He was frequently upon the platform, and his occasional addresses, all of them suggesting study and care in preparation, would fill a large volume.

Judge J. L. Waite, in the Burlington *Hawk-Eye*:

The announcement from Oskaloosa of the sudden death of Major John F. Lacey is a shock to the people of Iowa and to a wide circle of friends and acquaintances in other states. Major Lacey, in his prime, was in the front rank of useful and influential legislators at Washington and was in demand in national campaigns as a platform speaker at republican rallies. The major's political addresses were always instructive and at the

same time interesting to voters. He discussed public questions with candor and fairness, but with an earnestness that commanded respect for sincerity and positiveness of convictions.

Lafayette Young, in the Des Moines *Capital*, has given a fine summary of Major Lacey's leading qualities, from which the following extracts are given:

It was a wonderfully active, purposeful, and achieving life which closed at Oskaloosa yesterday. Indolence was entirely foreign to John F. Lacey's nature. In the three score and ten years which came to him those who knew the man will readily testify that he had no idle hours. Work was one of the dominating passions of his life and it was always notable the ease with which he could glide from a long tenure of office holding to the active practice of his profession. Some men go to Washington, serve a few terms in Congress, and return to find their law practice has passed into other hands. We believe this was less noticeable in the career of Major Lacey than that of any other Iowan identified with public life. He was so thorough in everything he undertook that he was constantly equipped and his services were always in demand.

He early displayed the abilities which single out men for public service and he lived to a day when he was recognized as one of the most constructive statesmen at Washington. Appointed to committees having in charge important affairs affecting the public domain he became an ardent student of the public lands question, Indian affairs, forestry, and conservation, and the most of our present laws pertaining to these issues bear the imprint of his painstaking work. He was a great lover of birds and the Audubon societies were highly appreciative of his support of legislation for their protection. Major Lacey was a Republican of the old school. He knew just what he believed. He knew how his conclusions had been reached, and he could defend himself whenever the occasion required. He was never rattled in a congressional debate and he loved the antagonism of a law suit. He was ready to face the spirit of contest anywhere.

But now this gallant old soldier has fallen in the ranks. He had breathed the atmosphere of his law office and pressed the

leaves of his favorite law books on the very day that the summons came. He dropped upon his couch at the noon-tide hour — as he probably thought for a brief rest. The voices of his faithful wife and children were the last earthly sounds which he heard. From that couch of rest Major Lacey had passed into the dreamless sleep.

Ellsworth Rominger, in the *Bloomfield Republican*:

The wit and humor he used in public speech to clinch a point in presenting public questions retained the best of attention from his audiences. His strength was in the principles of government in which he believed. These to him were founded upon a conviction of right, and earnestly advocated in his discussion of public questions.

James Powell in the *Ottumwa Courier*:

His ability was best exercised as a congressman. There he was recognized as one of the ablest men in Congress at a time when Congress was composed of able statesmen. He was an orator as well as a statesman and in extemporaneous speaking few were his equal. Ideas came to him and were worked out logically while he was on the rostrum. He was also an able debater, strong at repartee. He was an authority on railroad law and his opinions along this line are still recognized as final. He it was who drew up the present railroad laws of Alaska. One of the features of these is, that route monopoly is absolutely prevented by a wise provision requiring any road which has laid tracks through a mountain pass to permit the use of these tracks by any other road which has run its line up to the pass. Reasonable rental for the use of the tracks is all that is required and the result is that no road can prevent or smother competition by reason of securing the only available routes through the mountains. This is just an illustration of his foresight as a statesman. In a word, Major Lacey represented the highest type of American citizenship. He was temperate and of clean personal habits, he had the highest regard for his word, which was regarded as good as his bond.

Hon. George D. Perkins, in the *Sioux City Journal*:

He was an influential man in Congress, a prodigious worker,

and did much to place the name of Iowa in the enviable place it filled in those years. Major Lacey was an able lawyer, a forceful man in debate, a willing bearer of responsibility. He was not backward in giving service. He had such capacity for work that he could do many things.

Hon. W. G. Ray in the *Grinnell Herald*:

For more than a generation he has been one of Iowa's most honored citizens. His life has been eminently a useful and a helpful one. In all his life there has been little to criticise, but much to praise. To us he has always been a typical statesman. His private life was pure and simple, without stain. In public life he was the soul of honor, a tireless, intelligent worker, a statesman who was to place the public good above private advantage. He had a depth of human sympathy seldom surpassed, and his unfailing cheerfulness and loyalty to justice and right, made and kept friends through his entire life. Probably no man in public life during his generation had a broader or more comprehensive view of public affairs and no man ever gave more cheerfully of his strength and time to secure useful legislation.

Burlington (Iowa) *Gazette* (Democratic):

Congressman Lacey was a member of the old guard of Republicans, who rendered distinguished service to his country in many respects. He was a credit to the state of Iowa.

Cedar Rapids *Gazette*:

Mr. Lacey was a fine type of gentleman whom it was a genuine pleasure to know. Even his most pronounced political opponents felt a deep-seated esteem for him — an esteem that could not be blotted by all the turmoil of heated political campaigns. He was one of the ablest of the old guard of Iowa republicanism. And he was as uncompromising in his opposition to parties and principles in which he did not believe, as he was able.

James M. Mansfield, belonging to the *Oskaloosa Herald's* staff, became a member of the Lacey household when he was but a boy, and gives a delightful picture of Mr.

Lacey's lovely traits and home life, from which I make the following brief extracts:

As I gazed into his death-stilled face, my memory reverted to when I was a lad of twelve years of age, and employed at the Lacey home; and many of the scenes and incidents of that time came before me as vividly as though it were but yesterday. Though then young in years, I seemed to realize that Mr. Lacey was a great and good man, and it naturally followed that I watched him closely, and admired him. His exemplary routine and kindness about his home were so instilled on my youthful mind that as the years passed on, I came to a true realization of the noble man's worth. No man ever loved and worshiped his family more than Mr. Lacey. He held the sacredness of his home above all else in the world. His legal and other professional business, which were of inexhaustible volume, were a secondary consideration. His home and family came first. He was the kind of a husband and father that God intended man to be: kind, loving, devoted, and pure. And often with childish envy have I watched his children run to the old front gate, as I called it, to meet him at the noon hour, and how a smile would illuminate his face as he gathered them in his arms and caressed them, and I feel safe in saying that there were never happier moments in this good man's life than to hear the prattle of his little ones coming to meet him. His home-coming was looked forward to with joy by his family. I knew it. He was happy in their presence. I could see it with my own eyes. He was loath to leave them; they hated to see him depart. I see him again in the library of his home at evening time — which, by the way, was his favorite room — with his family gathered about him, and I often tried to conceive of a prettier, more sublime picture of happiness and contentment. Such were the environments that made the Lacey home an ideal one. And it can also be truthfully said, that never was a needy one turned from the door of the Lacey home empty-handed.

Perhaps more than enough has been said to properly typify the character and accomplishments of Mr. Lacey; but I could not forbear the elaboration I have given, for

the reason that the memory of a public man so useful and deserving should be perpetuated in a manner broad enough to encompass his various traits, and disclose the consensus of public and private opinion concerning him.

In person he was a well-rounded but not apparently robust figure of medium height. He was always well dressed and I never saw him save in a tightly buttoned Prince Albert coat of dark material. He was polite in manner and his agreeable address was well calculated to ingratiate him in the favor of any company in which he might be placed. The last time that I saw him was, I think, in 1898. In company with his then unmarried daughter he called at my law office in Kansas City, Missouri, where he found me and my partner, ex-Governor Thomas T. Crittenden, with whom I think he was previously acquainted. He seemed as vigorous and sprightly as when we separated at the close of the Pleasant Anderson murder trial, more than twenty years before. We had a delightful little visit, and bade each other, as it proved, a last farewell.

His writings, particularly his sketches of Generals Rice and Steele before alluded to, show that if he had devoted himself to purely literary pursuits, he would have attained distinction in that field.

He was in his seventy-third year at the time of his death. He left surviving him his widow, whose maiden name was Martha Newell, a most interesting and lovable lady, and two daughters, Mrs. James B. Brewster, of San Francisco, and Mrs. Carroll E. Sawyer, of Oskaloosa.

MAJOR JOHN F. LACEY AND THE CONSERVATION OF OUR NATURAL RESOURCES

BY L. H. PAMMEL

When I see the migratory birds passing over Iowa during the chilly days of October or when I wander in the forests of the Rockies, where the Sublime Artist has done His handiwork, my thoughts go back to my friend, Major John F. Lacey, the brave soldier who fought valiantly for the Union cause, a statesman who had the whole country at heart, not merely Iowa, but Colorado, New Mexico, and California as well; one part of the country as well as the other received his careful consideration. The great cause, the protection of the forests, game, and the preservation of antiquities had little of interest to the average citizen of Iowa, but to the nation, as a whole, in particular to generations yet to come, it will mean much. A friend, loyal in every sense of the word, my acquaintance reached back a little more than twenty years, and in all of these years we exchanged letters pertaining to a subject of great interest to him. My last visit was in Oskaloosa, about a year ago, when he called my attention to an interesting elm found near Tracy. In his conversation he was lively, exact, and methodic, always displaying a wonderful fund of information. A most remarkable man in many ways.

When the news dispatches announced the sudden death of Major John F. Lacey, of Oskaloosa, it cast a shadow over the hearts of many friends in this our great commonwealth and the many friends in the nation at large. To every man or woman interested in the conservation of

forests, wild game, petrified forests, there comes a feeling of gratitude and pride that this plain American citizen had the foresight to so shape legislation that these things might be preserved to the citizens of the present and future generations.

Major John Fletcher Lacey was born in New Martinsville, West Virginia, May 30, 1841; he attended a select school in Oskaloosa; studied law in the office of General Samuel A. Rice, under whom he afterwards served in the Union army; twice enlisted as a private in the Third and Thirty-third Iowa, and finally was major in the service. On his return to Oskaloosa he was admitted to the bar, where he won distinction not only as a lawyer, but also an author of considerable note. He died on the afternoon of September 29, 1913.

✓ Harvey Ingham, in the *Register and Leader*, has said:

He was always a hard-working lawyer. Those who met him before the jury and judges before whom he practiced regarded him highly. He commanded the respect and confidence of his neighbors and friends, and built up a substantial competence at the same time that he was winning public recognition. He was frequently upon the platform, and his occasional addresses, all of them suggesting study and care in preparation, would fill a large volume.

It is my purpose to dwell on the phase of his work which had to do with the conservation of the natural resources of the country. Mr. Freeman Conaway has well said:

✓ Major Lacey will be known in history as the statesman who was a friend of the birds. As chairman of the Committee on Public Lands, he worked through many reforms . . . so when he was placed at the head of a committee which was never known to have done any work, it became under his direction a working body.

Major Lacey was held in such high esteem by the sportsmen of the country that the League of American Sports-

men started a popular subscription, no amount being larger than twenty-five cents, each state and territory in the Union being represented, and among the contributors was Theodore Roosevelt; the watch presented to him has engraved, on one side a grouse with L. A. S. Protect the Game; on the other side, a beautiful pair of quail and an inscription on the inside, "Presented by the League of American Sportsmen to the Honorable John F. Lacey, the Friend of the Birds, in recognition of his great work in securing the passage of the Lacey Game Bill, December 25, 1900."

Major Lacey was a member of the 51st, 53d, 54th, 55th, 56th, 57th, 58th, and 59th Congresses. In addition to his important work on the committee on elections of which he was chairman of the sub-committee to decide the Clayton vs. Breckenridge case, he was a member of other important committees. His labors on the committee on elections show careful and painstaking work, so much so that he was regarded as authority on congressional elections. Even at this early date in his congressional career he became active in forestry and mining laws of the country. He secured the passage of a law protecting the lives of miners. The Yellowstone National Park, one of the wonders of America, had long been set aside as a national park, but without adequate legislation to protect the game therein, but, owing to Major Lacey's interest, the thousands of visitors can now view with pleasure the wild animals of the park. Major Lacey in his apt way has said:

In that animal republic its citizens have learned that by some mysterious influence the great butcher, man, is a harmless and interesting creature. The children watch the feeding of the gentle grizzly, the *Ursus horribilis* of the naturalist. The beaver is again building his dams and setting up his little municipal governments in the great national playground.

The birds had his constant care. He succeeded in hav-

ing the Lacey bird law passed. In an article on game protection he says:

The question of game protection and the preservation of useful birds has of late years assumed much interest. It has always been the custom to lock the stable door after the horse is gone; our ancestors found the land east of the Ohio covered with a dense forest, the rivers full of fish and the woods filled with game. The abundance of wild life made it seem that the supply could never be exhausted. The first necessity was to destroy the forests so as to make way for the farms. For more than three hundred years destruction was called improvement and it has only in recent years come to the attention of the people generally that the American people were like spendthrift heirs wasting their patrimony. The public conscience has become quickened, and the attempt to preserve and restore some of the wild life of America is no longer looked upon as a fad or idle sentiment.

The birds keep the balance between the fruitful fields and insects, he argued. He made an early attempt in the year 1900 to nationalize the question of game and bird preservation. The bill met with much derision for a number of years, but the Major persisted, and finally on the 25th of May it became a law.

In this connection Emerson Hough in "Wealth on Wings"¹ makes an interesting allusion to the Lacey bird law, as follows:

It took us all the time from the Articles of Confederation to the year 1913 to grow wise enough to apply to this interstate wealth the doctrine of interstate commerce. Meantime the wealth itself had well-nigh disappeared.

The wild game of America helped to settle America. In the times when it was hardest for a frontiersman to make a living the wild game helped him out. The rifle went with ax and plow across this continent, and it was the rifle that helped the ax and plow in the earlier days of adversity. At first the Americans valued only the large game; but in time they began to use

¹ The *Saturday Evening Post*, November 15, 1913.

wildfowl as food — then as a means of sport. Later they began to use them as articles of commerce.

For two entire generations we have sought to put over on the American public the impossible doctrine that a man can reap indefinitely without sowing at all. We treated our wild-fowl as we would a mine, not as we would a farm — on the basis of amortization and not of renewal. The man in the city felt that he was an American citizen, and had as good a right as anybody to eat wild-fowl if he had the price to pay for it.

There sprang up a large class of professional game killers who encouraged him in that belief. They kept on reaping — but nobody sowed. We did our best to increase our poultry supply, our supply of beef and mutton and pork; but, even when we did our best at such increase, we saw the cost of all these items go up with great rapidity.

What, then, could be expected of a commodity that was treated not as a domestic article of trade but on the basis of a mine? — to be used until exhausted. We treated our wild-fowl as a mine. We applied state rights to this wealth, which beyond all other commodities was, itself, inherently and fundamentally interstate wealth.

We framed a multitude of state laws, based on local whims, local ignorance, and local selfishness, with no uniformity even as between states in practically the same geographical situation. We followed out our ancient right of personal privilege — until we faced game fields suddenly gone barren. For half a generation thinking men have known that the game of America was doomed.

It was not until a dozen years ago that John F. Lacey, a congressman from Iowa, conceived the idea that game shipped across the state line became subject to the watchful care of the nation itself. The Lacey act may be called the first step toward national intelligence in the preservation of our wild game. Of course its effect was for the good not only of wild-fowl but of upland or localized game.

The Lacey act did not prevent the marketing of many thousands of tons of wild game, shipped legally or illegally; but it did prevent the marketing of yet other thousands of tons that

otherwise would have been killed and shipped. It recognized the old doctrine of the common law — that wild game belonged to the man who reduced it to possession; but it recognized also the right of the several states, under their police power, to regulate the killing and shipping of the game, and the accepted doctrine that ownership of game rested in the state.

This was as far as we had gotten under our old, absurd game-warden system. The Lacey act went a step further. It took advantage of this very confusion and lack of uniformity in state laws and forbade the handling in one state of game illegally killed in another. It was a clever use of the blanket utility of the interstate commerce idea.

Still our game decreased — upland birds and wild-fowl as well. Under our system of license acts we Americans raised nearly two million dollars a year ostensibly to protect our game. We protected our politicians instead. It became obvious that a few more years would see our game wiped out and the wild-fowl shooting pretty much a thing of the past.

The Lacey bird law did not go far enough, as stated by Emerson Hough. Major Lacey had in mind a migratory bird law; this is hinted at in one of his addresses. He said the government should control migratory birds if it could be done by national legislation. He held that game located in any state is the property of the people of that state. Migratory birds do not belong to any state, and the people of all sovereign states are interested in their protection. Spring shooting he thought should be forbidden. He was not quite sure that such a law would pass the constitutional requirements. He was at work on this problem at a time when the Lacey bird law was passed and he gave much attention to the subject. Such a law has finally been passed — the Weeks-McLean law. It was Major Lacey who started Congress on the right way, assisted by that great Iowan, W. T. Hornaday, who has ever been the great friend of the birds. Thus we have left to the United States Department of Agriculture

the protection of one of our great natural resources. It is well also to remember in this connection, as Emerson Hough says, "We do not really own that wealth even as a nation. It is raised in these days almost wholly outside our national confines." Canada raises most of our wild fowl and we have done the shooting. Major Lacey secured the passage of a bill forbidding the importation of the eggs of wild fowls for commercial purposes from Canada. Under the Lacey act the Audubon societies and sportsmen secured the designation of many low marshes and islands as game preserves. Major Lacey drafted a public land bill which was but slightly changed for the Philippines, under which the forests, lands, and mines are governed, and for the adjustment of all controversies as to church lands.

In an address before the Iowa Federation of Women's Clubs, at Waterloo, Iowa, in 1905, he said: "We have a wireless telegraph, a crownless queen, a thornless cactus, a seedless orange, and a coreless apple. Let us now have a birdless hat."

The subject of national forest reserves early received Major Lacey's attention. During the session of the 51st Congress, the forest reserve act was passed, and a national system of forest reserves was established, regulated and under the control of the Department of the Interior. Under this statute reserves have been established by executive order, chiefly in the western states. Later he was instrumental in the transfer of these reserves to the Department of Agriculture, largely because he thought expert knowledge was essential for the proper control of the forest reserves. The preservation of the national domain, now amounting to more than 100,000,000 acres, an area as large as Iowa and Missouri combined, was not only for sentimental purposes, but the utility of

the forests. In one of his addresses on the subject he said:

If there had been only the sentimental and poetic side of the question, it would still have been worthy of our earnest consideration. But in forestry there is beauty and utility combined. The poet and the painter may rejoice in the contemplation of the woods. The young may revel in the inspiration of its protecting shade. But the farmer, the miller, the boatman, and the lumberman may now combine to preserve as well as to enjoy the beneficial uses of this great element of our national wealth.

He stoutly held that the forests are reserved for the use of man and not reserved from his use. No doubt the sentimental reasons for not cutting a tree have done much to hurt the progress of forestry legislation.

The cultivation of trees on a large scale and covering long periods of time for which the life of an individual would be inadequate, is what the Major had in mind when he worked for the passage of laws looking towards the establishment of forest reserves. In this service for the government it has been well said by that great lover of the out-of-doors, Theodore Roosevelt:

I wish to say one word about your congressman, Mr. Lacey, at whose request I stopped here. In public life generally we are not apt to find the man whose interests go to the whole country, as well as for those who have his fate in their hands, and I wish to congratulate this district in having in the American congress a man who spends his best efforts for the welfare of the whole United States. Now, gentlemen, I never say before a man what I would not say behind him, or vice versa, and I do not speak hyperbolically. When there is a matter I feel is of real and serious consequence to the nation as a whole, I can ask Mr. Lacey to come to me, or I can go to him, with the absolute certainty that he will approach it simply from the standpoint of public service. He wishes to do well his duty by the public and in his eye the fact that the work is worth doing, is a sufficient reward, and I regard this as high praise for any man in public life.

There is still another line of work that greatly interested him, the preservation of the prehistoric ruins on the public lands. He became interested along this line about the year 1901, and in order to get as comprehensive a knowledge of the subject as he could he accepted an invitation from Prof. Edgar L. Hewett to visit the ruins of the cliff dwellers and cave dwellers in the Pajarito region. This trip led to the introduction and passage of his bill for the preservation of aboriginal ruins and places of scenic and scientific interest upon the public domain, under which the petrified forest, the Olympic range, elk reserve, and about two hundred places of ethnological interest have been designed as monuments and preserved to the public. This also led to the establishment of the School of American Archæology.

In describing the Rito he says:

In going into the Rito I stood upon the rim of the cañon in the twilight. A rainy mist hung over the mountains. The campfires were already burning and the scene was one of surpassing beauty. In this sequestered valley, where once happy thousands made their homes, only the ranch house of Judge Abbott is evidence of present occupancy.

As we reluctantly left the valley in the morning the sun was shining and the bluest of blue skies arched over the mountains and cañon walls.

The Rito is full of interest for the lovers of the beauty of outdoor life. A visit to its caves and ruined buildings can be well followed by another to the Jimez Mountains, and the Zuni, Taos, Acoma, and the other living pueblos will reward the curious traveler. In this high altitude the deep breathing of the dryest and purest air will give health and strength for the battle of life in the hard grind of everyday work in this modern, everyday world.

In describing the petrified forest, he said:

Ages ago, so long that it makes one dizzy to think of it, these trees were alive and growing in the Southwest. They were con-

iferous, as shown by microscopic examination of their texture. The species is now extinct and the nearest resembling species now found exists in Asia Minor.

The geological history of this forest is very easy to read. The trees have fallen down and floated around in some old arm of the sea until the roots and limbs were worn and rounded just as we see like examples on the sandbars of the Mississippi. The trees became heavy and water logged and settled to the sea bottom. They were slowly covered by a deposit of sandstone of forty to fifty feet, or more, in thickness, and under this deposit below the old sea bed they were slowly transformed into chalcedony of such beautiful and varied colors as has been nowhere else equaled. Afterwards the land slowly rose until it became an elevated plain, 7,000 feet above the present sea level.

Erosion by wind and water has done its work and uncovered several thousand acres of this antediluvian plain. The great logs lie, many of them, just as they appeared when they first sank to their present resting place. Along the edge of the rocky bluffs they may be still partly covered with the overlying sandstone and partly protruding into the excavated valley.

In this brief statement and life of Major Lacey, I have touched but briefly on his work as a statesman, interested in the forest, streams, wild animal life of the country. There is a lesson for us in the life and work of this man. He had steadily in mind when he became chairman of the house committee on public lands, the best interest of the whole nation. The repeated failures during his early career in Congress did not prevent him from trying again, and he tried again and again, bringing to fruition his long and faithful services in behalf of the wild game, the forests, the homes of the cliff dwellers, the petrified forests, and monuments of the country. Without this long tenure in office, this work never could have been accomplished. A Lacey day in our public schools would not be inappropriate, because Major Lacey has done more for the protection of bird life and to stimulate forestry than any other man ever did in our national life.

In Congress and out Major Lacey was a great worker and one wonders how he accomplished so much. His work on the Indian committee of the house involved an enormous amount of labor. The bill to prepare the Indian for citizenship and a complete civilized form of government, involved an enormous amount of labor. This bill, known as the Curtiss act, became a law. Major Lacey secured the passage of a bill to permit the allotment to intelligent civilized Indians of their share of tribal funds. Major Lacey was always a student. He made addresses on many different subjects. Thus an address on "Comets" at Penn College shows thoughtful study of a subject about which he says little is known. "The young men and women of today or of the future stand pledged to unmask the secrets of nature in many respects, and there is no mystery more interesting than the one here discussed. You can catch hold where your fathers left off, for their record is preserved, and thus each generation can utilize what has gone before, and in the end nature will kindly reveal her deepest mysteries." He made numerous biographical addresses; the one on Wm. Penn, delivered when Penn College conferred on him the M. A. degree which he so richly deserved, was widely distributed. His address on Chief Justices John Marshall and Roger Brooke Taney show a wide range of study of the opinions rendered by these eminent jurists. The many patriotic addresses are full of inspiration and patriotism and no one spoke more from his heart than did Major Lacey. Take such addresses as the Shiloh Battle Ground, the Northwest Iowa Veterans' Reunion, and many others, which are gems of literature on this subject. One of the most interesting of documents left by Major Lacey is an autobiography written for Mrs. Berenice Lacey Sawyer and Mrs. Eleanor Lacey Brewster. Besides containing an account of his early life there

are many reminiscences of his congressional life and his estimate of public men. He also prepared a book which he called "Common Place Book," of 400 pages. On the first page he wrote, "In a Common Place Book should be found many things not common place." This book contains many interesting items from many sources. The sketches from abroad are most interesting; always a close observer, he was a student. His observations on churches and places of interest in Europe are well worthy of a place in our literature.

CLOAKROOM STORIES — REMINISCENCES OF CONGRESSMAN JOHN F. LACEY ¹

MAJOR LACEY'S RETORT

Quick retorts in debate, especially in the House, are always enjoyed by both sides. When the House was considering the pension question in 1893 there was much feeling among the Union soldiers, owing to the action of Hon. Hoke Smith, of Georgia, secretary of the interior, in dropping many thousands of pensioners from the rolls. Mr. Lacey was a member of the invalid pension committee, and was discussing the question in general debate on the pension appropriation bill. Colonel Livingston, of Georgia, interrupted him with the statement that there were thousands of fraudulent pensioners and that their names were properly dropped by the secretary. Mr. Lacey replied, "What the soldiers complain of is that while in 1864 the boys in blue were marching through Georgia, in 1893 Georgia is marching through the boys in blue."

CAMPAIGN ANECDOTE OF LACEY

The Iowans place Major Lacey high among campaigners. One of his colleagues delighted the cloakroom with this anecdote about him: "Mr. Lacey was elected to Congress for the first time in 1888 over General J. B. Weaver who had three times been elected in the district. One of the most notable campaigns ever made in Iowa was waged between these two men. They had joint discussions in every county and people turned out in mass

¹ Copyrighted by Champ Clark, 1900.

at the meetings. The main issues that year were the Mills bill and the question of free trade. Mr. Lacey used the argument so common in that campaign that the Mills bill was in the interest of the English manufacturer and against the American workman. At Newton, Iowa, the speakers stood under the court-house portico with a vast throng in front of them. The Sackville-West affair had just occurred, in which the British minister had written a letter advising all naturalized Englishmen to vote the Democratic ticket. Mr. Lacey of course made good use of this incident. General Weaver closed the debate that day, and just as he was nearing the last part of his very eloquent and beautiful peroration two birds fluttered down in front of him from the portico above and hung balanced in the air a few feet in front of his breast. They fluttered playfully against each other and remained in the same position for perhaps thirty seconds. The General caught the inspiration of the situation and throwing up his hands and raising his eyes towards heaven, said in earnest tones, 'The very birds in the air bring happy omens of our victory.' Quick as a flash Major Lacey spoiled all this oratorical effect by rising and crying out, 'Beware of them, General! They are English sparrows.'

"Here the General's time expired and the crowd dispersed laughing and shouting. Until the end of the campaign everyone talked of the pestiferous English sparrows nestling in the bosom of the eloquent general. General Weaver in accounting for his defeat always gave considerable weight to this incident."

IOWA'S CONGRESSMAN AT HOME ¹

"How will I get to see Congressman Lacey?" inquired an old soldier from the country of a local newspaper reporter on the street one afternoon this summer.

"Just go up that stairway between the book store and the shoe store," replied the reporter, "and turn to your left."

"Yes," rejoined the old soldier, "but he does not know me, and I want to see him. I don't want to be put off by a clerk."

"No danger of that," returned the reporter, "if he's there, you'll see him."

And so the old comrade went up the stairway and turned to his left. Opening the door he saw sitting before him in a large room filled with papers, documents, and books, the man who has made his mark in the councils of the nation, and who recently has been much mentioned as a possible candidate for governor of Iowa. "Come in," were the first words spoken, and their tone quickly relieved the stranger of all embarrassment.

He soon made known his mission. He had been examined for a pension and a favorable report had been sent in a long time before, but weary of waiting he had decided to do what many of his comrades and neighbors had done, "see what Major Lacey could do." In less than five minutes Mr. Lacey had a complete history of the man's life, knew all about his army record, and his disabilities, and had every necessary date on record. "I will write to the department at once," said Mr. Lacey,

¹ Des Moines (Iowa) *Register and Leader*, July 28, 1904.

“and do all I can to get a favorable report in your case.” Before the old comrade had reached the bottom of the stairs a stenographer was writing a letter to Washington, telling all about his case, and in less than three weeks he received notice that his claim had been allowed.

FUNERAL OF MAJOR JOHN F. LACEY ¹

Funeral services of the late Major John F. Lacey were conducted Friday afternoon, October 3, 1913, from the family residence. The services were in the open, from the porch of the family home, in the presence of thousands of citizens and out of town guests. Practically the entire day was given over to the funeral of the distinguished dead and even the afternoon of the day preceding witnessed the arrival of many from neighboring and distant towns of the state, desirous of expressing by their presence the respect and homage due the memory of the man. While Thursday had been designated as the day for the "lying in state," hundreds of old friends and citizens called at the home Friday forenoon and afternoon, even to the hour for the last formal ceremony. Realization of the death of John F. Lacey has come slowly and with difficulty for the many, while comprehension for the truth still struggles with others — those who have been close to the man in daily life, who, perhaps, have known him best.

But the end came as he had wished. To a company of friends one day, commenting upon his ceaseless labor and striving in the activities of this workaday world and questioning why he should not, as he might, lessen his stride and slacken his pace, this tireless, indefatigable worker replied: "I would remain active — in full possession of health and mind, to the end — I could not be at ease otherwise." And thus it was. But in the end the man stands revealed and his greatness — the significance and beauty of his life is emphasized. The example of his life must endure and he has left a heritage that all might "wish to hold in fee."

To no other citizen or resident of Oskaloosa has been paid the signal honor that on Friday afternoon was accorded the memory of John F. Lacey. Every flag was at half mast, and business was suspended during the afternoon. From two o'clock prac-

¹ Oskaloosa (Iowa) *Daily Herald*, Saturday, October 4, 1913.

tically every office, store and shop was closed. Thousands of people were at the home. Almost every one in town was at the place of funeral and the throng was swelled by the visiting hosts that came by train, by auto, or other conveyance. The crowd at the residence at the hour of service has been variously estimated. Gathered together at one time on the Lacey lawn were enough people to fill the largest auditorium in the city several times over. In addition the streets in all directions from the home were lined and crowded with people a block distant. People stood about the business streets, and when the procession moved to the cemetery the streets leading thereto were all occupied by a moving mass of humanity. Besides the number that filled all the rooms of the home, the crowd on the lawn extended far beyond the reach of the voice. Weather conditions favored the occasion. The day was perfect. The services following the viewing of the casket were simple and brief. Rev. Allen Judd, of St. Paul's Episcopal church, Des Moines, read the Episcopal service and made a few brief remarks touching the life and the service of the departed. Major Lacey had been a member and vestryman of the St. James Episcopal church of Oskaloosa for years and the irreproachable life of the man was an index of his faith and his belief. A few brief words of prayer and consolation, the singing of the quartette from the Episcopal choir, Misses Helen Kalbach and Josephine Boyer, Messrs. Warren Kalbach and Evan G. Morgan, with Miss Pearle Porter, organist, loved and familiar hymns; the reading of original lines dedicated to the memory of the man, by the author, Major S. H. M. Byers, of Des Moines, and the formalities were transferred to Forest Cemetery. At the grave the G. A. R. was in charge; Mrs. Virginia Knight Logan and Miss Beulah Drinkle sang.

Moving from the residence the funeral procession headed south on Market street into A avenue, and thence east and north to the cemetery entrance. Company F of the Iowa National Guard, a special guard of honor, was in advance, followed by the old soldiers, the local G. A. R. and visiting soldiers, about one hundred in number; old soldiers in carriages; funeral attendants in carriages; the pall bearers, all members of the Thirty-third Iowa regiment survivors, George W. Schee, of Chariton, John A. Shan-

non, Benjamin Cruzen, M. W. Crozier, Albert Cooper, Fred Butler and William Shaw, of Oskaloosa, with James Adair and A. J. Bass, of Oskaloosa, in reserve; special escort, the members of the vestry of St. James Episcopal church, of which Mr. Lacey had been a member. The marching body of the G. A. R. was followed by the Knights of Pythias, of which organization there was a large turnout; about one hundred members of the Mahaska county bar and members of neighboring bar associations and representatives of the state bar association; officials of the Mahaska county court house and the district court; members of the press and members of the Woodmen of the World fraternal society. The funeral car bearing the casket was followed by the carriages with the members of the family and close personal friends and members of the Woman's Relief Corps and ladies of the G. A. R. Nineteen carriages in all were occupied, and twenty-five automobiles made up the closing feature of the funeral procession.

Arrived at the cemetery the closing ceremonies were under the auspices of the G. A. R., Colonel McNeill, Chaplain J. L. Moore and other members of Phil Kearney Post officiating, and words of the ritual service were freighted with a new significance for all who heard. Crowds of people had anticipated the procession or kept pace with it and the attendance at the grave, like that at the house service, was exceedingly large.

Since the announcement of the death of Mr. Lacey the sympathies of friends and people generally have been given expression through many avenues, many in personal notes, messages and cablegram, others in floral tributes, and of these there was a magnificent and touching array, from many of unusual size and beauty to the simple but loving expression of school children, the boys and girls to whom Major Lacey had endeared himself in many little ways, personal kindnesses and favors, visits to the schools, and his connection with the Thirty-third Regiment Flag Fund. The floral pieces were massed in a room of the home and were innumerable.

While Major Lacey had a most extended acquaintance through city and county, throughout the state, and over the entire nation, no man of the city has commanded a closer or more extended

personal friendship among all people, and in these favored intimates he found a keen pleasure and enjoyment.

INCIDENTS OF THE OCCASION

Incidental to the funeral ceremony yesterday afternoon, the Oskaloosa police force rendered an excellent service at the home. Officers were stationed one block distant in all streets leading from the house and kept the streets clear of vehicles. This made possible the accommodation of more people than would otherwise have been accomplished.

Public service sought out Major Lacey irrespective of politics or position. The Major was recently appointed a member of a permanent "National Commission for the Protection of Migratory Birds," by Secretary of Agriculture Houston, of Missouri. That Mr. Lacey might have the records of the commission at hand he was elected secretary of that body. He was considered the one best man in the land for the position.

Persons near to the south porch at the Lacey home yesterday were witness to a touching demonstration that seemed unusually appropriate and expressive, inasmuch as Major Lacey, as father of the national bird law, has done great service for his feathered friends. A handsome dove at the beginning of the funeral service, flew down and lit upon a projection of the porch and remained in the position during the entire funeral program, cooing and demonstrating, as if in the effort to bear some special message. Nor did the bird leave the position until after the casket had been borne away and the procession was moving from the house.

Major Lacey a few days ago, following the Thirty-third Iowa reunion, held in Oskaloosa, was made the recipient of a special attention, something of a mark of appreciation at the hands of George W. Schee, father of the Thirty-third Regiment Flag Fund. Mr. Schee presented the Major with a fine phonograph and library of records. The instrument is one of the best and most handsome made and the library is extensive. Major Lacey was particularly pleased with the attention shown him by Mr. Schee and he had much pleasure with the splendid present.

A POEM — JOHN F. LACEY

BY MAJOR S. H. M. BYERS

Born with the humble, with the humble bred,
Save what himself had gathered on the road;
An earnest life, and strenuous, he led,
And reaped at last the harvest that he sowed.

Not all, perhaps; there was another height
He yearned to reach, for he had wings to fly;
But, all at once, the daylight turned to night,
And voices told him it was time to die.

✓ One day a youth before a city stood,
And asked for labor just to earn his bread;
"Come in," they said, but never dreamed they would
Some day bewail him as their noblest dead.

'Twas not by accident, nor fate, nor chance
He found the goal so many failed to find;
Work, work, was written on his shield and lance,
The eternal sharpener of the human mind.

Not labor only, he had time to know
The fields, the forests, and the birds at dawn;
Each plumed creature in a requiem low
Will say farewell to him who now is gone.

He won the dearest that there is in life —
The high esteem of men who knew him best;
E'en they who met him in the fiercest strife,
Will shed a tear that he is gone to rest.

Good-night, the sod can never wholly hide
Beloved names, nor memory banish quite;
Across the river and across the tide
We reach our hands and only say good-night.

FUNERAL SERMON

BY REV. ALLEN JUDD

Mr. Judd used the beautiful burial service of the Episcopal church, which Mr. Lacey loved. "I am the resurrection and the life, saith the Lord, he that believeth in me though he were dead yet shall he live, and whosoever liveth and believeth in me shall never die." "Lord Thou hast been our refuge from one generation to another." "For this corruptible must put on incorruption and this mortal must put on immortality. So when this corruptible shall have put on incorruption and this mortal shall have put on immortality, then shall be brought to pass the saying that is written, death is swallowed up in victory."

The choir, consisting of Messrs. Evan Morgan and Warren Kalbach, and Misses Helen Kalbach and Jo Boyer, sang those touchingly beautiful hymns, "Lead, Kindly Light," and "Now the Day is Over."

The people had assembled in vast numbers, filling the house and the spacious lawn and even the streets beyond with a silent, reverent, grief-stricken throng. The solemn occasion and surroundings were far more eloquent than any human words could be. Mr. Judd said in brief:

There is little left for me to say which your hearts have not already said. Had it been thought fitting at this time to pay verbal tribute to the memory of our brother there are those here from the highest councils of the state and nation, representatives of the bench and bar and of the press, members of the Grand Army of the Republic, and of other civic and benevolent bodies, fellow-citizens

and friends in public and in private life who would feel it a privilege, though a sad one, to offer here their eloquent tributes of admiration and esteem. Friends, I yield to you a greater eloquence, but not a greater love for the one who is gone. But your silent presence is a higher and a finer tribute than the most eloquent words could be.

It is for me, only to pronounce the benediction of the Church upon a beloved son, and a constant and faithful worshiper in her sanctuaries, and, if I may, God helping me, to say a brief word of comfort to those whose hearts are saddest today.

We are but as little children here, and this is God's world, and He is our Father, and we are His children in His presence and under His care. "The very hairs of our heads are all numbered." And "not a sparrow falls to the ground without our Father." We do feel the presence of the Eternal Infinite more at such times as this than at other times. Shall we not try to feel more and more that we are personally, each one, under His watchful, loving care? One by one He calls His children to come up higher, to be nearer to Him. It would seem more terrible still if He called them all at once. One by one they must go, even though sobbing hearts remain behind. It could not be otherwise. He has called our brother; and we never knew him to fail in answering promptly the highest call. And O how promptly, how quickly he answered this call! It seems to us all too quickly. There was no time to say "good-bye." At one o'clock he passed into the unseen world. And I think he would have had it so. He had time for the little kindnesses, for the promptings of affection in the home life, to love the birds and trees and flowers and everything that God has made; time always to spend God's Holy Day in His Holy Temple, but never time for inac-

tivity. And it is not "good-bye" save for just a little while. You shall see him again. Maybe you whose hearts are throbbing so with grief today will find some time that his going before has meant more for you than you can now realize. Shall I try to tell you what I mean?

Jesus says, "In my Father's house are many mansions, if it were not so I would have told you. I go to prepare a place for you." And again in another place He says: "The works that I do shall ye do also." Maybe it is the privilege of those who are first called, to aid the Master as He prepares the mansions in "that house not made with hands." Jesus' words would seem to imply that it is. I often think of the husband and father, whose constant thought and care has been to make a home — a happy home for his loved ones here. If he be the first one called, maybe he, like the pioneer in a new country, goes to prepare a place. Maybe the Master appoints him that labor of love to do — to plan, to build, to furnish, to make ready and to wait till his own shall come. Then in the Master's presence, with the old fond look and word, he shall greet and welcome them home — to that home which he with the Lord Jesus has prepared, "eternal in the heavens." I like to think that this is so — that it will be so for you who mourn today — that he who went from you so quickly did not go a stranger into a strange land; but that well remembered faces met him, and well remembered voices greeted him and made him welcome; as he and others you remember will greet and welcome you.

RESOLUTIONS

BOONE AND CROCKETT CLUB

Extract from minutes of meeting of executive committee of Boone and Crockett Club, held October 27, 1913:

The Boone and Crockett Club deeply regrets the death of its associate member, Major John F. Lacey, of Oskaloosa, Iowa.

Major Lacey's life was a busy one. A soldier in the Civil War, a lawyer in active practice, an author of legal works, and later prominent in politics, he represented his district in Congress for eight sessions.

It is as an active worker in behalf of game conservation that Major Lacey is most widely known and in the death of the "Father of Federal Game Legislation" those interested in game protection in America feel that they have lost a leading soldier from their ranks.

Of Major Lacey's many services to the American public, two which stand out preëminent were the introduction and carrying through Congress of the act of May 7, 1894, for the protection of birds and animals in the Yellowstone National Park, and the act of 1900, which regulates interstate commerce in game.

Congress had established the Yellowstone Park twenty years before, had considered many bills concerning it, and had appropriated money for its protection and improvement, but it had failed to enact a law for the park's government. Major Lacey took steps to remedy this omission, and his enthusiasm and energy carried through the act of May 7, 1894, and made protection possible for that reservation.

The act regulating interstate commerce in game, bears, and will carry down to posterity, his honored name.

Major Lacey's death has deprived the cause of game protection of one of its most able and energetic advocates.

As an expression of its sense of personal loss in the death of

Major Lacey, the Boone and Crockett Club, by its executive committee, directs that this minute be entered on its records, and that a copy of it be sent to Major Lacey's widow.

MAHASKA COUNTY BAR ASSOCIATION ¹

Mahaska County Bar Association met in special session at the court room in Oskaloosa, Monday, October 13, 1913, in honor of the late Major John Fletcher Lacey, one of its members, who was called suddenly to his reward, Monday, September 29th. Judge K. E. Willcockson, of Sigourney, had adjourned court for the afternoon, that the memorial program might have what time was desired. George C. True, president of the bar association, called for order about two o'clock and the chair was addressed by George W. Seevers, chairman of the committee on resolutions.

James A. Devitt followed and eulogized the departed member in tribute at once touching and eloquent, and read the following letter from John C. Williams, of Florida, late of the local bar.

To the Honorable Judge of the District Court and members of the Oskaloosa bar:

To the many tributes that have been given, I wish to add my simple one to the memory of Major Lacey. I first became acquainted with him in my young manhood days and the friendship formed at that time remained unbroken till his death. No one could know Major Lacey that did not admire and respect him. His professional life was marked by a splendid ability and perfect integrity. His political life embraced many years in Congress and his devotion to his party and belief in its political policies was of the highest order. In all the stormy times of his political career and in the strenuous battles that he waged, it can be said to his lasting honor and credit that not a breath of scandal was breathed against him, and when he left political life he left it as pure and as clean as when he entered it.

¹ From pamphlet issued by the Oskaloosa (Iowa) *Daily Herald*, 1913.

But what appealed to me most of all in Major Lacey's career was his private life. No man could have been purer, no man could have been cleaner; devoted to his family, his domestic relations were ideal. His life was an inspiration to all who knew him.

Then followed talks by numerous members of the bar, old and young, in which they paid tribute to the memory of the late Major Lacey. Each one had some incident to relate of the man who had been their friend upon all occasions though not infrequently their opponents in the practice of law. Each speaker presented some new phase of the man's life, or held out some trait of his character for emulation. Talks were made by former Judge Ben McCoy, L. T. Shangle, Supreme Judge Byron W. Preston, John O. Malcolm, O. C. G. Phillips, H. H. Sheriff, O. N. Downs, Dan Davis, Frank T. Nash, S. V. Reynolds, W. H. Keating, C. Ver Ploeg, Liston McMillen, District Judge K. E. Willcockson, and in summing up the heart tributes that had found expression with the bar associates, Mr. True concluded the meeting with the following appropriate and well expressed sentiments:

As one of the members of the bar of Mahaska County, and one who had a most pleasant and personal professional acquaintance with Major Lacey I am impressed with this thought: that life, death, and the great unknown, commencing with humanity and unconsciously drifting into infinity, are what we make them.

I firmly believe the good we do is immortal; that every good impulse of our hearts put in action, lives on and on, gathering strength, momentum, and grandeur as the years go by.

Such a life, active, energetic and impressive to the very moment of its translation as an advocate before the greatest of all Tribunals, has Major Lacey builded so well for himself and by such translation bequeathed it to you and to me as a legacy most worthy of emulation.

Judge Preston made formal second to the resolutions,

which were adopted by a rising vote and the meeting stood adjourned. Judge Willcockson then convened court momentarily to receive a motion from the bar that the resolutions be spread upon the court record and it was so ordered and court stood adjourned for the day in honor of the memory of one of the greatest lawyers county or state has produced. The resolutions, read by George W. Seevers, chairman of the committee who also made some remarks fitting the occasion, follow:

In memoriam, John Fletcher Lacey as presented to the District Court of Mahaska County, Iowa, on this 13th day of October, A. D. 1913.

Major John F. Lacey, the son of John M. and Eleanor Patton Lacey, was born at New Martinsville, Virginia, on the 30th day of May, 1841, was 72 years, 3 months and 29 days old at the time of his death. He died at his home at Oskaloosa, Iowa, on the 29th day of September, 1913. He was apparently in perfect health to the time of his death, which was almost instantaneous.

Major Lacey came to Oskaloosa in 1855 when about fourteen years of age and thereafter attended here the public and select schools until he entered upon the study of law with the firm of Rice, Meyers & Rice, of this city.

At the outbreak of the Civil War he early enlisted as a private in Company H, Third Iowa Infantry, was taken prisoner at the battle of Blue Mills, was paroled, exchanged and reënlisted in Company D, Thirty-third Iowa Infantry, was rapidly promoted, and served on staff duty, reaching the rank of major, which he held to the close of the war.

On the 19th day of September, A. D. 1865, at Oskaloosa, Iowa, he was united in marriage with Miss Martha Newell, who, with two daughters, still survives him.

At the close of the war he returned to Oskaloosa, and resumed the study of law, and late in the summer of 1865 was admitted to the bar of this state. He at once entered upon the practice of his profession and early formed a co-partnership with Mr. William E. Sheppard, which continued until the removal of Mr.

Sheppard to California. After his partnership thus dissolved, he formed a co-partnership with his brother, Mr. W. R. Lacey, which continued to the time of his death.

Major Lacey was known as a good and careful student of the law. He had a well trained, analytical mind, rose rapidly in his profession and was soon recognized as a worthy member of the first rank, and at his death was president of the State Bar Association.

He was also a good reader of classic literature, with a retentive memory which made him always an interesting host and personal entertainer.

In his home he was a kind, indulgent, and beloved husband and father. A consistent member of the Episcopal church, he held a confident faith in an immortality beyond the grave.

At the bar he was courteous, dignified and thorough; a diligent student, forceful in argument, graceful in manner, attractive in address. Among his strong characteristics were his intense public spirit, manifested at all times to go forward in the betterment of the community by personal effort and material aid. His motto was "Hard work is the price of success." Such men deserve the fame they leave and so will Major Lacey go down in the history of his state, a really great man in whatever he undertook in life, because he deserved to be great. He was a public speaker of ability and in personal conversation charmed those with whom he came in contact.

While pursuing the practice of law in Mahaska county, he was elected and served in the lower house of the 13th General Assembly of Iowa. He compiled the *Railway Digest* which bears his name and is a work of painstaking research. This work was well received by the profession and was highly creditable to its diligent and care-taking author.

In politics Major Lacey was a Republican of the old school and he lived it with an intensity known to but few. He was chairman of the Republican State Convention in 1898, and also a member of the lower house of the 51st, 53d, 54th, 55th, 56th, 57th, 58th, and 59th Congress and thus, for sixteen years, represented the Sixth Congressional district of Iowa in the lower house.

During this time, he was a member of important committees and helpful in the enactment of legislation for the public good.

A life-long friend of Major Lacey and a poet of wide fame, Major S. H. M. Byers, so fittingly and feelingly spoke of him in verse upon the day of his funeral that we have thought his words worthy of a place in this record and therefore adopt them.

So has our brother gone to join that life to come which men like him have made for us, who soon shall follow, the better by our living.

IOWA STATE HORTICULTURAL SOCIETY AND THE IOWA PARK
AND FORESTRY ASSOCIATION

The Iowa State Horticultural Society and the Iowa Park and Forestry Association in joint session, state house, Des Moines, on December 10th, unanimously express their great appreciation of the work that Major J. F. Lacey did as a soldier and citizen. That his work in connection with the protection of our birds, the setting aside of forest reserves, monuments, and petrified forests, and his great interest in conservation of our natural resources deserve our gratitude as American citizens and lovers of nature. That these resolutions be sent to the bereaved family.

ADDRESSES, PAPERS, AND LETTERS OF MAJOR
LACEY

They gather the sunshine year by year and store it away for future use. They fertilize the soil; they beautify it.

In a few old churchyards on the eastern shore of Maryland may be seen the remains of the splendid forest that once covered that region. The sight of these specimens makes us regret that larger areas of the ancient forest had not remained untouched. It was necessary to cut down a part of the forests, but man has swept them from the earth with the besom of destruction.

We are beginning to realize the wastefulness with which we have treated the gifts of nature. We found this continent a storehouse of energy and wealth. The climate was salubrious. The soil was fertile. The forests spread on every hand. The rivers teemed with fish. The earth and air alike furnished supplies of game. Great coal deposits were found in almost every state. Coal oil and natural gas arose to the explorer from the bowels of the earth.

The prodigality of the sun is something amazing. When we think how few of its rays strike the earth or any of the planets in proportion to those that are constantly shed from its surface, we are led to wonder if they ever can be exhausted. Man is as prodigal of his natural possessions as the sun of its heat, light, and energy. We have not been content with improving upon nature, but have acted the spendthrift part in wasting her stores. The coal has been preserved in spite of man by vast strata of earth and stone, and there has been less wasteful extravagance in the use of this valuable mineral than, perhaps, any other of nature's gifts, and yet we are beginning to compute the time when the anthracite will only be found in the collections of museums. The coal oil has been wasted and wells have been opened and fields destroyed as though the supply was inexhaustible. Natural gas deposits have been tapped, and the wasting gas set

on fire, lighting the country for miles around. These vast stores of nature's forces are being rapidly exhausted.

The extermination of the buffalo is too recent and too shameful to speak of excepting in the highest terms of indignation. Instead of taking these vast herds and, after giving them proper marks of identity, dividing them up and assuming proprietary rights over them, they have been slaughtered by the hundred thousand for the sheer pleasure of killing, until now a little handful of two or three hundred is all that is left of the millions which roamed the plains forty years ago; and this was called sport. It required nothing like the expert skill of the pig-sticker who, covered with blood, presides over the scenes of carnage in one of our great slaughter-houses.

But it is to the forests that we wish more particularly to direct our attention at this time. . . . In the early days men often cut down trees for the wild fruit that grew upon them. The beautiful service-berry has been well nigh exterminated by this barbarous practice. This was a sin against nature. A few years ago I visited the great region of the northern Pacific Coast, where today is perhaps the grandest forest now remaining on the face of the earth. It can no longer be described as

The continuous woods

Where rolls the Oregon, and hears no sound

Save his own dashings;

for the hand of man is busily engaged in building up new states in that splendid country.

Splendid trees, five and six feet in diameter and hundreds of years of age, were being destroyed. Auger holes were bored in the tree near the ground, coal oil

poured in the holes, a match applied, and the tree burned down. Other holes were bored in the body of the tree, and with the assistance of more coal oil a splendid tree was soon reduced to ashes. During the dry season these fires were permitted to escape and pass through the forests, covering and concealing the whole earth with a cloud of smoke, and rapidly working in this new field the same useless destruction which has followed in man's footsteps in every part of the continent.

This sin on the Pacific Coast is only greater than that which was committed on the Atlantic shore because the forests are finer, and the mistake made in the wanton destruction of the timber in the East ought to have been a warning in the West. They have an awful example to shun and not to follow.

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In central and southern Italy the Appenines are a striking illustration of the results of forest destruction. The ghastly seams into which the rains have washed lands that were once as fertile as any in the world, have utterly destroyed much of that country for agricultural purposes. Surrounded as Italy is by the Mediterranean, the effects upon her climate have not perhaps been as bad as would follow in the interior part of the continent. But nature seems to have given up the struggle with man, and Hawthorne tells us that where man's hand has carved a stone in Italy its reclamation from nature is permanent, whilst in the north of Europe, or in the British Isles, nature claims its own again, and covers the bricks and rocks with moss, lichens, or ivy.

Nothing is so beautiful as a running stream in a state of nature. It is a living thing, always sparkling, never growing old. The brook, where the forests still protect it from destruction in its course to the sea, is a symbol of eternity. To the poet it says,

Men may come, and men may go,
But I go on forever.

But in the land of Holy Writ, where the forests were but few, the brook was no such type of constancy. In Job, the brook is described as an emblem of deceit, frozen up in the winter and dried up in the summer. "My brethren have dealt deceitfully as a brook, and as a stream of brooks they pass away. . . . The paths of their way are turned aside; they come to nothing and perish."

The brook that Horace describes in his journey to Brundisium still flows in the same banks, and seems like a living thing, speaking of the poet of two thousand years ago.

The Hon. Timothy Brown, one of the leading lawyers of Iowa, has a discouraging theory which he supports with a considerable array of corroborating facts. He assures us that the magnetic pole is moving eastward at the rate of seven miles a year, and as it moves the area of drought in the Rocky Mountain region progresses at the same rate, and in due time Ohio will be as arid as Wyoming or Nevada.

We must not mistake mere weather for climate. We may have a scarcity of rainfall, and that scarcity may become serious enough to lead us to apprehend a dangerous permanent change of climate, whilst it may be true that a similar condition of things has prevailed many times in the past in the same region, followed by a return of sufficient moisture.

But it seems to be the united opinion of all ages and in all countries that rain produces forests, and that forests produce rain; that great and injurious changes of climate almost certainly follow any sweeping and general destruction of the woods.

Trees set out along hedge rows will undoubtedly do

much in ameliorating climatic conditions, but great masses of forest, where considerable regions are shaded and protected, are essential to the preservation of the climatic conditions that have brought so much prosperity to this country in the past.

In the Northwest the last few years of drought have prepared the people as a whole for the study of this question. The shrinking of the Great Lakes is already plainly noticeable, and active efforts for their preservation and restoration should be made without delay.

In Iowa some of the most beautiful of the little lakes have been drained and turned into fertile fields, whilst others have dwindled so as to be only a mere reminder of their former beauty. If the destruction of these bodies of water only entailed the loss of their beauty, a practical people might accept the change without any very great regret; but when the reclamation of a comparatively small area of land to cultivation imperils the water supply of thousands of surrounding farms, it is high time to call a halt and demand a restoration of these sources of water supply. All land must at times lie fallow. The best rest that it can enjoy is when, covered with timber, it returns for a time to its natural condition, sheltered and fertilized by the woods once more. A reasonable portion of the country should at all times be thus given up to its native woods if we would preserve the fertility of the whole.

The practical question of today is how, as far as possible, to undo the mistakes of the past; how to prevent them in the future. Agitation and discussion are necessary to call the attention of the people to the importance of maintaining, and to at least partially restoring, the primitive forests of this country. The recent policy of withdrawing from settlement or sale large regions upon the head-waters of streams, and creating forest reserva-

tions, is the greatest step in the right direction that has thus far been taken.

We must give up some part of our country to nature in order to keep the remainder for ourselves. The policy of most of the old states in regard to timber has been well summed up in six words: "To get rid of the timber."

With wood used for nearly every purpose from tooth-picks and matches up to great grain elevators and ship masts, the proper and reasonable requirements for man's necessities and luxuries involve great and constant encroachment upon our forests. The old back-log of our forefathers has given place to the terra cotta gas-log of a new generation.

With barbed wire for fencing, and the decrease of wooden houses in the larger towns and cities, the over-worked forests ought to have some rest. But the increase in population and the wear and tear upon old buildings make such calls for timber that, of necessity, a great drain upon the old forests continues.

Our fathers cut down beautiful black walnut trees for rails, and our own generation has pulled up the old stumps of the same trees for furniture making.

The peasants of France during the Revolution, it is said, would cut down two trees to make a pair of wooden shoes. Mark Twain, a few years ago while in Paris, promised to send as a wedding present to a friend the rarest and most expensive thing he could obtain in that city, and selected two small logs of firewood for that purpose, and, tying them together with red, white, and blue ribbon, laid them among the bric-a-brac at the wedding reception.

We ask ourselves what remedy we should adopt in America. This is more easily asked than answered. To call the attention of the people to the mistakes of the past

before it is too late will lead to a conservation of groves and forests still in existence. The destruction from fires has already attracted much attention, and rigid laws to prevent them have been enacted in every state.

Groves and small wood-lots upon each farm will in some measure repair the loss of the more extensive woods, but there must be considerable area of country in which the forest must take control if we would preserve the climate, the springs, the streams, the soil, the birds, and the fishes. Even now the business of sinking wells for farm use to a depth of several hundred feet is being actively carried on in the West. The surface water is disappearing.

Private owners cannot perform the duty of forestry in America. We have no rich old families who from generation to generation have been able to set apart large tracts of land for the growth of trees. We have none of the beautiful old ruins that grace so many parts of the forest-planting kingdoms of the Old World. We have no ruins more picturesque than a defunct bank, a bankrupt insurance company, or a railway in the hands of a receiver. No baronial game preserves are set apart in America. Only the government lives long enough to plant trees extensively. The private individual is too constantly reminded of the fleeting character of life to lay out a forest for succeeding generations. The government alone can hold tracts either long enough or large enough to effect the great climatic purpose involved in the preservation of our forests. A great step in this direction was taken in the laws providing for timber reservations. These reservations should be kept for use and growth. A thorough system of cutting off this timber ought to be provided for at some time in the future when the wants of the people require that the ripened or

dead trees should be utilized. But this should be done with such system as to preserve them as a whole.

The people should be taught the value of these reservations by thorough education upon the subject. Arbor Day celebration and the planting of fruit and timber trees will lead a new generation to realize that the forest is not the enemy of man, but his best friend — a friend without whom nations cannot expect to prosper.

FORESTRY ¹

Ladies of the Federation of Women's Clubs:

In these days of federation it is natural that you should get together for purposes beneficial to your sex, and it is quite interesting to note the wide range of subjects that you have given for discussion. I think even Mr. Cleveland would have enjoyed himself had he been present, though he has so recently made you the target of his ponderous rhetoric.

Your organization has in contemplation not only social enjoyment but the advancement of our state and nation. The women of the world have done some of its noblest work and have not received due recognition for their deeds. Two of the greatest hymns in our language were written, one by a man, the other by a woman. When we hear "Lead, Kindly Light" sung, the figure of Cardinal Newman at once arises in our imagination. But when we hear the majestic strains of "Nearer, my God, to Thee," Sarah Adams is seldom thought of.

We have many proofs of the intuition of woman. There have been occasional instances of boys deaf, dumb, and blind from their birth. But there is no record of any great progress made by them that I recall. But the keen and delicate perceptions of Laura Bridgeman, Harriet Prescott, and Helen Keller broke the bonds of darkness and silence and amazed the world by the scope of their learning and intelligence communicated by their sense of touch alone. When blind and deaf Harriet Prescott was

¹ Address of John F. Lacey before the Iowa Federation of Women's Clubs, Waterloo, Iowa, May 12, 1905.

told that there was a God she signaled her answer, "I have known it for a long time, but I did not know what His name was."

That you have taken up for consideration the great subject of forestry shows the progressive and useful purposes of your admirable organization. When the women of America turn their attention to any subject or object and manifest an earnest desire for its accomplishment success is assured.

Forestry has found some difficulty in attracting attention because of the assumption that the subject is purely one of sentiment. It is true that sentiment does attach to the preservation of our forests. But the subject is in the highest degree one of practical utility. It is commonly true that there is an æsthetic side to all practical and useful subjects.

The bloom of health on the cheek is lovely, but it is evidence of the useful as well as the beautiful.

If there had been only the sentimental and poetic side of the question it would still have been worthy of our earnest consideration. But in forestry there is beauty and utility combined.

The poet and the painter may rejoice in the contemplation of the woods. The young may revel in the inspiration of its protecting shade. But the farmer, the miller, the boatman, and the lumberman may now combine to preserve as well as to enjoy the beneficial uses of this great element of our national wealth.

An old man will plant a tree that it may shelter and give comfort to his posterity.

Shakespeare died at fifty-two, and never took the pains to collect and prepare a complete edition of his immortal works for the benefit of mankind. But he planted his beautiful mulberry tree to gladden the hearts of those who should come after him. Mankind has not forgiven

the man who sought evil fame and obtained lasting infamy by burning Diana's temple at Ephesus. Long will the world remember with obloquy the reverend gentleman who cut down Shakespeare's tree to spite the people of Stratford because he thought they had placed his taxes too high. When Shakespeare was poaching deer he was studying forestry too.

His forest descriptions in *Love's Labor Lost*, *As You Like It*, *Midsummer Night's Dream*, and *The Merry Wives of Windsor* lead one to seek the quiet shade to find

Tongues in the trees, books in the running brooks,
Sermons in stones, and good in everything.

This club represents the highest, purest, and noblest of all sentiments — motherhood.

The forest is the representative of motherhood. It fertilizes the earth upon which it feeds. It never lives for itself alone. It pays usury to nature. It bears the fruit of the past and the seed of the future.

A vigorous and healthy forest is the height of nature's adornment.

We have always been sensible to its beauty: we are now deeply concerned in its utility. The forests have always been modest in their requirements. All they have asked has been standing room. Give them but place and they will patiently do their work. Their long arms have reached out for ages and gathered from the air the elements of growth which they have added to the soil.

Reverently they lift their heads to the sky and spread their supplicating arms.

As Dr. Holmes has expressed it:

Cedars spread their palms like holy men at prayer.

And Alexander Smith described the trees in winter:

The trees were gazing up into the sky

With their bare arms stretched in prayer for the snows.

Year by year they gather and store the sunshine for future use. The sparkling log yields back this sunshine on a dreary winter night.

Americans have been the spendthrifts of the centuries. It is high time to call a halt and save something of our national resources for those who are to come after us.

The first settlers found this continent a storehouse of energy and national wealth. The climate was salubrious. The soil was fertile. The forests spread on every hand. The rivers teemed with fish. Earth and air alike furnished abundant supplies of game. Later on coal oil and natural gas arose to the explorer, from the earth's great secret storehouse. Coal in vast beds was found in nearly every state.

The prodigality of the sun as the source of light, heat, and power, is amazing. When we consider how few of the sun's rays strike the earth out of the almost infinite myriads that start out on their journey into space, we may well wonder if the great storehouse will be finally exhausted, and if a dead sun may finally cease to give vigor to our planetary system.

Man has been as wasteful of his natural possessions as the sun of its energy. We have not been content with using these resources; we have wasted them as reckless prodigals.

When an ancient citizen found a great treasure he reported it to his ruler, who told him to keep it and use it. "It is too great a sum to use," replied the finder. "Abuse it then," replied his master.

This is the method which our people have applied in the past. The coal has been preserved in spite of man by the vast strata of protecting earth and stone, but we may even now begin to compute the time when the anthracite will take its place in the museums along with the

bones of the mastodon and the eggs of the great auk and dodo.

Coal oil and gas fields have been tapped with innumerable wells and given over to destruction, as though the supply were inexhaustible. The flame from the burning gas well lights up the country and signalizes the waste and recklessness of the owner. We may still read the obsolete law of Maryland which benignly forbids the monotony of a continued bill of fare of terrapin to the negro slaves. The Connecticut apprentices were in like manner protected by statute from eating salmon more than twice a week. Now the salmon and the terrapin find places only on the bill of fare of the rich.

It is difficult to speak of the recent almost complete extermination of the buffalo with sufficient indignation. The few that remain are being domesticated, and I hope will ultimately be seen in numerous herds on the plains where they were once seen by millions. It is not yet too late.

Those few prophetic men who have saved a few hundred of these splendid animals for the future are entitled to the thanks of all our people, and they are already rewarded by the high commercial value that these animals now bear, for each buffalo is worth several hundred dollars.

But it is to the forests that we are to direct our attention at this time. The subjects to which I have adverted, however, well illustrate the question of forest preservation and restoration.

The creatures of the water and the air have both suffered from the devastating hand of man. In the preservation of our birds the women of America were slow to act but they are now doing a great part. We have a wireless telegraph, a crownless queen, a thornless cactus,

a seedless orange, and a coreless apple. Let us now have a birdless hat.

The beautiful and fruitful service berry or juneberry is well nigh exterminated by the vandal-like practice of cutting down the trees to gather the fruit. This was a sin against nature.

I remember the hills and streams of the eastern states in my boyhood. The old swimming holes, described by Whitcomb Riley, were there, a source of delight to the boys of forty years ago. After long absence I revisited some of these old streams. The trees had been felled and the springs had gone dry. The streams were gravelly beds, as dry as Sahara, except for a few hours after a big rain had converted them into muddy torrents.

Dr. English described this condition with deep pathos many years ago:

The shaded nook by the running brook
Where the children used to swim.
Grass grows on the master's grave, Ben Bolt,
And the spring of the brook is dry.

This wail touches the heart in every part of the older states. The club women of America are moving for the preservation of the Big Trees of California, and it now looks as if Niagara Falls might yet be converted to a dry cliff, surrounded by all sorts of mills.

In central and southern Italy are striking illustrations of the results of forest destruction. Ghastly seams show the track of the occasional flood.

Surrounded as Italy is by the Mediterranean the effects upon her climate have not been so serious as it would be in the interior of a continent, or as it has been in Asia Minor. Nature has given up the struggle with man in Italy.

Hawthorne tells us that where man has carved a stone

there its reclamation from nature is permanent. No moss or ivy attempts to heal the scar as it does in the north of Europe or in the British Isles.

Nothing is so beautiful as that product of the forest — a running stream. It is a living thing, always sparkling either in sunlight or moonlight and never growing old. To the poet it says:

Men may come, and men may go,
But I go on forever.

The brook that Horace describes in his journey to Brundisium still flows in the same banks, and seems like a living creature, speaking of the poet of nearly two thousand years ago. But in the land of Holy Writ the brook was no such type of constancy. In Job the brook is described as an emblem of deceit, frozen up in winter and dried up in summer.

My brethren have dealt deceitfully as a brook, and as a stream of brooks they pass away. . . . The paths of their way are turned aside: they come to nothing and perish.

In a few old churchyards on the eastern shore of Maryland may be seen some of the giant oaks which were old when Captain John Smith anchored at Jamestown. They are wonderful and beautiful specimens of the primeval woods. They are numerous enough to make us long for grandeur that has passed away.

In the mountains of Judea a few walled acres contain all that is left of the great cedars of Lebanon of Solomon's day. They are but a small reminder of the glory of the past.

We should not mistake mere weather for climate, but in recent years there have been many indications that the destruction of our forests has wrought a change in our climate.

A few successive years of drought have tended to awaken interest in the rainmaker, and there is no rain-

maker with better promise than the wooded slope of the mountain and the timbered border of the rivers.

We have seen our Iowa lakes dry up and turned into farms and people well began to ponder upon the question as to whether we were confronted with radical and permanent change of climate.

It seems to be the united opinion of all ages and in all countries that rain produces forests and that forests produce rain. Great and injurious changes of climate almost certainly follow any sweeping and general destruction of the woods. Trees set along the fence rows may by shade reduce the production of a little grass or grain, but such trees will do much to break the force of the wind and ameliorate the climate.

All land must at times lie fallow. The best rest that it can enjoy is when, covered with timber, it returns for a time to its natural condition, sheltered and fertilized by the woods once more.

A reasonable portion of the country should at all times be thus given up to its native woods, if we would preserve the fertility of the whole.

The practical question of today is how, as far as possible, to undo the mistakes of the past; how to prevent them in the future. Agitation and discussion are necessary to call the attention of the people to the importance of maintaining, and at least partially restoring, some of the primitive forests of this country. We must give up some part to nature in order to keep the remainder for ourselves.

Earnest efforts have for the last fourteen years been made in behalf of forestry in its national character. As the result of national legislation more than 63,000,000 acres of timbered land are now set apart in forest reserves — an area almost twice as large as the state of Iowa. These vast reservations have been so selected as

to best preserve the water supply for purposes of irrigation in the West. And as an assurance of their continuance they have recently been transferred by act of Congress to the Department of Agriculture for their permanent management and administration. These forests are not reserved *from* use but are set apart *for* use in every manner not inconsistent with their preservation. Only a government lives long enough to plant trees extensively. The brevity of human life deters the individual from a project yielding such slow returns.

A reasonable amount of pasturing will be permitted but not enough to injure the young tree growth. The ripened and matured timber will from time to time be cut and removed and these great reserves will become a valuable resource to our government. Under reasonable regulations in their shelter the remnant of our useful wild animal life will find protection.

In Europe the subject of national forestry has been taken up with most successful results.

Mountains had been recklessly denuded of their protection and the valleys below had suffered from the gravel and sand which came down from the mountain sides.

Terraces have been built at heavy cost and the sheltering woods again begin to resume their old duty

The governments of the old world have found that these national forests are sources of income.

There is an air of lusty life about the woods. The man who was blind from his birth associated the beauty of life with what he could feel in his sightless mind of the delight of the forest, and when the scales fell from his eyes he "saw men as trees walking."

In this forestry movement everything has been intensely practical.

"Better an acre in Middlesex than a principality in

Utopia," may well be taken as a maxim of the missionaries of forestry.

Arbor Day may seem to be an anniversary of sentiment but the trees planted on that day will remain and grow from year to year as useful evidence of the work of the lovers of the trees.

Two children on the street in London, says *Punch*, did something to offend a passerby and he threatened to call the policeman on the corner.

"We are not afraid of him," they said; "that is father."

But the mothers and wives are influential factors in all movements. A successful man said: "I have never quite made up my mind whether my wife has confidence in my ability to do things, or whether her faith is in her ability to make me do them."

But at all events the things which the fair women of America desire to see done will be performed, and I bid you God-speed in your good work.

Wise maxims have been written in behalf of the trees.

A tree is the best gift of heaven to man.

He that planteth a tree loveth others better than himself.

The tree is the mother of the fountain.

Each home should have its rooftree. To the mothers, the wives, and the sisters of the land is given a power to create a public sentiment that cannot fail.

You have many things for the good of mankind on your list of good purposes. The creation of a deeper interest in the subject of forestry is by no means the least one of these wise objects of your organization.

FOREST VITAL TO NATION'S WELFARE ¹

That the club women of America have taken up the great subject of forestry shows the progress and useful purpose of organization among women. When the women of America turn their attention to any subject or object, and manifest an earnest desire for its accomplishment, success is assured.

Forestry has found some difficulty in attracting attention, because of the assumption that the subject is purely one of sentiment. It is true that sentiment does attach to the preservation of our forests. But the subject is in the highest degree one of practical utility. It is commonly true that there is an esthetic side to all practical and useful subjects. The poet and the painter may rejoice in the contemplation of the woods. But the farmer, the miller, the boatman, and the lumberman may now combine to preserve as well as to enjoy the beneficial uses of this great element of our national wealth.

A vigorous and healthy forest is the height of nature's adornment. We have always been sensible to its beauty; we are now deeply concerned in its utility. The forests have always been modest in their requirements. All they have asked has been standing room. Give them but place, and they will do their work patiently. Their long arms have reached out for ages and gathered from the air the elements of growth, which they have added to the soil.

Man has been as wasteful of his natural possessions as the sun of its energy. We have not been content with

¹ By John F. Lacey, M. C., member house committee on forest reserves. *Chicago Tribune*, June 18, 1905.

using these resources; we have wasted them as reckless prodigals. The coal has been preserved in spite of man by the vast strata of protecting earth and stone, but we may even now begin to compute the time when the anthracite will take its place in the museum along with the bones of the mastodon and the eggs of the great auk and dodo. Coal oil and gas fields have been tapped with innumerable wells and given over to destruction as if the supply were inexhaustible. The flame from the burning gas well lights up the country and signalizes the waste and recklessness of the owner.

Perhaps the grandest forest now remaining on the earth is that in northern California, Oregon, and Washington. I visited Oregon first in 1887, and as I got off the cars some one shouted to me, "Run this way quick and you will see Mount Hood." I presumed Mount Hood was a fixture, and took a few minutes' time in getting out to the open street where the beautiful peak glistened a moment in the sun and then resumed its veil of smoke and fog. I remained many days in the vicinity, but that was the first, last, and only view I ever had of that noble mountain. The whole country was covered by a pall of smoke from the burning forests.

This was more wicked than the destruction of our forests on the Atlantic only because the great woods of the Pacific are finer, and for the further reason that they are our last. The example of the Atlantic states is one to profit by. It is an awful example for wisdom to shun. I remember the hills and streams of the eastern states in my boyhood. After long absence I revisited some of these old streams. The trees had been felled and the springs had gone dry. The swimming holes were filled with dry sand and gravel. The club women of America are moving for the preservation of the big trees of California, and it now looks as if Niagara Falls might yet be

converted to a dry cliff, surrounded by all sorts of mills.

Rain produces forests and forests produce rain. Great and injurious changes of climate almost certainly follow any sweeping and general destruction of the woods. Trees set along the fence rows may by shade reduce the production of a little grass or grain, but such trees will do much to break the force of the wind and ameliorate the climate. All land must at times lie fallow. The best rest that it can enjoy is when, covered with timber, it returns for a time to its natural condition, sheltered and fertilized by the woods once more. A reasonable portion of the country should at all times thus be given up to its native woods if we would preserve the fertility of the whole.

The practical question of today is how, as far as possible, to undo the mistakes of the past; how to prevent them in the future. Agitation and discussion are necessary to call the attention of the people to the importance of maintaining, and at least partially restoring, some of the primitive forests of this country. We must give up some part to nature in order to keep the remainder for ourselves.

Earnest efforts have for the last fourteen years been made in behalf of forestry. As the result of national legislation more than 63,000,000 acres of timbered land are now set apart in forest reserves — an area almost twice as large as the state of Iowa. These vast reservations have been so selected as to preserve the water supply for purposes of irrigation in the West. These forests are not reserved from use, but set apart for use in every manner not inconsistent with their preservation. Only a government lives long enough to plant trees extensively. The brevity of human life deters the individual from a project yielding such slow returns.

Arbor Day may seem to be an anniversary of sentiment, but the trees planted on that day will remain and grow from year to year as useful evidence of the work of the lovers of the trees.

ON FORESTRY ¹

For the last fourteen years I have been a member of a little forest congress, originally composed of fifteen members and increased lately to seventeen, namely the committee on public lands. The questions that you are discussing and will discuss during this conference here we have been struggling with during all this time. The problem of growing trees must of necessity be solved, not only by the private owner, but also by the state and nation. Congress has recognized the necessity of setting apart large areas of forest for the purpose of preserving streams for irrigation and for the benefit, I think, as well, of the public health; because the forest is a source of public health. The fact has been recognized that the government must take some steps and take these steps in time. The movement has been late, but it is not too late. This vast area of the public domain (larger than Iowa and Ohio combined) that has thus been set apart, and I believe, set apart for the American people and their children and their children's children forever, need no longer remain in the custody of that great department whose main business it is to dispose of the public land, to transfer it to the private individual for his home; and, therefore, for several years I personally have championed a measure which would remove from this great committee one of its most pleasing duties, but yet would transfer it to a department better fitted — admirably fitted for the future care and preservation of this great domain. And

¹ Impromptu address by Hon. John Lacey, member of Congress from Iowa, at the American Forest Congress (p. 403-409), Washington, D. C., January 2-6, 1905.

it is not news to you, and yet it is worthy of record here, that this measure had passed the House of Representatives and is now pending in the Senate of the United States; and your judgment and influence will go far, no doubt, to secure its passage through that wise and great though somewhat slow-moving body. We have at the head of the Department of Agriculture the great head of forestry. I, perhaps, do not mean the gentlemen that you are all thinking of. It is not my dear young friend, Mr. Pinchot, but the old man, who comes from the prairie state of Iowa, a state whose chief forests consisted of hazel brush in the days when the secretary of agriculture first settled in his magnificent domain. And I might say to you that so far as the state is concerned, it is quite too rich to use much of it for forestry. They can hardly afford it. With the land at one hundred dollars an acre, to plant out in trees, the crop of which will be harvested seventy-five years from now, is almost too expensive even for a nation to undertake, so Iowa will never be a forest producing state. The head of this department will be succeeded some day — I hope a long time in the future — by some man of equally comprehensive grasp and an equally prophetic view of the future. The department has come to stay, and it is a department that may look far into the future and do that for the nation and for the people which the private individual, or even the state, is not adequate to accomplish. And, therefore, it is well that when these reservations have finally been delimited and their outlines fixed, that they should be transferred, not to a department whose business it is to pass the title away to individuals but to a department that will hold on to this land, that will turn it over to succeeding administrations, and that will preserve the sources of the water supply of the country in the West, whose future is entirely dependent upon the successful operation of irrigation.

And that is why, my friends, this transfer to a different department is a matter now of necessity when this vast domain of sixty-two or sixty-three million acres shall have been selected for the purpose.

There is another reason for the transfer. I referred a moment ago to my young friend, Mr. Pinchot, who is the chief forester of the Department of Agriculture. It has been an anomaly in our legislation that the department of the government having charge of the forests had none of the skilled foresters of the United States in its employ, and that the department that did not own a tree anywhere was surrounded by the best corps of foresters in the world. The mountain could not come to Mahomet, and so Mahomet is going to the mountain. The department is to be transferred — the service transferred — to that department that is so notably fitted and so organized as to take the permanent care of this magnificent, this wonderful domain. I was born in the woods of Virginia. I moved (thank God) to the prairies, and one of the most unpleasant things of my subsequent life was to return to the woods of Virginia, now West Virginia, to find that the old streams — “the old swimmin’ holes” — as Whitcomb Riley calls them, the holes we used to swim in and where we caught so many fish, are now simply gravelly roads. They are highways as dry, as arid, as one of the deserts of Arizona or New Mexico — nothing but beds of gravel. And why is it? Because the trees have been cut down and the springs that were the children of the forest, have dried up, and instead of a slow running brook digging out holes here and there, clear as crystal and full of water, we have simply an increased torrent after each storm, carrying the pebbles and sand from the hills, washing them down and destroying the old brooks.

Now this is one of the unpleasant features of the denuded timber lands of the eastern states. I see here be-

fore me representatives from every state and territory in the Union, because this question has become a national one and has gone into the homes of the people. It is not too late to save some of the great Appalachian forests of North and South Carolina. It is not too late to save the valleys of many of the eastern states from that destruction which followed the denudation of the forests of France when the hilltops were carried down into the valleys and the rich alluvial plains absolutely buried with sand and gravel. It is not yet too late, although many a fertile field has been destroyed.

I can look at this from an impartial standpoint, without prejudice, living in a country that has no forests, that never had them, that never will have any great forests; where we have a climate in which there is always rain enough to grow a crop and drought enough to dry it for harvest; where all we need in the world is to be let alone.

I did not come here to talk to you this morning. I sat down in the audience simply because I wanted to touch elbows with those who are carrying this crusade in favor of the forests into every part of the United States; but I am glad to have this opportunity to look these earnest people in the face and to bid them God-speed and good cheer. There is no nation in the world that has been so extravagant, that has been such a spendthrift of its natural resources as the American nation. We tap a gas field, set it on fire and advertise for everybody to come and see it burn up — a gas field that it took countless millions of ages to store under the cap of a rock that covers it — and yet in a few years it is destroyed, and the factories that were built over it with the understanding that an everlasting source of supply existed underneath, find themselves once more shipping coal from hundreds of miles away in order to supply their furnaces. The same is true with oil; the same with the beasts of the forests

and the birds of the air. People destroy them with a wantonness that almost looks like malignity; and all these natural resources of the great United States of America are involved, either directly or indirectly in the questions that you are going to discuss. While preserving the forests you will preserve the animals that roam therein; while preserving the forests you will give shelter to the birds of the air that make their nests therein. It is too late to save the wild pigeon, perhaps. The countless millions that used to break down the woods by their weight have disappeared, and the advent of a dozen wild pigeons in the state of New York is taken up by the Associated Press and published far and wide as a wonderful thing: "A dozen wild pigeons were seen in western New York day before yesterday." And yet, within the lifetime of my young friend Pinchot, and I refer to him because I look to him for the future of the forests, in the lifetime of even the youngest members present here, this magnificent bird has practically disappeared from the face of the earth. I know my friend, the secretary of agriculture, will not fully agree with me upon the importance of the preservation of the buffalo, but I expect some day to get him to entirely agree with me.

