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ISSN 0003-4827

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Recommended Citation

Moats, Francis I. "William H. Berry—1849-1923." *The Annals of Iowa* 32 (1953), 110-126.

Available at: <https://doi.org/10.17077/0003-4827.7317>

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William H. Berry—1849-1923

By FRANCIS I. MOATS*

The democratic way of life, as we have known it in the United States, is a product of the American frontier. Never before did a condition such as obtained in the United States and in our sister dominion to the north ever present itself to a people well advanced in the arts of modern civilization. The American Revolution and the War of 1812 had swept away the western barriers, as well as minimized physical dangers. Into the frontier rushed millions whose social, economic and political life was to be determined by fast developing conditions. Whether it was the Ohio valley, the immediate trans-Mississippi region or the far Northwest, the same characteristics prevailed in each successive frontier.

There could be little stratification of society, either economic or social, under conditions that prevailed. New arrivals in a new frontier were accepted as social equals and there could be little concentration of wealth, as men of means usually avoided the hardships of the frontier. But if all were subject to common privations, it was true that here was equal opportunity for those having qualities of leadership to find an outlet, and in most communities this leadership was quickly in evidence.

Indianola and Warren county, Iowa, formed a typical frontier community one hundred years ago, and out of it came the usual institutions, local and county government, school system and churches. As institutions developed, leadership had to be found, or perhaps it was to those who possessed qualities of leadership to whom the community largely was indebted for

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its transformation. Warren county soon had men to whom the community turned for the building of its political and social institutions and on whom they came to depend. The Hendersons could be counted among the earliest as providing such leadership and the B. C. Berry family was soon to take its place with the Hendersons in sharing this leadership.

Indianola was somewhat unique, however, in that its first generation was to produce three men who rose to such outstanding positions. Their guidance was felt, not only locally but became statewide in influence. First of the three in order of seniority was J. H. Henderson, born at Ackworth near Indianola, in 1848, and one of the first white children born in Warren county. Second was William H. Berry, born in Illinois in 1849, who with his parents migrated to Warren county in 1867. Five years later came A. V. Proudfoot from Clarke county to take his place alongside the other two slightly older men, who had already established themselves in the community.

These three men were to have much in common in their contributions to local and state institutions. All were trained in the law profession by the accepted standards of the time and all were admitted to the bar. All were prominent and active members of the Methodist church of Indianola and all played outstanding roles in establishing and building Simpson college. Two of the three, Mr. Berry and Mr. Proudfoot, rose to positions of statewide prominence as members and promoters of the fraternal society, the Ancient Order of United Workmen. Two were to serve in the Iowa State senate and two were to be given serious consideration for the office of governor of the state, while two were to serve their state for long periods of time in important administrative positions. At this time, the public career of William H. Berry only will be reviewed with the hope that it may be followed by a similar sketch of the public career of each of the others.

ATTAINED DISTINCTION AS LAWYER

William H. Berry, son of B. C. Berry, was born in Cass county, Illinois, October 23, 1849. B. C. Berry had served as captain of Company D, 114th Illinois Infantry, during the Civil war. The family with four children of whom William was the eldest, migrated to Iowa in 1867 and settled on a farm near Indianola. William enrolled in the preparatory department of Simpson College and was graduated from the college with the Bachelors degree in 1872. After his graduation he studied law with J. H. Henderson, who already had a law office in Indianola. Mr. Berry was admitted to the bar in 1873. He immediately became a law partner of Mr. Henderson under the firm name of Henderson & Berry. This association was continued until 1885, at which time Mr. Henderson was elected judge of the district court. Mr. Berry continued the practice of law alone until 1896, at which time he was entering his duties as a member of the state senate. Judge Henderson then resigned the judgeship and returned to the practice of law under the renewed firm title of Henderson & Berry.

In 1901, Mr. Henderson formed a partnership with his son, Frank, who had just completed a law course and had been admitted to the bar. Mr. Berry continued the practice of law alone in his office from 1901 to 1903, under the firm name of Berry & Watson from 1903 to 1906, alone again from 1906 to 1911, as Berry & Watson again from 1911 to 1920 and as Berry & Ripper from 1920 until his death in 1923. During those fifty years of law practice, he is reported to have attended all of the two hundred sessions of the district court except one, and was absent from it only because of illness.

In 1897, he joined with G. A. Worth and others to form the Worth Savings Bank at Indianola. Mr. Berry was chosen president of the institution and remained in that capacity until his death.

