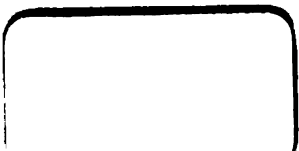


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APRIL, 1893. - 95

# ANNALS OF IOWA.

A HISTORICAL QUARTERLY.



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ANNALS OF IOWA

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*Publisher*





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Very truly Yours  
H. Price





to  
H. Price



# ANNALS OF IOWA.

VOL. I, NO. 1. DES MOINES, IOWA, APRIL, 1893. THIRD SERIES.

## RECOLLECTIONS OF IOWA MEN AND AFFAIRS

BY HIRSH KRIEGER

I am in receipt of your printed circular, and letter of a recent date, asking for such answers as I may be able to give in reference to the early settlement of Iowa, both before and after the admission as one of the States of the Union. To many of the questions I am unable to give such answers as would be of much use for the purpose you have in contemplation. But in relation to some items referring to men and things in the old Iowa State, I may be able to say something worthy a place in your collection. My personal knowledge of Iowa commenced in 1844, when I first set foot upon her soil.

Iowa was then a country of "magnificent distances," with plenty of room for all who were then there, and for the thousands who were to follow. It may be of some interest to those who may occupy Iowa soil in the years of the coming century, to know *where* and *when* certain things were done, and the origin of some names of some places.

A local historian says that "the Black Hawk purchase was divided into two counties," and that a line beginning on the Mississippi River at Rock Island, and extending west to the Iowa River divided them. The north side of this line was called "Linn Township and Dubuque County." And the south side of this line was called "Flint Hills Township and Des Moines County." The *then* small village, now the city of Davenport, was in the latter jurisdiction.

The founders of the city of Davenport were Antoine Le Claire and Col. Davenport; the former furnished the land, and



# ANNALS OF IOWA.

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## RECOLLECTIONS OF IOWA MEN AND AFFAIRS.

BY HIRAM PRICE.

I am in receipt of your printed circular, and letter of a recent date, asking for such answers as I may be able to give in reference to the early settlement of Iowa, both before and after her admission as one of the States of the Union. To many of these questions I am unable to give such answers as would be of much use for the purpose you have in contemplation. But in relation to some items referring to men and things in the Hawkeye State, I may be able to say something worthy a place in your collection. My personal knowledge of Iowa commenced in 1844, when I first set foot upon her soil.

Iowa was then a country of "magnificent distances," with plenty of room for all who were then there, and for the thousands who were to follow. It may be of some interest to those who may occupy Iowa soil in the years of the coming future, to know *why* and *when* certain things were done, and the origin of some names of some places.

One historian says that "the Black Hawk purchase was divided into two counties," and that a line beginning on the Mississippi River at Rock Island, and extending west to the Missouri River, divided them. The north side of this line was called "Julian Township and Dubuque County." And that the south side of this line was called "Flint Hills Township and Des Moines County." The *then* small village, now the city of Davenport, was in the latter jurisdiction.

The founders of the city of Davenport were Antoine Le Claire and Col. Davenport; the former furnished the land, and

the latter the name. " 'Twas ever thus since childhood's hour": one man sows and another reaps.

The selection and location of the county seat for this county was the cause of much friendly strife, and some strife not so friendly. The small village of Rockingham, a few miles below Davenport, was ambitious for this distinction. Rockingham was on the Mississippi River, immediately opposite the mouth of Rock River, and the citizens of that place claimed that Rock River was navigable for steamboats for more than 200 miles toward Chicago, and that because of this fact Rockingham was a very desirable location for a county seat. The contest over this county seat question was warm and exciting, and charges of fraud, bribery and other unfair means to secure success were freely indulged in by the contestants on either side. The location of this county seat was to be decided by the voters of the county, at an election to be held for that purpose, and consequently the friends of each location were exceedingly anxious to secure votes *somchow, somewhere*, so as to win. It is said (but for the truth of which I do not vouch) that both Rockingham and Davenport had seven hundred more citizens and voters on the day of election than for seven years thereafter!

The active participants in this county seat war were all men of considerable note in their day and generation.

Possibly it may not be amiss to place on record the names of some of the principal actors in this memorable contest, nearly all of whom have passed into "the beyond" where there are no county seat questions to cause rivalry or contention.

On the Davenport side of the controversy were G. C. R. Mitchell, George L. Davenport, Levi S. Colton, D. C. Eldridge, Antoine Le Claire and James McIntosh. On the Rockingham side were Dr. E. S. Barrows, Willard Barrows, Geo. B. Sargent, John Sullivan, Ebenezer Cook and John P. Cook.

On canvassing the votes Davenport appeared to have a majority and was accordingly declared to be the county seat, and has remained so ever since, and is now an incorporated city of some 30,000 or 40,000 inhabitants with churches, schools, banks and manufacturing establishments of various kinds, with

railroad communications east, west, north and south. Rock-ingham has long since ceased to be enumerated in the list of towns or cities.

As already intimated, my *personal* knowledge of Iowa and the men and measures, moral, social and political, of her citizens commenced in 1844 when I first set foot upon her soil. Davenport, where I first landed and where I lived until a few years ago, when fortune or fate landed me in Washington, was my home during all those years. What is now the city of Davenport was then a very small village, beautiful for location but sleeping a Rip Van Winkle slumber. Communication with the outer world was only possible by river, when not frozen in the winter, or rendered unnavigable in summer by rocks at low water on the upper and lower rapids. These rocks gave occasion for several meetings to devise ways and means for the improvement of river navigation. Sometimes over one hundred delegates being present from Burlington, Muscatine, Dubuque and Davenport. One of these meetings was held at Davenport in the summer of 1846 (I think), but about all that was done at any of these gatherings was to make speeches, pass resolutions, relate anecdotes and have a good time generally. But the rocks were not disturbed. They were old settlers. They had been there since the first "morning stars sang together" and they did not propose to be disturbed by long speeches or resolutions upon paper. And many times since then it has been demonstrated that resolutions are powerless either to move rocks or to make political parties virtuous.

In 1844 Davenport seemed to be, if not the outer edge of civilization, very near to it. The "noble red man" lingered in the vicinity, painted his face, smoked his kinekenik, drank what fire water he could procure, wrapped himself in his blanket, and strutted in fancied independence as the only true type of nature's nobleman.

Wheat in those days at Davenport was worth to the farmer from 35 to 40 cents per bushel, corn 10 cents, potatoes 5 to 12½ cents, pork \$1.50 to \$2 per 100 pounds, quails 37½ cents per dozen, and as a general rule all payable in trade. In those days labor was plenty and cheap. Money was scarce

and dear. The law of supply and demand regulated both, and I do not remember to have heard much complaint of a serious character. Men sold their labor, or the product of their labor, for the best price they could get, and if from either of these sources one could save a dollar, he was allowed to lend it to another for such return for its use as was mutually agreed upon. I have myself paid 20 per cent for money, and by careful and judicious investment made more out of it than the person of whom I borrowed it. The days were longer then than now, and that, too, without any Joshua to make the sun stand still. In those days men could work 12 or 15 hours a day and be considered good citizens, and nobody thought of looking in a law book to find out how many hours he *dare work*. But I have probably said as much on this line as is advisable in a communication of this kind.

In the days of which I am speaking, and in the locality I am trying to describe, fish and potatoes were *plenty* and *cheap*, and were staple articles of commerce. Fish is said to be good food for the brain, and potatoes for the accumulation of adipose, and so may have been good substitutes for the "milk and honey" which were said to be abundant in a certain land spoken of in an old Book (not as much read as it should be).

A few words in reference to my personal experience will demonstrate what I mean by "plenty and cheap." One day in the summer of 1845 a man came to my house, which was then on Front street, near to the river, and inquired if I would buy a catfish. Now what knowledge I had had in reference to that species of the finny tribe was confined to specimens about 6 or 8 inches long taken from the waters of the "Blue Juniata," and were considered as fairly good "pan fish" for food. I asked him where his fish were, to which he replied: "*It* is down there by my skiff in the river." I said "Bring it up and I'll look at it." "But," said he, "*it* is too heavy for one man to carry." So I went to the river with him to see what kind of a fish he had that he could not carry, and there in the water, tied with a rope to the stern of the skiff, was, as the darkies say, a "shure nuff" catfish of a size that astonished me. The

price asked was  $62\frac{1}{2}$  cents (there were no dimes in those days.) I purchased it and we dragged it up to my house, and in order to satisfy my curiosity and also to be certain of telling the truth when relating this "*fish story*," we weighed it and found its weight to be just 105 pounds! I had it cleaned and dressed in regulation order. Salted it away in a vessel, changed the brine on it twice in the next 24 hours, then took a fair-sized piece, had it carefully and properly cooked, took one bite, and threw the whole cargo into the river. I had often heard it said that if a little was good a larger quantity was better. But I am now satisfied that the rule does not hold good when applied to catfish. A small one is fairly good for food, but a large one is abominable. So much for fish. Now about potatoes. In the fall of 1846 I purchased 500 bushels of very fine potatoes at  $12\frac{1}{2}$  cents per bushel, intending to keep them until spring and then ship them to St. Louis; and in the spring I did sack and ship 375 bushels and the proceeds did not quite pay the freight and charges. The other 125 bushels I gave to a man provided he would at his own expense remove them from my premises. In both these transactions the balance was on the wrong side of the cash account. But the lesson was of use to me in the years which followed, particularly when dealing in fish and potatoes. In those days in Iowa, dry goods stores sold groceries, hardware, queensware, boots and shoes and *whisky*. I had taken with me to Iowa a small stock of general merchandise, but *no whisky*, and was told by my customers that I need not hope to succeed in business there, unless I added whisky to my stock in trade. But I lived long enough to demonstrate to the entire satisfaction of all concerned that they were mistaken, and that it was possible for a man to live and enjoy good health and a reasonable degree of financial prosperity without either selling or drinking whisky. All of my competitors in business in those days differed with me on this question, and all of them are dead except one, and most of them died bankrupt. The outlook for financial success or the securing of bonanzas of wealth in Iowa in those days was by no means luminously encour-

aging. But we remembered it had been said by Bishop Berkeley, that

“ In happy climes the seat of innocence,  
Where nature guides and virtue rules,  
Where men shall not impose for truth and sense  
The pedantry of courts and schools.”

And we who occupied the sun-down side of the “Father of Waters” believed that this was the “happy clime” because this same bishop had said in connection with the above—

“ Westward the course of Empire takes its way.”

(Allow me to say here, parenthetically, that I am aware that most people say “star of empire,” but Bishop Berkeley said “*course of empire*,” and I do not propose to change his words without his consent.)

I remember no event of sufficient public importance in Scott county to entitle it to be recorded in the “Historical Department of Iowa” until the summer of 1853. Early in that year there was a general awakening as to the importance and necessity of some means of communication with the balance of mankind.

A railroad was then in course of construction from Chicago westward, and we hoped to induce the eastern capitalists who were building that road to have it strike the Mississippi River in Illinois opposite the town of Davenport, and then if possible have it continued west from there to Council Bluffs on the Missouri River. In furtherance of this plan, a conference was held at Davenport, between the eastern railroad men and some of the citizens of Iowa, the first week in August, 1853, and I was persuaded to undertake the task of canvassing the State on the line of the proposed road across Iowa, on a line as nearly direct as possible from Davenport to Council Bluffs. My special business was to see the people at their homes or at their places of business, and where practicable call public meetings at different points along the contemplated line of the road, and to so present the advantages to result from the construction of a railroad as to interest them in the enterprise. By agreement I was to continue in this work along the line of the proposed road for sixty days. My experience during those



sixty days, between the 12th of August and the 12th of October, was not such as to make me anxious to renew it.

One of the surprises with which I met was the large number of people on that proposed line of road who had never seen a railroad, and many of whom did not seem to have any wish to see one. This was to me a strange idea, and one that rendered my task more difficult, because when men are satisfied with their condition and surroundings, it is very difficult to induce them to change them. I could only account for these strange notions on the supposition that this class of persons had read and were in sympathy with the man described by Pollock in his "Course of Time,"

" Who thought the moon that nightly o'er him rolled  
No larger than his father's shield ;  
Lived where his father lived, died where he died,  
Lived happy, died happy, and was saved."

And inasmuch as this had been the result in his case they were willing to take their chances with him in this world and in the next. When I told them that *with* a railroad the product of their farms would be worth from 50 to 100 per cent more than without one, they simply disposed of the case in a summary manner by informing me in a manner more energetic than polite that I was not telling the truth. One case of this kind which occurred in Des Moines is a fair sample of several others. I had called a meeting at the Court House one night to present the enterprise to the citizens.

The Court House at that time was not a palatial structure. The meeting was held on the ground floor, which I believe was the court room. The weather was warm, the windows were all raised, and those who could not find room on the inside crowded the windows on the outside and were attentive listeners. While I was making the best presentation of my case that I could truthfully do, and trying to persuade the people that a railroad to Des Moines would be a great benefit to all concerned, some man on the outside, who must have been a near relative of Ananias, crowded his way to the window, listened for a few moments, and then turning away said to those on the outside, " Oh ! that is Judge Rice who is speaking, and

he is the greatest liar in the State of Iowa." My name was not Rice and the title of Judge did not belong to me, but it answered the purpose of the anti-railroad men, and was a "good enough Morgan" for the time. This is a sample of the manner in which my mission was received in what is now the city of Des Moines, and a great railroad center for the State of Iowa and of the Northwest. The crucial test of time and trial has relegated the obstructionists and dwellers in "Sleepy Hollow" to the rear of the army of progress. Only in a *very* few instances did a little sunshine of encouragement fleck my pathway while on this railroad mission, but even a very little was gratefully received. I give one such case: I reached Council Bluffs on Saturday, which I think was the 20th of August, and at a meeting that night, after I had made the best presentation of my case of which I was capable, without the slightest token of appreciation or approval, I sat down feeling that (in the language of the colored brother in reference to his prayer) I had had "my labor for my reward," and that the people of Council Bluffs did not think a railroad of much consequence, but rather an unjustifiable interference with the Divine plan, and therefore not to be encouraged because when the Supreme Architect finished the world He pronounced it good without a railroad.