This is a day of progress. It is not very long ago that men rejoiced at the destruction of the buffalo, because it opened the way for the white man in the West. We took up the subject in Congress some years ago, while a few remains of this magnificent animal were still upon the earth. It was my good luck to secure a small appropriation from our economical chairman of the committee on appropriations — not a very sentimental man, but one of the most practical men on earth — Uncle Joe Cannon — a small appropriation of \$15,000 to restore a herd of bison to the Yellowstone Park. Four hundred of these creatures were enclosed in the area that was reserved when

this land was set apart as a pleasure ground for the nation. Those four hundred have gradually been killed for their heads and for their pelts, and the calves have been destroyed by the mountain lions and by the severity of the winters, until finally only twenty-three were the sorry remains of that splendid herd that was set apart for the nation in the Yellowstone; and the small appropriation of \$15,000 was made. Eighteen animals were purchased, part of them from the Flathead herd. The Flathead Indians, with more prudence than their white brethren had shown, saved thirty-five calves a good many years ago, out of the dying herd, and made them their private property. And that little herd of thirty-five increased until there were nearly three hundred of them. And this herd now in the Yellowstone was selected mainly from the Flathead herd because they were reared in an altitude something like that in which the new herd was to live. To this herd were added animals from Texas — from the Good-night herd — and from Corbin's New Hampshire herd — so as to mingle the blood normally in this new herd as the blood of the nations has been mingled in the United States of America. This is the way to produce a race, to mix them and get the best you can from everywhere. And so, starting upon the proposition of building once more a herd in the Yellowstone, that little herd from eighteen has grown to thirty-nine, and we have hopes of sixteen more in the spring.

Now I only speak about this, my friends, because it is a kindred question. It is one of the things that grows out of the agitation of forestry. A man or a woman who preserves a tree in a practical way will preserve the things that that tree shelters and produces and that are useful to man. Again, I wish to bid you God-speed, and I hope you will carry with you to every part of the United States the enthusiasm which you will generate here — the en-

thusiasm which you bring here and which you will convey to one another — and that you will be a mighty band of missionaries all the way from Portland, Maine, to Portland, Oregon.

HOMESTEADS IN FOREST RESERVES ¹

In the earliest work on the public lands committee in which the writer participated in the 51st Congress, was the preparation of the act of 1891, which took the first step towards the inauguration of a national system of forest reserves. Successive steps have been taken under this statute by the designation of different reserves, from time to time. Some of the early reserves were not judiciously bounded and much territory unsuited for forestry purposes was included, and many settlers found themselves isolated as hermits, by the fact that no neighbors could come in.

These cases of individual hardship led to the passage of the "lieu land law" which was afterwards repealed because of the many abuses that grew up under its administration. An amendment was also enacted authorizing the President to change boundaries in his discretion.

Like all great movements, the forest reserve had small beginnings, but its growth has been steady and the policy which was first bitterly resisted has become very popular. The land department of the government has for a good many years had charge of the sale of the public domain and has been specially organized for the purpose of facilitating the transfer of the nation's land to the hands of settlers. The forest reservations are set apart for permanent public use, and the writer introduced a bill to

¹ By John F. Lacey, M. C., of Iowa, chairman of committee on the public lands, House of Representatives.

transfer the management of these permanent reserves to the Department of Agriculture.

In a later Congress, a bill was introduced, for the same purpose, by Mr. Mondell, and it has become a law.

The area set apart for these national forests has steadily increased until they now contain more than one hundred millions of acres, about equal to the combined states of Iowa and Missouri.

Two of these reserves — the Wichita in Oklahoma and the Grand Canyon in Arizona — have also been declared by law to be refuges for game, and hunting has been prohibited in them. No doubt the wild life in some of the other reserves will also enjoy the immunity of a permanently closed season by an additional law, and the overflow of game from the reserves will aid in restocking the lands beyond their boundaries.

It is too early to state certainly what will be the effect of this feature of forestry administration, but I believe it will meet with universal favor as an adjunct to the entire forestry policy. This additional use will in no wise interfere with the other purposes of the reserve.

President Roosevelt has very heartily endorsed this policy in more than one of his messages to Congress.

Wyoming did not wait for national action along this line but by state law declared a permanent closed season in the reserves adjacent to the Yellowstone National Park.

In setting aside a hundred millions of acres of land for forestry, it was impossible to avoid including considerable tracts of land much more useful for agriculture than for timber raising. Commissioner W. A. Richards of the General Land Office has earnestly urged the passage of a bill by which these tracts could be selected, surveyed, and opened to settlement under such restrictions and

regulations as will protect the adjacent reserves for their legitimate uses.

The writer of this article introduced bills for that purpose in several Congresses but without success until in the first session of the 59th Congress the bill received the favorable action of both houses and has now become a law. It is too early to say how satisfactory and successful this new feature of the law will prove.

Much will depend upon the care and skill used in selecting and setting apart the areas for such homestead settlement. In southern California there was some apprehension that the law might impair the utility of the reserves and increase the danger from fires and two of the congressional districts of that state were excluded from its operation at the instance of the representatives of the districts. There are here and there in the reserves beautiful, but irregular, valleys, admirably adapted to use as homes for the people. Under this law the land may be platted by irregular metes and bounds and thrown open to homestead entry.

These settlers will find many advantages in the use of the surrounding forests. It is the wise purpose of the forest reserve laws to keep these reserves for the use and benefit of the people. Reasonable use for pasturage is already permitted under the regulations and control of the Department of Agriculture. This use should be so restricted that the trees may not be injured by live stock and preference should be given for a reasonable number of cattle for homesteaders' use.

Care should be exercised to avoid the introduction of so large a number of residents as might impair the uses for which these forests have been dedicated; but this is left with the Department and a discretion is given sufficient to prevent such injury.

The preservation of the forests from fires, the prevention of erosion of the mountain by floods, the maintenance of the natural springs and the conservation of the snows, are the primary purposes of these reservations and the introduction of homestead settlers should be limited to those tracts which are suitable for agriculture.

Because of the eager demand for homes it seemed unjust to withhold these tracts of tillable land from the use of the farmers and cattle growers.

The best legislation arises from evolution along well defined lines, with modifications to meet conditions as time develops or brings them to attention, and this step in the progress of intelligent forestry is a wise and beneficial one. Many a happy home will be established in the people's great forests.

In the Black Hills a considerable number of settlers had already taken land under the placer mining law and carved out for themselves irregular claims of the form contemplated in this new homestead law. Whilst the land was mineral the values were so low that the claims were more useful for agriculture than for mining purposes, and the settlers have been raising crops and pasturing their herds in these mountains.

The Black Hills settlers can be readily provided for under this new law and will be given an immediate object lesson for use in opening up similar tracts in other reserves. The forest reserves have come late into our national life but they have come in time to do incalculable good and they have come to stay.

This modification of the law is not a hurried experiment but is the fruit of long consideration and deliberate action by Congress and I confidently predict that it will become a permanent feature of the established policy of saving the forests for the common weal.

FORESTRY — THE TREE IS THE MOTHER OF
THE FOUNTAIN — A TREE IS THE BEST
GIFT OF HEAVEN TO MAN ¹

The question of a system of forest reserves in this country is of comparatively recent origin, and interest in it has become general. There are two propositions involved in this bill. The first is that the reserves which have heretofore been created and which may hereafter be set apart shall be transferred from time to time for administration to the Department of Agriculture. The bill however provides that this shall not be done until the permanent boundaries of each of these reservations shall be established, which permanent delimitation of the boundaries shall precede the transfer of each reserve. In the end the result will be that all of the forest reserves will be transferred to the Department of Agriculture for administration. We have now a Bureau of Forestry in the Department of Agriculture. That bureau has in its employ practically all the scientific foresters in the United States. We have a division of forestry in the land office, but the land office, of course, has not been specially fitted for this scientific work. The great purpose of the land office has been to survey and dispose of the public lands, not to take care and preserve them, but to dispose of them to private individuals. So that by the very nature of the organization of the two departments, the permanent administration and permanent care of the forests

¹ Speech of Hon. John F. Lacey, of Iowa, in the House of Representatives, Monday, June 9, 1902.

would more properly be lodged in the Department of Agriculture.

In other words, forestry is tree cultivation upon a large scale and covering long periods of time, for which the life of an individual would be inadequate. France and Germany have been compelled by force of necessity to adopt a forestry system. Spain, too, suffering from drought and the destruction of her water courses, has adopted such a system. The state of New York has been compelled to buy the Adirondacks, spending \$4,000,000 in order to save the headwaters of the Hudson. These forests upon the tops of the mountains in the Far West serve to protect the snow and fountain heads of the streams and to make irrigation practical and practicable. We have upon the calendar, and will no doubt within a few days consider, a bill with reference to the irrigation of arid lands in the West. Now, it makes no difference whether the future irrigation shall be controlled by private parties or by the states or by the United States — whichever course is taken it is essential that the sources of the streams should be preserved.

The Department of Agriculture has a scientific bureau that has been organized, not for the purpose of preventing the use of the trees on our public lands, but to provide for their use so that they may be cut down from time to time as they may be needed by settlers; and at the same time proper measures will be used to prevent fires and to maintain and restore these forests, as in Germany they are maintaining and preserving these forests, while at the same time they are realizing from year to year the benefits of marketing the ripened or matured trees.

In France they have found that by the destruction of the forests the heavy rains have resulted in washing down the soil on the sides of the mountains and destroying the valleys beneath, and at an expense of millions of



Cascade Mountain Forest Reserve, Northern Washington. Engelmann spruce in the foreground. (G. B. MacDonald.)

francs the French government is restoring the forests on the mountain slopes. The people of the United States have wakened up to the necessity of preserving at least a portion of our woods, to the end that the balance of our land may be successfully tilled.

I have never been a "State's rights man," but I have nevertheless always had the highest regard for the rights of the states. In the drafting of this bill I have endeavored to so prepare its limits as to always have due regard for the wishes as well as the rights of the state, that no steps like those now proposed should be taken by the government as to its own property under the constitutional rights reserved to it without first asking for the consent of that state through its governor. It is not necessary, but I think it prudent to ask such consent.

Now, Mr. Chairman, as to the necessity of a law of this kind. Our ancestors were all killers. Prehistoric man with his club and his stone weapons no doubt exterminated the mammoth. If these cruel forefathers of ours had owned breech-loaders the progenitors of the horse, the cow, the sheep, and the ox would have disappeared from the earth long before domestication. The boy of today is as bloody-minded as his naked forefather, and begins to slay the birds and beasts as soon as he can hold a stone in his chubby hands.

From the days of the troglodyte the unequal contest has raged. Stone, bronze, iron, hawking, and gunpowder were added to man's power to destroy. But now, with the breech-loader and later improved weapons, man has become omnidestructive. He goes 500 miles for a day's shooting or half way around the world for a brief hunting and fishing trip.

The immensity of man's power to slay imposes great responsibilities.

We are threatened with the probable extinction of many

varieties of birds and beasts. A birdless world would be a dreary place to live in and a birdless air would be unfit to breathe.

The wild pigeon has gone to join the great auk and the dodo in the realm of obliteration.

We may well pause and consider the situation with which we are confronted.

I read the other day of a hunt in the South where two prominent gentlemen from New York killed 1,600 ducks in two days, and generously gave them away to show that they were not mere ordinary pot hunters.

These sanguinary sportsmen should have rather hired out or volunteered to stick pigs for two days for the meat packers, where they might have glutted their appetite for gore in a more creditable way. The reckless, improvident, and indiscriminate slaughter of our fish in the rivers and the seas are only illustrations of that large waste of our natural resources that is going on in all directions. The natural gas was once worshiped as something supernatural. Now it is used for the most practical of all purposes. It has been recklessly wasted as though it had been infinite in quantity, and the depleted fields show the results of our extravagance.

Oil and forests have been extravagantly exploited in the same way.

Take the state of Texas, where a few months ago we were having many "gushers," supplying oil each at the rate of 74,000 barrels a day, but now, the newspapers tell us, the oil has ceased to flow. But experience shows that all these resources are limited.

Oil in Texas may long be pumped, but vast as the supply is it is exhaustible.

Since I have been in public life I have devoted some part of my time to the subject of the conservation and

restoration of our natural resources. This question naturally arises in connection with our public domain.

It is a shocking thing to see the people of the Pacific Coast wantonly engaged in making their opulent salmon streams as desolate and barren as the once prolific Connecticut now is.

Mankind must conserve the resources of nature.

When our people were cutting one another's throats during the war of 1861 to 1865, game in the South became abundant, for men had ceased to hunt anything but human kind, but when peace came the war against the creatures of the field and forest was again renewed and waged with unremitting zeal.

It is no credit to mankind that animal life is more abundant today around the inaccessible poles than anywhere else upon the planet.

Fish in the inhospitable Hudson Bay region are so plentiful that they could not furnish names for them all, and, like the statue to the unknown god at Athens, one of these Canadian fishes was called the "inconnu" or the "unknown" fish.

The proposed railway to Hudson Bay will change all this. The slaughter will grow furious when "civilization" invades this breeding ground of the Far North.

Some one must in these days teach the science of how not to kill.

There are 46,000,000 acres of our forests now preserved to keep up the supply of water for our rivers. This a great step in the direction of husbanding nature's resources.

Farseeing and practical men saw that a part of the forests must be saved or the remainder of the land would become a desert, and the forest reserves were established against the protests of the unthinking.

A few of the primeval woods remain as reminders of the past. A Hibernian friend, a genial ex-congressman from New York, once defined a virgin forest as "a place where the hand of man has never yet set his foot." This incident shows that the Irish bull, at least, is not yet extinct.

Our forestry laws have enabled us to save some of these wholesome and delightful retreats.

These woods, thus set apart as the sources of water supply, may be made the city of refuge for the feeble remnant of the mighty throng of animal life that once filled this continent.

We have seen the buffalo so nearly exterminated that only about 500 living specimens today may be found in the whole world.

Their domestication was as practicable as that of the reindeer, the horse, or the cow.

The buffalo was the noblest of all the wild animals that inhabited this continent when America was discovered.

The ages in which this wonderful creature was evolved into his peculiar form and size are inconceivable in duration. How admirably he was adapted to life upon the western plains. When he had fed he traveled with his fellows in long lines, single file, to the favorite watering place. The herd did not spread abroad and trample down and destroy the grass in such a journey, but in long and narrow trails the journey was made, and when the drinking place was reached and thirst was sated the buffalo never defiled the pool in which he drank.

He was a gentleman among beasts, just as the game hog is a beast among gentlemen.

Perhaps out of these scanty remains new herds may again be produced.

We have preserved the wild turkey, which Benjamin



White Fir (*Abies concolor*). Mountains of Utah.
(L. H. Pammel.)

Franklin proposed should be adopted instead of the American eagle as our national emblem.

The turkey has been saved; the buffalo ought also to have been domesticated. A few of the buffalos still remain. This bill makes provision by which they may have the opportunity of propagating them within a portion of the forest reserves.

Public sentiment is growing in favor of the conservation of our resources. It is timely as to some things. It is far too late as to others.

There are these two propositions involved in this bill: First, to allow the Bureau of Forestry in the Department of Agriculture to take charge of that extended farming of the forests which only the government can manage; second, that in a moderate degree, and within the desires of the people of the locality in which the forests are located, game and fish preserves may be established for the benefit of the surrounding country.

After a forest reserve is created the control is entirely with the Department of Agriculture, if the boundaries have been finally and definitely located; or if not, it is with the Department of the Interior until these boundaries shall have been fully established; but the consent of the governor shall first be had before we enlarge the scope of any particular reserve to include game preservation as well, and with the amendment to which the gentleman refers it provides that hereafter they can not be enlarged or created without the consent of the governor of the state. That is a different proposition and one that I personally approve.

I would like to answer my friend, because it is a question that should be answered. We have 46,000,000 acres of forest reserves created under existing laws, created without the consent of any governor. Now the power of

the government in these reservations is limited only by the constitution.

Attorney-General Knox, one of the clearest-headed lawyers that has ever administered the Department of Justice, has recently considered the subjects of the national power over the public lands and forest reserves, and his opinion is to the effect that Congress can, even within the limits of a state, legislate and make regulations by which animal life may be protected in the people's forests. This opinion of the attorney-general will be a landmark in the history of protective legislation, for as Congress is given the power, it should not and will not fail to exercise it.

As stated in the opinion of the attorney general, we need not ask the governor or any legislature of any state what we will do in those reservations. But we make a concession here. We give the President power to enlarge the existing purposes of these reservations, so as to make some of them fish and game preserves as well, but not to do this unless the governor of the state shall consent. After that consent has been given this control of the national government will be exercised, but not until then. When the gentleman stated that we were turning over the control to the governor of a state, he does not comprehend the scope of the bill, or perhaps has been unfortunate in his expression.

Now let me answer the other part of the gentleman's question, because it was a dual question. Under existing laws the President of the United States can take any public forest land in the United States and create a forest reserve out of it. The majority of the committee on public lands, recognizing the fact that some of these boundaries had been very unsatisfactory, and that friction had thereby arisen in some of the states in regard to forest boundaries, have suggested the propriety of placing the

same limitation as to the creation of reserves hereafter upon the President, so that in making future additions to the existing 46,000,000 acres the consent of the governor of the state in which the reservation was located must be given; but the reserve would not be under the control of the governor.

I endeavored to show that as a matter of administration, as to the propagation of trees, as to their preservation, and as to all these various matters of administration of forestry the Department of Agriculture is better fitted by the nature and purpose of its organization than any other department of this government. In other words, we are entering upon a great system of what might be called tree farming—raising timber for future generations; and the department that has the looking after the agriculture of the country, the department that protects especially the interests of the farmer, is better capable of handling this branch of the administration of these reserves than any other department. The protection of the forests is essential to the farmer.

Now, I remember when I was a little boy, going out in the hills of my native state to gather service berries, I was surprised to see the gentleman in charge of the party of children took an ax along. I soon found after we got into the woods what the ax was for. It was to cut down the trees in order to gather the berries. We cut the trees down and gathered the fruit. And I am credibly informed that there never have been any berries in that forest since. Every gentleman here who has passed middle life will recollect just such an offense against nature as that.

Now, when our fathers landed on these shores, they had the idea that the forest was the enemy of mankind. There was in the mind of the white man the idea that there were two special duties to be performed— one to cut down the trees and the other to kill the aborigines.

The trees were useful to the aborigines and are now useful to us. They should be preserved for use and not from use. And aborigines that remain are becoming civilized; and we are trying to take care of them also. And we have made the discovery that the forests can not be destroyed as a whole without changing the climate of the country itself; and therefore in that high sense of taking care of the farmer all over the United States it is necessary to take care of the forests of the United States.

Not a single additional employee will be required. The gentleman from Arkansas has prepared an amendment, which I shall support, providing that as fast as it becomes proper to transfer a reserve from the custody of the Department of the Interior to the Department of Agriculture a corresponding number of the force of the interior department shall be transferred. In other words, no more employees will be required than at present. We have these two bureaus, or rather we have a division and a bureau, and we have the employees in both. The same amount of forest land will exist after any portion is transferred to the Department of Agriculture, and you simply transfer the men having it in charge. For instance, there are a certain number of custodians of the Grand Canyon Reserve of Arizona, and the San Francisco Forest Reserve. Now, if those two reserves are transferred to the Department of Agriculture the employees will also be transferred, and the expense will be precisely the same as if it were handled by the Department of the Interior. It makes no change whatever.

There are two duties to perform in regard to forest reserves. There are duties in relation to private individuals who have interests in public lands. Those matters are for the land department. Matters from the land department may be transferred by mandamus to the courts. If a patent is issued, a direct proceeding may be brought

in chancery to compel the patentee to become a trustee for the benefit of the real equitable owner of the property. Now, all those matters are matters of a legal nature, and are controlled by the land department as a court. The control of the forest reserves, taking care of timber, and all that, has nothing whatever to do with a proposition of this kind.

The land department of the government has charge, exclusive of Alaska, of 600,000,000 acres of land — a pretty big farm. That includes the minerals; it includes the forest reserves and the national parks; that includes all of the land in which the government of the United States had and retains the original title. Now, the work in regard to this business is divided up. We have a forestry division of the land office. That forestry division has nothing whatever to do with these questions of title; all questions of title are disposed of in other divisions of the land office. We have another division of the land office that has charge of the minerals and another one that has charge of patents, and so on.

The work is all thoroughly divided, and the control of the forestry today by the land office is in a separate division, just as separate as though it belonged to the Department of Agriculture, and there is no conflict, either necessary or possible, between the settling of private rights or the rights between the public and a private individual as to a quarter section of land or a mine in a forest reserve and the question of administering and caring for the timber that stands on the undisputed part of that forest reserve. We have today three different jurisdictions — the geological survey, that surveys the boundaries; the forestry division of the land office, that handles the timber and does the work that is proposed to be done under this bill, and, third, we have the Bureau of Forestry in the Department of Agriculture, with a full and complete force capa-

ble of relieving the Department of the Interior of a considerable portion of this work; and thus the bill is in the interests of economy, and would result in a reduction of the force instead of necessitating its enlargement.

There are a very few animals to which this provision could be made applicable. There are today perhaps 100 of a certain variety of elk in the southern end of the San Joaquin Valley, only one body of them in the world. The proposition has been made to gather them up and put them in a forest reserve. They are the only remaining ones of their species. A part of the Allard herd of buffaloes would probably be put upon some one of these reservations. Now, so far as I know, the only animals anywhere in the United States that can thus be transferred are those two particular herds, and possibly one or two other buffalo herds. There are perhaps three or four small buffalo herds that could thus be transferred, and the right is given here, without asking the governor whether he consents to this or not, to put these little herds into either one of the reservations recommended in the bill. If my friend thinks that there ought to be some further limitation put upon this protection, I am perfectly willing that it shall be done. I will have no objection to it, because there is no purpose such as he imagines might be concealed in this section of the bill, and when we come down to this particular section I shall be glad for him to call attention to it, and if any amendment can be made that is necessary it can be done.

It is well that somebody should see nothing but evil in appropriations. There never was a train yet that did not have a brake on it. There must be a brake, but you can not run the train with a brake alone — not successfully. While I commend my friend generally, here in this case he is exercising his judgment without giving attention to the real purpose of the bill. From his committee have

come in bills on subjects that I did not agree with him upon that appropriated more money in a single year than this whole Bureau of Forestry would consume in ten years; but it was his judgment and the House followed it, and I accepted his judgment. But when it comes to matters of legislation we have the President of the United States asking for this bill in his annual message and we have the Department of the Interior approving and asking for it. We have a bill that has for its purpose the preservation and conservation and administration of our forests.

Whatever expense may attend this work will be contributed by the American people and appropriated by the Congress of the United States, and the revenues from the forests will finally more than pay the expenses. These forest reserves will become an asset instead of a liability. Today the administration of forestry in the Philippine Islands is one of the principal sources of revenue there, and that forestry work is administered under the Spanish law, which has been reënacted, with some modifications, by the Philippine Commission. Under prudent and proper management our forests will become sources of revenue over and above all possible expense in their management.

Without these forests in our western mountains the desolation of the mountains of Palestine and southern Italy will be soon duplicated in the United States. We must learn from the mistakes of others. North Carolina is asking to have her hills again restored to a forest state, so as to bless and fertilize the valleys below. Let us move in time in the arid regions of our western domain.

GRAZING PRIVILEGES ON THE PUBLIC LANDS FOR HOMESTEADERS AND SMALL LAND- HOLDERS — PASTORAL HOMESTEADS ¹

“All flesh is grass and all the goodliness thereof as a flower of the field.” Isaiah xl, 6. “The grass withereth, the flower fadeth because the spirit of the Lord bloweth upon it; surely the people is grass.” Isaiah xl, 7. Man’s existence depends almost wholly, either directly or indirectly, upon the grasses in their various forms. Voltaire’s saying is often quoted: “Whoever makes two blades of grass to grow where only one grew before renders a service to the state,” and this statement is no more true than that the public policy which makes one blade of grass grow where two grew before should be reversed.

We have now 600,000,000 acres of the public domain, without taking into account the territory of Alaska. Of this vast region a very large portion is only suitable for pasturage, 46,000,000 acres have been set apart as forest reserves, 5,300,000 acres as national parks, a large area is embraced within the limits of mountain ranges above the timber line — but after all there remains an empire which is suitable only for pasturage. While a considerable area is yet to be put under cultivation by proper systems of irrigation, the land that would only be fit for grass would still amount to hundreds of millions of acres. How to utilize this best for our great and growing population is a problem well worthy of the consideration of the

¹ Speech of Hon. John F. Lacey, of Iowa, in the House of Representatives, Friday, June 13, 1902.

Congress of the United States. It is one, too, that is full of difficulty.

Prejudices are to be encountered, abuses have to be corrected, and it is high time that the people who are living in this great territory should seriously take the subject under consideration. They have begun to do so, but yet there is much difference of opinion as to what remedy, if any, should be adopted and applied. The purpose of my remarks today is to discuss the best attainable remedy for present evils — the best possible under existing circumstances — and I think I fully realize the difficulty of framing a law dealing with this question. The home is the base of everything, and if we start reforms on this subject with the home as the foundation the structure will be safe.

In examining this question and preparing a bill upon it the home seeker and actual settler is the man for whom we should exercise our first concern. The actual settler is the strength of a new state. The nomadic herder who drifts with his flocks from state to state, paying taxes nowhere and having no care for the future of the state, should be accorded no rights which will conflict with the local interests of the community or which will deter the actual settlers from taking up permanent homes.

The protection of the forests has no longer much opposition. By saving the forests we preserve the streams. The benefits of the restoration of the herbage of the plains are more direct. Grazing is even more important than irrigation. The nakedness of the plains should be clothed with grass and the mountains with trees.

In reading the early history of the United States, especially of the Far West, the mention of abundance of grasses suitable for grazing will always strike the attention of the reader. It is interesting to take the story of Lewis and Clark's expedition, or the journals of the

pathfinder, General Fremont, in his journey across the continent in the earlier days, and follow their descriptions of the abundance of animal life supported by the native grasses in the arid regions of the Far West. This teeming life of the great plains was supported in the winter by the hay cured by the dry winds upon the native stalks.

There are in the grass family about four thousand species, from the greatest of all — the bamboo — 100 feet high, down to the short buffalo grass of the arid plains. In this numerous family of plants is found the food of nearly all the animals which support the life of man. Civilized man draws his life and strength either directly or indirectly from the grasses of the field. The native grasses of America are amongst the most valuable known to mankind. When Timothy Herd discovered in the marshes of New England, and introduced to his neighboring farmers the native plant that long bore his name, now familiarly shortened into plain "timothy," he conferred a blessing not only upon New England but upon the whole American people.

The variety of these valuable grasses upon the western plains has been steadily decreasing since the country has been opened to settlement. In the settled portions of the East the intelligence of man has improved the pasturage, whilst the natural herbage of the Far West has been neglected because there was no one to care for it.

There has always been a fascination in the maxim of "free grass," and the fear of monopoly in the hands of the large cattle owners has arrayed many of the settlers, if not the most of them, in the grazing states, against any proposition whatever for the leasing or private control in any way of any portion of the grazing lands.

The legislature of the state of Montana has by resolutions expressed itself against any leasing proposition. The small landowner and the homesteader have looked

with just apprehension upon any scheme which would enable the great cattle companies to fence in large tracts of the national domain and exclude the poor settler from enjoying the wild products of the public lands. This condition has existed for many years. There is a diversity of opinion upon the subject as to the extent to which the native pasturage has deteriorated, but the fact of its great decline is not disputed. That deterioration has been reasonably estimated amounting to the destruction of more than a million acres of grass land each year, and its conversion into a desert condition.

The homesteaders in western Kansas and other localities have taken up claims where it is impossible for them by cultivation to make a living for themselves and their families because of lack of rainfall. In taking these claims, however, they have plowed up considerable portions of the valuable native grasses, and while nominally improving the land, they in fact have injured it, because upon much of this land there is no product of any kind that can take the place of the native grasses and at the same time be a safe and reliable crop in usual dry seasons. Many of the ranges — in fact, most of them — have been heavily and persistently overstocked. Many varieties of the grasses are annuals, and in the fierce competition among the herders not a sufficient quantity of grass is permitted to go to seed to renew the plants.

The House committee on the public lands has had this matter before them for many years. Personally I have realized the necessity for doing something toward the restoration of the natural pasturage, but in considering this matter I have always found myself confronted with the difficulty that the small settler and homesteader would probably be crowded to the wall under such system unless it should be guarded with exceeding care.

The state of Texas has for many years leased its graz-

ing lands. The change from free grazing to the leasing system was attended with violence and bloodshed in that state, but public sentiment has steadily grown in favor of the leasing system, until the people there are practically unanimous in their commendation of the law. The only criticism there is, is that the leasing of the land in very large tracts has retarded the settlement of some parts of the state.

Experience, however, in Texas has shown that the leased tracts have produced an increased amount of grass, and that the land is capable of sustaining a much larger number of cattle under the leasing system than under the old method of free grazing. The reason for this is very evident. Where there is a proprietary interest in the pasturage, the owner will endeavor to manage it in such a way as to increase the product. On the other hand, where the range is free to all, with no proprietary rights in the future, each cattle and sheep owner endeavors to get all the grass he can without any reference to the future.

The annual grasses are eaten before going to seed, and the pasture of next year is not considered. A wise farmer would not feed his seed corn to his flocks, and the seed of many of these grasses is equally as necessary. I believe there ought to be a remedy for this, and after many years' service upon the public lands committee I have thought it my duty to attempt to prepare a bill which I believe will overcome or minimize the evil to which I have referred and at the same time avoid the other evil of monopolization of the range. I have therefore prepared a bill that I believe will be just, by limiting the leasing rights in comparatively small tracts to the homesteaders and resident landowners only.

The bill provides for leasing only the arid and semiarid land which is not capable of irrigation, the leases to run

only for a term of five years and be limited to 3,200 acres to any one person; they shall not be assignable or transferable and shall only be made to homestead settlers or actual freeholders whose lands are in the vicinity of the grazing lands to be leased. Where there is not sufficient land to supply the necessary amount for the various applicants, the same to be prorated, the annual rental to be 1, 2, 3, 4, 5, or 6 cents an acre, according to the grade of the land, the land being classified by the Department of the Interior for that purpose. The large landholder may also lease land, but the maximum of 3,200 acres applies to all alike. Corporations are not privileged to lease under this bill. The land remains open to mineral, homestead, or other lawful entry, and when entered the lease is to be canceled. Streams and watering places are not to be included in any of these leases, and the right of way through leased lands to and from watering places is reserved to other lessees.

The bill provides that the law shall be put in force in any state or territory only by proclamation at the request of the state or territorial legislature. This will prevent the operation of the act in such states and territories as do not desire its benefits. It also provides that the net receipts of the leases shall be used for irrigation works in the state or territory where collected.

From this brief statement of the scope of the bill it will be seen that for a very small rental the homesteaders and small landowners will be able to utilize their property by obtaining grazing rights which it will be to their interest to protect. The total amount of grazing lands in the country will be exactly the same after these leases are made as before, but the small settler, and large settler as well, will thus be able, upon a limited amount of the public domain, to protect the grass from improvident and destructive grazing. They will be able by shifting their

cattle from one part to another to allow the depleted range to become restored, and the certainty that they will get the benefit of the increased production will induce them to care for the pasture with a view to its preservation.

There is only one experiment involved in this bill, and that is the attempt to limit its operation to the homesteader and the small landowner alone. This will work no hardship upon the large cattle owners, because the remaining land will still be open to free range, and the owners of the large herds can also subdivide their stock and let portions of the same out to graze upon the leased lands. It would result in a new impetus to homestead settlement, for settlers would locate homesteads in order to have the benefit of the appurtenant leasehold right who could not afford to make the attempt to live on 160 acres of land in a locality where the great sheep and cattle owners would consume all of the surrounding pasturage.

Many of the arid states are already trying the experiment of leasing state lands on their own account, and although these leases have not been in existence very long, the results in some of the states would indicate that the leased state range is already very much better than the public land in the same locality that has been subject to free and indiscriminate grazing.

The subdivision and exercise of proper care in the management of this immense area of pasture land is even more important in my judgment than the question of irrigation, for nearly all of the arid lands can be made to produce pasture, while comparatively a very small portion can ever be used successfully in raising irrigated crops. The leases not being transferable, the amount of each lease being limited, the range would be preserved and at the same time protected from monopoly.

It is proposed in the bill that corporations shall not be

permitted to lease. The reason for this is evident. A corporation is not a settler and has no family or home. Corporations can be created without number, and if leases were open to corporations under this bill they could readily locate tracts of 320 acres without settlement and then take leasehold privileges of 3,200 acres each appurtenant to their holdings, and effectually prevent the settlement of large areas that under this bill would become the home of ranchers. Under existing laws homesteads in the public lands are provided for farmers; this bill will open up the way for pastoral homesteads in a region where ordinary cultivation is not practicable.

I believe if this bill should be enacted into law it would be followed by very considerable increase in population in all the arid states, because we would have practically a new form of homesteader — a homestead settler who would take land because of its appurtenant rights, feeling confident that upon his homestead and leasehold lands he could be sure of a living for himself and family.

If I am right in my suggestion that intelligent and prudent management would increase the grass product, then it follows that more cattle could be supported upon the same amount of land than under the present entire lack of care, system, and method.

In Oregon the wheat farmer raises a wonderful quantity of grain to the acre; but the good farmer there only raises two crops in three years or one crop in two years and gives his land the benefit of a year's summer fallow. The Hebrews recognized that the land, as well as man, must have periods of rest. Pastures, too, must have rest from time to time or they will become worthless. A lessee will consider his own self-interest in the care of the grazing lands that he may control, and by shifting his cattle from time to time will allow the restoration of the

native grasses. Regions where the herbage was once very rich have become desolate. Under proper care they can be again restored.

The grass of the land is the life of the land. Grass is the healer that covers the scars of nature. Grass makes all the difference between a desert and a meadow. The pastures of the West are of the first importance to the whole people of the United States. I earnestly plead for their care and restoration.

THE PUBLIC DOMAIN ¹

Editors and Journalists:

It is a pleasure to look into the faces of so many molders of thought for southern Iowa. In fact this organization might be properly termed "The Thought Molders' Union." It is surely a good purpose which brings such an organization as this together and I am glad to be able to speak to you.

Roscoe Conkling said that there were only three classes of individuals who can speak of themselves individually as "we" and they are crowned heads, editors, and men having tapeworm.

Lord Coleridge said that a judge is a man who knows the laws of his own country and that a jurist is a man who knows something of the laws of every country but his own.

Definitions are always dangerous. I once got into trouble by calling a violinist a fiddler. Artemus Ward, fearing a similar trouble, referred to a sculptor as a sculpist.

I am at a loss whether to address you as editors or journalists and have therefore on the score of safety called you both.

It is true that today's newspapers will kindle tomorrow's fires but the thoughts of today's editorial will survive the cremation of the body. Thought is immortal.

Courage and conscience are the foundation of all good newspaper work; but courage is not demonstrated by

¹ Address of Hon. John F. Lacey before the Southeastern Iowa Editorial Association, Oskaloosa, Iowa, October 12, 1905.

running amuck at everything in sight, and dyspepsia should never be mistaken for conscience.

The editor's stool is a seat of power, but when the power is abused its influence is weakened. The sincerity, the candor, and the fairness of the editor are his surest source of strength with the people.

The same maxim which applies to other public men is equally applicable to the editorial profession: "Be faithful to the people and they will be faithful to you."

And the sentiment of either the people or the press is never to be obtained from mere clamor.

The silent and earnest opinion of the readers of the press is often difficult to fathom. The noise of the shallows should not be mistaken for the tide of the depths.

It was said by a public man that he spent the first ten years of his public life in maintaining an expensive publicity bureau and in trying to keep in the newspapers, and that he spent the next ten years trying to keep out of them.

Think of the millions that the New York life insurance companies have spent in securing whole pages in the great daily papers in the past. Now they get abundant space on the first page free of charge.

Mohammed claimed to be a true prophet. His Koran was written on the shoulder blades of mutton and after his death the dry bones were collected and became the guide of Islam. The Koran says:

If whatever trees are in the world were pens and He should swell the seas into seven seas of ink the words of God would not be exhausted, for God is mighty and wise.

But the trees have not become pens. Had Mohammed been a true prophet he would have foreseen the time when the forests should be turned into paper instead of pens and when the Sunday newspaper will contain more printed matter than would make several Korans.

The man who can write a pithy paragraph is a great power in the newspaper world. Bourrienne says that Napoleon feared a paragraph more than an army corps.

After being invited to address you I was in some doubt as to the choice of a subject when an editorial friend suggested "The Public Domain." As this is a non-partisan gathering I concluded to act upon the suggestion.

The people of Iowa are not as much interested in this subject as they once were, for not a single acre of the public land remains in the ownership of the government in this state.

The land of Iowa has passed from the control of the government to the individual ownership of our citizens and is being put to the best use by furnishing homes and employment to the inhabitants of a great and prosperous commonwealth.

The public domain was once a more vital subject of interest than at present.

It was in a debate on a land bill that Webster made his celebrated reply to Hayne and the nationalizing of the unoccupied lands was one of the strongest bonds for the maintenance of the Union.

But there are 800,000,000 acres of public lands remaining and the subject is still one of great importance.

The first essential to the prosperity of any country, is that there should be a good title to the soil. I wish to recall to your minds a few of the complex circumstances out of which the present perfect title of the great Northwest has grown. There were many real estate puzzles, growing out of the vague geography, and the wild prodigality with which the royal British family dealt with these provinces, which they neither understood, nor in fact held. They took the proposing colonists, figuratively speaking, up into a high mountain and pointed out all the land in sight, and distributed it with a vague and reckless pro-

fusion, placing overlapping grants which necessitated almost endless trouble for other people, long after the grantor and grantees had gone to that land where there are no land title problems.

It would be interesting, in this connection, to discuss the question of how near Chicago came to being a part of Connecticut. James I, in 1606, made the first grant to Virginia which ran from the Atlantic, west and northwest to the Pacific Ocean. No one knew the distance, but there was no doubt but that the great ocean was somewhere in that direction. Then came the Massachusetts grant of 1620, also running from sea to sea. On April 23, 1662, Charles II, who had not long before been a fugitive in France, granted to the Connecticut Company a charter and land grant "in New England, in America, bounded on the east by the Narragansett river, commonly called Narragansett Bay, on the north by the Massachusetts Plantation, on the south by the sea, and in longitude as the line of the Massachusetts colony running from east to west, that is to say, from the Narragansett Bay on the east, to the South Sea on the west including all islands thereunto adjoining." This of course was a good grant, as far as Charles held title, but the claims of the Most Christian King of France intervened in the Far West, the settlement and rights of the Dutch on the Hudson cut the grant in two in part, whilst the overlying grant made in 1681 to William Penn by Charles II, afterwards also cut Connecticut in two on the south, and in 1664, the British king gave to his "dearest brother, James the Duke of York, his heirs and assigns" the territory which is now principally occupied by the state of New York. James had already acquired the previous grant made in 1635 to the Earl of Sterling. The French did not discover the Mississippi until May 17, 1763, so that the grant of Connecticut, by nearly a year antedates the French claims to

Louisiana. The French in the north were trappers, the Spanish in the south were gold seekers, but the English were settlers.

It is always interesting to discuss what might have been, but it is almost unthinkable to consider the northern part of Ohio, Indiana, and Illinois as constituting a part of the state of Connecticut, in the light of subsequent history. But there was a complex variety of things which brought about the present configuration of the great state of Illinois, and the transfer of the land on which Chicago stands to the national government, by the state of Connecticut. New York had a shadowy claim, in the days of the Revolution, to parts of Ohio and Virginia. Maryland refused to enter the confederation of the Revolution, on the ground that the Northwest Country should be ceded to the united colonies as a whole, but she still joined hands with her sisters in doing her best to make the struggle for liberty a successful one. It was not, however, till 1781 that she finally became an actual part of the confederation. It was fortunate that there were so many conflicting charters and claims in the Northwest, thus adding to the reasons for nationalizing the public lands.

New York's claims were very shadowy, and rested upon very slight foundations, but her unconditional conveyance of these claims to the national government paved the way for the action of other states. Virginia had fortified her paper title by the successful expedition of General George Rogers Clark.

The peace of 1783 involved France and Spain as well as England. But Jay, Franklin, and Adams so managed it as to save the great Northwest, including the unknown wealth of Lake Superior in iron and copper.

It was a keen negotiation but the decision opened up the great possibilities of the Northwest to be followed by the Louisiana Purchase in 1803.

The treaties of 1763 and 1783 made the Mississippi our western boundary and marked the western limits of Connecticut.

A special Federal court met at Trenton, New Jersey, by authority of Congress, and tried the issue between Pennsylvania and Connecticut. It located the west line of Pennsylvania where it now is, but left Connecticut to claim the ancient boundaries as far west as the Mississippi River.

Massachusetts asserted her claims to much of the land now occupied by Michigan and Wisconsin. Massachusetts conveyed her title April 19, 1785; Virginia, March 1, 1784; New York made her cession March 1, 1781; Georgia made a pretty close bargain with the government for the transfer of her western claims to the Mississippi, but Connecticut granted her lands, with all the possibilities of Chicago in the future, on September 14, 1786. She reserved, however, 3,250,000 acres in northern Ohio, "The Connecticut Western Reserve," of which she afterwards sold the soil, and subsequently ceded the sovereignty to the national government. This last was done in order that a perfected title might be given to the Connecticut Company to which she had granted the Western Reserve.

What a remarkable state Connecticut would have been! Her emblem should have been the kangaroo, the greatest part would have been behind. She ceded Chicago, but kept Cleveland and the Western Reserve. Had they not afterwards made the relinquishment of political jurisdiction over the Western Reserve, her statesmen might now say that they "had lost Chicago; they had lost Harrison and Dunne, but they still had the city of Cleveland with the graves of Garfield and Hanna and a living Tom Johnson." But the future Chicago's troubles were not yet at an end. Wisconsin wanted the north fourteen

counties of Illinois, and these counties, including Cook, seemed quite willing to leave Illinois. Michigan unwillingly gave up a few hundred square miles in Ohio, including the present Toledo, and took instead the Northern Peninsula with the richest iron and copper mines on the planet.

The questions were viewed in the most practical way by our ancestors. "Better an acre in Middlesex than a principality in Utopia."

It is wonderfully interesting to look over the chain of title which opened up the great Northwest in the form in which it now appears upon the map of the states. The ordinance of 1785, simplifying surveys and providing the present method, by sections, townships, and ranges, was one of the most important steps toward the settlement and growth of that region.

The Connecticut Western Reserve retained its townships in squares of five miles instead of six, but the system was the same. In Europe land was entailed and progress halted a thousand years. In swift-moving America, land is as transferable as a horse or a bale of goods. The man who has it is not required to keep it, and with rapid and easy transfers, lasting improvements have speedily been erected. There is no bar to human progress like a refractory land title.

Perfect titles, simple surveys, easy transfers, secure and recorded, prohibition of entailment, these are elements that seem to us so commonplace that it is difficult to realize how important they have been to our national growth.

When the first currents that set from Massachusetts, Connecticut, and Virginia were lost in the great ocean of national unity, then came the public domain. Wise laws opened the way to utilize the rich soil and healthful climate for the homes of a free people. Individual owner-

ship, stimulating individual effort, was the inspiration of the settlement of the great Northwest.

A few years ago the Turkish government brought forward an ancient claim, 250 years old, by which it was proposed to take for the crown the lands surrounding the city of Joppa. Private owners began to allow their property to go to decay. They quit watering the orange trees, and the country was threatened with ruin. The claim was abandoned, or the land would have returned once more to its mother, the desert.

Before the white settlements in America, the title was held by the Indians in common. A number of misguided gentlemen today are urging the seizure of all lands through the proposed medium of a single tax. They claim to have something original in this proposition, but it is not, it is aboriginal. It was not only necessary to provide for good surveys and titles, but a free government, administered by free men, was even more essential.

The Ordinance of 1787 provided a system out of which has grown all the subsequent territorial organizations in the United States. The old Northwest, bounded on the west by the Mississippi and on the south by the Ohio, was larger than France, and larger than either the Austrian or German Empire.

The political jurisdiction of the remote states on the seashore would have been a great handicap to the growth of the new country. Religious freedom, exclusion of negro slavery, the reservation of each sixteenth section for school purposes, were the great forces in the Ordinance of 1787. This Ordinance was not only a landmark in our history, but was a turning point in the history of civilization. The main features of the Ordinance, and of our national Constitution, which was also made in 1787, now seem so natural and reasonable that it is hard to

realize the time when the principles of these two great charters were not recognized by all mankind.

The Constitution did not prepare the way for our public domain. It was that domain which prepared the way for the Constitution.

The cession of this great western empire to the nation at large was essential to the adoption of the Constitution itself.

The Englishman, it is said, always has a "hunger for the horizon," which is another way of expressing the thought that land hunger is a characteristic of the race to which we belong. It is a chronic condition of the Anglo-Saxon.

In 1763 Great Britain very seriously discussed the propriety of giving up Canada to France and taking Guadeloupe, including all the little islands around it, in exchange. Dr. Franklin wrote a pamphlet of fifty pages, to prove that Canada was worth more than Guadeloupe. Franklin's argument prevailed, and in 1764 France surrendered all claims east of the Mississippi River to England, and soon after, all west of the river to Spain.

I will not follow up in this discussion the great event of the acquisition of the Louisiana Territory, our purchase from Spain and Mexico, nor our title by discovery and settlement in Oregon and Washington.

The old Northwest is now occupied by Ohio, Indiana, Illinois, Michigan, Wisconsin, and a part of Minnesota. Minnesota was only half in the old Northwest Territory, and has been said to be only a half sister to the other five states of that territory. But the same public land system has been extended to our other continental acquisitions.

The next great step in relation to our public domain, was the free homestead era which began in 1862. This was second only in importance to the ordinances of 1785

and 1787. However much we may criticise the land grants which aided in carrying the railroads to the Pacific Coast, it is undoubtedly true that the settlement of the vast empire between the Mississippi and the Pacific was very greatly accelerated by this policy. Another important departure from all previous methods was the adoption of the existing system of administering our public mineral lands.

The old Spanish law, under which the crown owned all the precious metals, was abrogated, and every inducement held out to the hardy explorer whose venturesome spirit led him into almost every part of the Far West. Even far away Alaska, purchased by Seward in 1868 and looked upon as an indirect way of giving \$7,200,000 to Russia for her friendship in the Civil War, has proven to be one of the richest of all our possessions, and each year that territory yields us in gold, fish, and furs, very much more than the whole of the original purchase price.

We have today in the public domain, including Alaska, something over 800,000,000 acres of lands. The best of the agricultural land has passed into private ownership. A system of national irrigation has been entered upon which will make homes for many more millions of our population. Seventy-five million acres of timbered lands have been set apart as permanent forest reserves, but one of the greatest sources of national wealth has in my judgment been greatly neglected. Nearly 500,000,000 acres of grazing lands still belong to the nation. Most of these lands are unsuited for the making of homes by the old methods. Much of the grass is annual, and if grazed too closely, it will produce no crop in the succeeding year. The subject is a very interesting one and in my opinion is one of the most important with which this generation has to deal. Some method must be devised by which the grazing may be carried on so as to produce the largest

amount of pasturage. To discuss this question as it deserves, would occupy more time than is allotted to me.

The foremost and most reliable form of wealth is in real estate, but corner lots may now be purchased for a song in Palmyra and Nineveh, but recently the Napoleons of finance have obtained their commissions in the navy and seek riches in another element by watering stock.

Aquarius, the water bearer, should be their emblem.

The sunshine of publicity has caused great evaporation in this liquid aggregation of wealth. Let me suggest an epitaph for one of these so-called captains of industry. At the base of the pyramid of Cestius in the English cemetery at Rome, lie the remains of the poet Keats, who caused to be inscribed on his head stone, "Here lies one whose name is writ in water."

No wealth is so enduring as that which finds its roots in the soil, but in America the very rich have generally preferred a more productive, though less lucrative, form of property.

The old families of New York City who have grown rich by the wisdom of their ancestors, are now busy tracing their genealogical trees back to Alfred the Great. None of them care to go back to Noah, for that would connect with their uncles, Shem and Ham.

The public domain will have accomplished its great purpose when it has finally passed into the ownership of prosperous citizens.

ENLARGING THE POWERS OF THE DEPARTMENT OF AGRICULTURE¹

The committee on interstate and foreign commerce, to whom was referred the bill (H. R. 6634) to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes, beg leave to submit the following report, and recommend that said bill do pass, with an amendment.

This bill has a three-fold purpose:

1. It is intended to authorize the secretary of agriculture to provide for the introduction and restoration of game, song, and insectivorous wild birds in such parts of the country as he may deem it desirable to do so.

In many of the states the native birds have been well-nigh exterminated. Agriculture suffers a pecuniary loss by their destruction, for they are the farmer's and planter's best friends in the destruction of noxious insects. There is a sentiment involved in the question that makes the preservation and restoration of these birds a matter of public concern. Attempts have frequently been made by private individuals and clubs to introduce new varieties, or to restore again the old varieties of feathered life. Their active and persistent foes have usually destroyed such birds within a year or two after their introduction.

There have been some notable exceptions to this rule. In Oregon the Chinese pheasant has become abundant,

¹ Mr. Sherman, from the committee on interstate and foreign commerce, submitted the report, to accompany H. R. 6634 presented by Mr. Lacey. The report of Mr. Sherman is a lengthy one and therefore is omitted here. Only Major Lacey's own speech is reprinted.

though it has been introduced within the last twenty years. Your committee believes that the birds that may be the subject of experiment by the Department of Agriculture will receive more encouragement from the people than when private individuals undertake their introduction or restoration. The prairie chicken has almost disappeared in many of the states of the Northwest. Should some of these birds be turned loose in North Carolina and Virginia, national and public sentiment would protect them and in time they might become abundant there. At any rate the experiment is worthy of a trial. The grouse of the northwestern Pacific Coast would no doubt readily adapt itself to the woods of Pennsylvania and the states of the far south.

At a moderate expense the Department of Agriculture could not only introduce new species but could return species that have become locally extinct, and at the same time disseminate such information as would create a healthy public sentiment for their preservation.

2. The bill places it within the power of the secretary of agriculture to prevent the unwise introduction of foreign birds and animals.

Had this power existed some years ago it would have spared the presence of the English sparrow, whose importation was the result of the mistake of some well-meaning people who had not given the history and habits of these birds a proper study.

3. The most important purpose of this bill is to supplement the state laws for the protection of game and birds. The various states and territories have enacted appropriate laws for this purpose, but the laws are evaded by the pot-hunter, and deer, antelope, prairie chickens, grouse, quail, and all kinds of game are shipped concealed in various methods to other states where they are sold in the open market. This bill is intended to be-

gin where the state laws leave off. The state laws can have no extradition force and the national laws can not operate in a single state.

But interstate commerce is wholly in the control of the federal government. Where the states are powerless to protect themselves the national government has ample power. This bill goes to the very root of this matter by forbidding interstate commerce in such animals and birds when killed or caught in violation of local laws. To illustrate: The pot-hunter in Iowa, Missouri, or Kansas kills quails out of season and in violation of the laws of those states. He does not merely kill a few for his own use, but he slaughters or traps them indiscriminately for the purpose of sending them for sale in the market. He avoids the state law by secretly shipping them to a market beyond the state.

When the birds arrive at their destination they are exposed for sale, and as they were not killed in the state, the state laws do not meet the case. Now, if the game wardens or other law officers of these states could watch the market and punish the persons engaged in the shipment, the traffic could be broken up.

The carriers have no desire to aid in this nefarious traffic. The amount of their charges for freight on such goods is a very inconsiderable sum, and there would be no disposition on their part to interfere with the enforcement of the law. On the contrary, we believe that they would generally respect the letter and spirit of the law. But should the carriers knowingly transport game killed out of season they would be amenable under the proposed bill.

The consignor and the consignee would know that they were dealing in illegal property, and a few examples would break up the business. No state's rights or privileges are infringed by this bill.

Interstate commerce is beyond the state control. The killing or carrying of game within the limits of a state is a matter wholly within the jurisdiction of the state. But when the fruits of the violation of state laws are carried beyond the state, the nation alone has the power to forbid the transit and to punish those engaged in the traffic. This bill will give to the game wardens the very power that they now lack and which would be the most effective for the purpose of breaking up this commerce. The bill is supported by many persons and associations throughout the United States, and your committee are of the opinion that it will be of much aid in preventing the present rapid extermination of our game, song, and insectivorous birds.

In some of the states the sale of certain game is forbidden at all seasons without regard to the place where the same was killed. The purpose of these laws is to prevent the use of game shipped into the state from being used as a cloak for the sale of game killed within the state in violation of local laws. The sale of such imported goods in original packages defeats the operation of these laws, and the committee has prepared an additional section 5, which is in substantially the same language as the Wilson original package act of August, 1890.

The reasons for the Wilson act of 1890 are well known, and the principle of that act should be applied in game protection.

We propose the following amendment:

Sec. 5. That all dead bodies or parts thereof, of any foreign animals or birds, the importation of which is prohibited, or the dead bodies, or parts thereof, of any wild animals or birds transported into any state or territory or remaining therein for use, consumption, sale, or storage therein, shall upon arrival in such state or territory, be subject to the operation and effect of the

laws of such state or territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such animals or birds had been produced in such state or territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

INTERSTATE COMMERCE IN GAME AND BIRDS
IN VIOLATION OF STATE LAW; LET US
SAVE THE BIRDS ¹

This bill is one that has attracted a good deal of interest in various sections of the country. Horticulturists, agriculturists, and lovers of birds everywhere, and also the League of American Sportsmen, and others interested in game and the protection of game all over the United States have been strongly enlisted in its support.

Briefly, the bill provides for a few purposes only. First it authorizes the secretary of agriculture to utilize his department for the reintroduction of birds that have become locally extinct or are becoming so in some parts of the United States. There are some kinds of insectivorous birds and some kinds of game birds, that heretofore were abundant in many localities, which have become very scarce indeed, and in some localities entirely exterminated. The wild pigeon, formerly in this country in flocks of millions, has entirely disappeared from the face of the earth. Some hopeful enthusiasts have claimed that the pigeon would again be heard from in South America, but there seems to be no well-grounded basis for this hope. In some localities certain kinds of grouse have almost entirely disappeared. This bill gives the secretary of of agriculture power to aid in the reintroduction, which, I think, will prove a useful adjunct to the action of the states which have undertaken the preservation of the native wild birds.

¹ Speech of Hon. John F. Lacey, of Iowa, in the House of Representatives, April 30, 1900.

Now, the next purpose in the bill is to allow the secretary of agriculture to control the importation of foreign wild birds and foreign wild animals. If this law had been in force at the time the mistake was made in the introduction of the English sparrow we should have been spared from the pestilential existence of that "rat of the air," that vermin of the atmosphere. But some gentlemen who thought they knew better than anybody else what the country needed saw fit to import these little pests, and they have done much toward driving the native wild bird life out of the states. This bill provides that the secretary may prevent the importation of the fruit bat, or the flying fox, the English sparrow, the starling, and other birds of that kind, which, in his discretion, he may regard as detrimental.

The necessity for a provision of this kind is obvious. The mongoose, a miserable, murderous animal that was introduced for the purpose of killing snakes in Jamaica — by the way, one member of the House asked me the other day what kind of a bird the mongoose was — the mongoose has proved a nuisance and a pest worse than the serpent that it kills. It drove the rats in Jamaica to the trees, and the rat now there has become an arboreal animal. The rat still exists and keeps out of the way of the mongoose. But the birds of the island have been almost destroyed by this imported pest. Now, a proper control on the part of the secretary of agriculture would prevent the importation of injurious foreign animals. Some gentlemen in California have suggested the propriety of introducing the fruit bat or flying fox there, and this bill would prevent their importation. They would prove as great a nuisance as the English rabbits in Australia and the Scotch thistle in Canada. Some patriotic son of Scotland wanted to see if the thistle would

grow in Canada. He tried it, and there is no dispute about it now. It grows in Canada.

There is a compensation in the distribution of plants, birds, and animals by the God of nature. Man's attempt to change and interfere often leads to serious results. The French pink was introduced as a flower in Oregon, and it has spread throughout the wheat fields and become an injury to agriculture. The English yard plantain has become a great evil in New Zealand.

Rabbits were introduced in Australia, and today the most persistent efforts are necessary to keep them within endurable limits. The Russian thistle is spreading with great rapidity in the Dakotas, and though this plant has finally proven to have some value for forage, yet the people of the Northwest would be glad if the plant had never found a footing in that region.

It is important that the introduction of foreign wild birds and animals should be under competent legal supervision, and this bill will accomplish that result.

The next proposition in the bill, and that is the vital one of all, is to prohibit interstate commerce in birds and wild game — that is, insectivorous, useful birds, and wild game birds, and wild game of any kind killed in violation of local laws. Take the state of Georgia, that has enacted most rigid laws for the protection of insectivorous birds and game birds. Trappers go there and catch the quail, net or trap them in violation of the local law, pack them in barrels or boxes and ship them to other markets in the United States. It is done secretly. The result is that the market houses in other states have been utilized as places in which to dispose of these birds and animals killed in violation of the laws of the state. Game wardens of the various states have long desired some legislation of this kind by which they can stop the nefarious

traffic in birds and game killed in defiance of their state laws.

Take the state which I have the honor in part to represent — the state of Iowa. A few years ago it was filled with prairie chickens; quails were abundant. A careful protection of the quails has recently resulted in an increase of those beautiful little birds; but the shipment of prairie chickens has still been going on until they have well-nigh become extinct. This bill if enacted into law would enable the local authorities to prevent the transportation of these birds. It is perfectly evident, however, that such a law might be abused unless suitably guarded. Persons might make use of it for the purpose of blackmailing the carriers. Therefore a provision has been inserted in this bill by which carriers will not be held responsible for the shipment unless they have knowingly carried the forbidden articles. But the shipper can not plead ignorance, and when complaint is made against the carrier, he will transfer the responsibility of the crime to the shipper, and the result will be that the whole traffic can be broken up.

As to insectivorous birds, I saw an article going the rounds of the newspapers the other day purporting to give an interview between my friend from Illinois (Mr. Cannon) and myself. Whilst the interview was not stated with entire accuracy, the general facts are true, and I will repeat it now as an illustration of one of the features of this bill.

When the bill was up in the House before on a motion to suspend the rules, my friend from Illinois raised the question of "no quorum." Two-thirds of the House were in favor of passing the bill, but there was not a quorum present; and the gentleman from Illinois raised that point and prevented further consideration of the bill. The next day I came to the House with my pockets

full of the most beautiful looking apples. They were fair to look upon, but were veritable "Dead Sea fruit." I went around and offered them to my friend. He loves apples as well as I love birds. He opened them.

They were all perforated with the tunnels that the worms had dug in passing through the fruit. I asked him if he had ever seen that condition in apples when he was a boy. He said no; it was a recent thing. I inquired whether he often saw an apple now that did not show the foul track of a worm through its interior. He said, "What of that?" "Well," said I, "my friend, the killing of the birds causes this condition — man kills the birds that killed the insect that laid the egg that hatched the worm that defiled the apple." Thus following back in something the fashion of "The House that Jack Built," we reach the real cause of most of this trouble. The destruction of the insectivorous birds has resulted in the loss of our fruit. No wonder the farmers and horticulturists are interested in this proposition!

Objection was made to this bill upon the theory that it was a purely sentimental measure intended merely to strike at bird millinery. Not so. It is true that there is some sentiment in the bill; and it is a proper, a legitimate sentiment. The love of birds is something that ought to be taught in every school. Their protection is something that ought to be inculcated in the mind of every boy and girl. I have always been a lover of the birds; and I have always been a hunter as well; for today there is no friend that the birds have like the true sportsman — the man who enjoys legitimate sport. He protects them out of season; he kills them in moderation in season. The "game hog" is an animal on two legs that is disappearing. May he soon become extinct! The "game hog" formerly had himself photographed surrounded by the fruits of a day's "sport," and regarded the photograph

as imperfect unless he had a hundred dead ducks, grouse, or geese around him. Today a true sportsman would be ashamed to be pictured in connection with a larger number of fowls than a decent share of an American gunner, having due regard to the preservation of the game for the future.

This bill is directed against the pot-hunter. When you take away his market you destroy his occupation. Take away his market or put that market under the surveillance of the game wardens, and the pot-hunter must cease to carry on his nefarious traffic. He is the man who should have no friends on the floor of this House or anywhere in the United States of America. He is the relentless enemy of all animal life. The states have awakened to the necessity of preserving what remains of bird life, with which nature so generously endowed our country. State laws of a rigorous character are enacted, and a public sentiment has grown up in favor of the enforcement of the statutes.

But the facility of commerce in these days of rapid transit enables the violator of the state law to market the product of his crime at a distance, and thus defy the laws of his own commonwealth. This bill will supply the present defect in the law, and a halt can be called upon the ruthless destruction and exportation of the small remains of our once apparently inexhaustible bird population.

Seton-Thompson tells us that no wild bird or wild animal ever dies of old age. Their lives, sooner or later, always have a tragic end. When a wild animal makes a mistake the penalty is death.

The gulls, the scavengers of our bays and harbors, are now being killed for use as ornaments.

The plumes of the egrets are especially sought after; and as their plumage is at its best when nesting, the mother bird is shot while rearing its young, and the or-

phan family is destroyed that the mother's plumes may decorate the headgear of humanity.

There is one feature of bird protection with which this bill does not pretend to deal.

The plumage merchant has held out inducements to hunters which have well-nigh exterminated some of the most beautiful creatures in the world.

In a single sale in London, in 1898, 116,490 skins of humming birds and 228,289 bundles of Indian parrots were sold for decorative purposes. In that sale over 500,000 bird skins were disposed of.

It is a pitiful thing to contemplate the slaughter of such a multitude of these beauties for the gratification of human vanity. Many people are deeply interested in the proposition to forbid the importation of the plumage of foreign birds, but that would involve the attempt to reform the world before purifying ourselves.

We should cast the beam out of our own eye first.

Let us take care of our own birds and game before attempting to go into the fields and forests of other lands.

By taking this course we will set an example to other countries and the good work of bird and game protection in America may serve as a model.

We have given an awful exhibition of slaughter and destruction, which may serve as a warning to all mankind. Let us now give an example of wise conservation of what remains of the gifts of nature.

It is late. It is too late as to the wild pigeon. The buffalo is almost a thing of the past, but there still remain much to preserve, and we must act earnestly if we would accomplish good results.

To the last section of this bill, which was designed to obviate the effect of the "original-package" law in protecting the pot-hunter, I have agreed to offer an amendment, putting it in such form as I think will remove the

only opposition that this bill has really encountered on the floor of the House. I will offer the amendment at the proper time as a substitute for section 5.

Now, if gentlemen who desired to ask me questions wish to do so, I shall be pleased to answer any question in regard to the bill. I hope to see it pass without a dissenting vote.

MR. GAINES. Will the gentleman from Iowa allow me to ask him a question?

MR. LACEY. Certainly.

MR. GAINES. Are not the birds, I would ask my friend from Iowa, being exterminated largely by the prize shooters?

MR. LACEY. I think not to any considerable extent. These men who do prize shooting are, as a rule, in the habit of using clay pigeons. The birds we are trying to protect are rarely used for such purposes. Domestic pigeons are used for that purpose and also clay pigeons or glass balls.

MR. ROBINSON of Indiana. I desire to say to the gentleman from Iowa, while I have not read the bill very carefully, that I think it comes very close to producing a conflict between the states, over their jurisdiction in these matters, and the federal government. I ask the gentleman if that is not true?

MR. LACEY. Not at all.

MR. ROBINSON of Indiana. I also should like to have an explanation of that to see how the gentleman's ingenuity has gotten around that difficulty.

MR. LACEY. There is no difficulty whatever. The authority of the national government begins where the state authority ends. The bill carefully avoids all conflicts of this character. It begins when animals or birds are loaded upon the cars to be shipped to a point outside of the state. When they are thus transported, for in-

stance, from a point in Indiana to Chicago or Cincinnati, the local game wardens, endeavoring to protect the birds of your state, find themselves powerless, because the birds are not seen of men after they are once packed until they turn up in the markets of one of the cities. The state law is thus nullified. This provision enables the persons enforcing the state law to show, first, that the birds were killed in violation of the state law; second, that they have been shipped by interstate commerce to another state. Then the national law comes in and forbids the shipment, and in this manner the state law is supplemented. Thus it is made effective at the very point where, by reason of the limited area of the state, the state law today is inoperative and ineffective.

I love the people who love birds. The man or the woman who does not love birds ought to be classed with the person who has no love for music—fit only “for treason, stratagem, and spoils.” I would love to have a solo singer in every bush and a choir of birds in every tree top. At my own home I have set out Russian mulberries for the birds alone. The Russian mulberry begins to ripen while the blossoms are still coming out, and for three months there are blossoms and black fruit upon the same tree. If you want to be popular with the birds of your community, set out some of these mulberries, and they will come from every quarter to the place where these trees are. The man who cultivates the birds will have the birds take care of him. They will care for his farm. They will destroy the insect pests, and the man who protects them will be successful wherever he may farm in the United States of America.

MR. SHACKLEFORD. What about the birds that pick the cherries?

MR. LACEY. Every bird that eats a cherry earns ten cherries before he eats one.

MR. CLARK of Missouri. Have you any way of keeping them from eating the cherries?

MR. LACEY. No one should ever begrudge a cherry to a woodpecker or a robin. He has made the cherry possible before he takes it. He has done more toward its fruition than the man who set out the tree, because he has protected it from the pests that destroy it.

Unless some other question is asked, I ask that the bill be read by sections for amendment.

MR. CUMMINGS. Will the gentleman inform us, in a few words, what birds this bill does not protect?

MR. LACEY. It protects only those birds that are protected by local laws. If the state of New York protects a certain kind of birds, interstate commerce in the dead bodies of those birds is forbidden, so that nothing is taken from the powers of the state. The sound judgment of the legislatures of the states really control this matter after all, and this bill merely builds upon the foundation that is first laid by the state legislature.

MR. GAINES. Why do you confine it to states that prohibit the killing of robins, for instance? Could not this apply just as well between states that do not prohibit their killing as between states that do?

MR. LACEY. In order to do that it would become necessary to enact a national law, which, I think, would be unconstitutional. By limiting it to the prohibition of interstate commerce in those things which the state prohibits, then we have clear ground, and there is no trouble on the subject. Every state in the Union is today legislating as well as it can to perfect the general purpose had in view by this bill.

MR. ADAMSON. The gentleman has not read his amendment yet.

MR. LACEY. No.

MR. ADAMSON. I suppose I may as well call your at-

tention to it now as at any other time. I have looked at the gentleman's amendment. Does he wish to have it read now?

MR. LACEY. I will read the amendment. I propose, in lieu of section 5, the following:

Sec. 5. That all dead bodies, or parts thereof, of any foreign game animals, or game or song birds, the importation of which is prohibited, or the dead bodies, or parts thereof, of any wild game animals, or game or song birds, transported into any state or territory, or remaining therein for use, consumption, sale, or storage therein, shall upon arrival in such state or territory be subject to the operation and effect of the laws of such state or territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such animals or birds had been produced in such state or territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise. This act shall not prevent the importation, transportation, or sale of birds or bird plumage manufactured from the feathers of barnyard fowl.

Now, in a word let me explain that in the city of New York and in the state of New York, where they have rigid laws, market men import grouse from Scotland, hang up the grouse out in front of the store, and, while apparently selling Scotch game, they are in fact selling grouse killed in the Adirondacks or in the state of New York; but they use these foreign birds as a "fence," just as in some localities some dealers use their business as a "fence." Some merchants shelter themselves behind a legitimate business in order to transact an illegal business. We have rigid state laws in every state prohibiting the receiving of stolen goods. Now, in New York they tell me that concealed behind a Scotch deer or perhaps Scotch birds they are selling native birds. The only way to prevent them from doing so is to prohibit the selling of foreign birds. When birds are shipped into a state at a time when the state statutes prohibit them from being

killed and a man is arrested, he says, "They were shipped under interstate commerce, and you cannot interfere with me."

This proposed section is copied from the Wilson original package act, which has stood the test of judicial criticism. It will enable the state of New York to treat Scotch game or foreign game precisely as it would its own game when it arrives in the state, and thus protect against the foreign game being used as a screen to sell the local game.

MR. ADAMSON. I want to ask you a question — not about the provision about domestic fowls, nor the provision as to foreign animals and birds, but other language in your proposed amendment. It relates to the sale of game animals and birds transported into any state or territory, and remaining there for use, consumption, sale, or storage therein. I presume that has application, for instance, to birds or game killed in Virginia and shipped into Maryland or other states under interstate commerce.

MR. LACEY. Yes.

MR. ADAMSON. Now, as I understand your amendment, it would be a violation of the law to ship and sell these birds or animals in another state, although it was lawful to kill them and sell them at the time they were killed.

MR. LACEY. Certainly, as to the shipment. It will simply do this: Suppose the closed season in Virginia commences on the 1st of December, and the closed season in Georgia is the 1st of October. Now, it will be lawful to ship animals and birds from Virginia into the District of Columbia and Baltimore longer than it would be from Georgia, because the closed season is different; and the man that receives and handles them must know that he is dealing with something that has not been killed in violation of the state law from which the game comes. The state law would protect the state of Georgia from the

destruction of the birds in Georgia, in which every Georgian is interested, when they are killed in violation of laws of your state.

This bill will prevent the evasion of the state law by the shipment of the game for sale in another state.

MR. ADAMSON. Still, if you think it will be valid, do you think it would be wise to provide that game and birds legally killed in a state where they exist can not be sold in any other state or territory?

MR. LACEY. That is left wholly with the states. This bill does not attempt to interfere; it leaves it so that the state may do so if the state thinks best. Suppose at Atlanta they want to prevent the sale of quails between the 1st of October and the 1st of February, or after the 1st day of February and down to October. Now, you find by shipping Florida or Virginia quails at the same time your local laws are nullified, because they can not distinguish between them. In order to protect your own birds, you say no such birds killed anywhere shall be sold within that period. This bill does not attempt to do more than to enable your state to do this, notwithstanding the original package decisions, which have in the city of New York been utilized to destroy the state law.

In New York they have precisely such a state law as I suggested; they have attempted to prevent the sale of all wild birds out of certain seasons, although they were killed lawfully in the state or foreign countries from which they came, and the courts have held that as they came in under interstate commerce, and as Congress has not passed any original package law applying to game, the laws are inoperative, and it is at their request that this prohibition is inserted in the bill.

BISON PRESERVE ¹

The committee on the public lands, to whom was referred the bill (H. R. 6062) to set apart a preserve for American bison, and for other purposes, beg leave to submit the following report, and recommend the accompanying substitute for the bill.

Charles Mair, of the Royal Canadian Society, in May, 1890, made the following statement:

There is, perhaps, no fact in the natural history of America which brings such reproach on civilized man as the reckless and almost total destruction of the bison. . . . At this time there are in all probability not five hundred animals alive on the continent.

When America was discovered, the American Indians, measured by their flocks and herds, were as opulent as any people on the globe. The bison was the common property of all. He took care of himself both winter and summer, and furnished a never-failing supply of food and raiment for the aborigines. Through inconceivable ages this animal had become adapted to the soil, climate, and surroundings. The bison is the most typical American of all of the indigenous beasts on the continent.

In 1832 the last of the bison was killed east of the Mississippi River. Before the development of the railroads vast herds of these animals avoided the destructive effects of the white settlements by emigration to the Far West, and down to as late as 1870 they still numbered very many millions. The building of the Pacific railroad

¹ April 10, 1900. Mr. Lacey, from the committee on the public lands, submitted the report to accompany H. R. 10590.

was the signal for the destruction of these vast herds. They were slaughtered without mercy, for sport and for profit.

The most pitiful story in the history of all animal life is Prof. William T. Hornaday's report on the extinction of the American bison. The mania for slaughter seems to have affected everyone. The English lord, the miner, the cowboy, and the emigrant slew right and left, dotting the plains with thousands upon thousands of tons of bleaching bones that have since been gathered up and transported to the sugar refineries on the Atlantic coast. These herds, that could have readily been converted into domestic animals and preserved as a permanent source of wealth, have been literally swept from the face of the earth.

The cattle which have taken their place are unable to withstand the rigors and severity of the changeable climate. Where the bison turned his head to the storm and fought it out with the blizzard, the American cattle of today turn tail to the wind and drift to destruction. The bison was clothed expressly to resist the severity of the climate in which he was living. Prehistoric man, in his long warfare against the mammoth, left not one to tell the tale. Necessity for food, no doubt, was his excuse, and the slow breeding of these gigantic beasts made the extermination comparatively easy. When America was discovered the bison was the king of American beasts. By ages of gradual modification and natural selection an animal was developed fitted in the most admirable way for a life in the vast region from Hudson Bay and Great Slave Lake to the Gulf of Mexico.

The United States government has tardily attempted to preserve some of the wonders of nature on the continent. The word "extinction" does not quite literally apply to the bison, but we have arrived at a point where nothing

but heroic treatment will prevent the animal from joining the dodo, the great auk, and the mammoth.

Professor Hornaday thinks that there are at present 400 living buffalo in the whole world. The herd of the Flathead Indians, the "Buffalo Jones" herd, the Good-night herd, the Corbin herd, a few specimens here and there in zoölogical parks, remnants still of perhaps twenty in the Yellowstone National Park, and a few scattered "wood buffalo" west of Hudson Bay embrace all that are left of the countless millions of a generation ago.

Col. C. J. Jones was engaged with others in the general slaughter which nearly exterminated the buffalo. He realized that very soon there would not be a living specimen of this wonderful animal, and he attempted to preserve at least a small herd from destruction. He accordingly went systematically about the capturing of calves, driving with him milch cows to preserve the little captives, and he has at present about 100, the descendants of these captured calves. It is gratifying to find that his humane experiment was not unprofitable. The government tried to save 400 of these animals in Yellowstone Park, but in that high altitude, with its rigorous weather and the relentless destruction of the animals when they wandered beyond the limits of the park, it is not probable that there are more than twenty still alive. The climate of the Yellowstone Park, the high altitude, and the heavy snows there have all proven great barriers to the preservation or propagation of these animals.

In a more favorable climate, with adequate protection and opportunity for ranging, breeding may be successfully carried on. Experience has shown that in close confinement most of the calves are males, but on the open range, under more natural conditions, the birthrate of the two sexes is about equal. If no one were now willing and able to try the experiment of restoring a sufficient

number of these animals to insure them from total extinction, it would be the duty of a great government like ours, regardless of expense, to do whatever could reasonably be done to that end. Thousands of dollars have been spent in vain in the mistaken effort at the Yellowstone. Colonel Jones called attention to the dangers of that experiment, and offered to round up and save them from destruction; but the offer was rejected, and head-hunters, wolves, and the failure to breed have almost annihilated this herd.

Practically all the animals with which to try this experiment of domesticating the buffalo are under the control of Colonel Jones. We recognize the fact that the buffalo, like the Indian, must be domesticated or disappear; but it is also true that an adequate home must be found for the few remaining, or else they can not be protected and preserved. After a few generations of domestication their breeding can no doubt be carried on without the broad range that now seems necessary. To turn these animals out on the plains of any of the western states or territories to take their chances with domestic cattle would result in their destruction. A range sufficiently large and at the same time fenced in should be provided for that purpose. The owner of this herd is willing to bear all the expense of this experiment and asks no government aid. He can not turn these animals out on the open range without danger of their entire loss.

In New Mexico the buffalo finds his natural home, both summer and winter. There remain vast areas of unoccupied public lands where the buffalo formerly roamed and bred with much fruitfulness. Out of the 600,000,000 acres remaining of the public lands it is proposed by this bill to set apart a tract of 20,000 acres; not free of charge, as the sheep and cattle men now use the land, but subject to a nominal rental of one cent an acre, and also two buffalo

in kind which are to be delivered to the Government each year, for the use of the public parks.

Owing to a misunderstanding of the boundaries the original bill provided for an unnecessarily large area, and the hostility of the sheep and cattle men was at once aroused. The committee in reporting back this bill have cut the amount down to such dimensions that we believe the bill would meet the approval of even these interested parties. The addition of this herd of buffalo, instead of being an injury to New Mexico, will be of positive advantage, because it adds an additional industry, or, rather, restores one which has been destroyed. The lease is a temporary one, and runs but for twenty years. If it is found that the animals sufficiently increase under this arrangement the lease could be renewed, otherwise there would be no harm done in terminating it.

George Bird Grinnell, in 1892, estimated the Yellowstone buffalo at 400, and reported that they were increasing. The writer of this report visited the Yellowstone last summer, and from the best information he could get there were not to exceed twenty-three still alive. At \$10 a head the 10,000,000 of these animals that existed only a few years ago would be worth \$100,000,000.

In 1873 Congress passed a law to protect the buffalo, but the President of the United States failed to sign it and it did not become a law. The failure to sign this bill might be called another "crime of '73." An action then would have been in time. The failure to act now in this matter will be fatal. We believe that the government should make this experiment. It ought to be made, even if it had to be made entirely at public expense, but under the plan proposed by this bill the government will not expend a single dollar. The land to be used for the purpose is public land. It belongs to the people. The whole people of the United States are concerned in saving our

nation from the reproach of allowing the entire extinction of the American bison. Our children's children would curse us, and they ought to, if we do not prevent this reproach on the American people from being consummated.

There is another important feature connected with this experiment. Domestic cows can be placed on this range and crossed with the buffalo bulls. This is no longer an experiment. The product of this cross is an animal with a coat heavy enough to resist the severest western winter storm. This, however, is only an incident to the real purpose of the plan, as there would be no attempt made to breed from the female buffalo anything but the pure-blooded bison. The addition would be made by breeding domestic cows, and so the production of the pure bloods would not be in this manner decreased.

Your committee earnestly recommend the prompt passage of the substitute for the bill.

HOW TO SAVE OUR BIRDS AND MAMMALS¹

Mr. Toastmaster and Gentlemen:

I am delighted to meet so many of the lovers of wild American birds, beasts, and fishes from so many states and territories here tonight. The attempt to preserve any of our native resources of this character comes very late, but I hope not too late. It is proposed to lock the stable door before the horses are all stolen. During my own service in Congress it has been my fortune, on the committee on public lands, to do what I could to aid in the saving of our remaining forests from utter destruction, and the good work done in that line is already bearing fruit. Let the forests be wholly destroyed and the climate becomes entirely changed. The streams dry up and agriculture, the foundation of all our wealth, suffers irreparable injury. The streams are the children of the forests, and the fish are the children of the streams. In my childhood the brooks of my native state, West Virginia, and her sister state, Ohio, were full of pools, and the hillside gushed with living springs. The forests have been destroyed and all this is changed.

The deadly hand of man is committing the same crime in the Far West. On my first visit to Oregon thirteen years ago I got off the cars at The Dalles to take the boat down the Columbia. As I walked out on the pier someone shouted to me with great excitement:

“Run this way quick and you will see Mt. Hood!”

¹ At Aldine Club, New York City, February 14, 1900. Speech of John F. Lacey, M. C., at the dinner of the League of American Sportsmen.

I said laughingly, "There is no danger of the mountain running away, is there?" and the answer came,

"Come quick, if you want to see it."

I ran out, and there in the clear light stood the beautiful, snowy peak. I watched it for probably thirty seconds, when the cloud of smoke rolled back over it again, obscuring it from view, and that was the first, last, and only time I ever saw Mt. Hood. Last summer I revisited the same locality and did not even get a half-minute glimpse of the mountain. The region was clouded with smoke of the burning forests just as it had been on my first visit in 1887.

With fire and ax the destroyer has been doing his work. A splendid tree, 300 years old, is attacked with auger and coal oil and is swept from the face of the earth for the "improvement" of the country; a tree that took from 300 to 500 years to grow, and which in a few years would be worth as much as forty acres of land, has been destroyed in a day's time.

Along the banks of the Columbia fish-wheels have been planted, and the salmon packers are diligently engaged in the extermination of those beautiful fish. No adequate recognition of the necessity for permitting a sufficient number to escape seems to exist, but the fish is treated as a common enemy rather than as a friend. Such destruction of our natural resources has but one end on the Pacific Coast, as it has had on the Atlantic.

Terrapin were once so plentiful in Maryland that a law was passed prohibiting masters from feeding their slaves on this succulent reptile more than twice a week.