During the twenty years following his admission to

the bar, Berry had become one of Indianola's most prominent citizens and had laid the foundation for a career in both public and private life that was to make him the most colorful, and perhaps the most versatile of Warren county residents. He had become a member of the board of trustees of Simpson College and always was a man with constructive ideas. He had become superintendent of the Methodist Sunday school, a position which he held for thirty years. He long was a member of the church board of trustees. For many years he had been active in local and state political party affairs and had become a national as well as a state figure in fraternal society circles.

But, to a large degree it was personality that made him a marked man. No one who saw and heard him could ever forget him. His personality was colorful and positive. His voice was strong and sometimes almost booming, but never harsh. His features were prominent, but not coarse, and added to these characteristics were his long flowing locks of hair that distinguished him from all his associates. He was a man of strong intellect and a man thoroughly devoted to service. Contemporaries relate that he was at his best in a plea to a jury when convinced of the justice of his cause. He had great organizing ability, boundless energy and capacity for intense application. It is told by contemporaries that in the midst of a plea he might discard coat, then vest, then loosen his collar and finally end with his sleeves rolled up and his whole energy thrown into the case. He was not one to compromise if convinced that he was in the right. Such was the William H. Berry who in 1895 was to be thrust into the maelstrom of political activity. It would scarcely be expected that he could have smooth sailing when seeking public support, for he would not compromise when a question of principle was at issue.

ENTERED THE IOWA SENATE

During the summer of 1895, the *Indianola Times* and the *Indianola Herald* had promoted the candidacy of

Mr. Berry as a nominee of the Republican party for the Iowa senate. There was an established practice in the senatorial district comprising Warren and Clarke counties of alternating the office between the two counties. Under this custom, for it was only a custom, the incumbent served but one term and then the office would pass to a candidate from the other county for the next term. This was the year for Warren county and Mr. Berry met with no opposition within the party. The senatorial district convention met at New Virginia early in July and by courtesy his name was presented to the convention by J. H. Jamison of Clarke county, the retiring senator, who had been made chairman of the convention and was chairman of the Clarke county delegation. Mr. Temple of the Clarke county delegation then moved that voting be by acclamation and there were no dissenting votes. The vote was then declared unanimous and after what was declared to be an inspiring address by Mr. Berry, the convention adjourned. There was little opposition in the election campaign and Berry carried the district with over 70% of the total vote—well above the usual party strength of the district in that election.¹

Senator Berry gained recognition in the Iowa senate. He was appointed chairman of the Library committee, and in addition was given a place on the Ways and Means, Railroads, Rules, Congressional Districts and Federal Relations committees.

An act by the previous General Assembly had authorized a general code revision and created a non-partisan Code Commission to codify the laws of Iowa and report to the 26th General Assembly.² There had been no general code revision since 1873. In this 1896 session a Code Revision committee was created, to which was referred the report of the Code Commission, which committee subdivided said report and assigned different parts and titles thereof to the proper standing committees of the senate for consideration and report. In

¹ *Indianola Times*, July 11, 1895.

² Acts of 25th G. A., Chap. 115—Session Laws.

the extra session a year later, a similar committee was assigned the same duties, also having power to recommend a course of procedure to facilitate the business of the legislature.³ Mr. Berry was appointed to membership upon this important committee. Said one of Iowa's leading historians: "Senator Berry took a prominent part in codifying the laws of the state."⁴

As this regular session drew to a close, he also was made a member of the Siftings committee. Such an assignment usually went to members of longer service and this appointment was evidence of the confidence and respect which he had gained for himself. He served in this capacity in both regular sessions of the General Assembly during his four-year term. All these committee assignments were gratifying for a new member.

As chairman of the Library committee, Berry had a part in revising the code in this field, but his greatest contribution during the three sessions in which he served as a member was in the field of regulating fraternal insurance societies. He had risen to an important position in the Ancient Order of United Workmen. He knew the need for the regulation of these societies, and sponsored and to a large degree wrote the measure that bore his name, known as Senate File 1, entitled, "An Act Defining Fraternal Beneficiary Societies, Orders or Associations and Regulating Same." The measure was enacted into law and became the basic law for regulation of these organizations.⁵ Other measures bore his name but were marked "by request." Insofar as direct legislation was concerned, except for a law defining criminal procedure known as Senate File No. 316, no other bill that bore his name was enacted into law. With one term's experience in the senate and being a seasoned lawyer, Berry became a prominent figure in the special session and had an important part during the regular session of 1898.