However, while such thoughts as these were passing rapidly through my mind a gentleman in one of the back seats arose and broke the (to me) awful silence, in a speech not longer than a Lacedemonian letter, which gave me some hope that possibly all was not lost.

His speech was neither long, learned, nor classic, but it seemed to inspire in me a hope that possibly my mission might not result in a total failure. Many things in my past life that I ought to remember have been forgotten. But that speech I never will forget, and I *here* and *now* place it on record as some encouragement for those who may be called upon in the future to lead forlorn hopes. It was as follows: "My friends, I have listened to this man's railroad speech, and while I am free to confess that I have grave doubts as to the practicability of the project, yet it may be wise to give it a fair trial, and

*possibly* some day we may see the locomotive coming across these prairies head and tail up like a bedbug." That was his speech, and it is very safe to say that it was original. I am glad to be able to say that I afterwards met this man at Council Bluffs, when the road was finished to that place, and the iron horse was there to speak for himself.

The Iowa of to-day is very different from the Iowa of 1844 and 1853. Now a magnificent bridge spans the Mississippi River at Davenport and another the Missouri River at Council Bluffs, making connections with railroads east and west that unite with bands of iron the states of the rising and the setting sun. Farms, villages, towns and cities have sprung up and flourished where 40 years ago the prairie wolf held undisputed sway, and on beyond the sun-down boundary of Iowa the iron horse speeds in his onward course, proclaiming the march of empire toward the setting sun, and Iowa has become the half-way house between the rock-bound coast of the Atlantic and the golden sands of the Pacific.

Among the citizens of Iowa whose names ought not and will not be forgotten are those of Gov. Kirkwood and Gen. N. B. Baker. The first is familiarly and affectionately remembered by all Iowa people as the "old war Governor." A man of clear head and kind heart, with an honesty of purpose never questioned, that ever guided him in all his movements in public and in private life. Cool and deliberate, and aiming to be just to all parties, his counsel in all public matters was sought and relied upon by all who came in contact with him in public affairs. As one of the directors of the State Bank of Iowa (a bank which gave the State a safe and reliable currency and never failed), he was careful, industrious and painstaking in seeing that the interests of all concerned were carefully guarded.

At the meetings of the board, whether general or special, his presence could always be counted on to aid by his advice in the direction of its affairs.

As Governor, during the stormy days of the Southern Rebellion, when wild war's deadly blast was spreading death and desolation over the land, and when men and money were absolute necessities to stay the desolating sweep of the simoom of

treason, the Governor, without any of the means and appliances of war to rely upon, and with a State treasury as empty as a church contribution box, managed to promptly put three regiments of Iowa troops in the field in answer to the first call of the President for 90 days' men. And again, a few months later, when it had been demonstrated that 90 days was not the end, but only the beginning, of the simoom of attempted rule or ruin of demagogues and traitors, I have personal and somewhat expensive knowledge of *how* and *why* a camp was established at Davenport, where from the 12th day of August until the 12th of November, 1861, thousands of troops of infantry and cavalry were quartered and subsisted without any aid or assistance of any kind from the State or General Government. All these things, which were contributing forces in the colossal structure of a restored Union, either do not appear in the National Records, or are only referred to in an indefinite or incidental manner.

But the *particulars*, the *embarrassments* and *discouragements*, financial and otherwise, that had to be met to accomplish this work will never be fully known or appreciated, except by those who were the personal actors in accomplishing the work. How many men now in Iowa know that 3,000 muskets sent by the General Government and landed at Burlington for use to repel rebels from Missouri, who were killing and stealing Iowa cattle, were held by the express company for \$900 charges, and their delivery refused until the charges were paid? And how many know of the bales of blankets for use of Iowa troops landed at Davenport and held for \$500 charges until payment was made? And how many know *who* paid all these charges and took the risk of reimbursement? How many know who furnished the \$33,000 paid to the 1st, 2d and 3d Iowa regiments, when neither the General Government nor the State of Iowa had one dollar? All these things and hundreds of others of a similar character belong to the unwritten history of Iowa. Governor Kirkwood probably knows as much about these things as any man now living, and some of these may possibly be referred to in his history, which I understand is now being written. The Governor was a prom-

inent actor in the successful management of the work of those days, and to his sagacity in selecting men to aid him is largely to be attributed the good results which followed. He favored no cliques and had no favorites to be pensioned at public expense. Honesty and capacity were the only prerequisites required. He believed in and practiced the doctrine expressed by the poet who said,

"A wit's a feather, and a chief a rod;  
An honest man's the noblest work of God."

N. B. Baker was Iowa's Adjutant General during the war of the rebellion, and was well qualified in many respects for the position, and in his administration of the affairs of that office answered in some respects the description given by a French historian of Marshal Ney, who commanded the rear guard of the royal army, in that disastrous retreat from Russia after the burning of Moscow, to wit, "He was full six feet high and had an iron frame."

General Baker was genial, generous and intensely enthusiastic in his devotion to the Union cause, and in his love for "my boys," as he called the soldiers. Honest and unselfish in all his plans, he had the confidence of all who knew him, and it is very doubtful if a better man could have been found for that office. In many respects he was very different in his make-up from Gov. Kirkwood. But the Governor might have said of him as Napoleon I said of one of his marshals (Desaix, I think), "When *with me* he was my right arm."

The Iowa soldiers had no better or more unselfish friend than Gen. Baker, and all of them who came within his influence were his friends. He had, so far as I know, but one enemy, and that was himself. His convivial habits undermined his splendid constitution, and his iron frame succumbed to the insidious destroyer, resulting in the sun of his life going down when only a little past the meridian hour. I have a personal knowledge of many incidents in relation to his habits and financial transactions, all of which indicated a noble nature, and a high sense of honor, but which I am probably not justified in publishing to the world.

There is much in the record which he made that is worthy

of careful consideration by some who may read these lines, and whose personal habits may be similar to his. Doubtless all who pass the spot where now rests all that was mortal of N. B. Baker will be willing to say,

“ Green be the turf above thee,  
Friend of my better days!  
None knew thee but to love thee,  
None named thee but to praise.”

And so I close this brief and imperfect sketch of two of my friends, one on this and one on the *other shore*, both of whom will be long and favorably remembered by the State in which they lived and labored.

One of the important facts connected with the early history of Iowa, which has, and is now attracting much attention at home and abroad, is the prohibitory liquor law. Most people know something about Magna Charta, and *when* and *where* and *why* the people of England obtained that charter of rights; but a great many people do not know *how* and *when* and *why* Iowa citizens triumphed over the whisky barons, by securing the passage of that law by a Democratic Legislature. It may therefore not be out of place to let the records of the “ Historical Department of Iowa ” show that the first law of that kind that the State had was conceived and put in proper legal form in Davenport, by David S. True, John L. Davies and one other man. No other person than these three had anything to do with originating it. True and Davies have long since crossed the dark river, but the “ other man ” is still on the time side of that river, with his face to the foe, and the words “ No Surrender ” inscribed upon his banner. \* \* \*

I give in these pages an imperfectly written sketch of my experience in Des Moines nearly 40 years ago, when it was only a village in a sparsely settled country, and when a large number of her citizens doubted the practicability of constructing a railroad through the State of Iowa. Men of intelligence on other subjects ridiculed the idea, because, as one prominent lawyer in Muscatine said at one of our public meetings: “ Iowa is an agricultural State. Her principal productions are wheat and corn, cattle and hogs, and live stock *cannot* be taken to

an eastern market, because the distance is too great to carry them on cars. And flour *cannot* be carried such a distance on a railroad without shaking the barrels to pieces, unless the barrels are strong and heavy as pork barrels, and that would be so expensive as to make it unprofitable." Allow me to digress a moment from the thread of my statement to say (as Paul said of Alexander the coppersmith) these lawyers did me and my case "much evil," because some people think that because a man is learned in the law he necessarily knows everything else. They seem to forget the fact that

"One science only will one genius fit,  
So vast is art, so narrow human wit."

The argument that railroads could not be utilized to carry agricultural products to an eastern market was the most formidable one with which the railroad enterprise of that early day had to contend. And the fact of these objections coming from men of education and influence in the State blocked the wheels of progress and emphasized the words of one who said—

"Truths would you teach, to save a sinking land,  
All fear, none aid you, and few understand."

But, having passed the crucial test of time and trial, Iowa is to-day very different from the Iowa of 40 years ago. The ox team has given place to more modern and rapid means of communication and transportation. The spirit of progress has swept aside the old methods of transit, and seizing upon the heretofore untamable spirits of fire and water, and binding them in an iron harness of man's construction, has yoked them to his triumphal car, and then leaping upon his seat of power, has thrown the free reins upon his courser's neck and bid them outstrip the wind. In obedience to that command their march is now like that of the fabled fated wanderer, onward! onward! still and forever onward, by land and sea, while admiring millions say in shouts of encouragement:

—"Sail on, O Ship of State!  
Sail on, O Union, strong and great.  
Humanity, with all its fears,  
With all the hopes of future years,  
Is hanging breathless on thy fate!"

\* \* \* \* \*

In spite of rock and tempest's roar,  
 In spite of false lights on the shore,  
 Sail on 'nor fear to breast the sea!  
 Our hearts, our hopes, are all with thee,  
 Our hearts, our hopes, our prayers, our tears,  
 Our faith triumphant o'er our fears,  
 Are all with thee,—are all with thee!"

WASHINGTON, D. C.

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## THE IOWA INDIANS.

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In May, 1821, the hostility between the Sacs and Foxes and Ioways culminated in a battle near Iowaville, the result of which was the transfer of the sovereignty of that region from the Ioways to the Sacs and Foxes. The Ioways had returned from a hunt and were preparing to celebrate their return by a horse race. A plan previously laid to march against Black Hawk on Rock river had been discovered, and Black Hawk by a forced march reached the village of the Ioways while they were at the height of their carousal. After the first onslaught the battle progressed by detachments of twenty-five to fifty on a side until all the Ioway warriors were slain. The old men were then ruthlessly slaughtered. The Sacs and Foxes had gained supremacy, and after the release of Black Hawk, after the Black Hawk war, he lived upon this battle ground, and died and was buried there. In 1824 the Ioways ceded to the United States all their lands in northern Missouri. Mahaska then lived on the Des Moines river, about one hundred miles from its mouth. Going to Washington he unexpectedly met on his way his lovely wife Rantchewaime, who insisted upon going with him. After his return he settled down to a peaceful cultivation of the soil. His wife was a beautiful woman of true Christian character. Mahaska said of her, "Her hand was closed to those not in need, but was like a strainer full of holes to the needy." She had a remarkable influence over her tribe, but lost her life by being thrown from a horse. Mahaska lost standing with the warlike of his tribe, having aided the United States in arresting some of them. He removed to the vicinity of the Nodaways in Cass county, and was slain in 1834 in the southeast part of the county about sixty miles from his village."—*Lecture on "Iowa Indians," by Dr. J. L. Pickard, before the State Historical Society.*





## THE TWENTY-FOURTH IOWA VOLUNTEERS.

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FROM MUSCATINE TO WINCHESTER.

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BY THAD. L. SMITH.

**NOTE.**—The following history of the 24th Iowa Infantry was written by Mr. Smith, a private, while in the service, before the close of the war, beginning with the organization of the regiment, and closing September 1, 1864. It was Mr. Smith's intention to complete it after the close of the war, but sickness delayed the work, and death came before he was able to finish it. We are indebted to John S. Ring for the copy, which is now for the first time published, after a lapse of more than twenty-eight years since it was written. Mr. Ring has preserved this most interesting paper all these years, having copied it into the regimental-record book, and now hands it over to the Historical Department.

Soon after the proclamation of the President in July, 1862, calling for three hundred thousand additional troops, Eber C. Byam, of Mount Vernon, Linn county, obtained a commission as colonel to raise a regiment to be called the "Iowa Temperance Regiment." Accordingly, circulars were issued and distributed through counties adjoining Linn, announcing the name and character of the regiment. Parents who had thus far withheld their consent to the request of sons who wished to assist in defending the safeguard and palladium of their liberties, more through fear of vices and temptations of camp life than of the enemy's missiles, now gave them the parting blessing and bade them go forth with the Temperance Band. By the middle of August more than double the required number of companies were reported as full, organized and ready to march to the appointed rendezvous. Out of those reported as ready, the following were chosen: three from Linn county (F, G, and H), under Captains Dimmitt, Vinson and Carbee; two from Cedar county (B and C), under Captains Rathbun and Johnson; one from Johnson county, Company D, under Captain Casebeer; one from Tama, Company E, under Captain Clark; two from Jackson county, A and I, under Captains Henderson and Martin, and one from Jones county, K, under Captain Williams. Those thus selected were ordered to report

at the place of rendezvous, Muscatine, on the 1st of September. After medical inspection and the discharge of all not able bodied, many of the companies were still full to overflowing. Those companies having more than the requisite number were compelled to transfer to our neighbors of the 35th Iowa.

Camp Strong is situated about one and a half miles southwest from Muscatine. New barracks had been constructed for our reception. They formed two sides of a square by connecting with those prepared for the 35th Iowa, forming a right angle triangle fronting on a level green parade ground. In the center a pole had been erected for the purpose of floating the stars and stripes, and afterwards used also as the center of a circle about which refractory soldiers were made to revolve. At the foot of the pole a very diminutive piece of artillery announced the ascent of the stars and stripes at sunrise, and their descent at sunset.