In Connecticut the avaricious master fed his apprentice so freely on salmon that a law was passed forbidding so much of a fish diet for those unfortunate boys. Now, with terrapin worth \$5.00 apiece, and salmon at seventy-five cents a pound, there is no danger of the excessive use

of these articles of diet, unless it be among the millionaires. And so it is with all our other natural resources. At Delhi natural gas was worshiped by the Greeks 2,300 years ago. Now it is harnessed and set to work in the gas fields of the United States, but a reckless disregard for its preservation has been shown in every field, and it is only a question of comparatively a short time until the gas and the coal oil will take their places in history, along with the buffalo, the wild pigeon, the terrapin, and the salmon.

The presence of this assembly tonight indicates that the conscience of the American people has been quickened on these questions. The hunters and the fishermen begin to join hands in the preservation of the inhabitants of the forests, the air, and the streams.

St. Paul was the persecutor and destroyer of the saints, but he saw a great light, and spent his after life in their defense. The birds and the beasts appeal to the sportsmen who have persecuted them in the past and have not appealed in vain. I am talking to gentlemen who may have been "game-hogs" or "fish-hogs" in their early youth. Every true sportsman outgrows this mania for indiscriminate slaughter. No doubt some gentleman here has had himself photographed in the past, standing by the side of a great string of fish or by a reeking holocaust of game. A pot-hunter now might have his picture thus taken, but a sportsman, in these days of scarcity, would be ashamed to do so.

I plead guilty to having, in my youth, taken part in the brutal pastime known as the "side hunt," where two parties start out in the remorseless competition of destroying as much animal life as possible; a rabbit counting so many points, a prairie chicken so many, a bluejay, blackbird, crow, and other birds all being scheduled at a given number of points. A hunt like this at the evening

round-up shows a sickening aggregation of unnecessary and unsportsmanlike slaughter. The sportsmen who would enforce the laws must obey them himself and set a proper example to the rising generation.

I heard the other day of a dealer in bogus butter, who, having been sentenced to fine and imprisonment for his offense, remarked, on retiring from the court room, that he would not have minded his punishment so much, but he disliked to be fined for selling bogus butter by a judge who wore dyed whiskers.

In 1870 I crossed the plains when the buffalo could be counted by the thousands. A recent Indian massacre had occurred in Colorado, and I was shown the fresh graves of a dozen men by the roadside. When the night came on and the stage driver lit the lamps of our coach, so as to make an especially good target for a hostile arrow, or bullet, considerable of the enjoyment of the trip was taken away; but I forget readily the discomfort of that part of my journey, and remember with pleasure the herds of buffalo, elk, and antelope that enlivened the scene.

Today I estimate the number of living buffaloes at 400. Prof. W. T. Hornaday, who is present, told me a few minutes ago that his estimate is 600, and I would not for a moment, offer my judgment in contradiction to such eminent authority on this question. Thirty years ago a difference of 200 in the estimate of a number of living buffaloes would have been too small a matter for consideration, as that would only be about enough to occupy some industrious and enterprising killer two or three days; but today there are nearly as many millionaires in this city as there are buffaloes in the whole world. The natural suggestion is that we are getting long on millionaires and short on buffaloes.

The annihilation of the noblest of all the American mammals is one of the crimes of the nineteenth century.

It took millions of years to evolve and produce this splendid animal. He was especially adapted to the hard life on the arid plains of the West. The cattle of the present day turn their tails to the wind and drift hopelessly with the course of the blizzard. The buffalo turned his head to the storm and fought it out with nature, triumphing over the wind and the cold for ages upon ages, finally succumbing only to the breech-loader and the butcher-knife of the skin-hunter of the latter end of the nineteenth century.

But you invited me especially to explain the nature and scope of a bill introduced by me in the House of Representatives, to give national assistance to the preservation of what remains of our birds and beasts. All states and territories have enacted laws in accordance with the present enlightened public sentiment in this direction. These laws have been nullified by the pot-hunter, who kills and traps the birds and beasts for food for eastern markets, or who destroys the insectivorous and the song birds for the milliner. It seems strange that from the beautiful hat of the tender-hearted woman the mummified bird of song should look appealingly, with its glass eye, to the more tender heart of the American sportsman for protection. Appeals to the women by the Audubon societies thus far have been in vain. When on the streets I meet young girls and matrons with their kindly faces, and see the aigrettes in their bonnets and hats, I can not help feeling that these daughters of Eve do not know how these feathers were obtained. These plumes only grow while the bird is rearing its young, and I believe if most of the women who wear them knew they were obtained by shooting the mother on her nest they would be ashamed to keep them, even in secret, much less to display them on the public streets.

The bill (H. R. 6,634) to which I direct your attention

gives the secretary of agriculture power to introduce useful wild birds of all kinds into localities where they have become extinct, or in localities where they have heretofore existed, but it gives him power to prevent the introduction of injurious foreign varieties of birds and beasts.

Some time ago a gentleman conversing with me on the subject of the English sparrow, which has earned and deserves the reputation of being a common nuisance, called my attention to the danger of introducing other birds of evil reputation, and suggested to me that we ought by all means to prevent the importation of the flying fox or the mongoose. He evidently regarded both of them as *birds* of bad repute. In this appeal I have recognized that these animals were vermin and ought to be excluded. The main feature of the bill, and the one which will be found the most useful, is that which prohibits interstate commerce in wild birds and animals killed or captured in violation of local laws. At present the state laws are rendered almost entirely useless, owing to the fact that the poacher kills or traps the game and ships it to a distant market in packages so disguised that neither carrier nor local game protectors are able to detect the contents. When these shipments arrive at the market they are of no value unless exposed. If shipped in violation of the laws of the states, they can readily be the subject of prosecution by the authorities charged with the enforcement of the laws. This additional power in the hands of men engaged in the protection of our birds and beasts will, in my opinion, do more to stop this nefarious traffic than any method that has yet been devised.

The farmers of the country who are interested in the preservation of their feathered friends will all favor such a measure. Concerted action all along the line, by the lovers of our birds, will insure the passage of this bill.

As to the introduction of locally extinct species, or

new species, through the Department of Agriculture, I can only express my belief. We know that when a game club introduces birds they are ruthlessly destroyed by persons having no interest in their preservation. The newcomers are looked on as being imported for the recreation of a wealthy gun club, and therefore a proper subject of destruction. I hope and believe that a different sentiment will be shown when such birds are looked on as the subjects of national concern. Every boy and man will feel that these strangers are the property of the nation at large, and that everyone should take an interest in seeing that they are suitably protected until such time as they may be abundant enough to be the objects of occasional pursuit. Above all, the protection of our remaining natural resources must be the subject of an enlightened public sentiment. Meetings like this tonight are the starting point from which such sentiment may proceed, and I am sure the results of this annual meeting of the League of American Sportsmen will be seen and felt in all the years to come.

SOME NEW LEAGUE MEMBERS ²

The Hon. John F. Lacey, member of Congress from Iowa, is an old-time sportsman, naturalist, and friend of game protection. He tells me that of late his love and his sympathy for the birds and the wild animals has almost overcome his love of sport, and that he now feels little inclination to shoot. He is still fond of the rod and reel, and spends many a day on the water during his summer vacations.

He is one of the most ardent workers in Congress, and has done a great deal in the interest of game protection. As is well known, he is the author of the bill now pending,

² Under this heading, in the *Recreation Magazine*, occurs this sketch.

which proposes to regulate interstate traffic in game through the medium of the Interstate Commerce Commission. He also drafted and introduced the bill for the perpetuation of the American buffalo, and has done valiant service in furthering both of these measures.

A dinner had been tendered the visiting officers, which was given at the rooms of the Aldine Club on the night of the 14th, and to which fifty-four members and guests sat down. The guest of honor was Hon. John F. Lacey, member of Congress from Iowa, who is also a member of of this League. He came here from Washington, by special invitation of the League, and made the strongest, most eloquent and most interesting speech I ever heard on the subject of game protection. I will not attempt to give even a synopsis of it here, because it is printed in full in this issue.

In the course of Mr. Lacey's remarks he explained the provisions of his bill, No. 6634, now pending in Congress, which undertakes to prohibit illegal traffic in game through the Interstate Commerce Commission. Mr. Lacey was given a perfect ovation, and he may well feel proud of his membership in this League. On the other hand, the League is honored by having in it a man who commands so much respect and attention in both houses of Congress as Mr. Lacey does. At this writing there seems no doubt that his bill will pass both houses, and that it will become a law.

PROTECTION TO GAME AND BIRDS IN THE UNITED STATES ¹

The question of game protection and the preservation of useful birds has of late years assumed much interest. It has always been the custom to lock the stable door after the horse is gone. Our ancestors found the land east of the Ohio covered with a dense forest, the rivers full of fish, and the woods filled with game.

The first necessity was to destroy the forest so as to make way for the farms.

The abundance of wild life made it seem that the supply could never be exhausted.

For more than three hundred years destruction was called "improvement" and it has only in recent years come to the attention of the people generally that the American people were like spendthrift heirs wasting their patrimony.

The public conscience has become quickened, and the attempt to preserve and restore some of the wild life of America is no longer looked upon as a fad or idle sentiment. A halt has been called upon the wanton waste of the forests, and more than a hundred millions of acres of public forest lands have been reserved by law for posterity.

¹ John F. Lacey in *Boston Transcript*.

Mr. Lacey is the author of much valuable legislation on game and bird protection. He is the author of the Yellowstone Park act of 1891 on this subject; the Wichita Preserve act; the Alaska game laws; bill setting apart bird breeding grounds on certain public islands in the Gulf of Mexico and the Lakes; the "Lacey Act," forbidding interstate commerce in game and birds killed in violation of law; and, also, many other valuable national laws on this subject. — Editor *Boston Transcript*.

In these great national forests the homeless wild creatures will replenish, if they are only given the opportunity. The law should give them that chance.

The deadly breech-loading guns of the present time have placed the extermination of all living things in the easy reach of the thoughtless or the mercenary, not even being confined to the skillful.

A bloody-minded Briton a few years ago landed on an island on the coast of Alaska and in a few hours left the remains of 250 walruses to rot unused, as evidence of his prowess. He had assured the future starvation of the natives in order to gratify his thirst for blood.

The pot-hunters and the lover of slaughter for its own sake have joined hands in the deadly work of extermination.

The birds which had kept the destructive insects within reasonable bounds have been so recklessly destroyed that the farmers have taken up the subject and public sentiment has turned to the side of the preservation of the birds of the air. Some years ago the writer of this article introduced in Congress a bill to nationalize the question of game and bird preservation as far as it could be done within the limits of the federal constitution. The bill was met with more or less derision, and failed of passage for a number of years. The public took up the question and pressed it upon the attention of the Congress until finally on the 25th day of May, 1900, the bill became a law and I feel much honored to have had my name connected with this legislation.

The act does not attempt to define the terms of preservation, but leaves that necessarily with the states themselves. Before the passage of this federal statute birds and game were killed in violation of state law and shipped to markets beyond the state limits. As articles of commerce they were there exposed to sale with impunity.

Under the so-called "Lacey Act" this commerce is unlawful, and birds or game killed in violation of local law are not lawful subjects of commerce.

It is now illegal to ship such game, even when killed in season, without having the contents of the packages suitably and openly labeled.

When game arrives at its destination after an interstate transit, it at once becomes subject to the local law by the terms of this act, and cannot be sold as an article of commerce in violation of the local statutes.

This provision has enabled state game wardens to prevent the use of imported game as a shelter behind which local game might also be sold.

Not long before the passage of this law, I saw a large hogshead opened in the Washington market and it was completely filled with frozen prairie chickens from Kansas.

There were nearly 1,000 of these frozen birds in this single package.

They were killed and shipped in violation of the Kansas law, and the crime had been concealed in Kansas. But at the end of the journey they had come out in the open market, and under the present federal law the shippers would have been confronted with the dreadful national power.

The state of Wyoming has of its accord created a game refuge in a part of the state adjacent to the Yellowstone. It is a good example to follow.

The Wichita Forest Reserve in Oklahoma has been by law declared a game refuge.

In urging this latter bill before Congress but little opposition was met with, and the people of Oklahoma are united in their approval of the law. It gives the people there a source of supply, which by natural overflow, will

restore much of the game and birds formerly so plentiful.

The Yellowstone Park is a great educator along the line of protection of wild life. The thousands of tourists who visit the wonderland view the confiding and tame creatures there with as much pleasure as they look upon the periodic display of the Old Faithful geyser.

In that "Animal Republic" its citizens have learned that by some mysterious influence the great butcher, Man, is a harmless and interesting creature.

That influence is *the Law*.

The children watch the feeding of the gentle grizzly, the *Ursus horribilis* of the naturalist.

The beaver is again building his dams and setting up his little municipal governments in this great national playground.

Every visitor to the park comes back a friend of the native wild life of America.

Utility goes hand in hand with sentiment in bird preservation and the American farmers with almost one accord have enlisted in the cause of bird protection and the result is already becoming manifest in the great increase of feathered life.

And the farmers have their reward, not only in the beauty of the feathered life which is becoming more numerous, but in the protection to all vegetable life from the ravages of insect pests.

BIRD PROTECTION ¹

Mankind are becoming aroused at last to the importance of protecting what has been spared of the birds and game once so plentiful. Even in darkest Africa the great powers of Europe, which have partitioned the wilderness among them, have recently made rules and regulations to prevent the indiscriminate slaughter of the remaining creatures of the forest. In America the subject has claimed consideration, but our people have been too busy in the struggle for wealth for the individual to give adequate attention to the preservation of our natural resources. Our coal, gas, oil, forests, fishes, birds, and game have been wasted and destroyed with a recklessness utterly unworthy of so intelligent and progressive a people. It is high time to call a halt. With a favorable and enlightened public sentiment nothing can fail. Without it nothing can succeed.

When several years ago the writer attempted to attract national attention to bird and game protection, the proposition was received with mirthful raillery in Congress. A distinguished representative, since then elected governor of his state, said that "Congress could be in better business than in discussing the question of raising goslings." But persistent effort has won, and the work of the League of American Sportsmen and the Audubon societies, supported by the farmers and fruit growers, created such a sentiment as to make it possible to secure the enactment of a federal law supplementing and making effective the local laws of the various states. Even a majority of the

¹ John F. Lacey in the *World Review*.

members from the state whose governor had seen only amusement in the idea, voted for the bill.

Local laws had been evaded by the shipment of game and birds killed in their violation, by placing them on the market in other states. Under the new national law, commonly known as the "Lacey Act," this can be prevented, because the interstate transportation of the birds and game killed in violation of local laws is made illegal and punishable in the federal courts.

The violator of the state law meets with no profit in the secret breaking of the law of his own state, because when he ships the fruits of his lawlessness to another state for sale in the open market, he finds that while he has escaped the sheriff at home, he runs into the arms of the United States marshal.

The magnitude of this nefarious business may be understood when it is known that in a single seizure, recently made in Chicago, more than twenty thousand birds were confiscated. Thousands of pairs of birds, migrating to their northern summer breeding grounds, had been killed and sent to market in defiance of state laws in this one instance.

Before the enactment of the national law, this seizure would not have been practicable, because the dealers would have claimed that the killing had occurred in another state and would have sheltered themselves under the cloak of commerce. The parties could not have been punished in the state where the birds were killed, because they had committed the offense secretly and concealed their identity in making the shipment.

By destroying the market the temptation to break the state laws was removed. It is this feature of the federal law which makes it effective. The various state game wardens should now be able to watch the markets and prevent the unseasonable sale of all kinds of game. It is

of no avail to the pot-hunter to kill birds if he cannot sell them, and he cannot market them without shipment, and when illegally shipped they become subject to seizure.

The legislatures of the various states are now awake to the necessity of preserving our remaining birds and game from extinction.

STATEMENT ON GAME PROTECTION ¹

The preservation of migratory birds is one of extreme difficulty under our system of government.

Each spring they begin their annual journey to the far north where they spend the summer generally undisturbed.

In their northern journey water-fowl are usually lean and emaciated and not suited for food. Killing them at that season is wasteful in the extreme.

As they pass from state to state over a thickly inhabited country, a constant and destructive fusillade gives them a deadly welcome.

Each pair of birds if undisturbed will bring back a large following in the autumn.

The killing of a pair of ducks in March means a shortage of fifteen or twenty at the end of the season.

The states should by concerted action forbid all killing of these birds in their spring migration.

It would also seem, as no adequate state laws will ensure such protection, that the general government in its power to legislate for the mutual benefit of all the states, might constitutionally protect these birds by an act of Congress, forbidding all shooting of migratory birds during the period of their spring migration. Certainly such a law would be most desirable, if constitutional.

This important subject has recently been submitted to the Department of Justice for an official opinion.

Concurrent and uniform state action being imprac-

¹ By John F. Lacey.

ticable, it is very desirable that national legislation should be adopted, if within the authority of Congress.

We will await with interest the opinion of the attorney-general upon this proposition.

The last pigeon roost that we have any account of was in the Indian territory, and now it is a debatable question as to whether or not these beautiful birds are wholly extinct. An occasional report comes from Michigan, New York, and Mexico, that some of them have been seen, but the number is always small and the accuracy of the reports in doubt. The millions of these birds, which once darkened the air, have disappeared. It is to be hoped that the reports of a few small remaining flocks may prove to be true.

Only about 1,000 buffalo still remain on the planet. The new government herd in the Yellowstone has increased from twenty-one to about fifty-six, showing the possibility of the restoration of these animals in the forest reserves.

A new buffalo herd for the Wichita Reserve has been provided for and there should be five or six more small herds started in different forest reserves so as to insure the continuation of this finest of all the North American mammals.

The journalists of the country have intelligently and earnestly taken up the subject of game and bird preservation and an enlightened public sentiment on this question will make the enforcement of the law comparatively easy.

A few years ago it was sure death for a deer or antelope to pass out of the Yellowstone Park into the vicinity of the town of Gardiner.

Now you may see photographs of 1,400 antelope feeding undisturbed in an alfalfa pasture at the very edge of the town.

They are regarded as one of the town's attractions and woe be to the man who raises his hand against them.

The deer, antelope, buffalo, and birds of the Wichita Reserve in like manner will be regarded as the common property of all the people of Oklahoma for preservation, not for destruction.

FEDERAL PROTECTION OF MIGRATORY BIRDS ¹

The question of protecting migratory birds by federal statute is attracting considerable interest and the Weeks bill, for that purpose, is now under discussion by Congress.

It is hard to define open and closed season properly, where the area to be considered is as vast as the United States. The scope and purpose of the Weeks bill is on lines greatly to be desired: Congressman Weeks seeks in his bill to avoid the difficulty arising out of the large area of territory involved, and the difference in the seasons, by leaving the matter as to dates and area of protection wholly to departmental regulation. It is proposed that the dates of closed seasons in different latitudes should be scheduled, and that a violation of such regulations should be criminally punished. This involves a difficult question that has been often discussed in the courts, and where some of the judges have held that the violation of a departmental regulation cannot be made a crime. This question, I believe, can be avoided in the preparation of a national statute.

Hon. George Shiras 3d, formerly in Congress, has taken a profound interest in this subject, and has given it much study. As the writer has had considerable experience in the preparation of legislation relating to federal game protection, I was requested several years ago to draft a bill on the subject that might obviate as far as possible the legal difficulties involved.

Assuming that under "general welfare clause" of the Constitution of the United States, it is in the power of

¹ By Hon. John F. Lacey in *Field and Stream*.

Congress to deal with interstate problems and to do for the states what they cannot separately do successfully among themselves, I then prepared a bill on the subject.

The main purpose of a bill to protect migratory birds is to prevent their slaughter when going to their annual breeding grounds in the north. If the "spring shooting" could be successfully prevented by separate state legislation, or by a general federal statute, great results would be achieved. The killing of a wild bird, in poor flesh and not in condition for food, on its way to its summer breeding ground, is an unsportsmanlike act. If it is practicable to legally prevent such slaughter it should be done. The question is one of method.

I was of the opinion that the difficulty could be met by a general statute prohibiting the killing or capture of migratory wild-fowl while engaged in their spring migration to the north. Such law should protect the birds while the migration is in progress, regardless of the exact period of the spring season, so that the dates need not be fixed by regulation. Some years the migration may be several weeks earlier than in other years. The law making a closed season in favor of migratory birds during the time of their flight to the north would be an elastic proposition and cover the period of actual migration, whether late or early, and whether short or prolonged by weather. It appeals to the hunter, for if these birds can be protected during the spring flight, the fall shooting would then be worth while. As to insect-destroying birds, they should be protected at all times and at all seasons, and the state authorities are joining in local protection; but it will be of further aid to protect this class of birds in migration.

The bill that I finally prepared was in substance limited to spring migration, and drawn so as to protect the birds during the varying periods of their northward progress.

The period of protection might vary, but the actual time would always be susceptible of proof.

In this form the proposition is an exceedingly simple one, and that is at least one of its merits. It is easily understood; its purpose is so evidently a good one that public sentiment can readily be rallied around it and with such sentiment success will be assured. The bill I suggest is in full accord with the purposes of the Weeks bill, and I submit it to the consideration of the readers of *Field and Stream*, and to all friends of the birds in Congress.

A BILL TO PROTECT CERTAIN MIGRATORY WILD BIRDS DURING
THEIR SPRING MIGRATION

BE IT ENACTED, By the Senate and House of Representatives of the United States of America in Congress assembled:

Section 1. That from and after the passage of this act it shall be unlawful anywhere in the United States or the territories thereof or in the District of Columbia to shoot, trap, snare, capture, injure, or kill any of the following named migratory birds during the period of their northern migration in the spring of the year: ducks, geese, brant, swans, rail, snipe, pigeons, doves, woodcock, plover, or other waterfowl commonly classed and known as game birds, whether herein named or not; also robins, bluebirds, woodpeckers, or other insectivorous, migratory wild birds, whether named herein or not.

Section 2. Any one violating this act shall be guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding two hundred dollars (\$200), or by imprisonment not exceeding sixty (60) days. The possession of any such birds, or the bodies or parts thereof, during the period of such spring migration, shall be presumptive evidence of the violation of this act as against the person or persons in possession.

ARE PRAIRIE CHICKENS MIGRATORY BIRDS

NEW YORK, April 11, 1913.

MY DEAR MAJOR LACEY: I am anxiously awaiting your reply to my question as to whether you consider the prairie chicken a migratory bird. I hope you may write me a strong letter that I can send to Dr. Palmer.

I have one such from a man who lives in Manitoba and who has studied and photographed the prairie chicken for years past. He says the birds all leave there in the fall, move south and return in the spring.

I am trying to convince Dr. Palmer that it (the prairie chicken) may be logically classed as a migratory bird and he says it can not. Dr. Hornaday agrees with me emphatically, and I hope you may. Yours sincerely,

(Signed) G. O. SHIELDS.

*Maj. John F. Lacey,
Oskaloosa, Iowa.*

PROTECTION OF PRAIRIE CHICKENS

OSKALOOSA, IOWA, April 10, 1913.

Dr. T. S. Palmer,
Department of Agriculture,
Washington, D. C.

DEAR FRIEND: Our mutual friend, Col. G. O. Shields, suggests that prairie chickens ought to be protected as migratory birds.

Allow me to suggest what the facts are so far as Iowa is concerned. In the northwestern part of the state there are still a few birds there. In the eastern and southern part of the state there are none of them whatever breeding in that locality. But in the winter very good flocks are often seen. Last winter there were flocks of several hundred that visited Mahaska county (where I live) and were reported by farmers and others as having remained some little time with us. The same was true the year before. The year before I think their migration was caused by the intense severity of the winter and the depth of the snows, and they were driven south hunting for food. Last winter we had one of the mildest winters ever known but the birds did not seem to remain, though they had come back to us on a visit. They seem to have gone back to North and South Dakota and western Iowa and Minnesota to breed.

If any additional protection could be given to these birds under the McLeon act it certainly would be a proper thing to do.

Yours truly,

JOHN F. LACEY.

TWO LETTERS FROM EX-PRESIDENT
ROOSEVELT

THE WHITE HOUSE
Washington

OYSTER BAY, N. Y., July 16, 1906.

MY DEAR MR. LACEY: Certain gentlemen interested in the preservation of the forests of this country, and also interested, though to a less degree, in the preservation of the wild life of the country, and the objects of natural and historic interest which should be kept unharmed for the sake of those who come after us, have written to me expressing their deep sense of obligation to you for all that you have done in Congress to further these matters. They have spoken to me of presenting some memorial to you so that their sense of appreciation may be put in permanent form. I do not know whether this will be done, but I sympathize so cordially with their feelings that I desire to take advantage of this occasion to write you and say how much it means to any man who believes in hard, intelligent, and disinterested public service to see such a career as yours has been in Congress. It has been my privilege to be closely associated with you and to watch the many different ways in which, without any hope or expectation of personal reward, you have rendered efficient public service. I give utterance to the feelings of very many men when I express to you my cordial thanks and extend to you my earnest good wishes.

Sincerely yours,

(Signed) THEODORE ROOSEVELT.

Hon. John F. Lacey, M. C.
Oskaloosa, Iowa.

THE WHITE HOUSE
Washington

OYSTER BAY, N. Y., June 22, 1907.

DEAR MR. LACEY: I thank you for your letter of the 19th instant. Yes, I saw some passenger pigeons at Al-bemarle. It was such an utterly unexpected sight that I should have felt a hesitancy in mentioning the fact if it were not that another man saw them also on another occasion. I saw a flock of about a dozen. He saw two small flocks — the second, however, larger than the one I saw.

I have asked for Mershon's new book on the passenger pigeon.

With all good wishes, believe me,

Sincerely yours,

(Signed) THEODORE ROOSEVELT.

Hon. John F. Lacey, M. C.

Oskaloosa, Iowa.

A LETTER ON MIGRATORY BIRDS

OSKALOOSA, IOWA, December 3, 1910.

Hon. John W. Weeks, M. C.

Washington, D. C.

DEAR WEEKS: I have been noticing your bill to protect migratory birds, and feel very much interested in its success.

I had this matter up some years ago and got Mr. Wadsworth, chairman of the committee on agriculture, to write a communication to the attorney-general asking a legal opinion as to the constitutionality of such measure; and then saw President Roosevelt, who talked to the attorney-general and urged an immediate and careful examination of the question.

As you are aware, it is a somewhat difficult one, and the attorney-general never reported on the subject.

I first attempted to draw a bill along the lines of the present Weeks bill, but Judge Welborn, in California, and other judges on the Pacific Coast, held that a crime could not be carved out of a violation of a departmental regulation. When these decisions were made the government could not appeal; their only way to get the matter in the Supreme Court would be to get some court to rule the other way and have the defendant appeal. Since then Congress has passed a law authorizing the government to take an appeal, but I am not aware of any case having been brought up under it, on the subject of departmental regulation; though I have not recently examined the decisions with this matter in view.

I concluded that a practical prohibition of shooting,

during the spring migration, would accomplish nearly everything that was desired.

I have just written an article for *Field and Stream*, which was inspired by reading Mr. Houghton's article on your bill, in the last number. I enclose the article and a copy of the bill to you, with the suggestion that you introduce this bill also; as it would remove some of the objections that you will encounter on the other bill. The time, of course, is short, but there is a feeling in favor of conservation that will be of aid to you. It took me six years to get the Lacey Act through Congress, but there has been a great change of sentiment since then.

With kind regards,

Yours truly,

(Signed) JOHN F. LACEY.

LACEY ON FISH AND GAME PRESERVES

LETTER OF W. B. MERSHON TO MAJOR LACEY ON CONSERVATION

SAGINAW, MICH., November 30, 1909.

DEAR SIR: On August 20th I received a letter from G. O. Shields, president of the League of American Sportsmen, notifying me that I had been appointed chairman of the committee on conservation of national resources to represent the League in coöperation with the National Conservation Commission. I was also informed that my associates on this committee would consist of Hon. John F. Lacey, Oskaloosa, Iowa; Admiral R. D. Evans, No. 324 Indiana Avenue, Washington, D. C.; Col. J. H. McDermott, Morgantown, W. Va.; Mr. J. Adams Brown, vice-president New Netherland Bank, New York City, and Dr. F. Schavoir, Stamford, Conn., and on October 7th I received a letter from Gifford Pinchot of which I enclose herewith a copy, also copy of the printed blank referred to in Mr. Pinchot's letter.

I should have taken this matter up with you before but I spent the entire month of October in Saskatchewan on a hunting expedition and have been too busy since my return to take it up until now.

I think the letters enclosed fully explain themselves and I suppose it is Mr. Pinchot's idea that any suggestions come to the joint committee through me. At your convenience will you give me your idea of what our committee can suggest that will bring forward some plan for the conservation of game? I came near saying "the wild life of the forest and field" but I suppose some committee having some part of the agricultural interests in charge,

will make suggestions relative to preservation of the birds that are a value to agriculture. This is merely guesswork on my part, and possibly you think our committee could take under the one head the consideration of the whole question, both animals and birds, and possibly fishes that are ordinarily taken for sport.

The subject of conservation dovetails so thoroughly one subject into another that it is hard to draw the line into minute sub-divisions. Thus, for instance, the preservation of the forests and reestablishment of a ground cover over denuded forest areas; preserving a stream so that it can continue to be a trout stream, or affording cover in which birds and wild woods life can live, illustrates what I mean. My own opinion is that if we can only suggest some plan whereby the national government can not only afford more protection to wild things but can increase the supply by propagation, distribution, and through setting apart game refuges — something along the line now employed by the United States Fish Commission, it would be well to take that under consideration and make a suggestion. The duty of the individual states along this same line is plain but so far the states have failed to do their duty. The present laws in relation to the protection of game and fish are openly violated. State game laws are not popular. Our high protectionists will go to Europe or Canada and if they find something to their liking and cheap, or a set of furs or fur coat for their wife, they will try to smuggle it in and then boast to their neighbors how smart they have been, if they have gotten through the custom-house without being caught. This is just about the same with the game laws; people will boast of having partridge for dinner here in Michigan when they know it is contrary to the law to sell them. Hardly a city club is without game in and out of season; game that has been purchased unlaw-

fully, and yet our leading citizens and those who would be shocked to be termed "law breakers," do not hesitate to order the game served to them and encourage by their willingness to eat it, the continual breaking of these state laws. A national law is more apt to be respected, so that if the conservation of game and fish and song birds and insectivorous birds is undertaken by the United States government, better results will follow.

I am sorry that legal complications at present seem to block a straightforward way of accomplishing the purpose, but I suppose one of the purposes of this committee is to suggest some remedy whereby the conservation of these natural resources can be practically applied.

I shall be glad to hear from you at your convenience.

Yours truly,

W. B. MERSHON.

*Hon. John F. Lacey,
Oskaloosa, Iowa.*

MAJOR LACEY'S REPLY

OSKALOOSA, IOWA, December 30, 1909.

*Wm. B. Mershon,
Saginaw, Mich.*

DEAR SIR: Your letter of November 30th came to hand in due time, together with the enclosures referred to.

I am glad to know that you are chairman of this section of the conservation committee. Your painstaking study of the practical extermination of the passenger pigeon shows that you will not be an inactive member.

In answer to your inquiry: "Will you give me your idea on what our committee can suggest that will bring forward some plan for the conservation of game?" I take pleasure in answering that during my sixteen years' service in Congress on the committee on public lands I was constantly confronted with the necessity of legislation

along all the lines of conservation of our natural resources; and I had the satisfaction of framing and aiding in securing the passage of many bills for these purposes.

As the various matters to come up will, no doubt, be divided into separate propositions, I wish to press upon the committee the one plan of my own which has been so far applied partially in separate bills, and that is, the question of game preserves. The code of laws for the protection of Yellowstone National Park, I had the pleasure of drawing, although the park had been in existence many years practically under no law as to details of management. The creation of the Wichita Forest Reserve in Oklahoma into a game preserve, and also the Grand Canyon Preserve, are instances of specific legislation which I proposed. Under the so-called "Lacey Act" a large number of islands have by executive order been set apart as breeding grounds for birds. I prepared and introduced a bill, in nearly every Congress in which I served, giving the President authority by executive orders, to set apart the whole, or a specific portion of any forest reserve, as a game preserve, and provide the necessary regulation for protecting game therein. These specific areas could be used as breeding or stocking grounds, the overflow supplying the outside country. The necessity and propriety of such a law is more evident now than it was when I first undertook to secure its enactment.

There is now under the control of the Department of Agriculture forest area equal to the states of Minnesota, Iowa, and Missouri combined. These reserves are widely scattered, and if designated areas should be selected, with a closed season substantially the year round therein, with authority for the Department of Agriculture to conserve the same, as already provided for in the so-called "Lacey Act," the question of saving our wild life from extinction would be solved.

These forest reserves will be permanent: they have evidently come to stay: they are under the care of rangers who look after affairs and the general protection of the timber. These men can also prevent violation of the regulations and game laws therein. Such preserves would soon become popular, because the people would find that a portion of the game would constantly overflow into the outside territory.

The experiment is now being actively tried in the Wichita Forest Reserve, where I was able to secure the enactment of a law specifically using that one reservation as an object lesson for similar methods in other states and territories. I believe that the success of that preserve will lead other states actively to work for similar legislation.

Perhaps this might be ultimately accomplished by separate bills, say one reserve for each state in which the forest reserves are located. There is a hostility to permitting executive orders being made that interferes greatly with securing a general bill; and perhaps it would be more successful as a practical question to start separate preserves designating the location in each of the states where there is a forest reserve. The same plan could be adopted as to fish protection; but fish are such rapid breeders that active propagation and distribution will probably be adequate.

There is another proposition that ought to be tried — and that involves a grave constitutional question — and that is, the protection of the migratory wild-birds. My old friend, George Shiras 3rd, has devoted considerable time to the legal aspects of this proposition. Game located in any state is the property of the people of that state, and national legislation may not be constitutional. Migratory birds do not belong to any state, and the people of all of the sovereign states are interested in their pro-

tection. The same question would apply to shad and other migratory fish. -If spring shooting were entirely forbidden as to all these birds they would rapidly increase. This question would perhaps be best worked out by a crusade in behalf of separate state legislation forbidding spring shooting, and by making a sufficiently long closed season in the south to prevent the destruction of the water-fowl in the winter.

In short I think there are two propositions to which we could direct national attention:

1. The setting apart of one game preserve in a forest reserve in each state or territory where the reserves are now or may be hereafter located.

2. Securing state or national legislation to protect water-fowl during the spring migration.

Yours truly,

JOHN F. LACEY.

ADVANCE IN GAME PROTECTION DUE TO LEAGUE OF AMERICAN SPORTSMEN ¹

Liberal success in the cause of game protection has attended the efforts of the League of American Sportsmen, which held its third annual meeting last week in this city. President Shield's report, read to the delegates, shows the league to have 5,110 members, and working divisions in thirty-five states and in one Canadian province, Ontario. Work is being vigorously pushed in the remaining ten states and President Shields made the prediction that before the next annual meeting of the league the organization of state divisions will have been accomplished in all of them.

The principal object of the league is "to protect the game and game fishes; the song and other innocent birds; to enforce the game laws where such exist, and to secure and enforce such laws where not now in existence."

"We have found moral suasion," says President Shields, "a very important factor in accomplishing what we are after. Often men and boys are guilty of violating the game laws through thoughtlessness or ignorance. Many cases of this kind are brought to my notice, and I write the accused, stating the charge that has been made against him, warning him against repetition of the offense and asking him for a pledge that he will stop his illegal work.

"Although persons so notified generally deny the charges, they also as a rule promise 'not to do it again,' and they don't.

¹ *New York World*, February 17, 1901.

“Where there is no game law in existence a request to the thoughtless, who simply kill game and birds for the pleasure of bringing them down, often curbs them.”

Since its organization the league has successfully prosecuted eighty-one cases of violation of game laws. The most important of these was the conviction of a Fulton Market game dealer who was fined \$1,000 for selling quail out of season to the American steamship line. The disposition of this case had a remarkable effect on game dealers everywhere. Dealers who had up to that time defied the law ceased selling and notified market hunters who had standing orders for all the game they could kill and smuggle into the market that they had concluded not to sell or receive any more in the close season.

An important victory of the protection of game and song birds was the passage of the Lacey bird bill, largely through the efforts of the league. Introduced in Congress by the Hon. John F. Lacey, of Iowa, the bill was passed and signed by the President, although opposed by powerful influences.

FOREST RESERVES AS BREEDING PLACES FOR WILD LIFE ¹

The preservation and propagation of game has in most countries met with much hostility among the people. The laws have been stringent and severe, and their enforcement has been harsh and unpopular. The Norman conquerors of England destroyed many fine farms to plant the New Forest for the royal pleasure. From the time when William Shakespeare was prosecuted for poaching, down to the present day, game laws have met with determined opposition. Harriet Martineau's spirited attacks upon these laws in England aided in bringing her voluminous writing into popularity. She struck a popular chord with the general public.

Those laws in the old world were enacted for the comfort of a privileged class, and it was hardly to be expected that the poor would obey, without complaint, laws which protected the wild creatures from the fowling pieces and snares of the poor, in order that there might be sport for the nobility.

But in America no such invidious distinction exists, and the preservation of our birds and game becomes a matter of general interest to all, to rich and poor alike.

The whole continent was once a vast park filled with wild life in forest, mountain, and plain, whilst the air was alive with the feathered flocks.

The preservation of these creatures was long neglected, because their innumerable multitude seemed to make it impossible that they should ever be exterminated.

With the disappearance of the wild pigeon and the buf-

¹ By John F. Lacey.

falo, and the reduction of many other species to the point indicating the near approach of extermination, the conscience of the people has become quickened on this subject, and a sympathetic public has begun to view this question in an entirely different light. Sentiment and utility have joined hands.

As to many of our birds and beasts, the problem now is how to prevent complete extinction. Of the countless millions of wild pigeons that once darkened the air and enlivened the woods, only a few hundred, at most, seem to be alive, and even their existence is a subject of controversy. There are enough buffaloes still remaining to prevent complete extermination, and probably ultimately to supply a very useful breed of cattle in captivity. The national government has embarked in the enterprise of restoring a small herd of these animals in the Yellowstone National Park, but in that severe climate and high altitude, the increase is slow. In view of the success of the Indian in preserving and multiplying the herd upon the Flathead Reservation, there is much reason for encouragement as to the Yellowstone herd, because the climate and elevation are nearly the same. On the Flathead Reservation there are 342 buffaloes about equally divided between the sexes. This number remains after the sale of a considerable number to Howard Eaton a few years ago.

The buffalo should be preserved and renewed in the forest reserves. The number remaining are but few. Fortunately the little flocks in captivity are widely scattered, so that no unexpected epidemic can suddenly complete their extermination.

The Austin Corbin herd at Meriden, New Hampshire, now numbers 154 fine animals, one-half of which are males. The new herd in the Yellowstone Park was started a few years ago with eighteen cows from the Flathead

herd, and three bulls from the Goodnight herd in Texas. Three calves have since been captured from the wild herd in the mountains, and the total number now is forty-three. They are enclosed in a large field near the Mammoth Hot Springs and form one of the most interesting spectacles in the park. The wild buffaloes in the park at the time of its reservation numbered about four hundred. The poachers and head-hunters pursued them remorselessly until tardily enacted laws put an end to the nefarious traffic. Concealed in the most unfrequented part of the park, the calves exposed to wolves and mountain lions, the number has steadily declined. Six were found dead in the deep snow last spring and only about twenty remain alive.

The Flathead herd in Montana, when divided and partly sold a few years ago, had increased to nearly three hundred. They were the progeny of about thirty-five calves saved by the Indians at the time of the final general slaughter, when the hide-hunters were engaged in their deadly work. It was a profitable business venture, for the animals are now worth \$250 and upwards apiece.

Hon. James Philip (best known among his friends as "Scotty" Philip) has a herd near Fort Pierre, South Dakota, which has increased from about twenty-three to one hundred eighteen. They are in a climate and locality admirably adapted to the buffalo, among the bluffs of the upper Missouri River. These animals are magnificent specimens of the pure plains breed. The Goodnight herd in Texas now numbers forty-four.

I wish in this article to present what appears to me a practical means of partially undoing the work of devastation which has gone so near the point of complete extermination. The destruction of our forests has been going on at so great a rate as to alarm the public mind and prepare the people to accept some remedy.

The interests of irrigation and navigation have called attention to the necessity of preserving the sources of our water courses by retaining or restoring the forests from which they flow.

Fortunately, many millions of acres of wooded lands are still held by the national government, and about 85,000,000 acres of these lands have been set apart in eighty-three permanent national forest reserves. The primary purpose of these reservations is to conserve the streams and provide means of irrigation and, also, in some degree, to influence the rainfall. They are well scattered in the Far West, and are generally upon land which is of little value for agricultural use.

They are reserved *for* the use of man and not reserved *from* his use. The ripened trees will be cut as they may be needed. There has been much local opposition to many of these reservations, but time and observation have greatly changed the local sentiment. The experimental stage has passed and they can, therefore, be accepted as an established fact, and the question naturally arises as to what extent they may be utilized for the preservation of the remains of our birds, fish, and game, and be used as sources of propagation and supply. At least a portion of these lands should be so used. The writer of this article has for many years endeavored to secure legislation to this end. Wyoming has shown her sympathy with the movement by declaring a permanently closed season in that part of the forest reserves adjacent to the Yellowstone National Park.

If some plan of this kind is not adopted, there will soon be very few game birds or game animals anywhere in the United States, except in the narrow limits of private preserves. If these national reserves are utilized as propagating grounds, there will be an overflow from them, which will inure to the benefit of the general public. The

game which wander beyond the protected boundary in the open season will furnish supplies to the surrounding population, whilst the sources of supply will be undisturbed. Instead of a general war of extermination being waged in every part of the country, there will be havens of refuge from which a permanent source of supply may be assured in the future.

At the regular session of Congress in 1901, President Roosevelt, in his annual message, called the attention of Congress to this subject in the following statement:

The increase in deer, elk, and other animals in the Yellowstone Park shows what may be expected when other mountain forests are properly protected by law and properly guarded. Some of these areas have been so denuded of surface vegetation by over grazing that the ground-breeding birds, including grouse and quail, and many mammals, including deer, have been exterminated or driven away. At the same time the water-storing capacity of the surface has been decreased or destroyed, thus promoting floods in time of rain and diminishing the flow of streams between rains. . . .

Some at least of the forest reserves should afford perpetual protection to the native fauna and flora, safe havens of refuge to our rapidly diminishing wild animals of the larger kind, and free camping grounds for the ever increasing numbers of men and women who have learned to find rest, health, and recreation in the splendid forests and flower-clad meadows of our mountains.

Bills have been introduced to carry out this humane suggestion, but up to the present time, only one of them has been enacted into law; but the more the question is considered, the more favorably the proposition is being viewed in the localities to be the more immediately affected and benefited. The choice is plain. Some must be protected or all will be destroyed.

The Wichita Forest Reserve of 56,000 acres in Oklahoma has been made a game preserve with the hearty ap-

proval of the people of that proposed state, and the millions of people who will soon inhabit that great commonwealth will enjoy the benefits of this wise measure of protection. If the proposed bill should become a law, the small band of elk in Olympic Forest Reserve in the state of Washington could be saved from menaced extermination.

Deer have become quite plentiful in the woods and mountains of Vermont and an overflow has migrated into Massachusetts and Connecticut and they have even reached the shores of Long Island Sound.

Such results in an old settled country like Vermont show what could be done by a fair degree of protection in our national forest reserves.

In the state of Vermont the writer has been informed by Senator Redfield Proctor and Game Commissioner H. G. Thomas that in 1878 deer had been practically exterminated in the state for many years.

A syndicate of public spirited gentlemen secured the enactment of a closed season for deer and imported and released seventeen of these beautiful animals for propagation. In 1897 an open season for bucks only, during October was permitted, and afterwards for the last ten days only of each October. The possibilities of deer restoration have been shown by the results. In 1897, 103 were killed in the open season; in 1898, 131; in 1899, 90; in 1900, 123; in 1901, 211; in 1902, 403; in 1903, 753; in 1904, 531. In 1905 the open season was reduced to six days and there were killed 495 in that short period. A good many animals were illegally killed during these years as there were reported 357 thus killed, and no doubt some were killed without being reported.

Ex-Congressman Billmyer of Washingtonville, Pennsylvania, recently reported to the writer remarkable re-

sults of deer propagation. He has a little private reserve of only forty acres, safely enclosed, in which he, seven years ago, placed three elk and six deer. In six and a half years the elk had increased to thirteen, and the deer to about one hundred. He reports that the fawns were almost invariably twins, and that his little flock was worth \$3,000, showing the profitable nature of the investment from a purely commercial standpoint. This rapid increase seems almost incredible, but the surroundings were the most favorable, and the animals were well supplied with food. Such examples as these show that if proper protection is given in the forest reserves, the land outside, and for many miles beyond their boundaries, will again be well supplied. The inhabitants in the surrounding settlements will help to protect and guard this source of supply instead of hastening to destroy it.

Many of the streams in these reserves are well stocked with trout and other fish. Fishes are marvelously prolific. No radical or extreme measures of protection are needed to preserve them from extinction, but reasonable closed seasons and limitations upon the size and number of those caught, and enforcement of laws and regulations against dynamiting or other barbarous methods of fishing, would keep these streams as permanent and constant supply stations, with which to restock the water courses that there find their source.

National forestry is tree cultivation upon a large scale, covering long periods of time, for which the lives of individuals would be inadequate. Scientific forestry has taken a firm hold in France and Germany. The destruction of streams and farms by the washing of sand and gravel, caused by the wholesale cutting down of the woods, has called the attention of the people of the old world to the necessity of reforesting the waste lands. The

people of the United States are awakening upon this question at a much earlier period than did our kinfolk across the sea.

Now that anyone can put his dogs and gun into a baggage car, and, taking a comfortable sleeping berth, reach his hunting grounds five hundred miles away in a few hours, his power of slaughter has become so great that moderation and self-restraint become the test of a true sportsman.

The unlimited power to travel and kill should be also bounded by the limitations of the law. The necessity for protection increases as the powers of man to kill have increased. With the bloody breech-loader, and abominable automatic gun of the present day, exterminating is an easy thing. In fact, with long-range, rapid-firing guns in the hands of inexperienced hunters, it is dangerous alike for man or beast to go into the woods in the open season in Wisconsin, Minnesota, or Maine.

It is to be hoped that the people of the Pacific Coast will profit by the experience of their Atlantic ancestors and not permit their salmon streams to become as barren as the once prolific Connecticut now is.

The forest reserves have had additions during the past year of 22,854,978 acres, bringing up the grand total to 85,618,472 acres, exceeding the area of Iowa and Missouri combined.

Not the least important of the uses of this vast domain should be to give shelter to a remnant of that wonderful wild life that once filled this continent.

THE PETRIFIED FOREST NATIONAL PARK OF ARIZONA¹

The writer of this article has endeavored for six years to secure the enactment of a law creating a national park to include and preserve the wonderful petrified forest of Arizona. The bill passed the House of Representatives in the 56th, 57th, and 58th Congresses, but failed to be acted upon in the Senate. The committee on the public lands of the Senate, to whom these bills have been referred, has thus failed to take any action. The secretary of the interior in his annual reports has repeatedly asked the enactment of such a law and has withdrawn the land from entry so that it may not pass into private ownership, and has endeavored to protect the trees as far as possible under the general land laws.

This remarkable deposit has been subject to much vandalism already, and unless permanently reserved and protected is sure of ultimate destruction.

The land is useless for agriculture as it is in the heart of a sandy desert. An attempt was made some years ago to work these trees up into table tops but the prevalence of small holes in the body of the finest of the logs prevented the success of this commercial enterprise. Otherwise this great national curiosity would have long since become a matter of history only.

Failing to make a success of the table top scheme it was next proposed to grind the trees up into powder and a mill was erected for that purpose near Adamana. But, fortunately, a ledge of emery stone was found nearer

¹ John F. Lacey in *Shields' Magazine*.

market in Canada, and the emery factory proved unprofitable, greatly to the disappointment of these commercial vandals.

This same genius of greed that has been converting ancient Egyptian mummies into paints and fertilizer will make short work of this marvelous forest if some use can be found that will transform it into money.

Nothing short of permanent reservation by law will preserve it from destruction. Dynamite has been used in order to blow some of the finest trees into suitable fragments for "specimens."

This forest is without doubt the greatest natural curiosity in America.

Ages ago, so long that it makes one dizzy to think of it, these trees were alive and growing in the Southwest. They were coniferous, as shown by microscopic examination of their texture. The species is now extinct and the nearest resembling species now found exists in Asia Minor.

The geological history of this forest is very easy to read. The trees have fallen down and floated around in some old arm of the sea until the roots and limbs were worn and rounded just as we see like examples on the sandbars of the Mississippi. The trees became heavy and water-logged and settled to the sea bottom. They were slowly covered by a deposit of sandstone of forty to fifty feet, or more, in thickness, and under this deposit below the old sea bed they were slowly transformed into chalcidony of such beautiful and varied colors as has been nowhere else equaled. Afterwards the land slowly rose until it became an elevated plain 7,000 feet above the present sea level.

Erosion by wind and water has done its work and uncovered several thousand acres of this antediluvian plain. The great logs lie, many of them, just as they appeared

when they first sank to their present resting place. Along the edge of the rocky bluffs they may be still partly covered with the overlying sandstone and partly protruding into the excavated valley.

The genesis of this old forest is thus preserved by the testimony of the rocks.

The Santa Fe Railway passes through Adamana and Holbrook, from five to twelve miles away, and the traveler across the continent has the easy opportunity to see the greatest scenic wonder in the world, the Grand Canyon of the Colorado in Arizona, and the greatest natural curiosity, the Petrified Forest of Arizona. Under the turquoise sky of the desert the scenery is doubly beautiful.

There are other petrified forests, but this is *The Petrified Forest of the World*. Yellow, red, blue, white, black, brown, pink, purple, green, gray, in fact all the colors of the rainbow are found in these old trees. Many of them are five feet in diameter and one hundred and forty feet in length, and lie just as they were originally deposited imbedded a few inches in the desert sand.

In another place the old sea bottom has been eroded below its original level and there the trees have been broken into short logs and have rolled into great confusion.

The "Natural Bridge" is a beautiful specimen, where a tree still lies imbedded in the sandstone at each end, and a deep ravine, forty-five feet wide, has been washed away beneath it. The winds and the rain have worn away the sandstone, but the petrified trees are as hard and enduring as the eternal adamant.

Coleridge describes the great arches of a Gothic cathedral as a "petrified religion."

As hard almost as the diamond, as brilliant in colors as the flowers of the field, this ancient forest, which was transformed into stone perhaps before man appeared on

the planet, is still to be seen under the sunshine of Arizona. It should by all means be preserved for the admiration and wonder of generations yet to come.

Let these trees be protected from vandalism and they will endure forever. It is to be hoped that the public sentiment which has urged and warmly approved of the action of the House of Representatives in thrice passing the bill to set aside this land as a public national park will in the near future bring about favorable action in the Senate. That lover of nature, the President, will be glad to sign such a bill.

PRESERVING PETRIFIED FORESTS ¹

So far as the House of Representatives can guarantee it, the people of the United States will be assured, when the present bill passes, of the possession, as a public park, of the famous petrified forests of Arizona. The vast tract of interesting country thus set apart for the people and preserved forever from the devastating hand of the vandal will be known as the Petrified Forest National Park. There is no doubt that the bill will become a law and a wonder of the New World will thus be added to the nation's pleasure grounds.

A description of the remarkable scenery and objects of interest in the region where the new national park is to be located will show that the United States government has taken a timely step in the people's interests in making public property of this extremely interesting section of Uncle Sam's dominions.

The United States government tardily recognized the necessity of preserving as public property some of the great wonders of nature. The Yellowstone National Park was the first one of these reservations thus set apart as a national resort. Since then the public lands around the Yosemite have been embraced in a national park. Efforts are being made to save the big trees of California from the saw of the lumberman. Mt. Ranier has become a park and its natural scenery preserved from mutilation.

Arizona, with her pure healing air, has for many years been the source of renewed life to the invalids of America. New Mexico and Arizona will in due time take the place of

¹ By John F. Lacey, Washington, May 19, 1900.

Nice and Mentone as the resort of the weak-lunged people of both hemispheres. - Arizona has, in addition to the beauty of her climate, two of the most remarkable scenic wonders on the globe. The Grand Canyon of the Colorado is without question the most sublime and startling of all the works of nature in North America.

But there is in Arizona a more wonderful scene than even the Grand Canyon itself. In a desert region, a few hours' journey by rail east of the Grand Canyon, is the petrified forest. In other parts of the United States there may be found occasional petrifications of remarkable character, but here are the remains of a great forest. These trees are of a coniferous, extinct species, with the exception of a single cottonwood trunk. They lie prone upon the ground as they drifted in on a prehistoric sea. Water-logged and heavy they sank to the bottom, and were there covered with sand and were changed into chalcidony. The sand hardened and cemented into stone and finally rose above the waters. This stone forest lay hidden from view for countless ages. By slow disintegration the imbedding rock all washed away and the petrified trees, being much harder and more durable, were left lying scattered in dense profusion on the surface of the earth, where they had so long laid buried.

These trees are of the most beautiful colors, and the stone takes as high a polish as granite. Reckless tourists have long been engaged in carrying away fragments, even using dynamite on some of the specimens, while enterprising money-making men have planned the removal and grinding of these trees into powder to be used as a substitute for emery, the only thing that prevented this commercial vandalism being the discovery of a stone in Canada that would answer the same purpose.

Over an area several miles in extent the petrified logs are countless at all horizons and lie in the greatest pro-

fusion on the knolls, buttes, and spurs, and in the ravines and gulches, while the ground seems to be everywhere studded with gems consisting of the broken fragments of all shapes and sizes and exhibiting all the colors of the rainbow.

There is no other petrified forest in which the wood assumes so many varied and interesting forms and colors, and it is these that present the chief attraction to the general public. The state of mineralization in which much of this wood exists almost places them among the gems and precious stones. Not only are chalcedony, opals, and agates found among them, but many approach the condition of jasper and onyx.

THE PAJARITO ¹

AN OUTING WITH THE ARCHAEOLOGISTS

It was in August, 1902, that Prof. Edgar L. Hewett urged me to visit the ruins of the cliff dwellers and cave dwellers and see for myself the necessity and propriety of the enactment of a law to protect and preserve the ancient aboriginal ruins of the Southwest; and so Dr. Hewett, Congressman B. S. Rodey, Land Commissioner Keen, and myself visited the Pajarito region; slept in the deserted caves, explored the communal ruins, and then pursued our journey to the still living pueblos of Santa Clara, San Ildefonso, Cochiti, ending with Santa Fe and Acoma.

It was this trip that led to the introduction and passage of my bill for the preservation of aboriginal ruins and places of scenic and scientific interest upon the public domain, under which the Petrified Forest, the Olympic Range Elk Reserve and about two hundred places of ethnological interest have been designed as "monuments" and preserved to the public. And it was the enactment of this law which led to the formation of the School of American Archaeology.

Under the American Archaeological Institute, or auxiliary to it, are four archaeological schools: Rome, Athens, Jerusalem, and Santa Fe.

Santa Fe is young as compared with the other three cities, but is old indeed measured by American history, for its foundation in 1605 was four years ahead of Jamestown and fifteen years senior to the landing at Plymouth Rock.

¹ By John F. Lacey.

The old Palace of the Governors at Santa Fe has been dedicated as a museum of antiquities by the intelligent forethought of the legislature of New Mexico, and the restoration of the ancient building has been conducted with excellent taste under the auspices of Director Hewett.

Where an old timber has gone to decay it is restored by the substitution of another old, but sound, timber, thus preserving the harmony of the building.

It is in the new state of New Mexico that the American School of Archaeology holds its summer session. In the winter its director uncovers and explores the ruins of Chichen Itza, of Uxmal, of Palenquie, and Quiriga, in Yucatan and Central America, where ruins equaling Luxor in magnitude are hidden in the tropical jungle.

New Mexico has been celebrated by Dr. Charles F. Lummis in story and song. Out of his description of this marvelous land I will take the liberty to condense and quote:

New Mexico — the land of Poco Tiemp — sun, silence, and adobe — a picture, a romance, and a dream, all in one — the sun's very own — where distance is lost and the eye is a liar — where the rattlesnake is a demigod and the cigarette a means of grace — a land of six-story buildings before Columbus' grandfather was born — a land of a hundred republics centuries before 1776 — ragged courtiers and unlettered diplomats — under the alchemy of its sky mud turns ethereal and the desert a revelation — rivers where a minnow must stand on his head to wet his gills — a wilderness of happy silence — an ether of contentful ease.

In 1911 I enjoyed the pleasure of attending the session of the School of Archaeology in the Rito de los Frijoles (Bean Creek, in plain, unpoetic English). And it was an outing worth while.

All ages and many occupations were represented: col-

lege presidents, business men, ranchers, farmers, teachers, lawyers, doctors, supreme court justices, preachers, students, old young people of twelve years, and young old people of seventy joined to make the meeting enjoyable as well as instructive. And they were a jolly lot. Only one kicker was reported, and *she* arrived after dark and left early next morning.

They slept in tents or in the caves, washed in the Rito, and took their meals at Judge Abbott's excellent table at his stone ranch-house in the cañon. He called his guests to the table by ringing a triangle, but the meals were square.

There are in the Puye, the Tschrege, and the Rito de los Frijoles enough cave dwellings and remains of communal houses to have sheltered a population of fifty thousand souls, if they had all been occupied in the same time.

One communal ruin on the top of the mesa of Puye contains 1,600 rooms, which would rival some of our modern skyscrapers in its capacity, and its three and four stories of apartments, built with stone tools in the long ago, show a great degree of skill. The plastered floor and walls exhibit methods of industry and cleanliness.

We saw how this work was done at Acoma, when we arrived in 1902, after a heavy rain. Mud was plentiful in the streets. The men were out harvesting in their little fields, from five to twenty miles away, and the women were busy freshening up the plaster of their three-story houses and whitening them with a whitewash made from rocks near at hand.

Their little brown hands were used as trowels and the mud was spread as smoothly as though they had belonged to the plasterers' union.

In the narrow valley of the Rito is one of the communal ruins of perhaps a thousand rooms, and twenty Tewa In-

dians from San Ildefonso were engaged in removing the debris and uncovering the walls to the view of the modern American.

In the north side walls of the cañon, facing the sunshine, are many caves which were probably the first homes of the early settlers of the Pajarito region.

The falling of the rock has buried many houses built against the rocky walls, and the excavation there has laid these ruins bare, where their presence had been unsuspected.

No graveyard has been discovered, but a few skeletons have been found interred in this talus, and the body of one woman buried in the dust of one of the caves.

She was clad in woven fabric and was buried in embryonic form, with her face down. These people had the superstition that they could go most luckily into the other world in the same form in which they were born into this.

Corn husks and cobs, buried in the dust of some of the caves, give evidence of the food upon which these people lived; and some old turkey corrals containng deep deposits of guano show that when Augustus was feeding on peacocks these cave dwellers enjoyed the much more toothsome turkey — the king of all table birds. They are still numerous in New Mexico. I always appreciated Dr. Franklin's suggestion of making the turkey our national bird instead of the blood-thirsty eagle.

The wild life of this region is not numerous. In the woods are occasional deer, and the flying squirrels are able to give lessons to the best modern aviators.

The water courses in the cañons of Puye and Tschrege are dry, and an old pine two hundred years old, growing in the middle of an ancient irrigating ditch at Puye showed that water had been rare in that region for many a year, and gave some hints of the reason why the dense

population had disappeared. But the Rito still sparkles and tinkles as it goes through the Cañon de los Frijoles and makes music for the sleeping archaeologists in their tents and caves. Would plain Bean Creek have been so musical?

The agricultural ants have dug their communal houses and founded their little republics in this region, as well as over the greater part of the elevated plains of the Far West. One of the visitors at the school caught a large centipede in one of the caves and thought he would test the fighting capacity of these ants.

The centipede was deposited upon an anthill, when the experience of Gulliver was repeated. The many-legged creature found that each of his formidable legs was an additional handle for his little antagonists. In a short time the centipede was dissected into choice cuts, one joint to each cut, and was carried into the anthill to add to the variety, and decrease the cost of living.

The kiva is one of the most curious of the ruins of these old pueblos. The first impression of a stranger is that the kiva is an old cistern. In the Rita de los Frijoles there are some kivas in the solid rock, and one of them in the ceremonial cave has been cleaned out, re-roofed, and fully restored.

In the plaza of the communal building in the cañon there are three small kivas, and twenty rods to the east another larger one.

These kivas are built upon the same stereotyped plan. They are round and wholly or partially below ground and roofed over, with no opening except in the roof, which is entered by a ladder, the poles of which extend high above the roof.

There is an altar near the foot of the ladder and near the altar is a chimney and opening like a fireplace. But

the chimney was used to carry fresh air down it to the altar and the smoke went up through the entrance in the roof.

In the plastered floor are usually found two rows of willow staples inserted, apparently on which to fasten baskets or curtains for some unknown use in the ceremonial of the priests or people.

The people were divided into klans and each klan had its kiva, and from these kivas the dancers, painted and ornamented, emerged on their festal days.

Miss Dissete, connected with the Indian school services, says of the present Pueblo Indians, "that they are always getting ready for a dance, having a dance, or getting over a dance."

Dear old Bandelier, in his *Delight Makers*, laid the scene of his novel nearly four hundred years ago in this very cañon, and the ruins that he reported in his imagination are the same ones that resound with the voices of the old and young archaeologists of 1911.

We can well suspect that these kivas were the dark scenes of political plotting of the various parties in these little republics in the old days.

In the cave dwellings the religious turn of these people is evidenced by the receptacle for the "prayer meal"; a hole in the wall large enough to hold about a half a gallon of the meal, kept the sacred offering always ready for use; and a pinch of the meal cast north, south, east, and west, then up and down, reached the six cardinal points and the god would be sure to take notice.

In a ceremonial smoke, the smoke was likewise puffed in these six directions.

The whole region is referred to as the Pajarito and each separate cañon and mesa had its dwellings.

Rough, inartistic drawings of the sun, snakes, men, and other figures adorn the rocks and caves. A rather com-

ically fierce group of these pictured natives, on the wall by the stairway at the Tschrege, Dr. Hewett christened the "Reception Committee." At Cochiti there is a little old church that has been decorated with elk, buffalo, birds, horses, and other character sketches but with considerable artistic skill. The present inhabitants of Cochiti have a tradition that their ancestors once inhabited the Rito and it is highly probable that this is true. As their need of defense grew less they would naturally turn to the more fertile and wider valley of the Rio Grande.

The painted cave and the stone lions are among the most interesting of the remains. The pictures in the cave are in black and red and the human figures are improbable and the birds impossible. Some antiquaries have classed one of the animals as a mammoth, but it looks more like a wolf. A man on horseback, with a bridle on the horse, is evidently junior to the Spanish occupancy, but the decorations may have been accumulated though a long period ahead.

The stone lions are reached by a very rugged and well-nigh impossible trail. These mountain lions, carved from a single boulder, lie crouched with their long tails extended and their heads between their forefeet.

Mexican sheep herders are charged with the vandalism which has mutilated the heads of these lions. Prof. Starr has made plaster casts of these interesting figures and the original casts were placed in the Walker Museum of the Chicago University. From the little stone-walled enclosure where these lions lie is one of the grandest and wildest views in Mexico.

They are still held in superstitious reverence and it is difficult to get an Indian to show these lions to a stranger. They show the painted cave and then wish to return without the hard climb to the ancient statuary. A party of the school visited the lions, and killing a rattlesnake

in one of the caves celebrated the event by cooking the reptile and eating it with their wienewurst luncheon. They were not at all enthusiastic over the dish that so many hunters have so highly praised.

The archaeological school had a large tent fly which was used for the assembly room, and their outing was one of study as well as of amusement. Lectures on Roman excavations, the Greek cities of the African coast, by Dr. Mitchell Carroll; the Semitic literature by Dr. Paton; the ruins of the Pajarito by Dr. Hewett; and modern life among the Mojaves by Dr. Harrington, were instructive as well as pleasing. The school met at eight A. M. for one of these lectures, at two P. M. for another, and again at eight P. M., by the blaze of the camp fire, listened to the third of the day's series.

A paper, the *Rito de los Frijoles Gazette*, was prepared and fragments of it read each evening. Some very artistic drawings adorned its pages, and it will be bound and take its place among the archives in the Museum at Santa Fe with the issues of the previous year.

The last day of the school was a busy and eventful day. A lecture at eight in the morning by Dr. Carroll, an afternoon lecture at the ceremonial cave by Dr. Hewett, followed by a walking lecture along the cliffs and among the ruins, and a night lecture by Dr. Harrington on the Mojaves, closed the open session. Then the twenty Tewa Indians had a pleasing spectacle in store for us.

Piles of pine boughs were heaped in front of those parts of the caves that had been cleared out and in the plaza of the old pueblo, were lighted at nine o'clock, and the glorious old cañon blazed with light as it had done on some festal night when its native population were alive ages ago.

We listened to the laughing Rito as it raced down the

valley. Other voices had been stilled but the brook was still alive, and spoke the language of the past.

The Indians gathered in the old plaza and danced for us. They performed the dog dance, the basket dance, the eagle dance, and the rain dance. These dances were not what they were in the old time when feathered heads and gaudy trappings made the motions as brilliant as they were graceful. But they sang their weird chant, as of old, when they gave their imitations of the dogs and the eagles, and weaved in and out as they imitated the making of the basket. The rain dance ended the performance and sure enough the rain fell before morning.

Frank Springer, the naturalist and geologist, and one of the country's greatest lawyers, was roughing it with the school. Mr. Springer is perhaps the greatest authority on crinoids. Not long ago he was in the British Museum and asked to see the crinoid collection. He was told that he could not do so, as the collections were scattered in heaps, in progress of reclassification, and that no one could see them.

He asked what classification they were using, and was then told that they were to be "according to Springer."

He told them he was the same Springer and soon was with his favorite crinoids.

Dr. Lummis, always picturesque and interesting, was laboring under blindness, which we all hoped was temporary. Led about by his little flaxen-haired son, Quimu, he was one of the happiest of the party, and his guitar and songs enlivened the evening campfire.

And what shall I say of Dr. Hewett? He was the life of the school which was his creation. He was characterized as a North Carolina judge once was, as "perpetual motion at maximum velocity." He is full of "contagious activity": he kept things always moving.

In going into the Rito I stood upon the rim of the cañon in the twilight. A rainy mist hung over the mountain. The campfires were already burning and the scene was one of surpassing beauty. In this sequestered valley, where once happy thousands made their homes, only the ranch-house of Judge Abbott is evidence of present occupancy.

As we reluctantly left the valley in the morning the sun was shining and the bluest of blue skies arched over the mountain and cañon walls.

The Rito is full of interest for the lovers of the beauty of outdoor life. A visit to its caves and ruined buildings can be well followed by another to the Jimez Mountains, and the Zuni, Taos, Acoma, and the other living pueblos will reward the curious traveler. In this high altitude the deep breathing of the dryest and purest air will give health and strength for the battle of life in the hard grind of everyday work in this modern, everyday world.

CLIFF DWELLERS' NATIONAL PARK¹

The committee on the public lands, to whom was referred the bill (H. R. 13071) to set apart certain lands in the territory of New Mexico as a public park, to be known as the Cliff Dwellers' National Park, for the purpose of preserving the prehistoric caves and ruins and other works and relics therein, beg leave to submit the following report, and recommend that said bill do pass, with amendments as follows:

In line 6, page 4, insert after the word "visitors" the following: "and he may, under such rules and regulations as he may prescribe, permit grazing therein."

In lines 17 and 18, page 4, strike out the words "and approximately of the same value."

In regard to the status of the lands in question, the records of this office (Department of the Interior, Secretary Hitchcock's letter) show as follows:

The Cochiti and the Canada de Cochiti claims (consolidated), containing 104,554 acres, have been confirmed for 5,000 acres only, and that in locating the grant the whole or part of the 5,000 acres may possibly be taken from the south border of the proposed park. The remainder of the lands are vacant public lands, with the exception of a small land grant and a few scattering tracts covered by settlement and other claims.

The proposal to set this region apart as a national park in order to properly protect and preserve these prehistoric ruins meets with my hearty approval, and I have accordingly prepared and submit herewith the draft of a proposed bill to that effect. The boundaries of the park are indicated on the map accom-

¹ January 23, 1901, Mr. Lacey, from the committee on the public lands, submitted the report.

panying Mr. Mankin's report of December 4, 1899, and also on the inclosed map of the territory of New Mexico.

The estimated area of the park is about 240 square miles, containing about 153,620 acres. The southwestern portion of this region, township 18 north, ranges 5 and 6 east, lying west of the Ramon Vigil Grant, is known to this office to contain cliff dwellers' ruins and other antiquities of great interest, and the same has accordingly been included in the boundaries of the proposed park, although, owing to the inaccessibility of the region, the location of these ruins is not indicated on the inclosed map of that district.

Mr. Mankin's report of December 4 states:

"I would suggest as a suitable name for said reservation the title 'Pajarito National Park,' the 'Pajarito Canyon' (pronounced pah-har-ee-toe, meaning a small bird or sparrow) being the central and dominant feature of interest in the tract."

I have accordingly designated the reservation "The Pajarito National Park."

I desire to further invite attention to the fact that, since Mr. Mankin's report of December 4 states that the entire western portion of this region "is covered with a heavy growth of pine, spruce, and fir," which forms the watershed of numerous tributaries of the Rio Grande del Norte, the establishment of this national park will doubtless serve an added purpose in conserving the water supply of that region.

The need for promptness of action in creating this park, urged in the above-mentioned report by Mr. Mankin, dated March 1, 1900, is further attested by the accompanying letter received, under date of October 26, 1900, from the president of the New Mexico Normal University, Hon. Edgar L. Hewett, stating as follows:

"I believe more earnestly than ever in the desirability of creating this into a national park under the protection of the government. At no time in the history of that region has such wanton vandalism gone on as during the past summer. Irresponsible persons have destroyed valuable burial mounds, destroyed the walls of buildings, and much priceless material has

been broken up. That which has been taken out and sold is, of course, not absolutely lost, for it usually finds its way into museums."

Your committee have considered the proposition and believe that it would be a wise act to preserve these remains. They are fortunately situated in a dry climate where the elements act slowly in the work of destruction.

The remains include picture writings, carved stone lions, cliff houses, cave dwellings, and community houses. The land lies at an altitude of from 6,000 to 9,000 feet above the sea, and the climate for a summer outing is as delightful as any in the world.

There are many of these ruins elsewhere in New Mexico, Arizona, and Colorado, but there is probably no locality in which so extensive remains are found in so small a space. It is estimated that there are tens of thousands of these ancient structures, and that from one eminence 2,000 of these dwellings may be seen. Some of the communal residences are two or three stories high and contain 1,000 to 2,000 rooms each, with underground council chambers.

Use of the grass within the proposed reservation, your committee thinks, can be made without impairing the use of the park, provided suitable regulations against vandalism shall be made by the secretary of the interior, and we therefore have recommended that permits for grazing may be issued.

Each generation usually destroys the works of its ancestors. Modern Rome is built out of the remains of the ancient city. In the United States the prehistoric works of the aboriginal races have rapidly disappeared under the hand of the white race.

In the Pajarito region a very large quantity of these relics remains because the aridity of the climate has

prevented general settlement, and without injury to the living we can preserve these remarkable memorials of the dead.

While the name of the proposed park, Pajarito, suggested by the Department of the Interior, is musical, there is nothing in it suggesting the purposes of the proposed park, as the word means "little bird." It would be commonly mispronounced by English-speaking people, and we deemed it best to adopt the name which carries with it the purpose and object of the proposed reservation.

ON PENSIONS ¹

I did not intend to take any part in this debate, but I cannot sit in silence and listen to the criticisms which have come from the other side of this chamber as against the pension appropriation bill without at least making a brief statement in behalf of the old soldiers of this country, not in behalf of the "battle-scarred sutlers" that were referred to by my genial friend from Mississippi (Mr. Allen). My friend from Mississippi always clothes with humor any subject, however grave it may be, and we listen to him with pleasure and delight. He ought to remember, as no doubt he does, that the reason why this is the greatest pension roll that the world has ever seen is because it follows in the wake of the greatest war that the world has ever seen. The size of the roll is an evidence of his prowess and of the bravery of the men who fought with him upon the Southern side of the question.

This country at the very beginning of its existence started out with the idea of having practically no standing army; having in lieu of a great standing army a nucleus, a germ around which volunteers might rally, and upon which might be organized in times of our necessity an army great enough to meet any emergency that might arise. That policy necessitated the adoption of a plan of pensions in time of peace for the volunteers in time of war. It was commenced with the very beginning of our government. The Revolutionary soldiers were put upon the pension rolls, first through lists re-

¹ Speech of Hon. John F. Lacey on H. R. bill 64303, appropriation for payment of invalid and other pensions.

vised by the Supreme Court, later on by acts of Congress — usually by special acts — until substantially all of them were put upon the rolls.

The War of 1812, the Indian wars that followed, and the Mexican War have also resulted in the same system; and instead of keeping a great standing army ready for any war that might arise, we have relied upon the people — the great mass of the people — to come forward; and in order to do that we have adopted the pension system which is now so severely criticised. Instead of keeping an army always ready, we have found the volunteer system has worked well. The South sent her volunteers to the Mexican War. They are upon the pension roll. The South will send her volunteers to the next war, whenever that may be, and everyone fighting under the Stars and Stripes in any war, if they become disabled, ought to have pensions. That has been the policy of government. It is true that the roll is a large one, but you must not lose sight of the fact that the war was also a great war.

Criticism has been indulged in as to one feature of the law — that a rich man may draw a pension. Very well; he can not draw a pension unless he is disabled. The old soldiers of this country, when the question came up as to whether a discrimination should be made against those who had means and that pensions should be only to the poor, came forward almost as a man and said they did not want any “pauper legislation.” They did not want legislation requiring them to go before the commissioner of pensions and ask for a pension on the ground that they were paupers, so that a certificate of pension would be simply an equivalent to an admission to the poorhouse. They resented anything of that kind, and it was in deference to that honorable, upright, and noble sentiment that

no discrimination was made in favor of the poor and against the rich. The poor soldier was the most earnest in his opposition to such discrimination. And yet we have heard here today repeated criticism of the law because it does not make such a distinction.

MR. GAINES: Let me ask the gentleman this question: If Jay Gould were living today, would the gentleman be willing to pension him?

MR. LACEY: If Jay Gould were living today and had fought in the war, say had lost his arm in the war, I would not care if he owned the whole Southern Confederacy, I would still pension him. I would not draw any distinction as is suggested here. I would not require the old soldier to go down upon his knees at the pension office and say, "I am a pauper and I ask the grace of the government." I would have him, rather, go and demand his pension as a right from the government, which adopted that policy in years gone by. This pension roll will decrease fast enough. A good deal of sport has been made in this debate about its not having reached the maximum. It has been said that it was to have reached the maximum in 1894; well, it would have done so in 1894 if the law had been fairly administered under the last administration.

I am about to explain to the gentleman from Mississippi (Mr. Allen) why the roll did not reach the full limit at that time. The secretary of the interior in that Democratic administration was Mr. Hoke Smith, of Georgia. He had control of the pension bureau and he prevented the roll from then reaching the full limit. He was determined that it should not, and he applied all the power of the national government to keeping it down, and the \$8,000,000 that has been referred to as having covered back into the treasury was simply arrears from

that administration — money that ought to have been paid in 1894 — so that we are paying now for the past as well as for the present.

The present commissioner of pensions has pursued a liberal policy and yet has kept within the letter and the spirit of the law, and yet an increase in the roll has come now from the fault of the previous administration; it has come from the setting aside of orders made in the past cutting down pensions improperly. Pensions in many cases were cut down to \$6 a month under the new law, which have been restored by the present administration to the limit of the act of 1890 — \$12 a month. This administration is doing that which the former one should have done.

MR. SAYERS: Mr. Chairman, I am sure my friend does not wish to misrepresent the administration of the pension office. Now, does he not know that when the act of 1890 was passed it became the policy of the administration at that time, which was a Republican administration, to allow pensions exclusively under the act of 1890, and to pretermitt for the time being the applications which had been made under previous pension laws and which involved the payment of large arrearages? Does he not know that to be the fact, and does he not also know that in order to execute the act of 1890 the force of the pension office was increased by over 700 clerks? It was distinctly stated before the committee on appropriations as a reason why this increase of clerks should be allowed that it was the intention of the administration to execute the act of 1890 as rapidly as possible.

MR. LACEY: I do not concur in all of the gentleman's statement. That the act of 1890 was given precedence in the pension office over the old law, "on account of the large arrearages" I do not concede; but I do concede that preference was given to claims under the act of 1890 for

this simple reason: Under that act all the claimant had to do to get upon the roll was to prove that he was disabled, that he had an honorable discharge, that he had served ninety days or more in the Union army, and that his disability was not caused by vicious habits of his own. When this state of facts was established by the proofs, he was put on the roll for the disabilities existing, not exceeding \$12 a month. This made a simple and easy settlement of many cases, and as every man who applies under the old law would be entitled to apply under the new law in lieu of the old, cases under the new law that did not require any very technical examination were given precedence, and, following that, claims of the same soldiers were adjusted under the old law. The man was taken out of the poorhouse, or at least given relief, under the act of 1890, and, following that, he was granted his rating under the old law, if it exceeded \$12 a month.

That method of settling claims was adopted, and I think it was wisely adopted. And there was no concealment about it. Openly and fairly the administration adopted this course; openly and fairly the commissioner of pensions appeared before the committees of Congress and asked additional allowance for clerk hire so that this class of claims might be taken up and adjusted, and that men who were not upon the pension roll at all, who had applied under the act of June, 1890, should speedily have their claims adjusted. And new claims were given preference over claims of increase.

There is another feature of the act of 1890 which has not been alluded to, and which ought to be fairly understood by this House. The great mass of cases allowed under the act of 1890 for disability were really allowed for disability contracted in the service; but owing to the lapse of time, owing to the uncertainty and frailty of the human memory, owing to the death of witnesses, it has

been impossible in many cases to prove up those claims. Consequently a man who had had a claim filed under the old law would change his application and accept a pension under the new law, such pension being limited to \$12 per month. This has been done in many cases where the disability was actually contracted in the service and in the line of duty. It was the purpose of the act of 1890 to enable claimants to do this.

To illustrate: Only a short time ago a man came to see me in regard to his pension application. He had lost one of his eyes in the service, yet he could not prove that fact. The injury was received from the explosion of a shell at Cold Harbor; but the exact circumstances of the occurrence could not be proved, so far as his case was concerned, because by that same shot fourteen of the fifteen men were killed or injured. The difficulty was to prove which persons were injured by the explosion, and the injury to his eye was slight in the beginning. This man had endeavored to prove up his case under the old law, but some of the witnesses were dead and others scattered in various parts of the county, and he had not seen them for thirty years. I said to him, "Simply put in your application under the new law, and the pension office will give you a rating for the loss of your eye without proof that the injury originated in the service." Yet the man undoubtedly lost the sight of that eye by the explosion of a shell, although it was impossible for him to prove it after so great a lapse of time.

It was to cover cases of that kind that this law was adopted; yet the gentleman from Missouri (Mr. DeArmond) insists that we should first inquire in those cases whether the individual who has suffered an injury is able to support himself out of means which he may have accumulated, whether he is capable of earning a living in some other way than by manual labor. If, for instance,

he is a lawyer or a doctor or a preacher, receiving income from his profession, the gentleman would exclude him. We had one case where the question came up as to whether a judge of the Supreme Court of one of the states could draw pension. He had been injured in such a way that his wound still required to be dressed every day. Twenty-five or thirty years after the war, and under the late administration, it was then held that inasmuch as he was drawing salary as judge of the Supreme Court and able to live without the aid of the federal government, he should not receive a pension. But such is not the policy on which our pension laws have ever been framed. The pauper idea has never gone into our pension legislation; and it never ought to go there.

The pensions granted in the earlier history of the government were usually granted by direct act of Congress. If you will turn to the statute books of that period you will find page after page reciting the names of soldiers of the War of the Revolution to whom pensions were granted by special act. Congress at that time settled those questions directly, and the simple question was as to the character of service. As to the Mexican War, the length of service entitling a man to a pension was very short, much shorter than the act of 1890.

Service pensions were allowed to soldiers of the Mexican War without reference to disability, the only limitation being one of age. The law referred to [mentioned by Representative Sayers] did not require the Mexican soldier to show disability contracted in the service. But such pensions were found inadequate in many instances, and special pensions in particular cases were granted by Congress to increase the amount, the original amount being \$8 a month. The original pension was not predicated upon the idea of poverty, but upon the idea of helplessness and poverty additional pensions were allowed in

those cases. Then a general law was enacted increasing the Mexican service pensions to \$12 where the soldier was dependent, but for disability contracted in that war it was not necessary to show dependence.