³ *Senate Journal*, 26th G. A., p. 23, and Extra Session 26th G. A., p. 33.

⁴ Gue, B. F., *History of Iowa*, IV, p. 19.

⁵ *Senate Journal*, 26th G. A., p. 37.

URGED AS CANDIDATE FOR CONGRESS

The prominent place he attained in the legislative sessions led some of his friends to believe that he might replace Capt. J. A. T. Hull in congress. Mr. Hull was serving his third term and was a candidate for re-election. Early in June "A Berry Republican Club was formed for the purpose of giving our home town candidate a congress boom."⁶ The congressional district convention was held at Winterset August 4. The Warren county convention was held June 27 and selected a delegation to support the nomination of the Indianolan.

In the meantime, the Dallas county convention selected a favorite son, Judge Edmund Nichols, for the nomination. Other than those from Warren and Dallas counties, the delegates from the rest of the counties in the district were controlled entirely by the Hull organization and the influence of Polk county's large number of delegates was decisive. The names of both Mr. Berry and Mr. Nichols were presented to the convention and Mr. Berry was called upon for an address. A reporter stated, that "he made sledge hammer blows"; but on the roll call Captain Hull received all of the votes except those of Warren and Dallas counties. Delegates from these two counties then moved that the vote be made unanimous for Mr. Hull. Although this was in appearance a favorite son movement, it may have been a factor in developing antagonism toward Mr. Berry in his campaign for re-election to the state senate in 1899.⁷

The second regular session of Berry's term in the senate of 1898 was without particular incident. He retained the prestige that he had won during the previous sessions, and should he return for another term, his position was such that he would most surely become chairman of the Ways and Means committee—an important committee post in the senate. But he

⁶ *Indianola Times*, June 6, 1896.

⁷ Quoted from *Des Moines Register and Leader*, in *Indianola Times*, August 8, 1896.

was confronted with the alternating usage between the counties of the senatorial district as regards re-nomination. If he became a candidate for re-election, he faced the possibility of intense opposition in Clarke county. Then, opportunity would be afforded to organize every kind of discontent that might have arisen during the four years.

But to accept silently the one term principle meant that the prestige and opportunity for leadership that seemed assured if he were permitted a second term almost would be lost, even though he might be accorded another term four years later. Opportunity for real service and for position of responsibility in any legislative body comes only to those of experience and long service. But champions of practices in many areas held that rotation in office after relatively short terms was essential to prevent autocratic control of the machinery of government. Berry chose to seek renomination at the hands of the district convention that would be held again at New Virginia on July 17, 1899. The Warren county delegates were chosen to accord him the entire vote of the county; but the Clarke county delegates were as solidly opposed.

The situation when the convention assembled was tense. Forty Clarke county Republicans were there to support their official delegates in their demand that the alternating principle be respected and a poll of this group showed only three who would pledge their support to Mr. Berry in case he were nominated in defiance of this usage. The Clarke county leaders who had so enthusiastically endorsed him four years earlier now placed their former senator, J. H. Jamison, before the convention, while J. H. Henderson, chairman of the Warren county delegates, presented the name of Senator Berry to the convention and defended Warren county's action by stating that it was a well established principle in American political life that men in elective office should normally serve two terms. On the first ballot that followed immediately, Berry re-

ceived 13 votes; his opponent, Senator Jamison 9. Senator Berry was declared nominated.⁸

Before the convention adjourned, M. L. Temple of Clarke county declared that Senator Berry would lose Clarke county to the Democratic nominee by a majority of from 1,000 to 2,000 votes. The *Osceola Sentinel*, Republican, bitterly assailed the action of its Warren county neighbor, charging that it had used arbitrary power of its greater number to override a sacred principle of fair play. The Clarke county delegation then attempted to obtain from Senator Berry a pledge to support Governor Gear for the United States senate if he won the election in November. To this plea Judge Henderson gave an emphatic no.⁹

DENIED SECOND TERM IN SENATE

There was not a vigorous campaign, for the Democratic nominee made but little effort to win the election; nor were the results as had been anticipated. Whereas the Republican leaders had been certain that Berry would lose in Clarke county to his Democratic opponent, he actually carried that county by a majority of 126 votes, which was but 200 less than the regular party vote of that county. But in Warren county where the principle of alternating the office should have been a small factor, he lost by a majority of 338, which was more than 600 less than the regular Republican vote of the county. The results in both counties came as a surprise and it has not been easy to determine just what the factors were that influenced the results.¹⁰

There can be little doubt that the question of alternating the office was an important factor with many voters,¹¹ but it does not appear that this was the de-

⁸ *Indianola Advocate Tribune*, July 20, 1899.