The organization of the regiment was effected on the 13th of September, and it was mustered into the United States service on the 18th of the same month, by Captain H. B. Hendershott, of the 1st U. S. Artillery. The organization when effected was as follows :

## REGIMENTAL ORGANIZATION.

<i>Names.</i>	<i>Rank.</i>	<i>Postoffice Address.</i>	<i>Remarks.</i>
Eber C. Byam . . . . .	Colonel . . .	Mt. Vernon, Linn Co.	Resigned June 30, 1863.
John Q. Wilds . . . . .	Lt. Col. . . .	Mt. Vernon, Linn Co.	Wounded in action Oct. 19; Died Nov. 18, '64.
Ed Wright . . . . .	Major . . . .	Tipton, Cedar County.	Appointed Lt. Col. Nov. 19, 1864.
John F. Ely . . . . .	Surgeon . . .	Cedar Rapids, Linn Co.	Resigned June 9, 1863.
John M. Witherwax . . . . .	Ass't Sur.	Davenport, Scott Co.	Appointed Surg. July 15, '63; resgd. Nov. 4, '64.
Henry M. Lyons . . . . .	Ass't Sur.	Cedar Rapids, Linn Co.	App'td Sur. Dec. 1, 1864.
Charles L. Byam . . . . .	Adjutant . . .	Mt. Vernon, Linn Co.	Resigned July 25, 1863.
Luke Baldwin . . . . .	R. Q. M. . . .	Marengo, Iowa County.	Died March 1, 1863.
Daniel W. Camp . . . . .	Ser. Major . . .	Mt. Vernon, Linn Co.	Promoted to Adj. Sep. 10, 1863; res. Nov. 16, '64.
John H. Maxon . . . . .	Com. Sgt. . . .	Mt. Vernon, Linn Co.	Died March 1, 1863.
Albert B. Eshleman . . . . .	Q. M. S. . . .	Marengo, Iowa County.	Promoted to R. Q. M. March 23, 1863.
Samuel J. Starr . . . . .	Hos. Stwd. . . .	Lisbon, Linn County . .	Discharged M'ch 20, '63.

COMPANY ORGANIZATION.

<i>Names.</i>	<i>Rank.</i>	<i>Com- pany</i>	<i>Residence.</i>	<i>Age- grade.</i>	<i>Remarks.</i>
S. H. Henderson	Captain	A	Sabula, Jackson County	94	Resigned August 22, 1863.
C. Lawrence	1st Lt.				Killed in battle of Champion Hill, May 16, '63.
S. J. McKinley	2d Lt.				Appointed Captain Nov. 1, 1863; resigned.
S. W. Rathbun	Captain	B	Tipton, Cedar County	101	Resigned Dec. 26, 1862.
B. F. Fobes	1st Lt.				App't'd Capt. Jan. 1, 1863; died Aug. 5, '63.
W. T. Rigby	2d Lt.				Appointed Captain Oct. 1, 1863.
S. D. Johnson	Captain	C	Tipton, Cedar County	98	Killed in battle of Champion Hill, May 16, '63.
J. C. Gue	1st Lt.				Appoint'd Capt. May 17, '63; killed Nov. 2, '63.
E. H. Pound	2d Lt.				App't. 1st Lt. May 17, '63; and Capt. Dec. 26, '63.
J. B. Casebeer	Captain	D	Iowa City, Johnson Co.	93	Resigned June 23, 1864.
J. R. Gould	1st Lt.				App't'd Capt. Sept. 5, '64; killed Sept. 19, '64.
J. H. Branch	2d Lt.				Resigned Nov. 8, 1862.
L. Clark	Captain	E	Marengo, Iowa County	95	Appointed Major Nov. 19, 1864.
J. W. Strong	1st Lt.				Resigned April 4, 1863.
S. S. Dillman	2d Lt.				App't'd 1st Lt. July 26, '63; killed Sept. 19, '64.
W. C. Dimmitt	Captain	F	Mt. Vernon, Linn Co.	97	W'nd'd and capt. April 8, '64; died May 4, '64.
J. G. Hayzett	1st Lt.				Resigned July 31, 1863.
C. B. Bradshaw	2d Lt.				App. 1st Lt. Nov. 5, '63; and Capt. July 1, '64.
F. W. Vinson	Captain	G	Cedar Rapids, Linn Co.	100	App. Chap'l'n Oct. 1, '62; resigned Jan. 20, '63.
W. W. Smith	1st Lt.				App't'd Capt. Nov. 1, '62; capt'd Oct. 19, '64.
R. McNary	2d Lt.				App. 1st Lt. Nov. 1, '62; re-igned July 27, '63.
Wm. Carbee	Captain	H	Springville, Jackson Co.	96	Killed in battle of Champ. Hill, May 16, '63.
A. R. Knott	1st Lt.				Appointed Captain May 17, 1863.
J. V. Dutton	2d Lt.				Resigned June 27, 1863.
I. W. Martin	Captain	I	Maquoketa, Jackson Co.	97	Resigned Feb. 5, 1863.
A. E. Tubbs	1st Lt.				App. 1st Lt. June 11, '63; resign'd July 31, '63.
Wm. Lane	2d Lt.				Resigned Dec. 1, 1863.
J. D. Williams	Captain	K	Wyoming, Jones County	99	Resigned June 10, 1863.
Thomas Green	1st Lt.				App. 1st Lt. July 26, '63, and Capt. July 21, '64.
A. M. Loomis	2d Lt.				

The time here was spent in drilling, parades, etc., preparatory to taking the field. Our camp was carefully guarded by soldiers armed with wooden swords at first. The lines were as regularly visited each night by the officer of the day as though an enemy were at hand, and liable at any moment to pounce upon us. Many were the amusing scenes that occurred during these excursions, while teaching the soldier

the important duties of the sentinel, the instructors and soldiers being alike novices in the art.

During this period many took advantage of the weakness of the mode of opposing them and escaped the restrictions of the camp by breaking guard, but none for any other purpose than that of an hour's pleasure in the city—whence they returned as they came, sometimes pursued to their bunks by the corporal of the guard.

Thus the regiment paraded and drilled with wooden swords and guns until the middle of October, when it was armed with new Enfield rifles. During our stay here the citizens of Muscatine ministered in various ways to our physical wants. Our patients in the hospital received every attention from the kind and hospitable ladies of that place that could be expected. Our neighbors of the 35th joined us in all our sports, which were generally of manly character and tended to strengthen our muscles for the endurance of hardships soon to come. The water at this camp was extremely bad. It must have been an oversight on the part of those selecting the site of the camp. A species of quicksand mingled with it and was productive of much sickness, principally that scourge of all new soldiers, diarrhœa. But the most fatal scourge of our camp here was measles. Had the small-pox visited the regiment it could hardly have been more destructive in its effects. In some of the companies nearly one-fourth were suffering from it at the same time. Its severity made many who were spectators to the scene rejoice that they had passed through that ordeal in childhood's years; still those that had it bore it cheerfully, and thought they would soon be well again. But in this hope we were all disappointed. Could they have received the careful nursing of home, they might have recovered entirely. Not so, however, with the great majority of those taking the chance nursing of the camp.

There were about fifty cases in all. More than forty of that number either died of diseases having their origin in the measles, or were soon afterwards discharged for disability. But seven so far recovered as to be of further benefit to the service. There were a few cases of typhus fever at this camp, two

of which proved fatal. Marching orders were received about the 19th of October and the regiment embarked on the following morning, Oct. 20th, for St. Louis, expecting to be landed there; but sad was the disappointment experienced by all when orders came to report forthwith to the general commanding at Helena, Ark. The six left companies were immediately transferred to the steamer *Empress*, and placed under command of Lieut. Col. J. Q. Wilds. The remaining four companies, under command of Major Ed Wright, were embarked on board of the steamer *Imperial*. They were joined by the 26th Iowa on the next morning. The steamer, packed with about 1,200 troops, departed for Helena. Snow had fallen during the night and the morning was very cold. The steamer, though one of the largest, was packed above and below and on every side. This was the introductory step of the regiment to the hardships of the soldier's life. The entire command disembarked at Helena October 28th, and encamped about one mile south of town on the river bank. The army which had come through from Batesville with Gen. Curtis was then there. They had constructed winter quarters, upon which business the "forty dollar men," as they termed us, immediately embarked. The regiment was assigned to the brigade commanded by Gen. McGinnis, then Colonel of the 11th Indiana. The regiment was now about 950 strong, including officers and men. The health of the men was good when they first arrived, but their late exposure on the steamer, and the effect of the water from the river and the malaria arising from a cypress swamp about a mile in the rear of the camp, soon swelled the sick list to more than a hundred. Whether these evils could have been avoided at that time or not it is useless to inquire. The operations then pending against Vicksburg, via Holly Springs, doubtless rendered the concentration of all the available forces within reach necessary. Helena was probably the best objective point, for any forces not connected with those under the immediate command of Major General Grant. On the 17th of November an expedition was sent out under command of Brig. Gen. A. P. Hovey, of which the 24th Iowa formed a part. After being out three days and going to

the mouth of White River, it returned without having been disembarked or having seen the enemy. Another expedition left Helena on the 28th of November under command of Gen. Hovey for Cold Water, Miss., where they arrived the 30th of November. Cold Water is about forty miles from Delta, the point of landing on the Mississippi river. In this march the regiment received its first experience of that nature. Although the knapsacks proved to be a very inconvenient and troublesome method of transportation, they kept pace with the western troops without much difficulty. The force at Cold Water was intended to check the retreating force of the enemy until General Grant could come up and "bag" them, or at least cut them off from Vicksburg. One brigade remained here, while another with a small force of cavalry advanced to Oakland, about 20 miles further. On the afternoon of the 1st of December cannon were heard in the direction of Oakland—the first sound of hostile greeting between foemen that had yet reached the ears of the 24th. The troops were immediately ordered into line and started on the double-quick to the scene of action.

Crossing the Tallahachie, a few hundred yards below the mouth of Cold Water, on a pontoon bridge, all were rapidly hurried to the front. After advancing about seven miles, a messenger arrived from the front announcing the discomfiture of the enemy, and capture of 40 prisoners. The advancing column immediately about-faced and returned to their former camp through a drenching rain. Thus terminated the first prospect of the 24th to participate in an engagement with the enemy. Being joined by the comrades from Oakland, the expedition returned to Helena, where it arrived the 7th of December. Another expedition was next fitted out under command of General Gorman, an energetic, violent officer, who could not spurn the rich offerings of King Cotton, on account of which innocent weakness he subsequently received a polite dismissal from the service, by being kindly advised to resign. This expedition was intended to co-operate with a force under General Sherman which had previously gone up the Arkansas River. The fleet sailed for the mouth of White River on the morning

of January 11th, 1863. News of the reduction of Arkansas Post by the forces of Sherman was received on the following day while near the mouth of White River. It then advanced to Duvall's Bluffs, arriving the 16th and expecting to move thence upon Little Rock, Arkansas; but after having reconnoitered and waited for three days, the expedition for some reason was abandoned, and we set sail on the 19th for Helena.

The weather was unusually severe during the entire period for this climate, and much suffering was experienced by the troops. The regiment could hardly have suffered more in loss of men in an ordinary engagement than it did from the effects of this severe and unaccustomed exposure to cold and rain. Many who had withstood all former changes and exposures unscathed, fell under this. Immediately after arriving at Helena, January 22d, it became apparent that a change of camp would be necessary in consequence of the rising waters of the river and streams in the vicinity. The encampment was immediately transferred from the river bank to the first line of hills in the rear of Fort Curtis. But although able to escape from the water, it was impossible to escape from the mud which seemed unfathomable. It soon became necessary to raise and pike the road leading to Helena, about one mile distant, from whence the supplies must come. Helena itself soon became a semblance of Venice. Main street could be traveled only in canoes. The citizens could get to market and visit their neighbors only in canoes. The Mississippi poured its mighty flood in front of the town, while its back waters forced their way through its streets and formed a broad expanse of water far away to either side. Much difficulty was experienced in landing and securing the necessary government supplies. The spectacle presented when these waters subsided may be better imagined than described. As soon as the streets became navigable for six-mule army wagons, they were called into requisition. The wet ground soon became an impassable slough. Boards were stuck into the ground all over the place with the warning motto of "No Bottom" painted on them. The sick list, which had been fearfully large ever since the arrival of the regiment, was swelling to still greater proportions.

The average of fatality was not less than one per day in our regiment alone, while the hills rising high in our rear were being rapidly dotted over with new-made graves from those around us. This was to us the darkest period in the history of our military experience. Numbers were dropping into their last long sleep, not upon fields hallowed by the victors' blood shed in defense of our country's honor, but by the slow and certain power of disease.

The skill of the surgeons, although unremitting in the discharge of their laborious duties, seemed almost powerless. Chronic diarrhœa and camp fever (an admixture of all fevers) bore away many of the strongest men. Soon after our arrival in the new camp the 24th was transferred to the brigade then commanded by Gen. Fisk. He was a man of medium height, fine form and noble bearing. A countenance at once frank, benevolent and intellectual, having upon it the stamp of thought and decision. He soon became very popular in consequence of his well-known moral character, and his constant interest in the welfare of those under his command. Under his immediate command the regiment departed with the expedition fitted out by Gen. Washburne for opening the Yazoo Pass. It left Helena on the 15th of February and arrived in the Pass on the following day. Here they were engaged until the 23d in endeavoring to render it navigable. A vast amount of labor was necessary for the removal of trees which the enemy had fallen across the narrow stream for the purpose of obstructing the passage of vessels. Ropes were fastened around the bodies of the trees and they were thus drawn out upon the main land. From thence the boats passed into the Cold Water and Tallahachie, the way being thus opened to the Yazoo River. Having effected its purpose, the expedition returned to Helena on the 23d. The fleet had been dreadfully shattered in the Pass. The guards, wheel-houses and smoke-stacks of the steamers had been wholly raked off of most of the fleet by the overhanging branches of the trees. There were none of the fleet that escaped uninjured.

Spring now began to make its appearance and the waters to recede from the streets of Helena. About this time Luke



Baldwin, R. Q. M. of the regiment, fell very ill with dysentery. Despite the utmost care under the circumstances, and the best skill of our surgeons, he rapidly declined, and died on the first of March. He was the first officer of the regiment called upon to seal his devotion to our common cause with his life. He was eminently fitted for the position he had occupied. He had always been careful, skillful and honest in the discharge of his duties toward the government and his regiment. In addition to his business qualities, being of a cheerful disposition, quiet and gentlemanly in his manner, his sudden and unexpected death was a matter of sincere and earnest regret among his brother officers of the regiment.

Albert B. Echleman, the Q. M. Sergeant, who had been his faithful and unremitting assistant, was promoted to the vacancy occasioned by his death.