Now I do not care to detain the committee longer upon this question. I regret to see this old straw thrashed over again by gentlemen on the other side of the House as it has been session after session in the past. The pension roll will grow small soon enough. It must of necessity become smaller rapidly from this time on, for the hand of death took 31,960 pensioners from the roll last year. This rate of death ought to satisfy the greatest pension hater in the land. The total number of pensioners dropped last year from all causes was 41,122. Among the pensioners now on the roll are 65,869 minors who will soon pass the pensionable age. The average age of the soldiers of the late war is now fifty-six years. In fourteen years their average age will be seventy. It is true that as to widows the pension will continue for a long time. That involves another question, as to which a measure has been proposed in the House, and I believe also in the Senate, to limit the rights of widows to the law actually in existence at the time of their marriage. The passage of that law would of course put out perhaps ninety per cent or more of the widows of the soldiers of the late war, because the great bulk of those soldiers were too young during the time that the war was going on to be married. Whether that would be a wise measure or not there will be time enough to discuss when it is brought before this body. As to the present appropriation, if it is not ample, an increased appropriation can be allowed. The amount embraced in this bill is precisely what the secretary of the interior has asked for.

AT NORTHWEST IOWA VETERAN REUNION ¹

Time and space work the miracle of bringing people nearer together. An American from California meeting another American from New York in Constantinople promptly recognizes him by his appearance and his clothes; and although their homes are three thousand miles apart they seem like next-door neighbors when they meet upon the shores of the Bosphorus.

When the soldiers of the late war first came home, they felt no great anxiety to meet their comrades, except of their own company or regiment. Later on a member of their own brigade or division seemed like an old acquaintance; and as time progressed the range of comradeship enlarged until now the soldier of the Army of the Tennessee looks upon a comrade of the Army of the Potomac as though he had been a messmate. Thirty years have gone by; the individuality with which we have associated the contest disappears in the remote distance; and here on the prairies of northwestern Iowa each soldier is a comrade to every other man who wore the blue. State and corps lines are lost, and each man knows the other only as a defender of the Union.

The prairies of northwestern Iowa did not send many soldiers to the front; this region was then but thinly inhabited. When the war closed the soldiers turned their faces to the west, and today there is no place so remote, so far from the frontier but there you may meet some surviving member of the Grand Army of the Republic.

History is said to be a resurrection of the dead; the

¹ Address by John F. Lacey delivered at Le Mars, Iowa, June 20, 1895.

dead past and its dead actors, we bring forward today for the emulation of, and as an example to the living.

The prophet Ezekiel twenty-five hundred years ago called upon the dry bones in the valley to rise and live, and lo! they stood before him; and the Lord said unto him, "Prophecy unto the wind, prophecy, son of man, and say to the wind, Thus saith the Lord God; come from the four winds, O breath, and breathe upon these slain, that they may live. So he prophesied as commanded, and the breath came into them, and they lived, and stood upon their feet, an exceeding great army." 37 Ezekiel.

We cannot perform the miracle of Ezekiel, but in our minds on this occasion, let us bring back, as far as possible, the memory of that great army of the dead who fell in our own war; or who have since its termination gone down to their graves in peace.

The comrades who are here may recall forms and faces, and clothe their souls again with flesh, but to the younger generation that army is as much a thing of the past as the dead army of Israel. The average human life of a generation is thirty-three years, and a generation has passed since the period that we now recall. In those dreadful days grief burned faster than tears could drown. And, after this lapse of time, instead of grieving that these men are dead, we rejoice rather that they have lived.

The Grand Army of the Republic feels no vindictiveness after all these years; it is full of fraternity and charity and above all it places loyalty. The Grand Army, however, will always recognize the merit of having fought upon the right side in that contest.

The old soldiers who are here today are not what they used to be. Not long ago I witnessed a soldiers' gathering where the veterans formed in line, with drums beating and colors flying, and saw a young mother with her

baby cab charge right through the line. They were not as dangerous as they used to be. But though broken in body they are still strong in spirit. Their condition reminds me of an incident I have heard in regard to some Japanese students in this county. In learning our language they first translated a sentence into Japanese, passed it to another one of the class who translated it back into English. They tried their apprentice hands on this sentence, "The spirit is willing but the flesh is weak." It was translated into Japanese, given a coat of Japan varnish, and retranslated into English, when it was rendered: "The ghost wants to, but the fresh meat is feeble." And such is the situation of the boys here to-day.

Last year four thousand of the veterans of '61 went down to their honored graves. It is well that these schools of patriotism should meet to revive the lessons of the past. The Grand Army dies day by day, and takes in no recruits; but whilst the army dies its spirit and its principles live in the next generation.

In looking back now over that stirring period, events seem to have been shaped by the hand of God; history has been directed by choice rather than chance. When Miltiades, the night before Marathon, called a council of war, the decision of the generals to fight was passed by a majority of one. The battle was fought, and the civilization of the whole world depended upon its success, and the effect of that battle has been projected into remote ages. The Greek civilization which triumphed on that day has shaped the destiny of the world.

On the evening of the first day at Shiloh, General McPherson asked General Grant what steps he proposed to take to cross the river and save his army. Grant replied that he intended to resume the battle in the morning and had no doubt of winning the victory. Choice

rather than chance has shaped the course of history. Grant exercised choice; he did not yield to an adverse chance.

Looking back now after so many years, it is evident that the decision of the war was the best for both parties. It brought peace with safety. For many years the Tweed flowed as the boundary between the hostile Scotch and English; its waters were often dyed with the blood of armies. Now it flows through a united and peaceful people. But it is where union is combined with safety, and a due regard to the rights of the people involved, that such union brings peace and prosperity. The union of Alsace and Lorraine with Germany resulted in a cordon of fieldworks and fortresses; it is a union of force.

Passing through that frontier today, the vast armies of France and Germany glare at each other over and across the line, waiting only for an opportunity to resume the contest. Had the secession movement proved successful our country would have had an arbitrary frontier line drawn from the Atlantic far into the interior. Rival custom houses would have stood on opposite sides of all rivers and railways at the boundary. All disputes between the two sections would have been settled by treaties, or by war. Now all matters of controversy are settled by a national Congress, in which every portion of the Union is represented. Statutes and judicial decisions take the place of diplomacy and guns. This Union has cost much in blood, treasure, and tears, but it is well worth the cost. The people of each section are of kindred blood; they come from a common stock; their ancestors sought these shores for a common purpose; their interests were united.

In reading the reports of a general in the opposing army the other day, in regard to one of the bloody battles of the war, I found that the Confederate government had

issued general orders, mentioning as a subject of special distinction, the name of Sergeant A. J. Hinkle, Twelfth Missouri, and Thomas Connor of the Eleventh Missouri, both killed in that battle. On the Union side, Thomas Hinkle of the Thirty-third Iowa and Thomas Connor of the same regiment were also killed. The Confederate Thomas Connor was mentioned in special orders issued by the rebel adjutant-general at Richmond. His name was published in the "Confederate Roll of Honor."

Thomas Connor, the Union soldier, has a Grand Army post named after him at Rose Hill, Iowa. Men of the same name, of the same family, fought on opposite sides in that struggle. It was much the best that peace should bring them together again, as a united and friendly people, instead of as rival and hostile nations. Choice ruled, not chance, and human slavery disappeared forever from the continent of North America.

The greatest mistake of our country's settlement was the introduction of African slavery. It was the cause of strife. The hold of the slaver that brought the first cargo was freighted with misery to people long after to be born.

I have recently read and reread Jefferson Davis's *History of the Confederacy*. It is a large volume of 500 pages, and the main purpose of that book was to prove that slavery was not the cause of the war. Even Jefferson Davis, at the end of twenty-five years from emancipation, did not raise his voice in the defense of that institution, but rather sought to relieve himself and his cause of the odium which attached to the defense of so great a wrong. He laboriously attempted to prove that it was not slavery, but the tariff which was the cause of that devastating war.

No soldier here cherishes ill-will to any Confederate soldier, living or dead — brave men can always be char-

itable. When Grant gave back to Lee's army their cavalry horses to plow with, it was an omen of peace.

No man can now be buried in one of our national cemeteries who did not stand upon the side of the right, when men were so much needed. No man can join the Grand Army of the Republic who did not qualify himself by service under the flag, from 1861 to 1865. The little army badge, made from captured cannon, can be worn by no man who at any time was false to his country.

At the inauguration of President Harrison, on the 4th of March, 1889, the Senate chamber was brilliant with the uniforms of the diplomatic corps and of the army and navy. The galleries were gay with the beautiful costumes of the women. The supreme judges, clad in their robes of black silk, made a striking contrast with the gay trappings around them. When the retired general of the army, who had the right to wear the full uniform of his rank, came in, tall, erect, and with his keen eye as bright as ever, every eye centered upon him. Presidents have been inaugurated before, presidents would be inaugurated again, but ages would not again produce a William Tecumseh Sherman. Dressed in a plain suit of black, the only mark of distinction of any kind that he wore was the little badge of the Grand Army of the Republic, which was pinned upon his breast, right over his manly heart.

General Sherman was proud of this little badge; it placed him on an equality with the youngest private in his army. The right to wear it could only be acquired by service on the right side in the war for the Union. The time to obtain that right has passed forever.

I once heard Governor Flower of New York say that he was at the right age to have fought in the war, but that he had spent that time in laying a foundation for his great fortune. He said, "But I would rather have the

right to wear the badge of the Grand Army than to hold the title to all the fortune that I have won in my life." It is the creed of every Union soldier to love his state; but to love the Union as a whole, is a love above and beyond the love of even the state of his birth or the state of his adoption.

On occasions like the present we again sing the songs and hear the tunes of the war of 1861; but in capturing the Confederate forces and bringing back these states again into the Union, we capture and appropriate their music as well.

John Wesley, in speaking of the adoption by him, of the popular airs of his day, and their use, by setting them to hymns, said, that "he did not want the devil to have any of the good tunes." And in the same spirit our bands play "Dixie," "Yankee Doodle," "Maryland," and "Marching Through Georgia." And the music that once stirred the hearts of one or the other of the hostile armies now rouses enthusiasm among both — and why should we not do this?

The power of music was strikingly illustrated on one occasion during the siege of Vicksburg. The Chicago Board of Trade regiment was lying in the trenches, when Jules and Frank Lombard, the great singers, visited some of their Chicago friends, in the shelter of the besieging earthworks. Here and there along the line the cannon boomed at intervals; the firing was not steady, but the cracking of the rifle of the sharpshooter kept everybody on the alert. Some of the soldiers asked the Lombard boys to sing, and they struck up some popular air, and as their clear and powerful voices carried the melody across the lines the firing slackened and soon ceased altogether along that part of the lines. Having first sung some popular songs, which might be enjoyed on both sides, they sang "The Star Spangled Banner,"

“The Red, White, and Blue,” and then followed with some of the more recent songs of the war.

The sharpshooters had ceased to ply their deadly arms; men on both sides climbed out on the top of the earthworks, and for one foe to shoot another under these circumstances would have been looked on as foul murder. As the singers ended the national songs, a Confederate soldier cried out, “Halloo, there; isn’t that Jules and Frank Lombard?” and the answer went back that it was. Then, “Sing us Dixie,” shouted the rebel; and the Lombard boys sang “Dixie” and “The Bonnie Blue Flag,” and cheers went up from the beleaguered host. And then the singers struck up “Home, Sweet Home,” and every heart on both sides beat in response. Memory turned alike to the homes in Illinois and in Iowa, in Georgia and in Tennessee; and when the strains died away there were a few minutes of absolute silence, and then one of the Board of Trade regiment cried out, “Hallo, Johnny; look out, the concert is over.” All clambered back into their trenches again and grim visaged war again took possession of the scene.

The example of charity was set by the hardest fighter of the war — Grant — who slew more Confederates, captured more prisoners, and crushed more armies than any of the other commanders on our side, but always spared his enemies when it could be done without danger to his cause. Yet he allowed no human life to stand in the way of the success of the Union.

Let us compare his course at Petersburg with that of the greatest general of all time — Napoleon — at Austerlitz. After the bloody contest, amid the snow and ice at Austerlitz, two thousand Russians took shelter upon a frozen lake; upon the further shore there was still open water, and they found themselves in the middle of the lake with all the avenues of escape cut off.

Napoleon, instead of calling upon them to surrender, caused his artillery to break the ice with round shot, and the Russian forces were buried in the icy waves. Let us turn from this scene of horror to the example of our own Grant.

On the day that the Confederates evacuated Petersburg, and as they were marching through the streets, abandoning the works to join Lee at Five Forks and Appomattox, an officer hastened to Grant and told him that the enemy were marching below in masses, where they could readily be destroyed by artillery, and asked leave to open on them. Grant went to a point where he could look over the ground and saw an opportunity for terrific slaughter of the fleeing army. He replied: "No, let them go; we will capture them all alive in a day or two; they cannot escape me." And in his *Memoirs*, he speaks of the storming of the works at Mobile, which occurred on the same day as the surrender of Lee, as being exceedingly unfortunate, although resulting in victory to the Union cause, because, as he said, every life lost in that battle produced unnecessary suffering, for Lee's surrender ended the war in fact.

When this old hero of the war was mustered out on the top of Mt. McGregor, it brought no rejoicing to his former foes. His magnanimity in victory won for him that respect from those he conquered, that he enjoyed from both victory and defeat in the hearts of his own soldiers. Grant conquered twice, first in war and then in peace. Buckner of Donelson helped to carry him to the grave.

In recalling again these scenes of the past, let us not forget one of the saddest chapters of the war. The mothers, wives, the sisters, and the daughters of that period bore burdens and cares that the present generation can hardly comprehend. We must not forget them.

Leaving the part of Hamlet out of the play of *Hamlet* would be more reasonable than leaving Juliet out of *Romeo and Juliet*. The story of the war is wholly incomplete without the women of the war.

Correspondence from home was the constant solace of the soldier in the field. But rare indeed was any letter ever received which did not urge the soldier in the front to do his duty to the end. Fellow-citizens, on such occasions as these, we lay aside all matters of differences in politics; we meet today not as partisans, but as patriots. All religious creeds, except the broadest and most comprehensive principles of Christian fellowship, are forgotten on an occasion like this.

Whilst from this platform nothing would be more improper than to discuss the relative merits of different political parties; still I will go far enough to say that every American, young or old, should manifest his concern in public affairs by taking an active interest in all political questions. I believe it is better to be on the wrong side of a question of this kind than upon no side.

The man who makes a mistake by taking the wrong side of a public question may, upon consideration, change his views; but the man who feels so little interest in his country as to stand neutral upon living issues, is not so likely to get right upon anything. He is a deadhead on the body politic. As wind purifies the air, as the current enlivens the water of the stagnant pool, so activity in political life makes the body politic vigorous and healthy. Whilst people remain awake and take sides, they will continue to deserve to be free.

The greatest of all centuries is coming to a close; the eastern sky is already lightened with the approaching dawn of the twentieth century. On no country does that century bid fair to rise so gloriously as upon our own.

When the war of 1861 broke out, ours was a nation of

thirty million people; eight thousand millions worth of property was destroyed; hundreds of thousands of lives were lost, and hundreds of thousands of men carry with them still the marks of that contest. But in spite of it all, our country today is the home of more than seventy millions of people; no slave lives within its borders, and the example of Lincoln has been followed in Russia and Brazil. And that institution, which was so proud and haughty in the middle of the present century, bids fair to become extinct the world over before the twentieth century is ushered in.

Out of the old field comes new corn; out of the past battle-fields arise examples that will teach while time lasts. As the survivors pass away new generations fall into line and take up the story and pass it on to the youth of the next, and in commemorating the past we are guarding safely the heritage of the future.

At this reunion the Women's Relief Corps represents the women of the war and their descendants. To the mothers of that war I have already referred. The Sons of Veterans are present and in the event of another war they would undoubtedly take the places of their sires in a way that would do honor to their pedigree. The world would repeat the old Greek proverb: "This is not Achilles' son, this is Achilles himself."

It was the good fortune of the late war to bring into play a wide range of talent. This is evident when we look upon any gathering of the survivors. The soldiers on both sides were not machines; the armies of that war were thinking machines. George Eliot describes a game of chess in which the pawns and other pieces thought and made moves on their own account, thus greatly complicating the game to be played. It was such a game as this that was played in 1861. Many a battle turned on the active and quick thought of some young volunteer officer

or soldier who saw the turning point and caught the situation in time and turned defeat into victory by some move not ordered by the master of the game. The real hero of that war was the private soldier.

When the war closed many were the forebodings of the results of the return of those great armies to civil life. It was freely prophesied that the soldiers would fill our poor-houses, our jails, and our penitentiaries, but the world was disappointed in the result. These consequences have often followed the disbanding of armies; but the result depends upon the kind of an army that has disbanded.

Macaulay tells us the result of the mustering out of the Puritanic army of Cromwell, when the Stuarts again ascended the throne, was:

The troops were now disbanded. Fifty thousand men, accustomed to the profession of arms, were at once thrown on the world; and experience seemed to warrant the belief that this throng would produce much misery and crime; that the discharged veterans would be seen begging in every street, or would be driven by hunger to pillage. But no such result followed. In a few months there remained not a trace indicating that the most formidable army in the world had just been absorbed with the mass of the community. The royalists themselves confessed that, in every department of honest industry the discarded warriors prospered beyond other men; that none was charged with any theft or robbery; that none was heard to ask alms; and that if a baker, a mason, or a wagoner attracted notice by his diligence and sobriety he was, in all probability, one of Oliver's old soldiers.

Unlike the soldiers of Cromwell, however, the armies of the war of '61, when they returned home, took their positions in every avenue and walk of civil life. No place was too good for them; no position was too high for them.

The name of the general who commanded is merely the

name of the force or movement under his command; when we speak of the march to the sea, we give it the name of Sherman. When we describe the battle in the clouds at Lookout, we call it Hooker; when we speak of the great Confederate charge at Gettysburg, we call it Pickett; the track of flame down the valley of Virginia, we speak of as Sheridan. The deadly contest in the wilderness we call Grant. But in all these cases, on which ever side the victory came, it was due, after all, to the heroism, the patience, the obedience, and the self-forgetfulness of the young soldier.

After Napoleon's army died in the snows of Russia, there was no longer a Napoleon. The finest generalship, the most untiring efforts were made by Napoleon after that, but in vain. The Grand Army upon which his empire had been built was dead. No leader can accomplish anything without men. An army is the strongest of all arguments.

The great general who led a million men against Russia soon found himself at Elba followed by the most pestiferous of all annoyances, his wife's millinery bills. Without his army he was nothing.

Whilst good has come out of the war, yet it was so full of evils that every man who remembers that period hopes never to see its like again. Foreign war has been referred to as the heat of exercise, whilst a civil war is the heat of a fever.

The citizen soldiers of the republic at every meeting controlled by them, should seek to turn that meeting to the advantage of their country. Amid the turbulence and riots of 1893 it was a gratifying fact that but one of those disturbances was led by an old soldier.

How to take care of the future is a question for us all. Education is the best safeguard for a nation's stability. In looking back, however, we are reminded that it was

ignorant old Rome that conquered the world, and learned Rome that lost it. But learned Rome, though filled with scholars, had no educated common people. The training of the masses was in the wrong direction. Whenever a Roman legion was stationed in the province there we find a center of education; but corruption in the center sapped the vitals of the nation, and Rome fell.

In our country, the universal dissemination of a substantial education among the common people is the best guarantee of our future. Lincoln said, "God must have loved the common people or he would not have made so many of them."

Comrades, we have done our part towards making this country and generation better than the past. There has never been a period in any country when there was not a large class of pessimists who constantly held up to view the worst side of everything. Like crooked mirrors they distort everything that they reflect. To hear them speak you would believe that this nation was already going over the falls. Every evil is magnified and the good is wholly overlooked.

When we listen to these mutterings we are taught that all of the dead have died in vain. That is nothing new; this same old cry has gone up from generation to generation.

Cobbett hoped for war; he said he was willing to have three hundred thousand men killed in order to get rid of six men that he did not like — the six men being the English ministry. In spite of all these gloomy forebodings, the world has steadily gone forward and upward. There is a constant ebb and flow in progress; things mental, moral, and material, like the waves, sweep forward, fall back, and again advance, always rising a little higher than before.

We must not, however, shut our eyes to things which

need improvement and reform. The improvement is not made by those who always turn their eyes to the past, and see nothing good that is present or future. They always ride backward, they should turn the seat and face the future for awhile, not with gloom and despair, but with hope and courage. This is one of the distinctive good qualities of the old soldier. He constantly looks forward to a better day; the journey may be long, the way may be weary, but the camp is beyond.

In remaining true to the nation we cannot fail to be true to each other. Enmity should be mortal, friendship immortal. Day by day fresh gaps are made in our ranks; as we go forward let us close up and keep the touch of elbow to the last.

WHY DO WE CREATE BATTLEFIELD PARKS AND ERECT MONUMENTS THEREON?¹

The celebration of the fiftieth anniversary of any event by survivors is something which must always be tinged with more or less sadness and disappointment. It is a short time in the history of a nation, but a long time in the life of a man.

The average of a generation is thirty-three years. No wonder that so few survivors appear here today. But there are still many left of the great host who battled here in 1862, and they are with one accord turning their thoughts in this direction today. Their hearts are with us.

The first day at Shiloh ended in gloom, and night closed in on the silent dead and amid the groans of the wounded.

The Iowa monument now stands renewed for its second day at Shiloh. It has not yielded to defeat. It has risen again from its overthrow. May it stand as a mute eloquent memorial of the heroism of the sons of Iowa for thousands of years to come.

Battles are turning points in the world's history, and to the scene of one of these sanguinary struggles the human imagination always turns with profound interest.

In all days and generations a pyramid or a mound has been the most common memorial of a battlefield, and under such mounds are usually interred the remains of the dead.

The great mound at Waterloo, surmounted by the col-

¹ Address of Major John F. Lacey, April 7, 1912, at Shiloh Battle Ground, Tennessee, on the fiftieth anniversary of the battle.

ossal Belgian lion, marks the spot where the Old Guard went down in final defeat, after Napoleon had dominated the world for twenty years. And when I visited this monument a few years ago the straws hung from the open jaws of the lion, showing that the doves of peace had there built their nest.

At Cheronea the Greek mound marks the spot where their heroes were buried twenty-three hundred years ago, and in the broken fragments of the old lion on that mound the wild bees have made their home.

When the warring hosts cease their contests peace resumes its sway, and the birds are in possession of the field at Shiloh.

Germany has erected a monument to the great Arminius, who overthrew a splendid Roman army in the days of Augustus, and whose name troubled the sleep of the Emperor and led him to cry aloud in the anguish of his heart: "O, Valens, give me back my legions!"

Jinghis Khan erected a pyramid of skulls to commemorate his victories — the most ghastly memorial of the scourge of mankind. These monuments have usually celebrated the victories of aggression but it has remained to the people of our country to make a memorial or monument of the battlefield itself.

These national parks are created rather to commemorate the full and complete reconciliation that has come upon the participants in our Civil War. As the war of York and Lancaster ended in the union of the Red and White Roses, so the reunion of the states is cemented upon every battlefield of the war.

We have met on one of the greatest of these battlefields, upon the fiftieth anniversary of the contest. Today we stand among the trees, where the whistling bullet, the shrieking shot and shell dealt such havoc; and best of

all we meet on this scene as friends rejoicing in a Union cemented by so much of sorrow and strife.

From Bull Run to Appomattox as the crow flies is only one hundred and twenty miles, but that journey covered thousands of miles through many states. Measured by time it was a journey of four years: measured in blood and tears it was a thousand years.

The journey was by various and devious routes: through mud and mire, through sunshine and through storm, through summer heats and winter snows, through dangers by flood and fire, through dangers by stream and wood, through sickness and sorrow, and by the wayside death always stalked and grimly claimed his own.

The real monument of that war after all is not the marble and granite that celebrates the life and death of heroes, or preserves their features or names for the study of generations yet to come.

Under St. Paul's Cathedral in London is the tomb of Sir Christopher Wren, who designed the beautiful building and constructed it from corner stone to spire. His epitaph is short and simple: "If you would see my monument, look around you!"

If you would see the true monument of these dead, and of their surviving comrades, look around you wherever you may be. A united country is their monument. Their monument can be seen from the car windows of forty-eight prosperous states.

The monuments erected by the living to the dead honor the living even more than they honor the dead. And here upon this southern battlefield, surrounded by men who fought on both sides, we may quote with our approval the immortal and prophetic words of Shakespeare:

Our peace will like a broken limb united
Grow stronger for the breaking.

And so it is the wounded shell fish that produces the pearl.

The high water mark of the Confederacy was reached at Gettysburg, and that turning point was dedicated by the immortal address of Abraham Lincoln. His declaration that "The world will little regard what we say here, but will always remember what they did here," is as true also of Shiloh.

Shiloh was dedicated fifty years ago by the men who fought and died and by the men who fought and lived.

But in the wildest dreams of the participants in that bloody battle no one thought that any of the generation engaged in that contest would live to see the men on both sides setting it apart as a memorial to heroism, and dedicated to the perpetuity of the Union of the states.

Vicksburg's grim walls stood as a barrier to the commerce of the Father of Waters, and there, too, was another one of the turning points in our history. There the titanic battle raged for months, and little did the combatants think that they were preparing the field for a beautiful park dedicated to Peace and Union.

Both armies worshiped the same God. Lincoln and Stonewall Jackson offered up prayers for victory and a just God answered the prayers as was best for them all.

The night before Blenheim Marlborough took the Holy Sacrament and prepared to conquer or die. When the Swiss troops at Granson knelt to pray before going into battle the courtiers of Charles the Bold said, "Sire, they are kneeling in submission," but Charles knew they were praying to the Almighty and preparing for death or victory, and that their reverent attitude showed them to be most dangerous to their enemies. They feared God, only.

A hundred years ago bloodletting was the cure for all diseases. This sanguinary remedy has gone into disuse, and I trust the time will come when such heroic treatment

as war produces will no longer need to be used throughout the world. The arbitrament of justice will take the place of the sword.

Let us hope that Famine, Fire, and Sword will cease to crouch like hounds at the heels of Mars waiting for employment.

Comrades, youth, like the aloe, blooms but once. The men who join in this semi-centennial reunion must of necessity be growing old, though they were but boys in 1862. But they are not out of date; they see things denied to the sight of the younger generation.

The soul's dark cottage, battered and decayed,
Lets in the light through chinks that time hath made.

We are all united here today, we have no quarrel, unless it be like that of the newly married couple, who disputed vigorously over the question as to which loved the other best. Let the dispute ever proceed as to whether the North or the South is the most devoted to the flag of the Union.

Hate is love turned wrong side out. The hate of 1862 has turned again to love. A kind hand clenched makes an ugly fist — but when it opens again it is ready for a welcoming grasp.

The North and the South are united as they never were before since the closing days of the Revolution. When King James II at La Hogue was watching his French allies in their battle for his restoration, and the French were driven back, the fugitive king cried exultantly, "See how my brave English fight."

After Bull Run Charles Francis Adams attended a levee of the Queen at London and some of the English present said tauntingly: "Mr. Minister, these Confederates fight well."

Mr. Adams proudly replied: "Of course they do, they are my countrymen."

And let me say for the soldiers North and South, that I can recall no instance since the war when one of these men ever led a mob.

Montesquieu has said. "Happy is that nation whose annals are tiresome."

More stirring history was crowded into the brief four years of the Civil War than in any five times that length of peaceful years. There are vacant spots in the sky. And in no period of the world's history have there been more fruitful years with their harvest of heroic deeds.

That war was long anticipated by far-seeing men. Its occurrence was delayed by many timely compromises, but its final coming was inevitable.

It could be delayed, not prevented. The cape at the southern point of Africa was long marked upon the map as the "Cape of Storms." When it was at last circumnavigated it became the "Cape of Good Hope" instead, and it will always remain so.

Now that the struggle of 1861 to 1865 is over the country has come to look upon it as bringing new and better conditions, and the making of a homogeneous union of states.

A divided nation of 30,000,000 people in 1861 is now a united country of 90,000,000 souls. Buckner and Grant were cadets at West Point and were boyhood friends. They again met in the heat of war at Donelson, but when Grant's life went out on Mount McGregor, Buckner, with tender hands and moist eyes, acted as pall-bearer for the Great Commander.

And each side honors itself in paying tribute to its former opponents. Defeat is less bitter at the hands of a noble foe, and victory the sweeter when won over a brave enemy. And when united such opponents have nothing to fear from the rest of the world.

In a calm sea every man is a pilot. In the stormy

times, of which we are speaking, the greatest skill was needed; but in the history of our country no great occasion has arisen in which the man of the hour did not appear. Pilots may steer but the winds, the tides, and the currents move the ship.

In those weary days, "Grief burned faster than tears could drown," but the end came at last, and now, after fifty years, it seems like a frightful dream. Many of the old men of that day still hang on like oak leaves in the late winter, and a goodly number are now gathered in one of the most remarkable reunions of all time.

The magnitude of that contest is difficult of comprehension to the generation of today. The Greek children were taught to commit to memory the names of the three hundred heroes who fell at Thermopylae. But so great was the Civil War that the mere cost of compiling and printing its official record was \$3,000,000. Human memory could only contain its principal events.

When I visited the Wilderness Battle Ground a few years ago, I sought for some memento to carry home, and in one of the trees hung an empty hornets' nest, collected by nature's little warriors in time of peace, and it now hangs in my library as a suitable memorial of an empty battlefield. The Hornets' Nest Brigade is here today, but without their stings. Nature, the all-forgiving, takes the red battlefield in her arms and hides it with flowers and harvests.

In Shiloh Park is commemorated the first great battle of the war where a large part of the troops on both sides had seen but little of drill and discipline, but where they, nevertheless, fought with heroic valor.

At Gettysburg may be seen in the fertile fields of an old and populous state the memorial of trained and tried troops coming on both sides from many a well-contested field.

Whilst at Vicksburg, the scene of a great siege bears in memory that companion victory in the west which, with Helena and Port Hudson, proclaimed that the waters of the mighty Mississippi should thenceforth flow unvexed to the sea.

And the great field at Chickamauga, Mission Ridge, and Lookout Mountain show an unequaled panorama where the contest furnished such a scenic spectacle as has probably never been equaled on the planet.

And, lastly, Appomattox marks the end of the struggle and the beginning of the new order of things. The world is a battlefield of accomplishment and endeavor, but the places where great issues have been fought out are worthy of special commemoration.

As we gather inspiration while standing by the graves of the world's heroic dead, so should we gather fresh encouragement by standing amid the scenes of the great battles of the past. The importance of a battle is not measured by its bloodshed.

Only 192 Greeks fell at Marathon, and that victory was a turning point in the history of civilization that is felt even at this day. Only nineteen graves are at Appomattox. The Union dead were taken to City Point, but one was overlooked and so it happens that on the Confederate Memorial day eighteen Confederates and one Union soldier bivouac upon that historic battlefield and are all alike covered with flowers by the tender hands of the Southern women.

Only one American soldier fell in Dewey's victory at Manila Bay, but his death marked another of the turning points in history.

Comrades, on this historic field you did your duty well a half century ago. Undiscouraged by defeat the lesson was learned that a battle is not fought in one day; that a defeat may be turned into victory. We have learned

now, too, that such a victory may in the end — under benign Providence — become a victory for all who fought on that field. It is the flag of the united country that daily floats over this national battlefield park from sunrise to sunset, and with one accord we hope that it may float there forever.

MEMORIAL DAY¹

Memorial day services are annual recurring schools of patriotism: "Out of the old fields cometh the new corn."

We meet today to talk over and again recall the old story of the past. The Ten Commandments, the Creed, and the Sermon on the Mount cannot be repeated too often. The history of our country's progress, its trials and the sacrifices of its heroic dead, though old, is ever new. Destiny is seldom foreseen and never prevented; things are stronger than men. Whilst this nation has struggled in order to work out its own destiny in the history of the world, events seem to have shaped themselves beyond the power of man to control.

We are now ready to sum up the history of the world's greatest century. The war of 1861 was the penalty paid by this country for the stupendous wrong of human slavery. The older people here remember the existence of the institution, but it lingers in their minds with the ancient history of a thousand years ago.

Lincoln now belongs to the ages; his was the kindest and tenderest heart of the century, yet he was stricken down as the final sacrifice to the institution which produced the Civil War.

Peace came with safety and it was peace with honor. The war was worth all its cost in treasure, blood, and tears. But for the mighty pension roll and the vast rows of whitened headstones in the national cemeteries it would be hard to realize the magnitude of that struggle. The comrades of that war grow nearer to each other

¹ Address by John F. Lacey delivered at Clarinda, Iowa, May 30, 1899.

with each recurring year. In 1861 — thirty-eight years ago — the bond of sympathy between the soldier from Maine and one from Iowa was long drawn out; but as time goes by, the soldiers of distant commands thrown together today feel the same comradeship that they formerly attached only to those with whom they immediately served.

The ranks of the Grand Army are growing shorter but more compact than ever. Civil wars have been in all times proverbial for their bitterness. We rejoice today for the utter elimination of all these feelings from the hearts of the old soldiers, North and South.

An army is the strongest of all arguments; from the results of its decisions there is no appeal. The most pleasing thing in connection with our present reconciliation is the satisfaction shown by the defeated side who now have no further desire for any appeal.

The year 1898 will be ever memorable in our history. I was one of those who believed that a genuine reconciliation between all sections of this country had taken place and had steadily, though gradually, deepened into a universal feeling of national patriotism.

The year before our war with Spain began an opportunity occurred to me to speak from the same platform with a Confederate soldier at Lexington, Virginia, where the bodies of Lee and Stonewall Jackson lie buried. I took as lofty grounds of national patriotism and union as my use of language was capable of expressing. I looked into the faces of the old Confederate soldiers present and of the younger generation who had grown up since the war. The Confederate speaker told his audience that Lee was a great man. I was pleased at the expression of my hearers and at their responsive manifestations when I told them there was only one standard by which to measure a man, and that was by another

man, and that Lee had had a supreme test when measured in the high standard of Ulysses S. Grant.

I had spoken at many soldiers' reunions and memorial services, but this was the first occasion on which I had the opportunity to address the old soldiers of the other side. Looking in their eyes on that day I believed that they and their children would be true if occasion should offer for the trial.

In 1898 the opportunity came. Making a hurried trip into Virginia in May last, I met a regiment dressed in blue coming out of one of the gaps of the Blue Ridge; they were on their way to Cuba to fight under the stars and stripes, and they were the sons of Stonewall Jackson's soldiers.

Later in the summer I visited Chickamauga and there amid the battle monuments of that heroic field, I found an Iowa regiment brigaded with the First Mississippi, fraternizing on as friendly terms as an Iowa and Indiana regiment used to do. And one Mississippi soldier said to me, "The only difference between you all and we all is that you all guess and we all reckon." That seemed to be about all that was left and that was not enough to quarrel over.

The soldier of 1898 showed himself to be a true descendant of the soldier of 1861; as the Greek put it, "This is not Achilles' son, it is Achilles himself."

Our range of vision has wonderfully widened as the result of the short, decisive, and glorious victories of Manila and Santiago. It almost takes one's breath to think of the far reaching effects of recent events.

The steamer Grant, named after the silent commander, recently steamed under the guns of Gibraltar, passed the shores of Malta through the Suez Canal; and the American soldiers stood upon the deck and watched the clouds hovering around the pinnacle of Mount Sinai, then passed

through the Red Sea and the Indian Ocean to the far-away Philippines. A few weeks later the steamer Sherman, laden with American soldiers, followed the same course. Then the Sheridan passed over the same seas; three ships carrying the names of Grant, Sherman, and Sheridan to the uttermost parts of the earth as the sea again became the home of our country's flag.

This is neither time nor place for the discussion of questions which may be regarded as political. I have never to my knowledge violated the proprieties of this day by such discussion, and will only say that when our soldiers were assaulted in the trenches in a bloody attack by those whom they had gone so many thousand miles to befriend, from that hour there has been but one side of this contest for me and that is the side of the boys who are carrying our flag in that distant land. And when Dewey returns to the United States he will receive such a royal welcome as no man has known since Grant swung around the circle with Andrew Johnson soon after the close of the Civil War.

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Comrades, we may grow old, but I trust we will never grow out of date. No woman is any older than she looks and no man is any older than he feels. Let us keep our hearts young by keeping their beat in unison with the new generation.

The coming century is full of hope and promise. The century that is now just passing away is greater than any that have preceded.

It almost dazzles the mind to think of what may come in the next hundred years. The beginning of the century saw Russia overthrow Napoleon and change the history of Europe. And now as the century closes the czar has called a conference to consider the disarmament of the world.

You will not live, comrades, to see the great things of the next century, but you have seen and also have been a part of the greatness of the century that is about to pass away.

The greatest event, and the one that will reach the furthest into the future, was the struggle in which you took part, and the decision in that contest settled the question as to the permanence and union of the great nation to which we belong.

In gathering on this occasion we hold an annual festival of flowers for the dead. If there is any substance ethereal and delicate enough in all the earth to reach the spirits of the dead, it seems that it would be the invisible odor of the flowers. In all nations and in all ages flowers have been looked upon as the proper offering to the departed.

Hail to the dead — the nation's dead —
Who sleep by wood and field and shore!
To them we come with loyal tread
And kneel beside their graves once more.
With notes of bugle, song and drum,
With flying flags and sweet May flowers,
And grateful hearts, again we come
To deck these soldier graves of ours.

The school children are present on these occasions and they will pass the word on to ensuing generations. One generation speaks to another. The patriots of 1776 spoke to the men of 1812, and they again to our soldiers in Mexico whose example cheered the men of 1861, and now the survivors of the Civil War bid God-speed to the boys of 1898.

Toward the disabled defenders of our country there has always been held the warmest feelings of gratitude. When Comrade Tanner, who lost both feet at Bull Run, was taken to the hospital for another amputation a few

years ago, a Grand Army post in Michigan telegraphed to him words of good cheer. The dispatch read:

We understand that they have put you in the hospital and are clipping some more coupons off of you. God bless you, old fellow! the less there is of you the better we like you.

I visited one of these old soldiers' graves the other day at Memphis, Tennessee. Fourteen thousand of our dead lie there and I wished to view the grave of my old school-mate and comrade, George Godfrey, of the Third Iowa infantry. He was laid to rest in a group of one thousand Iowa soldiers, in one corner of the great cemetery, and on each morning sunrise the flag for which he fought is hoisted over the grave of the gallant farmer boy who gave all he had — his life — for the preservation of the Union.

Standing by his grave after thirty-seven years, I could not again realize the time when this gallant young man and his fourteen thousand comrades lay down to sleep beneath the sod of the Memphis National Cemetery. Not far away the Mississippi flowed to the sea, and not a man in the state of Tennessee could be found to regret that the cause had succeeded for which George Godfrey gave his life.

The railways will be double tracked and improved but the true opening for the surplus wealth of this country in the future will be upon the deep.

The sea power of the world passed step by step from Tyre and Sidon to Greece and Carthage, to Rome, to Lisbon and Holland, and then to Great Britain.

Ever onward has it gone and now our country lies midway between the Orient and the Occident.

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No ancestry gives rank in this country, though the fact that our forefathers fought on the right side in any of the wars of the past is always a source of satisfaction to

every patriotic American, and so we have our Sons and Daughters of the Revolution and Sons of Veterans of to-day.

In Great Britain noble ancestry is of vital importance. Boyle, the great scientist, was introduced to an audience as "the father of chemistry and the brother of the Earl of Cork." In this country the Earl of Cork would be introduced as the brother of Boyle.

Even Josiah Quincy, who has achieved some distinction on his own account, recently had an experience of the lack of rank by birth in this country. As he passed through the capitol in Boston one day two Irishmen were standing by, and one of them said to the other: "Who was that, Pat?" The other replied: "I am surprised at you. Don't you know him? He is the grandson of that statue out there in the Common."

An American descendant of a Lincoln or a Grant rather labors under the shadow of a great name. The Duke of Veragua found himself burdened with the titles of Columbus when he visited the great exposition at Chicago, for the ability of his great ancestors was expected to be shown by any one who claimed his honors.

Comrades and fellow citizens, as another Decoration Day passes away I trust that we shall separate with a feeling that we are all better for this meeting and for these memories. Let us have faith in the future of our country, but at the same time neglect no means to make that future what God has intended it. To will a thing to some purpose we should will the means to accomplish that purpose.

The future concerns us all, and it is our duty to guard it well. As the mariner prayed to Neptune, "Thou mayest save me if thou wilt, and if thou wilt destroy me; but whether or no I will steer my rudder true." Let us here

resolve, and let the resolution be renewed from year to year, to stand by our country in every peril; and to teach on all occasions obedience to the laws, and devotion to the flag.

PATRIOTISM ¹

On an occasion like this it is well to tell the old, old story. Our ancestors recited the Apostles' Creed with drawn swords, repeating the same from day to day until it became a part of the life of every generation. The Ten Commandments, the Lord's Prayer, and the Sermon on the Mount cannot be read and reread too often.

And the immortal principles of the Declaration of Independence should be kept fresh in the hearts of each generation of Americans.

We divide on many questions and in a year when a presidential election occurs, party feelings run high, and the din of politics hums ever in our ears.

Here in this presence, surrounded by Americans of all shades of political opinion, I hope easily to find a common ground upon which we all may stand, and shall ask you to lay aside all feelings but those of united patriotism, while we talk together for awhile about our own America and what is best for us all. We will lay aside tariffs and standards of value for an hour.

The history of our country is short but full of glory. In St. Mark's Cathedral in Venice repose the bones of St. Mark himself, removed thence from Egypt a thousand years ago. The church looks still fresh and new; and as I stood under its beautiful dome and looked up to the three allegorical pictures in mosaic of Europe, Asia, and Africa my wife suddenly asked, "Where is America?" And the recent origin of our people never seemed so clear to me as it did then.

¹ Address by John F. Lacey delivered at Oskaloosa, Iowa, July 4, 1896.

When this beautiful and perfect building was erected America was on the globe but was not on the map. Our splendid continent lay smiling and waiting for the development of the race which, in the years to come, would teach the principles of freedom and self-government to the world.

The time in 1492 was propitious. The capture of Constantinople by the Turks, in 1453, had scattered the philosophers of the Greco-Roman empire all over Europe. The opening of the New World brought with it a new era to mankind. It is hard for us to realize the condition of the world even in the brightest days of antiquity.

Augustus Cæsar never had a shirt on his back nor a window pane in any of his palaces. He never saw an ear of corn, a newspaper, nor a potato. Even the Turk who completed the downfall of Rome never saw a pipe and had not learned to love the American weed which now makes the life of the Mohammedan happy on earth. Even sixty-seven years ago there were no railways on the globe, but now, if these arteries of commerce should cease to circulate for a week the misery of the loss would be beyond endurance.

Today the aspiring candidate for a presidential nomination sits in his distant home, and with a telephone at his ear hears the shouts of his applauding friends a thousand miles away, at a great national convention.

Time is not measured by years but by events. Months and years go by preparing for great events and when they come they come like an electric shock.

Discoveries are made — some by accident and some by study. Those discoveries which are sought for are generally the most important. An astronomer may discover a star which passes into the field of his telescope, but the discovery has no such effect as that of the man of science who weighs and estimates the perturbations of the plan-

ets and points to the region of space where the star should be and true to the law it there appears.

Plato and Plutarch seem to have caught a glimpse of our solar system. Philosophers may suspect the existence of gas and oil and priests have taught that these exhalations came from the land of the infernal gods. But a single discovery by the artesian auger dispels the illusion. In Delphi we had an oracle, in Kokomo a glass factory.

Man can analyze the meteorite that falls to the earth but with the spectroscope he can truly determine the composition of a distant sun.

We are now in the dawn of the twentieth century. The President we will elect next fall will induct his successor into office on March 4, 1901. Events are now projecting themselves into another century. Every institution is but the shadow of some great man who has passed away, and on an occasion like this we gather inspiration from the history of the great past. Like a great tree the roots of our nation are deep underground.

Our young commonwealth of Iowa, though one of the latest additions to the national family, is just as old and as rooted in her system as one of the original thirteen colonies. Each of the states springs from the same original stock.

We assemble today at our pleasant little city to make merry on this national holiday. What a beautiful jingle of Indian names! Oskaloosa, Mahaska County, Iowa! And what a beautiful city it is in such a beautiful county and state!

When M. T. Williams, T. Garl Phillips, Judge Wm. H. Seevers, A. S. Nichols, Wm. Edmundson, Robert Curry, and the other founders of our city selected the quarter section at "The Narrows," for that purpose, they spoiled

one of the finest places for a farm in all Iowa, but they founded a fine city. The names they selected are an euphonious combination of Seminole, Sac, and Fox words. These names are not only agreeable to the ear but have become associated with our lives and history until we have become doubly attached to them.

On this day we think of both the living and the dead. Whilst we celebrate the independence of the nation we rejoice also at the founding of a city and a commonwealth. We miss many, in fact nearly all, of the pioneers today. These friends of the past we both mourn and honor.

And the stately ships sail on
To their haven under the hill;
But O for the touch of a vanished hand,
And the sound of a voice that it still!

Break, break, break,
At the foot of thy crags, O sea,
But the tender grace of a day that is dead
Will never come back to me.

We can gather more good from the example of those who have passed away than from the study of living characters, because, as a rule, prejudice is buried with the dead and forgiveness blossoms upon their graves. And especially do we honor those who die for their country, for no seed produces so sure a crop as the blood of martyrs.

But what past age would serve for a complete model for the present? We are living now in an era of good feeling nationally. The war with all its bitterness has passed away and a brass band on the most patriotic occasions mingles "Dixie" and "My Maryland" with the "Star Spangled Banner" and "Yankee Doodle."

The Fourth of July is our most typical holiday and is unique among the celebrations of the world. Canada has

her Dominion Day, which is a feeble imitation of our Fourth of July.

A few years ago I was passing through Canada, and on looking out of the car window, in the morning of her national holiday, I saw the people in crowds in gala attire, and asked the car porter what it all meant. Said he, "Boss, this is the birthday of one of the queen's children, but I don't know which one." But there is no mistaking our holiday for any other day of festivity. It is like nothing else on earth and well it may be, for no other people in the world may celebrate a national birthday.

Fourth of July orators may be called Fourth of Juliers, but they can hardly overstate the facts. On this day I wish you all joy. May the most you want be the least you get. It is a school of patriotism and well may we celebrate it as such.

A foolish and imbecile king drove our ancestors into revolution at a time when the king had much real power. Our forefathers melted down the leaden gilded statue of George the Third and fired it in the form of 42,000 bullets at the invading red-coats in Connecticut. The hostilities growing out of that war with our mother nation have long ago ceased, and a friendly rivalry leads us to compete with the British empire in all the arts of peace.

Our century is the electrical era. It began with steam which was the raw material of power. It is ending with electricity which is the soul and essence of power itself.

From the year 1200 to 1700 the Damascus blade was the great pride of man. Steel was the weapon of death and the nation was the highest in the scale which carried the sharpest sword.

In 1896 steel rails are the supreme test of our achievements, for with them time and space are obliterated and travel becomes a perpetual joy within the reach of the poor as well as the rich.

The last sublime discovery of the century is the X-ray. It is an old adage that any one could see as far into the millstone as the man who picks it. Now opaque substances are beginning to yield their secrets to the scrutiny of human eyes, and the skeleton of a living Corbett has been as plainly photographed as that of a man who died ten years ago.

Edison with his phonograph catches the music of a complete band and records it upon a cylinder with a point no larger than that of a pin and the record yields back all the notes of the complicated tune that has just been played.

Cuvier took a single bone and from it reconstructed the entire skeleton of an extinct animal. And who knows but that the X-rays, gathered from a remote star, Mars for example, may not be enlarged and reproduced with a living picture of the occupants of the distant planet.

But let us leave Mars and come back again to Iowa, our own loved state — the state of our birth or of our adoption. Within the memory of living men, now present, has this splendid commonwealth grown from a feeble territory to a state of two million souls, with the lowest percentage of illiteracy of any people on the globe. Her prairies are dotted with four hundred thousand homes, and a happy home has been well said to be a suburb of heaven.

The deadly cyclone, which fifty years ago played harmlessly over the prairie, now finds the home of our people lying in its path, and death follows in its track. The wind that at one time toys with the tresses of a child or coaxes open the budding rose rises to the fury of the tiger and sweeps with devouring energy over the fairest land under the sun.

But death lurks everywhere, and in Russia the festivities of a coronation slew more than all the tornadoes that

have ever swept across our state. God has been good to Iowa and she has always been generous of her wealth. She has never yet passed the hat for contributions because of failure of crops, but has freely given to the sufferers of other lands, as the grateful people of Kansas can attest; and the name of Iowa becomes a household word in far off Russia where our shipload of food carried life to the starving people of that great empire beyond the sea.

I am inclined, by nature and training, to take a cheerful view of things. I do not believe our race is degenerating. The first exact date that we have of any fact in human history is that Coroebus won the foot-race at the Olympic games on a certain day 776 years before the birth of Christ. That was 2672 years ago. The events of other years are known but this is the first exact date recorded in history. During all these years human interest has continued to center in athletic sports, and our countrymen are growing up stronger under the influence of a bracing climate, good food, and physical training.

The Olympic games were revived this year upon their old site in classic Greece, and it was with pardonable pride that during the summer we read the dispatches from Athens which, owing to the difference of over five hours in time, seemed to be printed before the events actually happened.

We rejoice that Robert Garrett, of Princeton, threw the disc better than any of his competitors, and that E. H. Clarke, of Harvard, won the prize with an American hop, skip, and jump amid the dust of Attica.

The public school was the invention of the Greeks and manual training was one of their favorite avocations. Among the blind the one-eyed are kings. It is pleasant to know that our race is in fact improving and that the limit of human life is extending.

We take a natural pride in our ancestry, for although little is known of particular families in America, everything may be expected of the race that has been produced from the best blood of northern Europe and particularly from our Anglo-Saxon forefathers. An invigorating and severe climate will bring this race to its best estate.

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We have but a few old families and neither have we many ruins. At Paestum, in Italy, you will find the temples and walls of the old city still in perfect condition. The malaria of the adjacent marches has prevented new towns from being built, and the ruins have not been used as quarries for new cities.

Out at Salt Lake City you may see 800 feet above you on the side of the mountains, the beach line of the shore of the ancient fresh water lake called by the geologists Lake Bonneville. It has receded and left its mark with each receding period. But had it progressed the old marks would have been obliterated.

In the old world the ebbing tide of settlement has left the ruins of antiquity on every hand. But in America the constantly advancing flow has swept from view all the old landmarks, and we see no ruins, for the wreckage of the past is used in constructing the buildings of the present.

In this day of financial depression we have different views as to what the remedy should be. But we all agree that it is the chief business of everybody to restore prosperity again to our native land. It is a high compliment to our fertile state to know that during this period of depression the values of our Iowa have held their own or made a satisfactory advance. But the people of Iowa are not satisfied to see our state alone prosper. We want our sister states to march with us in the procession.

Captain Williams was the inspector-general for General Benjamin Harrison's brigade, and when he made his first report of the monthly inspection of the various regiments, under the general's command, he said that "The One Hundred and Fifteenth Illinois was the best regiment in the whole command, and that all the others were just as good." And we, too, want Iowa to be the best state in the Union, and also hope that every other state will be just as good.

This day should be taken as a day of warning as well as a day of hope. I prefer the bright side, but we must look at all sides of the picture. Individuals sometimes escape punishment, but nations never do. But I would not dwell gloomily in a cave of mutterings. There are periods when much cannot be expected.

Sieyes, the French statesman, was asked what he did during the Reign of Terror. He said, "I lived." That was enough for a period like that, and was much more than many of his friends did.

But more is expected of us in this day and generation than mere existence. We must advance or recede. We cannot stand still. We cannot escape history. If the sun did not shine there would be no spots upon it. We should not devote our time hunting for spots but still we must not fail to recognize their existence.

Our very prosperity confronts us with a new danger. Foreign immigration comes to share with us the benefit of this land. Much, though not all, of this addition is desirable, and the proper methods of eliminating the bad from the good is one of the problems of our day.

We have successfully turned back the Asiatic tide from our western shores, but the means of preventing the influx of the criminal and pauper classes from Europe is a more difficult and serious question. We gather encouragement, though, when we see that the Anglo-Saxon

seems to thrive in new lands, even though he may have been an exported convict, as the colonies in Australia and Tasmania bear witness.

The best method to use in handling this difficult question is one upon which we may not all agree, but of the necessity and desirableness of keeping out criminals and paupers there will be no disagreement among either our native or foreign born citizens.

We should encourage an American spirit among our own people. Let us at least not raise our own foreigners. A man born in Cork makes a good American; a man born in Boston should not be an Irishman. An American born in Leeds makes a desirable citizen but we cannot say so much for an Englishman born in New York. Let Americans above all things be Americans.

We are fortunate in not having a standing army of any magnitude. We should not complain of a large pension roll, when we consider that it is the result of a system which draws the soldier when needed from the ranks of civil life and returns him to the avenues of production again when the war has ended.

A large standing army is a source of danger in a republic. As an eminent Scotchman said, "If I had an ape by the collar I could make him bite you; if you had him by the collar you could make him bite me." This is true of a great standing army but not so as to a citizen soldiery.

We have always taught respect for and love for our country's defenders and even have been ready to overlook their faults. It has always been so. Early in the present century a soldier who was with Anthony Wayne at the storming of Stony Point got into trouble and found himself defending an indictment. His case was a clear one and his lawyer made the only defense in his power — he took occasion to let the jury know that his client

fought with Wayne at Stony Point. The jury brought in a verdict, "We, the jury, find the defendant not guilty, because he stormed Stony Point." The court refused to receive the verdict and told the jury that they must find the defendant either guilty or not guilty. They returned and in a few minutes returned a simple verdict, "Not guilty." But as the jury were about to be discharged the foreman said, "I am directed by the jury to say that it is lucky for the defendant that he was at Stony Point."

It was a perverted or inverted patriotism that led the Confederate soldiers to so many battlefields. Lee assumed to fight for Virginia, Cleburne for Arkansas, and Hampton for South Carolina, but the Iowa soldiers under Grant, Sherman, or Thomas fought for the whole United States of America. I am glad to be able to say that this wider form of national patriotism has made great progress in the states south of Mason and Dixon's line. In fact Mason and Dixon's line has substantially disappeared. A few malcontents still remain but they are noticeable rather by their scarcity than otherwise.

To the women, to the mothers of America, more is due than to any other class. The women of this country enjoy a place in the social scale beyond those of any other people in the world. The American woman is an uncrowned queen wherever she goes and needs no pedigree.

I will not, as I have already said, talk politics on an occasion like this. The American people are dividing as they do every four years, into political camps for the peaceful battle of the ballots, which is the distinguishing feature of our form of government. But I will go this far and say that it is the duty of every citizen to take an active interest in political affairs. Our public men of all parties are much maligned, as they always have been in republics, and always will be.

A public man who retired from long service told me a

year or two ago that "All that he had left was his tooth-brush and his postoffice address." Not that public men are all good by any means. A boy in school defined "a demagogue as a vessel that contained rum, gin, whiskey, brandy, and many other kinds of liquor." This definition may be often true, but the fact remains that we are apt to look with too much admiration or too much severity upon the men who are called into the glare of public life.

History repeats itself. Julius Cæsar was lynched by the Roman people, and then deified.

Thomas B. Reed has defined a statesman as "a politician who is dead." The men in public life are apt to be neither very much better nor very much worse than the people who choose them.

The general elevation of the people will result in the general improvement of the government of the people, by the people, and for the people.

The prosperity and protection of our institutions and the moral, spiritual, and physical advancement of our people should be the highest aspiration of all our citizens.

To the young especially is this a day of importance, it is a school of patriotism. In the language of the mariner's prayer, let us conclude: "O God, I know not whether I shall live or die, but I promise that while I live I will steer my rudder true."

INDEPENDENCE DAY ¹

In accordance with a custom of over a century, we meet today to celebrate an event of importance to the whole world.

It was a very simple and unostentatious act. A paper had been drawn up and a body of fifty-six men attached their signatures to it. But the placing of those signatures to that paper was an act big with the fate of mankind.

We are accustomed to speak of and think of these men as venerable fathers of a new republic. They were, in fact, most of them, young men, and Franklin was the patriarch of the body. Every man who signed that immortal paper knew that he was signing his death warrant if the movement should fail. A rebellion is a revolution that fails. A revolution is a rebellion that succeeds.

John Hancock headed the list, and he signed his name so plainly that King George and all his followers could read it. That beautiful and striking signature became a model for mankind, and for one hundred and twenty-five years men have proudly signed documents of importance with the remark, "There is my *John Hancock*."

When Charles Carroll, the richest man in the Congress, went forward to sign his name, some one said, "There goes a few millions." Another one said, "There are several Charles Carrolls, and King George will not know which one to punish." Thereupon Carroll took up the pen again and added after his name, "of Carrollton,"

¹ Address by John F. Lacey, July 4, 1901, Toledo, Iowa.

leaving no doubt of his identity. He left no chance of doubt as to his danger or his duty.

Franklin, the dry old wag and philosopher, said, "We must all hang together or we will all hang separately."

When Thomas Jefferson had laid down his pen the next man to take it up was Benjamin Harrison, and two of his descendants have already presided over the destinies of the nation that was that day created. The two Adamses — Samuel and John — signed one after the other and on the 4th day of July, 1826, John Adams and Thomas Jefferson celebrated the great event by passing at the same time from the immortals of earth to the immortals in the higher life beyond.

Happy is the family that can trace its ancestry to one of the fifty-six who took their lives and their pens in their hands one hundred and twenty-five years ago today at the old Independence Hall of Philadelphia.

We meet today to hear the old, old story, ever old and ever new. Like the Apostles' Creed, the Sermon on the Mount, and the Ten Commandments, the Declaration of Independence is ever a new and cheering declaration of the rights of man.

We have grown accustomed to much national glorification in this day. The eagle has the right to scream. We laud ourselves, our day, our generation, and our country until the orators of this occasion run the risk of being known as "Fourth of Juliers."

The chief improvement of the time that has elapsed since the Revolution of 1776 is the general dissemination of education and of knowledge. The highly educated we then had, but the days had not yet gone by when the tavern signs were the White Hart, the Boar's Head, or the Saracen's Head; so used because the common people could recognize the pictures though they could not read the signs.

These are utilitarian days. The days of the supernatural have passed, and the natural of today is more wonderful than the supernatural of two hundred years ago. No longer do our people look for the spooks, the witch, and the fairies.

At Delphi in Greece the natural gas was used to intoxicate the Pythian priestess and led her to make portents and prophecies. The natural gas at Kokomo is used in manufacturing glass. It is a far distance in time from Delphi to Kokomo, but one represents the ancient and the mysterious, the other the modern and the practical.

A few hundred years ago the splendid babbling spring at Guadalupe, Mexico, was placed within the portico of a church, and made holy to the converted Mexican as it had been a sacred place to his pagan ancestry. At Manitou the sacred springs became the fountains of health, and hotels, not churches or temples, were built near at hand.

These are, indeed, the days of the practical. The ingenuity of man was formerly exhausted in the construction of armor and Toledo and Damascus blades. Now the inventor burns his midnight incandescent lamp or Welsbach burner in the search of new and improved methods for the construction of steel railways and steamships.

Witches and wizards have disappeared, and we have in their places the wizards of science. An Edison or a Gray produces marvels that would have made the witch of Endor hide her head in wonder. . . .

Godfrey and Richard the Lion Hearted could now go to the Holy City on a steamship and railway line, and if inclined to take life easy, could find the Holy Sepulchre with a personally conducted party from London or Kalamazoo. Not long will it be until the traveler from the

Cape of Good Hope to Cairo will stop off for dinner at Albert Nyanza and Khartoum.

While we look back into the past and endeavor to catch a glimpse of the future, we lay aside all politics, party or otherwise, and celebrate the day as American citizens, recognizing one God and one country. Our controversies will be of a mild type at this time.

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One of the important things in these celebrations is to keep history straight. Each boy and girl who takes part in the day's festivities should go home inspired to study the history of the events which we celebrate.

Not long ago an able-bodied and full-grown American was seeing the sights of Boston. His cab driver took him to the historic monument of Bunker Hill — Bunker Hill made sacred by the immortal deeds of Warren, and afterwards by the enduring eloquence of Webster. "There," said the cabman, "is where Warren fell." "Is that where Warren fell? How high is that monument?" said the visitor.

Another traveler was passing through the capitol at Washington with a guide. The guide pointed out to the stranger the statues of many celebrities and finally said, "There is the statue of General Ethan Allen." A smile of incredulity displayed itself on the face of the tourist. "You can't fool me," said he, "Ethan Allen was a hoss; I've seen him on the track myself."

In looking back over the history of our land we may well wonder how much seems due to chance, though under the providence of God. The Northmen no doubt discovered America but did not know it, and they lost it again and time rolled by waiting for a more propitious hour.

The discovery of the Northmen was an accident. Columbus deliberately and with great forethought planned

his journey to the west. He had determined that he would steer due west and allow no circumstances to vary his course. The variation of the magnetic needle puzzled him, but he held his prow straight to the west, directly towards the shores of the present United States of America. His plans were well matured. He was seeking the Indies and due west they must lie.

But the sailors grew uneasy at the appalling length of the voyage and when the flight of little green parrots was observed it was noted that they flew to the southwest. Columbus reluctantly yielded to the wishes of his crew and turned his course to the southwest.

The soothsayers of old times determined when and how a battle should be fought or a campaign carried on by observing the flight of birds. Many a bloody conflict was fought because the signs were propitious. The Roman consul carried his coop of chickens and fed them to see from their manner of picking at the grain whether the time was favorable. The flight of a vulture was an omen of great moment.

But never did the flight of birds direct the course of events so greatly and with so much effect as when Columbus turned to the southwest and landed in the West Indies instead of upon the shores of the United States. Spain planted her power in Cuba, Porto Rico, and South America, leaving the best of North America for the English and French adventurers of a later day. The slightest of all circumstances then led to the greatest of all events.

Chance and choice struggled for the mastery at Marathon. The Greek generals were equally divided as to the propriety of bringing the battle, and Miltiades cast the deciding vote and the history of mankind was changed for all time.

At Shiloh when the night of the first day's disaster had

settled in gloom over the Union army, McPherson spoke to Grant as to the ability to get the army across the Tennessee that night. Grant promptly replied that he would resume the battle on the morrow and with Buell's fresh forces he expected to win a victory. By the choice of Grant the second day's battle was fought at Shiloh and it was one of the turning points in our Civil War.

A crazy and obstinate King George Third drove our fathers into revolution. We do not know how much we owe to the obstinacy and incompetency of mankind. George Third had a statue in America appropriately cast in the heaviest and dullest of lead. What an excellent material for the head of the testy old tyrant! The gunners of 1776 melted that statue down into 42,000 bullets and fired them at the red coats of the king's soldiers.

Of all the seemingly unimportant things connected with our early history, the fact that the provinces were settled separately and independently has proved of the greatest benefit. Each province was the germ of a state, and the separate organizations of the several states is the real foundation of our national union. "An indissoluble Union of indestructible states" has been the result of the happy providence by which our ancestors were separated into distinct provinces.

In 1893 at Chicago we had that wonderful exhibition that gave evidence to the world of the mighty progress that our people had made in the four centuries that had passed since Columbus sailed on his journey of discovery. The two things that interested me the most of all were two sheets of paper in the La Rabida Convent. One was the original bull — dim with age — by which the Pope Alexander VI attempted to divide the new world between the Spanish and the Portuguese. The other was the statement in Columbus's own handwriting in which he gave Isabella a faithful account of the expenditure of the

\$8,000 which the queen realized upon her jewels and loaned to the poor discoverer. The fruit of the \$8,000 investment was the greatest yield that man has ever known. The exposition to commemorate the event cost more than \$30,000,000. When Spain was in the zenith of her power under Philip her annual revenues were only \$20,000,000. The Chicago exposition cost a year and a half's income of Spain in the days of the Armada. Queen Elizabeth's income was only \$4,000,000, or one-fourth that of Spain.

On an occasion of this kind the soldiers and sailors living or dead of our country always take an important place. From 1776 the veterans of Valley Forge and Yorktown handed down the torch of liberty and patriotism to those of 1812. The soldiers of the Indian wars passed it on to the heroes of the Mexican War and they in their turn to our country's defenders in 1861. We had begun to wonder if the spirit of the past had died out when the war of 1898 gave the opportunity to show that the boys of today are worthy sons of their patriotic sires.

In our past history there was one great blight which brought to our people more misery than any other thing in our history, and that was the institution of human slavery. When Kosciusko made his will he gave all his salary as an officer in the American army as a trust fund to be used in the purchase and granting of freedom to American negro slaves. But Colonel Coddington, an English philanthropist, took another view of the subject. He devised a plantation in Jamaica with all its slaves in trust as a permanent fund, the slaves to be worked by suitable overseers and the proceeds of this enforced labor expended on the spread of Christianity.

But now this institution so strongly entrenched in so many lands has practically disappeared. Brazil has freed her slaves and Russia has abandoned her ancient policy

of serfdom. No one now thinks of the desirability of any return to the old conditions on this question.

Ours is a composite nation. The Toledo blade was famous for its temper and quality. It was made by the mixture of a variety of kinds of steel. Every country consists of its soil, its climate, its people, and its laws.

There were 20,000 arms-bearing Greeks in the day of Marathon. They were the Greeks of Miltiades. There were 20,000 Greeks of the same age in the days of Demetrius Phalerias, but they were real Greeks no longer. These were the days of Attic decadence.

The Arch of Constantine is built out of old material in part. The old part, carved in the days of Roman glory, is very different from the newer portions. All nations must guard against decay. When a nation ceases to advance it must recede. Nothing ever stands still.

These are the days of national reconciliation. It is hard now to realize the bitterness which prevailed at the close of our Civil War. Bishop Wilmer came north to solicit aid for his church. He expressed his feelings by saying that the South was like Lazarus, and when asked to explain he said, "She has been licked by dogs." Some one then asked him why he came north for money, and he said, "The hair of the dog would cure the bite."

An ex-Confederate was one day in 1866 going along the streets of Washington, when he saw a blind Union soldier, who had lost both arms and legs, sitting by the wayside with a placard calling attention to his condition. The Johnny Reb dropped a quarter in the box and passed on. In a few minutes he came back and put in a dollar. He then started on but returned and put in a ten-dollar bill. Some one inquired the reason for his actions and he explained it by saying, "That this was the first Yankee that he had ever seen who was carved just to his taste."

But we have an entire change of sentiment. It was the

fruit of time. The Spanish war gave opportunity to show the change, rather than to produce it. The last Congress broke up singing the "Doxology," the "Star Spangled Banner," "Marching Through Georgia," "Maryland," and "Dixie." This was not an idle exhibition of sentiment. It was a spontaneous demonstration of a friendly feeling that I hope may always endure.

Our regular army has a warmer place in our hearts than at any time in our country's history. The prejudice against a large regular army has always existed. When the fathers, in convention, were framing the constitution, an amendment was offered limiting the regular force to 5,000 men. Washington was not a humorist, but he at once offered another amendment requiring that no invading army should ever exceed 3,000 men. The one proposition was a complete answer to the other.

The American people today are turning their attention once more to the sea. The sea has always been the source of power. Actium, Salamis, the Nile, Trafalgar, Manila, and Santiago are all names commemorating turning points in the world's history.

When I stood a few years ago near Mary Drake, our governor's daughter, and saw her strike the bow of the great steel-clad battleship and say, "I christen thee Iowa," I wondered if that vessel would ever link the name of Iowa with any great event. We did not have long to wait until the gallant captain, Robley D. Evans, pushed her into the heat of battle at Santiago.

The time has come, in my judgment, to put the American flag back once more upon the high seas. We may not agree as to the method of doing this. Its discussion might bring up disputed questions, but upon one thing I think we will all agree, that we want to see the stars and stripes take their place in all the seaports of the world.

We are soon to celebrate another great centennial in

our history, the Louisiana Purchase. Jefferson sent Monroe to France with instructions to buy the mouth of the Mississippi River. Monroe found the First Consul a man of few words. Bonaparte offered the whole Louisiana Territory for \$15,000,000. Fortunately, there was no cable line in operation in those days and Monroe was compelled, or rather permitted, to act on his own responsibility; and so it happened that the greatest real estate deal in history was closed out and the Louisiana Territory, with Iowa included, passed to the United States of America at about five cents an acre. Louisiana, Arkansas, Missouri, Iowa, Minnesota, Kansas, Nebraska, Oklahoma, South Dakota, North Dakota, and Montana have been formed out of this territory.

When Elizabeth ruled in Great Britain there were only 3,000,000 people in the world who understood the language of Shakespeare. Today there are 2,225,000 in Iowa alone. The future of our state depends upon our soil, our climate, our people, and our laws. Iowa, like France, is built upon the limestone which insures the permanency of her fertility. At Oskaloosa we sank an artesian well 2750 feet, and the last two thousand feet were in limestone.

France has had 2,300 crops in 2,300 years, and her agricultural future still rests on the limestone of prehistoric days.

Education of the children has been the cardinal principle of our faith from the beginning. We have \$20,000,000 invested in school-houses, and spend nearly \$9,000,000 a year in the support of our public school system. With no city of any magnitude in our borders, we are happily free from the political complications that embarrass those states which are overshadowed by great cities. We have only to be true to ourselves to keep our state in its present happy condition.

But whatever state pride we may have, our people have always looked upon themselves as Americans first and Iowans afterwards. With the broadest national patriotism let us still stand for the greatness and glory of our nation, for the progress, prosperity, and purity of our state.

EXCERPTS ¹

At the World's Fair at Chicago, were two time-stained and faded manuscripts that I looked upon with more curiosity than anything in that exposition. One was the bull of Pope Alexander VI, in which he divided the new world between Spain and Portugal; the other was a small sheet of paper in which Columbus made to Isabella an itemized account of his expedition which footed the grand total of \$8,000.

Why, Pat Murphy and John Smith of Palo Alto County each sold cattle last year to amounts sufficient to have paid the \$7,500 expended on the Mayflower, or the \$8,000 spent by Columbus in the discovery of America.

And it is only forty years ago that an Indian massacre occurred within forty miles of the place in which we are holding this pleasant celebration.

In Mahaska County, where I live, we still have hale and hearty in our midst, Mrs. Phillips, who was the teacher of the first school ever taught in that county.

The Mississippi Valley is the future center of power and wealth. This vast basin, drained by a single stream with its affluents, is the richest tract of soil upon the planet. With coal, iron, lead, zinc, silver, gold, and many other minerals, it contains a great range of climate and soil and is the granary and cotton producer of the world.

And, though we may complain of the winds and the rain, the heat and the cold, Iowa is the most favored of all the states. Look to the north of us and the best part of Minnesota lies next to Iowa. On the east the best of

¹ From address delivered at Emmetsburg, Iowa, July 4, 1903.

Wisconsin is its southwesterly portion. Illinois is a favored state, but its finest land is its northwestern part, next to our state. North Missouri is the best part of our neighbor on the south. Northeastern Kansas is the most fertile part of the Sunflower state. Eastern Nebraska is the richest part of that state, and southeastern Dakota is the best and most fertile of that commonwealth.

So in the center of this zone of fertility our situation is most gratifying and serene.

In the old Greek days it was the temple; in the Roman days, the citadel; in the middle ages the cathedral, which formed the architectural center of the town. But in our days the school-house in Iowa first attracts the eye of the traveler as he looks from the car window.

We tax ourselves heavily — but three-fifths of it all goes to the support of our system of education, and the duty of the state to her children is recognized in the highest degree.

When our national constitution was adopted, there was a cancer in the body politic in the form of human slavery. The words "slave" and "slavery" were sedulously avoided in that instrument by the use of the terms "persons held to service and labor," and in the clause as to representation the words "three-fifths of all other persons," evaded the use of the obnoxious terms.

The "importation of such persons as the states may think proper," was the phrase by which the slave trade was protected up to the year 1808. We had something in our organic law that our forefathers blushed to call by its right name.

But a great crime against human rights could not be protected by the mere use of sounding phrases. But we must make allowances for the state of the public conscience in those old days.

But now no one defends that "peculiar institution." It cost eight billions in money and a million lives to remove that vile blotch from our escutcheon, and no one in the South would ever be willing to see slavery return.

OLD FRIENDS AND NEIGHBORS ¹

In 1856, thirty-two years ago, the first Fourth of July celebration was held in this neighborhood. I well remember to have been present. Thirty-three years is the average of human life, and a generation has come and gone since then.

In being called upon to speak to my old friends and neighbors of auld lang syne, I feel tempted strongly to make an old settler's address. Seeing so many of the good old familiar faces of my boyhood days around me revives recollections of toil and sorrow, of happiness and grief, when in the light of the early morning of life the glow of beauty and of hope colored all things. Standing now in middle life the sunrise has lost its glorious hues and while the sunset has not yet begun to cast its shadows, I look back with love and regret upon a past generation, and with hope and confidence upon a generation that is arising.

Where we now stand is a place full of pleasant memories to me. Mahaska County is the loveliest county in Iowa and Eveland Grove the most charming spot in Mahaska county. When Adam was alone in the Garden of Eden he called the land Paradise. But when Eve came and his happiness was full and complete he called it Eveland. Whether this is the same Eveland or not I am not able to state but must prove it by some of the old settlers. I am not the oldest settler by any means. In the language of the Arkansas traveler, "That black stump was thar when I come."

¹ Delivered July 4, 1888, at Eveland Grove, Iowa.

If in talking about old times and about the old settlers today — for I am bound to give them at least a little of my time — I want to have a detail made to prove all that I may say.

When I was in the army Mr. McEntee, a quartermaster, had a man detailed that he called his affidavit sergeant, and whenever any harness, tents, mules, or other property was lost the loss was established by the evidence of the "affidavit sergeant," and the quartermaster's accounts were relieved from further responsibility.

If I go back into antiquity and tell my tales out of school, that the new generation or new-comers may doubt, I think that Nick Hoit would be a good man to have detailed as the "affidavit sergeant" of the occasion, and we can prove it all up by him.

If any of the statements are unusually hard of proof the detail might be strengthened by adding Billy Martin and a later recruit, Captain Joe Evans, to the detail.

But, first, in looking over the faces around me today we miss the kind old smile of scores of the men and women, good and true, that gathered here thirty-two years ago.

Thomas Lee and John S. Lee have gone to their last reward. Uncle Tommy McClure, whose heart was ever cheerful under adversity, and who was a veritable Mark Tapley in his ability to be happy under difficulties, is under the sod. Dr. Boyer, who was a pioneer of pioneers, and a man of immense brain power, has gone out from among us mourned and regretted by all. Uncle Van Delashmutt, one of the brainiest men of his day and generation, and a member of the convention that framed our first constitution, has fought the good fight and by reason of strength reached the full fourscore that man may possess.

The witty Willis Wilcox; the dignified, able, and brave

Captain Robert Wilson, too, are gone. Samuel Godfrey and Benjamin Godfrey, Sam Harris, Moses Reeve, Geo. C. Harriott, Sumner Darnell, Hiram Covey are among the missing. They have left their good deeds and memory behind them. My own father I miss among the number, whom you remember as among the first men who commenced the struggle for the erection of the noble bridge which stands in our sight, and links the destinies of Mahaska County together.

And then a younger race of men I must speak of further on. For in 1861, when the first shot was fired in the war, this part of our country found many a plow left in the furrow, and many of our old settlers looked upon their boys for the last time.

Richard Campbell, who fell and lies in an unknown grave before Atlanta, was a friend of my youth, and one whom this community delighted to honor. George Godfrey, whose life would read like a romance, fills a grave at Memphis. I remember when he was keeping bachelor's hall and studying night and day struggling for an education. And, again, when in the service he was always ready to volunteer to perform extra duty for any one who was weaker than he; how his high sense of honor for a long time made him shrink from foraging and living off the enemy as something that was revolting to his fine and noble conscience. Shot at Shiloh he staunchly held his wounds, and weak from loss of blood stood in the dreadful line of heroes who, in the evening of the sixth of April, 1862, held the enemy at bay till night and Buell turned the tide to victory.

We may always profit by the history of such unselfish and valiant lives. How that same gallant fellow came home on crutches and put on citizen's clothing, lest, while walking on his crutches, his wounds should attract attention and give him a prominence from which his mod-

esty shrank. How he returned to the front before his wounds were healed and the train upon which he was riding was wrecked and he fell into the hands of the enemy. How he escaped and was hunted down with bloodhounds and recaptured in the black darkness of a cypress swamp. How he was cast again into prison and again escaped and on his arrival into the Union lines, fell a victim to the hardships that he had gone through.

I select him as an example of the heroism of the young men of those days, and many a counterpart to the story may be told to the other young men of this same community.

And when I look upon Jesse McClure, Mehanna Hoit, and others who left the community in 1861, and think of Lewis and Frank Eveland, of Frank Mistingher, of the McClure boys, of Price Jones, of Weekly, and a score more of the friends of that early day, I rejoice that the boys and girls before me have, through their death, had the opportunity to celebrate the Fourth of July of a free and united country.

We meet here today not as Republicans, not as Democrats, not as Greenbackers, not as Union Labor men or Prohibitionists, but as Americans all and forgetting all party strife and party feeling send up our rejoicings to the God of the Universe, who has seen fit to make so free and happy a land, and in his own good time has permitted us to enjoy it.

Whilst we stand for a moment in silence regretting the dead who are gone, and stand in silence on the shore of the great unknown future, we, nevertheless, will enjoy today to its fullest extent the present hour.

The old days that I have been speaking of were full of hardships. The fever and ague were a constant visitor then, but have disappeared, destroyed by the beautiful and universal blue grass, which has turned the land into a

lawn, even where once existed the foulest of the old quagmires.

In looking back over the past it is hard to realize that this is the same country that in 1858 suffered from a total failure of crops and when cornbread and sorghum in limited quantities was the only food that could be obtained.

Some of the old settlers may remember the "prairie digs" of those days. When I was seventeen years old I made my debut in life by attempting to teach school. I boarded around, and at the opening of the school these "digs" were confined to a single family. But the close of the school showed how good a circulating medium the teacher was. They were all reduced to the same common level. My motto was, "Let no guilty man escape."

But this is a painful subject! Will one of the "affidavit sergeants", detailed for the occasion, please come forward?

In those old days barn raisings and road workings were days of festival. The prohibitory law of 1857, with special reference to barn raisings, provided that liquor might be used for mechanical purposes. At one of these barn raisings an old settler won a bet for Dr. Boyer. "The frost was on the pumpkin and the fodder was in the shock." A crowd was present at a barn raising and Dr. Boyer offered to bet that a certain old settler could bite further into a pumpkin than any other man in the county. The statute against gaming and options had no application, because any one who should look at the open countenance of the aforesaid old settler could readily see that it was a matter of certainty and not a game of chance; and, sure enough, when the pumpkin — a large yellow one — was brought forward, the old settler easily went crashing through the rind like a six pound solid shot, and, spitting out a mouthful of seeds, Dr. Boyer won the bet.

While we are letting no guilty man escape, our host, Henry Eveland, must not be forgotten. Henry is hale, hearty, heroic, and happy, but in the good old days that I have been talking about how we came very near losing him. It was a hot night in August. The corn was just ready to tassel out, with black-green leaves, and the old settlers rejoiced that if it was a hot night and bad for man and beast it was "at least good for the corn." Henry went to bed after a hard day's work in the sweltering heat. But, although his conscience did not trouble him, he could not sleep. It was too hot. He tried that old resort of a melting man: divested himself of all his clothing, like a second Adam, and went to sleep in the barn. The experiment was successful, but no sooner had he got to sleep than Joe Morris waked him up with the announcement that the cornfield was full of cattle.

Henry was always a careless man about his toilet and on this occasion he forgot it altogether and with the speed of a racer at the Olympic games he was in the field after the cattle, racing and chasing the festive steers from side to side, until, finally, they were got out and the fence put up. But now comes the saddest part of this tale of woe of old times. Corn leaves cut like saws and knife blades and this unfortunate old settler made the discovery that he was literally cut to pieces. He was bandaged in fine linen and linseed oil and laid away to dry, and with proper nursing fully recovered. At this period of time it is safe to speak to him about it, but I should not have taken so great a risk in 1860. Shall I again call on the "affidavit sergeant"?