⁹ *Osceola Sentinel*, July 20, 1899.

¹⁰ *Indianola Advocate Tribune*, November 9, 1899.

¹¹ *Osceola Sentinel*, November 9, 1899.

The editor of the *Osceola Sentinel* expressed the opinion that it was the arbitrary action of the Warren county party leaders in forcing the nomination of Senator Berry at July convention that led to his defeat in the November election.

cisive factor, for the votes lost were in Warren county. One Indianola paper pointed to the deep rift within the Republican party, charging that Berry was in league with Cummins and would support him for the United States senate. Cummins, it was claimed, was in league with big business and thus an enemy of the common man. Gear, it was contended by this faction, was the man who should have the support and thus bring the railroad interests and other big business under government control.

The historical facts, however, scarcely support this contention. The great Progressive movement was at fever heat at this time. "Standpat" and "Progressive" were the terms that marked the division in the Republican party and Cummins could scarcely be dubbed a "Standpatter." Cummins had declared himself, and Senator Berry also as emphatically had taken a clear stand with the Progressives.

"Special interest," as the term was used, referred to the veterans organization and railroad influence on legislative bodies. This was the age of big business as yet uncontrolled by law. And no corporations were more influential politically than were the railroads. It was common knowledge then in Iowa that railroad opposition to a candidate for office meant almost certain defeat. The Interstate Commerce act had been passed but was ineffective as were also the Grange laws. Lobbyists for the Burlington railroad in its territory and for the Northwestern in its territory could largely determine who would be nominated under the convention system and who would be elected at the forthcoming election.

Congressman Hull was no enemy of the railroads, but Senator Berry had offended him when he allowed his name to be presented at the congressional convention in 1896. A. B. Cummins, member of the 22nd Iowa General Assembly, later had led the fight for the direct primary as a means of combatting special interests and was to lead the successful fight for such a law

during his term as governor in 1902. His whole career as governor and in the United States senate a few years later found him always arrayed as one of the leaders of the great progressive movement. It was inevitable that Berry would have the ill will of special interests and the ill will of the "Standpat" faction of his own party. (For a complete analysis of a contemporary of this movement, see article, "Iowa Voting Practices," by Emory H. English in ANNALS OF IOWA, Vol. xxix, No. 4, for April, 1948).

The political approach of opponents therefore appears to have been to arouse an antagonism toward Berry among his own friends at home and among these friends who had been his most ardent admirers. The attack could not be direct and nothing aroused antagonism more quickly than the charge of friendship with big business. And with it went the charge of a Henderson-Berry domination of the party. Not only did Warren county give him an adverse vote but Indianola, which had given him an enormous vote in 1895, now gave his Democratic opponent a majority of 10 votes.

Some years later a close associate of Mr. Berry in public life was to interpret this election. Said he: "To the Twenty-sixth General Assembly Senator Berry brought the elements of strong character, ripe experience and rare good sense. He had no fads to flourish, no unseemly ambitions prompting fantastic performance . . . In constructive legislation he was sound and strong . . . He acquired influence such as few senators gain in a single term . . .

"Then Senator Berry fell victim to party malice in his own home . . . Berry had made good in Des Moines; Berry had become the biggest man in his bailiwick. If re-elected, he was to be the ranking member of the ranking committee in the senate (Ways and Means). It was time to put a crimp in this flourishing career . . . His own county beat him with many stripes."¹²

¹² Funk, A. B., in *Des Moines Register*, March 29, 1923.

Warren county thus defeated for re-election to the senate its ablest legislator and ended the legislative career of a man with great promise of service to the state. Whatever the cause for defeat, regrets poured in from every quarter. The *Indianola Herald* declared the defeat to be a humiliation—not only to Senator Berry but to the county and district. The *Osceola Sentinel*, declared the results to be most unfortunate for the state, for the party and for Senator Berry. Governor Shaw commented: "I very much regret the defeat of Mr. Berry, as it is a loss to the state. It is the one dark spot in our otherwise splendid victory."¹³

AN UNAPPRECIATIVE CONSTITUENCY

This local election affords an excellent example of a study of local politics and the confusion that may arise in the minds of the voters. Here was a man with a good record in constructive leadership, who was defeated by a candidate with no particular qualities of leadership and a man who could promise but little if elected. Does the democratic process always seek out the strong man for positions of leadership and responsibility? Or does "democracy seek its own level" in its choice of those who are to be its public servants? Perhaps here was a candidate who had moved too far ahead of his constituency.