Drilling, which had been abandoned in consequence of the severity of the weather for some months, was again resumed with renewed diligence. The regiment rapidly acquired a perfection in this under the skillful and experienced instructions of Lieut. Col. J. Q. Wilds, which on several occasions of general reviews elicited the warm commendation of Generals Gorman and Fiske. The pride taken by all in keeping their arms in excellent condition contributed greatly to its appearance, and its estimation with those inspecting it. Meanwhile preparations were being made for opening the spring campaign. A thorough organization of the troops at Helena was effected about the first of April. The 24th was transferred to the second brigade of the 12th division, 13th Army Corps, under command of General J. A. McClernand. The 12th division was placed under command of Brigadier General A. P. Hovey, while Colonel J. R. Slack, of the 47th Indiana, commanded the second brigade, composed of the 47th Indiana, the 56th Ohio, and the 28th and 24th Iowa regiments. All hailed the hour of our approaching departure with joy.

Vicksburg was known to be the point of attack, but how or where no one was able to discover. The sufferings which all had experienced from the unhealthiness of the climate at

Helena invested the final day of departure with a deep and solemn interest.

There were none who had not a brother or favorite comrade sleeping the sleep that knows no waking on the bluffs above us or in the vale by the river bank below. During the three months of January, February and March alone, fifty of our comrades were interred at Helena, besides a great number that were sent to the hospitals at Cario, Memphis and St. Louis. When the fleet was ready to sail from Helena on the morning of April 11, 1863, the regiment could muster but little more than six hundred rank and file. The fleet joined that of General Quimby on the next day about five miles below Helena. There was great difficulty in obtaining serviceable vessels to convey the troops. Four companies under command of Capt. Henderson, of Company A, were put on board of a vessel which had had its smokestacks, wheelhouses and guards raked off in the Pass. The pilot declared the craft unsafe and refused to go with her.

After having been delayed several hours after the departure of the fleet, it was determined to man the boat from the troops on board. Accordingly Willis Vance, a private of Company G, volunteered as pilot, and the boat joined us on the morning of the 14th, having made the trip as soon as any of the fleet. We reached Milliken's bend on the morning of the 14th of April, without any misadventures. Here the troops all disembarked and went into camp. Preparations were immediately begun for marching. All surplus baggage was stored in an old barge—the only means at hand of disposing of it. The column moved out on the morning of the 16th, and reached Richmond, a small inland town, early in the afternoon of the same day. The march was again resumed on the next day. The column advanced slowly in consequence of the heavy roads impeding the progress of the train. The country through which we were now passing is one of the richest and most valuable in Louisiana. An annual overflow by the waters of the Mississippi was prevented only by a succession of levees. We reached Smith Plantation, on Vidal Bayou, on

the afternoon of the 17th. Up to this time the divisions of Osterhaus and Carr were in our advance.

The original intention to move to Carthage was changed at this time by reason of several breaks in the levee along Bayou Vidal, which placed Carthage on an island. On the morning of the 20th, our division (General Hovey's) took the lead. We arrived at Nolan's Plantation on the 22d. Cavalry swam the bayou in the morning to reconnoitre the country, and beyond a bridge was immediately commenced. Timber for its construction was obtained from a cotton gin on the plantation, and such other buildings as were at hand.

All the force that could be used was called into requisition. The bayou was very wide at this point, but less rapid than anywhere else. Parties were dispatched in all directions to procure boats and material upon which to build a floating bridge. These were securely fastened by a network of ropes to the trees standing in the stream, and arranged in the form of an arc with the circumference up stream. Upon this the bridge was built, which when completed measured between five and six hundred feet in length. The train and artillery were all drawn over by hand.

The project, as well as the route, being one of our General's own choice, the troops labored assiduously to accomplish the undertaking, while the General himself hurried up the work, being almost constantly present, as though nothing less than the capture of Vicksburg depended upon the speedy success of his project.

Our division succeeded in getting over, and encamped about four or five miles beyond the bridge on the evening of the 27th. Next day we moved to Perkins' Landing, and immediately embarked on board the steamers which had a few days previously run the blockade at Vicksburg. Each steamer had a barge or two in tow, which were also loaded with troops. All transportation, horses of field and staff officers, etc., were left behind. Our destination was Grand Gulf. The gunboats moved out in advance, followed by our little fleet of steamers and barges. We reached a point within four miles of the batteries at Grand Gulf on the morning of the 29th. The gun-

boats were to engage and silence the batteries on shore, and we were then to land under cover of their fire, and carry the place by assault. It was a clear, bright day, and the enemy's works were clearly visible from where we lay. The gunboats formed in line of battle, and dropped down slowly and cautiously upon the enemy's works. The enemy was the first to open the ball. One, two, three, four wreaths of smoke, and as many bright jets of water spring into the air. Still the sulen turtles deigned no reply, as the enemy's missiles failed to reach their advance. Another roll of thunder, more bright jets of water start up. This time discloses the approaching foe, yet still they were silent. But now the leading vessel began to leave the west bank of the river, bearing off to the left of their works, followed by the others. Having formed a line immediately in front and to the right and left of their works, they squared across the mighty current, and then came the loud response to the enemy's taunts.

The compliments of the Admiral and his men having thus been presented to the enemy, the vessels separated and each began the battle on its own account. Some running directly under the guns of the fort and delivering their heavy broadsides at pistol range, others with guns of heavy calibre anchored out in the river, as if for target practice, settled themselves quietly to the work. The air seemed alive with a thousand devils, screeching, howling and hissing, while the roar of discharging cannon and bursting shells was loud and incessant. Through the black clouds of smoke lifting from the scene of the battle could be seen the meteoric pathway of fuse shells, which either bounded harmlessly from the iron mail of the turtles or went skipping over the smooth waters miles away from their intended object. An occasional discharge of grape shot would make the water boil around the approaching vessels.

Meanwhile parties were detailed on board our vessels and sent to the holds with tow and cotton, and carpenter's tools were in readiness to stop any unlucky perforation of the enemy's balls in that region when it should come our turn to meet their fire. Guns were all loaded and officers and men at their posts, in momentary readiness for an order to advance. The

steamers stood out in the middle of the river, slowly paddling the water to prevent their floating too near the scene of action for safety before the gunboats had accomplished their mission. We could see there was great danger to be encountered in getting there, but knowing something of the indomitable will and perseverance of our leader, we did not doubt for a moment but that it would be done. It were needless then to be fearful of consequences, and each braced himself with a determination to do his best, for in speedy victory alone there appeared safety. For four hours the battle had raged and the enemy's position had been raked from every quarter. Still the saucy guns from the fort belched forth their fire and smoke and storms of missiles. They could not be silenced. The brave tars had done all in their power to accomplish the purpose. Meanwhile our interest had become so great as to forget all else around us. The steamers drew up to the landing at Hard Times, which had the appearance of having maintained a very poor family in a very poor way, and much to our surprise we were ordered to disembark. After marching down the levee about three miles we encamped for the night on the river. We were now very unexpectedly several miles below Grand Gulf. So sharp was the bend of the river to the right of Grand Gulf that we could not perceive its direction during the day. We then for the first time comprehended the full strength of the position chosen by the enemy. Soon after darkness set in, the gunboats again opened vigorously upon the enemy. The enemy replied slowly but determinedly. The transports, which had already run the blockade at Vicksburg without serious injury, now under cover of their fire sped rapidly by the rebel fort, followed by the fleet of ironclads. The bold adventure was as speedily and successfully accomplished as it had been planned, without further injury than the killing of a few battery horses on board the transports and cutting the hog chain of one of the rams. The return of daylight revealed the entire fleet anchored near the encampment.

The divisions of Carr and Osterhaus and Hovey embarked on board the transports and gunboats, landing at Bruinsburg, about 12 miles below, about noon. Here three days' rations

of hard bread, sugar, coffee and salt, were issued as quickly as they could be landed from the vessels, and at 4 o'clock p. m. the column was en route for the rear of Grand Gulf. About 9 o'clock the column, having reached the highlands of Mississippi, were halted for supper. An hour later, it was again in motion. The divisions of Carr and Osterhaus were in advance, followed closely by that of Hovey. Not knowing at what point to expect the enemy, the advance moved forward cautiously and slowly. Every soldier has cause to remember that this feeling for the enemy in the dark is by far the most laborious and fatiguing duty that can be imposed on an army. It is a movement that requires constant readiness and cautious dealing, while the drowsy powers are busy in their efforts to weigh down the eyelids during the intervals of its many halts.

Occasional shots far in advance will create murmurs among the massed hosts in the rear like that of a dreamer disturbed by familiar sounds in his slumbers. By daylight the skirmishing in front had become quite brisk, announcing the presence of the enemy in force. Halting at the foot of Thompson's Hill, the troops were rapidly preparing their breakfast. The General, riding along the line, put a sudden stop to these operations by orders to fall in immediately. Cannon were booming on the hill, the divisions of Osterhaus and Carr being already partially engaged. The column moved rapidly up the hill, and were immediately formed in two lines of battle on the right of Magnolia Church, the first brigade, under command of Gen. McGinnis, in advance. Although within rifle range of the enemy's position, the thick foliage and dense undergrowth completely hid his lines. The country was exceedingly broken, there being a continuous succession of knobs and precipitate hillsides, while almost impenetrable canebrakes choked up the deep, narrow ravines. An effort to turn the enemy's right resting on Bayou Pierre had failed, and by means of posting small bodies of men on the knobs he was enabled to develop a long line to the left. From these knobs then he must be driven. Small parties of skirmishers were now sent out to discover his position and practicable routes leading to it on our right, while our left held the enemy in

check, preventing any effort that might be made to assail and turn it. By this means the several knobs were successfully charged, and the enemy's left made to retire. The enemy stubbornly resisted every advance, and would abandon his position only when forced to. To the regiment or brigade nearest the most practicable route would be assigned the duty of charging the enemy from his position. During the day there was considerable strife among field and staff officers as to which regiments or brigades should have the honor of assailing the enemy's positions when more than were required were at hand. An amusing incident of this nature occurred about 8 o'clock A. M. The line in struggling forward through a canebrake had become much confused and broken up, the men of the 28th and 24th Iowa regiments becoming mingled.

Lieut. Col. Wilds, presuming Col. Byam to be at the center of the regiment and regulating the line there, mistook the colors of the 28th Iowa for our own and followed them with the four right companies. But it was afterwards ascertained that Col. Byam had left the field, having become sick and faint, and much to his own injury had failed to have the fact reported to Col. Wild, upon whom the command now devolved. Major Wright on the left, with the colors and the six remaining companies, bore to the left in order to pass around the canebrake, thus dividing the regiment. A similar accident happened to the 34th Indiana, of the first brigade.

The six companies under Major Wright and five companies of the 34th Indiana arrived first in an open space beyond the canebrakes.

Here General Hovey ordered Col. Cameron of the 34th Indiana to charge a battery which the enemy had planted on the crest of the hill. Col. Cameron remarked that there were but five companies present, but that he would charge it if the General so ordered.

Col. Slack, commanding our brigade, proposed uniting the two parts of regiments. To this the General objected, desiring that our regiment should do it. Col. Slack then eagerly responded: "Then let the 24th Iowa go in. Six companies can do it. The Hawkeyes will do it." But the

General refused, and the remaining five companies of the 34th arriving soon after, the regiment was ordered to advance to the charge. About this same time two regiments of Carr's division, the 8th and 18th Indiana, charged the same point from another direction, the three regiments carrying the point, and each claiming the honor of the victory. The battle continued in this way until nearly nightfall, no regiment on either side being exposed to fire at any one time very long, owing to the broken nature of the ground. At intervals a deep, sudden roll of musketry and artillery, followed soon after by a shout of triumph, announced the capture of some advanced position by our forces. Then a lull, during which the enemy took a new position, while our artillery and infantry were advanced. One point after another was gained in this way on the right, until the enemy began to entertain fears of being cut off from the Port Gibson road. The entire right of this line had been forced back until it was nearly at right angles with the line on the left. The retreat soon after began in good earnest. The victory was won. Several hundred prisoners, part of his train and much of his artillery fell into our hands. The primary object of the battle was accomplished. Grand Gulf was evacuated. The whole loss in the 24th Iowa was but one killed and seven wounded. It was a hard battle, but bloody only at intervals. The difficulties of approaching the enemy's several positions were almost insurmountable. The field upon which the battle was fought is exceedingly picturesque and beautiful. The many knobs are crowned with the most beautiful of all trees, the magnolia. Their rich, polished green leaves glisten brightly in the sunshine, as if always bathed in dew, while their large, fine white flowers load the air with sweet fragrance.

This battle is memorable as the first in that brilliant series of conflicts resulting in the capture of Vicksburg. As it was the first battle in which most of the troops enlisted in '62 had participated, the Generals, whose reputation rested upon their success, preferred that the veteran troops of '61 should lead the charges, supported by the less experienced in battle; a distinction, however, that was never repeated. The courage



displayed by them on this day, whenever opportunity offered, convinced them that this distinction would hereafter be wholly unnecessary.

It is not necessary to criticise the conduct of Col. Byam in this engagement. It is, perhaps, fair to presume that what he said of himself was true. He was sick and faint, or, as the boys would have it, sun-struck at 8 o'clock in the morning, reporting at the hospital, two miles away, for medical assistance. As for the rest, both officers and men conducted themselves with the customary valor of Iowa's sons, receiving their just meed of praise in their brigade commander's report of the engagement. Wearied almost to exhaustion by the day's labors, and suffering for want of sleep, the men lay down on their arms, in support of a battery planted on a hill above us. It not being certain that the enemy had gone, and fearing, too, lest he might be re-enforced during the night, everything was in momentary readiness for an attack. All around was silent until midnight, when the pickets in front were falsely alarmed by some means, and discharged their pieces. A moment later and the line was in complete readiness to repel the advance of the enemy, should he come. But the alarm proving to be a false one, we lay down again, and rested without any further disturbance until daybreak. Learning soon afterwards that the enemy had evacuated Grand Gulf, and were flying towards Vicksburg, we took up our line of march for Port Gibson, about four miles distant, where we arrived about noon, and encamped in the streets. The town is situated on Bayou Pierre. It is tastefully and regularly laid out, containing originally perhaps four thousand inhabitants. It had no defenses, and our visit was evidently a very unexpected, as well as unwelcome event. It had never been occupied by any troops of either army before; and had a neat, cleanly appearance. Preparations were being made for a grand ball to come off the evening of the 2d, in honor of the victory gained over our fleet at Grand Gulf, but alas! the intended guests, such as had passed unscathed the ordeal of battle on the previous day, were tripping the "light fantastic toe" towards some distant point of safety from the "Yankee vandals." A vast amount of

provender had been prepared for the anticipated regalement, much of which had been distributed among the forlorn guests, as they hurried through the town. The remainder was claimed as the spoils of battle and was appropriated without further ceremony.