You must pardon me for imparting so much of local flavor to my address today. Surrounded by these old friends I could not help it. For thirty-two years my heart has turned to this spot. There are no songs like the old songs; no friends like the old friends. And there

is to me an air of sadness over it all. Returning to these old associations, those that are gone are more missed by me than by you who have constantly remained here. New associations arise with you in regard to the old places. With me these old places are constantly associated with the old faces. We miss Professor Baker, who, I believe, was the first person who ever addressed a Fourth of July audience on these grounds.

I miss the sound of many a kind voice of the old time. I miss the touch of many a friendly hand. As Tennyson expressed it, as he stood sadly by the sea thinking of the days that were gone:

And the stately ships go on
To their haven under the hill,
But O for the touch of a vanished hand,
And the sound of a voice that is still.

Break, break, break,
At the foot of thy crags, O sea!
But the tender grace of a day that is dead
Will never come back to me.

The friends of those early days I see around me. Many are gone to newer homes in Colorado, Kansas, Nebraska, Dakota, or the golden shores of California. But many still remain and it is a delight to me to see them together once more.

Every nation has its holidays, but few of them have such a written history as to enable them to celebrate their birthday. This we are permitted to do.

On the 4th of July, 1776, only a little over a hundred years ago, this nation first became a free and independent government. By the accident of the colony system, separate and independent states became united under a general government, with complete local self-government retained in the separate states. This feature in our organ-

ization made it possible for any number of separate states to become bonded together. A state whose industry is fishing may be united with one whose sole industry is stock-raising or mining, and the local affairs of each state are managed as it may seem best under the general provision of the constitution guaranteeing to each a republican form of government. The elasticity of this system has been shown and its endurance tested under the most trying circumstances. And today Scotland, Wales, and Ireland are asking and will obtain similar rights in the disposition of their local affairs.

The power of association of this country as to every branch of the Caucasian race has proved a wonder to the world. The other day I saw an Irish witness upon the stand. His brogue was as rich as if he had not been from Talu an hour, and you could tell that he was an Irishman as well as if he had a map of Ireland on his face.

The next witness was his son, who was born in America of an Irish mother, and raised in Iowa. He looked like an American and spoke like an American, and if he had not had a good old Irish name he might have claimed that his ancestors came over in the Mayflower; and no one would have questioned the truth of the assertion.

The line, though, must be drawn at the dominant race. The German, the Englishman, the Scotchman, the Frenchman are lost in the second generation, and the peculiar, bright, aggressive, active, native American evolved from the mixture.

To any one who goes abroad to the old world the first thing he notices on landing again in this country is the bright and educated look of the people. The bright and intelligent looking people that you meet in crowds upon the trains are a source of constant surprise. They are all first class passengers, all well dressed, all apparently

educated and intelligent, and there is an air of familiar independence about them that is in marked contrast with the crowds you will see upon the trains in any other country.

And to the ladies of America it may be well said that they do not fully realize and understand the position that they enjoy. Every country's greatness and intelligence must ultimately be measured by the standard of the mothers of the land. No fountain rises above its source. And in no land that the sun shines upon is woman placed upon the exalted pedestal which she occupies in America.

A few years ago I was standing in the garrison city of Innsbruck, in the Tyrolese Alps. The city was being rapidly increased by its erection of immense new buildings. On every hand from the broad and fertile plains rose the beautiful Tyrolese Alps, one of the grandest panoramas on earth. In the fields around the city the farms were being tilled by the women, and in the city I saw women with blue calico dresses, and hods of brick and mortar on their shoulders, carrying the brick and mortar up long flights of steps to the masons on the buildings, whilst in the streets nearby the soldiers sat or stood smoking or drinking their beer and taking the world easy, while the women did the work. This is one of the curses of a great standing army — which we happily escape.

All wealth must be produced by labor. It may be gathered together in other methods, but it must be created by labor alone, and when half a million of men are taken out of the field of producers and become idle consumers at the expense of the public, we must expect in times of peace the same results that we saw in 1864 in America, when the women took up the farming tools and did the land labor that the men ordinarily undertook.

God grant that the day may be far distant when woman shall come down from the place where she is enthroned

by all true Americans, to become a beast of burden. I spoke of Austria as an example, not as an exception. In Belgium women and dogs may be seen in all the streets harnessed up and pulling carts loaded with milk and vegetables. The dog guards the milk wagon while his mistress drops her harness and goes in to deliver the milk to a customer.

Occasionally a dog fight between two rival milk teams mars the Arcadian beauty and simplicity of the scene, but not often, for the women and dogs usually dwell together in amity. No wonder the American women are the handsomest in the world. They are the best treated.

It was some years after national independence was achieved before the importance of the event was fully appreciated in Europe. It is true that our example led to the overthrow of monarchy in France, or, rather, it led to the explosion of the mine that had long been planted under the French throne. But, in its more important bearing, this country — as the asylum for the high-spirited, oppressed people of all nations — was not so fully understood till early in the present century. But the tide set in strong and resistless until thousands have landed at Castle Garden in a single day. In 1841, when Sir Charles Lyell paid a visit to this country he made a careful examination and found that the line of settlement was traveling west at the rate of seventeen miles a year. These were stage-coach days and it was no doubt well for the country that the progress was so slow, so that the nation by steady growth might become large enough to assimilate the mighty host that was to follow.

In those days the settler passed into the wilderness carrying neither srip nor purse, relying on his own strong hands for his support and upon his trusty rifle for his defense. For fifty years the struggle with nature

progressed. The savage tribes receded gradually and the prairie schooner navigated the western wilds. Now railways are built fearlessly into uninhabited lands in the full faith that the people will follow.

PILGRIM DAY¹

You celebrate tonight one of the great events of history. Great hardships and dangers attended the voyage and final landing of the Pilgrims. The defenders of Port Arthur have attracted the attention and received the homage of the world, but the percentage of death among the crew and colonists of the Mayflower was larger than that of the great siege which has just closed. More than half of these early voyagers were in their graves before the historic ship started on the return voyage.

Creasy wrote of the *Fifteen Decisive Battles of the World*. A splendid companion book would be one upon the "Decisive Landings of the World," beginning with Noah at Mt. Ararat and including those of Cæsar and William the Conqueror in Britain, Æneas in Italy, Columbus at San Salvador, John Smith at Jamestown, the Mayflower at Plymouth Rock, and the Japanese in Korea.

I understand that the Boston people are now divided into two classes, the Mayflowers and the Cephalonians. The advantages that our Irish friends, who came over in the Cunarder Cephalaria, have over the pioneers of the Mayflower are that they can land in less than ten days from the old sod, and their safe arrival will be printed next morning in the Tipperary and Cork papers.

The gentlemen who invited me to dine with you and speak on this occasion inquired of me what connection I had, if any, with the Pilgrim fathers. I was compelled to make the humiliating admission that by ancestry I had

¹ Address at Washington, D. C., by John F. Lacey.

no claim whatever upon such distinction, but that my little granddaughter, Doris Brewster, who is now living under the Arctic circle at Nome, Alaska, is a descendant on her father's side from the man who was described as the "soul of the Pilgrim Company," Elder William Brewster, and bears that historic name. I shall have to claim connection with the Mayflower by ascent, instead of descent, as you do. But, lest my little granddaughter should grow vain over such distinction, I have taken time to compute the degree of relationship that attaches through ten generations from those pioneers. By descent, on one side only, the Pilgrim blood in one of the present generation is only one ten hundred and twenty-fourth part. This would seem to be a very small, vulgar fraction of Pilgrim stock, but we must recognize that a very little leaven leaveneth the whole lump, and there has never been a more controlling strain of blood on earth than that which these forefathers transported to the rocky shores of New England.

It is estimated that there are something over a million descendants of the Mayflower immigrants, but they have dominated for a hundred years in all parts of the Union.

The builders of nations may be uncultured and rough but they must be strong. They must be strong if they would lead the strong. They may direct but, after all, the winds and the currents move the ship.

The New Englander, like the Scotchman, seems to have been able to maintain his dominating virility in every climate. The Scotchman at Hudson Bay and in Panama is the same controlling force, not enervated by climate, or led astray by his environments.

It is so with the Pilgrim stock. Colonel Ingersoll said that if you should send a colony of Yankee school teachers to San Domingo, the next generation would be seen with a fighting cock under each arm, riding bare-backed

horses to the cock-pit on Sunday afternoon. This was a droll conception of the brilliant iconoclast, but it is exactly the reverse of the fact. The New England type will keep in every climate and dominate wherever it is found.

On the Pacific Coast from Seattle to Bering Strait the white men are divided into two classes by the Indians and referred to as "King George's men" and "Boston men."

Our English kinsfolk are complaining of our monopoly of the title American, and it is suggested that we should not assume the name which would indicate that we control the two Americas, North and South, but that we should modestly assume the name of Usonians. Should we make a change it would be to accept the distinction of being called Yankees. This name adheres to us everywhere when we go abroad, and even the Georgian when he stops at a Swiss hotel ceases to be shocked when he finds himself referred to as a Yankee.

The founders of states and nations are always objects of interest to posterity, and are usually little noticed in the beginning when they are plowing and planting the seeds of future greatness. The origin of the nations of the Old World is veiled in the mists of antiquity. We see the streams as they flow through the plains, but the sources are lost to sight in the clouds which surround the mountain top. The Greeks and Romans ascribe to their old settlers the intimate friendship of the gods or direct descent from supernatural ancestors. When we read of Hercules and Romulus we feel that we are in the domain of myth and poetry rather than history. But the people who settled the United States trace their ancestry back to the beginning. It is a plain, practical beginning, full of hardships and sorrows.

The pioneers were chosen by the laws of natural selec-

tion. It was not the weakling or the dissolute who faced the dangers of an unknown world for conscience sake. The men who chose this course of life needed no pedigree. As Marshal Lannes said, they were "ancestors, not descendants."

And the nobility of the Old World, in seeking new blood to restore decaying or decayed houses, may look with the same degree of care upon the bank account or rent roll of an American girl, but they ask her in marriage with no requirements as to ancestry.

It was fortunate for the settlement of this republic that the splendid domain of the great Northwest was so far in the interior, so that the barren land of New England could be occupied before the population had seen the fertile prairies.

A young Iowa farmer made his first visit to Massachusetts a few years ago and wrote back to his father that the soil was so poor that they had to manure it to make brick. This you will no doubt recognize as libelous, or at least an exaggeration, but the fact remains that the New England people turned to the sea, to trade and manufacture, for their future greatness rather than to the soil.

Out west we are prone to look upon the New Englander as too much given to science and theory. We commonly imagine the young lady in the schools writing essays on "The philogeny of the hymenoptera," or some equally abstruse question. In fact, we are inclined to yield to them even greater intellectual powers than they claim.

We recognize the philippics of Demosthenes as having been equaled by the Wendell Phillipics of forty-five years ago.

The founding of the great schools of New England were the great factors in giving to that section its dominant influence in our history.

The man who is educated in New England becomes a

missionary of the thought of those with whom he has so intimately associated in early life.

The career of President Roosevelt is an illustration of the effect of such training as Harvard affords. Though of Dutch ancestry, our President had the environment of New England at the formative period of his life. We can say of him in the language of the breezy West, "He is as straight as a gun-barrel and clean as a hound's tooth."

The Pilgrims landed in 1620 and only seventeen years thereafter, in 1637, Harvard College was founded. They did not wait. They recognized at once the value of seats of learning. These ancestors of yours builded better than they knew.

In the early days there were many conflicting claims to the great West. Virginia asserted title to the Northwest Territory and Massachusetts and Connecticut laid claim to everything west of them to the setting sun. Most of Michigan was in Massachusetts, and the present site of Chicago was in Connecticut.

The subsequent compromises in regard to the public domain relieved the future Chicago and Connecticut of much trouble. I am not sure whether Chicago would have been in Connecticut or Connecticut in Chicago. With characteristic thrift Connecticut saved out of her claims the Western Reserve in Ohio, so that William McKinley and William B. Allison were born on what has been Connecticut soil.

The anti-slavery crusade in New England changed the history of this nation.

It is hard to realize that only forty-six years ago old John Brown was captured at Harper's Ferry by the United States forces under Captain Robert E. Lee and by Virginia troops under Stonewall Jackson. Death and immortality had an appointment of martyrdom for John

Brown at Harper's Ferry — he must keep his engagement. It was destiny, and his soul is marching on.

Brown captured from Lewis Washington the sword which Frederick the Great had presented to George Washington, and this sword he surrendered to Lee. Only seven years later came the great event of Appomattox. How fast the world moved in those eventful years! When Governor Henry A. Wise returned to his home, after the surrender in 1865, he found his house converted into a freedman's school; John Brown's picture hung on the parlor wall, and John Brown's daughter was a teacher in the school.

The influence of New England may be found in all parts of the United States, and particularly in the great West.

The town meeting has not in its original form been carried to the new states except in the management of the public schools. But her general plan of local self-government has become a part of the daily life of all of our people.

These meetings in which you commemorate the toil and sacrifices of your forefathers are schools of patriotism. It is important that the children of these great ancestors should suffer no decadence.

There were 20,000 Greeks at Athens bearing arms in the days of Pericles and Athens was powerful. There were still 20,000 Greeks of age to bear arms in the days of Demetrius Phalereus. But they were the degenerate sons of worthy sires. The maintenance of the high standing of the past is possible but it cannot be done without effort.

OLD SETTLERS' MEETING ¹

The founders of states and empires have always been objects of interest. Ordinarily the origin of a nation or state is lost in the myths of fable.

The Greeks and the Romans describe their old settlers as the intimate friends of the gods; and whether we read of an Æneas, a Dido, a Romulus, or a Remus, we feel sure that we are in a domain of poetry rather than of history.

Jasper County has set the example in Iowa of gathering together in loving reunion, remnants of the old settlers, that they may mingle with the new generations following in their footsteps. Jasper is so large a county that more than one of these reunions has been called within her borders during the present year.

The good cheer and bountiful provisions on this campground only attest how near the heart is to the stomach. Such a matter as this is essentially social in its character, and is always absolutely free from political significance.

A few years ago I was invited to speak at a political barbecue in the neighborhood where I had spent many years upon my father's farm. The old settlers whom I had known for nearly forty years were all there, and they embraced every shade of political opinion. I never found it more difficult to talk party politics than I did facing that kind of an audience. But for the fact that I had been advertised to make a political speech, I would have devoted my entire discourse to topics which would please the old settlers, regardless of their political faith.

¹ Address at Prairie City, Iowa, August 28, 1895.

Here today we meet without discussing political or religious creed, and commemorate the generation that founded the state of Iowa.

In the old world the first inhabitants of mountain regions believed in many gods; each cloud, as it gathered upon a mountain peak, and spoke in thunder to the distant clouds, was peopled by mountaineers in their mythology with a separate god. Each valley, lake, and cavern had its ruling spirit. But on the plains of Asia the arching sky and the level earth brought up the thought of unity, and the one God of revelation there found ready believers.

By the Indian, who first inhabited the plains of America, the great spirit was looked upon as controlling everything. That spirit of unity in all nations prevails among the Indians of the plains today.

The first settlers of this county are no longer numerous, neither are they all dead. Many persons present were born before this city was founded. Measuring time by events, rather than by years, it is wonderful, indeed, what these old settlers have seen. The old man born in 1809 is only eighty-six years of age. He was born the same year with Lincoln, whose martyrdom occurred thirty years ago; and with Gladstone, who is still a power in English affairs. The lives of these men stretch back to the days when Napoleon was in all his glory.

The younger generation will recollect when Italy was a chaos of little principalities, and Germany an aggregation of little kingdoms. He will recollect when Mason and Dixon's line divided this country into rival sections, a line no longer referred to, except in history.

The records of the first settlers of other lands have been made centuries after the events which they purport to record. But the settlers of this region are involved in none of the myths of fable. The European settlers sailed

amid the clouds of tradition and obscurity. The prairie schooner of the great West is still remembered as a recent institution. How new these old settlers are.

Did you ever think what God did to prepare this land for the old settlers? Its geological history is written in the thousands of feet of limestone of the state, the coal, the drift, and the soil. Air, fire, water, glaciers, wind, hail, sleet, and ages of time gradually prepared the surface of the Northwest to be the garden that it now is.

When I see one of the gigantic boulders from Hudson's Bay lying imbedded in the soil, where the ice laid it so many ages ago, I always feel like taking off my hat, for he is the real old settler.

The great garden called Iowa lies almost like a square block, with ninety-nine counties like a checkerboard upon its surface. It slopes from 1,500 feet above the sea in the northwest to 600 feet at the southeast corner, with streams flowing down this gentle slope from west to east.

In a moist climate and fertile soil are found her chief wealth. The coal, gypsum, lead, and clay furnish great resources of ordinary wealth; and in your own county the Colfax Springs water offers a sanitarium to all.

Every country looks back to its first settlers. The Indian who first occupied this land was but a wanderer. He lived upon the soil but did not occupy it; of necessity his occupation was but temporary. But the present occupants of Iowa have fixed themselves in the soil; they have come to stay. Ours is the newest race on earth. That country is a new country, indeed, where the old settler lives to celebrate his own arrival. We may search in vain for the origin of the Aryan race, but we know where the settlers of Iowa came from. All nations mingled to create the American.

The Celt, the Greek, the Teuton all combine. With all the Anglo-Saxon love of liberty and aptitude of self-gov-

ernment, the American race is no longer merely Anglo-Saxon. European noblemen have learned this and are seeking wives from the new race, without asking for pedigree. There is nothing fairer on earth than a child fresh from the hand of God, and the new race has the merit of being the last product of the world's evolution.

As late as 1844 Mr. Lyell, the great geologist, estimated the rate of progress of the American people to the west at seventeen miles a year. But the telegraph and the railway came in due time, and the American race was especially adapted to the era of steam and electricity. The American people, made from them all, has sprung suddenly into the first rank among the races of the world.

I am no pessimist, and I will not preach the gospel of despair at an old settlers' meeting; even if I were in the very slough of despond, I would not talk it here, for I do not wish these old men to die regretting that they helped to found Iowa.

Planted, as the original colonies were, upon the coast, new material steadily crossed the sea, and the result was a new type among the people of the world. In building up the West, the strongest young lives in the East turned their faces to the setting sun. Thus it is that the truest American type is found in the boundless West.

The greatest event in its results, occurring in the year 1803, was the purchase of Louisiana, by Monroe, acting for the administration of Mr. Jefferson. Monroe built better than he knew. He was sent to buy New Orleans, and bought the whole Louisiana Purchase instead, including the great state of Iowa, which was but a small part of Mr. Monroe's acquisition. His memory was commemorated in your own county at one time, by the location of the state capital at Monroe, and it was at Monroe, I am told, that the first cabin was built in Jasper county. It

was a brave race that settled this country, and men deserve to live, who are not afraid to die.

The builders of nations may be rough, but they must be strong. The very faults of the old settlers may be classed among their virtues. Men complain now about what these old men would have called trifles. They worked and cared for themselves and would have scorned to ask the government to take care of them. Put those men on an island and they would soon organize a free government, and put it in running order. They had an abiding faith in their ability to take care of themselves and to get the best of everything.

In 1861, when a thousand of the first settlers of Kansas met to organize a regiment, to take part in the war for the Union, they first organized like a town meeting, with a chairman and secretary. They had not yet selected a colonel and officers of the line. The question arose as to whether the regiment should go out as cavalry or infantry, and after considerable discussion, as to the respective merits of the two arms of the service, one old settler arose and said, "Mr. Chairman, I move we go out as infantry and come back as cavalry." The motion prevailed, and, sure enough, when the regiment was mustered out they were all well mounted.

The men of Iowa did not build this state alone. In no state have the women taken a more conspicuous part. They were ready to bear their part of the hardships of the first settlers, and upon them fell the sorrows and burdens of the Civil War. And to them, more than to the men of Iowa, is due the fact that Iowa stands first among the states in freedom from illiteracy.

Her climate renders her future as promising as her past has been astonishing. With variety and variability sufficient to create a rugged race, the feeble and

broken in health have never sought her prairies as the natural home for the weak; and her people have grown from a selection among the strongest in the land. But whatever pride of state we may have, whatever pride of state we do have, the people of Iowa always have subordinated their love of their own state to that of the union of all the states.

When Shakespeare wrote his immortal plays there were not so many English speaking people in all the world as now live in Iowa and Illinois. Today 120,000,000 tongues are speaking the language of our forefathers.

Jasper County was settled in 1843; Prairie City, first named Elliot, was settled in 1856. The enabling act to admit the state into the Union, was passed in 1845, only fifty years ago. Already over two million people are living within her borders. No state takes better care of her deaf, dumb, blind, helpless, and insane. It is not mere wealth or invention that benefits a people. It is the use to which inventions are applied.

The Chinese had gunpowder and printing before the Christian era, and the Tartars guided their carts and wagons through the plains of Asia with the aid of a magnetic needle floating in a vessel of water. It is the manner in which inventions have been utilized which constitutes the chief glory of the present generation.

THE LOUISIANA PURCHASE ¹

I wish to avail myself of the generous privileges accorded in general debate to discuss a subject that in 1903 will attract universal interest. We have been passing through a series of centennial years, beginning with that of 1876, when we celebrated the nation's independence.

The most important event in its consequences after independence year was that which occurred in 1803, when the territory of Louisiana was ceded to our republic. We are about to celebrate the great epoch in a most substantial way by an unrivaled exhibition upon the banks of the father of waters, at the city of St. Louis.

There is no part of our land so rich in its future possibilities as that region to which I invite your attention.

For many years I have carefully studied the resources of our public domain.

In a long journey through the mountains of Arizona and New Mexico, a few years ago, I had a college graduate cowboy for a driver. He asked me if I had seen much of the West, and I told him I knew it from Alpha to Omega.

He quietly suggested that he knew it better still; that he "knew all about it from Alfalfa to Omaha."

The subject of the purchase of 1803 covered a wide range of time, latitude, and longitude. We are interested in the Louisiana Purchase because of its influence upon our history and its great possibilities in the future.

Let us go back a few cycles, and we will, in our mind's

¹ Speech of Hon. John F. Lacey, of Iowa, in the House of Representatives, Tuesday, December 16, 1902.

eye, see the land piled mountain high with the earth's great glacial cap and behold the dynamic forces grinding up the drift and preparing it for the soil that was yet to come.

Later on —

We hear the tread of pioneers
Of Nations yet to be,
The first low wash of waves where soon
Will roll a human sea.

THE FLIGHT OF BIRDS

God has guided the settlement of this country. When Columbus started on his venturesome voyage he firmly resolved to sail due west and under no circumstances to change his direction, but the flight of flocks of parrots to the southwest led his seamen to appeal to the admiral to follow the birds. He finally yielded, and landed in the West Indies instead of upon the coast of Georgia or North Carolina, thus reserving the United States for English occupation. In ancient times many a battle was fought upon the favorable omens of the flight of birds.

The Roman consuls carried their chicken coops with their troops, and before fighting a battle fed the birds and consulted the soothsayers as to the omens.

The Aztecs founded the City of Mexico where a vulture was seen standing on a cactus with a serpent in its talons.

But never were such great results dependent upon so slight a cause as when Columbus by changing his course caused the settlement of the West Indies, Mexico, and South America by the Spanish people instead of the territory now occupied by the original thirteen colonies of the United States. Had he not changed his course he would no doubt have landed upon the coast of Georgia instead of San Salvador.

RELIGIOUS FREEDOM

The Spanish exploration turned aside, and a different people, with different language and aspirations, laid the foundation of our present great republic. The first settlers came in search of religious freedom — the Puritans to New England, the Quakers to Pennsylvania, Catholics to Maryland, Huguenots to South Carolina. These settlements in different provinces seemed a simple thing at the time, but the colonists builded better than they knew, for a land broad and deep, the deep foundation of the sovereign states of the Union. The first settlers of every land have excited the interest and admiration of their descendants. The nations of the Old World have sought their ancestors among the gods. In our own brief history we are able to trace the origin and growth of our national life from its beginning.

FRENCH EXPLORATION AND SETTLEMENT

The mighty Mississippi flows over the remains of De Soto, and serves at once as his grave and his monument. The French pioneers of Canada heard of the great stream near its sources and believed that it flowed into the Gulf of California. La Salle, Marquette, Joliet, Hennepin, and De Tonty have written their names upon the map of the future center of the world's civilization. Following the river in its majestic course to the Gulf, there the French missionary voyagers raised the cross of Jesus and the flag of France, and took possession in the name of their king and called the land Louisiana.

THE TREATY OF PURCHASE — NAPOLEON, JEFFERSON, MONROE, LIVINGSTON

In discussing this subject we can not be otherwise than forcibly impressed with the progress of the world. Only

one hundred years ago on the 30th of next April the treaty ceding this great territory was signed, and President Jefferson was soon after assailed for having not only violated the Constitution by extending his country's boundaries, but he was especially criticized for throwing away the enormous sum of \$15,000,000 in the purchase of land lying so remote from civilization and of so little intrinsic value. But Providence raises statesmen from time to time who see beyond the narrow horizon of their own time, and in republics men are called to power who are willing to look further than the next election.

The most stupendous transaction in the march of time was the action of Pope Alexander VI, when he took the map of the world and with a pen and ruler divided the New World between Portugal and Spain. This was a very simple and convenient adjustment of a great controversy, but it was not possible for it to remain so settled, and so in due time other nations took part in the colonization of our hemispheres. And so it happened that whilst our Atlantic Coast was occupied by Great Britain, the most Christian king of France held dominion over the great prairies, forests, and mountains of the West.

In 1682 the flag of France was raised, but it was not until 1699 that the first settlement was made near the Gulf. The great possibilities of this country fascinated the French people, and John Law exploited its future with his Mississippi scheme, involving all France in bankruptcy and financial ruin, until they were very willing indeed to cede the land to Spain, in 1762. But in the treaty of San Ildefonso, October 1, 1800, Spain again transferred it back to France; but the terms of the treaty were kept so secret that it was commonly believed that Florida had been included in the transfer, though the flag of Spain still floated over the various posts.

When Bonaparte became the First Consul and dictator of France, war with Great Britain had become unavoidable. Our minister at Paris, Mr. R. R. Livingston, opened up negotiations to secure the navigation of the river and the title to the land near the mouth of the stream. He especially desired to purchase New Orleans. Mr. Jefferson, however, wanted Florida as well as the mouth of the river. Spain was still in possession and the time seemed ripe for a treaty. The phenomenal and prophetic mind of the young Napoleon alone seemed to comprehend the future possibilities of such a treaty. James Monroe was hurriedly called by Jefferson from his Virginia home and sent as a special envoy to act with Mr. Livingston, and they were authorized to buy New Orleans, the mouth of the river, and Florida for \$2,000,000.

But a new man had arisen in the affairs of Europe, a man of few words, but of prompt, vigorous, and decisive action. Napoleon promptly took the whole negotiation out of the hands of the wily and corrupt Talleyrand and placed it with Marbois, his minister of finance. Marbois had been in the United States and had acquired the most priceless of all treasures, an American wife, and the affair was in friendly hands. The First Consul fairly staggered our commissioners when he proposed to sell the whole domain for \$15,000,000. Here was a region unpeopled by civilized men, extending from the Lake of the Woods to the Gulf, and of uncertain boundaries east and west, but unquestionably larger than Great Britain, Germany, France, Spain, Portugal, and Italy combined.

When the uncertainties of the boundaries were referred to, Napoleon said: "If there were no uncertainties in the limits it would be necessary to invent some." He realized the value of an elastic boundary. He could put his own construction upon that. Great Britain has found it convenient in Alaska. Napoleon knew how untenable

this country was for him as against England, the mistress of the sea. He needed money. He was land poor; and so, with his laconic brevity, he fixed his terms and startled the American commissioners by the magnitude of the transaction. Fortunately, there was no Atlantic cable or steamship line, and the responsibility had to be assumed without further instructions, and the future author of the Monroe Doctrine was there, ready, willing, and brave enough to take the responsibility.

Monroe landed April 1st, and on the 30th the contract was signed. We usually look upon great battles alone as the turning points of history. Arbela, Zama, Actium, Waterloo, Sedan, and such bloody scenes are usually the pivotal points in the affairs of men. But the habeas corpus, the bill of rights, the Declaration of Independence stand out with as much importance in the progress of mankind as do any of the bloody contests which have so changed the affairs of the world.

Among the greatest of these peaceful landmarks in the world's history is the treaty that was finally consummated on the 30th of April, 1803. It has been said that "Diplomacy can trot all day in a bushel measure," but it was not so with the diplomacy of Napoleon. When the treaty was finally signed, Bonaparte said in substance: "This strengthens forever the power of the United States. I have given England a rival who will some day take dominion of the sea." When the Spanish flag came down at New Orleans, that of France was raised, and floated for the brief period of twenty-five days, and then the stars and stripes were thrown to the breeze, and the American governor said to the surrounding people: "This cession secures to you and your descendants the heritage of liberty."

In 1904, at St. Louis, we will celebrate this great event. In its effect upon human happiness it is one of the great-

est that has ever occurred in the history of the world. No salutes were fired; no great enthusiasm prevailed in the United States when this treaty was made known. The nation could afford to wait one hundred years for the celebration. But although no noise was made in America, the effects of the treaty soon made themselves felt on the other side of the Atlantic. Of the purchase money, \$4,750,000 was applied on claims of Americans against France and the other \$11,250,000 went into the great war chest of Napoleon, who expended it in the purchase of equipment for his great army.

LOUISIANA AND AUSTERLITZ

Harness, horses, wagons, clothing, powder, shot, shell, muskets, and cannons were bought with this money, and when the French army started from Boulogne to the frontier to meet the Austrian and Russian armies and under the December sun to fight the battle of Austerlitz, every shot that was fired was a voice from the Louisiana Purchase. When that battle ended, Napoleon was at the zenith of his martial glory, and Europe was at his feet. When William Pitt heard of the defeat he died of a broken heart. But now, after one hundred years, the results of that victory have passed away. Austerlitz has left but little impression upon the world of today. Napoleon's light went out like an untended watch-fire on the rock of St. Helena, and France was humbled into her narrow limits once more, but the peaceful results of the Louisiana treaty still endure.

In 1803 France had 27,349,003 inhabitants, among the most prosperous, progressive, and happy that have ever lived. In fertility the Louisiana Purchase is equal or superior to France itself. Longfellow, in *Evangeline*, describes its soil —

Smoothly the plowshare runs through the soil as a keel through
the water.

From Winnipeg to Biloxi the same plants and grasses may be found, and though the variation of climate is great in so wide a range of latitude, the most valuable of all cereals will grow in the whole region.

THE POWER OF COAL

The same native animals grazed from Hudson's Bay to the Mexican Gulf, but with all its wealth of soil, climate, forests, mountains, lakes, and rivers there is stored within its bosom the mineral power for ages yet to come. Not long ago a young Englishman, Mr. Coates, the superintendent of the Uruguay Railway in South America, asked me the question, "Do you realize what a tremendous handicap it would be upon your progress if every locomotive that pulls a train out of New York, Baltimore, or Washington should be first coaled up from the mines of Wales or Australia? That is practically the situation in South America." In 1902, when for five months 150,000 miners laid down their tools and ceased to work, we had in a small way a sample of a coalless continent.

Imagine our country bereft of the great motive power which moves our trains, our steamers, and our factories, which makes life comfortable in the rigors of the northern midwinter. Without the coal the days of steam would have come in vain, and the age of electricity would have sought other fields. But the great Louisiana Purchase is filled with the most valuable deposits of coal, stored by the providence of God within its limits long before Adam found himself alone in Eden.

UNEXAMPLED GROWTH

Since the annexation of Louisiana its growth has been so reasonable, so expected, and so natural as to recall the explanation of the Irishman at Niagara. "See how it rolls down. Is it not grand? Is it not wonderful?" in-

quired the hackman. "I don't see anything remarkable about it; it has to; there is nothing to hinder it," said Pat.

What a splendid galaxy of stars was added to our flag! Louisiana, Arkansas, Missouri, Iowa, Minnesota, Kansas, Nebraska, North Dakota, South Dakota, most of Colorado, Montana, and Wyoming, and all of Oklahoma and the Indian Territory have been carved out of the land ceded in the memorable treaty. The population in 1900 was nearly 15,000,000. Although the price was deemed something startling, for \$15,000,000 was a great sum in those days, today there are but few counties in Iowa whose assessment for taxation does not show a valuation of more than the whole cost of the Louisiana Purchase, and yet possibly some of the estimates of value have been given to the assessors with becoming modesty by the owners.

St. Louis alone represents a valuation of \$376,907,595.

THE LIMESTONE SOIL AND ITS RENEWAL

Much of the Louisiana Purchase is underlaid with limestone, which is a most enduring foundation of fertility. The soil of the state of Iowa, for example, nearly all is underlaid by a thousand feet of solid limestone.

The great glacier cap which ages ago covered all the land from near the Missouri line to the Pole broke up the strata and produced the joint clay, thus opening up the passageway for the water from the surface to the solid rock. When the season is excessively wet, as in 1902, the water has free access and searches the crevices in the rocks in the depths below. When it is too dry capillary attraction draws the moisture from beneath, and so by this simple provision of nature the extremes of drought and flood are minimized in their effect, and so we thank the glaciers for benefits accruing so long after they have disappeared; but no doubt if man had then appeared

on the planet the glacial growler of that day would have seen only the dark side of the picture.

But there is still another and perhaps more pleasing view of this subject. Limestone is not only a source of fertility, but it dissolves in water and thus renews the richness of the soil. In the floods of the last season the surface water reached and penetrated the limestone.

Though the rain fell pure and free from lime, it at once began to dissolve and take up all the mineral that it could hold in solution, absorbing it from the rock itself. The water next to the stone having become charged with lime to the saturation point, the precious fertilizer slowly ascended until the water near the surface was nearly or perhaps as highly charged as that below.

Thus hundreds of thousands of tons of fresh lime, the richest of manures, is lifted to the soil near the surface, and when the water evaporates there the precious fertilizer remains to perpetually renew the fruitful soil. With thousands of feet in depth of this rich deposit as a base of supplies, we can face the future full of hope.

France has had two thousand crops in two thousand years, because her fertile soil lies over a similar source of perpetual renewal.

I am not sure that this suggestion of the elevation by the action of water of fertilizing material from beneath the underlying strata has been adequately considered by men who have made a special study of the chemistry of the soil. In the plains of Lombardy the running water deposits in the bottoms of the irrigating ditches material dissolved from the Alps. The farmers there mix the sediment with stubble and spread it over their fields, thus keeping their lands as good as new.

With such resources the future fertility of that part of the Louisiana Purchase is assured.

I like to take a cheerful view of our future. I am an

optimist. The statement I have just made is a full answer to the pessimists who prophesy the early decay of our fruitfulness. With these prophets of evil I have never had any sympathy.

I approve of the opinion of the old German who defined a pessimist as "a man who in a choice of two evils takes both of them."

Iowa was carved out of that empire; she was part of Louisiana, then of the district of Louisiana, next placed by Congress in the territory of Missouri. Had that law remained unchanged the people of Iowa would have been Missourians. Then Iowa became a part of Michigan, next of Wisconsin, and finally she was molded into her present form by the legislative hand. The memory of the early days of the whole Louisiana domain will be now revived in all the states within its borders.

THE PIONEER DAYS

The pioneer days of Iowa are ever a source of pleasure, either in memory or in history. "In all that is good, Iowa affords the best," is the terse way that her favorite son, Sid Foster, has of putting in a few words what everybody recognizes to be true. We all look back with pleasure upon those old days.

Dr. Robert Gray says that "the past is full of pleasing recollections, the future is full of hope; we all quarrel with the present."

As Henry W. Grady said, the "old house that whistled when the wind blew and wept when it rained," stands out in our memory with greater delight than the most sumptuous of our modern homes.

Every nation looks with reverence, if not with superstition, upon its ancestors. Usually their origin is traced to the supernatural. But in our own short career we are able to follow our ancestry into a plain, practical, and

God-fearing original. The best of the races of northern Europe, either directly or through their descendants in the older states, have settled in the Louisiana Purchase, and from them have sprung the composite people who now inhabit that land. But as men grow older they look with increasing interest upon all the traditions of their forefathers.

Heredity and blood increase in importance as the years roll by, and it is a pleasure to know that the stock from which this population has been formed has such an honorable history.

IOWA — A-Y-A-U-W-A-Y

Thomas Jefferson was an enterprising man; his restless mind was always boiling with plans. No sooner had the treaty been made than the Lewis and Clark expedition was planned and started out from St. Louis, and the long journey was begun. We first find the word "Iowa" in the record of this exploring party, and it is spelled "A-y-a-u-w-a-y." The voyage up the river, the winter at Mandan, the journey across the mountains to the mouth of the Columbia, the second winter there, and the return to St. Louis read like the tale of another journey of Jason in search of the golden fleece. When these discoverers returned and told their story of adventure at Washington the Americans began indeed to dream dreams of the future, but those visions were only feeble suggestions of what the realities have become.

THE WORLD'S PROGRESS

We can best note the progress of the world by comparison. When Augustus ruled the world the Mediterranean was a Roman lake. One hundred and twenty million people were under the dominion of the Cæsars. But Augustus, rich and great as he was, never read a

newspaper, never traveled more than twelve miles an hour, never received a telegram, never had a pane of glass in his house, never saw an ear of corn or a potato. He had peacocks upon his table, but never tickled his palate with the flesh of a turkey, never knew the use of tobacco, and never had a shirt on his back.

If we were to go into the workhouse of today and remove from the daily supply of its occupants everything that had been invented since the Augustan age, the inmates of such an institution would regard themselves as being the most ill-treated of mankind.

In 1453, when the Turk captured Constantinople, the learning of the Greeks was dispersed all over Europe, and the world was all the better prepared to avail itself of the discoveries of 1492. The sea had for ages rolled around the known world as a complete bar to human progress; it has become a highway; now it unites, rather than divides, the continents. Natural gas was worshiped by the ancients as a manifestation of the gods; now it is harnessed for the use of man.

The priestess at Delphi intoxicated herself with its fumes and saw visions. At Kokomo, man has made it an utility. At Guadaloupe, Mexico, a bubbling spring was looked upon and worshiped as a miraculous healer of the Aztecs; but in our day and generation mineral springs become practical and scientific cures. The scientist and geologist have supplanted the barbarian and sorcerer, and old-time soothsayers would have been struck dumb with the exploits of Edison. Ghosts hide themselves from the light of scientific day. McKinley held his ear to the telephone at Canton and listened to the shouting multitudes at the convention at St. Louis. The results of the Olympic games in Greece, a few years ago, were known in St. Louis five hours before the races started, if we make no allowance for the difference in time.

Seneca foretold that Ultima Thule would no longer mark the boundaries of the world. Now, the railway runs to Jerusalem; we have found the mouth of the Niger and the source of the Nile. Before many years a child may be put on the train at Chicago in charge of the conductor to be landed at Buenos Ayres; Khartoum and Albert Nyanza will be dinner stations on the Cairo and Cape Town Railway; the world, after all, is growing smaller.

THE COST OF OUR TERRITORIAL ACQUISITIONS

It is interesting at this day to note the cost of the various territorial purchases which up to the time of the Spanish war have been added to our national domain. Our last purchase I will not discuss at this time, for it is too early to count the cost and value of Porto Rico and the Philippines. We paid for Louisiana only three and three-tenths cents an acre, the best investment ever made by any nation since the dawn of history.

To Spain we gave for Florida 17.1 cents an acre; to Mexico, 4.5 for the first purchase, and then 34.3 for the Gadsden Purchase in southern Arizona, the highest priced of all our acquisitions. Georgia sold her territorial rights for 10.1 cents an acre. The most doubtful expansion of all was when William Henry Seward made the purchase of the icebergs of Alaska at 1.19 cents an acre.

Mr. Seward said that his reputation in history would mainly rest on this act of statesmanship, and for many years his expected honor remained in cold storage in that inhospitable land. But time has vindicated the wisdom of Mr. Seward, and Alaska is no longer the least prized of our possessions.

But of all additions to our republic none have been freighted with such great possibilities for the good of the nation as the acquisition of the territory of Louisiana.

The West is no longer there. There is the center of our land. There will soon be the center of population and power.

From the Euphrates, the Tigris, and the Nile to the Tiber, from the Tiber to the Seine and the Thames, from the Seine and the Thames to the Hudson, the Potomac, and the Mississippi, the star of empire has taken its way, ever to the west; and now it is shining brightly upon the states which have been formed out of the territory of Louisiana.

THE MONROE DOCTRINE ¹

Holidays are of slow growth, in as busy a nation as ours; holidays are only chosen because of some great purpose involved in their celebration. The day we celebrate is the greatest of all anniversaries, for it commemorates the birth of a nation.

It is usual to devote the day to the noisiest form of patriotism. The liberty bell that rang in our first national birthday has been broken and voiceless for many years; but bells and guns and voices have taken up the chorus, and the old liberty bell can afford to be silent.

This day is well spent when it is devoted to patriotic impulses and the revival of great national sentiments. I have concluded to depart somewhat from the usual course of speakers on this occasion, and in so doing I hope we will not lose sight of the fact that the subject which I shall discuss is one vital to the well-being of this nation, and essential to the preservation of its liberties and independence.

It is common to speak in general terms of the Monroe Doctrine. The principles of that doctrine are approved by every political party in the United States. In discussing this question we can all unite in one common patriotic sentiment; and upon this sacred day there are too many things that we can unite upon to render it either necessary or desirable that we should discuss any of the things upon which we are divided. The duties of this nation expand with its greatness; our country dominates in the western hemisphere, and we owe a duty to the New World in which our nation has grown so great.

¹ Address at Eldon, Iowa, July 4, 1895, by John F. Lacey.

The discovery of America on the one hand, and the circumnavigation of the Cape of Good Hope upon the other, opened up endless avenues of growth, progress, wealth, and liberty. The Cape of Good Hope had long been known as the "Cape of Storms." When once it was found that it pointed the way to India, it ceased to be the "Cape of Storms" and became instead the Cape of Good Hope; and from this promontory civilization is now reaching out and spreading over the dark continent itself. The great western ocean was believed to be filled with danger, monsters, and death, until Columbus showed it was a pathway to the New World.

Standing a few years ago in St. Mark's Cathedral, at Venice, and looking, with my wife, at the mosaic pictures of Europe, Asia, and Africa, in the dome, my wife turned suddenly to me and said, "Where is America?" and sure enough in this perfect and beautiful arch there was no allegory to represent the New World. It was still unknown.

The Spaniards led the way to America, the Portuguese led the way by the Cape of Good Hope to India. Both these nations claimed the earth and the fullness thereof, by reason of their great discoveries. Pope Alexander the Sixth took a chart of the new discoveries, and claimed as the vicar of Christ, the right to divide the New World. And one of the most interesting exhibits at the World's Fair in Chicago was the original manuscript of the pope's bull by which the hemisphere was thus divided between the Spanish and the Portuguese crowns.

The civilization of the Aztecs and the Incas was remorselessly divided between rival dynasties who represented the divine right of kings.

In ancient times the flight of birds was watched by the soothsayers with profound interest. Columbus sailed due west until the flight of the parrots flying over the

ships to the southwest caused the seamen to urge upon their leader to follow the birds.

Many an ancient battle was fought because the birds gave signs of victory; and never was so momentous a conclusion resultant upon the observation of the fowls of the air, as when Columbus followed them to the West Indies, instead of landing upon the coast of the United States. The Indies and South America became Spanish; North America was left open for the Anglo-Saxon. No nation has ever yet shown the same power as a colonizer as has been exhibited by the English people. She learned a lesson in our Revolutionary War which has taught her to retain her other colonies by the gentlest of ties. She has given to them the power of local self-government, even to the extent that they may legislate against the trade of the mother country. The Revolution has led to far-reaching results. It has done much more than to merely lay the foundation for the great republic in which we live. The French who helped us in the war carried back to Europe the germs of liberty, which ultimately grew into the great Revolution in which the Bourbon dynasty went down in blood.

Napoleon's empire rose upon its ruins, and after twenty years in which he strode the earth as a colossus, an alliance against him was formed between Prussia, Russia, Austria, and England.

This was the foundation of the celebrated alliance. When Napoleon was overthrown and sent to the rock of St. Helena, the Holy Alliance was still continued to prevent any further uprising of the people of Europe. Nor need we wonder at the term Holy Alliance, as adopted by an organization whose object was to destroy human liberty. The word "Holy" was one to conjure with, and at one time the principal bank in Rome was known as the

“Bank of the Holy Ghost,” so called to give it an odor of sanctity, and secure large deposits.

Some idea of the holy character of this alliance may be obtained from the secret treaty of Verona, signed in 1822, made by Austria, France, Prussia, and Russia, England having withdrawn. I quote from it:

The high contracting powers being convinced that the system of representative government is equally incompatible with the monarchical principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

As it cannot be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations, to the detriment of those Princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it, not only in their own states, but also, in the rest of Europe.

It became an *unholy* Alliance against the liberties of the world. Metternich was the schemer who organized and held it together. He represented the old order of things, and so wedded was he to existing abuses that he did not even view with pleasure the attempts of Greece to get back her place in the ranks of civilization. Mettternich was for the existing privileges, whether Austrian or Turk.

The progressive spirit of Great Britain led to her withdrawal from this alliance. Spain, when she destroyed the civilization of Mexico and Peru, and destroyed the lives of the gentle inhabitants of the West Indies, divided South America with Portugal, and held much of the fairest portion of North America. Generations of misrule drove the Spanish colonies to revolt against the mother country. The colonies maintained

their independence in the open field; the United States alone recognized their independence.

The so-called Holy Alliance looked with distrust upon the addition of so vast a territory to the domain of republicanism, and conspired to aid the Spanish Bourbons in the conquest of the colonies.

Great Britain looked upon the situation with the cunning eye of a trader. The restoration of these colonies would cripple her commerce in Mexico and South America, and strange as it may seem Great Britain herself encouraged the American government in announcing the celebrated doctrine that bears the name of President Monroe.

The United States bought Florida from Spain, Louisiana from Napoleon, and Alaska from Russia. As the result of the Mexican War, and of contracts of purchase, she acquired Texas and that vast region embracing the mountains and the Pacific Coast, which is today in itself sufficient for an empire. Every step taken by our forefathers has been in the direction of controlling this continent; \$50,000,000 were paid in these various contracts of purchase. We often hear the Monroe Doctrine spoken of approvingly but in vague and general terms.

Let us go a little more into detail; I believe we should all agree upon it in its full shape and bearing today. When Monroe was elected President of the United States his administration met the approval of all parties. His term of office is often spoken of as the "era of good feeling."

Commercially we have always been deeply affected by European influences. Politically it is our policy to stand aloof from all entanglements with the Old World. Electric cables and ocean ferries in bringing us nearer to Europe increase our danger and make the necessity of adherence to the doctrine of Monroe all the greater.

Monroe was born in 1758, in Virginia; at the age of twenty-four he entered the state legislature and soon after became a member of Congress. He was not brilliant but he was practical. Good common-sense characterized all his public life. His young manhood was spent in the Continental army where he was wounded fighting for the independence of his country; and there is no better training for a citizen than the service of his country in time of war.

In 1790 Monroe became a senator of the United States. In 1794 he was a minister to France, where the cause of French freedom excited his warmest sympathies. He was recalled in 1796 and in 1799 was elected governor of Virginia, and was twice reëlected.

In 1803 he and Livingston were selected by Jefferson to purchase New Orleans of Napoleon, in order to give an outlet by the Mississippi to the ocean. Monroe always builded better than he knew, and instead of buying New Orleans he bought Louisiana. Instead of obtaining a city and the river mouth he obtained a mighty empire; the splendid state of Iowa being only a small part of it.

In 1804 he was minister to England, and recalled in 1807. In 1810 he was not above serving his people in the smaller things and went again to the legislature of his state; in 1812 he was called as secretary of state into the cabinet of Madison. In 1814 during those stormy times he served also as secretary of war, and in 1816, when the second war with England closed in a glorious peace he was elected President of the United States, and reëlected again in 1820. He united the most discordant elements by a firm but practical policy that has never been excelled.

John Q. Adams and John C. Calhoun sat in his cabinet. The purchase of Florida, to which I have alluded, was made by him in 1819.

In 1823, when Mexico and South America were convulsed with the war, which resulted in their permanent separation from Spain, the Holy Alliance were about to interfere in behalf of monarchy and against the freedom of the people in the New World.

They believed that they had crushed out all the germs of democracy in Europe. They were determined that freedom should not spread in the new continents. It was then, after much discussion and preparation, that President Monroe sent in his celebrated message to Congress. Let me read that part of it which has become so famous:

In the discussion to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been adjudged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for colonization by any European powers.

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal, to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced, that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the

allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure and material, by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted.

We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States.

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers; to consider the government *de facto*, as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy; meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our southern (Spanish American) brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.

It was a grand thing for President Monroe to look the

Holy Alliance of Germany, Austria, and Russia in the face, and say to them, "Hands off." The principles of this doctrine are not complicated, but it is asserted in unmistakable terms that "America is for Americans; that there should be no entangling alliances, by the United States, in the politics of Europe. There shall be no colonization in any part of either of the western continents, excepting those that had already been founded." The existing order of things in America was not disturbed; it was firmly but clearly announced that whilst the United States would not rule two continents, yet she would protect them.

The question of indorsing this message by formal resolution in Congress came up, but was never acted upon; but there has never been a time since Mr. Monroe sounded this note of warning that his views have not been in full accord with the people of the United States, and in my judgment it is time for Congress to endorse this principle by direct action. The recognition of the Spanish republics by the United States, and the announcement that any interference by any other country would be regarded as unfriendly to our government, speedily resulted in the permanent independence of these republics.

Great events and their declarations come and pass by, and are forgotten. Other events and other declarations project themselves far into the future. England received the announcement of Monroe with favor and approval, but today is seeking to establish her dominion in violation of that doctrine, over a large part of the republics of Venezuela. In violation of that doctrine she seized the port of Corinto in Nicaragua, and attempted to hold that little city to collect a self-imposed fine upon the republic, for the alleged ill treatment of Vice Consul Hatch. These breaches of our declared policy have gone

unrebuked, but the American people are not ready to abandon the policy of the last seventy-two years.

The Nicaragua incident has closed, but closed without any proper protest of our government. The wrongful claims upon Venezuela are still asserted, and although the United States has suggested arbitration, the British government refuses such friendly suggestions.

It has long been the British policy when possession of any territory has once been obtained, to hold it at all hazards. Temporary possession of Egypt was taken to secure, for the time being, British creditors who held investments there. Not long ago an English statesman was asked when the government would surrender Egypt. He replied, "We will get out of Egypt when we get out of Pimlico." And so it will be found in Venezuela, unless our government, true to its principles, asserts again that the Monroe Doctrine is a living principle in the western hemisphere.

The Monroe Doctrine is not for ornament: it is for use. Even the good, able, and kind Dom Pedro has surrendered his crown in Brazil. Spain's hold upon Cuba is relaxing. When the War of the Rebellion broke out we had an opportunity to see how ready the monarchies of the Old World were to break down the free governments of North and South America. The Monroe Doctrine slept for a time for lack of power on the part of our government, to enforce it. "Napoleon the Little" — Victor Hugo calls him to distinguish him from his gigantic uncle. Says Hugo, "This man would tarnish the background of history but absolutely sullies its foreground." Availing himself of our domestic war, this man set up an Austrian archduke as Emperor in Mexico. Soon after he furnished the means with which to publish *The Imperialist*, a newspaper in the city of New York, devoted

to the building up of monarchy in the United States. This impudent publication was not suppressed, but was treated with deserved and silent contempt, until it died for want of nourishment.

But when the war closed in 1865 the empire in Mexico, upheld by French bayonets, was in existence, in defiance of the Monroe Doctrine. It was not in peaceable possession, for the Mexican people had risen in arms in every state, and Benito Juarez was making a manly fight for the independence of his country.

It was my good fortune at the close of the war, in June, 1865, to be sent to the Rio Grande on the Texas side, as an adjutant-general of the Army of Observation of forty thousand men, sent there by General Grant. The purpose of this army was readily understood by the French and Austrians in Mexico. Such a force drawn up along the narrow river which separates the two countries created a great sensation among the European invaders. I well remember a letter of General Grant, written to General Steele, who commanded that army. They had been classmates at school and the General wrote with a frankness different from ordinary communications between military men. I have no copy of that letter, and I do not find that it has ever been published. The letter instructed the general commanding the Army of Observation of the Rio Grande as to the course to be taken in relation to the Confederate forces under General Dick Taylor. It referred to the fact that cavalry would be sent into the interior of Texas, and other details of a possible campaign west of the Mississippi. It then approached the subject of the diversion in favor of Mexico, using this language:

As to affairs in Mexico, you will observe a strict neutrality between the hostile forces; by neutrality, however, I mean the *French and English acceptance of that term.*

With the recent experience we had had as to the French and English neutrality in the War of the Rebellion, there was no misunderstanding General Grant's purpose; and General Steele quietly issued ammunition to the republican forces in Mexico, who crossed the Rio Grande for that purpose.

This sort of Monroe Doctrine from General Grant, backed with forty thousand men, made that doctrine manifest to the most unobserving. There is no argument so convincing as an army. Our government requested France to withdraw, and France withdrew. I have always felt that the Mexicans were too severe in their hour of victory; that when Maximilian, Miramon, and Mejia were shot by a file of soldiers at Queretero, that it would have been better to have turned them loose as we did the leaders of the Rebellion. But the Mexicans had much to complain of, and they felt that the Monroe Doctrine of non-interference in their country needed to be emphasized by such an example that no other European prince would ever desire to wear an American crown; and, perhaps, they were wiser after all, however much we may sorrow for the empress, "Poor Carlotta."

We are constantly confronted with the Clayton-Bulwer Treaty, in all attempts to connect the Atlantic with the Pacific Ocean. When that treaty was made, the great possibilities of California, Oregon, and Washington were unknown. English capital proposed to embark jointly with ours in the construction of a canal through Nicaragua. English diplomatists have been proverbial for their long insight into the future. Trained to diplomacy as a profession they obtained in that celebrated treaty conditions which have been very embarrassing to our government. There seems to be no intent upon her part to ever build the canal or help build it, but to hold that treaty

as a menace over the control of any canal which our people may ever build.

The treaty provides that the canal shall "never be in the control exclusively either of the United States or Great Britain; and that neither of said governments will ever direct or maintain any fortification commanding the same, or in the vicinity thereof, or occupy or fortify or colonize or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast or any part of Central America." By this provision our government, after her people shall have built the canal, is precluded from fortifying it; her ability to defend it being limited to her capacity to defend it by armed vessels upon the water. This would enable England with her superior naval force to control the canal after we shall have built it.

If any European nation desires to attack England, in India, she must go round the Cape of Good Hope to reach her, whilst England protects herself with the short route through the Suez Canal. In like manner any country that seeks to attack our western coast would be compelled to go around Cape Horn, whilst we would retain the canal through Nicaragua. The Clayton-Bulwer Treaty lost sight of the principles of the Monroe Doctrine which we are discussing today, and that mistake has thus far prevented the construction of the canal itself.

The doctrine of Monroe is not limited in North America. Its beneficial influences extend from Bering Strait to Cape Horn. It recognizes and enforces the principle that this hemisphere is able to take care of its own affairs.

Colonies which have become independent from the mother country are henceforth to be free. Colonies which still maintain their allegiance will in no wise be disturbed. But the old days when vast areas of unpeopled lands could be divided up as a result of European treaties is past never to return.

It was a brave thing for Monroe as a ruler over a little nation of ten millions, in 1822, to lay down this law to the world. It would be a cowardly thing for a great nation of seventy millions of people to abandon so just and necessary a principle.

REMINISCENCES OF OSKALOOSA CITY PARK ¹

In 1879, when James A. Rice was mayor of this city, he took a vacation in New England. One beautiful Sunday morning he was walking past the home of Ralph Waldo Emerson, and the flowers, trees, and shrubbery looked so inviting that he strolled in through the open gate.

Mr. Emerson saw him and walked out and welcomed him to his home, and inquired of the young man where he was from. Mr. Rice proudly replied that he was from Oskaloosa, Mahaska County, Iowa.

"Say that again," said the Sage of Concord; "that is beautiful," and then repeated the words with his visitor, "Oskaloosa, Mahaska County, Iowa." The euphony of the name catches the ear of the stranger.

On the first day of May, 1843, the "New Purchase," as it was called, was opened, and the settlers not waiting for daylight flocked in with torches and lanterns and staked out their claims.

On the eleventh day of May, 1844, Jesse Williams, Ebenezer Perkins, and Thomas Henderson, as commissioners, located the county seat for the new county of Mahaska; and Micajah T. Williams, the first clerk of the county, christened the town with the name of a Creek Princess, Oskaloosa, who was the wife of the heroic Seminole, Osceola.

In May, 1843, as the pioneers came up to the divide between the two rivers they saw in their front the forests from the two rivers approaching so nearly together as to make a gateway which they called "the Narrows."

¹ Address by Major John F. Lacey at the Harvest Home Festival, Oskaloosa, Iowa, Wednesday, October 23, 1912.

On the tenth day after the opening of the county to settlement the southeast quarter of section thirteen, township seventy-five, range sixteen, at the Narrows, was selected as the county-seat. It was a site for a beautiful farm and bore the number thirteen, which is often a lucky number.

A. S. Nichols, Robert Curry, and Wilson Stanley were appointed commissioners to plat the future city. Silver and gold the people had but little of, but of the town lots the county held plenty and so A. S. Nichols for laying out and platting the town received the two lots on High Avenue, where the interurban station now stands, and the "Eye Tooth Lot" at the southwest corner of the square, now occupied by Holtman & Baker's grocery.

I first saw this public square in April, 1855. It was grown up with dog fennel and was the center of the business of the growing little city. The lumber wagons of the farmers surrounded it on Saturdays and were much in evidence on the other days of the week.

Gradually the dirt had accumulated in the streets around it so that after a heavy rain this park was a shallow lake, which, in cold weather, was an ideal skating rink and an unfailing source of delight to the boys of that day.

In the fall of 1855 the first county fair was held at Oskaloosa and long tables in this square were covered with the finest of vegetables, giving evidence of the fruitfulness of this fertile land.

The cattle show was held in some feed lots of Mr. Marks, south of where the Oskaloosa College now stands.

This square was not located in the center of the town tract, but it was so located that the water from the south side of the alley on the west then ran to the Des Moines and the water from the north side of that alley to Skunk River.

It will be seventy years on the eleventh of next May that this place has been the center of the thoughts and affections of the people of this county. No county-seat war has ever marred the selection, and the people of the whole county have, during all these years, pointed with pardonable pride to the growth of the city which has steadily expanded from this center.

On May 12, 1909, the splendid statue of old Mahaska was unveiled, and two ladies, Mrs. Phillips and Mrs. Martin, who were settlers in 1843, drew aside the veil which exposed that work of art and historic memorial to the gaze of twelve thousand cheering spectators.

In 1855 there were but three brick buildings on this square: one where the Golden Eagle store now stands, a dwelling remodeled for mercantile purposes where the Baldauf store now stands, and the old Union Block which still remains.

At the northwest corner stood the frame court-house, long after moved to West High Street by J. B. Noe and known as "Noe's Ark."

All the other buildings were frame, and many a successful battle of the bucket brigade, under Henry Tredick, preserved these fragile structures until the march of business compelled their removal and replacement by the beautiful buildings which now have taken their places. The old Oskaloosa House and Madison House, both frame buildings, stood fronting on the park and sheltered the immigrant and stage coach passenger who kept the roads in use from the Mississippi to the Missouri.

Utility was the first purpose of this park and the idea of beautifying it came later. Not long before the Civil War the leading men of the town volunteered to each plant a tree here and for many years these trees were known as Garl Phillips's tree, Seevers's tree, Rice's tree, Eastman's tree, Needham's tree, and like names.

But their identity is now lost, and I think I can only point out the one planted by Philip Meyers.

The poet, George W. Seevers, wrote some verses to commemorate the planting of his tree on the east side of the park. Unfortunately, it had to be cut down a couple of years ago, because of decay. I remember a part of one of Mr. Seevers's verses:

I have a monument reared by my own hands,
In the town of renowned Oskaloosa it stands
In the form of a White Elm tree.

In Padua beyond the sea the students and noted men of the city have been commemorated by almost a regiment of marble statues. The example will be followed here in time.

Here has been the center of not only the activities of the city but of the county as well. When I was a boy occasionally a man excessively well dressed and decorated with jewelry would spend a few days at one of the hotels and when curiosity was excited by his unusual display some one would ask, "Who is that?" And the old reply would be, "I don't know, but I think he is one of the men who is proposing to lay the public square out into town lots."

In fact, in those days the square always looked like it might be improved in appearance by such treatment.

It was into this old square that Lieutenant-Governor Enoch W. Eastman marched one day carrying his axe on his shoulder, and when asked what it meant answered that he had "shouldered his axe and left his old political party."

Those were stirring times and others followed his example, and the saying that a man had "shouldered his axe" became a by-word of the day.

It was here that political and business gatherings have been wont to assemble during the three score and ten

years that our city has been on the map. In the fullness of time the beautifying of this plat of ground has been brought to our attention.

If you visit Florence they will show you the wonderful statue chiseled by Michael Angelo for the merchant prince, Cosmo de Medici, who has made people forgive his excessive wealth by the good things he has done with it.

Our public spirited citizenship has combined to pave and beautify this park. J. D. Edmundson, out of his prosperity, has given us a priceless statue of Mahaska. Our old-time citizen, Sam Baldauf, will long be remembered by the beautiful fountain that commemorates his name and which we dedicate today.

Admiral Frank F. Fletcher has sent to his native city the Spanish mine which now stands near us, and which is probably a duplicate of the one which destroyed the Maine; and near by will soon be placed upon a suitable pedestal the relics of the Maine herself, which lie before you, recovered from the mud and ooze of Havana Harbor, procured, also, by the same gallant sailor.

The big guns which stand by it, it was my personal good fortune to "borrow" from Uncle Sam to add to our city's decorations. It is true that they are only loaned but our good uncle will never call for their return: like the \$28,000,000 of public land money deposited with the states by the general government nearly eighty years ago, the loan will remain permanent.

In this square many of the greatest men of the nation have spoken to our citizens: Burrows, the eloquent son of Michigan; Henry Clay Dean, the erratic extremist; Ben M. Samuels and Samuel J. Kirkwood, in their great campaigns for the governorship of Iowa; and various unsuccessful candidates, including the eloquent and versa-

tile Bryan; the great statesman, Blaine; and General Weaver, the brilliant orator and campaigner.

Two presidents of the United States have visited this park and spoken within the hearing of its crowds—Roosevelt and Taft. General Logan spoke to a vast audience here when he was a candidate for the vice-presidency in 1884.

Probably the meeting that excited the greatest enthusiasm and satisfaction that ever was held here was the Soldiers' Reunion in August, 1865. The war was over and "Johnnie came marching home."

W. S. Kenworthy, then a young man, and a very young man at that, was selected to make an address of welcome to the "boys in blue." They were generally still wearing their old uniforms and were gradually substituting their citizens' clothes again.

The sorrow for those who did not return was for the time almost forgotten in the rejoicing over those who were back again to go to war no more. It was a fitting place to hold such a celebration and reunion, for it was in this very park that so many of those men had volunteered to go to the front. With fife and drum and stirring speeches the echoes rung through the trees that yet were young.

Here they drilled; here they bade good-bye to fathers and mothers, to sisters and sweethearts, and marched away, many of them to return no more.

It was in this same park that the Wide Awakes and Douglas Guards marched and counter-marched in the stirring political campaign of 1860. Captain McMullin, afterwards of the Seventh Iowa, and Captain Fred Palmer, afterwards of the Eighth Iowa, commanded the opposing campaign organizations. McMullin was destined to receive a severe wound at Corinth and Palmer

to lose his arm at Shiloh. The peaceful tactics of 1860 were the training school for 1861.

It was in this square in 1853 that an important event to the boys old and young occurred. Yankee Robinson exhibited the first circus that had ever been in the city. William T. Smith was the mayor of the city and in the goodness of his heart took little Jimmie Edmundson to the show — a benefaction that Mr. Edmundson did not forget in Mr. Smith's old age.

Let me call your attention to the buried treasure that lies under the bandstand. In the search for water the city council turned from the rivers as being too far away and sought a supply by a deep well. Two wells were bored — a broken drill having stopped work in one, and the other was driven 2,750 feet towards the earth's center. An inexhaustible supply of strong mineral water rose to within eighty feet of the surface and twenty-four hours' pumping made no impression upon it. I venture to prophesy that the day will come when this water will be pumped by electric power and used in baths and drinking for the healing of the sick from all nations.

This well cost \$27,500, and the city bonds for it have been renewed from time to time and are still unpaid.

On these two days of Harvest Home and Old Settlers' Reunion festival, celebrating the prosperity of our county and the abounding crops with which the Father of All has so greatly blessed us, we will dedicate our new and beautiful city hall, the bandstand and other park improvements, the Maine relics, and the beautiful fountain which for all time to come will keep in mind the good name and good deeds of Sam Baldauf, the generous man whose name is inscribed upon it.

Public spirit has always characterized the citizens of our city and many a harvest home festival and dedication

of other memorials from our citizens still remain in store for generations yet to come.

And let us here dedicate ourselves to the upbuilding of our city, our county, our state, and the Union of the states.

PENN DAY¹

Penn Colloge has its colors, old gold and blue, but it is loyal above all things to the colors of the great republic, which are unfurled upon this campus today.

Penn Day is the great anniversary to which Penn students of the present and the past turn with pleasure and pride. The day of the small college has again come, and it is to schools of this class that the student may come with the hope of daily instructions from its teachers. In the great colleges of the day, with their thousands of pupils, not even a speaking acquaintance is kept up between the ordinary student and the higher members of the faculty.

It is true that a widened horizon attends the advancement from one institution to another. Charles Foster Smith says that when he was at Wofford he hailed from the high school of Spartanville; when he went to Harvard he hailed from Wofford, and when he went to Oxford he hailed from the United States of America.

Every college furnishes the pupil with the weapons for the battle of life; the pupil must grind them himself, but it helps him to have the teacher not too far away. The student following the trail must keep his eyes close to the ground that no detail may escape him, even though the trail be dim and it is difficult to see the goal that ultimately will be reached. In after years when you rise to look back over the way that has been passed, the eye follows it readily till lost in the far distance; each dimly

¹ Address given by Major John F. Lacey at Oskaloosa, Iowa, October 14, 1909.

suggested clue in the future becomes a beaten pathway when it has been passed over.

The flag you raise today was adopted by the Continental Congress June 14, 1777; it then consisted of thirteen stars and thirteen stripes. On April 4, 1818, the flag was changed so as to bear one star for each state and thirteen stripes for the original colonies. The flag used in its present form has existed without change, except the addition of stars for the new states, nearly one hundred years. It is already ancient. It is older than the present flag of France, Spain, England, or Germany.

William Penn went to prison rather than doff his hat to a mortal man, but if he were here today he would take it off to this old flag, for it represents ideas, principles, and purposes and not mere rank between man and man. It was planted on the Antarctic continent, in the far south; it was carried by Stanley to Central Africa in his search for Livingstone, and I confidently believe that in the last two years it has been twice planted on the north pole.

Just across the street from your college campus lives Albert Cooper, a Quaker soldier of the Civil War. At the battle of Helena, July 4, 1863, one of the stars was shot from the flag of the old Thirty-third Iowa. Mr. Cooper picked it up and put it in his pocketbook and carried it until the close of the war. It now hangs framed in his parlor as a precious relic of the past. The flag we honor here today is not the flag of war; it is the flag of peace. I doubt if in any future war flags will be carried by any of the troops in battle. They are too good a mark for the deadly weapons of the present day.

A hundred years ago the ambitious student expressed his regret that practically everything had been done and that everything that could be discovered had been found out. Penn College is a new institution; it is not many years old, but within its brief history the wireless tele-

graph has been discovered, the gas motor has been invented, which has caused an entire revolution in our ways of life. The dream of the ancients who tried to invent the flying machine has been realized, merely because a gasoline motor has been discovered; the automobile from a useless toy has become a practical part of everyday life; the X-ray, the most remarkable discovery of the last thousand years, is one of the newest discoveries in the brief life of Penn College. Halley's comet, before it became visible through the strongest telescope, was made known by photography. Photography in the heavens gathers together rays that are invisible by reason of their lack of continuity, and when thus gathered become visible in their collected form. Who knows but that the rays from the moon and the planets may yet be concentrated in a similar manner so as to photograph the things in these distant wandering orbs that otherwise cannot be seen? And last, but not least, the north pole has been twice discovered and the American flag planted at the apex of the globe. Cook's tourists will soon be outing there in the height of summer.

The most common complaint of today is that everything worth while has been done; that there are no more worlds to conquer or discover. Ben King, poor fellow, who died too young, in a very droll way voices this sentiment in his poem, "Jane Jones":

Jane Jones keeps talkin' to me all the time,
 And says you must make it a rule
 To study your lessons 'nd work hard 'nd learn,
 An' never be absent from school.
 Remember the story of Elihu Burrit,
 An' how he clum up to the top,
 Got all the knowledge 'at he ever had
 Down in a blacksmithing shop?
 Jane Jones she honestly said it was so!
 Mebbe he did —
 I dunno!

Of course what's a-keepin' me away from the top
Is not never having no blacksmithing shop.

She said 'at Ben Franklin was awfully poor,
But full of ambition and brains;
An' studied philosophy all his hull life —
An' see what he got for his pains!
He brought electricity out of the sky,
With a kite an' a bottle an' key,
An' we're owin' him more'n anyone else,
For all the bright lights 'at we see.
Jane Jones she honestly said it was so!
Mebbe he did —
I dunno!

O' course what's allers been hinderin' me
Is not havin' any kite, lightning, or key.

Jane Jones said Abe Lincoln had no books at all,
An' used to split rails when a boy;
An' General Grant was a tanner by trade,
An' lived 'way out in Ill'nois.
So when the great war in the South broke out
He stood on the side o' right,
An' when Lincoln called him to take charge o' things,
He won nearly every blamed fight.
Jane Jones she honestly said it was so!
Mebbe he' did —
I dunno!

Still I ain't to blame, not by a big sight,
For I ain't never had any battle to fight.

She said 'at Columbus was out at the knees,
When he first thought up his big scheme,
An' told all the Spaniards 'nd Italians, too,
An' all of 'em said 'twas a dream.
But Queen Isabella jest listened to him,
An' pawned all her jewels o' worth,
An' bought him the Santa Maria 'nd said:
"Go hunt up the rest o' the earth!"

Jane Jones she honestly said it was so!

Mebbe he did —

I dunno!

O' course that may be, but then you must allow

They ain't no land to discover jest now.

Discoveries are new, but ideas are old. Scipio, B. C. 202, turned the tide on Hannibal by carrying the war into Africa. This was not new. A hundred years before that Agathocles, the Greek, in a like manner saved Syracuse by carrying the war into Africa. Cortez, in 1513, landed on the coast of Mexico and placed himself in a position where he must succeed by burning his ships; the same Agathocles burned his ships on the coast of Africa 1700 years before. Physical discoveries are new; ideas are old.

William Penn's colony was founded upon the doctrines of peace. Abbe Raynal (in his history of the Indies) says: "Pensylvania is defended on the east by the ocean, on the north by New York and New Jersey, on the south by Virginia and Maryland, on the west by the Indians; on all sides by its friends; and within by the virtue of its inhabitants." You will observe that he says that it is defended both within and without, but it took the offensive nowhere and in no direction.

It is not well known, but it is nevertheless true that the first written constitution ever framed was prepared by William Penn for his new colony; a colony founded on peace and just dealings to all. The doctrine of peace on earth and good will to all men is one of the first principles taught in this school. While West Point and Annapolis turn out soldiers and sailors, Penn College is turning out apostles of peace.

Penn College has already been heard from in distant places, at home and abroad; your president, Mr. Rosenberger, will soon be a reminder of this institution at

Jerusalem and the Holy Land. In Boston your former president, Benjamin F. Trueblood, stands at the head of the American Peace Society; and war has become so deadly and expensive that the nations are most inclined to listen to the advance of peace, since it costs \$10,000,000 to build a dreadnaught and \$10,000 to fire a single broadside from its deadly and far-reaching guns, and the broadsides can be fired so rapidly that the treasures of Cræsus would not suffice for a battle between two great ships of this type.

The race between Great Britain and Germany as to which shall build the most battleships is going on apace. The taxpayer shudders and the governments look upon each other's preparations as so dangerous that they fear the explosion that will follow the outbreak of hostilities. The pocketbooks of the nations are growing sensitive, and if war is full of glory it is too costly to indulge in.

The Geneva award prevented war between Great Britain and the United States after the Civil War. It set an example out of which has grown The Hague tribunal. Everyone looks forward to the arrival of the time when controversies between nations will be settled by international arbitration.

My young friends, I congratulate you in being in a good school, with competent and able teachers, but, after all, you must work out your own success. No college could have taught Burns to write "The Cotter's Saturday Night"; no university could have taught Shakespeare to write "Hamlet"; you must study and create for yourselves. We are all poor, blind mortals and the mountains are the raised letters to teach the mysteries of the earth. The college only gives you the key with which to unlock the future. Ticknor, speaking of Daniel Webster, said that no great man has ever accomplished anything without preparation; that when the time comes to act,

the statesman or the orator merely shows what has been laid up in the preparation of the past. Importunities hasten opportunities; inspiration and suggestion go hand in hand, but after all, no preparation is ever lost. The training of the mind even in languages and sciences that you may never use, fits it for other successful efforts, and the colleges that are spoken of sometimes as learned seats of athletic exercise fit the body for the struggle of the future.

Penn Day has come and will annually recur; we all look forward with pleasant anticipation to the continued success of this institution, which today raises the flag of the United States upon its campus.

RIVER AND HARBOR IMPROVEMENTS ¹

I live in and have the honor to represent a congressional district about the size of Delaware, that does not have a yard of navigable water in it. It is covered with the richest soil on the face of the earth and, in fact, if it were proposed to dig a canal through that district as wide and as deep as the one proposed by you, the people would hesitate about spoiling so much good land. At a banquet a few years ago in the little city of Pella, a gentleman was called upon to give a toast to the town. He said, "Here's to Pella; she spoils a good farm."

Gentlemen, you must remember that the edge of anything is only valuable when it is the edge. What makes Baltimore, Philadelphia, New York, and Wilmington important is the fact that they are upon the edge of the great West. Two hundred years ago my paternal ancestor settled on Indian Creek, down in the lower corner, the jumping-off place in Delaware, and I have always felt an interest in Delaware ever since I heard its name. Now, this enterprise that you are interested in is valuable because of the great country in the rear which has, through these channels, an opening to the outside world, and here you will stand and take toll as our products come and go. Down at Norfolk they are planning for a great exposition to commemorate the settlement of Jamestown, which was the greatest event that has occurred since the birth of our Savior. There it was that the first commonwealth was founded. There it was that

¹ Speech by Hon. John F. Lacey, of Iowa, at Board of Trade banquet, Wilmington, Delaware, January 9, 1904.

the germ was planted from which has grown this wonderful combination of commonwealths known as the American Republic. That is the great historic center of America. Wilmington is the explosive center, and I have been told, and I thought, till I heard Mr. Charles Emery Smith's speech tonight, that solemn old Philadelphia is the center of gravity. I shall take that back, it is the center of wit, humor, and of logic as well. The center of agriculture of this country is Iowa. That is no laughing matter either.

I remember, Mr. ex-Postmaster General, that when you had an exposition in Philadelphia in 1876, Iowa was called upon to make an exhibit there, and the best exhibit we made in that city was a collection of thirty or forty glass jars, higher than I could reach and about a foot in diameter, each filled with a section of Iowa soil, just as it came; so the people of this country could look on it and see what soil is like that needs no fertilizer. That same exhibit was taken to the Chicago Exposition and set up there. There was nothing better that we could send, although we did many other good things. One day a careless fellow was wheeling a truck around among those glass jars. He struck one of them, broke it and scattered the precious soil around for ten or fifteen feet. After a few minutes a New England gentleman came by with his daughter. She held up her skirts and started to walk through that dirt but the old gentleman said, "Mary, Mary, don't step in that; that is Iowa soil; it will make your feet grow."

I am reminded tonight that we often gain by looking backward. The first invention of steam traction was what is now known as the automobile, then called a road engine. That preceded the railroad, and Leitch Ritchie, in one of his books, learnedly discussed the problem as to whether a railroad that was then being projected from

Havre to Paris, was practicable. He said that it was not. It might, he said, be used on level ground, but what if you struck a grade? Then you would need cogs on the wheels so they would not slip. He decided that the railroad was not a good means of traffic, but that the road engine was. Sixty years have passed by, and the road engine, now known as the automobile, has come to stay. The velocipede was invented, tried and used for many years, then discarded. Someone invented the improved rubber tire, and now the velocipede, known as the bicycle, is seen every day upon our streets. It is a common vehicle.

We have covered the land with railroads, and we are supplementing them with canals, to be used not as the rivals of railroads, but to strengthen them and build up their business. Many of you, no doubt, have looked through the great telescopes at our universities, and seen what astronomers tell us are canals upon Mars. Mars is probably older than the earth, and they have their canals completed. We are going back once more to canals. The canal at Suez today is a revival of one built many ages ago, which had been filled up with sand. Renewed in our day, it has become a highway for the nation, revolutionizing the whole East and bringing it to the doors of Europe.

I suppose your idea in inviting some of us gentlemen here tonight was very similar to that which our wives recognize as one of the principles of good policy, and that is when they introduce a bill from their committee on appropriations, they call it up immediately after dinner, in order to secure its passage. I know that my wife selects that occasion as the most fitting one, and you gentlemen have shown your wisdom by inviting a number of us here to listen to the eloquent addresses we have heard tonight, and with all the good cheer, sound logic,

history, wit, and humor, preparing us for voting to grant your appropriation.

As I told you, my state has no interest in a river and harbor bill, and yet I never voted against one, because I recognize the fact that these harbors, rivers, canals, light houses, and various other improvements upon our coasts are simply the means of conveying our excess products out of the country. They are the outposts of that great center, the Mississippi Valley, which is in the future to dominate this country. I speak not in a political sense. There is the center; and when Thomas H. Benton, in the Senate, turned his face to the West and pointed, saying, "There is the East; there lies India," he spoke in prophetic tones. Upon the pedestal of his statue, which stands near the grounds of the great Exposition, which you will all visit in the West this year, is inscribed that immortal sentence.

But, gentlemen, I will not detain you longer at this late hour. Some of these other men will tell you how they will vote. I tell you how I feel, and you will have to infer how I will vote.

ON STOCK EXCHANGES ¹

There have been disgraceful chapters of legislation in which men in public life have sought pecuniary advantage for themselves or their friends. Out of these things the idea has become current that a position in Congress is an exceptionally favorable one from which to deal upon the stock exchange, and the inquiry in your letter to me expresses this common idea.

Nothing is more exaggerated than the supposed connection of members of Congress with speculation of this character. When a man does anything wrong he commonly suffers for it in this world. Now and then a skillful stock gambler comes to Congress, but not often. There is excitement enough in their ordinary business to keep such men employed without going into politics. But the senator or representative who dabbles in the stocks receives his ample and merited punishment. In ordinary gambling the gamester has the satisfaction of knowing

¹ Mr. Lacey's reply to a letter sent out by J. B. Walker, editor of the *Cosmopolitan* magazine, to a number of members of the House and Senate. Mr. Lacey was then a candidate for Congress in the Sixth Iowa district. The letter which was sent by Mr. Walker was as follows:

THE COSMOPOLITAN MAGAZINE, EDITORIAL DEPARTMENT,

IRVINGTON, N. Y., APRIL 16, 1898.

DEAR SIR: The influence exercised by national legislation on stock exchange values is now so well understood that the time seems to have arrived when the legislature may no longer indulge in the speculative buying of stocks without either a committing of crime against the people or verging so closely upon crime that it becomes difficult to discover the dividing line. Believing that you will gladly aid in establishing the ethics of a question having so vital an interest for the country, I would ask the favor of an early reply covering the opinions held by you on this subject.

Yours sincerely,

JOHN BRISBEN WALKER.

that he or the man he is playing with will win, but it is not so with the stock gambler who, from a distance, trades in "the Street." He is sure to come out on the wrong side with unerring accuracy. If he loses then he loses, and that is the end of the matter. When Henry Clay's wife was asked if it did not make her feel badly to have Mr. Clay play poker she said: "Oh, no! Mr. Clay almost always wins." But the man who at long range attempts to play with the Board of Trade tiger always meets his Waterloo.