Warren and Clarke counties continued the practice of alternating the office until recent years. It is the practice now that a man may serve two terms in succession, thus affording better opportunity for rising to positions of leadership; for the affairs of Iowa's General Assembly are shaped largely by those who have served longer.

This was Senator Berry's last attempt to gain elective office. There is no evidence of bitterness on his part growing out of the experience. Big prizes were dangled before him as his friends sought to promote his candidacy for high office, but he was always to refuse. However, his career in public life was by no

¹³ Quoted in *Indianola Herald*, November 23, 1899.

means ended and perhaps his greatest public service was yet to be rendered, but in a far different capacity.

During the session of the 27th General Assembly 1898, Berry served as chairman of the committee on Charitable Institutions. These institutions were those now administered through the state board of control, but at that time each was administered through a separate board of trustees, each of which was responsible direct to the governor. There was much confusion and inefficiency in their administration. And now Berry was to be a factor in this much needed reform. This general assembly created the board of control through which they are now administered. Berry was never a silent member and, says an eminent Iowa historian: "Berry was an active promoter of the legislation that established the board of control."¹⁴

The part that he played in formulating this important piece of legislation had given Berry a familiarity with these institutions. When the board of parole was created in 1907 by the 32nd General Assembly, the governor turned to him as a man eminently fitted to be the board's first chairman.¹⁵ Said Berry's old friend and associate in the senate, A. B. Funk: "When the board of parole was created, Governor Cummins called Senator Berry into this important service. With unremitting devotion he applied his splendid legal talent and moral equipment to every phase of this service without regard to popular clamor or anything else except the merits of each particular case."¹⁶

The board of parole was to formulate its own rules and regulations and was to study other institutions

¹⁴ Gue, B. F., *History of Iowa*, IV, p. 19.

¹⁵ *Iowa Official Register*, 1907-08, p. 244.

The term of office for members of this board as established by law was six years with the provision that term for each member would be staggered in such manner as to have the term of one expiring every second year. The terms of the first members were fixed at two, four and six years respectively with the further provision that the one whose term first expired would be chairman of the board. Berry was made the first chairman. Acts of 32nd G.A., pp. 194-5.

¹⁶ *Des Moines Register*, March 29, 1923.

of a similar character as a basis of formulating its rules of procedure. The members visited among other institutions the one at Joliet, Illinois, and the rules formulated were to last for many years. Compensation was a per diem allowance and not attractive. The board met quarterly and spent much time visiting the institutions involved. There was neither glamor nor financial reward in such a task; but in 1909, when Governor Carroll, who had succeeded to the governorship, asked him to accept another six-year term, he did so, but retired in 1915, after eight years of service.

An appraisal of these eight years is not possible to this writer, but the vast range of the hundreds of cases that came before the board is evidence of the tremendous responsibility and care that must be exercised by a conscientious group who had the welfare of their wards at heart. And no one ever questioned the sincerity and devotion to duty of W. H. Berry once he had assumed responsibility for a task. It seems no exaggeration to state that in this enterprise was revealed his greatest measure of unrequited public humanitarian service—a service to members of a group in society who could at best silently sing his praises for a service little known to any except those directly involved.

CONSIDERED THE GOVERNORSHIP

But admirers were not content that the one-time dynamic senator should remain politically inactive. Pressure was brought to bear to have him enter the campaign for nomination for governor in 1912. It is not fully apparent as to the source of this pressure except as he tells it in his own words. On January 13, 1911, he gave the following statement to the *Des Moines Register and Leader* concerning the governorship: "It has of course been pleasing to me to hear good words from my friends and fellow Republicans connecting my name with such a nomination . . . but it seems a little early to be organizing for the succession . . . To be governor of the state is a worthy ambition for any

man . . . I do not hesitate to say that I would like to be governor and, while I say at the outset that I will not precipitate a campaign, I expect when the time comes to be in the field for the Republican nomination for governor in 1912."¹⁷