We crossed Bayou Pierre, on the 3d, on a floating bridge, and marched to Willow Springs. Here the column was halted for three days to await the arrival of the 15th and 17th Army Corps. Foraging parties were sent out to procure supplies. There being no transportation with us, and all private horses being left behind, the parties were instructed to forage teams and horses for mounted officers, which was accordingly done. All the mills in the vicinity were immediately set in motion. By this means a sufficient supply of meal was obtained. There were plenty of cattle in the country for beef, and the smoke-houses were full of pork. Bacon, salt, sugar and molasses were abundant, besides an abundance of poultry and many other luxuries not known in the government ration.

Foraging parties usually returned to camp mounted on mules or horses, or in fine carriages, to which were hitched horses or mules, or one of each as circumstances favored, set off with plow-harness or silver-mounted harness, again governed by circumstance. The riders sat in the midst of a heap of poultry and sacks of provender, while the elegant vehicles were freighted with all kinds of delicacies. Where the people remained at home private property was seldom disturbed, but the greater portion of the planters having hastily abandoned their homes, thus furnishing direct proof of disloyalty, everything valuable or sweet to the taste was forthwith appropriated. No dwelling, however, was burned during this march, nor cotton destroyed. Forage of all kinds was found in abundance, and the army fared sumptuously. It was a wealthy cotton-growing region, and the accumulation of a two or three years' crop had piled their cotton sheds full of that coveted article.

On many plantations from one to three hundred bales were thus stowed away in complete readiness for market. None of

this was disturbed by the passing troops. The dwellings of the planters were large-sized, airy mansions surrounded by magnificent flower gardens and groves of evergreens, in the latter of which flourished pines, cedars and magnolias, wreathed about with tall thick rose hedges, which were just beginning to bloom. The dwellers in these Arcadian abodes, when found at home, seemed to possess all the pride and culture usual among the Southern aristocracy, and presided over their dusky harems with much the same dignity that would become a Turkish prince. In most cases they were masters of the situation, and although evincing much chagrin at our unwelcome visits, from motives of policy usually treated us with a gentlemanly dignity becoming their station. The women were less guarded in their manners and language, and frequently treated us to a torrent of abuse, unequalled since the days of Shakespeare's Queen Margaret of Lancaster. A hearty laugh was the usual response to these tragic outbreaks of indignation, but they seldom had the effect of preventing the capture of favorite carriage horses, and the driving away of live stock. About this time an important capture was effected by Captain Smith, of Company G, while in charge of a foraging party. The party came to the abode of a wealthy planter, who had departed with all else valuable, except a favorite carriage horse, left for the use and in charge of his wife. Without provocation, the good lady began reviling the captain and his band before any seizures were made. Accidentally coming upon the horse, one of the band concluded it would be easier riding than walking into camp, and having the means at hand, made preparations accordingly. The vigilant keeper objected seriously, by intermingling passionate entreaty with the most bitter invectives. But plea, however eloquent, was of no avail, and the animal sacred to the household was ridden off in triumph. He was immediately purchased from the Government by Col. Wilds, and has ever since been a faithful and constant member of the regiment. He passed through all the battles up to Cedar Creek unscathed. Here he was seriously wounded, at the same time with his master. Having conceived a strong affection for Brownie, a mare brought into the

service by Major Wright, he was immediately purchased by him after the death of his lamented master, and having recovered from his wound, although deprived of the use of his caudal extremity in consequence thereof, is still performing duty in the regiment. There is something remarkable in the fact that although these parties, during the entire campaign, were constantly wandering away from camp, and scouring the country for a distance of 7 or 8 miles from its limits, they were never attacked or in any way disturbed. We broke camp on the morning of the 6th and reached Rocky Springs early in the same day, a very small village, having originally but one trading store and few dwellings. Here about one and one-half days' rations were issued, the first that had been received by the command since leaving Bruinsburg. Next day we were advanced about three miles to a place called Big Sandy, and took position in readiness for an attack, which it was rumored would soon be made. Next day the troops were reviewed by Gen. Grant in person. A few more rations were issued while at this point, the last we were to receive until after the capture of Haines' Bluff. We remained here until the 10th, foraging as usual, and saving rations for a march by this means.

We moved near to a small town on the 10th, called Cayuga. Here we were joined by the corps of McPherson and Sherman, which were formed on our right. The evening was clear, pleasant and beautiful. Here for the first time was assembled the grand army.

Miles away to our right gleamed the bright camp-fires of more than 50,000 armed men, while hill and dale rang with the inspiring chorus of national airs being discoursed by more than a score of brass bands. How strong we felt! How unimportant we thought our enemy! We no longer entertained any fears concerning the result.

We moved out again on the morning of the 12th, encountering the advance cavalry of the enemy's forces at Fourteen Mile creek.

The columns were wheeled into line, skirmishers thrown out, and the advance began. An open field intervened between

the place at which the lines were formed and a narrow strip of woods along the bank of the creek in which the enemy were posted. A sharp skirmish ensued, when a charge was ordered. Without waiting to give or receive a volley, the enemy withdrew to the opposite side of the creek. We encamped on the ground which the enemy had occupied and halted for the night. Next morning we crossed the creek and discovered the enemy's pickets about two and one-half miles beyond. Our division (Hovey's) formed in line of battle, and threw out a skirmish line nearly two miles in length and drove in the enemy's pickets. The remainder of the force withdrew in the direction of Raymond. Skirmishing continued until noon, at times very severe, there being several wounded in the division. Meanwhile the Pioneer Corps were busily engaged in cutting a road through the woods to the right. The whole force of the enemy, probably 25,000 strong, were not more than two miles in advance of our line. Had they been apprised of our position and number, they might very easily have captured, or at least utterly routed, our little force of 4,000 men. About 1 o'clock an order was received to move out by the right flank through the road cut out by the pioneers. When the column had gotten finely in motion the long line of skirmishers was withdrawn, and followed quickly after. This feint which resulted so successfully was made to prevent the enemy from sending reinforcements towards Jackson, in which direction the columns of McPherson and Sherman were pressing. Marching rapidly, we encamped about dark in a corn-field about seven or eight miles from where we had been menacing the enemy. Scarcely had we broken ranks when a terrible rain-storm set in, flooding the ground and drenching us completely. We had no reason to complain of the lack of softness in our beds that night. The wet and newly ploughed ground yielded to the pressure of tired limbs rather more readily than was desirable. Still there was no help for it, and each comprehending the necessity submitted to the soft embrace of his muddy couch without a murmur. Resuming the march on the following morning, we reached Raymond about noon of the same day. Halting about an hour, we had time to inspect the

battle field of the 12th, where a portion of our forces under McPherson had routed two brigades of the enemy under Generals Gregg and Walker. We there saw the prisoners captured by General McPherson. The citizens here talked ominously of an overpowering force which the enemy would hurl against us if we advanced any nearer their stronghold, Vicksburg. By the aid of this force they expected Divine Providence would utterly destroy and annihilate General Grant and his army. They seemed anxious to prevent so great a disaster, and kindly advised us to be warned and retire in time. Raymond was something smaller and less neatly built than Port Gibson. Having been occupied by Confederate troops for some time previous, it had that untidy appearance which the occupation of a small place always presents. It was defended by a single line of rifle pits from which the enemy were dislodged on the 12th, with considerable difficulty. Taking the road leading to Clinton from this place, the column moved out four or five miles and encamped for the night. During this march another Mississippi flood descended upon us. The roads were flooded with water in some places for a distance of nearly half a mile, from 10 to 12 inches in depth. This time we encamped in the edge of the woods and had wet leaves for our beds. Here a plentiful supply of beef, bacon and mutton was obtained, and also sweet potatoes, but no meal, from the surrounding country. Advancing on the 14th to Clinton, a very scanty supply of meal was obtained and issued. The negroes were able to furnish us with a very moderate supply of corn bread as we marched along, and upon these we were mainly dependent for this very essential article of subsistence until the opening of communication via Haines' Bluff. The negroes everywhere exhibited the most extravagant joy upon our approach, and were ever ready to impart all the information concerning the movements of the enemy that they possessed, and the character of the country. Although instructed by their masters to flee to the woods when we should approach, and told that they would be plundered and butchered by our soldiers, they, so far from having any fear of us, hailed our coming as the certain dawn of the "year of jubilee." They readily exchanged their

cornbread for a little bacon from their masters' smokehouses, which, although they had not dared to touch it themselves, they considered safe to take from us in this way.

Clinton is a small dilapidated village composed mainly of small wooden buildings, although possessing a few elegant residences in its outer limits. The next morning our division was placed in advance on the main road leading to Vicksburg. Skirmishers were kept well in advance of the column and a few shots exchanged, the enemy's cavalry prowling in our front. Marching slowly, we reached a point about one mile to the left of Bolton Station.

During the day's march a tall Lieutenant of the regiment, in search of what he might find, stumbled on what appeared to be an abandoned wagon-maker's shop, and finding it locked, became convinced in his own mind that it must contain something very valuable. Calling for some assistance from our passing column, a sturdy, raw-boned, two-hundred-pound Dutchman volunteered his assistance. Having arranged that there should be an equal distribution of the supposed spoils, they proceeded to break open the doors. The carefully concealed treasure welcomed their entrance with a hoarse bray that seemed to awaken the echoes of the forest for miles around. They brought forth their captured prey in triumph—an ass of ponderous proportions, and declared by the lucky captors to be worth \$2,000 anywhere on the continent but in the particular vicinity of his seizure. A loud shout of laughter from the column was immediately answered by a louder bray. What was to be done? He was too valuable to leave behind, and it was determined the brawny Dutchman should lead him. Advancing to the head of the column, the sequestered prize treated the field officers to a lengthened operatic flow of original music, assisted by the jubilant Dutchman, the burden of whose song was "Wo," "Wo dare," "Vat you means?" Half an hour of this was all the weak nerves of the Colonel could endure, and declaring the seizure illegal, he ordered it to be taken to the rear and released, charging the long Lieutenant with the execution of the order.

*(Conclusion in next number.)*

## THE SEARCH FOR A SHILLING.

## A TRUE STORY OF TERRITORIAL DAYS IN IOWA.

BY ALLIE M. LETTS.

One bright November morning in 1844, a family group stood at the door of a little log cabin in southern Iowa, bidding good-bye to the eldest son and brother.

He was a big, strong fellow, larger than his father, but a glance at his face showed you that he was only a boy, not more than eighteen years of age, and his lips quivered a little as he tried to say "good-bye" bravely.

"My son," said the father, "you are young to go out alone in the world to earn your own living, even for a short time, and you know it is not what I had planned. In fact, all our plans have failed, or you would be starting to school now instead of going out in search of work."

The boy answered cheerfully, "I know, father, but it is all right, or will be as soon as I get work; as I have partly learned the carpenter's trade, I will get work with some carpenter, and as soon as I can earn enough to buy clothes and books, I will start to school, probably in Burlington. I will go every day I can till spring, and when you want to go back to our own farm I will go with you, if you need me."

"No doubt it is the best thing you can do," said the father, "but I am sorry. I wanted you to have a good education; it is the only thing you cannot possibly lose. It is not like riches, that sometimes take wings and fly away. You are starting empty handed, too, but many great and good men have done the same. Nothing can harm you if you do right. Be industrious; shun evil companions; be a good, honest, true man, and all will be well. Farewell," and the tenderness of his heart spoke forth in the Quaker "farewell" learned from his boyhood's companions.

The mother had said her parting words the night before and only added, "You will write soon, my son." She did not say



"every day or week," as mothers do now-a-days, for there was only a weekly mail, and the postage was a shilling on each letter, to be paid at the end of the route by the receiver. In that new country, in those hard times, letters were either luxuries or necessities, not every-day affairs, by any means.

"Yes, I will write, but you may be sure I am all right if you do not hear."

"But you will write if you are sick? Promise me, my son, you will let me know if anything goes wrong with you," anxiously urged the mother, never dreaming that her request would be the cause of anxious hours, and a sleepless night, but the boy gave the desired promise, kissed her, and the little children, and went on his way.

James Maine, the father, and his wife were natives of New York State, and removed to Pennsylvania with their parents while young, married, and remained there till they had a large family, mostly sons. The fabulous reports of the rich prairie lands of the Great West attracted Mr. Maine's attention, and he so longed for better opportunities for a start in life for his sons than had fallen to his own lot, that he made a prospecting tour through several western States. He entered land in Iowa and removed thither in 1842, taking with him lumber to build a frame house on his new farm.

Several other families, relatives and neighbors, went with, or followed them, and a little colony settled on the prairie, with high hopes and bright anticipations.

Hastily constructed log houses and board shanties did duty for shelter the first summer, while they were breaking the prairie sod and putting in their crops; but with the summer's heat came sickness. Ague and malarial fevers were prevalent, and often there was scarcely one well person in the little colony.

First settlers in the western States had to contend with a great deal of sickness from several causes: First, the change of climate was great from the hills and woods of the East to the sun-scorched, wind-swept prairies of the West. Secondly, they always settled in the edge of the timber and built their

houses near a spring or creek, probably in memory of the cool springs and pebbly brooks of their native states.

But the little streams and springs were near marshy ground, and the decaying vegetation there, as well as that caused by the turning of the prairie sod by the breaking plow, caused sickness, and often death. More than once that first season the prairie sod was broken for a grave! Mr. and Mrs. Maine laid their eldest child, a beautiful daughter of eighteen bright summers, beneath the prairie flowers, that first autumn.