You ask me about the "ethics of a legislator's buying and selling stocks." The ethics of a legislator's going into speculation of this kind is the same as that which applies to the bank cashier or Sunday-school superintendent who undertakes the same thing.

You assume that the congressman who speculates in stocks is a designing and wicked person. It would generally be more appropriate to call him "a sucker." I believe it was Josh Billings who sagely remarked that when a man makes up his mind to be a rascal he had better have a civil service examination of himself to see if he is not better constructed for a fool. The congressional speculator in stocks is entitled more to our sympathy than to our condemnation, for he is a man of many sorrows and acquainted with grief.

There are a few remarkably shrewd, keen-witted men in public office who have by such speculation while in office made fortunes, but they are extremely rare. Nearly every man who has been fortunate in such ventures has graduated in that school before entering either the Senate or the House. Of course it is morally wrong for any member of Congress to indulge in speculation based upon his knowledge or opinion as to legislation in which he is concerned. But the political speculator is almost certain to mistake the financial effect of such enactments. He is a

much better judge of men than of markets. The gentle Israelite is sure to take the correct view of the effects of an act of Congress upon the markets. He has a sort of sixth sense that leads him unerringly to a right judgment in these things. The man who is actually turning the grindstone cannot see into it any farther than anyone else, and the legislator seldom correctly gauges the effects of his acts upon the price of stocks. We had a practical illustration of this fact when the Sherman law was passed in 1890. There probably never was an act of Congress that led so many legislators into speculation as this. When the law was passed many members of Congress backed up their judgment by buying silver bullion. For a short time they were rewarded for their faith in the advance in that commodity by some substantial profits, and then the tide turned and these lambs were shorn, not only of all their newly acquired fleece, but of the older wool as well.

It is always wrong to do wrong. It is wrong for a legislator to attempt to make money by speculation based upon his knowledge of prospective legislation. It is gratifying to know that he does not often need to be punished for his offense by the people. Wall Street almost invariably makes the punishment fit the crime. A member of Congress has no peculiar knowledge of the fact that a bill is about to pass which would influence the markets, that is not open to all men alike. Our system of government precludes this, for the bill must go through committees in two houses and be approved by the president, and its effects are always discussed by the outside public, who are as well advised as any member of Congress can possibly be.

Nothing is more common than for congressmen to ask the views of bright newspaper men as to the probability of a bill's securing a majority of the two houses. Their

point of view is very often much better than that of men actually engaged in the work of legislation.

There is no surer cure for the evil than that which the legislator's own act imposes. The legislator who goes into the stock market soon becomes a sadder and wiser man.

ALASKA

By MAJOR JOHN F. LACEY

A land of contradictions and surprise ;
A land of dayless nights and nightless days ;
Land of the midnight sun and midday stars ;
A land of distance and immensity :
The sun goes down and yet it is not night ;
The light still lingers in the rosy North ;
Or in the winter's dark the broad faced moon
And flaming lights join with the radiant stars
To light the snowy landscape like the day ;
Alaska.

Her gateway, grand, unequaled and superb,
Inviting Nature's lover to behold
Her wondrous beauty and sublimity ;
From Ketchikan to frigid Kougorok,
Where glaciers, like frozen waterfalls,
Their sources hid among the cloudy mists,
Drop icebergs green and blue, or snowy white,
Into the stillness of the icy sea ;
Alaska.

A thousand miles through inland lakes and sounds,
Amid the ancient mountains clad with snows ;
To the great pass by Skagway's rugged shore ;
Geneva, Como, Lomond, and Lucerne,
Champlain and George, the Hudson and the Alps
All rolled in one, a thousand miles in length ;
By Bennett and La Barge's deep blue lakes ;
By rushing Whitehorse Rapids' foaming stream ;

To Yukon's tawny flood which ever pours
Its rushing waters in the Bering Sea;
And flowing over sands be flecked with gold,
Forever glides the limpid Tanana
Into the turbid Yukon vast and wide;
Alaska.

The misty Nunivak, the seaman's dread;
The quaggy tundra gleaming bright with flowers,
Reeking with moisture from its icy bed;
The placid lakes in solitude profound;
The distant streams where salmon crowd to spawn,
To die and whiten shores with glistening bones;
McKinley's mount, whose peak no man has trod
And Saint Elias ever cold and white;
Rich, solitary, grand and yet severe;
But still she is alluring to the brave,
Her coffer open to no timid hand;
Alaska.

HARVEST FESTIVAL ADDRESS ¹

All of the people of the Old World look back to the origin of their race in the mists and marvels of great antiquity. Gods and goddesses were concerned in their beginning and the supernatural was freely appealed to.

But here in Iowa we have a great commonwealth whose beginnings are in the memory of living men and women who are still young enough to remember well.

An audience like that which faces me today shows that Iowa is certainly not decreasing in population, the evidence of the census taken to the contrary notwithstanding. But if we have lost some in numbers merely, the quality has not deteriorated.

Iowa in 1860 had only 764,913 people but in 1861 she began to send them to the war and more than 80,000 of her sons bore arms to the nation's defense.

We should be more concerned in the character of our citizenship than in any question of mere numbers. There were 20,000 Athenian citizens capable of bearing arms in the days of Miltiades and to them we owe the victory of Marathon which saved the Greek citizenship which has molded the history of Europe and America, and the influence of their courage and intelligence still bears fruit after twenty-three hundred years.

There were still 20,000 Athenians capable of bearing arms in the days of Demetrius Phalereus. But they were the degenerate sons of noble sires.

¹ Delivered at the Iowa State College, Ames, September 29, 1905, antedating his death, as Mrs. Bernice Lacey Sawyer writes, by eight years, almost to the hour. He spoke for an hour entirely from notes which, with the following extracts, were kept with the program, thus bearing testimony to the methodic habits of Major Lacey.

In the days of good Queen Elizabeth, her entire revenue was only \$4,000,000; and the great Philip, King of Spain, the ruler of the greatest and wealthiest monarchy of his day, had an annual revenue of \$20,000,000.

Our commonwealth believes in education. The expenses of the Iowa public school system as reported in the census of 1900 was \$10,248,989, and the money invested in school houses was \$20,389,505.

So Iowa spends for her school system a sum more than double the revenues of Queen Elizabeth.

The character of our citizenship is made in the home, the church, and the school.

To keep the water supply of a city clean is the first requirement to preserve the public health.

To elevate and purify the sources of our citizenship should be the first object of our people.

The forty-five years that have passed since 1860 have been more fruitful of results than any like period in the world's history.

The entire cost of operating the government of the United States for the year 1860 was \$77,462,102.

This would only have paid one-half of last year's pension roll.

This is a striking illustration of the magnitude of the great conflict that raged from 1861 to 1865.

But it was worth all that it cost.

In 1776 we were only 3,000,000 people but were all united in the common cause of liberty.

In 1861 we were 30,000,000 people torn by dissension and engaged in the bloodiest civil war ever witnessed.

In 1905 we were 80,000,000 again united in fraternity and loyalty. The wounds of 1861 are all healed and the sisterhood of states are vieing with each other in the race for advancement.

Mere wealth is no longer the main object of life, for the

richest citizens have learned that human sympathy is worth more than money.

On this beautiful campus I want to have you go back with me in your minds and memories to the memorable year of 1862.

This campus was then a waving and fertile prairie. Most of the people who hear me were then unborn.

The youth of our state were marshaling to arms and the wives and daughters were holding the plow or driving the mower.

The Confederate army was in sight of Washington and Mr. Lincoln could hear the thunder of the hostile guns from his bedroom in the White House. It was indeed the darkest hour of the Republic. Congress was in session devising means to preserve the Union under the darkest of adversity.

They were situated like the Roman Senate when Hannibal was besieging the Eternal City.

The proudest commendation ever bestowed upon a Roman consul was "That he never despaired of the Republic."

Hannibal's camp in front of Rome was sold in the forum at auction in the darkest hour of the siege and the purchaser's title was made good by the future victory.

On May 20, 1862, the Congress of the United States passed the homestead bill opening the public domain to the homeless people of the United States.

On July 1, 1862, they passed a bill for the construction of the Pacific railway through the unsettled and hostile regions of the Far West.

Mr. Lincoln was authorized to designate the initial point and he selected the western limit of Iowa in the city of Council Bluffs.

On the next day the same Congress, July 2, 1862, passed the bill which has brought us together today.

They passed the bill to grant a portion of the public lands to found the agricultural colleges, and this great institution born amid the shock of battle began its existence.

A vast grant of land was made to found this great institution.

The land was not held by the college as a landlord to collect rents from the toiling tenant of future years but has passed into the hands of agricultural owners.

It is dotted with farm houses, barns, and orchards, and the sons of those farmers come here to school.

I have often heard the suggestion that it was a great mistake to sell the school and college lands. But it was a wise act. The state does not have the title but the land and the farmers on the land are the great asset of the state. It is better to have tax payers than state tenantry.

The people should take care of the government and not the government take care of the people.

The ownership of the soil should be in the tillers of the soil, and to the wide distribution of our farming lands among the people is to be attributed much that is good in our state.

We are fortunate in having no great cities with their social problems in our state. With more than two and a quarter million of population our largest city has only seventy-five thousand souls.

From this vantage ground we have an ideal commonwealth.

Iowa is the very center of fertility. Go in what direction you may and the best land in each of our neighboring states is next to Iowa.

With fertile land, farms not too large, a healthful though severe climate, splendid schools and clean government Iowa has a future for us to look forward to with confidence as well as hope.

LETTER FROM COLONEL A. W. SWALM TO
MR. AND MRS. SAWYER

SOUTHAMPTON, ENGLAND, October 1, 1913

DEAR CARROLL AND BERENICE: AS sudden as death in battle came the fell news of the taking away of Major Lacey — to our complete consternation, and the deepest regret. I had just come up from town at a Church Congress meeting — and was telling Mrs. Swalm of the big men seen and heard in a great meeting of 3,000 men, when the rap of the postal messenger brought the shadow of death into the house by your cable. Yesterday I tried to express to you our sorrow, and the day and night were sad indeed. For so much of our life had been wound up with his; mine from 1855 by passing acquaintance — and you know all the rest of it!

Yesterday morning I had two letters from him, giving all the details of the 33d reunion, with a copy of the programme containing his notes as chairman, and a company badge for me in one letter, and the second giving personal particulars of the family, of Nellie being there, and the Schee present — and coupling so much tenderness about some of the boys who had not been present at the meeting, and about his going to Des Moines to appear at the Supreme Court in a case, and coming back the same afternoon. We fear that he had been running the machine at too great a speed for his age — and that the result was a break on vital lines.

But — so ends the career of a greatly useful citizen — one who did not spare himself in that common service, and whose service as time goes will loom up in its real value and its benefit alike to state and nation.

The old town without Major Lacey will be very strange. It will have lost a potent force; an individuality of the rugged sort — worthy of the line and the life that gave him to the community.

We are all anxious to hear full particulars — but meanwhile the memory of the past of this brave man will only grow the brighter as time shall whirl us all on to our own appointed end. God comfort you all, and bear our love to Nellie and the dear mother whose partner for nearly a half century has gone to join those sleeping out in Forest Cemetery.

Affectionately and sincerely,

ALBERT W. SWALM.

LETTER FROM GENERAL JAMES RUSH LINCOLN

AN EX-CONFEDERATE OFFICER¹

I desire to call attention to a characteristic of Major Lacey that circumstances made me appreciate, more than it would others, and that was the manliness and nobility of his actions in the treatment of those who were in the ranks of his foes in the War of the Rebellion.

I first met him as an ex-Confederate soldier and from that first meeting was impressed with the friendliness and broad-mindedness of the man, who I knew must have been a brave soldier.

I was impressed with his modest manner, he never assuming to have performed great or meritorious deeds, but telling of his experiences as if a humble comrade of the members of the organization with which he served.

To one who knew Major Lacey it would be unnecessary to look up his service in the official records, for the man showed what manner of soldier he had been.

I was proud of the friendly recognition I received at his hands, but still prouder of the treatment he advised others to extend to me, and though I never knew of this by any word of his, I knew from others of these many acts of sympathy, I could not fail to have an affection for such a man, and in him realize that a big, warm heart was one of the great factors that made him the success he had been.

¹ The magnanimous spirit of Major Lacey was shown in some of his addresses to old soldiers. I believe it is appropriate therefore to include a letter containing a beautiful tribute by an ex-Confederate officer, General James Rush Lincoln.—L. H. PAMMEL.

Another ex-Confederate, who died in Iowa, would gladly bear the same testimony of the gallant soldier and Christian gentleman, and I have no doubt that when he crossed over the divide, in the ranks of those who welcomed him stood some who once wore the gray.

Respectfully,

JAMES RUSH LINCOLN.

EXCERPTS FROM THE AUTOBIOGRAPHY OF
JOHN F. LACEY

EXCERPTS FROM THE AUTOBIOGRAPHY OF JOHN F. LACEY¹

COMPILED BY MISS HARRIETTE S. KELLOGG

To Eleanor Lacey Brewster and Berenice Lacey, my daughters.

I have always regretted my inadequate information in regard to my ancestors, and would highly prize any biographical notes of their lives. This subject is one which the young regard as of little importance whilst the sources of knowledge are accessible, but as the grave closes over our parents and grandparents, and as the fountains of knowledge on such subjects have gone dry we begin to thirst for information of this character.

My grandfather Lacey only died in 1870 and I have always regretted my failure to see him and make all the enquiries I could as to our family history.

I write what follows, not for the public, believing that you will appreciate it in after years.

ANCESTRY

I was born near New Martinsville, Virginia (now West Virginia), May 30, 1841. My father was John Mills Lacey and my mother was Eleanor Patten Lacey.

On my mother's side my great-grandfather, William Patten, of Berks County, Pennsylvania, was born in 1754. William was not born a Quaker but became one. He moved to Kentucky and thence to Georgia where my grandfather, Isaac Patten, was born. In 1804 my grandfather and great-grandfather moved from Georgia to Belmont County, Ohio.

¹ These excerpts were taken from a manuscript copy of the autobiography presented to Mrs. Sawyer by her father June 27, 1901.

My grandmother was Eleanor Davis, daughter of Evan Davis and Mary Davis.

Evan Davis I presume to have been of Welsh origin, as Pat Murphy is no more Irish than Evan Davis is Welsh. A few years ago at Oskaloosa, the Welsh people of Central Iowa held an Eisteddfod and a committee was sent to invite me to preside over the meeting. I accepted of course, as I always felt honored by any mark of appreciation by the Welsh people. Before separating, one of the committee said, "Have you any Welsh blood in your veins? If so, we would like to tell our people." I said, "No; but my mother's grandfather was a *Hungarian* named Evan Davis." They replied that that kind of a Hungarian would answer their purpose very well, and I was accordingly introduced as the presiding officer and announced as a descendant of a "distinguished Hungarian named Evan Davis." The little Welshmen all saw the point and welcomed me as a brother.

Isaac Patten left Georgia in the early years of the nineteenth century and settled in Belmont County, Ohio, along with other Quakers from Georgia who left that state because of the institution of slavery. Isaac Patten was the son of Wm. Patten and Rachel his wife. This is as far as I have been able to trace my mother's family. They were all of English or Welsh stock.

On the other side my grandfather, John Mills Lacey, Sr., was descended from English ancestry whose history I can trace back to about the year 1700. Robert Lacey, from whom our family descended, came from England to Virginia and settled near Norfolk. His sons, Robert and John, emigrated to Georgetown, Delaware. John was the father of Spencer, who was my great-grandfather.

My great-grandfather Spencer and his father John were both soldiers in the War of the Revolution. John was a fifer and Spencer a drummer in Colonel Neill's

regiment of Delaware Militia; both enlisted October 21, 1780. This appears from the records of the adjutant-general of Delaware at Dover.

My great-grandfather, Spencer Lacey, died in Delaware near Georgetown and I was shown the spot where the farm burying ground stood on the deserted farm a few miles southwest of Georgetown.

The custom in Delaware was to bury the dead on each farm and the state is dotted with these little family burying grounds. A giant wild grapevine grows out of the center of this little unmarked burial ground and no doubt its roots have fed on the remains of our ancestors.

John M. Lacey, Sr., is buried at Newcomerstown, Ohio, and my grandmother, Mary Hurley Clifton Lacey, at Cadiz, Ohio. Grandfather Isaac Patten and grandmother Eleanor Patten, are buried at Captine, near Patten's Mill, a few miles south of Barnesville, Ohio.

H. B. Patten, of Indianapolis, Ind., writes me that he has it from three different sources that grandfather Isaac Patten died in Indiana and was buried at Raysville in that state. This may be true, as he may have been away from home at his death, but I never so understood it. Sister May verifies H. B. Patten's statement.¹

My father, John Mills Lacey, Jr., was born at Barnesville, Ohio, August 9, 1812, and died of gravel at Oskaloosa, Iowa, May 2, 1880.

My mother, Eleanor Patten Lacey, was born in Belmont County, Ohio, October 10, 1813, and died from effects of a fracture of thigh bone at Sedalia, Missouri, March 22, 1883. Father and mother are buried at Forest Cemetery at Oskaloosa, Iowa.

Our stock therefore is English, Scotch-Irish, and Welsh. The name of Lacey is Norman, and the first of the name

¹ This paragraph occurred later on in the book but it seemed advisable to place it here. — Ed.

came over with William the Conqueror and some of them were very prominent after the conquest. De Lacey was the first viceroy of Ireland under William. Lacey built Kirkstall Abbey at Leeds, and another Lacey built the castle at Chester. The name is not a common one.

I have found some Laceys in different parts of the South and they nearly always trace their ancestry back to Virginia, apparently deriving their family name from the same stock.

It is a question much discussed as to whether a man partakes more of his ancestry or of his surroundings. But whatever I know of my ancestry I will try and faithfully record. "For when the breath of man goeth forth he shall turn again to his earth, and then all his thoughts perish." 146 Ps.

A few years ago in searching the records of our family at Georgetown, I found the manumission papers filed by Spencer Lacey freeing his slaves. This was in the early part of the present century. It appears therefore, that my grandfather Patten and great-grandfather Lacey were both washing their hands of human slavery about the same time.

My mother was born a Quaker; she lost her birthright by marrying my father, who was a Methodist. She joined the same church with my father and lived and died in that faith. She was persistent in her attendance upon the services of that church and was a constant reader during her whole life.

Her last words were, "The Lord will provide." She had just been reading the "New version of the New Testament" which I had sent her. She rose to walk across the room and fell with the unfortunate results I have described.

The year 1880 was the saddest of my life. In that year, May 2d, father died, and October 9th my only son, Ray,

died, and November 2d Marion (Dumpsie) died, both of that fell scourge, diphtheria. I have given mother's last words; Dumpsie's were, "Put away all my playthings."

The dead never grow any older. Ray and Dumpsie will always be children to me. "A happy home is the suburbs of Heaven" and when these little folks were with us, the happiest days of my life were passed.

Father was a constant reader and though not highly educated had a good common school education. Bishop Simpson and Edwin M. Stanton were his schoolmates at Cadiz, Ohio, where most of his boyhood was passed. Reared a Democrat by his father, he changed his politics in 1840 and voted for William Henry Harrison, after which he was a consistent Whig protectionist and finally a Republican, in which faith he died.

MY EARLY LIFE

I first saw light on the banks of the Ohio River, two miles above New Martinsville, West Virginia, in a little, one-roomed, log cabin, one story high, roofed with clapboards which were held in place by poles. I used to see this building in after years up to the time I was twelve years old, but it has long since disappeared. Father was a bricklayer and plasterer and was gone from home much of the time. They used to show me where the chips at the woodpile were swept back, leaving a little ridge around the house, and old Carlo the faithful watch dog would allow no one to cross that line without consent of my mother.

Father first settled in Woodsfield, Monroe County, Ohio, where Mary, Isaac, and James were born. He then moved to "Sunfish" or Clarington to join a colony about to emigrate to Texas. A party of travelers solicited the privilege of staying over night, and unfortunately they had some quilts with them in their sleigh which had been

contaminated with the small-pox. Father, mother, all the children then living, and Uncle Robert took the small-pox, and as a result the Texas colony passed by on a steamer and left them, so that father emigrated to West Virginia instead of Texas. The small-pox left sequences in the lungs of my brother James which undoubtedly produced consumption while he was a soldier in the Third Iowa Infantry. The course of life of our family was thus changed by the accident of contracting small-pox.

New Martinsville was laid out, and the new county of Wetzel created out of a part of Tyler County, and father concluded to cast his lot with the new county-seat. He purchased lots immediately opposite the court-house and here was my first recollection. The beautiful Ohio rolled by the town, and those were the days of steamboats, and the sight of those craft was one of the most pleasing things in my life.

The flood of 1847 came up four feet in our house, and the flood of 1852 came into the second story, driving us into the upper story of the court-house which stood on higher ground. The floods caused father to sell out and remove to Wheeling in 1853 and thence to Iowa. I remember John Morgan, who lived up Fishing Creek, some four miles from town. He stopped at my father's on his return from Iowa, and his description of the beauty of the state and fertility of the soil captured my father's imagination. Said he, "The weeds in Iowa all have beautiful flowers. The Spanish needle, an ugly weed in Virginia, there was a most beautiful flower." He was especially in favor of the "divide" between Skunk and Des Moines rivers and thought the little town of Oskaloosa was full of future good things. This was the first I ever heard of Oskaloosa and the name pleased my father and in 1855 he started directly for that city by water from Wheeling.

At New Martinsville Rev. J. J. Dolliver, father of Congressman J. P. Dolliver, was a frequent guest at our house, for our home always gave good cheer to the Methodist itinerant preacher.

There was no church there and Dolliver gave his only horse towards the construction of a new building. Father did the brick work almost entirely for nothing, and though I was only ten years old I did a good part at the carrying of bricks.

There was no public school system in Virginia in those days and the people of the village employed teachers on subscription. A pockmarked little bachelor Irishman, Wm. Macdonnell, was my first teacher. He was a finished scholar and he believed it was better to spoil the rod than the child. He spoiled a good many rods on me for trivial offenses but I loved the old man all the same.

Robert McEldowey was head boy in the school and I looked on him as a sure winner of the presidency in due time. He rose to a captaincy in the Confederate army and when the Civil War closed returned to the little old town where he still remains.²

The institution of slavery only existed by tolerance along the Ohio, for freedom was in sight on the hills of Ohio across the water. I remember once when I was playing on the banks of the river, suddenly a negro appeared running at full speed with the sheriff behind him and fifty men following close behind in full hue and cry. The negro turned up the bank and ran for liberty as though he was running for life. He gained on his pursuers rapidly and finally, dashing over the bank, he jumped into a skiff and rowed across the river leaving the sheriff and his followers far behind. I drew a long sigh of relief as he disappeared in the pawpaw bushes on the other shore. That was about the time of the invention of

² He died of cancer in 1900.

rubber balls, rubber shoes, and other elastic goods. It was a matter of common belief among the boys that the negro wore gum shoes and that he stepped ten feet at a step with the assistance of the elastic soles. We read the story of the seven league boots after that with a memory recurring to the footrace of that negro for liberty. My sympathies were all with the negro in that race.

The Ohio River flood of 1852 carried off our little school-house and the next school was kept in the upper story of the jail. The second story was fitted up as a debtor's prison and as arrests for debt were very rare the rooms were occupied for a school and I therefore did some of my earlier studying behind prison bars.

My little sister, Eliza Adaline, born August 21, 1850, died of whooping cough November 23, 1850. With the exception of this loss I remember no other sorrow in connection with New Martinsville.

I was only twelve years old when we left there, so that the associations of that village are full of the pleasure that makes the happiest of all creatures the lifetime of a boy. The life of a boy is full of interest. As the poet Lilly expresses it, "A wren's egg is as full of meat as a goose's egg, but there is not as much of it."

I know that these first twelve years of my life were replete with abounding health and boyish delights.

My brothers were Isaac, who was six years older than I, James, three years older, and Will, five years younger. Isaac was by force of family necessity compelled to learn father's trade of brick-mason, stone-mason and plasterer as soon as he was old enough and his opportunities for education were limited. He soon became a good workman and, if he had a desire for enlarged education, it was suppressed by the hard time of his early life.

James and myself were students from childhood and I can recall when my mother pasted a pictured sheet on the

kitchen wall from which I learned my letters and learned to read, and I remember my pride when I discovered that without teaching at all I was able to read writing or script from its resemblance to printing.

The first book of any size that I ever read was Daubigne's *History of the Reformation*, which I read aloud to mother while she sewed and patched and darned and did the household work for a young and growing family.

The "Diet at Worms" struck me as very amusing, but I became a partisan of Luther in my childhood, and have always admired his sturdy independence ever since.

Fox's *Book of Martyrs* was a logical sequel to read after Daubigne, and I read that cheerful volume at my mother's knee also. I commenced to borrow all the books in the town, covered each book carefully with paper, read it with thumb papers and returned it promptly when read, so that there was no one in the village who would not lend me any book that I wanted.

Pinnock's Goldsmith's *Roman History* I read with the same avidity as *Jack and the Beanstalk* and *Jack the Giant Killer*, and I remember all the details of the work as well as I remember all the other things which were imprinted on my mind when my memory was as susceptible of impressions as the plate of a photographer. But the most delightful period of my life was brought to an end. Father and Uncle Robert, who had recently married Nancy Engle, concluded to remove to Wheeling.

An auction sale disposed of some of our less movable goods, the old home was rented and soon afterwards sold, and one day in April, 1853, we took passage on the steamboat *Courier* for the city of Wheeling, forty miles distant, with a feeling that a great journey was being entered upon, a journey much more extensive and important it seemed, than a subsequent journey across the Atlantic. And indeed it was the starting upon a great journey for

me, for I then turned my back upon early, joyous, and buoyant childhood and entered upon the real struggle of preparing for life.

At Wheeling we rented a house on Zane Street and for the first time I saw a public school. Wheeling, with New England enterprise, had inaugurated a most excellent school system and James and I entered in the earnest work of the school. Isaac worked at his trade in summer and attended the Fourth Street Academy in winter, whilst Mary spent a year in a girl's seminary.

My father was industrious and poor, and he and Uncle Robert entered upon the work of building at once on our arrival. As James and I went up the grimy and sooty streets in the morning after our arrival, with clean faces and clean shirts and our best clothing, we were astonished to find that we attracted a good deal of attention and the boys at the alley corners would shout "Country Jake" as we passed by. We paid no attention to these taunts and kept as close together as a Macedonian phalanx as we passed through these new scenes and though some of the hoodlums threatened us, they did not attack us.

We both sought employment carrying newspapers after school hours, James getting employment with the *Intelligencer*, a Whig paper, and I with the *Argus*, the Democratic organ. We each got the princely sum of fifty cents a week, but we got exercise going over our routes at a dog trot delivering the papers after school hours, and the work built up bone and muscle that many a year after were found useful in mature life.

The fifty cents a week helped to buy school books and clothing and we both faithfully performed this work during the two years we lived in Wheeling. In the summer vacations we each worked in the printing offices for two dollars a week and on New Year's Day sold Carriers' Addresses to our patrons. I sold seven dollars' worth the

first New Year's and twenty-six on the next which showed that I had won the approval of the patrons on my route. I remember the first paper bank bill I ever owned. I got one dollar for two weeks' work. It was on the Northern Bank of Kentucky. There was a beautiful landscape on this promise to pay, and an apple tree in one corner with two apples lying on the ground under the tree.

When I attempted to use this bill in paying my fare on an excursion to Grave Creek I found it was counterfeit, and as it was all I had I watched the train pull out with much disappointment. On enquiry I found from a merchant that the bill was a sure enough counterfeit. Said he, "Johnny, do you notice the apples lying under that tree? Now there are only *two* apples there. If the bill was a good one there would be *three* apples there. Do you think you can remember that?"

After forty-six years I can answer, "Yes, I think I can remember that." In fact I could not forget it if I would try. It was my first object lesson in "sound money," and I have always been in favor of good money ever since. My employer made it good to me, but the loss fell on him and I appreciated the magnitude of his loss.

Father was a man of infinite mechanical capacity. He not only knew his own trade but he could mend a clock, build a barn, make a basket, cut stone, or do any kind of mechanical work to which he cared to turn his hand. He was not a jack-at-all-trades but he had a natural facility for turning his hand to any kind of work that I have never seen equaled. His trade only gave him employment during good weather and he abhorred idleness and spent his winters at some kind of indoor work. He cut many grave-stones and monuments and his lettering and carving were in the best of style.

My earliest recollection of any particular date is 1844, when I was three years old. Father was cutting stone in

his shop at New Martinsville. It was a cold day in late fall. He had bought me a little plush cap with small red spots on it. I tossed it up in the air at his suggestion and shouted, "Hurrah for Henry Clay." The cap at once became my "Henry Clay cap." A few days afterwards I was parching corn on the top of the little cannon stove in the shop when I took this cap and putting it against the stove raked the corn into the cap with a small stick. The cap caught fire and the whole side was burned out of it. My father at once gave me a severe flogging so that the circumstance was doubly impressed on my body and mind; and that is why I remember it so well after all these years.

Father, in his winter's work at New Martinsville, had prepared a fine freestone monument for his mother, who lies buried at Cadiz, Ohio. This monument he took out in 1854 to Cadiz to set it up over grandmother's grave. I went along with him and took my first long journey from home. This monument was long after removed by Uncle Robert, with the remains, to the new cemetery at Cadiz where it now stands. The small monument at New Martinsville over my little sister's grave and the monument at Oskaloosa over father's, mother's, and James's graves are also the workmanship of my father.

At Wheeling my father constantly discussed the project of going West. Iowa was then attracting much attention and one of our New Martinsville friends, John Morgan, visited us on his return from the West and spoke of the beauties and fertility of the new state.

In the spring of 1855 we embarked on the *Swallow*, a steamboat, at Wheeling, with passage paid to St. Louis. It was a long and interesting journey and the boat was loaded with emigrants mainly bound to Missouri, as the Virginian generally preferred a slave state.

We caught a glimpse of New Martinsville as we passed

by there in the night, and stopped for a short time, where I saw a few of the boys of my acquaintance. When I next saw them it was 1875, and twenty years had elapsed with all its vicissitudes.

At Cincinnati, Ohio, we stopped for two days, which we spent diligently seeing the city. Wm. Lacey, son of John S. Lacey, of Cadiz, was living there and he visited us. He was then in the wholesale grocery business in which he made a large fortune but died comparatively young.

I remember one particular thing at Cincinnati with great distinctness. James and I went to see Hiram Powers's "Hell." Before Powers went to Italy and carved the Greek Slave, he showed his first skill in wax figures, and designed a museum in which he exhibited his ideas of what the devil's realm would be. There was a clashing of chains, a roaring of furnaces, diabolical noises, and a variety of demons and condemned souls that I can yet see in my memory. While standing at an iron railing looking at the horrible vision, a charge of electricity went through the railing throwing us all on our knees. A constant stream of visitors was passing through the building and the electric shock seemed to be sufficient to clear the way for more visitors.

At Louisville, in going through the canal, we visited the Kentucky giant, Porter. He had retired and was keeping a public house near the canal. I wonder if he would seem as large now, but he was surely a gigantic specimen, even for Kentucky.

At St. Louis we changed boats to the beautiful side-wheeler, Thomas Swann, one of the old Wheeling and Louisville Line, and she soon took us up to the Gate City of Keokuk which was then in the height of its boom period. The landing was crowded with people and goods and it seemed like all the world was going to Iowa, or *I-owe-a*, as we called it then.

There were no railways in the state and we had brought our team from Virginia with us and we loaded our goods and started for Oskaloosa. The front of the destroyed Mormon Temple at Nauvoo rose white and beautiful in the distance when we got out on the high prairies northwest of Keokuk.

I was anxious to see a real wild and unbroken prairie and soon we began to see them, covered with waving grass and flowers. We took our time for the trip and I walked nearly all the way full of wonder and delight at everything that we saw.

Oskaloosa was a small village when we arrived, having less than one thousand people. From the time of our arrival till the present, Oskaloosa, or the county of Mahaska, has been my home.

In the summer of 1855 I helped my father, tending him at his work as a mason and plasterer, and learned the trade sufficiently during the next few years to be eligible to a bricklayers' or plasterers' union.

In the winter of 1856 James and I attended George W. Drake's Academy in the old Normal School Building and Will went to the public school.

In the spring of 1856 father moved out on the Des Moines River to the farm that he had purchased there, and we at once commenced the active work of making a farm.

The farm was part timber and brush and part prairie, so that there was a variety of work. Both game and fish were plentiful and the next few years had much of enjoyment and an unlimited amount of hard work.

In the winter of 1856 I worked for my board with Judge Wm. Loughridge, who was then state senator from Mahaska County, afterward congressman, and I attended Professor Johnson's school in the old Normal Building.

In the summer of 1857 I worked on the farm and with

my father at the plastering and bricklaying and stonemason trade, and in the winter James and I kept bachelor's hall with George Godfrey in Oskaloosa and attended the school of Professor Rowe and Professor A. Hull. In 1858 I had a repetition of the experience of 1857, but spent all my spare time in study and taught school at Frits's school-house in Monroe County during the winter. I received \$20 a month and board, but boarded around with the patrons of the school. This was an interesting life, but had many drawbacks. The year 1858 had been one of continual rain and the crops were the nearest a total failure of anything I have ever seen in Iowa. Cattle died of actual starvation and old hay and strawstacks of the year before were sold at almost fabulous prices.

In the winter of 1859 I again taught a winter school at Crowell's school-house, not far from the scene of my previous experience, and both winters I spent in most delightful study. Every Friday night both these winters, I walked home, nine miles, and there was never a more pleasing sight than the light in the window at the old home as it appeared in view when I got within two or three miles of home. A great log fire in the chimney welcomed me, and my father, mother, and such of the children as were at home, made these weekly visits sources of the greatest pleasure.

The year 1860 I again worked on the farm and James went to Shelby County, Missouri, where he taught school. In the year 1860 I had my last actual schooling. I boarded with my uncle Robert's family and attended the academy of Professor M. A. Robb. The war threatened us all winter but I put in the time with extra diligence. I studied Latin, mathematics, and many other studies. Being alone in nearly all my classes I could take as long lessons as I wished and I doubt if any boy of nineteen ever studied harder than I.

When the spring came I returned to the farm, and one day while digging post holes in the Des Moines River bottom, I heard of the firing on Sumter. Next day, with some of my neighbor's big boys, including George Godfrey, I went to Oskaloosa, to see about enlisting, and we joined Captain John H. Warren's company.

The company was not accepted in the first call, but when the second call for three year men came it was accepted and became Company H, Third Iowa Infantry. The company drilled a few weeks at Oskaloosa and finally left for the war on my twentieth birthday, May 30, 1861. At the old South Spring Mills we lined up and bade all our friends good-bye. Mother kissed James and myself and she and father gave us their blessing and we started off on the march to Eddyville, and then indeed, for the first time I cut loose from all my home moorings and thenceforth attempted to direct my life in my own way.

WITH THE THIRD IOWA INFANTRY

My connection with the Third Iowa was only from May to November 7, 1861, but that service has greatly influenced the course of my life.

My brother James was my messmate, also Wm. E. Shepherd, who had been a schoolmate and who from January 1, 1866, to January 1, 1873, was afterwards my law partner.

We organized Mess No. 5, which consisted of James F. Lacey, George Godfrey, Jesse McClure, Wm. McClure, David McClure, John McClure, Wm. E. Shepherd, John W. Mehanna, Richard Campbell, Al Lough and myself. Captain John H. Warren messed with us also during the time that I remained with the Third Iowa.

Nearly all of these boys were my neighbors and we had been long acquainted. All of them are now dead, except

Jesse McClure, David McClure, Wm. E. Shepherd, John H. Warren, and myself.

The Third Iowa had a hard service, and was literally fought out of existence. All that remained of the regiment after the bloody fight at Atlanta, where General McPherson was killed, was consolidated with the Second Iowa Infantry. The regiment organized at Keokuk and was mustered into the service June 8, 1861. The First and Second Iowa Infantry regiments were there at the same time. When Stephen A. Douglas died these three regiments marched in solemn procession behind a great catafalque in which the funeral of the deceased was symbolized. It was a hot and dusty day and my brother James showed much signs of suffering in the march and a few days after we marched in review before Major-General Samuel R. Curtis and our officers, which kept us at a shoulder arms for more than an hour at a time. When we broke ranks my brother began to bleed at the lungs, and from that hour I think he was doomed to death. It was not till February 11, 1862, that the end came. He died then at home in father's and mother's arms.

He and I had been inseparable from my earliest recollections. We were side by side in the only battle in which I fought in the Third Iowa. We campaigned together during the summer of 1861 in north Missouri and guarded the bridges of the Hannibal and St. Joe Railroad from bushwhackers during all the hot weather. On the 4th of July we celebrated the day at Utica, Missouri. We spent some weeks at Locust Creek bridge and Brookfield. In this service I was filled with malaria and on a raid to Kirksville I was taken down with chills and fever which developed into an every-other-day ague.

We chased the Confederate, General Tom Harris, and his raw levies all around over north Missouri. Under

General Pope we marched to Florida, Missouri, for a night attack, but the enemy took to the woods, leaving their fires burning. While resting in the rebel camp next day a squadron of cavalry rode into our camp. We took them for Missouri Union Militia, but Colonel Moore, afterwards of the Twenty-first Missouri, saw that they were rebels who were returning to what they supposed was their own camp, and firing at once commenced, leading to great excitement. The enemy got away and our hard march was in vain. Mark Twain was one of the Confederates under General Harris, and after this expedition he concluded to go west and grow up with the country in Nevada, where he began his literary career upon a mining newspaper.

Our regiment had a small battle at Hagar's Woods and another at Monroe. I had been left behind on guard at Brookfield. James was in these actions, and the first Iowa soldier killed in the war, Cyrus B. West of Company H, fell at Monroe. The guard was ordered to board a train and reënforce the regiment at Shelbina. I was corporal of the guard, having been made fourth corporal, and James eighth corporal, so that I had a small command of twelve men of Company H, under Lieutenant Crossley, afterward Lieutenant-Colonel Crossley. We met the regiment near Shelbina, but the fighting was over and the enemy had retired.

Colonel U. S. Grant came out to reënforce us with the Twenty-first Illinois, and we little thought the history that he would make in the next four years.

In September Colonel Atchison of the Confederate army started to Lexington, Missouri, with his new levies of troops, and the Sixteenth Illinois and Third Iowa were ordered to march after him. We expected to make a junction at Liberty, but the Sixteenth Illinois was not on time, and after waiting several hours Colonel Scott con-

cluded to follow the enemy and make the attack alone. We marched out of Liberty, towards Blue Mills Landing, and when we reached the river bottom we found five of our Missouri scouts lying dead side by side with their hats over their faces. They had been placed in a row by the roadside and we marched by with rather unpleasant forebodings.

We had a piece of artillery and a caisson along, and they were at the head of the column with a skirmish line in front. The dense undergrowth prevented the skirmishers from keeping far enough in advance and we suddenly found ourselves at close range with the enemy, who were concealed in a depression of ground, or dry bayou.

They had squirrel rifles and double-barreled shotguns and they enfiladed our men, who were marching by the right flank along the road. The artillery horses were soon killed and the gunners, after firing two rounds, were driven from their guns. The regiment scattered right and left in the woods and all fought on their own account without much system or order.

The enemy was in heavy force and well sheltered, and after a two hours' fight a retreat was ordered. Captain (afterwards General) Trumbull rushed forward with his men and drew off the cannon but the caisson fell into the enemy's hands. We lost nearly 100 men killed and wounded in this our first genuine battle. The excitement of the battle caused me to forget my ague and weakness, but when the retreat was ordered I stepped out into the road and fired a farewell shot into the smoke in the direction of the enemy and then started to obey the order to retreat. I soon found that I was wholly unable to keep up and was ready to drop with sheer exhaustion at any moment. Later in the war I would not have thought of starting out on a march in my condition of health, but we had not yet

been in a hard fight and we would have felt it a disgrace to be left behind.

I saw the enemy were following us at close range and I climbed into a cornfield and fell down repeatedly over the pumpkin vines and bent cornstalks. Finally I got through the field, when I saw that the enemy were far in advance of me, marching along the road and following up our regiment. I concluded to conceal myself in a thicket and try to rejoin my regiment at Liberty after dark.

Suddenly a squad of Rebel cavalry discovered me and one shouted, "Here is one of them now." They took my gun and my only money, a half dollar, letters from some of my friends at home, but worst of all, my box of quinine pills. They soon found I was unable to march and brought up a horse and put me on it with so much force that I went clear over and fell on the ground on the other side. One of them said, "Boys, don't you see the fellow is sick?" They then helped me on the horse with greater care and two of them started back with me towards the river. They rode on each side of me, holding my horse's reins, and each fondled a double-barreled shotgun loaded with buckshot, the copper caps gleaming maliciously from the nipples of the guns. We met several heroes in the rear of the army as we went back, and two of them wanted to show their bravery by shooting the Yankee right there and then, but my guards forbade it and said, "Don't shoot a prisoner."

Arriving at the river, we crossed on the steam ferryboat "Little Blue," a name quite typical of my then condition. We camped on the south side of the river all night and the Rebel forces were ferried across and next morning started to join General Price's army which we understood was besieging Lexington.

Next day the Third Iowa sent details to visit the field and bury our dead, after which they marched to Kansas

City. My fate was unknown for several weeks, but my name was published under the word "missing."

One of my comrades went home on furlough about that time and cheered up my sister at Hannibal and the folks at home with the statement that the heads of several of the dead were eaten off by the hogs and he thought, though he was not quite sure, that my body was one of those mutilated. It afterwards turned out that this imaginative comrade was at Brookfield during the fight. My gun, which fell into the enemy's hands, had my name on the strap, and it was a satisfaction to me to know that it was afterwards recaptured on the other side of the Mississippi by the Fifth Iowa at Iuka.

Next day we marched towards Lexington. My fever raged all day, but I kept going, and every few hundred yards we would cross a beautiful stream of spring water. I drank all I thought I wanted and when I got into our first camp the fever had ceased.

I shall always remember a jolly fellow named Ben Roar, from Quindaro. His father was a hot secessionist and had ordered Ben "to go and fight the black abolitionists." Ben came down to where the prisoners were (there were eight of us) and sang songs for our amusement. We were in charge of Colonel Green's regiment, and Mr. Holloway, one of my guards, afterwards recalled these incidents when he was doorkeeper of the committee on agriculture of the Fifty-third Congress.

On the next day, as we approached Lexington, General Price rode out to meet us and was received with immense enthusiasm.

We went into camp at Lexington in a deep ravine near where General Mulligan was besieged, and the shot and shell from Mulligan's men passed over our heads and struck the sides of the hill beyond us.

An old serjeant-major was very anxious to put the

prisoners in the front rank and give us a taste of Mulligan's fire, but his suggestion did not meet with much favor among the Confederates.

One day the order came for Colonel Green's regiment to get ready to take their places behind the hemp bales from which the enemy fired on the Union works. They all lighted fires and commenced to mold bullets and went to the front. One of them was killed that day and several wounded, and on their return they were very sullen and sad in the evening, and Ben Roar did not come around to sing his favorite song about Dives and Lazarus:

“The dogs came along and they licked his sore-um
 Oh, bless God, glory halleloojerum-um
 Oh, Mr. Dog, won't you lick a little more,-um
 Oh bless God, glory halleloojerum-um.”

How remarkable is the human memory! How many valuable things I have forgotten, and yet this senseless jargon of good natured Ben Roar no doubt will stay in my remembrance whilst I recollect anything.

Mulligan surrendered for want of water, and his men were paroled and turned loose to march to the Hannibal and St. Joe Railway. After they had gone one day the order came for our little squad, now enlarged to twelve, to go to General Price's headquarters. Price was a benevolent looking gentleman with a combination face, half Quaker and half Presbyterian. His cheeks were rosy and a pair of little English side-whiskers set off his wholly unmilitary looking countenance.

His adjutant told us to hold up our hands and take the oath, “Not to take up arms against the state of Missouri, or the Confederate States of America, during the existing war unless exchanged,” etc.

We were then turned loose and ferried over the river. At Richmond, four miles north, an old judge invited our

party all to drink with him, and a man named Harris, whom I would surely like to meet again, asked the judge if it would be all right for him to take us home with him for the night, as he lived on the road that we intended to travel. Both the Judge and Mr. Harris claimed to be secessionists, and after a conference it was determined that we should go on with Mr. Harris. We arrived at his house at dark and his family got us all a good supper and I was one of the fortunate ones who got a bed, and those for whom there were no beds slept in the barn. Next morning Mr. Harris gave us our breakfast and detailed instructions as to our journey, advising us to spend the night with a certain Mr. Green who was, he said, a Union man. I have always thought that Mr. Harris was on our side though he did not dare let us know it.

At noon we stopped at an old tavern in a cross-roads town and got a dinner of salt pork, corn bread, and water, for which we were unable to pay, but were told it was welcome, and that Mulligan's men had eaten them out so that the fare was the best and all that they had.

At dark we arrived at Mr. Green's. He and his family made us welcome, fed us the best they could, and next day hitched up teams to drive us to Hamilton, eighteen miles distant on the railroad. As we got to the edge of the town a train was just ready to pull out. We shouted and the train stopped and waited for us. There were a number of soldiers on the train and the old flag was flying from it. I never saw that banner look so lovely as it did then. I had got heartily tired of the Confederate flag and the everlasting jungle of "'Way Down South in Dixie.'" I never quite overcame my prejudice against that tune till in 1898, during the Spanish War, when all the old Union tunes and Rebel ones were mixed up by the various regimental bands.

Fremont's celebrated order, freeing the slaves and ordering all rebels shot who were taken in arms within a specified territory, was issued just before the Battle of Blue Mills, but I knew nothing of it till the Rebels showed us some St. Louis papers with the published order. As we were taken prisoners within Fremont's prescribed limit it was a game that two could play at. The Rebels read it to us and told us that for every Confederate prisoner Fremont shot they would shoot ten, and it was not very pleasant to be reminded that I was one of ten.

When we got within the Union lines this order was the subject of discussion, and the idea of freeing the slaves met with much approval. I took sides against the order, and when I pointed out the prisoner-shooting part of it, I found that our boys all agreed with me, and when Mr. Lincoln revoked the order I think that there were not many soldiers who disapproved of his action.

On arriving at our old camp at Brookfield I found it nearly empty. The men had gone from Liberty to Kansas City and my brother James was with them.

Orders soon came for us to pack up and go to Quincy, Illinois, to recruit and rest. We boarded the cattle cars and on arriving at Quincy went into a beautiful camp on the bluffs just north of the town overlooking the river. In a few days the rest of the regiment rejoined us and we spent a few weeks of the greatest enjoyment. The people of Quincy strove to make our stay agreeable. Some of our friends from Iowa took the opportunity to visit their relatives and the days sped away on swift and joyous wings.

President Lincoln refused to exchange prisoners, and ordered all on parole to be discharged. Lieutenant-Colonel Scott on November 7th discharged me under this order of the President.

James got a few days furlough and we went home to-

gether and this short furlough was the last of our pleasant personal associations.

The day we started home we got the news of Grant's battle at Belmont and of the killing and wounding of many of my good friends in the Seventh Iowa.

Thus ended my connections with the old Third Iowa, as gallant a body of men as ever shouldered muskets. Many of them served in other organizations. Major Stone became colonel of the Twenty-second Iowa and governor of Iowa. Scott became colonel of the Thirty-second Iowa; Trumbull colonel of the Ninth Iowa Cavalry and then brigadier-general.

The regiment had a great reputation for its fighting qualities and its history would be a record of the war in the west and thence with Sherman till the name of the regiment was merged in that of the Second Iowa. The boys were given to foraging. A story is told which I do not vouch for. One day in Mississippi an old planter came out to the roadside and complained to General Sherman. Said he, "Your men have taken my niggers, my mules, my turkeys, my chickens, sir, but thank God, sir, there is one thing they cannot deprive me of, sir; I still have my hope of Heaven."

Sherman replied, "Don't be sure about that for the Third Iowa Infantry will be along here in a few minutes."

It was said of the regiment that they could catch a hog, skin him and divide him without coming to a halt or breaking ranks.

These stories were fabrications, but the fact remains that the old Third Iowa were pretty skillful at foraging.

I watched the subsequent career of the old regiment with great pride. At Shiloh, at the Hatchie, at Vicksburg, on the Atlanta campaign they were always heard from in the thickest of the fray.

There are but few of them living today, and I have always felt sure that but for the accident of my capture and discharge I would have died early in the war. But I came home in November, 1861, and good home food, a good bed, and the frosty Iowa air soon fully restored me to health and by early spring no trace of malaria remained.

READING LAW

When I came home after my discharge from the Third Iowa, I commenced actively to read law. I saw Samuel A. Rice, then the leading lawyer at Oskaloosa, and attorney-general of the state. He furnished me books and I read at home through the winter. He examined me thoroughly as to my preparation for the law and I explained to him the difficulty encountered in my education. He had worked as a pilot on the Ohio to earn money to obtain his education and sympathized with my difficulties. He asked me if I had read ancient and modern history and when he found that I had read nearly everything accessible on the subject but Hume's England, he advised me to read Hume before I commenced on Blackstone, as the understanding of the law would become easier if I knew the history out of which it was evolved.

I read at home all winter and when father brought James home in February, 1862, he found me quite hard at work. I remember that he told me he believed I would make a good lawyer. That was our last talk the day before his death.

In the spring I grubbed out ten acres of jack oaks for father as my farewell contribution to making the farm and then went to Oskaloosa and continued my reading law in Rice, Myers & Rice's office.

The sounds of war filled our ears and the study of the

law seemed very dry that summer of 1862. I heard that exchange of prisoners was being negotiated and I wrote to General McKinstry at St. Louis, to ascertain if the discharged prisoners were included in the cartel. He wrote me that they were, and I again enlisted as a private in Company D, Thirty-third Iowa, under Captain John Lofland, in July, 1862.

Samuel A. Rice was commissioned colonel of the regiment, and when it was fully organized I was appointed sergeant-major and so my studies again came to an end. Though I read Willard's *Equity* afterwards at nights during the siege of Mobile in 1865, my life from July, 1862, till my return home in 1865 was that of a soldier.

MY SECOND SERVICE IN THE WAR

I soon found that the sergeant-major of a regiment has plenty of work to do and his field of usefulness is a very wide one. I made all the details of enlisted men for guard, fatigue, or other duties. They reported to me from day to day by name and soon I knew by name every man in the Thirty-third Iowa, which circumstance has given me much pleasure in my after life and was a most excellent practice in the useful art of learning names and faces. This knowledge I made valuable to the colonel in various ways and no doubt aided me in my subsequent promotion.

We rendezvoused at Oskaloosa and were quartered in barracks at the fair grounds. October 1st we were mustered in by Lieutenant Charles J. Ball, U. S. A. Colonel Rice was an indefatigable student and mastered the tactics with the greatest ease. I was well trained in the manual of arms while in the Third Iowa, and night after night I put the colonel through the drill with an old Springfield musket until he became most proficient.

Colonel Rice was brave beyond any man whom I have ever known. He soon acquired the confidence of his men.

We organized at Camp Tuttle (fair grounds) at Oskaloosa and there drilled daily until our muster in, October 1, 1862. From Camp Tuttle we went to Keokuk and thence to St. Louis where we were assigned to duty guarding Rebel prisoners. From St. Louis we were sent to the field to meet Forrest at Columbus, Kentucky. We spent a short time in service in Kentucky and Tennessee, and then went by water from Columbus, Kentucky, to Helena, Arkansas. Our camp life at Helena was productive of much sickness. We took part in the remarkable campaign by water from Helena through the Yazoo Pass, trying to take Vicksburg by a back-door entrance.

The Yazoo, Tallahatchie, Coldwater, and Mississippi were once connected by a bayou known as the Yazoo Pass. This pass had long been closed by a levee. We cut this levee and entered in high water at the upper end of the river and attempted to go to the rear of Vicksburg. The enemy hastily constructed earthworks at Greenwood and here the enterprise came to a stand. The country was inundated and we could not reach the forts and an about face was ordered.

The Yazoo and Tallahatchie had not seen the Yankee forces before and this region was the granary of the Confederates in Mississippi. A general exodus of the negroes followed us and the region became a ruin. As a war measure this was beneficial to the Union cause. The pass had been closed for a generation and had never been used for steamboats, so the coming of a vast fleet of iron-clads and transports was looked on by the slaves as marvelous or supernatural and we were received with every expression of joy by these darky friends.

On our return to Helena, we again resumed our old camp and commenced a thorough system of fortifications. One side trip to Cotton Plant, Arkansas, was made by the regiment. In May, 1863, Captain A. J. Comstock recommended me for the position of first lieutenant, vice R. F. Burden, who resigned. This took me out of the non-commissioned staff and put me in a new company. I accepted the offer, knowing that it meant considerable hostility on the part of the men with whom I must serve as there were some excellent men in the company who aspired to the same position, and my promotion over the second lieutenant was not a very pleasing thing to that official.

I knew that only two things would reconcile the men to this obtrusion of a new man into the second place in the company; one was active, persistent, and efficient attention to all the wants of the men and the demonstration of fitness which would satisfy them that I was the right man for the place. The other was a demonstration of nerve and coolness in danger, a thing which men always admire even in their enemies.

The first requirement I had a good chance to fill by as earnest work as any officer ever did in behalf of his men, but no engagement occurred while I served with the company. Colonel Rice was assigned to the command of a brigade and detailed me as acting assistant adjutant-general of the brigade and from that time until his death I was always at my post performing this duty.

In the battle of Helena, July 4, 1863, Colonel Rice commanded on the right wing. The Thirty-third Iowa of his brigade happened to be in the center and bore the brunt of the battle. Just as Price's forces made their gallant charge in the center I was in Battery A, from which I could overlook the whole battle. The charge of

the enemy on our works was one of the bravest performances of the war, but it was bravery without discretion. On they came in splendid array, with flags flying, and charged over our lines and the Thirty-third Iowa was compelled to fall back. The Union troops made a firm stand at the next ridge, using the top of a sharp ridge as a natural embankment. Fort Curtis thundered over the heads of our men, and the gunboat Tyler sent heavy shells among the Rebel ranks and all at once the enemy disappeared as if they had been swallowed up by an earthquake.

I had left my horse with an orderly just below the fort, under the shelter of the hill. I remounted and rode to Colonel Rice and reported what I had seen and he ordered me to go to General Prentiss and say to him that we could spare some reënforcements from the right of the line.

I went to General Prentiss as quickly as I could and as I met him I saw what had become of the charging enemy. They had concealed themselves in the deep ravines from our fire and there surrendered to our men.

A steamboat from Grant's army near Vicksburg landed during the battle and these prisoners were at once loaded under guard and were soon steaming away up the river, and the recent splendid line of fighting men spread over the boat a dusty mass of brown, with nothing of the heroic in their appearance.

Vicksburg surrendered the same day and the closing of Gettysburg occurred on the 3d, so the glory of the battle at Helena was overshadowed by the greatness of contemporaneous events. July 4th, 1863, was really the turning point in the great contest.

The most ghastly scene of the war, for me, was the mass of Rebel dead along the center where they broke

through our line. One could easily have walked over that part of the line stepping only on the bodies of the dead.

After this battle General F. Steele came up from Vicksburg, ordered by his old classmate, Grant, to organize an expedition against Little Rock. Steele recognized in Rice a man capable of commanding and so assigned the various regiments as to make Rice the ranking colonel of a division of three brigades and so I found myself promoted to be the assistant adjutant-general of a division, in which capacity I served during the Little Rock campaign. There was but little fighting in this campaign, for General Steele by a most masterly movement placed his cavalry on the south side of the Arkansas, and Price had to fight with the chance of being cooped up in the works or else had to retire, which latter alternative he selected and withdrew, leaving Steele in control of the line of the Arkansas River.

Rice in the meantime was appointed brigadier-general, and at once recommended me for the position of captain and assistant adjutant-general of United States volunteers.

In March, 1864, began our march towards the southwest. I will not give the details of that severe and bloody campaign. General Rice carried himself with honor and lost his life in battle. His staff was exposed with him constantly and received at the hands of the army due credit for duty well done.

Rice was wounded at Jenkins Ferry April 30th and died of his wounds July 6th following. Captain Townsend, an aide on his staff, was killed. Major Duncan, another aide, and Lieutenant Baylis of his staff each had a horse killed under him, and I had a beautiful horse killed under me by a shell at the battle of Prairie d'Anne April 10th. The strong hold that Rice and his staff had

in the affection of the army may be illustrated by an incident in my own experience. At Jenkins Ferry our train was hopelessly mired down and the wagons were destroyed and mules taken across the river to keep them from falling into the hands of the enemy. My small valise was in the headquarters wagon and I supposed had been buried with the wagon. A few days after arrival at Little Rock, after the battle, I met a soldier on the street who said to me that he had found the valise in the mud and had put it in an ambulance and brought it with him to Little Rock.

Said he, "I saw your name on it and I thought if I could do anything for General Rice, or any one connected with him that it was my duty to do so." I keep that little old canvas covered valise yet as a memento of that campaign.

Rice's first fight in the campaign was with Shelby, who attacked the rear guard April 2d, at the Terre Noir Creek. April 4th he had another fight with Marmaduke at Elkins Ford on the Little Missouri. April 10th he had a fight at Prairie d'Anne; April 15th at Poison Springs, and finally the bloody battle of Jenkins Ferry April 30th. I was hit by a minie ball during the battle, but the rain was falling and I had a poncho over my shoulders and the poncho turned the bullet aside or I should have been killed, as the ball struck me fair in the right side, just above the point of the hip. I wrote an account of General Rice at Jenkins Ferry which is published in the *Annals of Iowa*, and also an article on General Steele in the same publication.

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My promotion as assistant adjutant-general of volunteers had not yet been received when Rice died, but a few days after. I was still first lieutenant of Company C, Thirty-third Iowa, when I returned to Little Rock. I

asked to be relieved from staff duty with Colonel Salmon, who succeeded Rice, as I presumed he would prefer a German from his own regiment, the Ninth Wisconsin.

I went back to Company C and commenced duty again when one evening Major J. B. Wheeler, U. S. A., Steele's chief of engineers, rode up and called for me and said General Steele wished to see me. I went to department headquarters and Steele told me that he wanted me to serve on his staff until Rice should recover. I accepted his tender of position and at once entered on duty as an assistant to Lieutenant-Colonel W. B. Green.

In a few days after I received my commission from President Lincoln and my direct connection with the Thirty-third Iowa ceased. I found that my work with Steele was not very active, as Colonel Green could readily do most of the work in the adjutant-general's office and Major B. B. Foster had also been assigned to the same work. General J. R. West was ordered on a cavalry expedition after General Shelby in northeastern Arkansas and I volunteered as his assistant adjutant-general for the expedition. We spent a couple of weeks hunting Shelby but did not find him and I then returned to my duty at department headquarters. Refugees, deserters, and escaped prisoners were coming in daily and I organized a system to utilize all the information that could be gathered from all these and other sources in regard to the rebel army.

All such persons and all scouts were sent to me and I collected all the information that I could get from every source. I arranged these scraps of information systematically and soon had a complete roster of the Rebel army in Arkansas and Louisiana, with a pretty accurate account of the strength of every regiment, brigade, and division. Discrepancies in statements arose as to the strength of various regiments and I sifted the evidence

and made my reports on what seemed the most reliable estimate. General Steele was advised of my undertaking and approved it, but he was much surprised when I laid before him the result of my labors. About this time General Sterling Price broke through our lines and started to Missouri to invade that state and gain recruits from the secessionists there. Steele sent for me and told me to take a copy of my Rebel roster and statement of Rebel army and go to St. Louis and report to General Rosecrans who would send me to the front with introduction to General A. J. Smith.

A boat was ready at Duvall's Bluff to start to Memphis. A telegram was sent to hold her until my arrival. The Rebel citizens came into Duvall's Bluff quite freely and no doubt the word got out that the boat was to be detained presumably for dispatches. Below Duvall's Bluff there is a long bend in the river where it is many miles around but only a few miles across. Whether the enemy had notice of our coming or not at any rate they waylaid us in a short bend of the river where the pilot afterwards told me the sternwheel steamers almost invariably ran into the bank in making the turn. I was lying in my state room reading a copy of Pope's translation of the Iliad when the rattle of musketry and the shrieks of the chambermaid brought me to my feet. I immediately placed my dispatches and papers in a large envelope, put in some pistol bullets for weight and sealed the package up ready to throw overboard. This I did very rapidly under the heavy fire raking us in all directions. The vessel began to obey the rudder and swung into the stream. A soldier in the ladies' cabin called to me and said, "Here is a safe place, come and lie down by me." As he had a marble topped table turned up between him and the direction of the bullets I promptly accepted his hospitality and we lay in assured security until the boat

got out of reach of the enemy's guns. When the soldier and I got up I saw that the marble top of the table lay some distance away and we had simply the legs and frame work of the table, covered with a woolen cloth, turned up between us and the rebel musketry. But we had felt safe — in our minds.

Notwithstanding that the boat was fairly riddled with bullets no one happened to be hit. The pilot hugged close to the shore, keeping inside his armor of boiler iron but not getting close enough for the enemy to jump aboard.

At Memphis I spent a few hours while waiting for an upriver boat and while there saw one of my old friends of the state of Iowa, Captain C. R. Searle, who had been badly wounded a few days before by General Forrest's men on their raid into Memphis. I stopped at the Gayoso Hotel where Forrest had ridden into the office and one of his staff had dismounted and registered "Gen. N. B. Forrest & Staff."

I took the first boat for St. Louis where I presented my letter to General Rosecrans and after a long interview he sent me to A. J. Smith at Franklin. My documents were of value to General Smith but not worth as much as General Steele had supposed, for Price reorganized his army en route, changing brigades and divisions in such a way that the value of the information was much weakened.

I returned to Steele with letter of thanks from General Smith and resumed my work. Steele sent copies of my reports to General Canby, who at once detailed an officer for similar work upon his staff and inaugurated my system throughout the military division of the Mississippi. I was gratified to see that my labors were thus appreciated by skilled West Point soldiers such as Canby and Steele. I was only twenty-three years old, but I found

myself freely called upon for the most difficult work on the staff. Colonel Wood of the Eleventh Missouri Cavalry now offered me a position as major in his regiment. General E. A. Carr also offered me a position as his adjutant-general. Steele was relieved from the command of the department and ordered to report to General Canby for service in the Mobile campaign. As my place was only temporary with Steele I thought best to consult him about these two offers. He promptly replied, "My present staff with but few exceptions is attached to the Department of Arkansas. You are not one of the regular corps of staff officers so assigned by the War Department and I want you to go with me to my new field as my adjutant-general."

This was a much better position than either of the others tendered and I accepted and in December, 1864, went with the general to New Orleans and reported to Canby. On January 1, 1865, I was required to report to the adjutant-general of the army what duty I was on and as for a few days General Steele was unassigned I reported that fact and later on in April, while in the trenches besieging Blakely and when I was adjutant-general of Steele's command of about 20,000 men, I received an order from the War Department to go to Virginia and report for duty to General Godfrey Weitzel of the Twenty-fifth Corps (colored). This is not, however, in the chronological order of my story. I laid the order before General Steele and he took the liberty to retain me and asked the War Department to revoke the order as he could not spare me.

Later on, General Weitzel reported to me as Steele's adjutant-general in Texas where Weitzel was sent to join and report to Steele. I there complied with the order formally. Weitzel told me to stay with Steele and he would report to me. But to return: Canby directed

Steele to proceed with the organization of troops for the Mobile campaign. The regiments reported at Kenner-ville, twelve miles above New Orleans, and were there reshipped for Mobile Bay and Barrancas, near Pensacola.

We afterwards followed the troops, spending a week at Fort Morgan and then went to Barrancas. Steele's army reorganized there and he sent Colonel A. B. Spurling's cavalry brigade from Milton up into Alabama while the infantry marched by way of Pollard to Blakely.

Spurling made a brilliant raid through Alabama, capturing more men than his own brigade amounted to. We met General Claxton near Pollard, badly wounded him, and captured nearly all his brigade.

We met the enemy near Blakely and drove them into the works and at once entered upon a regular siege. At Spanish Fort many of our old army of Arkansas troops took part in the siege, including the Thirty-third Iowa and Steele's old regiment the Eighth Iowa Infantry.

I will not give the details of this siege. On April 9th we charged the works and took them by storm. I went into the works with Steele who joined the charging party of the Thirty-fourth Iowa. Lee surrendered to Grant that same morning at Appomattox, but we did not know it, and so the storming at Blakely was the last real battle of the war.

General Canby recommended me for a brevet for this campaign and I was brevetted major. Grant had requested Canby to give Steele the Thirteenth Corps which would have given me the rank of lieutenant-colonel and A. A. G., but Canby gave the corps to Granger and gave Steele an independent command composed of part of Granger's corps, the colored division of Hawkins, and a force of cavalry. The position was a better one for Steele but prevented his staff from obtaining corps rank.

For some months I had foreseen the collapse of the

Confederacy and was considering the course I should take on my return home. As I intended to practice law I wanted to prepare myself for admission to the bar as early as I could so I took up my law books again and carried some of them with me to read. During the siege of Mobile I read Willard's *Equity* in my tent at night after completing my official work for the day. An occasional shell lighting near my tent somewhat diverted my mind from the principles of equity, but I found it good mental training, for if one could read a dry book under the fire of siege guns he could study law almost anywhere.

When we captured Mobile, Steele was next sent to Montgomery, Alabama, with a large force of transports. General A. J. Smith marched by land to the same place. Some conflict arose as to whether Steele or Smith should command the forces in Northern Alabama. Steele assumed and held the command as the ranking officer for a time. Here I first met Captain C. A. Boutelle, U. S. Volunteer Navy, afterward congressman from Maine. Poor Boutelle. He since died demented. He brought up dispatches announcing that the Sherman-Johnston truce was declared off and that hostilities must be resumed. The difficulty was not long in adjusting itself and there was no more fighting.

On the way up the river we had met a flag of truce in a skiff announcing the cessation of hostilities, which was greeted with great cheering.

We returned to Mobile and there were ordered to Texas to capture E. Kirby Smith and at the same time make a diversion in favor of Juarez in his contest with Maximilian in Mexico. We crossed the Gulf, landing at Brazos, Santiago. The French fleet came up and paid us a visit, the officers being quite anxious to know what so large a force (42,000) could have to do in that part of Texas.

At Brownsville we met Cortina, the Liberal leader, and Mejia, the Imperial general, who was afterwards shot at Querétaro with Maximilian and Miramon. Mejia was a full blooded Aztec. Cortina had been a bandit and was a Spaniard in blood. Speaking of Mejia he said, "He is one baboon dressed up in magnificent uniform." Poor Mejia! He died like a hero, though they compelled him to turn his back to the firing squad while Maximilian was given the honor of facing his executioners.

When I saw the three stone crosses marking the scene of this execution in 1895, I was carried back thirty years to the summer of 1865 at Brownsville and Matamoras.

The breakbone fever, a kind of substitute for yellow fever, broke out in July along the Rio Grande. Everybody took it and I along with the rest. An order had been issued by the War Department authorizing officers holding commissions from the President to be sent home, there to report for muster out. I availed myself of this order and General Steele got out of a sick bed and wrote a very complimentary general order relieving me from duty and directing me to return to my home for discharge. I crossed the Gulf of Mexico and took boat at New Orleans for St. Louis and Keokuk, and home by rail. On my arrival at home I spent a few days visiting home and friends and then made arrangements for immediately commencing the practice of the law. I was at once employed in some cases and it was necessary that I should be admitted to the bar before the approaching term at Oskaloosa, so I went to Fairfield and there took the examination and was duly admitted by Judge Wm. Loughridge (afterwards congressman).

I had been engaged to be married to Miss Mattie Newell for more than three years and now there was no reason for further delay in our marriage except the uncertainty of being able to make a living. We resolved to take the

chances, and accordingly, September 18, 1865, I opened up a law office and on the 19th we were married. When my discharge came from the adjutant-general's office a few days later it was also dated on the 19th of September.

I was not ready for the practice of the law but what was better I knew of my inadequate preparation. My studies had been broken into by the war. I had had a splendid school in the study of men and officers and perhaps that has been worth more to me than a more thorough study of books would have been. But I immediately commenced to make good my shortcomings by steady unintermitting study which I have kept up ever since.

I may add that after my exchange and reënlistment in July, 1862, I did not lose an hour's time from duty until after the end of the war when I was discharged. My entire service was about three years and eight months, my final discharge bearing date September 19, 1865.

THE PRACTICE OF LAW

I commenced practice with inadequate preparation, as I have already stated, but I only just began to read law when I commenced active practice. From 1865 to 1888, twenty-three years, I worked from twelve to sixteen hours a day at my profession. It was my custom, though, not to abandon my other studies, but to always keep some good book on hand to read in course. If I went to Sigourney or Knoxville to try a case I had the book with me which I was then reading and any spare time that I might have on hand coming or going, or while waiting for my turn in court, I spent in study or reading.

The number of books that I have thus read is very large. By taking up outside studies in this way a professional man may broaden the range of his vision and prevent the tendency to narrowness which too close application to a single profession is apt to occasion.

I studied geology with great pleasure, also took up astronomy and read all kinds of history and literature. It became my custom, as soon as I could afford it, to take a month's vacation every year and travel somewhere, always going to a new place each time, thus visiting every state in the Union and every territory but Alaska.³ I did not travel for my health but by this travel and annual relaxation kept my health in spite of the intensity of my professional employment. In 1878 my wife and I took a journey to Europe, visiting England, Scotland, France, Italy, Belgium, Holland, Germany, and Switzerland. In 1884 we again visited Europe and journeyed through Ireland, England, France, Germany, Austria, Belgium, and Italy, visiting Rome on this journey. In these days of easy travel it will not be necessary to spend any time in describing the familiar scenes through which we traveled. There is no knowledge so easily obtained as that which is absorbed by a wide-awake traveler. The days are long in summer in the high altitude of Europe, and much sight-seeing may be done between sun and sun. We traveled too hard and tried to see too much, as Americans are apt to do. In journal letters written daily to the children at home we gave a faithful chronicle of both these tours of Europe. In those days Mrs. Lacey was a good traveler and kept up with the procession, even though it was a rapid one.

In 1869 I was solicited by many of my old comrades to stand for the legislature. I was nominated by a primary election and elected by a large majority and took part in the deliberations of the Thirteenth General Assembly. I served on the judiciary committee and several minor committees.

I resolved then to keep out of active personal politics and though taking part in all political contests I refused

³ Major Lacey visited Alaska in 1907.

to enter in any contest for personal political preferment and devoted my time to my business.

In 1870 I wrote and published the *Third Iowa Digest*, a volume of Iowa law, being a continuation of the previous digests of Judge Dillon and Professor Hammond.

In 1875 I published the first volume of *Lacey's Railway Digest* and in 1884 the second volume. This work included all cases of railway law in the English language from the time of the invention of railways to the year 1884, including Australian, Canadian, and English cases. The work involved in the preparation of these two large volumes was very great. The work speedily passed into the hands of all practitioners of railway law. My royalty on the volumes was not an adequate compensation for the labor involved, but it was of great value to me in the practice of my profession to have actually examined personally every railway case in the English language, and to have digested the same. I was called into the trial of many railway cases and by employment in that line of work received many very satisfactory fees, thus obtaining my reward for the work done.

My name was in 1872 brought up in the Republican convention for circuit judge, but I did not actively seek the position and was fortunately not nominated for the position. Going upon the bench would have withdrawn me from the active practice which had now become second nature to me. I tried cases continually in all the courts, state and federal, and for thirty years no Iowa report was published that did not contain one or more of my cases. I have preserved in bound volumes the printed records of my cases in the Supreme Court of Iowa and other courts in which the records are printed, and the record is quite a voluminous one.

I was fortunate in the selection of a location for the practice of the law on one account, and that was the

strength of the local bar. The best school for a lawyer is the trial of cases among strong lawyers. Philip Myers, of the old firm of Rice, Myers & Rice, quit business soon after I came to the bar, but I learned his office methods by reading law with him when I was on parole in 1862. Judge Wm. H. Seevers, Judge J. A. L. Crookham, Lieutenant-Governor John R. Needham, Attorney-General and Congressman M. E. Cutts, Judge and Congressman Wm. Loughridge, Judge J. Kelley Johnson were among the gentlemen whom I was called upon to meet of the older bar, while J. B. Bolton, Judge Ben McCoy, and Liston McMillen were among the younger members. At Knoxville I had to meet Governor Stone and Judge Ayers; at Newton, Judge D. Ryan and Judge H. S. Winslow; at Sigourney, Colonel C. H. Mackey, Judge and Congressman E. S. Sampson, and Geo. D. Woodin. All these men were good lawyers and some of them exceptionally strong. In the United States courts and the Iowa Supreme Court I met the bar from all over the state.

There is scarcely any kind of a case, civil or criminal, that I have not tried. It has been my custom in every case to go to the bottom of it. If it involved an injury to an arm I studied the anatomy of the arm as carefully as any surgeon would have done. If it involved a question of insanity I obtained and read every work on the subject. In short it has been a pleasure to me, for I loved work, to study every question that might arise in the progress of each case as it came up. I might at any time have availed myself of my special knowledge of railway law by taking employment with one of the great railway corporations and growing up in its business. From a financial point of view I should have done this, but there was always a fascination in the general practice. I liked a multitude of clients. I liked to have them take their turns waiting for me to consider their cases. I shrunk

from throwing up the independence of a numerous, individual clientage and placing myself where a railway superintendent or board of directors of a single corporation might turn me out to commence life over again. And so it was that I continued to put my nose to the legal grindstone and watched the sparks fly in the practice of Iowa.

It is well understood that it is this kind of practice that makes the best lawyers. The attorney whose business compels him to take and study every kind of a case becomes an all-around lawyer. The specialist may become very skillful in his work but he cannot be a broad lawyer.

The best and most successful lawyers in the great cities are those who have first traveled the hard and laborious path of general practice in smaller places where specializing was impracticable.

In 1865 I formed a partnership with my old schoolmate and comrade of the Third Iowa Infantry, Wm. E. Shepherd. The firm was Lacey & Shepherd. Unfortunately for Mr. Shepherd he had had sufficient political influence to secure the appointment of postmaster at Oskaloosa, and though at first it seemed that the salary of the office (\$1600) was a considerable addition to the resources of the firm, it soon became a disadvantage, for our business rapidly grew, and Mr. Shepherd was compelled to attend to his affairs in the postoffice and found it difficult to keep up with the rapid growth of the business of the firm. Our partnership was most pleasant and we kept it up till 1873 when Mr. Shepherd emigrated to California, selling out to me, and my brother, Wm. R. Lacey, took his place and the firm became John F. & Wm. R. Lacey. One of the most interesting cases tried by me was that of the State vs. Pleasant Anderson, tried in 1883. Anderson was charged with a most brutal murder and was acquitted. His neighbors near Blakesburg, Iowa, took him out

afterwards and hung him, believing him to be guilty, a belief that I did not share. They placed a noose around his neck and took him in a sled to the scene of the murder and tying the rope to a limb were about to pull the sled out from under him when Anderson called to a little boy to come and pull off his boots so that he might not "die with his boots on."

This incident illustrates the character and coolness of the man, but it did not soften the hearts of the men who had resolved upon his death. Whilst I did not refuse criminal practice I never sought it and it bore a small proportion to my general business.

My practice in the various courts in southern Iowa enlarged my acquaintance and led to many suggestions of nomination for office, and especially for Congress. I did not care to have my business broken into by the uncertainties and labor of a personal political contest and up to 1888 gave no serious thought to any of these suggestions. I had held the position of city solicitor one term, and alderman one term, but these places interfered but little with my usual professional life.

MY CONGRESSIONAL LIFE ⁴

My bill for the protection of the lives of miners in the territories was my favorite measure. The gases in the Indian Territory mines were a source of dreadful danger there and I foresaw that unless some proper legislation was had there would be a great slaughter some day in these mines. I got copies of all the mining laws of all

⁴ Major Lacey's story of his congressional life is intensely interesting and not only records personal history in connection with important committee work and the passage of noteworthy bills but includes many anecdotes of public men that are vastly entertaining. It is unfortunate that the limitations of this volume forbid the printing of the complete manuscript of forty-seven pages but it is to be hoped that in the near future the entire account may be published. The report of one bill is given here.

the states and territories and also of England and her colonies, and then prepared a short but effective bill for the territories. The bill was delayed in the House, but finally was reported favorably and passed. In the Senate I followed it up and obtained a favorable report and it was placed upon the calendar. I pressed it for action there but could not get it up until the last day of the last session of the Fifty-first Congress. As I had been defeated for the Fifty-second Congress this day was my last opportunity. It must all be gone over again in another Congress. I went to the Senate and it was called up and unanimous consent asked to put it on its passage. John Sherman objected. I went to Mr. Sherman and proposed to explain the bill and he declined to hear me. Said he, "This is the last day of the session and this is too important a bill to go through without discussion by unanimous consent." I conceded the force of his objection but said I could explain the necessity in a moment, but he said he had no time and could not hear me and must insist on his objection. I replied with much feeling and earnestness, "Senator Sherman, the passage of this bill is imperatively necessary. Hundreds of human lives are at stake. If this bill passes it will be of no personal advantage to you, but if it fails on your objection you will not soon hear the last of it. There are many thousand of miners in Ohio. If the bill passes they will recognize that Congress has not neglected their brethren in the territories. But if the bill fails because of your objection, you will probably soon hear of a fearful slaughter by a gas explosion and everybody will then demand of you to know why you killed this bill."

I struck the senator in the weak point. The rule in the Senate is said to be that "No one cares what happens, so that it does not happen to him," and the senator at once saw what might happen to him, and was also im-

pressed by my earnestness and he promised to examine the bill.

He did so and it was called up again. Senator Sherman arose and said that "This was the same bill that he had objected to, but that he had taken pains to carefully examine it and withdrew all objections and hoped the bill would pass." This statement prevented any further objection and the bill passed. It was then after eleven o'clock and the Congress adjourned *sine die* at twelve. I hurried back to the House, Mr. Reed put me on the committee on enrolled bills as a temporary additional member to hasten the enrollment of some delayed bills, and I took pains to get this bill in the hands of President Harrison just in time for him to sign it, four minutes before twelve, it being the last bill signed in the Fifty-first Congress. But it was too late for an appropriation in that session and before the next session a great explosion occurred in Indian Territory mines by which sixty-seven men were killed or badly wounded.

At the next session President Harrison sent a special message to the Congress asking an immediate appropriation to put the law in operation, and it has since been in successful operation without amendment and has proved a great blessing to the miners there.

Though many of the miners of Iowa have always a strong tendency to populism and visionary monetary schemes, yet they have treated me with kind consideration because of this bill. Though it is not likely that it gained me any votes among them, it disarmed active hostility and no doubt has been of personal advantage to me.

IOWA PARK AND FORESTRY ASSOCIATION

REPORT FOR 1913

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SOME RETURNS FROM FOREST PLANTATIONS IN IOWA¹

BY T. R. TRUAX, AMES

In a determination of the profits accruing from tree planting on a commercial basis, one is met with many difficulties. Plantations in Iowa, that have been set out with the express purpose of producing timber and properly managed with that object in view, are scarce. Where such do exist, insufficient accurate data on the cost of establishment, age of trees, early care and cultivation, thinnings, etc., make conclusions often indefinite and conditional. However, such conditions tend to reduce the apparent profits rather than to make them appear excessive. For instance, plantations are more liable to be neglected than to receive excessive care and the corresponding results will be less than if the plantations had received proper treatment. Under such circumstances, conclusions may often be only conditionally correct.

In approaching the subject of forest planting in Iowa, it might be well to review briefly the forestry situation here.

The timbered area of the state may be divided into native and planted woodlots. Estimates of the native timbered areas vary from five to fifteen per cent of the total area of the state. Probably a more rational estimate would be from seven to ten per cent. Seven per cent would mean approximately 2,500,000 acres.

The area of planted woodlots, which has been on the

¹ Address before the meeting of the Iowa Park and Forestry Association and Iowa State Horticultural Society, December, 1913.

steady increase, is estimated at approximately 210,000 acres or less than one per cent of the state's area. An increase in this area will come about only by a fuller realization of the protective value of trees as windbreaks to growing crops or as shelter belts to farm buildings and live stock, and by an extension of forest plantations for the production of forest products.