The preliminary campaign failed to gather the momentum that had been anticipated, and Mr. Berry was a realist. Little was heard from the campaign and early in 1912 the full fury of the conflict within the party between Standpat and Progressive factions revealed that the strife within the party could only result in a bitter campaign. He evidently did not desire to be a participant in such a party fight and in December, 1911, brought the matter to a close insofar as his aspirations were concerned by a formal announcement in an Indianola paper. It read:

Some months ago I gave to the press a statement to the effect that I might be a candidate for the nomination on the Republican ticket for the office of Governor. That announcement was made for two reasons: first, because I had ambitions to become governor of the state; second, because your paper and many friends in Warren county and friends in other counties in the state had expressed themselves as favorable to my candidacy . . .

There are two reasons why a man is justified in seeking public office. First, there must be a large and representative group who earnestly desire that he seek office and, second, a man must have a conviction that he has an issue at stake.

He expressed the opinion that the number desiring his nomination did not warrant his entering the campaign and that he failed to come to have any real issue to present. He would not, therefore, become a candidate for the nomination.¹⁸ He was now past the sixty-year mark and other than remaining active in his party relationship, he took no vigorous part in political activities.

To any except the most vigorous, this political ac-

¹⁷ *Des Moines Register*, January 13, 1911. From a statement given by Mr. Berry to this newspaper. It was printed on the front page of this paper—an evidence of the high respect in which he was held.

¹⁸ *Indianola Herald*, December 11, 1911. From a written statement made by Mr. Berry for this newspaper.

tivity, together with arduous tasks with the board of parole, would have been beyond endurance. It should be remembered that he was dependent on his law practice and this was large and, for his day, lucrative. Recall again that of two hundred sessions of the district court during his fifty years he missed but one session; that his church activities were extensive and arduous, and then add to this the tremendous amount of time and energy he gave to Simpson College.

DEVOTED TO SIMPSON COLLEGE

His contribution in service to Simpson College was enormous. His father, B. C. Berry had served on the board of trustees for some time but resigned in 1887. William was immediately elected to take his place. Turn through the minutes of board meetings and one is struck by the appearance of the name Berry in so many relations to the college. He was a member of the committee on faculty and if a new president were to be selected, Berry's name would appear on the committee—and he was never a silent member in the matter of faculty policies. If a loan need be had to finance a deficit, it was Berry, or if it was a long range constructive financial program that was to be undertaken, it was Berry. Then it was Berry who insisted on the economy of a central heating plant and it was Berry who supervised its installation and presented the financial statement showing how the funds had been obtained. For thirty years he served this institution as a member of its board of trustees and during more than the last three as president of that board. These last three years were tense ones, for he could not do other than direct his energy and zeal to the many perplexing problems of the college. He resigned in 1917, after these long years of service.

Berry's devotion to his church was equal to his devotion to the college. For thirty years also he served it in varied capacities. Those who were in close contact with the organization express amazement at the energy which he devoted to it. This relationship re-

sulted in many close friendships and, on his part, a feeling of responsibility for his friends and associates.

It might be presumed that with the added activity of a public nature the Berry family could have had but little home or social life. But the Berry home was one with much social activity. It was a home in which the state's first citizens in public life were frequent guests. It was also a center of the city's social activities and a center of community welfare activity. The family ties were close. Mr. Berry was above all a family man. There was but one child, Don L., but two cousins and a nephew and niece made this their home over a period of thirty years and made it a center of the young life of the community.

The home was headquarters for family dinners. Seldom, during the 32 years from the time of the building of his home until his death, did the Berrys fail to gather from a dozen to three dozen relatives into their home for Christmas dinner. There was a standing invitation for parents and other members of both sides of the family to make the Berry house the center for the day. Nor did Mr. Berry often sit down to his own Thanksgiving or Christmas dinner without having provided an equally good dinner for some less fortunate family. His delight was to carry the dinner to the recipient with his own word of good cheer.

A proper appraisal could scarcely be other than that of his old friend and associate, Sen. A. B. Funk, who said: "Berry had become the biggest man in his bailiwick." That statement if applied to statewide activities could scarcely be challenged. He died March 25, 1923, of a heart attack as he was opening his office door.

A Forgotten Foundation

What separates us from the totalitarian regimes is our belief that man does not belong to the State—but to his Creator. This is the forgotten foundation of democracy in the only sense in which democracy is truly valid and of liberty in the sense in which it can hope to endure.—Walter Lippman.

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