The little colony was broken up. Some returned to their eastern homes, but Mr. Maine struggled along the second year amidst all sorts of discouragements, finished building his frame house, moved in, and raised a crop, but the long-continued sickness of the mother and the little ones forced them to leave their new home and go into an older-settled part of the State, rent a small farm, and await the further development of the country, while they were recovering their health.

So, here we find them, thirty-five miles from their own home, in a little log cabin not far from Mt. Pleasant, mother and children rosy with health again, the crops gathered, and the eldest son, Lafayette, leaving home in search of work, and an education.

One afternoon, a few weeks later, the mother and younger children were alone in the cabin, the father having returned to the farm on business. The boys were in school, and as the short afternoon began to wane the mother laid aside her work, and set about preparing the evening meal for her little flock.

Suddenly a clatter, and chattering outside, announced that the boys were home from school, and unusually excited about something. The mother met the noisy trio at the door with a smile. Judson, the eldest, a dark-eyed, manly boy of fourteen, said hurriedly :

"Mother, there is a letter in the postoffice for father." "And," piped in Franklin, "the postmaster wouldn't let us have it because we didn't have any shilling to give him. He called it a 'bit,'" added the little fellow, contemptuously.

"Give us the bit, mother," urged Emmett, the youngest of the three, proud of the new western word, "and let us go right

back for it," for even the children knew how the homesick parents longed to hear from the old home and old friends.

"Softly, boys," said the mother, still smiling; "don't all talk at once; I am afraid it is too late to go back to-night, and," after a moment's pause, "I don't know as there is a shilling in the house; I'll see," and she dusted the corn meal from her hands, and left the mush to boil, while she went in search of the shilling.

She looked carefully through an old leather wallet of the father, felt of an old-fashioned bead purse, searched carefully though the many compartments of the "India box," where precious things were kept, only finding a few tarnished pennies that had belonged to "the little boy that died"; sighed a little, put them back, and went on with the preparations for the simple supper, saying, "Your father has taken the little money he had with him; we must wait for the letter till he comes home."

A little later, Judson came in with his pail of new milk, and while he was straining it, said, "I asked the postmaster to give me the letter, and I would bring the money in the morning, but he said he couldn't do it, but he said, 'Tell your folks the letter is from Burlington.'"

Then indeed did the mother's face flush, and her eyes look troubled, as she exclaimed: "Burlington! Why! Judson, it is from your brother, Lafayette. I did not expect a letter so soon again. I do wish that postmaster had sent it out. Perhaps your brother is sick," and her mother's heart grew more and more anxious.

Judson, wise beyond his years, said, "Don't worry, mother. It is some good news likely; and if he is sick you couldn't go to him till father comes; he has the team, you know."

"Why! Yes, I could, Judson. I could borrow a side saddle and ride Dolly. I used to ride on horseback a good deal when I was young." "But the children, mother?" and he looked at the little sister and rosy four-year-old baby brother, and his face took on a puzzled look. Then the mother laid her hand fondly on his shoulder and said, "I could trust you with the children. Judson! you took good care of them more than a year ago, while I was sick. You would be just as faithful now

if need be," and the two pairs of eyes, one so fond and proud, the other so trustworthy, looked into each other for a moment, and it was settled.

"It is too late to do anything to-night, but in the morning we must find some way to get that letter," but there was little sleep for the anxious mother that night.

The family was astir early the next morning. The younger boys were sent to school, and though Judson tried to hasten his morning's work, his faithful hands found so much to do in his father's absence that it was not very early when he set out in search of his shilling.

Mrs. Maine sent him to Mr. Ingersoll, the wealthiest man in the neighborhood, to borrow the money until the father's return.

Mrs. Ingersoll met him at the door, and gave him a warm welcome, for he was a favorite of hers. She asked cordially after the family, but when he made his errand known, her face took on almost as much of a troubled look as his mother's had.

"I am awful sorry, Judson, but I declare I haven't a 'bit' in the house. I wish to goodness I had; you should have it this minute. I know Mr. Ingersoll hasn't, either, so there is no use to hunt for him. I don't know where in the land of the living you'd find a cent around here, either." Good woman! no wonder she was puzzled; they were *the* rich folks of the neighborhood, owned several hundred acres of land, horses, cattle, and grain in plenty, but not a cent in money.

What could be done? They could not send potatoes, or butter, or eggs to the postoffice, as they did to the store, and she looked pityingly at the boy, who was just starting home with a disappointed look on his face.

A "Hello!" from the gate called Mrs. Ingersoll to the door, and a man on horseback said, "Good morning! Mrs. Ingersoll, can you give me an early dinner? I have been riding since daylight, and my horse is tired, and I want to travel a good many miles yet, before night."

"Yes," she answered; "come right in. Judson, won't you take the horse around to the barn and water and feed him, and then come in again before you go home?"

This was not the first time Judson had done little chores for this good neighbor and he did not think strange of her request, but as he came back to the kitchen door Mrs. Ingersoll rushed out, caught him by the arm, and whispered eagerly, "Wait till this man pays for his dinner and then I will have the money for you, don't you see? I'll charge him two 'bits' for his dinner and horse feed," and the pleasure in her face leaped like a flash of light to his, and she flew back to the kitchen, and he went in and waited as patiently as possible.

How long that hour seemed to the boy while he waited! knowing his mother was wondering at his delay; and although Mrs. Ingersoll was not slow in preparing the meal, the stranger took his own time in despatching it; how very deliberate he was, and how much he talked while eating.

He told his hostess that he was a member of the Legislature, going to Iowa City—then the capital—to take his seat at the assembling of that honorable body, a day or two later.

It was with no little interest that the boy looked at the man. He wore "store clothes," and no doubt had a full purse and a very wise head.

When the honorable member from —— county began preparations for his departure, Judson ran to the barn for the horse, brought him around to the gate, and as the stranger had not made his appearance, he tied him to the post and went to the door to say, "The horse is ready," just in time to hear him make the following explanation:

"Mrs. Ingersoll, I am sorry—perhaps I ought to have told you before—but I was sure it would not make any difference with you, but I cannot pay my bill this morning, but I will be along this way as I return and stop with you again and pay both bills at once. In the meantime I am under obligations to you for your kind entertainment. Good morning," and he walked briskly to his horse, mounted, bowed and rode away just as cheerily as if he had not left disappointment and dismay in his wake.

"Well! I declare! If that ain't too bad, Judson!" said Mrs. Ingersoll. "Why! I was just as sure of that money, as if I'd had it in my hand! But I couldn't say a word, could I? If

he didn't have the money he couldn't pay me, you know. Oh dear!" and the good woman, who did not think of her own profits for a moment, was much cast down for the boy's sake.

Judson's heart was heavy, but he spoke as cheerfully as possible to his kind friend, and started hurriedly homeward. The forenoon was gone and yet he had not found the much needed shilling, and it was a sad face that looked up into his mother's as she met him at the door.

"We'll have to wait till father comes home," he said after he had told his story. "If Mr. Ingersoll hasn't any money, it isn't likely any of the other neighbors have," and he paused disconsolately.

"No," said the mother, musingly; "but really I can't wait days for that letter. Is there nothing we can sell for money?"

"We have some corn, but none to spare, and they don't buy corn at the postoffice, and the stores pay for everything people have to sell in trade."

"The postmaster keeps a drug store, I believe," said the mother, and a little light began to dawn in her face, and she rose and went to a neat medicine chest, carefully filled by their doctor before they left their old home.

As she looked meditatively over the case her eye fell on some bottles in one compartment, with the red sealing wax yet unbroken. As she lifted them from the case her quick eye read the labels, "Wintergreen Essence," and she gave a little, glad gasping cry and exclaimed, "O Judson! Look! Here are a number of bottles of wintergreen essence that your father took with that lot of mixed goods, on a bad debt. The postmaster will take these, I know. Get ready quick and go," and she hastily packed the bottles into a little basket, helped him brush his hair and coat, for no hurry ever made her forget to help her little man to be neat and clean.

How fast Judson flew over the ground, how the postmaster willingly took his bottles and gave him his letter, and how quickly he ran home and placed the letter in his mother's hands, is needless to tell.

That dear mother's fingers trembled a little as she broke the seal, and the eager children around her knee watched her face

in breathless interest as she read, and when she laughed a rippling little laugh, and then half sobbed, and her eyes ran over with tears as she laughed again, they could only look on in wonder. And this is the letter she read, written in a big, sprawling, boyish hand, interspersed with many capitals :

“ BURLINGTON, Iowa,———1844.

*Dear Father & Mother :*

I take my pen in hand to let you know I am well and hope you are enjoying the same great Blessing, I sent you word that I got here all Right and will now tell you how I am getting along.

I could not get any Carpenter work, It was too late in the Season ; I tried two days, then I bought an Ax, I gave one Dollar and Fifty cents for it, and it was all the money I had ; Then I went to a woodpile and got a Hickory stick and made an Ax helve and was ready for work. I got a Job right away. Got a job of cutting 15 cords of 4 foot wood for a pair of Boots, good heavy ones. I am cutting for a suit of Clothes now. As soon as I get them and some Books I will start to school, I can pay for my Board chopping nights, and mornings, and Saturdays. Tell Jud and Doc to be good Boys and little Sister not to forget me, and when I come Home I will bring her and the little boys some Candy. Don't worry about me mother, I am doing First Rate.

Your Obedient Son,

LAFAYETTE E. MAINE.”

The mother read this letter to the children, then gave Judson a warm dinner and sent him back to school, re-read the letter and then went about her work with a glad smile on her lips the rest of the day.

Strange! that she should wear a smiling face here in this strange new land, almost a thousand miles from the old home and friends, driven from the new home by sickness, living in a log cabin with only one room and a loft, on rented land, her eldest son out in the world earning his own living by cutting fifteen cords of wood for a pair of coarse boots, not a shilling in her purse, and money so scarce that the richest man in the

neighborhood, and even the law-makers of the land, were no better off, and yet her heart sang for joy.

For right down in her warm mother's heart she knew that this discipline, these trials and hard struggles, were making a man of her boy; that poverty could not harm him, but would train him to habits of economy and industry; that few bad habits grow without money as a fertilizer; that he,

"By poverty kept to his daily task,  
And by his daily task to virtue kept,"

would grow up an honorable, upright, useful man; and so with health and hope and faith in the dear Father over all, caring for His own, why should she not smile and be glad?

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### LIFE AND DEATH OF THEODORE GUELICH.

BY B. F. GUE.

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THEODORE GUELICH, who died at Burlington, on the 27th of January, 1893, has been for more than thirty years one of the notable men of Iowa. He was born in Schleswig-Holstein, January 29th, 1829. He began the usual thorough course of education common to the ambitious German youth, and was preparing for entrance into one of the best Universities when the revolution of 1848 began. He espoused the cause of the revolutionists with all the ardor of a freedom-loving young student, entered the army and served with great gallantry for three years. He was several times wounded in the heroic struggles which his countrymen were making for freedom from their oppressors, and when defeat finally came, he with many others sought a new home in the American Republic, beneath the protection of the stars and stripes that Baron Steuben and other gallant German patriots had fought under in the dark days of the Revolution of 1776.

He settled at Davenport in 1851, and soon after established *Der Democrat*, a weekly journal which took high rank among the German papers of the West. While publishing his paper, Mr. Guelich found time to study the English language and law, and in 1856 he had made such progress that he was



admitted to the bar, and entered upon the practice of his new profession while still editing and publishing his paper.

He at once took strong ground against American slavery, and was earnest and outspoken in denunciation of the outrages perpetrated upon the early settlers in Kansas by the organized bands of "Border Ruffians," who sought to establish slavery in that new Territory.

Although he had advocated the election of Franklin Pierce to the Presidency in 1852, he fearlessly condemned his administration when it sought to extend slavery into the free western Territories. He was one of the leaders in the anti-slavery movement in the West, which resulted in the organization of the Republican party.

When the great rebellion of 1861 threatened to overthrow the American Republic, which had long been the refuge of the oppressed of the old world, and President Lincoln issued his first call for volunteers to preserve the Union, Theodore Guelich, without a moment's hesitation, enlisted in the 1st Iowa Regiment of Volunteers, on the day the President's proclamation appeared.

He was chosen 1st Lieutenant of Company "G," and the regiment was mustered into the U. S. service May 9th, 1861. On the 16th Mr. Guelich was promoted to Quartermaster. He was in the battles of Wilson Creek, Belmont, and other fierce engagements, was a gallant soldier and an accomplished and efficient officer.

Shortly before the beginning of the rebellion, Mr. Guelich had removed to Burlington and established the *Iowa Tribune*, a German paper, and entered upon the practice of law. At the close of the war he returned to that city and resumed his work in both professions with marked success. Mr. Guelich was not only an able editor of his own paper, but was a frequent contributor to some of the leading journals of the State, upon topics in which he felt a deep interest. He was a writer of the best style of English, and a powerful antagonist in the numerous discussions that he had on subjects of legislation, upon which he held decided opinions. He always maintained his views with rare vigor and ability. He was a

scholar and a gentleman in all his controversies, and in solid argument and close reasoning he had few equals among Iowa journalists.

When the Republican party was organized in Iowa for the union of all citizens opposed to the extension of slavery, Mr. Guelich was one of the most determined and eloquent advocates of leaving out of its declaration of principles all minor issues upon which the anti-slavery people were divided in opinion. He, with Hon. James Thorington, Nicholas J. Rusch, Samuel J. Kirkwood and other wise and patriotic leaders, insisted upon the adoption of the national platform, which had consolidated into one party all who held the paramount issue to be opposition to the aggressions of the slave power. Many earnest and sincere men in Iowa strongly urged upon the first Republican State Convention the endorsement of prohibition of the liquor traffic, which was then a live issue in State legislation, and a large body of the anti-slavery wing of the old Whig party as strongly urged a declaration for a protective tariff. But it was urged by Guelich, Thorington, Kirkwood and others, that upon the one broad principle of opposition to the aggressions of the slave power, a powerful and invincible party could be organized, embracing men of diverse views on tariffs, national banks, Know Nothingism, prohibitionism, etc. But, if an attempt was made to incorporate such minor issues in the platform, union was impossible, and defeat of the one great cause of national freedom would be inevitable.