The demand for forest products has increased in spite of the substitutions which have been made for wood. As fast as a satisfactory substitute is found for wood, additional utilities call it into use. So the demand for wood is still on the increase.

The advance in the prices of forest products is well known. Posts, poles, lumber, etc., have gone up at a rapid rate and still continue. "This high cost," wrote Dr. H. P. Baker five years ago, "has led many residents of the state to take steps toward managing their farm woodlots so as to obtain greater returns from them by growing their own fence posts and repair material. This tendency toward the practice of forestry was largely brought about by the Bixby Forestry Bill, passed by the legislature in 1906, which provides that "lands occupied by woodlots and groves be given a taxable value of \$1.00 per acre," if certain conditions of the bill are complied with. Professor G. B. MacDonald estimates that the combined industries of the state are consuming forest products, in all probability, from eight to ten times faster than produced and that the average woodlands of the state are producing only about thirty per cent of their possible output of wood products. This means that if the timbered lands of the state were 100 per cent efficient, they would produce only one-third of that consumed at the present time. As consumption increases, the proportion provided by the state will grow smaller unless additional timber is planted.

This leads to a consideration of tree planting on a commercial basis, as compared with other crops. Iowa is preëminently an agricultural state and the planting of trees will probably always be secondary. Planted groves were established in the early days with the object of protection primarily in view. Quick growing species were selected often without any idea of their value as timber producers. But the limited supply of native timber and the rapidly advancing prices have stimulated the planting of trees for the production of posts, poles, and lumber, even on some of Iowa's better soils.

A number of plantations over the state have been examined the past few years by the Experiment Station of the State College. Several different species have been planted in the state but only three will be mentioned here — catalpa, cottonwood, and white pine.

CATALPA

The catalpa is an excellent fence post tree. It is rapid growing where adapted, but is unsafe planted in the north one-third of the state unless protected. It produces a wood that is light, soft, porous, very durable, seasons easily without warping, and does not check badly. It requires a good, rich, moist soil — does best on corn soil. Should be set out from one-year-old seedlings and cultivated the first two or three years. Best spacing of tree is in rows six feet apart and three or four feet in the rows. The catalpa should be grown on a rotation of from fifteen to eighteen years as it is liable to attack by a fungus (*Polyporous versicolor*) after that age, which destroys the wood. By that time the trees are large enough to cut two posts each. If the trees are cut while they are in a thrifty condition, vigorous sprouts will arise from the stump and produce a second crop of posts in about twelve or fourteen years. This second crop will practi-

cally equal the first cutting in number and value. The posts will be straighter and have fewer limbs.

The plantation established on the Agricultural Experiment Station grounds shows that trees growing on three-year-old roots, when cut back to the ground, will send up sprouts six to twelve feet tall and to two inches in diameter, during the first season.

One of the best plantations in the state, located one-half mile from South Amana, which has been free from pasturing from the time of planting, was measured in 1911. At that time the trees were twenty-six years old and showed a stand of 795 posts on the ground. But approximately 1,250 posts had been removed previously, making a total production for the acre of 2,045 posts. Figuring the posts at twenty cents apiece gave a gross return of \$409 per acre. Deducting the cost of establishment, including preparation of soil, planting, cost of seedlings, cultivation and care estimated at \$20 on five per cent compound interest, gave an annual return of \$13 per acre. The spacing of the trees in this case was 9x5 feet.

Results worked out by Professor C. A. Scott in 1911, and printed in an Agricultural Experiment Station *Bulletin*, No. 120, indicate an annual return per acre in different sections of the state varying from \$10.77 to \$20.34, depending on quality of soil, care, spacing, rotation, etc. In these results, Professor Scott did not deduct the cost of establishment but in some cases indicated that the wood and posts which had been previously cut would fully pay for the cost of establishment and care. Such was the case of the plantation yielding \$20.34 per acre.

Reducing the average annual income to an accumulative yearly rental on five per cent compound interest would result as follows:

For the South Amana plantation a yearly rental of

\$7.10 per acre; for the plantations measured by Professor Scott, a yearly rental of from \$7.18 to \$10.43 per acre. Figured at four per cent compound interest, the yearly rental would be as follows: For South Amana plantation, \$8.47; for those measured by Professor Scott, from \$6.85 to \$12.12.

For the production of lumber on a commercial basis, cottonwood and white pine are preëminently first in Iowa. Both have a wide range of soil and moisture conditions, but the white pine is best suited to the poorer soils and steeper slopes on bluff lands, e. g., along the Mississippi River. Thousands of acres of scrubby hardwoods may be improved by underplanting with white pine. The cottonwood is a moisture loving tree and gives best results when planted on moist bottom lands.

WHITE PINE

White pine is a valuable tree whether planted for wind-breaks, shelter belts, or in a plantation for the production of lumber. It grows under a great variety of climate and soil conditions. Grows especially well in eastern Iowa, being native to that section of the state. It produces a wood that is soft, light, straight grained, easy to work, and shrinks and warps less than any other commercial pine. As a lumber it probably has a greater variety of uses than that of any other tree in the country. It commands a very high price in the market.

Unlike the catalpa, white pine gives excellent results on very poor soils. It is best, however, on well-drained sandy or clay loam. It should be propagated from the seed and three-year-old transplants used for planting. The spacing for production of lumber should be 6x6 feet. The cost of planting will vary from \$8.00 to \$12.00, depending on conditions. The trees require no cultivation but must be protected from grazing and fire. The time

of rotation will depend on size of material desired, but may be grown profitably on a rotation of fifty to sixty years. The white pine will commonly grow a foot or more in height a year and one-half an inch in diameter.

According to Iowa Agricultural Experiment Station *Bulletin*, No. 142, one plantation reached an average height of twenty-six feet and an average diameter of fourteen inches in twenty-five years. The total average yield in this plantation was estimated at 15,000 board feet. Figuring the cost of establishment at \$8 per acre on five per cent compound interest and the stumpage value of the timber at \$15 per thousand, gives a net return of \$197.04 per acre or \$7.88 annual income per acre. Reduced to an accumulative yearly rental on five per cent compound interest, equals \$4.14 per acre. The rotation here would be too short to give best results.

Another plantation with trees spaced 8x8 feet apart yielded 35,000 board feet per acre in fifty years. Figuring the lumber at a stumpage price of \$15 per thousand and the cost of planting \$8 per acre plus compound interest at one per cent, would give a net return of \$433.32 per acre or \$8.67 per acre per year. A yearly rental of \$2 per acre compounded at five per cent would equal the approximate return. Another plantation on the farm of F. H. Shoultes, near McGregor, is described as being two and one-half acres of pure white pine with the trees spaced irregularly, about 8x10 feet. The trees were set out in 1893 as three-year-old transplants and measured in 1912. At that time they averaged thirty-two feet in height and thirteen inches in diameter, yielding a yearly rental of approximately \$6 per acre. Spacing here was too great for best results. Two other plantations were cited in the above bulletin, one yielding an average annual income of \$10 per acre over a period of thirty-five

years and the other \$12 per acre over a slightly shorter period.

The returns from white pine plantations are largest when grown for the production of lumber of a high grade. As a producer of posts, poles, or fuel, it does not compare favorably with many other trees. If planted as a shelter belt on good land with a few rows of white cedar on either side, it would afford very excellent protection and a lot of high-grade lumber when mature. On the poorer lands, the value of which is small for agricultural purposes, the white pine will give very favorable returns.

COTTONWOOD

The cottonwood is probably the most rapid growing tree in Iowa. Many trees show an average growth of one inch in diameter a year for the first twenty years. In the juvenile stage growth is extremely rapid. Measurements of a three-year-old plantation, established at the Iowa Experiment Station on land subject to overflow, show that trees of that age average two and eight-tenths inches in diameter and seventeen feet in height. Because of its rapid growth and tall, straight bole, it is a valuable lumber producer.

Cottonwood does best on a low bottom land where moisture is abundant. It produces a wood that is light and strong but warps considerably when exposed to the weather. Used as dimension material or for flooring, it is very good. It is also used for paper pulp in some sections of the country. May be propagated with seedlings or cuttings. Should be spaced 8x8 feet on moist ground.

A large number of plantations examined the past summer show a great difference in returns. When planted on moist soil, and properly spaced, cottonwood shows

very excellent returns on a thirty-five or forty-year rotation. On dry situations, returns are greatly reduced. Planted in single rows, cottonwood shows startling growth and exceedingly high returns.

A plantation near Ackley, on moist soil and spaced about 8x12 feet on a forty-year rotation, was estimated to produce 37,000 board feet of lumber and forty cords of wood per acre. With the lumber on the stump worth \$10 per thousand and the wood \$2.50 per cord, the gross returns from an acre equaled \$470. Deducting the cost of establishment figured at five per cent compound interest, would leave net returns of \$441.50 or \$11 per acre. Reduced to the basis of an accumulative yearly rental on five per cent compound interest, equals \$3.65 per acre and at four per cent, \$4.65 per acre.

A five-acre plantation five miles northwest of Boyden, on soil of medium moisture, trees spaced 8x11 feet, and planted forty years ago, was measured. An estimate gave an average stand of 42,500 board feet of lumber and forty cords of wood per acre. Figured on the same basis as above, gave a net return of \$496.50 per acre or an annual rental on the land of \$4.11 and \$5.22, figured on five and four per cent compound interest respectively.

A third plantation, aged thirty-two years, four miles southwest of Orange City, on low land, showed an estimated net return of \$281.50 or \$8.50 per acre. A forty-year-old plantation in Kossuth county, growing on moist bottom land, yielded a return of 37,000 board feet of lumber and about thirty cords of fire wood per acre, or approximately \$10.40 per acre annual returns.

Planted in single rows, cottonwood produces even larger returns. Quoting from Experiment Station *Bulletin*, No. 142: "Mr. C. Anderson, of Schaller, Iowa, harvested a portion of a single row of cottonwoods in the spring of 1911. The trees were then thirty-three years old.

The row, one-half mile in length, contained a total of 107 trees; of this number eighty-six were cut, sawing out 40,000 feet of lumber. Eighty cords of wood composed of large limbs, slabs, and edgings, remained for firewood. The twenty-one trees left would cut 8,000 feet of lumber and fifteen cords of wood. If to this is added the loss from high stumps (average three feet), the total for the single row, one-half mile long, would be 52,000 feet of lumber and ninety-five cords of wood. This represents an annual return of \$30.33, after deducting the cost of establishing and care, figured at five per cent compound interest, and not taking into account the value derived from the row of trees for purposes of protection." Reduced to an accumulative yearly rental of five per cent compound interest it equals \$18.33. A single row of sixty-four trees, forty-one years old, located two miles northeast of Whiting, Iowa, scaled 41,500 board feet of lumber and 130 cords of wood, giving an annual return of \$17.80 for the row.

In reducing the average annual income to an accumulative yearly rental bearing compound interest, the rates used were four and five per cent. In this respect, a forest crop is not directly comparable to a farm crop for the former represents a long time investment and the latter a short time. Interest rates are usually less for long time investments.

The above returns are based only on the value of a plantation as a timber producer. If properly placed, however, a woodlot may have a large value as a shelter belt to farm buildings and stock, or as a windbreak to crops. The conclusion of C. G. Bates in *Forest Service Bulletin*, No. 86, after an exhaustive study of windbreaks, is that, "the protection afforded by the most efficient grove windbreaks amounted to the yield of a strip three times as wide as the height of the trees." And a plan-

tation may be made a most efficient windbreak by planting on either side a few good windbreak trees, as spruce, cedar, mulberry, etc.

It would seem from all investigational work then that good returns may be obtained from white pine on poor soils; from cottonwood on moist lowlands; and from catalpa on Iowa's better soils. And, if rightly located, a plantation may pay for itself as a windbreak and in addition yield good, clear profits on the land as a timber producer.

NEGLECTED STATE PROPERTY ¹

BY THOMAS H. MACBRIDE

In considering the final disposition of our Iowa meandered lakes there is one point of view which, so far as I have noted, has not received appropriate consideration.

The point I would make is this: All such waters are property of the state indeed, but property thus far absolutely ignored, uncared-for, and neglected.

There is no doubt of the public utility of these lakes; people have been using them all these years; had the state in the meantime cared for them in any reasonable way, the question of the services and usefulness of any one of them had never been raised.

Suppose the capitol grounds had been treated to the same neglect; by this time, or even long ago, people holding lots on capitol hill would have been petitioning for space about the big building — space for cow lots, hen-houses and the like, just as now certain people are clamoring for the soil covered by our few small, rural lakes.

But now, the state having in the years past taken care of the capitol grounds by expending some hundreds of thousands of dollars in making them beautiful, we are ready to spend some millions more to make them larger, finer, more splendid still.

I am not one to oppose the present forward movement in Des Moines. There are those who will recall that I have long ago, in public lecture, urged this very thing, but now I do call upon the people of Iowa to show them-

¹ From the *Register and Leader* (Des Moines, Iowa), August 1, 1914.

selves consistent, to play fairly with the country folk, and while spending vast sums to beautify the capitol and all public gardens, I urge that the state immediately take steps to improve and develop its rural holdings, its lake property.

Here no city is interested, but thousands of country people are.

To take one illustration: For many years I have been visiting the Dickinson County lakes. When I first came to the shores of the lakes, and for many years after, it was a common thing on Saturday to see families coming by all roads to spend the afternoon and even Sunday, the "week-end," if you please, under the oaks and by these lovely waters. Such a thing is practically impossible now. Every foot of shore line has passed into private ownership, so exclusive as to shut out the country people almost entirely.

The state should own here a park for everybody.

But this is not all. The state owns the lakes themselves. They are today without the slightest care or management. Barbed wire fences run across their beaches; the lake shore is the watering place for cattle and swine; filth may be cast or drained into these beautiful waters; the weeds may choke the filling shallows and intercommunicating channels, and the state of Iowa cares for none of these things.

Now what is the point? Let the state indeed care for its own; not in Des Moines only, but at Spirit Lake and Wall Lake and Clear Lake and even Rush Lake, and everywhere else. How? By putting them under a custodian who shall enforce such legislation as we have, and suggest other as need may require; who shall be authorized to spend public money to conserve the state's rural property, not less, say, than one dollar for each ten spent in the city; to dredge and deepen all the lakes we have;

to make them everywhere easily approachable and serviceable, parks for our country people, for all the people.

We have none too many lakes; all too few. Some are no doubt rush lakes; but dredge these, plant their borders, where not wooded — cottonwoods will do — and make them civic centers; then you may go on at Des Moines and elsewhere and spend public funds for needed enlargement, and protests will surely be fewer when men once behold a widespread, all-embracing public policy, the impartiality of a great commonwealth.

THE PRESERVATION OF SOME OF IOWA'S INTERESTING SPOTS

BY L. H. PAMMEL

The average person in Iowa when you speak of historic spots without doubt thinks of the landmarks in the settlement of the state, or where some Indian battle has been fought, or where some other event has occurred that naturally belongs to the history of our commonwealth. In writing this short paper, I have in mind many places in the state that are a part of the geologic history, something for the future student of natural history and the geology of Iowa. Now is the time to make a beginning in the preservation of some of the beauty spots in Iowa. These places invariably contain some interesting reminder of what this state was like in bygone geological ages. No place in the state has more interesting topographic and botanical features than northeastern Iowa. The late Dr. Calvin somewhere called it the "Switzerland of Iowa." Its rugged hills, covered with trees of diverse kinds, many interesting plants, some of which belong to regions to the north of us, the perennial springs and beautiful streams such as one can only find in a limestone country, and many a modest home up in the little valleys make one think of a mountainous country. These hills do not have the legends of the Rhine, nor its history, though the Black Hawk War saw some struggles between the white man and that intrepid chief, Black Hawk, but the military road that came from old Fort Crawford to the present site of Fort Atkinson and the old Post Tavern in Postville, are interesting reminders that this re-

gion has some history worthy of record. The old mounds in the region have been zealously explored by Hon. Ellison Orr and a number of archæologists.

I am, however, more interested in the plants found here. Along the Yellow River, which comes from several large springs, and near one of its sources, there occurs the balsam fir, a tree rare in Iowa, since it occurs nowhere else in the state in a wild condition, and it is several hundred miles to any other native balsam in Wisconsin and Minnesota. Its roots, anchored in the limestone rock, with cold air coming from the crevices, and the spire-like top rising above the white birch, make it a unique tree among trees in this vicinity. In the cool of the crevices of this rock, a northern aconite, diervilla, high bush cranberry, the little blue bells, etc., are found. Here may be seen the white pine, which is a much more common tree in the region. This region should be preserved for, not only the future botanists of this state, but the future citizens as well.

Places like the Yellow River, the Devil's Backbone on the Maquoketa, and the Palisades of the Cedar near Cedar Rapids, Steamboat Rock in Hardin county, and the Ledges in Boone county, are all famous from the standpoint of natural history, and should be preserved from despoliation. Some of these places are being ruined by careless people who do not appreciate their full significance. They could be made pleasure grounds and still not destroy the fine shade trees. The Ledges have practically been destroyed from the point of shade trees. When I went there twenty-four years ago there was a good undergrowth in the valley of Pease Creek, with a fine lot of rock elm, hard maple, pignut, walnut, red elm, and other trees. Most of these trees are dead, and the place is covered with a rank growth of sweet clover and other weeds.

There are a few other places in the state that have a remarkable assemblage of plants. The distribution is quite as remarkable. Steamboat Rock, Hardin County, has another assemblage of boreal plants. The cherry birch is rare in the state, the nearest point near Osage, and in Allamakee County, Iowa, and in LaCrosse County, Wisconsin. There are several kinds of ferns rare in the state. Another interesting point is found near Muscatine, where the most southern distribution of the white pine occurs. Unlike the other localities, we have here a number of southern plants that here reach their northern distribution.

The Ledges in Boone county are equally interesting from the botanical standpoint, and there is a most interesting locality near Fort Dodge.

In all these localities sandstone is the predominating feature of the region except the Yellow River, which is limestone. It is also interesting to note that a similar region occurs near Starved Rock, Illinois, where somewhat similar plants occur. I believe that the state of Iowa should do something towards keeping a few of the favored regions not only for the sake of history, but for the student and pleasure seeker. Names will often indicate what some of the characteristic plants are; thus, in Hardin County, there is a Pine Creek where the white pine occurred. Trees four feet in diameter were cut here.

There are many other places in the state which might well be set aside as state parks. Much of the region along the Mississippi is not fit for agriculture; its scenery is said, by those who are familiar with the Rhine, to be as beautiful as the Rhine. Nestled among the green clothed hills are small villages, that remind one of the conditions in our mountain country. A large variety of deciduous trees find a congenial home on the steep hillsides. This same region has little value for agricultural



Balsam Fir and White Birch. Yellow River, Allamakee County,
Iowa. (L. H. Pammel.)

purposes and may be made to yield handsome returns in the way of wood. There is no better place for a highway to connect St. Louis, Keokuk, Clinton, Davenport, Dubuque, LaCrosse, and St. Paul. The material for the highway is at hand. I believe the important cities along the Mississippi might well join the states and national government for a series of parks along the Mississippi River.

OUR IOWA LAKES

Iowa is fortunate in having a few lakes which are used as pleasure resorts. At one time these lakes were numerous, some have long since been drained, others are in the process of draining. What shall be done with these lakes? Many persons believe they should be drained, except the larger lakes; others believe the lakes should be dammed and made pleasure resorts. As a protest against the draining of Iowa lakes, the writer sent a communication to several papers in the state. The following was the communication sent to the *Ames Tribune*:

In your issue of last week you had a timely editorial on Rush Lake. If I understand correctly some one has purchased the land around Rush Lake with the idea of asking the state to declare the land swamp land so that he may put in a drainage ditch, remove the water, and get possession of the land for farming purposes.

The writer has taken some interest in preserving the lakes of Iowa for pleasure seekers. These lakes belong to the people. I do not know how valuable the lakes may be for fishing, but I assume that like all other Iowa lakes there is some good fishing, and that it affords considerable sport for those who are inclined that way. I also assume that there may be some sport for the hunter; these lakes were all skirted with timber. I am not especially interested in fishing or hunting, but I am intensely interested in preserving as many Iowa lakes as we can for the citizens of Iowa. There are only a few left but I hope that every effort will be made to keep what we have if possible.

Some years ago my friend, Mr. Paige, of Fort Dodge, became very much interested in preserving the former beautiful little lake near Laurens. In my feeble way I tried to help Mr. Paige but without much success. The lake was drained. I hope the citizens of Iowa and especially such as live near Rush Lake, will use every effort to keep this lake from going into the hands of speculators.

The following editorial in the Cedar Rapids *Republican* on this matter fully expresses the sentiments of a large number of persons in the state:

Prof. L. H. Pammel, of Ames, has issued an appeal for the preservation of the remaining lakes of Iowa. His appeal is the outcome of a proposition to drain what is known as Rush Lake, a very respectable lake, as lakes go in Iowa. He calls attention to the fact that we have been disposing of our lakes to make farms out of their beds. Many a pretty lake has been drained to make farms.

Professor Pammel's appeal is timely and it is just. We have plenty of farm land in Iowa. What we most lack are pleasure grounds. We might well wish that we had many more lakes, not fewer ones. We could find good use for bodies of water. Thousands of Iowans go many miles to find the lakes of other states. Iowa has a few groups of good lakes; the Spirit-Okoboji group, Clear Lake, and Storm Lake are all desirable resorts, frequented every season by thousands of people. The smaller lakes also are popular as neighborhood resorts. We can better spare the little farm land that is involved than sacrifice them.

The *Register and Leader*, of Des Moines, has championed the cause of the preservation of the lakes of Iowa in several editorials and its columns have been open for discussion of this problem. Rev. Albert B. Adams in the columns of the *Register and Leader* makes a strong plea for the conservation of the lakes. He says:

The hunters should organize and take some steps toward the conservation of our natural game preserves. There has been very much said about the conservation of natural resources of most every description; and very much stress has been placed

upon the influence of these upon the precipitation that Iowa is needing so much this year and many other years. The lakes are a blessing to the climate, the atmosphere, and the land. This greed for land at song prices in Iowa is just as bad as the greed for the gold fields of Alaska or the forests of the west by the selfish plutocrats. The hunters should organize in every county in the state and see to it that this wholesale devastation of things necessary to maintain the right conditions of climate and soil is stopped.

Every year in the eastern part of this county (Pottawattamie) near Avoca there is some commotion as to what to do with the deer running at large in that vicinity. Last winter the state tried to crate some for shipment with such discouraging failure that it had to be abandoned. The thing to do is for the state to buy several thousand acres of woodland in that part of the state and park it for the deer and herd them there for sport and revenue.

Iowa is going against nature and will wake up some day out of her folly. Down in Kansas they are turning things upside down in creating lakes large and small.

A ten acre lake or a ten thousand acre lake is worth just as much as a ten acre or a ten thousand acre corn field. Save the lakes and have game birds, and fish, and climate, and rain, and crops, and health, and justice to all classes of pleasure seekers in the realms of nature.

The Fort Dodge *Chronicle* editorially says:

Iowa has no lakes that can be spared, and instead of draining what few we have, the effort instead should be to make them all habitable for fish and then liberally stock them.

There is a practical side as well. Down in Kansas they are making lakes to provide a water supply in times of drouth such as that state has experienced this year. Iowa has not yet experienced a shortage of moisture for her growing crops, but that is not saying that such a thing may not come to pass in the future if all our small lakes are sacrificed to the greed of land grabbers and men who are looking for ditching contracts.

The time to prevent the draining of the lakes has arrived, and whether or not success crowns the effort will depend upon the

energy and effort put forth without further delay. The outdoor sports have had their say and have set to work. Let all who object to draining the lakes get behind and push.

After an investigation of Rush Lake, the writer made this comment in the *Register and Leader*,¹ of Des Moines, and the *Arrow*,² of Rolfe, Iowa:

Since my interest in the matter has become known I have received a batch of letters from people in the vicinity who are not in favor of the draining of Rush Lake. Rush Lake and Pickerel Lake are of the same type of meandered lakes, with high banks for the most part and bordered by a fringe of timber. Nothing much need be said of Pickerel Lake, because the citizens of the two counties have paid for the erection of a dam at the outlet, thus preserving it.

Rush Lake has a large drainage area; it receives the waters of Mud Lake above, which is to be drained or is in the process of being drained. All of this water must find its outlet through Rush Lake. By placing a concrete dam at the outlet, about 150 feet long, and an earth dam at each side of this to connect with the higher grade, the water would be raised to a depth of four to six feet in Rush Lake. This would involve flooding some land belonging to private owners at the upper end of the lake. This should be purchased by the state. If this were done the lake would not be a menace to the public health. It would make a fine place for fishing and hunting. I am firmly convinced that the lake would be much more than a mere duck pond. It would be a place where the people of Palo Alto, Pocahontas, Buena Vista, and Clay counties could spend a most enjoyable day these hot days. People would come to it for miles with their autos and carriages.

To sum it up, Rush Lake should be preserved. The state should take care of it. It belongs to all the people of the state. I have interviewed dozens of persons in different sections of Iowa since this agitation began, and without fail they have said "retain the lake." Let the state take care of it.

¹ August 1, 1913.

² August 7, 1913.

There has also been much protest against the drainage of Wall Lake. The opinions as to the advisability of the drainage of this lake are by no means unanimous. The sportsmen and many farmers protested against the drainage as reported in the *Register and Leader*.³ Mr. N. M. O'Connor⁴ in an earlier issue pointed out that the lake early in the season has much clear water and can be made not only a beautiful sheet of water but a fine place for the breeding of water fowl, just as Mr. R. L. Cobb, of Marathon, found in Rush Lake. The thing to do is to dredge the lakes and then throw dikes across the lower ends, according to the *Register and Leader*.⁵ The executive council reached this agreement after hearing E. C. Hinshaw, the fish and game warden, give the results of his experiments in stocking Medium Lake with fish. Mr. Hinshaw presented statistics to show that the fish in our lakes could be made most profitable. In thirty days an aggregate of 10,800 fish were taken from Lake Okoboji.

Our lakes can be materially improved by planting hardy trees on the shores. The shores of many are well drained and therefore well suited for the growth of trees. Such an experiment is being undertaken by Prof. G. B. MacDonald of the department of forestry of Iowa State College, at Lake Okoboji. Mr. Truax, writing in the *Register and Leader*, says:

The beautiful lake region, surpassed by but few in all the country, owes its charm primarily to two distinct features—the clear water and the wooded slopes. The clear water, however, is the result of the forests, and the beauty of the lakes therefore reverts either directly or indirectly to the influence of the forest banks.

If we intend to conserve what was produced in the past,

³ October 17, 1913.

⁴ October 9, 1913.

⁵ January 21, 1914.

other features of our natural history should be conserved. Our wild plants, many of which are being exterminated, should be protected; not so much because of their commercial value as for the lesson they may be to future students of botany. We have one type of formation rather frequent in northern Iowa, the peat bog, that is interesting to the student of botany. I would not advocate the keeping of many of these, but a few of the most typical should be kept. Dr. Dachnowski⁶ of the State University of Ohio, in a paper on peat bogs states that the growth is assumed to be about one foot in two hundred years. Iowa peat has considerable value as shown by Dr. Beyer.⁷ Certainly a large number of most interesting plants occur in the peat bog.⁸

In conclusion, I hope it will be possible for the state of Iowa to acquire some of the interesting places in the state for park purposes, to so legislate that our small lakes may be improved and made into pleasure resorts.

⁶ "Peat Deposits of Ohio." *Bulletin Iowa Geological Survey*, ser. iv, 16:19.

⁷ Iowa Geological Survey.

⁸ L. H. Pammel, "Flora of Iowa Peat Bogs." *Report Iowa Geological Survey*, 19:739.

GET ACQUAINTED WITH THE BIRDS

By FLORENCE KELLOGG¹

Through the efforts of such men as William T. Hornaday, we are beginning to realize how valuable to us the birds are and how important it is that they should be protected. The busy little fellow darting up and down the trunk of a tree, poking his inquisitive beak into the bark, or flying to a nest full of hungry, wide-open mouths with a fat worm or grasshopper, is not merely trying to keep down the high cost of living for his family and himself; he is also helping every hour of the day to reduce the number of insect pests which would mean destruction to the trees which give us fruit and shade.

And it would seem that the birds, themselves, know that people are beginning to understand their value to society and do not wish to do them harm, for they appear to grow more friendly and sociable every year. If you have never yet paid much attention to your feathered neighbors, look about you a little more closely and you will be surprised to find what an interesting and absorbing study it is.

John Burroughs, in one of his articles on birds, in *Wake Robin*, speaks of the rose-breasted grosbeak as being somewhat rare and hard to find in the community where he lived, but either they have become more common since that book was written, or are more common in Iowa than in New England, for these gay little songsters have been building every spring for several years in the trees

¹ Miss Kellogg's father was a comrade of Major Lacey in the army. The article was written for the *Register and Leader*.

close to our house and this spring were even seen hopping about familiarly, eating and drinking in the chicken yard, as unconcerned as robins.

If you live at the edge of town, with a grove or orchard near by, you may be able to discover several varieties of birds without leaving your own yard. And if you will go out a little further into the woods and fields, you will be well rewarded for the walk, in the number of new bird acquaintances you can make.

Just now is the ideal time of the whole year to study them, too; the foliage on the trees is not yet dense enough to hide them, the males are wearing their brightest colors and singing their best songs, and the nest-building is just under way. It is a little early for the warblers, but you will find two or three varieties of woodpeckers, nut-hatches and creepers, sparrows, thrushes, wrens, orioles, and, in fact, enough different kinds of birds to keep you busy consulting a guide book to classify them.

There are some very good little pocket guides to birds, with colored illustrations, which give, in compact form, the information which an amateur bird student needs in identifying new acquaintances among the birds. And if you can procure a pair of field glasses, the study will be all the more fascinating, as they will help to bring into close range some tiny songster in the top of a tree.

But if you have never before made a study of the subject, you will be surprised to find how many different kinds of birds live in your locality. Nearly everyone is familiar with the robin, meadow lark, blue bird, and the ever present English sparrow and blue jay, although there are no doubt many who cannot distinguish the song or call of even these common birds. Can you? If so, you are ready to go further afield in your studies, for the first step in identifying a new bird is by his song. When you detect a new note or call, follow it up until you discover

its owner and then consult your bird guide for the classification. You will soon be gratified to find how many new bird friends you have found and how much more interest it lends to every walk in the woods and fields.

PROTECT THE MIGRATORY BIRDS¹

By CHARLES F. CLARKE

I am in receipt of a telegram from W. T. Hornaday of the New York Zoological park, which reads as follows:

NEW YORK, N. Y., April 11.

Charles F. Clarke, Adel, Iowa.

The federal migratory bird law is in danger of being rendered ineffective through lack of funds to meet legitimate costs of enforcement. Senator Robinson of Arkansas is trying to cut out all funds from the agricultural appropriation bill. Arouse your state to demand of your senators \$100,000. Quick and strong action is imperative.

W. T. HORNADAY.

Certainly Mr. Hornaday ought to be loyally supported in his effort to have the migratory bird law made effective. Especially here in Iowa should the people give their support unqualifiedly to the efforts to preserve the birds. Probably there has never been any place in the entire world which has been a home for as many and varied species of migratory waterfowl as has been the territory in the upper Mississippi valley now embraced within the limits of the state of Iowa. When the pioneers first crossed the Mississippi River and stepped on the soil of Iowa they stepped on a hunter's paradise. When the ice of the great river was breaking up and when it went creaking and cracking through the willows along the shore the flight of waterfowl from the south was on. And will the people of Iowa ever see such a sight again?

Then the land was new. No one but the Indian made it his home. The wild things of nature were undisturbed.

¹ Written for the *Register and Leader*, April 16, 1914.

The deer lived in the bottoms along the river, the lordly elk shook his mane in the morning breeze and from the rugged bluffs that overlooked the father of waters greeted the sunrise with challenge of freedom and defiance. The buffalo roamed the prairies that extended westward toward the setting sun and on the high prairies far toward the Missouri River the antelope in graceful bands grazed on the grass of the prairie. But behold the waterfowl on their spring journey to the northland. With the utter abandon of perfect freedom they came in long lines over the southern horizon — great V-shaped flocks of geese and brant and innumerable hundreds and thousands of mallard and teal, widgeon and pintail, and all the rest of the wonderful and beautiful array of feathered folk that make up the galaxy of America's waterfowl. Whoever saw that flight of ducks and geese on a bright spring morning a little over a half century ago must have felt a thrill of life in his soul that made him glad to be alive and that made him worship at the shrine of nature pure and undefiled as it was on that glorious morning. Out of the bayous along the shore where the willows and cottonwoods grew in profusion the feathered throng kept coming and going. With whistling wings grand flocks of mallards would swish by with a rush and alight with a splash in the nearby water and at the same time with loud splashing and quacking others of the birds would rise laboriously up through the trees and make off northward until they were lost in the rosy depths of the sky. And still they came, immense flocks of them streaming northward with joyous honks and quacks heralding the morning, the springtime, and proclaiming the grand goodness of life. And as the ducks and geese came northward, as every bend in the magnificent river afforded rest and shelter for the waterfowl, as the sandbars were crowded with the Canadian geese choosing their mates and making

ready for the new season, the song birds also voiced their gladness and as the sun's rays gradually dispelled the white mists of the river and the deep gloom of the heavily wooded shores, the whole grand chorus of robins, black-birds, and a myriad others hardy enough to go northward with the ducks, chirruped and caroled the gladness of the morning. It was a wonderful sight — a glorious experience for those who saw it and heard it and felt it. Truly it must have seemed the dawn of creation itself when the great Creator made the earth and sky, the rivers and the sea, and peopled them all with a glorious throng.

But will it ever be seen in Iowa again? Will it ever be heard or felt or experienced? The elk and the buffalo are gone, the antelope are no more in Iowa and probably never will be. And the feathered throng of waterfowl and songsters that come up the river in the spring have dwindled to sadly decimated numbers, and the glory and freedom of the new day has very largely departed. The ducks and geese now come in scattered flocks, the song of birds has decreased in volume, the woods along the shore have in a large measure disappeared, and the river itself is not the mighty and full flowing stream that it used to be. The pigeons that once were seen in greater numbers than even the waterfowl have vanished from the face of the earth. They will never be seen again.

The pioneer who first stepped on Iowa soil stepped on a promised land. He saw it in its primitive, elemental glory. The hawthorn and wild crab-apple trees were in bloom, the grass of the prairie extended westward in gentle undulations like a wonderful lawn interspersed with clumps of budding and flowering trees. Over the soggy prairie the wild swan winged his way, and in the evening glow of sunset could be made out flocks of sand-hill cranes laboriously winging their way northward, while their guttural but musical notes came faintly to the

ear from a great height in the soft air of spring. In the morning when the sun again flooded this new land with light, the booming of prairie chickens could be heard on every hand, and flocks of them could be seen swiftly flying from one part of the prairie to another. The marshes and lakes were being filled with waterfowl that stopped in Iowa to spend the summer and raise the young ducklings which should add their number to the already multitudinous numbers that flew over the fair land of Iowa.

The pioneer came into a promised land but he was greedy for the treasures that the land offered and thinking that such incredible numbers of wild creatures could never be destroyed and thinking that such boundless acres could never lose their fertility and thinking that such great stretches of woodland could never be cut down, he began with all his might to slay and destroy and confiscate. The result is that we have a great commercialized civilization in Iowa but many of the very fairest and rarest of Iowa's treasures have been trodden under foot.

Civilization in Iowa is on a commercial basis. The esthetic, the ideal, the beautiful, the elemental has had to give way before commercialism. As a people our character has suffered as a result. We miss from life things that should not be missed. The modern tendency is to disregard everything primitive, everything elemental, as being relics of barbarism. Nevertheless the poet who penned the following lines probably had a deeper insight into life than has any captain of industry:

They saw the silences
Move by and beckon; saw the forms,
The very beards, of burly storms,
And heard them talk like sounding seas.
They saw the snowy mountains rolled
And heaved along the nameless lands
Like mighty billows; saw the gold

Of awful sunsets; saw the blush
 Of sudden-dawn, and felt the hush
 Of heaven when the day sat down
 And hid his face in dusky hands.

And Walt Whitman probably was more deeply happy when he wrote the following lines than was ever any man to whom Nature means nothing:

In vain the speeding of shyness,
 In vain the elk takes to the inner passes of the woods . . .
 Where geese nip their food with short jerks,
 Where sundown shadows lengthen over the limitless prairie,
 Where herds of buffalo make a crawling spread of the square
 miles, far and near,
 Where winter wolves bark amid wastes of snow and ice-clad
 trees. . .
 The moose, large as an ox, cornered by hunters, plunging with
 his forefeet, the hoofs as sharp as knives, . . .
 The blazing fire at night, the sweet taste of supper, the talk, the
 bed of hemlock boughs, and the bear skin.

Indeed so far have commercial ideals governed us that we cannot now produce any literature that will compare with what was written a few generations ago. And this is not an idle statement. It is made deliberately and for this reason — that in the literature of a few generations ago there was a deeper realization of the presence of a Creator of the universe in all things and this realization was more especially felt through a love of nature and things elemental and things primitive. For instance Cooper's *Leatherstocking* in speaking of his religion and of his scorn for books says:

“ 'Tis open before your eyes, and he who owns it is not niggard of its use. I have heard it said that there are men who read in books to convince themselves there is a God. I know not but man may so deform his works in the settlement, as to leave that which is so clear in the wilderness a matter of doubt among traders and priests. If

any such there be, and he will follow me from sun to sun, through the windings of the forest, he shall see enough to teach him that he is a fool, and that the greatest of his folly lies in striving to rise to the level of One he can never equal, be it in goodness, or be it in power.”

Even our religion has come to be largely a matter of form and in it as in literature there is much refinement of learning but little genuine faith or reverence.

We have gone far away from things elemental, from things primitive that are deeply associated with and inseparable from healthy, normal, vigorous life. We need to get back to the things we have lost and certainly a good beginning would be to assist in the effort to get Congress to appropriate money to enforce the federal migratory bird law and get back so far as possible the song birds and waterfowl that have been slaughtered so ruthlessly for half a century.

This, then, is an earnest appeal to everyone to write to the Iowa senators to support the effort to raise \$100,000 for the purpose of enforcing the federal law.

And for fear of appearing two-faced the writer of this article must declare that ever since he has been able to carry a gun he has hunted ducks and geese and other game birds, and that he has sat by the hour in a howling northwest wind near the edge of some prairie pond in the hope of getting one or two shots at ducks that might chance to come his way. He must say further that there is no sport or pastime that rests nearer his heart than duck shooting, but in spite of it all he will gladly put up his gun during the spring season to the end that the birds may be restored to something like their former numbers, and that his children's children may see the sandhill crane in the sunset glow and hear the ducks and geese passing northward in the night.

Let us all respond to Mr. Hornaday's appeal.

DEFEND THE BIRDS OF IOWA

By EZRA COLQUHOUN

“If insect pests cause a loss of \$700,000,000 annually in agricultural products of the United States it is high time we were taking steps to eliminate them,” said Prof. L. H. Pammel of Iowa State College. Dr. Pammel is very much interested in the study of agricultural conditions in the country and has written two valuable books on *Poisonous Plants* and *Weeds of the Farm and Garden*.

Were it not for the birds of the country this great loss, which was taken from an estimate of entomologists, would be very much greater. In fact without certain birds in the country, successful agriculture would be practically impossible.

Eight hundred and seventy five tons of weed seeds per annum are consumed by the tree sparrow in the state of Iowa, according to the biological division of the United States department of agriculture. This is based upon the conservative estimate that each sparrow eats one-fourth of an ounce of seed per day.

Usually falsely accused of robbery, the barn owl is “one of the most helpful birds of all.” In a single owl’s nest 3,000 skulls were found, ninety-seven per cent of which were field mice, house mice, and common rats. A great many insect-eating birds should be allowed to live for their benefits to agriculture if for no other reason. The ruffed grouse and Franklin’s gull are two birds that live almost entirely upon insects.

Much of the recent discussion on the preservation of the lakes of Iowa, instituted last fall by Dr. Pammel, is based

on the belief that the lakes are necessary breeding places for Iowa birds. "Not only should the lakes be preserved but the state should purchase some of the land surrounding the lakes and together let them serve as a breeding place and harbor for birds," said he.

Certain birds, as the cooper's hawk and sharp shinned hawk, are not desirable to harbor, yet on the whole birds are absolutely essential to agricultural conditions; and should be allowed to increase their numbers. If all the lakes of Iowa are to be drained and the surrounding timber destroyed, the birds will seek a new dwelling place and the agricultural conditions suffer accordingly.

WHAT BIRD CONSERVATION MEANS ¹

By T. C. STEPHENS

The *Journal* of April 16 and 17 contains an anonymous interview attacking the principles of bird conservation, and some legislation for that purpose, which seems to call for some reply. There are two or three specific points which I wish to review.

I am familiar with a good deal of the scientific literature on the crow and the bluejay, and I am not aware that there is any great plea for the protection of these birds. There is a good deal of literature discussing their value pro and con. The result of careful study seems to show that they are not wholly injurious. This fact, however, need not be twisted into a plea for their protection. Of course, the gunners wish to have the support of the farmers, and if they can make it appear that the "bug bird" men are working for the protection of two nuisances, they know that we will suffer in the estimation of the farmer, whose support we also greatly desire.

When the crow becomes so decreased in numbers as to be in danger of extermination, it may be time to say a word in his behalf; but there seems to be no occasion for that now. A great deal can be said against the bounty on crows or any other animals. It has proved a failure in practically every other state where it has been placed on the statute books. In Pennsylvania under a bounty act on hawks and owls (the Scalp act) it was estimated that the state (by counties) lost \$2,105 for every dollar saved. However, I will not discuss this point further.

¹ From the *Sioux City Journal*, April 22, 1914.

The crow is specially exempted from protection under the state law, but the bluejay is not; the latter is not specially mentioned for protection under the federal law, and there may be a question whether it is included by inference or not. At any rate it would be safer at present to refrain from killing even a bluejay.

The gun club representative directs his attack chiefly against the Audubon societies. It is true that this organization had a great deal to do with the passage of the migratory bird law. But the bill might never have been put through without the vigorous backing of the American Game Protective Association. This new bird law is supported and upheld also by the League of American Sportsmen, the Camp Fire Club of America, the Boone and Crockett Club, and perhaps every other national organization of American sportsmen. The "cranks" in the Department of Agriculture are not the only advocates of conservation, by any means. Every true sportsman the country over, as his attention is drawn to the matter, heartily enlists in the cause of wild life conservation. How can a respectable man do otherwise? What gun club man will stand up and advocate shooting any species out of existence?

Allow me to make one other minor correction. The reference to Iowa being a black spot on the map, in regard to progressive game protection, was not my statement, as the quotation marks clearly indicated, but was extracted from a longer article by that great pioneer in American game protection, Dr. W. T. Hornaday. I wish that everyone might read the entire article and also his recent book on *Our Vanishing Wild Life*, which is in the public library.

Now there are hunters and sportsmen. Everyone who buys a license to shoot is not a sportsman, by a long shot. There is a certain stamina and principle of fair play in

the makeup of a sportsman that is partly or wholly lacking in the hunter or gunner. The latter is only contented when he sees the bird or animal fall headlong to the ground. He loves to kill. He is saturated with blood lust. He takes no interest or pleasure in nature, with its beauties, except as it hides him from his fellow man while he commits murder on some small, defenseless bird or beast. How long will our local gun clubs tolerate such standards in the name of sportsmanship? The mere gunner has not the energy, and perhaps the intelligence, to study the habits of the animal and make the hunt a game of skill, always giving the animal an equal chance for its life.

A true sportsman never shoots an animal in or on the water. True sportsmen are coming to realize the unfairness of the pump and automatic shotguns in the hunting of birds. They are tools of the game hog. The sportsman is sometimes thoughtless in such matters, but the game hog has no sense of shame.

Now the bird lovers throughout this state do not desire to see the sportsman deprived of his hunting. It is for this reason that we advocate moderation. Game is not as plentiful now as it was fifteen and fifty years ago. With the settlement of the country it hasn't the chance for existence that it had then. We cannot kill with the reckless impunity of earlier days, without the inevitable result of extermination. Our wild game will go the same road that did the great auk, the Labrador duck, the Eskimo curlew, the Carolina paroquet and the passenger pigeon, never again to be seen on the face of the earth; to be known to future generations only by pictures and stuffed skins. What right have hunters to do this? They make the mistake in supposing that the song birds and insectivorous birds belong to the people who study birds without a gun,

while the game birds belong to the hunters who pay license fees to the state. Nothing could be more in error. The game birds as well as the song birds belong to all of the people, and we have right to demand that they be protected from extermination, or even serious approach to it. We owe this to the future just as we owe the conservation of the forests, the soil, the mineral resources, etc. Besides, the conservation of the game birds is in the interest of the sportsmen; and real sportsmen see it clearly.

Last year Missouri reduced the daily bag limit on birds from twenty-five to ten. Last year Illinois, Kansas, Missouri, Ohio, and South Dakota either extended the closed season on quail, or gave them absolute protection for five years, at least. When a similar bill to protect the quail for five years was presented to the Iowa legislature it was defeated by a gun club lobby of which our present state game warden was a member.

Because the title to the wild life of the state rests in all the people of the state, and not in any class, and because all the people are interested and concerned in the preservation of such wild life, both for æsthetic and economic reasons, I advocate that the fish and game warden of the state (or, better, a game commission) be compensated out of the general funds of the state, and not from a special fund created by the license fees of those who hunt, as is the case at present.

As I have indicated above, I do not advocate the abolition of shooting. The improvident hunter does that by his actions. I advocate such restrictions in hunting as are necessary to preserve our wild life. These restrictions are made more stringent with the settlement of a country and the disappearance of the game. We cannot expect as good hunting as in the days of the Indians and

Lewis and Clark. Some of the principles necessary for such restriction are:

1. Absolute prohibition of spring shooting.
2. Reduction of the daily bag limit.
3. Prohibition of the sale of game (now in force in Iowa).
4. Establishment of protected highways of migration.
5. Birds should be allowed a daily resting and feeding period.
6. Removal from the list of game birds of all birds which are rare or of special value to the farmer.
7. Prohibition of the use of automatic and machine shotguns. Only by the incorporation of such principles into our state laws, and their adequate enforcement, can we possibly hope to save from extinction many of our game birds.

I also suggest to the people of the state that the fish and game commission has many advantages over the single warden system. Such a commission should include a representative of the sportsmen and of the bird conservationists.

Then all the deputy game wardens should be placed on a civil service basis, as they now are in the state of Wisconsin. Every deputy game warden should be an educational officer as well as a police officer, just as they now are in Wisconsin. The deputies should be advanced in rank and salary on the basis of efficiency. In Wisconsin five factors govern the promotion of deputy game wardens, viz: Faithful service, reports, compliance with orders, sentiment created in favor of game protection, and impartial enforcement of the law. And "immediately preceding the examination for promotion the state game warden will hold a school for deputies at which technical and administrative problems will be discussed."

IMPROVEMENT OF SCHOOL GROUNDS

BY C. L. FITCH

With increasing appreciation of good things in Iowa there is developing a love for trees and shrubs and flowers and for well planned grounds of all sorts. Most school yards in town or country are pretty barren looking places, and many people are interested in making them attractive. We are called upon to design combination parks and school grounds.

Let us examine the situation and see to what extent this is possible. School yards are, primarily, places for play and incidentally, for the erection of school buildings, so that there shall be plenty of light and air and space. No one has a wish to deprive the children of their place for play, and if such a wish existed, it would be impossible of realization. The children break all restraints and use the grounds for play, the most important purpose. In most cases the principal part of the landscaping is not the artistic side but the study of the purposes for which the grounds are to be used and of the people that will use them, the placing of the buildings in harmony, both with these purposes and with such ornamental planting and arrangement as may be attainable.

Most of our large school buildings and grounds are in town. Even the consolidated schools built largely for country children are being placed in towns or rural trade centers; and it is desirable and more and more desired by Iowa people that these grounds be well arranged for the children and attractive to all those who pass and who live near. The noise and mischief of the children make

property near the school-houses of lessened value, and school districts placing new schools in town or country really owe to the neighbors the proper arrangement and adornment of the grounds.

The location of the school-house is the first problem. It should face the chief approach, usually to that front which leads toward the center of the town; or, in the country, it should face the main highway. The building should be close to the street because the ground in front is usually the only portion of the yard which can be cared for and this lawn should not be too large. A school-house should never be set in the center of the grounds because that breaks up the space and leaves no place large enough for play.

The parking should be wide, well graded, and is best if curbed all around the school grounds. This space should be sacred to grass and trees and flowers. Inside the sidewalk, especially where the school ground level is a foot or so higher than the walk, a shrub planted sloping grassy strip all around the grounds is very desirable. Where there is money enough a low concrete wall (*i. e.*, one foot) just inside this strip makes the best dividing line between beauty and play; although a line of hard heads or other large stone or short concrete posts may be used.

Inside such a line all should be given to play except the kept lawn in front of the building. Directly about the school house, well protected by curbing, there should be plenty of shrubs and vines. Shrubs should be planted in groups deep enough for mass effects but on school grounds all parts of the premises should be visible from the building, and shrubbery should be nowhere in groups so large as to make places for concealment.

To either side of the school-house it is best to arrange small play grounds with gravelled paths and apparatus

for the very small folks on one side and on the other side a space with courts for tennis for the girls, and for volley ball. The rear half of the grounds should be left for the boys, and be covered with sand and gravel, if possible, and so graded as to drain quickly. The neatest way to manage this area is to keep it hoed bare and raked smooth.

As to plantings, there should be some fine trees, elms, hackberry, basswoods, soft pine, or sycamores, or native oaks about the building. Where these intrude upon the edge of play-grounds they should have a twenty or thirty foot circle of rough stones about them and the dirt within should be graded and grassed.

With arrangements like these and with plenty of wide walks over the parkings and into the grounds by the natural approaches, Iowa children, wisely led, and living in a community that is ready for civic adornments, can be trusted to respect the grass and shrubs and even flowers. Trees and shrubs and flowers should be carefully chosen native and standard sorts and should be provided with permanent metal labels, giving common and scientific names and points of special interest, in order that all students and residents may learn to know them.

The boys' play-ground should be large enough for a football field, although it need not be laid out, if the game as played at present seems to be objectionable to the peace-loving parents. The same space is to be used for baseball.

At most schools plots for gardens and for experiments will be wanted. The total area required for a village or small consolidated rural school, which wants all these things, is four or five acres, while similar large schools should have seven to ten acres. A single-room rural school should have one to one and one-half acres in the form of a square, on a corner.

The Department of Agricultural Extension of Iowa State College is prepared to design rural and small-town school campuses and to furnish plans and planting lists. The only cost is that of traveling and hotel bill. The only condition is a statement that the school board is ready to carry out and permanently care for such improvements and arrangement as may be agreed upon.

A WEEK IN RANIER NATIONAL PARK

BY MRS. ESTELLE FOGEL BUCHANAN

Ranier National Park is visited yearly by three types of tourists. The first type leaves the train at Ashford to be whirled by auto as far as it can take him, to eat at the hotel, and afterward to sit on the hotel porch and with spy-glass look at the snow and ice clad peak; and then to be whirled back again to civilization with only a kaleidoscopic impression of the beauties and grandeur of the park.

The second type of tourist, on leaving the train, climbs into a carry-all and jogs along the road all too fast, but he sees more, or at least sees longer than the first; and he may even don a sombrero and mount a pony or burro and go along the trail up to Reese's Camp, six or seven miles farther. He has seen immeasurably more than the first, but he too is a tenderfoot and has failed to get out of the park what nature has placed there in such lavish abundance.

But the third type scorns all means of conveyance. On leaving the train, he dons stout tramping boots and clothes, and with note book in hand to jot down impressions as a reminder in later years, he tramps on foot from Ashford to the summit, a distance of thirty-five or forty miles. Thus we studied Ranier National Park.

The trail from Ashford to Longmire Springs, a distance of fourteen miles, leads through a heavy forest. At Ashford (altitude 1,760 feet) the typical trees are noble fir (*Abies nobilis*), grand fir (*Abies grandis*), western hemlock (*Tsuga heterophylla*), lodgepole pine (*Pinus*

contorta), Washington red cedar (*Thuja plicata*), vine maple (*Acer circinatum*), black cottonwood (*Populus trichocarpa*), with a dense undergrowth of brake fern (*Pteris*), oxalis (*Oxalis*), harebell (*Campanula scouleri*), water holly (*Berberis nervosa*), Oregon grape (*Berberis aquifolium*), miner's lettuce (*Claytonia*), yellow avens (*Geum macrophylla*), *Tiarella trifoliata*, *Maianthemum*, twin berry (*Lonicera*), salal (*Gaultheria Shallon*), devil's club (*Echinopanax horridus*), beech fern (*Phegopteris dryopteris*), and fire weed (*Epilobium grandiflorum*).

In this fourteen miles, the rise in altitude of over 1,000 feet is strikingly marked in the vegetation. As we followed the trail which winds around the mountain, we suddenly came into a different forest composed of immense trees, the Douglas fir (*Pseudotsuga taxifolia*), whose lowest branches are from 150 to 200 feet from the ground and so close together overhead that scarcely a ray of sunlight penetrates to the heavy carpet of moss on the ground and fallen tree trunks. The trees were too high to view from an erect position and the foot-thick bed of moss underneath so inviting, that we left the trail for a time and stretched out full length to rest and meditate on the wonders of nature all about. So enchanting was this that we might have remained nor cared to go on, except that hunger warned us that supper and a place to spend the night were some miles off and it was almost six o'clock. So we hastened on to Longmire Springs where we arrived about an hour later and ready to eat a big supper of plain, well-cooked food all put on the table before we sat down, and we even felt sorry for the people at the hotel opposite who had to have their food served in dainty courses in order to stir up the semblance of an appetite and must have the best of beds to induce sleep. Supper over, we went out into the yard and examined the hot and warm sulphur springs, and, while waiting our



Dogtooth Violet (*Erythronium*) in Ranier National Park.
Reese's Camp. (Mrs. Cowles.)

turn for a bath, soaked the tired all out of our feet in one of these same springs which was like a large pot sunk into the ground. After the bath, how we did sleep — out in tents.

The next morning we sent our blankets by pack train ahead to the next camp, and, unhampered except for note book and lunch, followed on foot through Paradise Valley, the loveliest mountain meadow in the world. This spot beggars all description, both in its extent and beauty of scenery and abundance of brilliantly colored flowers. Almost every plant genus seemed to be represented.

From Longmire Springs to Reese's Camp, a distance of seven miles, the ascent is 3,200 feet. At Longmire Springs, with an altitude of 2,800 feet, the trees are large, though the Douglas spruce is not so monstrous as when we first noted it. Alaska cypress (*Chamaecyparis nootkatensis*), mountain hemlock (*Tsuga mertensiana*), western yew (*Taxus brevifolia*), noble fir (*Abies nobilis*), and dwarf maple (*Acer glabrum*) are the typical trees, which soon become more scattered and give place to low shrubs and herbaceous plants, such as different members of the Heath family, wild ginger (*Asarum*), *Clintonia*, bishop's cap (*Mitella*), rein-orchis (*Habenaria*), false hellebore (*Veratrum*), valerian (*Valeriana*), shooting star (*Dodecatheon*), and Indian lettuce (*Pyrola*). Although it was July 17th, it was still early spring in the upper part of the valley. In many places great banks of snow still lay thickly fringed by brilliantly colored flowers of blue bell (*Mertensia*), dog's tooth violet (*Erythronium*), Jacob's ladder (*Polemonium*), elephant's head (*Pedicularis groenlandica*), *Pedicularis racemosa*, alpine heather (*Bryanthus empetriformis*), *Cassiope mertensiana*, and many other flowers too numerous to mention. Arrived at Reese's Camp, altitude 6,000 feet, we secured our baggage and prepared our tents for the night before eating

supper, for the next day we intended starting for the summit. After supper we went out back of our tents to play snowball in a five or six foot snow bank and to gather dog's tooth violets growing two or three on the same stem and both yellow and white in color.

But on the morrow a dense cloud enveloped the upper part of the summit — so dense that we went from our tents to the mess tent with difficulty and extreme caution. The darkest night never seemed to so completely envelop one as did this cloud. However, just at sundown the cloud commenced to roll away in the most wonderful manner. We ran a mile and a quarter to the edge of the cañon down which the Nisqually Glacier flows, to get a better view, and involuntarily we began singing "When the Mists have Rolled in Splendor." From that day the song has had a new meaning for us. On our way back to camp we noticed that the snow was quite red from the alga which often covers snow at that altitude. We gathered some in our handkerchiefs to study more in detail at camp.

The next day being clear, after dinner we smeared our faces with red wax, put on black glasses, and with an extra pair of heavy woolen socks and some raisins and milk chocolate rolled up in a blanket and slung over the right shoulder, we started for the top with the aid of a stout alpine stock tied to the right wrist. By eight o'clock that evening we reached Camp Muir at an altitude of 10,000 feet, where we camped for the night without fire, all the firewood being several thousand feet below. Each put his wet boots under his head to keep them from freezing and pulled the woolen socks over the wet stockings. Seven of us huddled down in our blankets together in the shelter of some rocks to rest or rather to wait until morning. At the first peep of dawn, the guide called to us to hurry up and eat a few raisins and to be ready to start in



Mt. Ranier in Ranier National Park. Firs in the foreground.
Reese's Camp. (Mrs. Cowles.)

fifteen minutes in order to get around the dangerous pass of Gibraltar before the snow and ice from above began to fall. By roping, we rounded Gibraltar in safety and struggled on to the last stop. Here we rested a short time before making the final ascent. Liberty Cap is one continuous sheet of ice covered with snow which extends immense arms down into the valley as live glaciers. On our right was the Cowlitz Glacier and to the left the Nisqually Glacier. And now for the top. Although not the most dangerous except for a crevasse which was new for the season and therefore unknown to the guide, the ascent of Liberty Cap was the most difficult because it was the most steep and must be ascended and descended again before the snow began to freeze. On gaining the summit, we were allowed a half hour to rest and to view the magnificent panorama stretched out for miles and miles around us. Our resting place was a narrow rim of warm rocks around the extinct volcano crater. At a number of places in this rim, which is only about six feet wide, the steam hisses out continuously from some hidden cavern, hinting that the interior may not be dead but only sleeping.

Fortunate indeed were we to have an extremely clear day for the trip. Far to the south the snow-capped summits of Mount St. Helens and Mount Hood loomed up. The path down to Longmire Springs, over which we had struggled for two days and a half, became a mere thread and finally disappeared. All things became small except the mountain on which we stood.

After eating a little chocolate, we signed our names on the Mazama's scroll and at one o'clock began the descent of Liberty Cap, after thirty minutes of perfect wonder and amazement. All this struggle for thirty minutes of pleasure? Oh, but it paid, and it still pays. To have had even a glimpse of God's great wide world for a few

minutes suggests, even though faintly, the greatness and fairness of His handiwork.

Great, wide, beautiful, wonderful World,
With the wonderful water round you curled,
With the wonderful grass upon your breast,
World, you are beautifully drest.

JAMES ELLIS GOW

BY FRED J. LAZELL

The Iowa Park and Forestry Association deeply regrets the death of Dr. James Ellis Gow, which occurred at Creston, Iowa, August 23, 1914. He was one of the leading young scientists of the state and his death cut short a valuable career for which he had laid broad and secure foundations. He had already done important original work in the morphology of the genus *Arisaema* and in the geology of Adair County. He was a man deeply spiritual and fine, and an indefatigable seeker after the truth, in science, religion, and life.

He was born in Greenfield, Iowa, in 1877. In 1901 he received his degree of bachelor of philosophy at the State University, after which he spent four years as assistant forest expert, United States Bureau of Forestry. In 1906 he returned to the university, receiving his master's degree, and in 1912, his doctor's degree.

In 1908 he accepted the chair of botany at Coe College and his work for the students of that institution was indefatigable and brilliant. But Bright's disease was making inroads upon his vitality. The shock of his mother's death early in 1914 affected him deeply. He began teaching in the summer school at Lakeside Laboratory. Much of the work was new to him and the close of the session found him greatly debilitated. Soon after he was taken to the Cottage Hospital at Creston, where he died. He is survived by a sister, his wife, and their two little boys, James and John.

SAMUEL MAHON

BY L. H. PAMMEL

One of the patrons of the Iowa Forestry and Conservation Association died in Ottumwa, Iowa, on the morning of February 2, 1915. He was born in Tyrells Pass, Westmeath County, Ireland, August 31, 1840. He settled with his parents on a farm near Xenia, Ohio, in 1849, where he remained till 1855 when his family moved to Ottumwa, Iowa, where he began work in a store, remaining till 1861 except for four months when he taught in the country schools. He enlisted as first lieutenant of the Seventh Iowa Veteran Volunteer Infantry. He served in the western campaigns of Generals Sherman and Grant and with Sherman on his march to the sea. At the close of the war he was given the honorary rank of lieutenant-colonel though generally known as Major Mahon. The Major was a splendid soldier and did valiant service for his country. He was one of the leading business men of Ottumwa and prominent in the activities of the reunions of the old soldiers of the Civil War, and in the councils of the Episcopal Church of which he was a faithful communicant. Major Mahon was a genial man of sound judgment, quick to grasp the importance of an argument. He will be greatly missed in the councils of the old soldiers' reunions, in the councils of the church, and in business circles.

JOHN MUIR

BY L. H. PAMMEL

In the closing paragraph of John Muir's *The Story of My Boyhood and Youth*, published a year ago, this great naturalist makes this statement: "From the top of a hill on the north side of Lake Mendota I gained a last wistful, lingering view of the beautiful University grounds and buildings where I had spent so many hungry and happy and hopeful days. There with streaming eyes I bade my blessed Alma Mater farewell, but I was only leaving one University for another, the Wisconsin University for the University of the Wilderness."

I have been greatly impressed with the great work of this man. It will pay any youth to read *My Boyhood and Youth*. He tells us how the fields were plowed, the corn hoed. In the summer, sixteen or seventeen hours a day, there was an hour for noon. Even in the winter, the boy was called at six o'clock in the morning to feed the horses and cattle, grind axes, bring in wood. There were few holidays and what time the boy had was snatched from his work. In this wilderness there was a surprising lot of new things for this Scottish lad to learn. He saw the wonderful passenger pigeon, great flocks of geese and cranes; he was familiar with the prairie chicken and the robin. He tells us that the farm was a paradise of birds and after a lapse of more than fifty years his boyhood impressions are told most graphically. Intense was his love for these birds. "With the first hints of spring came the brave little blue birds, darling singers as blue as the best sky, and of course we all loved them.

Their rich, crispy warbling is perfectly delightful, soothing and cheering, sweet, whisperingly low, Nature's fine love touches, every note going straight home into one's heart." The hard daily grind on the Wisconsin farm no doubt would have been dismal indeed except for the cheer and joyousness that came from the woods, stream, lake, and field. Here the youth not only got his inspirations but received his lessons from the out-of-doors. No book could have imparted that first hand information that ever afterwards helped him in his great work.

The world owes much to John Muir for his discriminating observations and the knowledge he gained from the great outside world, especially the beautiful in nature. His fondness for the sublime and beautiful in nature, its wild life, the mountains, streams, and glaciers grew with his increasing years. He says, "When I was a boy in Scotland I was fond of everything that was wild, and all my life I've been growing fonder and fonder of wild places and wild creatures . . . and best of all to watch the waves in awful storms thundering on the black headlands and craggy ruins of old Dunbar when the sea and the sky, the waves and the clouds were mingled together as one." It was in these walks in the woods, in the lanes and through the fields that he received the inspiration to commune with nature.

He tells us that he went to school before he had completed his third year, attending the school in Dunbar up to the age of eleven years, when he came to the United States and began pioneer life in Wisconsin with his parents. He went to a district school for a few months, worked on a farm and in a machine shop, but all the time he was an industrious student. Some of his early inventions were exhibited at the fair in Madison and in this way he drifted to the University. He presented his case to Professor Stirling, acting president of the University,

and without any formalities "the grand old man" as we used to call him in later days, admitted him to the University. Muir made his own way, boarding himself and working at various jobs. He did not take a regular course, but such studies as he thought would be most useful to him, chemistry, mathematics, physics, botany, zoölogy, and a little Latin and Greek. He got his first lesson in botany from a fellow student by the name of Griswold, who told him something about the locust tree. The first lesson so charmed him that he went to the woods and meadows in "wild enthusiasm." It is fitting perhaps that a botanist should pay tribute to this great lover of nature, because after leaving the University he started on a long tramp for plants. He wandered afoot from Indiana to the Gulf of Mexico with a plant press on his back. From the west coast of Florida he went to Cuba, expecting to go to South America to the headwaters of the Amazon; fortunately there was no ship for South America, and he decided to visit the famous Yosemite Valley. It was the wilderness he wanted to see. He arrived in San Francisco and asked for the nearest way out of town. "But where do you want to go to?" "To any place that is wild," Muir said. On the first of April, 1868, he set out afoot for the Yosemite, and here was to be his life work. Though he studied the glaciers of Alaska, the rugged mountains of the Pacific, the ice rivers of Siberia, the forests of Russia, India, the Philippines, Australia, and New Zealand, his life work was the Yosemite, its ancient glaciers, flowers, trees, birds, and wild life generally.

There is something romantic about the Yosemite not only in the name, which commemorates the Indian tribe who inhabited this part of California, but the tree sequoia, the most wonderful plant of the vegetable kingdom, commemorates the name of a Cherokee Indian who invented

the Indian alphabet. This Indian name will be associated with these noble trees because an Austrian botanist, Endlicher, knew of this the most perfect alphabet and thus set aside the later names of *Washingtonia* and *Wellingtonia*.

Muir's first view of the lovely valley left a deep impression on him. He says, "Looking eastward from the summit of the Pacheco Pass one shining morning, a landscape was displayed that after all my wanderings still appears as the most beautiful I have ever beheld. At my feet lay the Great Central Valley of California, level and flowery, like a lake of pure sunshine, forty or fifty miles wide, five hundred miles long, one rich furred garden of *Compositae*."

Though Muir was not the discoverer of the Yosemite he made it known to the world by his writings. The stirring appeals made by him saved the giants from destruction by the merciless greed of the almighty dollar. He was, however, unsuccessful in saving the Hetch Hetchy Valley, equally grand and sublime, a tributary of the Yosemite. It is to be regretted that those of us who had a hand in trying to save this beautiful valley could not have our way.

Muir was not a voluminous writer, but every thing he has written is solid and good. His observations are accurately recorded and the observations are interwoven into the narrative in a charming way. Of his greater works, *The Yosemite* will long stand as a work of authority. It is a safe guide for those who wish to spend a short time in this valley.

Muir studied the distribution of the forest trees with reference to the old glacial moraines. "The Sierra forests," he says, "indicate the extent and positions of the ancient moraines as well as they do belts of climate."

He goes on to prove that the sequoia has never been

widely distributed since glacial times; that these trees have a most intimate relation to the ancient glaciers; and that the sequoia attained its greatest development when the region was best protected from the main ice rivers. "Fire and the ax," he says, "are the only agents that threaten the existence of these noblest of God's trees."

Nothing escaped his attention. Thus in discussing the sugar pine, he calls attention to the laxative properties of the sugar of this pine. The descriptions of the trees of the Yosemite are described only as a naturalist can do it: the juniper is the "most stubborn and unshakable in the Yosemite region, the mountain hemlock is the most graceful and pliant and sensitive." And who has not read Stickeen, the story of a little dog in Alaska and Muir's experience on the glacier? The dog "seemed so small and worthless that I objected to his going," but after the experience with this little dog on the glacier on an Alaska storm day, and "through him as through a window I have ever since been looking with deeper sympathy into all my fellow mortals."

It is refreshing in this busy and practical world and utilitarian age, to consider the life of John Muir, the idealist, who stirred men's souls by the manly courage of his convictions that other persons have rights that must be considered. It was courageous to stand up before a powerful lobby and demand that the citizen has a right to a glorious gift of God; that the Yosemite and all the other wonders of these United States belong to all its citizens. Such lives as John Muir can well be inscribed on the roll of honor.

INDEX



INDEX: LACEY MEMOIRS

- ABBOT, JUDGE, 44, 212, 219
Achilles, 242, 258
Acoma, 210
 pueblo, 44
 ruins, 212, 219
Adair, James, 54
Adamana, 205
 Emery mill at, 204
Adams, C. F.
 Retort of, 251
 John, 129, 277
 Death of, 277
 John Q., 333
 Samuel, 277
 Sarah, 78
Adamson, W. C., 152, 153
Adirondacks Forest Reserve, 104
Æneas, 301, 307
Affidavit sergeant, 291
Africa, partition proposed, 172
 United States flag in, 351
 War in, 354
Agathocles, 354
Agriculture, Department of
 Enlarging powers, 136-140
 Secretary of, 96
Alaska, 417
 Elastic boundary of, 317
 Poem on, 365, 366
 purchase, 134, 326, 332
 Yields of, 134
Albert Nyanza, 326
Aldine Club
 Address at, 160, 167
 Dinner, 167
Alexander VI, 316, 329
 Bull of, 281, 287
Alexander, E. A., xiii
Allard buffalo herd, 114
Allen, A. F. of Ames, xiii
Allen, A. F. of Sioux City, xiii
 Ethan. Monument, 279
 J. M., 224, 226
 M. C., xiii
Allison, Wm. B., 15, 305
Alps, 365
Alsace, 235
America, Discovery of, 329
 for Americans, 336
 not represented in St. Mark's, 264, 329
American Archaeological Institute, 210
 Forestry Association, 69
 Game Protective Association, 407
 Monopoly of title, 303
 Peace Society, 355
 progress westward, 310
 Republic, 358
Americans recognize each other, 232
 wasteful, 81
Ames, Asa L., xi
Ancestors revered, 324
Ancestry not essential to rank, 261
Anderson, L. W., xi
 Pleasant, 420-421
Anecdote about affair at Duvall's Bluff, 410
 Confederate soldier, 283
 counterfeit dollar, 387
 Japanese student, 234
 Lacey-Weaver campaign, 48, 49
 Mark Twain, 75
 Niagara Falls, 320
 old soldier, 50-51
 plush cap, 388

- Sherman, 401
 soldier at Stony Point,
 273-274 -
 Springer, 218
 from Punch, 87
 Anglo-Saxon, 330
 race, 271
Annals of Iowa, 408
 Annapolis, 354
 Antarctic Continent
 American flag on, 351
 Antelope
 Illegal shipment of, 137
 near Gardiner, 176
 Anthracite coal exhausted, 78, 81
 Antiquities, Preservation of, 36
 Ants battle with centipede, 214
 Apostles' Creed, 264, 277
 Appalachian forests, 95
 Appeal against departmental regulation, 185
 Appenines, 72
 Appomattox, 249, 254, 306
 Apprentices' food regulated by law, 82
 Arbela, Battle of, 318
 Arbitration, 337, 355
 Arbor Day, 77, 87, 91
 Archaeological Institute, American, 210
 Archaeologists, Outing with, 210-219
 Archaeology, American
 School at
 Athens, 210
 Jerusalem, 210
 Santa Fe, 210, 211
 Rome, 210
 Arctium, 284, 318
 Arey, M. F., xiii
 Arizona
 a resort for invalids, 207
 Cliff dwellers ruins in, 222
 deserts, 94
 Arkansas part of Louisiana, 285, 321
 Arminius, Monument to, 248
 Army of Observation, 22, 338
 Artesian well at Oskaloosa, 285
 Aryan race, Origin of, 307
 Associated Press, 96
 Astronomer, Discoveries of, 265
 Atchison, Colonel, 394
 Athens
 Archaeological school at, 210
 Message from, 270
 powerful, 306
 Atlanta, Battle of, 393
 campaign, 401
 Audubon Society, 31, 42, 164
 Augustus, 248, 265, 324
 Auk, 82, 89, 106
 Austerlitz, Napoleon at, 239-240, 319
 Australia, Settlers in, 273
 Austria
 in Holy Alliance, 330
 signs Treaty of Verona, 331
 Autobiography of Major Lacey, 46, 47, 377-423
 Automobile, 352, 359
 Ayauway, 324
 Ayers, Judge, 419
 Aztecs, 314, 325
 Civilization of, 329

 BAKER, PROFESSOR, 296
 Baldauf, Sam, 346
 Baldwin, W. W., xi
 Ball, Lieutenant C. J., 403
 Baltimore, 357
 Bamboo, 118
 "Bank of the Holy Ghost," 331
 Bar Association, State
 Address before, 3-11
 Barn raising, 294
 Barrancas, 413
 Barrington, E. P., xi
 Bass, A. J., 54
 Bates, C. O., xiii
 Battery A, 405
 Battlefield parks, why created? 247
 Battles
 Arbela, 318
 Atlanta, 393
 Belmont, 401
 Blenheim, 250

- Blue Mills Landing, 21, 63, 395-396, 400
 Bull Run, 249, 251, 260
 Corinth, 347
 Elkin's Ford, xviii, 23, 408
 Ft. Blakely, xviii, 23, 413
 Gettysburg, 244
 Hagar's Woods, 394
 "Hatchie," 401
 Helena, xviii, 23, 254, 351, 405-406
 Jenkins' Ferry, xviii, 22, 23, 407, 408
 Poison Springs, xviii, 23, 408
 Prairie d'Anne, xviii, 23, 407
 Sedan, 318
 Shiloh, 234, 247, 248, 253, 280, 292, 401
 Spanish Fort, 413
 Terrfenoir (*Terre Noir*) Creek, xviii, 23, 407
 Vicksburg, 401
 Battles fought because of omens, 314
 Battleships, Cost of, 355
 Baylis, Lieutenant, 407
 Bean Creek,
 (*See Rito de los Frijoles*)
 Behring Straits, 340
 Sea, 366
 Belmont, Battle of, 401
 Bennett, Lake, 365
 Benton, T. H., 360
 Bicycle, 359
 Big Trees of California, 83, 89, 207
 Beaver, 171
 Becker, F., xiii
 Bennett, F. A., xiii
 Billmyer, Representative, 200
 Report of deer propagation, 201
 Bills discussed
 Alaska game, 168
 Arizona petrified forests, 7, 9, 203, 206, 207
 Cliff Dwellers National Park, 220
 Crater Lake, 9
 Curtiss Act, 46
 Establishing bird breeding grounds, 168
 Forest preservation, 7
 Forestry, 38, 109
 Homestead, 367, 369
 Indian citizenship, 46
 Irrigation of arid lands, 104
 Lacey bird law, xix, 7, 14, 16, 17, 24, 25, 39, 41
 Lacey game law, 38, 39, 60, 109, 136, 164, 168
 Leasing public lands, 120-123
 Mills, 49
 Miner's protection, 421-423
 Mining, 38
 Nationalizing game and bird laws, 169
 of Rights, 318
 Railroads in Alaska, 32
 River and harbor improvements, 357
 To protect buffalo, 158
 Wichita preserve, 168
 Yellowstone National Park, 7, 9, 24, 25, 60, 168, 190
 Yosemite Park, 9
 Biloxi, Plants of, 320
 Bird conservation
 law, 7, 14, 16, 17, 24, 25, 39, 41, 194
 millinery, 83, 145-164
 preservation, 12, 96
 Utility and sentiment in, 171
 protection, xix, 7, 172, 174
 Birds, Columbus watched flight of, 280, 314
 Flight directed events, 280, 329
 Migratory, 41, 175, 178, 179, 180, 181, 185, 195
 Reintroduction of, 141
 Unwise introduction prevented, 165
 Bison, 15, 17, 400
 adapted to arid plains, 155, 164
 Allard herd, 114
 at Mammoth Hot Springs, 197
 Buffalo Jones herd, 156
 Corbin's herd, 97, 156, 196
 Domestication, 109
 east of Mississippi River, 154
 emigrate westward, 154

- Extermination of, 71, 82, 96, 108, 146, 155, 163, 196
 Flathead herd, 97, 156, 196, 197
 Fort Pierre herd, 197
 Goodnight herd, 97, 156, 197
 Habits of, 108, 155
 in New Mexico, 157, 158
 Yellowstone Park, 96, 156, 158, 196
 Zoological Parks, 156
 preservation, 96, 158
 preserve, 154
 Value of, 82
 Black, G. D., xiii
 Blackstone, 402
 Black Hills, Settlers in, 102
 Blaine, J. G., 347
 Blakesburg, 421
 Blenheim, Battle of, 250
 Bliss, G. R., xiii
 Bloomfield *Republican*, 32
 Blue Mills Landing
 Battle of, xvii, 21, 63, 395, 396, 400
 Blue Ridge, Soldiers in the, 258
 Board of Trade, 362
 Boar's Head, 277
 Bolton, J. B., 419
 Bonaparte
 (See *Napoleon*)
 "Bonnie Blue Flag," 239
 Boone and Crockett Club, 60, 61
 "Boston men," 303
 Boulogne, 319
 Bourbon dynasty defeated, 330
 Bourrienne, 127
 Boutelle, Capt. C. A., 414
 Bowdish, J. W., xi
 Boyd, W. R., xi
 Boyer, Dr., 291
 Barn raising at home of, 294
 Josephine, 53, 57
 Boyle, 262
 Brant, David, 29
 Brant protected, 180
 Brazil abolishes slavery, 242
 becomes republic, 337
 Brazos, Landing at, 414
 Breakbone fever, 415
 Breech-loaders rapid destroyers, 105
 Breeding places for wild life, 195-202
 Brewer, L. A., xi
 Brewster, Doris, xi, 302
 Elder William, 302
 Eleanor Lacey, xi, 35, 46, 371, 372, 377
 James B., xi
 Mrs. J. B. (See *Eleanor Lacey*)
 Bridgman, Laura, 78
 British policy
 to hold territory, 337
 in Egypt, 337
 in Venezuela, 337
 Brookfield, 393, 394, 397, 400
 Brooks, Beauty of, 72
 Brown, John
 Captured, 305, 306
 Daughter of, 306
 J. A., 187
 Timothy, 73
 Brownsville, 22, 415
 Brundusium, 73, 84
 Bryan, W. J., 347
 Bryant, quoted, 71
 Buchanan, Mrs. R. E., xiii
 Buckner, Gen. S. B., 240, 252
 Buell, Gen. D. C., 281, 292
 Buffalo (See *Bison*)
 Bull of Alexander VI, 281, 287, 316, 329
 Bull Run, Battle of, 249, 251, 260
 Bunker Hill Monument, 279
 Burden, R. F., 405
 Burial customs among cliff dwellers, 213
 Burlington Gazette, 33
 Hawkeye, 30
 Burns, Robert, 355
 Burrell, W. C., xi
 Burrit, Elihu, 352
 Burrows, J. C., 346
 Butler, F., 54

- Byers, S. H. M., xi, 11, 29, 53, 56
 Poem by, 56, 65
- CADIZ, 381, 388
- Cairo, 279
- Calhoun, J. C., 333
- California, 339
- Camden, Campaign against, 23
- Camp Tuttle, xviii, 404
- Campbell, Richard, 292, 392
- Campus at Ames, 369
- Canada, 42
 exchanged for Guadaloupe, 133
- Canada de Cochiti claim, 220
- Canal not rival of railroad, 359
 Suez, 340, 359
 through Nicaragua, 339, 340
- Canals of Mars, 359
- Cæsars, Power of the, 324
- Canby, Gen. E. R. S., 22, 411, 412, 413
- Cannon, Joe, 96
 Anecdote, 144-145
- Canton, McKinley at, 325
- "Cape of Good Hope," 252, 279
 Circumnavigation of, 329
 route to India, 340
- Cape Horn, 340
- "Cape of Storms," 252, 329
- Carlotta, 339
- Carr, Gen. E. A., 412
- Carroll, Charles of Carrolton, 276
 Dr. Mitchell, 217
- Carter, C. F., xiii
- Carthage, Sea power of, 261
- Castle Garden, 299
- Cathedrals of Middle Ages, 288
 St. Mark's, 264, 329
 St. Paul's, 249
- Catholics settle in Maryland, 315
- Cattle companies and grazing lands, 119
- Cave dwellers, Ruins, 210, 212
- Cedar Rapids *Gazette*, 33
Republican, 271
- Cedars, 69, 80
 of Lebanon, 84
- Celt combines with other nations, 309
- Centennial Years, Series of, 313
- Centipede battles with ants, 214
- Central America, Ruins in, 211
 Foreign dominion over, 340
- Century, Nineteenth
 Events of the, 259
- Cephalonians, 301
- Chalcedony in petrified forest, 209
- Champlain Lake, 365
- Charles II, Grant of, 128
- Charles the Bold at Granson, 250
- Cheronea, 248
- Chester, Castle at, 380
- Chicago, 3
 claimed by Connecticut, 305
 Exposition, 281
 Cost, 282
 Iowa exhibit at, 358
 History of, 128, 129, 130
Tribune, 88
- Chichen Itza ruins, 211
- Chickamauga field, 254, 258
- Chicken coops taken to war, 314
- Chinese, 312
- Christian, G. M., xi
- Churchyards in Maryland, 70, 84
- Cincinnati, 389
- Citadel important to Romans, 288
- Citizenship, Good, 368
- City Point, 254
- Civil War, 4, 63, 107, 134, 248, 256, 283
 Survivors, 260
 Woman's share in, 311
- Clarington, 381
- Clark, Champ, 48, 150
 E. H., 270
 Geo. Rogers, 129
 I. H., xiii
- Clarke, C. F., xiii
 G. W., xiii
- Claxton, Gen., 413
- Clay County, 392
- Clay, Henry, 362
- Clayton vs. Breckenridge Case, 38
- Clayton-Bulwer Treaty, 339, 340