There were no more earnest opponents of human slavery in America than the thousands of Germans who had left their native land to make new homes in a foreign country, to enjoy the larger freedom which a republican government guaranteed to its citizens; and their opposition to prohibition was as nearly universal as was their love of freedom and hatred of human bondage. The founders of the Republican party in Iowa wisely held the minor issues in abeyance, and organized on the broad national platform, upon which all anti-slavery people could stand and work together with hope and enthusiasm. So long as Iowa Republicans stood on the old national platform

alone, Mr. Guelich was one of its ablest leaders and most devoted supporters. But when it indorsed prohibition his opposition to such encroachments upon "personal liberty," as he termed it, was so decided that he left the party with thousands of his German fellow-citizens, and united with the Democratic party in a crusade against the Iowa prohibitory law. However much his old friends and associates in anti-slavery days may have differed with Mr. Guelich in later years, none of them ever questioned his sincerity or motives.

He was the soul of honor, but an independent thinker, and had the courage to go where his judgment, reason and extreme love of personal liberty led him, as in youthful days he risked his life in two wars for freedom from oppression.

Although a wise counselor and trusted leader in the Republican party for a quarter of a century, he never sought office, always preferring to work in the ranks. Later in life, when he transferred his allegiance to the Democratic party, he was chosen Chairman of the State Central Committee, and served with marked ability.

Last year he was appointed a member of the Iowa Columbian Commission, to fill a vacancy caused by the death of Judge Edward Johnstone.

On the morning of January 27th he dropped dead in his home from heart disease, without any previous sickness. He was stricken down in the meridian of life, in the full vigor of his strong manhood, passing instantly from a career of great usefulness and all of its varied responsibilities, into the life beyond.

I have known him well for more than forty years, and in the early days of the anti-slavery movement, was often intimately associated with him in political affairs and contests. I remember him as a young man endowed with strong intellectual powers, always cool and self-possessed, of excellent judgment, a vigorous writer and courageous leader, a manly, conscientious worker for what he believed to be right.

He never truckled to power or wealth, but maintained a sturdy independence, that won for him the respect of all honest people. He was not hasty in reaching conclusions.

He carefully weighed the reasons for or against a proposition, and when he had finally made his decision and mapped out his path of duty, he pursued it with an iron will that no considerations of personal benefits could swerve.

An intimate friend writes of him in the Burlington *Hawkeye*:

“ He was a representative of the highest type of citizenship. Public spirit was strong in him at all times, strong even to the sacrifice of self on many occasions when the necessity came to choose between the performance of what he considered a duty to the public, or the furtherance of personal interest. On more than one occasion the writer has known him to turn his back upon his private professional work for weeks, even months at a time, suffering not inconsiderable losses, when he had engaged in an undertaking of a public character, political or otherwise. And all this without the thought of personal reward, simply from a sense of duty, that permitted him not to rest until the self-imposed task was completed. He would gratefully and kindly accept a pleasant word in recognition of his services, but as to accepting any recompense of a substantial character for himself, he spurned such an idea with scorn. He was ever ready to help a friend, and insist that others get their dues, but he was too high-minded to give any one the smallest occasion to think that for his work in behalf of the public, he could possibly have looked forward to compensation. Indeed, had Theodore Guelich done as most men think proper to do, and had he demanded, as he had a right to demand, and accepted that recognition for his political services which they merited, he would have made a remarkable career indeed.

To his public-spiritedness, to his many virtues as a model citizen, the press of Burlington has unitedly taken occasion to pay glowing tributes since the hour of his death, and every word of encomium that has been said in honor of his memory is finding a responsive echo in the hearts of his fellow-citizens. All feel that by his sudden departure to the other shore they have sustained a loss. Yet how much greater is this loss to the limited number of those who stood in close relation to him. For, known by all, friendly to everybody, accessible

at all times to any one seeking his kind counsel or assistance, it is nevertheless true that but very few really intimately knew the remarkable character of this man. The tumultuous period in which he passed those years of his youth, during which the character of the coming man is formed, had left an imprint on his nature, and disappointments in later years had served to give him a certain reserve and reticence of manner which often led those who did not know him well, to consider him proud, or harsh and austere. But he was neither. He did not care to unfold the innermost sides of his disposition to every one. That was all—and it was not everybody, therefore, who was privileged to know his charming nature. Far from lacking in courtesy—he was really the most courteous of gentlemen, one who did not indulge in studied phrases, but found it absolutely impossible to do or say anything to wound the feelings of others or make them feel ill at ease in his presence. A story of grief, or suffering, or sorrow, always found him a willing listener. The needy ever found him ready to extend a helping hand.

A leading trait of his character was the love of right and justice. In pursuance of what he considered right, he spared not himself nor others. He rigidly followed the path of duty, as he saw it, turning neither to the right nor left.

When he, the enthusiastic Republican leader, left the party that he had grown up in, whose principles he had dearly loved, it was not without many pangs, and only after months of anxious meditation. It took a long and bitter struggle with himself before he came to the conviction that it was his duty as a believer in personal liberty, to associate himself with the other party which he had opposed so long and bitterly. But having once made the change, he became just as earnest, just as loyal in his defense of the new political connection, as he had been in that of the old.

His ability as a writer is too well known to need any special mention. A thinker by nature, he had the faculty of expressing his thoughts in forcible and convincing language, marked by brevity and elegance. There are few of his

nationality who acquire so complete a mastery of English as he possessed.

He was a man whom it was an honor to know, and a privilege to count as a friend. He would have achieved greatness had he sought it. His life was memorable and successful, as he always tried to be helpful to others."

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Of the members of the United States Senate in that memorable long session of 1850, I have as yet been able to trace but one, as still living and voting in this weary world. I have followed some quite fresh tracks quite hopefully till they suddenly brought up before a barrier of granite or marble, a closed gateway, shaded by yews, and flanked by inverted torches. Senator and General George Wallace Jones, of Iowa, a hero of the Black Hawk War and several affairs of honor, who must be pretty far down on the sunset side of fourscore, was a notable and gallant figure here during the Grand Army Encampment, and is again visiting the Capital, where he impresses all who meet him by his wonderful vigor, physical and mental. In 1850 he was a handsome, elegant man, very dark, and with an abundance of tightly curling, black hair, yet no abolitionist for all that. He has still his manly beauty, his tall, erect figure, his elastic step, the charm of his smile and conversation. He has even kept his pretty curls; but he wears them powdered now.—*Grace Greenwood, in The N. Y. Independent.*

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In early days there was a paper town by the name of Winfield, near the mouth of Duck Creek, in Scott county, which was one of Davenport's competitors for the county seat. The Winfield people offered to donate ninety acres of ground and \$825 to the county if their prospective town was chosen. But Davenport raised the bid to \$1,200 and numerous town lots, and won the county seat. The "Winfield corn field" thus narrowly escaped becoming a city.

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### A PRELIMINARY NOTE.

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In the field of historical collections and historical work our State has been very peculiarly situated. About the time of the removal of the Capital to Des Moines, a State Historical Society was organized at Iowa City, in the belief, no doubt, that it would flourish under the shadow of our great University. Possibly it might have done so to the extent that brilliant success has attended like efforts at the capitals of Wisconsin, Kansas and other Western States, but one single and simple element always necessary in every such undertaking was lacking. That there were brains enough and culture enough in the Iowa Historical Society to secure magnificent success, no man of information will for a moment doubt. The only thing lacking was money adequate to its support and the fair and logical development of its aims. This was never granted by the Legislature. Why not, we will not now attempt to set forth. Suffice it to say, that "the sinews of war" were withheld. As a result of this lack of support the State Historical Society has only accomplished what the hard work, personal generosity and self-sacrifice of a few of its individual members, none of them wealthy, brought to pass. For this they deserve unstinted praise, for they kept alive that element of patriotism which manifests itself in seeking to preserve the annals, memories and personal relics and mementoes of ancestors—those who laid the foundations of the State and later defended the integrity of the nation on bloody fields. Then, in their contributions and collections, more than any others—far more than those who enjoyed the emoluments of office—have they preserved nearly all of our early written and printed records now in existence. For these excellent and fruitful labors they deserve and should ever receive the gratitude of our State.

So far as publications are concerned the record of these men is one to which those who come afterward can always point with pride. In 1862 they founded, and continued until 1875, "*The Annals of Iowa*." This was a quarterly magazine of distinguished merit, and within its pages may be found more facts relating to early Iowa than can now be gleaned from all other existing sources. Its contents were made up for the most part of the recollections of leading men who had borne a part in the transactions which their pens delineated or who had known the men and women of whose good deeds they therein made a record. The regular publication of this very excellent work was suspended in 1875, solely for lack of adequate support. It was, however, revived in 1882, by Rev. S. S. Howe, and continued until the close of 1884. Hon. A. R. Fulton, of this city, was associated with him in its editorial management in 1883-84. Typographically "*The Annals*" was a beautiful magazine. It was plainly but very neatly printed, and for the most part each number contained a fine steel portrait of some distinguished Iowa man. Volumes of this work have become very scarce and command high prices. Many of the numbers are now difficult to obtain. Some of them, indeed, are in demand at \$5.00 each. As it looks now, the policy which cramped and finally let die so excellent a work is not to be commended. It is one, however, which quickly consigns its own authors to the oblivion in which they would bury the memories of all who have gone before. Finally, in the year 1885 a new publication, appearing quarterly and called the "*Iowa Historical Record*," was projected by the Historical Society. It is carefully edited by Dr. Frederick Lloyd, and is a publication which eminently deserves a remunerative support. Each number contains fifty pages, and is illustrated with a portrait of some distinguished Iowan. But its outside support is unfortunately most meager and the State has done very little to keep it in existence.

But while pecuniary support must be had to insure the development and continuance alike of historical magazines and historical collections anywhere, it would seem that this can be secured more easily and naturally at the Capital



than at any other point. At Iowa City the great University constantly needs and demands appropriations. What it asks is really a necessity of the times and of our theories and systems of public education. But such large demands in one direction tend almost invariably to silence those in every other. This we believe to have been the prime reason why the State has not adequately supported the State Historical Society and its meritorious work. It is a result of circumstances and not one to call for the censure of any man or men. We believe no one will deny that the Capitol is the proper place for a historical collection. People are daily arriving here from all parts of our State. They naturally expect to see a great library, works of art throughout the edifice, collections illustrating our growth and progress, relics and mementoes of our pioneers and the heroes and heroines of all our wars. Nothing more delights the average tax-payer than a magnificent Capitol building well filled with collections in these various directions. Evidence of this is a matter of every-day occurrence.

The collections in our Capitol were started in 1884 in a very unpretentious, humble way. They were continued wholly at private expense until 1890. True, two cases for their preservation had been furnished out of the funds for the construction of the Capitol, and in 1888, the Legislature appropriated \$1,000, from which two other cases were built. In 1890 the sum of \$3,000 was appropriated for this work. In 1892 the present law was passed under which the sum of \$7,500 was appropriated for the present and next year. After that the appropriation is at the rate of \$6,000 per year. Under this law collections are rapidly accumulating. There is a constant necessity for some means of communication with the people of the State, as well as of interchange with other States and Societies. Offers of "Our Publications in Exchange for Yours," are constantly coming to the Historical Department of Iowa; and unless some work like this should be promptly issued the State would be in the end greatly the loser. Through its pages, and by reason of its influence under proper management, it is believed that additions in value far exceeding its cost can be easily and regularly secured. These views were

presented to the Board of Trustees at the last meeting. That body by a unanimous vote decided that this effort should be made, and the first number is now before the reader.

It was, however, deemed judicious to retain the name, "ANNALS OF IOWA," and accordingly the right to use it was secured from the owner of the copy-right at Iowa City. In reviving the publication it will be our aim not only to fill its pages with the best articles we can obtain upon all topics of Iowa history, but to render it as useful as possible in building up the Department of History now in the first year of its organization in our Capitol. We enter upon this work with much misgiving—with the deepest regret that this work had not been commenced under able and zealous management forty years ago—but with the determination to make our labors as valuable as possible to the State.

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#### ORIGIN OF THE HISTORICAL DEPARTMENT.

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Allusion has elsewhere been made to this subject, but it has seemed to be a very proper thing to present, in the initial number of the new "Annals," a brief history of this work. In the year 1884, Mrs. Aldrich and I presented to the State, through the trustees of the State Library, a simple Autograph Collection, proposing, if it should be placed in cases in the Library, and properly cared for, to make further additions to its contents, as well as to illustrate it with portraits of the celebrities represented, adding also sufficient biographical data. This offer was accepted. In due time a case was made, and later on another, from funds appropriated to furnishing the edifice. But no one else was willing to undertake to arrange the materials in the cases. I was therefore compelled to come to Des Moines and do this work myself, or let the enterprise fall to the ground. We also continued to make additions to the Collection, both by purchase and solicitation. In 1888 the two cases were filled to overflowing, and two more were needed. The Legislature that session put an item in the

general appropriation bill, allowing \$1,000 to be expended for the care and preservation of objects in literature, art and science, which should be presented to the State. Of this amount \$900 were used in building two more cases. The work of collecting went right along, quite at our own expense.

But when the Pioneer Law Makers' Association held their second reunion, in the winter of 1890, the Collection was made the subject of commendatory resolutions, in which the Legislature, then in session, was earnestly requested to sustain the work. A committee from that body visited the two houses and presented the resolutions. As a result of this action a bill was passed by the unanimous vote of both branches of the General Assembly, appropriating \$3,000 for this purpose, with a provision directing the collection of documents, papers, etc., "relating to the earlier days of our Territory and State." Upon its approval I was appointed by the trustees of the State Library to continue the work, with an allowance of \$100 per month, during the years 1890 and '91. I made every effort in my power to increase and strengthen the original collection, as well as to collect data for State history.