- Cleburne, 274
 Cleveland, Grover, 78
 Cliff dwellers
 Burial customs of, 213
 Drawings by, 214-216
 National Park, 220-223
 Regulations, 220
 Religious rites of, 213
 Ruins of, 210-219, 220, 221
 Climate and weather, 73
 affected by forests, 112
 Clinton *Herald*, 27
 Cloakroom stories, 48-49
 Clubwomen, Work of, 83, 89
 Coal deposits, 70
 in Mississippi Valley, 287, 320
 oil, 70, 82, 89, 95
 in Australia, 320
 Texas, 106
 Wales, 320
 miners, Protection of, 25, 421-423
 Power of, 320
 Coates, Mr., 320
 Cobbett, Wm., 245
 Cochiti, 210
 church, 216
 claim, 220
 Coddington, Colonel, Will of, 282
 Coldwater River, 404
 Cole, Cyrenus, xi
 Coleridge, Lord John, 125
 S. T., 205
 Colfax Springs, 309
 College equips students for life, 350
 Colonies settled in United States, 281
 Spanish, claim independence, 332
 Colorado, Cliff-dwellers ruins, 222
 Massacre in, 163
 part of Louisiana, 321
 Columbia River, Lewis & Clark, Expedition to, 324
 Columbus, 69, 329, 353
 at San Salvador, 301
 Descendants of, 262
 Expenditures for voyages, 287
 Voyages of, 281-282
 Columbus, Ky., 404
 Comet, Halley's, 352
 Commandments, Ten, 256, 264, 277
 Committees, Lacey's work on
 elections, 38
 enrolled bills, 423
 Indian, 46
 interstate and foreign commerce, 136
 invalid pensions, 48
 public lands, 99, 110, 120, 160, 220
 Common Place Book, 47
 Communal ruins, 212, 222
 Como, 365
 Company C, xviii, 408, 409
 D, xvii, 63, 403
 F, 53
 H, xvii, 21, 63, 392, 394
 Comstock, Capt. A. J., 405
 Conard, H. S., xiii
 Conaway, Freeman, 37
 Concord, Sage of, 342
 Confederacy, Collapse of, 414
 High mark of, 250
 Confederate forces, 238, 369
 fought for respective states, 274
 Patriotism of, 274
 Confederate soldier, Anecdote of, 283
 Congressional action and the market, 363
 campaign against Gen. Weaver, xix, 5, 6, 48, 49, 347
 speculators, 361, 362, 363
 Conkling, Roscoe, 125
 Connecticut boundary, 130
 claims, 305
 laws, 82
 Connor, Thomas, 236
 Conservation of national resources, Committee, 187
 Constantine, Arch of, 283
 Constantinople, Capture of, 265, 325
 Constitution of United States, 132, 133, 288
 Slavery not mentioned in, 288
 Consuls, Roman, followed omens, 314

- Contents, Table of, vii-ix
 Continental army, Monroe in, 333
 Cook County, Ill., claimed by Wisconsin, 131
 Cook's tourists, 352
 Cooper, Albert, 54, 351
 Corbett, 269
 Corbin's herd of bison, 97, 156, 196
 Corinth, 347
 Corinto seized by English, 336
 Coroebus, 270
 Cortina, 415
 Cotton Plant, Ark., 405
 Corey, Hiram, 292
 Cork, 301,
 Earl of, 262
 Cortez, 354
 Cosmo de Medici, Statue of, 346
Cosmopolitan Magazine, 361
 Costa Rica, 340
 "Cotter's Saturday Night," 355
 Council Bluffs *Nonpareil*, 28
 County fair, First in Oskaloosa, 343
 Cowan, W. R., xi
 Creasy, 301
 Creed, 256
 Apostles', 264, 277
 Crittenden, T. T., 35
 Crinoids, Anecdote about, 218
 Croesus, 355
 Cromwell's troops disbanded, 243
 Crookham, Judge J. A. L., 419
 Crossley, Lieutenant, 394
 V. C., xiii
 Crowell's school, 391
 Crozier, M. W., 54
 Cruzen, B., 54
 Cuba, Spanish power in, 337
 Travels in, xix
 War in, 258
 Culley, F., xiii
 Cummings, Amos, 150
 Cummins, Gov. A. B., 25
 Curry, Robert, 266, 343
 Curtis, S. R., 393
 Cutts, M. E., 5, 419
 Cuvier, Baron George, 269
 Cyclone
 Destructiveness of, 269
 DALLES
 View of Mt. Hood from, 160, 161
 Damascus blade, 268, 278
 Darnell, Sumner, 292
 Daubigne, 385
 Daughters of the Revolution, 262
 Davis, Dan, 62
 Eleanor, 378
 Evan, 378
 Jefferson, 236
 Mary, 378
 Dawson, A. F., xi
 De Armond, D. A., 229
 De Lacey, 380
 De Soto, Ferdinand, 315
 De Tonty, Henry, 315
 Dean, Henry Clay, 346
 Decisive landings of the world, 301
 Declaration of Independence, 264,
 318
 Signers of, 277
 Decoration Day, 262
 Dedication, iv
 Deer
 along Long Island Sound, 200
 in Connecticut, 200
 Massachusetts, 200
 Pajarito, 213
 Vermont, 200
 Shipment of, 137
 Delaware, 357
 Militia, 379
 Delhi, 162
 Delphi, Oracle of, 266
 Priestess of, 325
 Demetrius Phalerias
 Greeks of, 283, 306, 367
 Demosthenes, Philippics of, 304
 Des Moines
 Capitol, 31
 River, 343
 Devitt, J. A., xi, 3, 61

- Dewey, G. F., 254, 259
 Dido, 307
 Diet at Worms, 385
 Dillon, Judge John F., 20, 418
 Diplomats, English, 339
 Disarmament conference, 259
 Dissete, Miss, 215
 "Dixie," 238, 239, 267, 399
 sung in Congress, 284
 Dodge, G. M., xi
 Dodo, 82, 89, 106
 Dolliver, J. J., 383
 J. P., 383
 Dom Pedro, 337
 Dominion Day Celebration, 268
 Donnell, John, 20
 Douglas Guards, 347
 Douglas, Stephen A., 393
 Dove incident, 55
 protected, 180
 Dover records, 379
 Downs, O. N., 62
 "Doxology" sung by Congress, 284
 Drake, G. W., 390
 Mary, 284
 Drinkle, Beulah, 53
 Dubuque *Times*, 28
 Duck anecdote, 106
 Labrador, 408
 Ducks protected, 180
 Duncan, Major, 407
 Dunne, Edward F., 130
 Duvall's Bluff, 410
- EASTMAN, E. W., 344, 345
 Eaton, Howard, 196
 Eddyville, 392
 Edison, Thomas, 269, 278
 Inventions of, 325
 Editorial Association, Southeastern
 Iowa. Address, 125
 Edmundson, J. D., 346, 348
 Wm., 266
 Education in U. S., 285
 Egret plumes, 146-147, 164
 Egypt, British in, 337
- Eisteddfod at Oskaloosa, 378
 Eldon, Address at, 328
 Eliot, George, 242
 Elizabeth, Queen, 285
 Income, 282, 368
 Elk, 114
 in Olympic Forest Reserve, 200
 Reserve, 44
 Elkin's Ford, Battle at, xvii, 23, 408
 Elliot, Settlement at, 312
 Elm, Tracy, 36
 Emerson, R. W., 342
 Emery substitute made from petri-
 fied trees, 203, 208
 Emigration, 131
 Westward, Rate of, 299
 Emmetsburg, Address at, 287
 England and Holy Alliance, 330, 331
 endorses Monroe doctrine, 336
 mistress of seas, 318
 violates Monroe Doctrine, 336
 Engle, Nancy, 385
 English, The, as colonizers, 330
 English Sparrow, 49, 396
 Importation forbidden, 142
 Introduction, 137, 142
 English, Thomas, quoted, 83
 Entail in Europe, 131
 Ephesus, Temple of, 80
 "Era of good feeling," 332
 Erwin, A. T., xiii
 Eternal City, 369
 Euphrates, 327
 Evangeline, Quotation from, 319
 Evans, Capt. Joe, 291
 Capt. Robley D., 284
 Eve, 290
 Eveland, Frank, 293
 Henry, 295
 Lewis, 293
 Address at, 290-300
 Origin of name, 290
 Events in Major Lacey's life, xvii-
 xix
 Ewers, A. F., xiii
 Exploration, French, 315

- Eye Tooth lot, 343
 Ezekiel, Quotation from, 233
- FAIRFIELD *Ledger*, 29
 Fallow land, 74, 85, 90, 123
 Farmers interested in bird preservation, 165
Field and Stream, Reprint from, 178-180
 Field parks, why created, 247
 Fields, E. A., xiii
Fifteen decisive battles, 301
 Fish
 in Hudson Bay, 107
 "inconnu," 107
 "unknown," 107
 Fish-wheels' destructive work, 161
 Fitch, C. L., xiii
 Fitchpatrick, J. A., xiii
 Flag, American, 318
 English, 351
 French, 318, 351
 fund, 54
 German, 351
 on High Seas, 284
 Spanish, 318, 351
 Flathead Indians, 97, 197
 their herd of bison, 97, 156, 196, 197
 Fletcher, Admiral F. F., 346
 Flickinger, R. E., xiii
 Flood of 1847, 382
 1852, 382, 384
 Florence, 346
 Florida
 bought by U. S., 332, 333
 Cost of, 326
 owned by Spain, 317
 Transfer of, 316
 Flower, Gov. R. P., 237
 Flying fox
 Importation forbidden, 142
 Flying machine, 352
 Flying squirrel, 213
 Forest affected by rainfall, 73, 74
 as source of revenue, 115
 as source of water supply, 108
 Cemetery, 53, 372
 Congress, 92
 destruction
 Asia Minor, 83
 Atlantic Coast, 72, 89
 France, 95
 Italy, 83
 Maryland, 70
 Pacific Coast, 71, 72, 89
 fires, 102
 in California, 89
 New York, 104
 Oregon, 89
 Washington, 89
 preservation, 16, 88
 rangers, 191
 reserves, 24, 25, 42, 65, 76, 85, 90, 99, 103, 109, 134
 breeding places for wild life, 198
 management transferred, 92, 93, 103
 permanent, 191
 Utility of, 80
 Foresters, 94, 103
 Forestry
 Address, 78-87
 Bureau of, 113
 Department of, 93
 in Europe, 86
 France, 104, 105, 201
 Germany, 104, 201
 Iowa, 93
 Spain, 104
 Movement, 86
 Forrest, General N. B., 404, 411
 Ft. Blakely, 23, 412, 413
 Ft. Curtis, 406
 Ft. Morgan, 413
 Ft. Pierre
 Buffalo herd, 197
 Foster, Major B. B., 409
 Sidney, 323
 Thomas D., xi
 Fountain at Oskaloosa, 348
 Fourth of July Celebration, 267, 268

- Fox Indian names, 267
 Fox's *Book of Martyrs*, 385
 France
 Army of, 235
 ceded land to Spain, 316
 Crops of, 285, 322
 regained territory in America, 316
 signed treaty of Verona, 331
 withdrew from Mexico, 339
 Franklin, 411
 Franklin, Benjamin, 109, 129, 133,
 213, 276, 277, 353
 Frederick the Great presents sword
 to Washington, 306
 Free trade, 49
 Fremont, J. C., 400
 Journal, 118
 Order by, 400
 French, 4
 claims to U. S., 128
 in American Revolution, 330
 Pink in Oregon, 143
 trappers, 129
 Friends, Old, 290
 Frink, S. G., xiii
 Frits's School, 391
 Fruit bat, Importation forbidden,
 142
 Funeral procession for Major Lacey,
 53-54
 sermon, 53, 57-59

 GAINES, J. H., 148, 226
 Game dealer convicted, 194
 fowl, 137
 "hog," 145, 162
 killers, 40
 law, amendment to, 139-140
 State, 139-140
 Statement regarding, 175
 preserve in forest reserve, 192
 protection, 12, 13, 31, 137, 164
 refuge in Oklahoma, 170
 seized in Chicago market, 173
 Shipping, 170, 173
 Warden, 138, 139, 143
 power given by "Lacey Act,"
 170
 Garden of Eden, 290
 Gardiner, Antelope near, 176
 Garfield, James A., 130
 Garret, Robert, 270
 Gas, Natural, 70
 fields, 82, 89, 95, 162
 Worship of, 106, 162, 325
 Gayoso Hotel, 411
 Geese protected, 180
 Geneva award, 355
 Geneva Lake, 365
 Geological survey, 113
 George, Lake, 365
 George III, 276, 281
 Monument, 268, 281
 Georgetown, 378, 380
 Georgia cedes land to U. S., 130
 Germany aggregation of little king-
 doms, 308
 Army of, 235
 Gettysburg, 253
 Battle of, 244
 Lincoln's address at, 250
 Surrender of, 406
 Gibraltar, 258
 Gladstone, W. E., 308
 Godfrey
 Benjamin, 292
 George, 261, 292-293, 391, 392
 of Bouillon, 278
 Samuel, 292
 Gods, Belief in the, 308, 367
 Greek and Roman, 307
 Gold in Mississippi Valley, 287
 Goldsmith's *Roman History*, 385
 Goodnight herd of bison, 97, 156, 197
 Gould, Jay, 226
 Government formed, 296
 Gow, J. E., xiii
 Grady, Henry W., 323
 Grand Army of the Republic, 53, 54,
 57, 232, 237
 Badge of, 238
 Numbers decreasing, 257

- Grand Canyon, 208
 Reserve, 100, 112, 190
- Granger, Lieut. Col. Robt. S., 413
- Granson, Swiss troops at, 250
- “Grant,” The voyage of the, 258
- Grant, U. S., 22, 234-235, 237, 239, 240, 244, 252, 258, 259, 338, 339, 353, 394
 at Appomattox, 413
 Shiloh, 281
 Death, 240, 252
 Descendant of, 262
 Soldiers under, 274
- Grasses
 Annual, 120
 as food plants, 118
 native in the west, 117
- Gray, Elisha, 278
 Dr. Robert, 323
- Grazing lands
 belonging to the U. S., 134
 in Texas, 120
 leased, 120
 on public lands, 116
- Great Britain
 Ancestry important in, 262
 approved Monroe Doctrine, 332
 proposed exchange of territory with France, 133
 Sea power of, 261
- Great Lakes, Shrinking of, 74
- Great Slave Lake home of bison, 155
- Greece, Sea power of, 261
- Greek civilization, 234, 283
- Greeks, Citadel of, 288
 Combine with other nations, 309
- Greeley, W. M., xiii
- Green, Colonel W. B., 397, 398, 409
- Green, Mr., 399
- Greene, Wesley, xi
- Greenwood, 404
- Grinnell, G. B., 158
Herald, 33
- Grizzly Bear, 38, 171
- Grouse, 137, 141
 illegally shipped, 137
- Introduction of, 137
- Guadaloupe, 133
 Spring at, 278, 325
- Gulliver, 214
- Gulls, Destruction of, 146
- Gunpowder used by Chinese, 312
- “Gushers,” 106
- HABEAS CORPUS ACT, 318
- Hagar’s Woods, Battle of, 394
- Hague tribunal, 355
- Hamlet, 241, 355
- Hammond, W. C., 20, 418
- Hampton, Wade, 274
- Hancock, John, 276
- Hanna, Mark, 130
- Hannibal, 354
 his camp at Rome, 369
- Harding, W. L., xiii
- Harlan, E. R., xi
 James, 15
- Harper’s Ferry, 305
- Harrington, Dr., 217
- Harrington, F. O., xiii
- Harriott, G. C., 292
- Harris, General Tom, 393, 394
 S., 292
- Harris, Mr., 399
- Harrison, Benjamin, 277
 Benjamin F. T.
 Inauguration, 237, 423
 Carter, 130
 General Benjamin, 272
 W. H., 381
- Hartman, J. C., xiii
- Harvard College, Founding of, 305
- Harvest Festival address at Ames, 367-370
- Harvest Home Festival address, 342-349
- Hatch, Vice-consul, 336
 “Hatchie,” 401
- Hauser, M. A., xiii
- Havana Harbor
 Relics recovered from, 346

- Havre
 Railroad to Paris, 359
 Hawkin's division, 413
 Hawthorne, Nathaniel, 83
 Hayden, Ada, xiv
 Hayne, John C., 127
 Haynes, L. J., xiv
 Hayward, W. J., xiv
 Head-waters of streams, 74
 Hebrews' treatment of land, 123
 Helena, Battle of, xviii, 23, 254, 351, 404, 405, 406
 Henderson, O. J., xiv
 Hendershott, H. B., 20
 Henderson, Thomas, 342
 Hennepin, Louis V., 315
 Hercules, 303
 Herd, Timothy, 118
 Herder, Nomadic, 117
 Herrick, R. S., xiv
 Hewitt, E. L., 44, 210, 211, 217, 221
 Hinkle, A. J., 236
 Thomas, 236
History of the Confederacy, 236
 Hitchcock, E. A., 220
 Hoffman, C. V., xi
 Hoit, Nick, 291
 Mehanna, 292
 Holbrook, 205
 Holbrook, P. K., xiv
 Holland, Sea power of, 261
 Holloway, Mr., 397
 Holtman and Baker, 343
 Holmes, O. W., quoted, 69, 80
 Holy Alliance, 330, 331, 332, 334, 336
 City reached by steamship and railway, 278
 Land, 355
 Sepulchre visited, 278
 "Home, Sweet Home," 239
 Homestead era, 133
 Homestead bill, 367, 369
 Homesteaders in Kansas, 119
 Homesteads in forest reserves, 99-102
 Pastoral, 116
 Hooker, Gen. Joseph, 244
 Horace, 73, 84
 Hornaday, W. T., xi, 12, 41, 155, 156, 163, 181, 395, 398, 403, 407
 Hough, Emerson, 39, 42
 Houghton, Mr., 186
 Houston, Secretary David F., 7, 55
 Howard, H. S., xi
 Hudson River, 327, 365
 Headwaters of, 104
 Hudson's Bay, Animals of, 320
 Bison near, 156
 Boulders of, 309
 Fish in, 107
 Railway, 107
 Hugo, Victor, 337
 Huguenots come to America, 315
 Hull, A., 391
 Hume, David, 402
 Humming birds, Sale of skins of, 147
 Hymns sung at funeral of Mr. Lacey, 57
 ILLINOIS, 129, 288
 bird law, 409
 in Civil War, 394
 part of N. W. Territory, 133
 Immigration, Dangers from, 272
 "The Imperialist," 337
 "Improvement" and destruction, 168
 Incas, Civilization of, 329
 "Inconnu" fish, 107
 Independence Day address, 276-286
 India Portuguese in, 329
 Indian Creek, 357
 names euphonic, 266, 342
 Ocean, 259
 Territory, 321
 wars, Pension roll of, 225
 Indiana, 129
 part of N. W. Territory, 133
 Indians hold land title, 132
 owners of bisons, 154
 Religion of, 308
 Indies became Spanish, 330
 Ingersoll, R. J., 302
 Ingham, Harvey, 37

- Innsbruck, Work of women in, 298
 Insectivorous birds, 144
 protected in Georgia, 143
 Interior, Department of, 112
 Interstate Commerce
 Bill protecting game and birds,
 141-153
 in game, 138, 139, 141
 Inventions since Augustan age, 325
 Iowa
 admitted into Union, 312
 attitude toward unfortunates, 312
 bird law, 409
 boundaries, 287-288
 built upon limestone, 285
 center of fertility, 287, 288, 370
 climate, 309, 311
 description of, 382
 Digest, xviii, 413
 exhibit at Centennial, 358
 First settlers in, 309
 Generosity of, 270
 Geological survey, 384
 Growth of, 269
 Illiteracy in, 311
 Minerals of, 309
 Name derived from Indian, 324
 National Guard, 53
 Infantry
 Seventh, 401
 Eighth, 413
 Twenty-second, 401
 Thirty-second, 401
 Thirty-third, 403, 405, 406, 408,
 413
 Thirty-fourth, 413
 Park & Forestry Association, v
 members, xiii-xv
 Resolutions of, 65
 part of Louisiana, 285, 310, 321,
 323
 Michigan, 323
 Missouri, 323
 Wisconsin, 323
 Record of, in Civil War
 Cavalry, ninth, 401
 Infantry
 Second, 393, 401
 Third, 329, 393, 394, 396, 402,
 404, 420
 Fifth, 397
 School house in, 288
 system, 368
 soldiers in Civil War, 367
 State College founded, 370
 Horticultural Society
 Library, xiv
 Resolutions, 65
 "‘Iowa’" christened, 284
 Iowa City *Citizen*, 27
 Republican, 29
 Ireland demands home-rule, 297
 Iron in Mississippi Valley, 287
 Irrigation, 86, 90, 92, 104, 134
 in Pajarito, 213
 interests, 198
 of arid lands, 104
 Isabella of Spain, 287
 sold jewels, 279, 353
 Islam, 126
 Israel, Army of, 233
 Italy, a chaos of principalities, 308
 Desolation in, 115
 Landing of Æneas in, 301, 307
 Iuka, 397
 Ivy, 72

 JACK AND THE BEANSTALK, 385
Jack the Giant Killer, 385
 Jackson, Stonewall, 250, 257, 305
 his soldiers, 258
 James I, 128
 James II, 251
 Jamestown, 357
 John Smith at, 301
 Oaks of, 84
 Japanese students
 Anecdote, 234
 Jasper in petrified forest, 209
 Jasper County, 307
 Settlement of, 312
Jane Jones, 352-354
 Jay, John, 129
 Jefferson, Thomas, 277, 317

- criticized for Louisiana Purchase, 316
 Death of, 277
 made many plans, 324
 ordered Louisiana Purchase, 285, 310, 333
 Jenkin's Ferry, Battle at, xviii, 22, 23, 407, 408
 Jerrel, B. O., xi
 Jerusalem, 355
 Archaeological School at, 210
 Railway to, 326
 Jimez Mts., 44, 219
 Jinghis Khan, 248
 Job, Quotation from, 73, 84
 Johns, H. A., xiv
 Johnson, Andrew, 259
 I. C., xi
 Judge, J. K., 419
 Professor, 419
 Tom, 130
 Joliet, Louis, 315
 Jones, C. J., 156, 157
 Price, 293
 Josh Billings, 362
 Journalists, Attitude toward game preservation, 176
 Juarez, Benito, 338, 414
 Judd, Rev. Allen, xiv, 53, 57-59
 Juliet, 241
 Julius Cæsar, 275
 landing in Britain, 301
 Juneberry, 83
- KALBACH, GEORGE, xi
 Helen, 53, 57
 Warren, 53, 57
 W. H., xi
 Kansas, best part nearest Iowa, 288
 organized regiment, 311
 part of Louisiana, 285-321
 Kansas City, 400
 Kaye, G. F., xiv
 Keating, W. H., xi, 62
 Keats, John, epitaph, 135
 Keen, Land commissioner, 210
 Keller, Helen, 78
 Kellogg, Harriette S., v, xi, xvii, 377
 Kennerville, 413
 Kenoyer, L. A., xiv
 Kentucky Giant, 389
 Kenworthy, W. S., 347
 Keokuk xvii, 21
 Ketchikan, 365
 Khartoum, 279, 326
 King, Ben, 352
 "King George's men," 303
 Kirkstall Abbey, 380
 Kirksville, 393
 Kirkwood, Samuel J., 15, 346
 Kivas, 214
 Klan, 215
 Knights of Pythias, 54
 Knox, Philander C., 110
 Knoxville, 416
 Knoxville *Journal*, 29
 Kokomo, Gas at, 325
 Glass factory at, 266
 Koran, 126
 Kosciusko, Will of, 282
 Kougorok, 365
- LA BARGE LAKE, 365
 La Rabida Convent, 281
 La Salle, Robert C. de, 315
 Lacey, Berenice (*See Sawyer, Berenice Lacey*)
 Eleanor (*See Brewster, Mrs.*)
 Eleanor Patten, 63, 377, 379, 380
 Eliza Adeline, 384
 Isaac, 381, 384, 386
 James, xvii, 381, 382, 384, 386, 389, 390, 392, 393, 394, 400, 402
 John, 378
 Lacey, John F.
 "Act," xix, 167, 170, 173, 190
 Addresses of, v, 65-370
 admitted to Bar, xviii, 5, 23, 37, 63, 415
 Advocated game protection, 60
 aids old soldiers, 50, 51
 Ancestry of, 377-381

- approachable, 50
as
 Adjutant General of Division, xviii, 412
 Alderman, 421
 Assistant Adjutant General of Division, xviii, 407
 bricklayer, 4
 captain, 4
 citizen, 9
 city solicitor, 23, 421
 conservator, 7
 debater, 27, 32
 First Lieutenant, xviii, 22, 405
 lawyer, v, xviii, 3, 4, 7, 8, 18, 19, 37, 63, 416, 418-421
 Mayor, 4, 37, 63
 Member of Congress, xix, 5, 7, 8, 14, 15, 16, 18, 23, 38, 64, 421
 Member of Legislature, xviii, 23, 64, 417
 President of State Bar Association, xix, 3
 prisoner of war, xvii, 4, 21, 63
 private soldier, v, xvii, 4, 21, 22, 63
 Sergeant Major, xvii, 22, 403
 statesman, v, 19, 33
 teacher, xvii, 391
at home, 34, 64
Attitude toward Confederates, 373,
began practice of law, xviii, 23, 65, 415
Birthplace, xvii, 19, 37, 63, 377, 381
brevetted Major, xviii, 413
Characterization, 166-167
Congressional life, 421-423
Death, xix, 10, 26-34, 36, 52, 56, 58, 60, 61, 65, 371-372
discharged from army, xvii, 402
Education, xvii, 9, 19, 37, 63, 383, 386, 390
elected to State Legislature, xviii, 417
Enlistment, xvii, 4, 21, 37, 63, 392
Events in his life listed, xvii-xix
Funeral, 52-64
his capacity for labor, 8, 9, 10
 journey west, 388
 outside studies, 416-417
in army of observation, 338
Law practice, 416-421
learned the alphabet, 385
Letters, 182, 185-186, 189-192
Life in Wheeling, 386, 387
Life on farm, 390-392
Marriage, xviii, 35, 63, 416
Military career, 21-23, 392-416
moved to Oskaloosa, 19
organized information system, 409-410
paroled as prisoner of war, xvii, 398
Political career, 23-27
Political addresses, 36
prisoner of war, xvii, 396
read law, xvii, 402, 414
Recreation, 9
Reënlistment, xviii, 403
Relieved of army service, xviii, 415
Religious belief, 64
Travels in Alaska, xix, 9, 47, 417
 Cuba and Porto Rico, xix
 Europe, xviii, xix, 9, 47, 417
 Mexico, xix
 Western U. S., 89
Vacations, 9, 417
Writings, v, xviii, 20, 35, 64, 365, 408, 418
Lacey, John M., Jr., 63, 292, 377, 378, 380, 381, 385, 386, 387, 388, 390, 402
 John M., Sr., 379
 John S., 389
 Marion, xviii, xix, 381
 Martha Newell, iv, xii, xviii, xix, 35, 63, 264, 415
 Mary, 379, 381, 386
 Mary Hurley Clifton, 379
 Raymond F., xviii, 380
 Robert, 378, 385, 387, 388, 391

- Spencer, 378, 379
 Manumission papers by, 380
 William, 389
 Wm. R., xii, 384, 390, 420
- Lacey and Shepherd, 420
- Lake Albert Nyanza, 279
 Bonneville, 271
 George, 365
 of the Woods, 319
- Lakes
 Drainage of, 74, 85
 Iowa, 74
- Lamoreux, H. H., xiv
- Land department and forest reserves,
 112, 113
- Land-grant Colleges, Bill authorizing,
 370
- Land grants in
 aid to railroads, 134
 to Connecticut, 128, 129
 Massachusetts, 128
 New York, 129
 Virginia, 128
 lying fallow, 74, 85, 90
 title held by Indians, 132
- Landings, Decisive, 301
- Lane, J. R., xii
- Lannes, Marshal, 304
- Law, C. W., xiv
- Law, John, Speculations of, 316
- Lazell, F. J., xii
- Lead in Mississippi Valley, 287
- Learning dispersed in 1453, 265, 325
- Leasing rights limited, 120
- Lebanon, Cedars of, 84
- Lee, John S., 291
 Robert E., 237, 257, 258, 274, 305
 Surrender of, 413
 Thomas, 291
- Lees, J. H., xiv
- Letter to Col. Shields, 182
- Lewis and Clark, 410
 Expedition, 117, 324
- Lexington, 394, 396, 397
- Liberty, 394, 395, 396, 400
- Liberty Cap, 419
 Torch of, 282
- Lichens, 72
- Lieu land law, 99
- Lilly, Quotation from, 384
- Limestone soil, Value of, 321, 322
- Lincoln, Abraham, 250, 256, 308,
 353, 369, 409
 Address at Gettysburg, 250
 Descendant of, 262
 Example of, 242
 Quotation from, 245
 Revoked order of Fremont,
 400
 James Rush, Letter from, 373
- Lisbon, Sea power of, 261
- "Little Blue", 396
- Little Rock, Campaign against, 23,
 407-408
- Lions, Mountain, 97
- Livingston, L. F., 48
 R. R., 317, 333
- Livingstone, David, 351
- Locust Creek, 393
- Lofland, Captain John, 403
- Loftus, Father, 27
- Logan, Virginia K., 53
 Gen. J. A., 347
- Lombard, Frank, 238, 239
 Jules, 238, 239
- Lombardy, Irrigating ditches of, 322
- Lomond, 365
- Longfellow, H. W.,
 quoted, 319
- Lookout Mountain,
 Battle, 244
 Field, 254
- Lord's Prayer, 264
- Lorraine, 235
- Lough, Al., 392
- Loughridge, Judge Wm., 5, 390, 415,
 419
- Louisiana, 321
 bought from France, 332
 ceded to Spain, 316
 Purchase, 129, 133, 285, 310, 313-
 327, 332
 Boundaries, 310

- Centennial, 284
 Cost, 321, 326
 Money for, 319
 Soil of, 321
 States carved from, 285, 321,
 327
 Treaty, 315-316, 319
 sold to France, 316
 taken by French, 315
 Louisville, 389
 Lucerne, 365
 Lummis, C. F., 211, 218
 Quimu, 218
 Luther, Martin, 385
 Luxor, Ruins of, 211
 Lyell, Sir Charles, 299, 310
- McALLISTER, CHRIS, 20
 Macaulay, T. B., quoted, 243
 Macbride, T. H., xii
 McCall, Ed., xiv
 McClain, Judge Emlin, 20
 McClure, David, 392, 393
 Jesse, 293, 392, 393
 John, 392
 Thomas, 291
 William, 392
 McCoy, Benjamin, xii, 62, 419
 McDermott, J. H., 187
 MacDonald, G. B., xiv
 John, xiv
 Macdonnell, Wm., 383
 McEldowey, Robert, 383
 McEntee, Mr. 291
 McGhee, E. R., xiv
 Mackey, Col. C. H., 419
 McKinley, Wm., 7, 17, 30, 305, 325
 McKistry, General, 403
 McLean Act, 182
 McMillen, Liston, 62, 419
 McMullin, Captain, 347
 McNeil, Colonel J. F., xii, 54
 McNett, William, 19
 McPherrin, J. M., xiv
 McPherson, General J. B., 234, 281,
 393
- McPherson, Judge, Smith, 8
 Madison, James, 333
 Madison Home, 344
 Magnetic needle used by Tartars,
 312
 pole, 73
 Mahaska County, 266, 290, 292, 342
 Bar Association, 61, 62, 63
 Resolutions by, 63, 65
 Mahaska, Statute of, 344, 346
 Mahon, S, xii
 Maine, Relics of the, 346, 348
 Mair, Charles, 154
 Malcolm, J. O., xii, 62
 Malta, 258
 Mammoth, 105
 Mammoth Hot Springs, Buffalo at,
 197
 Mandan, River voyage to, 324
 Manila Bay, 284
 Dewey's victory, 254, 258
 Manitou Springs, 278
 Mankin, Mr., 221
 Mansfield, J. M., 33
 Manual training avocation of
 Greeks, 270
 Manumission papers, 380
 Marathon, 234, 254, 283
 Battle of, 280, 367
 Marbois, Francois, Marquis de, 317
 March to the Sea, 244
 "Marching through Georgia", 238
 sung in Congress, 284
 Mariner's prayer, 262, 275
 Mark Twain, Anecdote of, 75, 394
 Marks, Mr., 343
 Marlborough, Duke of, 250
 Marquette, Jacques, 315
 Mars, Rays from, 269
 Marshall, John, 46
 Martin, Billy, 291
 Mrs., 344
 Martineau, Harriet, 195
 Maryland, 354
 First settlers in, 315
 laws, 82

- makes conditions of federation, 129
 "Maryland, My Maryland", 238, 267
 sung in Congress, 284
 Mason and Dixon's line, 274, 308
 Massachusetts
 claims, 130, 305
 Land grant, 128
 Plantation, 128
 Massacre by Indians, 163
 Mastodon, 82, 89
 Matamoras, 415
 Mayflower, Cost of, 287
 Deaths on, 301
 immigrants, Descendants of, 302
 Landing of, 301
 Mayflowers, 301
 Maximilian, 337, 339, 414, 415
 Mediterranean, a Roman lake, 324
 Mehanna, John W., 392
 Mejia, 339, 415
 Memorial Day, 256
 Confederate, 254
 Memphis National Cemetery, 261
 Mentone, a resort for invalids, 208
 Mershon, W. D., Book by, 184
 Letter from, 187-189
 Metternich, Prince, 331
 Mexican Purchase, 133
 Cost of, 326
 War gave Texas to U. S., 332
 Pension roll of, 225
 Soldiers of, 260
 Mexico, City of, 314
 Civilization destroyed by Spain, 331
 Commerce with, 332
 Cortez in, 354
 Emperor of, 337
 Empire of, 338
 Gulf of, Animal life of region, 320
 Separated from Spain, 334
 Travels in, xix
 Trouble with, 22
- Meyers, Philip, 345
 Michael Angelo, 346
 Michigan claimed by Massachusetts, 130, 305
 part of N. W. Territory, 133
 yields part of Ohio, 131
 Migratory birds, 41
 Annual journey of, 175
 belong to no one state, 191
 Federal protection of, 178-180
 Law regarding, 175, 185
 Letter about, 185
 Protection of, 398
 Milliman, J. C., xii
 Mills bill, 49
 Miltiades, 234, 280
 Greeks of, 283, 367
 Mines of Indian Territory, 423
 Minnesota, 287
 part of Louisiana, 285, 321
 part of N. W. Territory, 133
 Miramon, 339, 415
 Mission Ridge Field, 254
 Mississippi River, 404
 boundary of U. S., 130
 Discovery of, 128
 Scheme, 316
 Valley center of power and wealth, 287, 360
 Minerals of, 287
 Missouri part of Louisiana, 285, 321
 Mistingier, Frank, 293
 Mobile, Capture of, xviii, 414
 Storming of, 240, 403
 Mobile Bay, 415
 Mohammed, 126
 Mohammedan fond of tobacco, 265
 Mojaves, 217
 Mondell, F. W., 100
 Mongoose introduced into Jamaica, 142
 Moninger, W. R., xiv
 Monroe, James, agent in Louisiana
 Purchase, 285, 310, 317
 Biography of, 333
 Monroe, Battle of, 394

- Capital of Iowa, 310
 first cabin in Jasper Co. built at,
 310
 Monroe Doctrine, 318, 328-341
 Congress should endorse, 336
 Text of, 334-335
 Montana, Action of legislature of,
 118
 part of Louisiana, 285, 321
 Montesquieu, Baron de, Epigram of,
 252
 Monuments in battle field parks, 247
 Monuments, National, 44
 Preservation of, 65, 210
 Moore, Colonel, 394
 J. L., 54
 Morbeck, G. C., xiv
 Morgan, E. G., 53, 57
 John, 382, 388
 Morris, Joe, 295
 Morrison, T. N., xiv
 Mosaics at St. Marks, 264
 Mosquito Coast, 340
 Moss, 72
 Mothers determine standard, 298
 Mt. Ararat, 301
 Mt. McGregor, 240, 252
 Mt. Hood, 89, 161
 Mt. McKinley, 366
 Mt. Ranier National Park, 207
 Mt. St. Elias, 366
 Mt. Sinai, 258
 Mountain lions destroy buffalo, 197
 Mountains denuded of forests, 86
 Mueller, H. A., xiv
 Mulberries, Russian, for birds, 149
 Mulligan, General, 397, 398
 Mulligan's Men, 398, 399
 Mummies made into paints and fer-
 tilizers, 204
 Myers, Philip, 419

 NAGELSTAD, O. T., xiv
 Napoleon, 127, 317
 at Austelritz, 239, 240
 Elba, 244
 Waterloo, 248
 defeated by Russia, 259
 Diplomacy of, 318
 Empire of, 330
 in Russia, 244
 sold Louisiana, 285, 319, 332
 War chest of, 319
 "Napoleon the Little", 337
 Narragansett Bay, 128
 River, 128
 "Narrows", The, 342, 343
 Nash, F. T., 62
 National Commission for the Protec-
 tion of Migratory Birds, 55
 Geographic Society, 69
 Monuments, 65, 210
 Reserves as propagating grounds,
 198
 Nations, Character of builders of,
 311
 "Natural Bridge" in Petrified For-
 est, 205
 Natural Gas, 70, 106, 162, 165
 Nauvoo, Mormon Temple at, 390
 Navigation interests, 198
 Nebraska, Boundaries of, 288
 part of Louisiana, 285, 321
 Neill, Colonel, 378
 Needham, Lieut.-Gov. J. A. L.,
 419
 Negroes, Exodus of, 404
 Neptune, Prayer to, 262
 Nevada, 73
 Neutrality, French and English idea
 of, 338-339
 New England anti-slavery crusade,
 305
 Influence of, 306
 New Forest created by Normans,
 195
 New Jersey, 354
 New Martinsville, xvii, 19, 37, 377,
 382, 383, 384, 388
 New Mexico, Deserts of, 94
 Dr. Lummis's description of,
 211
 Legislature appropriates money
 for museum, 211

- New Orleans, 310
 Change of ownership, 318
 Purchase of, 317, 333
 "New Purchase" opened, 342
 New York, 354
 cedes land to U. S., 130
 New York City, 357
 New York Zoological Garden, xi
 Society, 15
 Newcomerstown, 379
 Newell, Martha (*See Lacey, Martha Newell*)
 Newman, Cardinal, 78
 Newton, 49
 Newton, Bar of, 419
 Niagara Falls, 89
 Anecdote about, 320
 Nicarangua, 340
 Canal through, 339, 340
 Port seized by English, 336, 337
 Nice, a resort for invalids, 208
 Nichols, A. S., 266, 343
 Niger, 326
 Nile, River, 284, 327
 Source, 326
 Nineveh, 135
 Noah, 301
 Noe, J. B., 344
 Noe's Ark, 344
 Nome, xix, 302
 Norfolk, 357, 378
 Normans, created New Forest, 195
 North America became Anglo-Saxon, 330
 North Carolina and forestry, 115
 North Dakota part of Louisiana, 285, 321
 Northmen, Discovery of, 279
 Northwest saved, 129
 Northwest territory, 133
 boundaries, 132
 claimed by Virginia, 305
 Nunivak, 366

 OAKS, VIRGINIA, 84

 Ohio, 73, 129
 part of N. W. Territory, 133
 Oklahoma, 15, 171
 part of Louisiana, 285, 321
 "Old Guard", 25, 30
 Old Guard of Napoleon, 248
 Old Settlers' Reunion, 348
 Old World Nations
 First settlements unknown, 309
 Nobility of, 304
 Origin of, 303
 Olympic forest reserve, 200
 elk reserve, 210
 Elk saved from destruction, 200
 Games, 270, 325
 Range, 44
 Onyx in petrified forest, 209
 Opals in petrified forest, 209
 Oppenheimer, A., xii
 Ordinance of 1785, 131, 133
 1787, 132, 134
 Oregon, 136, 339
 claimed by U. S., 133
 grain, 123
 Orr, Ellison, xiv
 Osceola, 342
 Oskaloosa, v, xvii, 3, 23, 266, 342, 382, 390, 403
 City park, 342
 Dedication of, 348
 College, 343
 Daily Herald, xii, 21, 24, 26, 33
 House, 344
 named for Indian princess, 342
 Times, 28
 Ottumwa *Courier*, 32
 Oxford, 350

 PACIFIC RAILROAD bill, 367
 and bison, 154
 Padua, Statues of, 345
 Paestum, 271
 Pajarito, 210-219, 221, 222, 223
 Canyon, 221
 region, 44, 222
 National Park, 221

- Palenque ruins, 211
 Palestine, Desolation of, 115
 Palmer, E. L., xiv
 Capt. Fred, 347
 Dr. T. S., 181
 Palmyra, 135
 Pammel, L. H., v. xii, 36-47
 Paradise named by Adam, 290
 Paris, Railroad to Havre, 359
 Parrots, Flight determines Colum-
 bus's course, 280
 Indian, Sale of, 147
 Partridge hunting illegal in Mich-
 igan, 188
 Pasturing on forest reserves, 86,
 101
 Paton, J. M., 217
 Patriotism a common ground, 264
 Patten, Eleanor, 379
 H. B., 379
 Isaac, 377, 378, 379
 Manumission papers by, 380
 Rachel, 378
 William, 377, 378
 Patten's Mill, 379
 "Pauper legislation", 225
 Payne & Sons, xiv
 Pearson, R. A., xiv
 Peasants, French, 75
 Pella, 357
 Pellett, F. C., xiv
 Penn, William, 46, 128, 351
 his colony, 354
 College, xix, 46, 350
 Colors of, 350
 Day, 350, 356
 Pennsylvania, 354
 boundary line, 130
 First settlers in, 315
 issue with Connecticut, 130
 Pension office,
 Administration, 226, 227, 228
 roll, 226, 368
 Pensions for disability, 228, 229
 Revolutionary soldiers,
 224
 soldiers in Mexican War,
 230, 231
 soldiers in War of 1812,
 225
 soldiers' widows, 231
 Speech on, 224-231
 Pericles, Days of, 306
 Perkins, Ebenezer, 342
 G. D., 32
 Peru, its civilization destroyed, 331
 Peters, E. C., xiv
 Petersburg, Evacuation of, 240
 Grant's course at, 237, 240
 Petrified forests, 7, 37, 44-45, 65,
 203, 207, 209, 210
 Emery from, 203
 National Park, 207
 Origin of, 204, 208
 Vandalism in, 203
 "Petrified religion", 205
 Pheasant, Chinese, 136
 Phil Kearney Post, 54
 Philadelphia, 357, 358
 Exposition in, 358
 Philip, James, 197
 of Spain, 368
 "Scotty", 197
 Philippine Commission, 115
 Islands, 259
 Cost of, 326
 Forestry in, 115
 Philipps, Wendell, 304
 Phillips, Mrs., 287, 344
 O. C. G., 62
 T. G., 266, 344
 Phonograph, 269
 Photography, Advance in, 352
 Pickett, General, 244
 Pig-sticker, 71
 Pigeon, Passenger, 184, 189
 protected, 180
 roost, 176
 Wild, 17, 96, 106, 141, 147
 Disappearance of, 195
 Pilgrim day, 301
 fathers, 301

- Pilgrims, Landing of, 301, 305
 Pimlico, 337
 Pinchot, Gifford, 93, 94, 96, 187
 Pinnock, 385
 Pioneers in Iowa, 323
 Hardships of, 293
 not weaklings, 304
 Pitt, William, Death of, 319
 Placer mining law, 102
 Plantain in New Zealand, 143
 Plato, 266
 Plover protected, 180
 Plutarch, 266
 Plymouth Rock, Landing at, 210, 301
 Poison Springs, Battle at, xviii, 23, 408
 Political dead heads, 241
 Pope, General John, 394
 Port Arthur, Defenders of, 301
 Port Hudson, Victory at, 254
 Porter, Pearle, 53
 Porto Rico, xix, 326
 Portugal, 287, 316
 shared in South America, 331
 to improve condition of people, 334
 Portugeese, 281, 329
 Pot hunter, Destructive work of, 137, 138, 169
 Bill against, 146
 Photographed, 162
 Potomac, 327
 Powell, James, 32
 Powers, Hiram, 389
 Greek slave of, 389
 "Hell" by, 389
 Prairie chickens, 137
 illegally shipped, 137, 170
 in Iowa, 144
 migratory birds, 181
 protected, 182
 City, Address at, 307, 312
 Settlement of, 312
 Schooner, 300
 Prairie d' Anne, Battle of, xviii, 23, 407
 "Prayer meal", receptacle for, 215
 Prentiss, General B., 406
 Prescott, Harriet, 78
 President of U. S., Power in regard to forest reserves, 110, 111
 Preston, Judge B. W., xii, 62
 Price, General Sterling, 396, 398, 405, 407, 410
 Printing employed by Chinese, 312
 Prize shooting, 148
 Proctor, Redfield, 200
 "Progressive movement", 25
 Prouty, S. F., 25
 Prussia in Holy Alliance, 330
 signs Treaty of Verona, 331
 Public domain, 125-135
 Lands Committee, 7
 school in Greece, 270
 Pueblo Indians, 215
 Punch, Anecdote from, 87
 Puritans, 315
 Putnam, H. S., xii
 Puye, 212
 Canyon, 213
 QUAIL, Illegal shipment, 137
 in Iowa, 144
 Quakers in America, 315
 Queretaro, 339, 415
 Quincy, 400
 Quincy, Josiah, Anecdote of, 262
 Quiriga, Ruins, 211
 RABBITS IN AUSTRALIA, 142, 143
 Race dominance, 297
 Rail protected, 180
Railway Digest, 20, 64
 Lacey's, 20, 64, 418
 Railways of the future, 326
 Rain and forests, 85, 89
 Rainmaker, 84
 Ramon Vigil Grant, 221
 Ranges over-stocked, 119
 Rankin, E. N., xii
 Rats arboreal in Jamaica, 142
 Ray, W. G., xii, 33
 Raynal, Abbe, 354

- Rebel Army, Roster of, 409
 Rebellion, War of, *See Civil War*
 Reclamation from Nature
 British Isles, 72
 Europe, 72
 Italy, 72
Recreation, Excerpt from, 166-167
 Red Sea, 259
 Reed, Thomas B., 275, 423
 Reeve, Moses, 292
 Reeves, Elmer, xiv
Register and Leader, 37
 Reign of Terror, 272
 Religious freedom sought by settlers,
 315
 Remus, 307
 Resolutions upon death of Major
 Lacey, 60-65
 Resources, National, 69, 89
 Revolution, American,
 Influence of, 299
 Laceys in, 378, 379
 Revolutionary War
 England learned lesson by, 330
 Reynolds, S. V., xii, 62
 Rice, James A., 63, 342
 Samuel A., xviii, 4, 21, 22, 35, 37,
 63, 402, 403, 405, 406, 409
 Death of, 407
 Life of, 408
 Rice, Meyers & Rice, 63, 403, 419
 Richard the Lion Hearted, 278
 Richards, W. A., 100
 Richmond, Fall of, 22
 Richmond, Mo., 398
 Rickey, Mrs. A. B., xii
 Riley, James Whitcomb, 83, 94
 Rio Grande, Army of, 22
 Riots of 1893, 244
 Ritchie, Leitch, 358
 Rito de los Frijoles, 211, 212
 Canon, 214
 River and harbor improvements,
 357-360
 Roar, Ben, 397, 398
 Robb, M. A., 391
 Robinson, J. M., 148
 J. T., 398
 Yankee, 348
 Robinson's Circus, 348
 Rodey, B. S., 210
 Roman Lake, 324
 Roman legion, Influence of, 245
 Rome
 Archaeological School, 210
 Downfall of, 265
 ignorant or learned, 245
 Sea power of, 261
 Rominger, Ellsworth, 32
 Romulus, 303, 307
 Roosevelt, Theodore, 7, 38, 100, 347
 Annual Message, 199
 Career of, 305
 had confidence in Major Lacey, 7,
 24, 43, 183
 Letter from, 24, 183, 184
 Rose Hill, Army Post, 236
 Rosecrans, Gen. W. S., 410
 Rosenberger, Absalom, 354
 Roses, red and white, Union, 248
 Ross, Elmer, xiv
 Rowe, Lena, v
 Rowe, Professor, 391
 Russia abolished slavery, 242
 defeated Napoleon, 259
 in Holy Alliance, 330
 signed Treaty of Verona, 331
 sold Alaska, 134, 332
 Russian thistle in Dakotas, 143
 Ryan, Judge D., 419

 SAC CITY *Sun*, 24
 Sac names, 267
 Sackville-West affair, 49
 St. Helena, Napoleon at, 319
 St. Louis, 404
 Lewis & Clark return to, 324
 Message from Athens to, 325
 Valuation of, 321
 St. Mark, 264
 St. Mark's Cathedral, 264, 329
 St. Paul, 162
 St. Paul's Cathedral, 249
 Salamis, 284

- Salmon destroyed on Pacific coast,
107, 161
in Connecticut, 82, 161
- Salomon, Colonel C. E., 409
- Sampson, E. S., 419
- Samuels, B. M., 346
- San Francisco forest reserve, 112
- San Ildefonso, 210, 213
Treaty of, 316
- San Joaquin Valley, Elk in, 114
- San Salvador, 301
Columbus landed upon, 314
- Santa Clara, 210
- Santa Fe 210
Archaeological school, 210
Founding of, 210
Palace of the Governors, 211
- "Santa Maria" The, 353
- Santiago, 284
Victory at, 258
- Saracen's Head, 277
- Sargent, A. H., xii
- Sawyer, Berenice Lacey, v, xii, xviii,
xix, 35, 46, 367, 371, 377
- Sawyer, Carroll, xii, 371
- Sayers, Mr., 227, 230
- Schavoir, Dr. F., 187
- Schee, G. W., xii
- Scipio, 354
- Scotchmen virile, 302
- Scotland asks for home rule, 297
- Scott, Colonel John, 21, 394, 401
Lieut., 400
- Searle, Capt. C. R., 411
- Secession, Result of success, 235
- Sedan, Battle of, 318
- SeEVERS, G. W., xii, 61, 63, 344
Poem by, 345
Judge W. H., 5, 266, 419
- Seine, 327
- Seminole names, 267
- Seneca, 326
- Sermon on the Mount, 256, 264, 277
- Service berry, 71, 83, 111
- Seton-Thompson, Ernest, 146
- Settlers in reserves, 101
Old, Meeting of, 307
- 1776, Patriots of, 260
- Seward, W. H., 134, 326
- Shackleford, Dorsey, 149
- Shad, Migratory, 192
- Shakespeare, Wm., 79, 80, 312
quoted, 80, 249
- Shangle, L. T., 62
- Shannon, J. A., 53
- Shaw, Wm., 54
- Shelbina, 394
- Shelby, Gen, 408, 409
- Shepherd, W. E., xviii, 63, 64, 392,
393, 420
- "Sheridan", Voyage of the, 259
- Sheridan, General Philip, 4, 22,
244
- Sheriff, H. H., xii, 62
- "Sherman", Voyage of the, 259
- Sherman, John, 422, 423
J. S., 136
W. T., 237, 244, 401
Soldiers under, 274
- Sherman-Johnston Truce, 414
- Sherman Law, 363
- Shields, G. O., xii, 16, 181, 182, 187,
193
Shields' Magazine, Article from,
203-206
- Shiloh, Address, 46
Battle of, 234, 280, 292, 348, 401
Fiftieth anniversary of, 247
Park, 253
- Shimek, B., xii
- Shiras, George 3rd, 178, 191
- "Shouldered his axe," Origin of,
345
- Shull, H. W., xiv
- Sidon, Sea power of, 261
- Sieyes, Count E. J., 272
- Sigourney, Bar of, 416
- Silver in Mississippi Valley, 287
- "Side hunt," 162
- Simpson, Bishop, 381
- Sioux City, 3
Journal, 32
- Skagway, 365
- Skunk River, 343

- Slavery
 in Brazil, 282
 Russia, 282
 United States, 236, 282
 not mentioned in Constitution, 288
 tolerated in Ohio, 383
- Slaves' food regulated by law, 82
 Importation into U. S., 288
- Smith, Alexander, quoted, 69, 80
 Gen. A. J., 410, 411, 414
 Charles Emery, 358
 C. F., 350
 Gen. E. Kirby, 414
 Hoke, 226
 John, 84, 301
 W. I., xii
 W. T., 348
- Snipe protected, 180
- Snows, Conservation of, 102
- Soil-making, 322
- Soils of Iowa exhibited, 358
- Soldier, Young, 244
- Soldiers, Characteristics of, 246
 Correspondence of, 246
 Decorating graves of, 260
 mustered out, 243
 Reunions of, 347
- Song birds protected, 13, 194
- Sons of Veterans, 242, 262
- Soothsayers augur from flight of
 birds, 280
- Soper, C. M., xiv
- South America, 344
 Commerce with, 332
 divided between Spain and Portu-
 gal, 331
 settled by Spanish, 314, 330
- South Carolina settled, 315
- South Dakota part of Louisiana,
 285, 321
- South Spring Mills, 392
- Spain, 281, 287, 316
 destroyed civilization in New
 World, 331
 in possession of Florida, 317
 losing power in Cuba, 337
 sold Florida, 326, 332
- To improve condition of people,
 334
- Spanish colonies independent, 332
 Spanish Fort, xviii, 413
 in America, 329
 goldseeker, 129
 law on metals, 134
 Needle, 382
 Republics recognized, 336
 War, 260, 284, 399
- Sparrow, English, 49, 137, 165,
- Spartanville, 350
- Spencer, A. P., xii
 H. L., xii
- Sportsman a friend of birds, 145
- Sportsmen, American
 League of, 37, 141, 166, 193, 407
 Address before, 166
 Gift of, 38
 Object of, 193
 "Spring shooting" prevented, 179
- Springer, Frank, 218
- Springs, Conservation of, 102
- Spurling, Col. A. B., 413
- Spurrell, J. A., xiv
- Standing army source of danger,
 273
- Stanley, Henry, 351
 Wilson, 343
- Stanton, Edwin M., 381
 E. W., xiv
- Star of empire moves westward, 327
 "Star Spangled Banner," 239, 267
 Sung in Congress, 284
- Starling, Importation forbidden, 142
- Starr, Frederick, 216
- Stars and Stripes, 318
- State vs. Pleasant Anderson, 420
- States' rights in forest reserves, 110,
 111
 protected by game law,
 137, 138, 139
- Steel rails test of national achieve-
 ment, 268
- Steele, General Frederick, xviii, 4,
 21, 22, 23, 35, 338, 339, 407, 408,
 409, 410, 412, 413, 414, 415

- Stephens, E. F., xiv
 Stephens, F. C., xv
 Sterling, Earl of, 128
 Stern, A., xii
 Stiles, E. H., xii, 19
 Stock Exchanges, 361-364
 gambler, 362
 Stone, Gov. George M., 401, 419
 Stony Point, Anecdote of soldier at,
 273-274
 Stuart's *Iowa Colonels and Regi-
 ments*, 21
 Suez Canal, 258, 340
 Summers, H. E., xv
 Sumter, 392
 "Sunfish", 381
 Superior, Lake, Wealth of, 129
 Superstition of Indians, 216
 Sunflower State, 288
 Supreme Court of Iowa, Decision of,
 20
 "Swallow", 388
 Swalm, A. W., xii
 Letter from, 371, 372
 Mrs. A. W., xii
 Swans protected, 180
 Swiss troops at Granson, 250
 Syracuse, 354

 TAFF, PAUL, xv
 Taft, Wm. H., 7, 347
 Tallahatchie River, 404
 Talleyrand, 317
 Tanana, 366
 Taney, R. B., 46
 Tanner, Corporal, 260
 Message to, 261
 Taos pueblo, 44, 219
 Tartars used magnetic needle, 312
 Tasmania, Settlers in, 273
 Taylor, Gen. Dick, Confederate
 forces under, 338
 Rose S., xv
 Telephone, Use of, 265
 Temple center of Grecian city, 288
 Tennyson, Quotation from, 73, 84,
 267, 296

 Terraces built, 86
 Terrapin, use restricted, 82, 161
 Terre Noir Creek, Battle of, xix, 23,
 407
 Terrefenoir Creek (*See Terre Noir
 Creek*)
 Territorial acquisitions, Cost of, 326
 Teuton combines with other nations,
 309
 Tewa Indians, 212
 Spectacle presented by, 217-218
 Texas, acquired by U. S., 332
 Emigration to, 382
 Oil in, 106
 U. S. army in, 338
 Thames, 327
 "The Narrows", 266
 Thermopylae, Heroes at, 253
 Thistle a pest in Canada, 142,
 143
 Thomas, Gen., Soldiers under, 274
 H. G., 200
 "Thomas Swann", 389
 Thompson, L. O., xv
 Tiber, 327
 Tigris, 327
 Timber policy, 75
 Timothy, 118
 Tipperary, 301
 Toledo blades, Construction of, 278,
 283
 Town meeting, 306
 Townsend, Capt., 407
 Tracy Elm, 36
 Trafalgar, 284
 Trappers, Destructive work of, 143
 Treaty of 1803, 318
 Tredick, Henry, 344
 Tree farming, 111
 maxims, 87
 Trees, Oskaloosa, 344, 345
 Trenton, Federal Court at, 130
 Trout stream preserved, 188
 Truax, E. R., xv
 True, G. C., 61, 62
 Trueblood, B. F., 355
 Trumbull, Captain, 395, 401

- Tschrege, 212
 Canyon, 213
 Turkey, Wild, 108, 213
 Turkish claim of land near Joppa,
 132
 Turks captured Constantinople, 265
 Tweed River, 235
 "Tyler", 406
 Tyler County, 382
 Tyre, Sea power of, 261
 Tyrolese Alps, 298

 UNITED STATES, Cost of Govern-
 ment, 368
 Department of Agriculture, 41,
 42, 86
 Department of Interior, 42
 Fish Commission, 188
 Not visited by Columbus, 314
 Uruguay Railroad, 320
 Usonians, 303
 Utica, 393
 Uxmal, Ruins, 211

 VALLEY FORGE, Veterans of, 282
 Van Delashmutt, Mr., 291
 Velocipede, 359
 Venezuela oppressed by England,
 336, 337
 Venice, 329
 Ver Ploeg, C., 62
 Veragra, Duke of, 262
 Verona, Treaty of, 331
 Veteran reunion, Address, 232
 Veterans, number decreasing, 234
 Vicksburg, 407
 Siege of, 238, 250, 254, 401, 404
 Surrender, 406
 Villages near Mississippi River, 388
 Vinton *Eagle*, 28
 Virginia, 94, 354
 Claims of, 305
 land grant, 128
 Monroe governor of, 333
 Voltaire, 116
 Von Tungeln, G. H., xv

 WADSWORTH, J. W., 185

 Waite, J. L., 30
 Wales seeks home rule, 297
 Walker, J. B., 361
 Walker Museum contains cast of
 Pajarito lions, 216
 Wall Street, 363
 Walling, C. S., xii
 Walnut trees, 75
 Walrus, Destruction of, 169
 War of 1812, Pension roll, 225
 Soldiers of, 260
 Ward, Artemus, 125
 Warren, General, Death of, 279
 John H., 392, 393
 Washington (D. C.), Return of
 Lewis & Clark to, 324
 Washington, George, not a humor-
 ist, 284
 Sword of, 306
 Lewis, 306
 Washington Territory, 339
 claimed by U. S., 133
 Water sources protected, 198
 supply affected by forests, 86
 Waterloo, 247
 Battle of, 318
 Watrous Nursery Co., xv
 Wayne, Anthony, 273
 Wealth produced by labor, 298
 Weather and climate, 73
 Weaver, J. B., xix, 5, 6, 48, 49,
 347
 Webster, Daniel, 127
 Weekly, Mr., 293
 Weeks, John W., 185
 Weeks Bill, 180
 Weeks-McLean Law, 41
 Weitzel, Gen. Godfrey, 412
 Welborn, Judge, 185
 Welfare of Nation, Forest vital to,
 88
 Welsbach burner, 278
 Wentworth, E. N., xii
 Wesley, John, 238
 West, C. B., 394
 General J. R., 409
 West, Building the, 310

- West Indies, Columbus landed in, 314
 Population destroyed by Spain, 331
- West Point, 252, 354
- West Virginia, xvii, 4
 Lacey family moves to, xvii, 382
- Western Reserve a part of Connecticut, 130, 131, 305
- Wetzel County, 382
- Wheeler, Major J. B., 409
- Wheeling, Lacey family moves to, xvii, 382, 385, 386
- White Hart, 277
- White House, 369
- White, Justice E. D., 8
- Whitehorse Rapids, 365
- Wichita Forest Reserve, 100, 190, 199
 declared a game refuge, 100, 170
 National Bison Range, 15, 176, 177
- Wide Awakes, 347
- Wilcox, Willis, 291
- Wild game and settlement of America, 39
- Wilderness battle ground, Visit to, 253
- Williard's *Equity*, 403
- Willcockson, K. E., 61, 62, 63
- William the Conqueror, 301, 380
- Williams, Capt. 272
 Jesse, 342
 J. C., 61
 M. T., 266, 342
- Wilmington, 357, 358
 Address at, 356-360
- Wilson, D. C., xv
 Capt. Robert, 292
- Wilson original package bill, 139
- Wilmer, Bishop, 283
- Winnipeg, Plants of, 320
- Winslow, Judge H. S., 419
- Wisconsin claimed by Massachusetts, 130
 claims part of Illinois, 130
 Game wardens in, 410
- Most fertile in west, 288
 part of N. W. Territory, 133
- Wise, H. A., 306
- Wofford, 350
- Woman as hod carrier, 298
 her position in America, 298
- Woman's Relief Corps, 54, 242
- Women helped build Iowa, 311
- Women's Clubs, Address before, 78-87
 Iowa Federation of, 42
- Wood, Col. W. D., 412
- "Wood buffalo," 156
- Woodcock protected, 180
- Woodin, G. D., 419
- Woodlot Farm, 76
- Woodsfield, 381
- World Review*, 172
- Wren, Sir Christopher, Monument, 249
- Wylie, R. B., xv
- Wyoming, 73
 part of Louisiana, 321
 state law, 100, 198
- X-RAY, Discovery of, 269, 352
- "YANKEE DOODLE", 238, 267
- Yankee Robinson, 348
- Yankees, 303
- Yazoo Pass Expedition, 23, 404
- Yazoo River, 404
- Yellowstone Park, 7, 9, 13, 15, 38, 60, 96, 97, 100, 198, 207
 an educator in game protection, 171
 Buffalo in, 176
- York and Lancaster, War of, 248
- Yorktown, Veterans of, 282
- Young, Lafayette, 31
- Yucatan, Explorations in, 211
- Yukon, xix, 366
- ZAMA, Battle of, 318
- Zinc in Mississippi Valley, 287
- Zoological Parks, Buffalo in, 156
- Zuni pueblo, 44, 219

INDEX: PARK AND FORESTRY

- Abies grandis*, 469
 nobilis, 469
Acer, circinatum, 470
 glabrum, 471
Ackley, Cottonwood plantation near, 434
Aconite, 441
Adams, Albert B., 444
Agricultural Extension, 468
Alaska Cypress, 471
 glaciers, 479
 gold fields, 445
Algae on Mt. Rainier, 472
Allamakee Co., 442
Alphabet, Indian, 480
Alpine Heather, 471
Amazon River, 479
Ames, A. L., 426
Ames Tribune, 443
Anderson, C., 434
Antelope in Iowa, 453
Arey, M. F., 426
Arisaema, Morphology of, 475
Asarum, 471
Ashford, 469
Audubon Society, 461
Auk, 462
Australia, Forests of, 479
Avens, Yellow, 470
Avoca, Deer near, 445
- BAG LIMIT on birds, 463, 464
Bailey, B. H., 426
Baker, Dr. H. P., 428
Balsam Fir, 441
Barbarism, Relics of, 455
Basswood, 467
Bates, C. G., 435
Beech Fern, 470
Berberis, Aquifolium, 470
 nervosa, 470
Beyer, S. W., 394
Birch, Cherry, 388, 442
 White, 441
Bird conservation, 460-464
 law, 457, 461
 lovers, 462
 study, Pocket guide to, 450
Birds
 Acquaintance with, 449-451
 allowed resting and feeding period, 464
 breed near lakes, 459
 Game, 457, 463
 Insect-eating, 458, 462
 Migratory, 461
 Protection of, 426, 458, 458
 Song, 462, 463
 valuable to agriculture, 459
 valuable to farmer, 464
Bishop's Cap, 471
Bixby Forestry Bill, 428
Black Cottonwood, 470
 Hawk, 440
 War, 440
Blackbirds, 454
Bliss, G. R., 426
Blue Bird, 450, 477-478
 Jay, 450, 460, 461
Bluebell, 441, 471
Boone and Crockett Club, 461
Boone County, 441, 442
Boreal plants, 442
Bounty for birds, 460
Boyden, Cottonwood near, 434
Brake Fern, 470
Brant migrating, 453
Brewer, L. A., 426

- Bryanthus empetriformis*, 471
 Buchanan, Estelle Fogel, 469
 Buena Vista County, 446
 Buffalo, 456
 in Iowa, 453, 454
 Burgess, Mrs. E. A., 426
 Burroughs, John, 449
- CALVIN, DR. SAMUEL, 440
 Camp Fire Club of America, 461
 Muir, 472
Campanula scouleri, 470
 Carolina Paroquet, 462
Cassiope mertensiana, 471
 Catalpa, 429-431
 Plantation at Iowa State College,
 430
 South Amana, 430,
 431
 Cedar as windbreak, 382
 Washington Red, 470
 Cedar Rapids, 441
 Republican, 444
Chamaecyparis nootkatensis, 471
 Cherokee Indian, 479
 Civic centers, 385
 improvement, 426
 Civil service for Game Warden, 464
 Civilization on commercial basis, 455
 Clarke, Charles F., 426, 452-457
 Clay County, lakes, 446
Claytonia, 470
 Clear Lake, 444
 State property, 438
 Clinton, 443
Clintonia, 471
 Closed season on birds, 409
 Clover, Sweet, 441
 Cobb, R. L., 447
 Coe College, 475
 Colquhoun, Ezra, 457
 Commercialism, 455, 456
Compositae of California, 480
 Conard, H. S., 426
 Consolidated schools, 411
- Cooper, James Fenimore, 456
 Cottonwood, 429, 431, 433-436
 Black, 470
 Growth of, 433, 453
 Plantations near Ackley, 434
 Boyden, 434
 Orange City, 434
 Schaller, 434-435
 Whiting, 435
 Returns, 434-435
 Uses, 433
 Council Bluffs, 369
 Cowlitz Glacier, 473
 Crab apple, Wild, 454
 Cranberry, High bush, 441
 Crane, 477
 Sand-hill, 454, 457
 Creeper, 450
 Creston, 475
 Crow, 460, 461
 County, 460
 Cuba, 479
 Culley, F. F., 426
 Curlew, Eskimo, 462
 Cypress, Alaska, 471
- DACHNOSKI, DR. A., 448
 Davenport, 389
 Deer in Iowa, 453
 Des Moines, 438, 439
 Forward movement in, 437
 State property in, 438
 Devil's Backbone, 441
 Club, 470
 Dickinson County lakes, 438
Diervilla, 441
Dodecatheon, 471
 Dog's-tooth Violet, 471-472
 Douglas Fir, 470
 Spruce, 471
 Dwarf Maple, 471
 Dubuque, 389
 Ducks, Hunting, 456
 Labrador, 462
 Migrating, 453, 454, 457

- Dunbar, 478
Echinopanax horridus, 470
 Elephant's Head, 471
 Elk, 453, 454, 456
 Elm, Red, 441
 Rock, 441
 Endlicher, S. L., 480
Epilobium grandiflorum, 470
 Erwin, A. T., 426
Erythronium, 471
 Eskimo Curlew, 462
 Extension Department at Iowa State
 College, 468
- FALSE HELLEBORE, 471
 Fence post, Tree for, 429
 Fern, 442
 Beech, 470
 Brake, 470
 Fir, Balsam, 441
 Douglas, 470
 Grand, 469
 Noble, 469, 471
 Fireweed, 470
 Fish Warden, 464
 Fish and Game Commission, 464
 Fitch, C. L., 465
 Florida, 479
 Forest conservation, 463
 plantations, cost, 427, 430
 in Iowa, 427-436
 neglected, 427
 Returns from, 430
 products, 428
 trees, Distribution of, 480
 Forests, 479
 Ft. Atkinson, 440
 Ft. Crawford, Military road to, 440
 Ft. Dodge, 442, 444
 Chronicle, 445
- GAME COMMISSION, 463
 hog, 462
 preserve, 444
 Protective Association, 461
 Sale of, 464
 Warden, 463
 Deputy, 464
 Promotion, 464
Gaultheria Shallon, 470
 Geese, 477
 Canadian, 453
 Hunting, 457
 Migrating, 453, 454, 456
Geum macrophyllum, 470
 Ginger, Wild, 471
 Gow, J. E., Biography of, 475
 James, 475
 John, 475
 Grant, Gen. U. S., 476
 Grape, Oregon, 470
 Greene, Wesley, 426
 Greenfield, 475
 Griswold, Mr., 479
 Grosbeak, Rose-breasted, 449
 Grouse, Ruffed, 458
 Gulf of Mexico, 479
 Gull, Franklin's, 458
 Gun Clubs, 461, 462, 463
- Habenaria*, 471
 Hackberry, 467
 Hanchette, W. H., 426
 Hardin County, 441, 442
 Harebell, 470
 Harrington, F. O., 426
 Hawk
 bounty, 460
 Cooper's, 459
 Sharp-shinned, 459
 Hawthorn, 454
 Hayden, Ada, 426
 Heather, Alpine, 471
 Heaths, 471
 Hellebore, False, 471
 Hemlock,
 Mountain, 471, 481
 Western, 469
 Hetch Hetchy Valley, 480
 Highway in eastern Iowa, 389

- Hinshaw, E. C., 447
 Holly, Water, 416
 Hornaday, W. T., 449, 457, 461
 Hunters vs. sportsmen, 461-462
 Hunting,
 Restrictions in, 463
 Principles necessary, 464
- ILLINOIS BIRD LAW, 463
 India, Forests of, 479
 Indian Lettuce, 471
 Indiana, 479
 Insect pests, Loss from, 458
 Iowa Forestry and Conservation
 Association, 476
 Park and Forestry Association,
 475
 Timbered areas of, 427
 Iowa State College, 458
 Veteran Volunteer Infantry, 476
 Jacob's Ladder, 471
 Jumper, 481
- KANSAS
 bird law, 463
 lakes, 445
 Kay, G. F., 426
 Kellogg, Florence, 449-451
 Kellogg, Harriette S., 426
 Keokuk, 443
 Kossuth County, Cottonwood in, 434
- LA CROSSE, 443
 La Crosse County, 442
 Labrador duck, 462
 Lacey, Major J. F., 449
 Lake Mendota, 477
 Lake Okoboji, 447
 Lakes
 Conservation, 444, 458
 Drainage, 443
 influence climate, 445
 Iowa, 443
 Dickinson Co., 438
 Meandered, 446
 Lakeside Laboratory, 475
 Lau, C. W., 426
 Laurens, 444
 Lazell, Fred, 426, 475
 League of American Sportsmen, 461
 Leatherstocking, 456
 Ledges, 441, 442
 Lees, J. H., 426
 Lettuce, Indian, 470
 Miner's, 470
 Lewis and Clark, 464
 Liberty Cap, 473
 Lodgepole Pine, 470
 Lohr, F. W., 426
 Longmire Springs, 469, 470, 473
 Lonicera, 470
 Lumber production, 377
- MACBRIDE, T. H., 437
 MacDonald, G. B., 426, 428, 447
 Mahon, Major Samuel, Biography,
 476
Maianthemum, 470
 Mallard migrating, 453
 Maple,
 Dwarf, 471
 Hard, 441
 Vine, 470
 Maquoketa River, 441
 Marathon, 447
 Mazama's scroll, 473
 Meadow Lark, 450
 Medium Lake stocked with fish, 447
 Members of Forestry Association,
 xiii-xv
Mertensia, 471
 Mice eaten by owls, 404
 Migration, Highways protected, 464
 Migratory birds,
 Law regarding, 461
 Protection, 452-457
 Miller, Joaquin, quoted, 455-456
 Mineral resources, Conservation of,
 463
 Miner's Lettuce, 470

- Minnesota, Balsam in, 441
 Mississippi River, 442
 Highway along, 443
 White pine near, 443
 Missouri bird law, 463
Mitella, 471
 Moose, 456
 Morbeck, G. C., 426
 Mounds of Northeastern Iowa, 441
 Mt. Hood, 473
 Mt. Rainier, Ascent of, 418-420
 Mt. St. Helens, 473
 Mountain Hemlock, 471, 481
 Meadow, 471
 Mud Lake, 446
 Mueller, H. A., 426
 Muir, John, 477-481
 Botanizing trip, 479
 Boyhood, 477-478
 Education, 478-479
 Inventions, 478
 Writings, 480-481
 Mulberry as windbreak, 436

 NEW ZEALAND, Forests of, 479
 Nisqually Glacier, 472, 473
 Nuthatch, 450

 OAKS, NATIVE, 467
 O'Connor, N. M., 447
 Ohio bird law, 463
 Okoboji Lake, Fish in, 447
 Orange City, Cottonwood near, 434
 Orchis, Rein, 471
 Oregon Grape, 470
 Oriole, 450
 Orr, Ellison, 426, 441
 Osage, 442
 Ottumwa, 476
Our Vanishing Wild Life, 407, 461
 Owl,
 Barn, 458
 bounty, 460
 Oxalis, 470

 PACHECO PASS, 480

 Paige, F. W., 444
 Palisades of the Cedar, 441
 Palmer, E. L., 426
 Palo Alto County, 446
 Pammel, L. H., 426, 440-451, 458,
 477-481
 Paradise Valley, 471
 Park and Forestry Association,
 Committees, 426
 Officers, 426
 Paroquet, Caroline, 462
 "Pass of Gibraltar", 473
 Passenger Pigeon, 462, 477
 Pease Creek, 441
 Peat bog, 448
 deposits in Ohio, 448
Pedicularis
 groenlandica, 471
 racemosa, 471
 Pellett, F. C., 426
 Pennsylvania bounty act, 460
 Peters, E. C., 426
Phegopteris dryopteris, 470
 Philippines, Forests of, 479
 Pickerel Lake, 446
 Pigeon, 454
 Passenger, 462, 477
 Pignut, 441
 Pintail, 453
 Pine Creek, 442
 Pine, Lodge-pole, 469
 Soft, 467
 Sugar, 481
 White, 429, 431-433, 441, 442
 Cost of planting, 431
 Growth of, 431
 Plantations of, 432
 Cost, 432
 Returns, 433
Pinus contorta, 470
 Pioneers, 454-455
 Plants, Native, 426
 Plants, Wild, Extermination of, 448
 Play grounds, School, 466-467
 Pleasure grounds in Iowa, 390

- Pocahontas County, 446
Poisonous Plants, 458
Polemonium, 471
Polyporus versicolor on Catalpa, 429
Populus trichocarpa, 470
 Post Tavern, 440
 Postville, 440
 Pottawattamie County, Deer in, 445
 Prairie Chickens, 455, 477
 Property of the State,
 neglected, 437-439
 Rural, 438-439
Pseudotsuga taxifolia, 416
Pteris, 470
Pyrola, 471
- QUAIL PROTECTED, 463
- RANIER NATIONAL PARK, 469-474
 Types of Tourist in, 469
 Reese's Camp, 469, 471
 Reeves, Elmer, 426
Register & Leader, 437, 444, 446,
 449, 452
 Rein-orchis, 471
 Rhine, 440, 442
 Robin, 450, 454, 477
 Rolfe *Arrow*, 446
 Rural school grounds, 467
 Rush Lake, 446
 Drainage, 443, 444
 State property, 438
 Russia, Forests of, 479
- ST. LOUIS, 443
 St. Paul, 443
 Salal, 470
 Scalp bounty act, 460
 Schaller, Cottonwood at, 434
 Schee, G. W., 371
 School grounds, Experiment plots
 upon, 413
 Improvement of, 411-414
 Parking of, 412
 Playgrounds upon, 412-413
 House, Location of, 412
- Schools Consolidated, 411
 Schoultes, F. H., 432
 Scott, C. A., 430, 431
 Seeds consumed by birds, 458
 Sequoia, Chief, 479
Sequoia, 479, 480
 Shelter belts, 431
 Shimek, B., 426
 Shooting Star, 471
 Shotguns,
 Automatic, 462, 464
 Machine, 464
 Pump, 462
 Shull, H. W., xiv, 426
 Siberia, Rivers of, 479
 Sierra forests, 480
Sioux City Journal, 460
 Snowball playing on Mt. Rainier,
 472
 Soil conservation, 463
 South Amana, Catalpa at, 430
 America, 479
 Dakota Bird law, 463
 Sparrow, 450
 eats seeds, 458
 English, 450
 Spirit Lake state property, 438
 Spirit-Okoboji group of lakes, 444
 Sportsman, Character of, 461, 462
 Sportsmanship, 461, 462
 Sportsmen, American, League of,
 461
 Spruce as windbreak, 436
 Douglas, 471
 Spurrell, J. A., 426
 Starved Rock, Ill., 442
 State Capitol grounds, 437
 park, 438
 State property, 437-439
 Steamboat Rock, 441, 442
 Stephens, T. C., 426, 460
Stickeen, 481
 Stirling, Professor, 478
 Storm Lake, 444
 Swan, Wild, 454

- “Switzerland of Iowa”, 440
Sycamore, 467
- Taxus brevifolia*, 471
TAYLOR, MRS. ROSE S., 426
Teal migrating, 453
The Yosemite, 480
Thrush, 450
Thuja plicata, 470
Tiarella trifoliata, 470
Timbered area in Iowa, 427-428
Tourists, Types of, 469
Tree planting, 429
Truax, T. R., 426, 427-436, 447
Tsuga heterophylla, 469
 mertensiana, 471
Twin berry, 470
Tyrrell's Pass, 476
- U. S. Bureau of Forestry, 475
 Department of Agriculture, 458,
 461
- VALERIAN, 471
Valeriana, 471
Veratrum, 471
Vine Maple, 470
Violet, Dog's tooth, 417-418
- WAKE ROBIN, 449
Wall Lake,
 Drainage of, 447
 state property, 438
- Walnut tree, 3, 441
Washingtonia, 480
Water Fowl, Breeding of, 452
 Migratory, 452, 453, 454, 455
Weed seeds eaten by birds, 458
Weeds of the Farm and Garden, 458
Wellingtonia, 480
Western Yew, 471
Westmeath Co., Ireland, 476
Whiting, Cottonwood near, 435
Whitman, Walt., quoted, 456
Widgeon, migrating, 453
Wild Ginger, 471
Willows, 453
Windbreaks, 428, 435, 436
Wisconsin, Balsam in, 441
 Game Law, 464
 University, 477
Wolves in winter, 456
Woodlots,
 Native, 427
 Planted, 427
Woodpeckers, 450
Wren, 450
Wylie, R. B., 426
- XENIA, 476
- YELLOW AVENS, 470
 River, 441, 442
Yew, Western, 471
Yosemite, Muir in, 479, 480

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