At the next meeting of the Pioneer Law Makers' Association this work was made the subject of a further appeal to the State Legislature. Many of the leading newspapers of the State had kindly commended it, urging the founding of a permanent Historical Department in the State House. Governor Larrabee spoke of our work very kindly in his biennial message of 1890, as also did Governor Boies in 1892. As a result of this agitation a bill was introduced in the Senate by Colonel C. H. Gatch, of Polk county, providing for the establishment of a Historical Department, and making the original "Aldrich Collection" a part of the work. This bill passed the Senate by a unanimous vote, and the House by 67 yeas to 14 nays. It also provided for the appointment of a Curator, who should hold his office six years. The three lower southeast rooms in the Capitol, originally designed for the State Historical Society, were set apart for this purpose. The work is placed under the authority of the eight trustees of the Iowa State Library. At a meeting held for the purpose of organizing the

Department, the writer was appointed Curator, and with the approval of the Trustees I appointed Hon. B. F. Gue as my assistant and secretary. The new rooms were opened on the 1st day of July, 1892.

While there have been detentions and delays, arising from the finishing of the new rooms, and the building of the necessary furniture, the business of collecting has steadily progressed, and with results which I believe are wholly satisfactory to the public, as well as to those set in authority over the work. It was predicated upon a small collection which we began more than forty years ago, and continued six years at our own private expense. The only reason in the world why I am engaged in it is, that no one else would do the work. The *Keokuk Gate City* sometime since asserted that when I gave away the Collection, I gave myself with it!

It has always seemed to me that at our Capital the State should build up and fairly maintain a great Historical Museum, wherein should be secured as large collections as practicable in State and National History, Literature, Art, Military Relics and Mementos, Natural History, Geology, Archæology, Numismatics, etc., as it is practical to bring together. Such an institution should be kept growing, for in the language of Prof. G. Browne Goode, "a finished museum is a dead museum." There is apparently no end to the amount of materials which may be readily obtained for this purpose. The great need is a place in which they can be safely kept and conveniently exhibited. Such work has been in progress at the Capitals of Illinois, Wisconsin and Kansas for more than a quarter of a century, and with the heartiest approval of their people. Why not here?

Having, as above stated, become connected with this enterprise, my only ambition is by earnest effort to deserve the approbation of the people of Iowa.

CHARLES ALDRICH.

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Indian tradition says that the plat now covered by the city of Davenport was the site of a large and populous Indian village; that it was one of the oldest of the Indian towns on

the Mississippi was believed by the red men who lived there when the first white trappers and traders visited them. These traditions were corroborated by Black Hawk, who stated that for many centuries this had been one of the chief villages, as far back as tradition reached.

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### A MONUMENTAL WORK.

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Capt. Frank E. Landers, of Webster City, has become quite well known to people who have transactions at our Capitol involving action by the Executive Council, of which body he has been the clerk for the past five years. As such officer it is his duty not only to arrange all papers and documents to be acted upon by the Council, but to keep the record of its proceedings, check over and record and transmit to the Auditor of State the original copies of claims allowed, and perform innumerable other duties as may be required. This work would seem to be sufficient to fully employ all the powers and capacities of an ordinary man; for in his way he must have to do with questions of revenue and assessments, as well as of all incidental State expenditures. He must know pretty much everything that pertains to the business of the State. In fact, it would seem that such a busy man, such an untiring worker, would have little time to devote to any "hobby." But such a conclusion would be far from correct. "At the close of the day's occupations," the passer-by may see "a light in the window" of his den on the west side of the Capitol, where it often burns until the small hours of the night. This state of things has existed for some years, and his task will most likely occupy these "spare hours" for a year to come.

The special work which is thus occupying the thoughts and so much of the time of Capt. Landers is the preparation of a Historical Geographical Atlas of our entire country. It is known to well-informed people that the boundaries of Colonies, Territories and States, have undergone numberless changes. Boundaries have been thus fixed or changed by grants from

European potentates, treaties of foreign governments in early times, conquests, negotiations with Indian tribes, laws of Congress and enactments by State Legislatures. Information concerning these ancient boundary lines is to be found in a multiplicity of books and maps, most of which have been long out of print, and only to be found in large public libraries. In some instances it has been a work of months, involving much correspondence, to learn the whereabouts of some book containing desired and indispensable information. It is very amusing to see the shapes of some of these old boundaries. For instance, South Carolina at one time—with a frontage on the ocean not essentially differing from that of to-day—terminated on the west in a strip about thirty miles wide, and this strip extended to the Pacific Ocean! The territory now comprised within the boundaries of our own State was under the jurisdiction or claim, in whole or in part, of England, France and Spain, before its final cession to the United States. From that time until its creation into a State, it was under no less than eight different jurisdictions. With each of these changes of jurisdiction there was a change of boundary lines of the territory of which it formed a part. The work of Capt. Landers consists of making a series of maps showing all the political features and changes of boundaries of the present territory of the United States. Every grant or patent, whether made by some foreign government or king or by proprietary authority, and every district, territory or state of the United States, is clearly shown, its boundary traced, and the history of its origin given. The explanatory text is to be printed upon the margins, and will be full enough for all ordinary purposes of reference. Besides the marginal notes, a more extended history is given by means of reference notes. Much care is being taken to preserve the true text of all patents, legal enactments and descriptions of boundaries.

This work will comprise something like fifty maps, which will exhibit the political features of the country, in every stage of its growth. These maps present the boundaries or political divisions and the rivers, but no effort is made to show towns, cities or other physical features, the object being clearly and

correctly to delineate the origin and growth of the States. As an historical text-book in schools and colleges, it will be invaluable and indispensable—a work which will at once be unique in scope and character. When it is completed and published it will become one of those standard authorities which it is scarcely possible to set aside or supersede. The work has already been copyrighted under the title of “Historical Geographical Atlas of the United States of America, etc.”

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## THE HISTORICAL DEPARTMENT IN LEGISLATION.

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It is deemed a matter of public interest, as well as of convenient reference, to present in these pages all enactments which refer to the Historical Department of Iowa. The first provision relating to anything now contained in this Department occurs in section 20 of the general appropriation bill of 1888, and reads as follows :

SECTION 20. For a contingent fund to be used by the Executive Council in liquidating such expenses as may arise from the acceptance by said Council of valuable gifts to the State, in the domain of literature, science and art, for exhibition in the Capitol, the sum of \$1,000 for the biennial period, being \$500 per annum.

We print the law of 1890 in full :

### HISTORICAL RECORDS.

AN ACT providing for the collection and preservation of historic records and other valuable material pertaining to the history of Iowa and making an appropriation therefor.

Whereas, The Aldrich Collection of autograph letters, manuscripts and portraits, now in the State Library, is of great value to the State, and it is important that it shall be increased—

And Whereas, The time, labor and money, necessary to this work are more than any individual can afford to give without compensation—

And Whereas, Also, it is believed that many valuable documents, relating to the earlier days of our territory and state have been destroyed, mislaid or misplaced, or are in danger of destruction or loss—Now therefore—

*Be it enacted by the General Assembly of the State of Iowa :*

SECTION 1. That there be and is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of three thousand dollars, to be expended under the direction of the trustees of the State Library, for the accomplishment of the work of adding to said Aldrich Collection, and that of searching

for, restoring and safely preserving the papers and documents aforesaid. Said trustees of the Iowa State Library shall solicit contributions to said collection, receive and properly acknowledge the receipt of the same, and they shall have the power to appoint and employ all persons necessary for the work aforesaid, to fix their compensation, and do all other things necessary to the accomplishment of the purposes of this act. All accounts and expenditures under this act shall be audited by the Executive Council and warrants therefor drawn by the Auditor of State: Provided, that not to exceed one-half the sum hereby appropriated shall be drawn during the year 1890; and that in no event shall there be more expended under this act, for the year 1890 and 1891 than the said sum of three thousand dollars.

Approved April 10, 1890.

The organization of the Historical Department was finally provided for by Chapter 56, Laws of the 24th General Assembly. It is presented entire:

#### TO PROMOTE A HISTORICAL COLLECTION.

AN ACT to promote historical collections in the Capitol of the State.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the three southeast rooms in the basement story of the Capitol building be and they are hereby set apart for the purpose of containing the historical collections specified in this act.

SEC. 2. The trustees of the Iowa state library are hereby authorized and directed to appoint one person to be designated and known as curator of historical collections, who shall hold his office for six years and until his successor shall be appointed and qualified, whose duty it shall be, under and by the direction and authority of said board of trustees, to collect and arrange books, maps, charts, public documents, manuscripts and other papers and materials; illustrative of the history of Iowa in particular: and of the west generally; to procure from early pioneer settlers narratives of their experiences, exploits, perils and adventures; to procure facts and statements relative to the history, progress and decay of the Indian tribes, so as to exhibit faithfully and as far as practicable, the antiquities of the past; to procure books relating to the history and natural history of this state and of the central region of the continent of which it forms a part; to subscribe for and preserve files of at least two papers in each county of this state containing the official publications, and cause the same to be bound at the end of every four years; to thoroughly catalogue all such collections for convenient reference, and biennially to prepare for publication a report of all collections made under authority of this act.

SEC. 3. It shall further be the duty of the curator, with the approval of the said trustees, to collect memorials and mementos of the pioneers of Iowa and the soldiers of all our wars, including portraits, specimens of arms, clothing, army letters, commissions of officers, and other military papers and documents.

SEC. 4. It shall also be the duty of the said curator to receive and arrange in cases to be provided for that purpose, objects illustrative of the ethnology and pre-historic archaeology of this and surrounding states. All duplicate specimens to be



divided as equally as possible between the Iowa State University, Iowa Agricultural College and State Normal School.

SEC. 5. It shall be the duty of the custodian of the Capitol building to proceed, under the direction of the trustees of the state library, to prepare and furnish the rooms named in section one, for the purpose herein set forth, and then to remove to said rooms the cases and materials known as the "Aldrich Collection" which, together with such additions as may be made to it, shall thenceforth form a part of the collections herein contemplated.

SEC. 6. It shall be the duty of said curator to keep said rooms, with the collections herein specified, open to the free inspection of the people during such hours every day—excepting legal holidays and Sundays—as the trustees of the state library may order and direct, provided nothing in this act shall be so construed as to exclude visitors to said rooms on Sunday afternoons during the sessions of the Legislature.

SEC. 7. That for the purpose of carrying out the provisions of this act, there be and is hereby appropriated from any funds in the state treasury, not otherwise appropriated, the sum of seven thousand five hundred dollars annually for the present biennial period and thereafter annually the sum of six thousand dollars, out of which annual appropriations shall be paid all of the expenditures contemplated by section eight hereof. All accounts shall be audited by the executive council after being approved by the trustees of the state library.

SEC. 8. The curator shall be paid the annual salary of twelve hundred dollars and allowed such assistance, postage, stationery and incidental expenses as the trustees may authorize and approve, as provided in the preceding section.

Approved April 8, 1892.

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## CERTAIN HISTORICAL ACQUISITIONS.

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More interesting probably than any other item yet acquired by the Historical Department of Iowa is the bound volume of *The Dubuque Visitor*, the first newspaper ever printed in the State. It is an old, dilapidated affair, but as *the first Iowa newspaper*, it will always possess a deep interest, justifying the long and earnest effort to obtain it. *The Visitor* was started on the 11th day of May, 1836, by John King. He was a very good editor and made a most readable paper for that day and generation. Every number contains articles and items which throw much light upon the history of our early settlements. This old book cost the "long price" of \$100, though when it passed into the ownership of the State it was "redeemed" from "a business place" where it had been left as "security"

for a debt. It has doubtless been pawned more than once. It is always shown to people who ask to see it, but otherwise it is kept under lock and key as a most precious souvenir of the past.

The most valuable gifts the Department has yet received are unquestionably the bound volumes of *The Dubuque Herald*, presented by the publishers, Messrs. Ham & Carver. These go back about 28 years. Previous to their time, the Department was fortunate enough to secure *The Express and Herald* during the time it was published by Mahony & Dorr, W. H. Merritt and J. B. Dorr, the gift of the widow of the gallant Colonel Dorr and her son. Back of these were bound volumes of the paper previously published by Colonel Dorr in Jackson county. Here we thus have an almost continuous file of one of the leading papers of Iowa for quite forty years. Every intelligent person will agree that the real value to the State of such gifts would far exceed any reasonable estimate. This value is further enhanced by the fact that even one other such continuous file of a really leading paper can scarcely be made up in our State. These volumes are very interesting, aside from their great historical value, and are often consulted by visitors. Messrs. Ham & Carver and the survivors of Colonel Dorr deserve the thanks of the State.

One of the first to give an encouraging word to the foundation of this work was Hon. John A. Kasson, of this city, who predicted in 1887 that the little Collection, which could then be carried in a small grip-sack, would grow into one of far greater proportions. Since that time he has made some most valuable donations to the work, aside from his own commissions signed by four of the Presidents. Among his contributions are letters by Lincoln, Jefferson, Hayes, Arthur, Harrison, Greeley, Poe, Longfellow, Bancroft, Lowell, Whittier, Seward, Chase, Conkling, Lord Lyons, Herbert Bismarck, and many other illustrious persons at home and abroad. His friendship for the work has not ended with his own precious gifts, but he has exerted himself to secure gifts in addition, and with the best results. He also, in response to urgent requests, presented his own

full-length portrait in oil, by one of the first of contemporary artists.

General G. M. Dodge, one of the few surviving great soldiers of the Civil War, in answer to requests and the wishes of his old comrades-in-arms, presented a nearly full-length oil portrait of himself. This was from the easel of George H. Yewell, an Iowa boy, who has attained one of the first places among American artists. General Dodge has also deposited in the Collections his commissions, and many other papers of great value. His commission as Brigadier General was deeply stained with his own blood, when he fell almost mortally wounded before Atlanta. As a military relic it heads the list.

Geo. P. A. Healy, one of the most illustrious of American artists, in response to a request for his photograph, painted his portrait in oil and made it a free gift to the Collection. It is a work of art which easily requires four figures to express its actual value, while as a gift to the State it is priceless.

The Protestant Episcopalians of this State lately presented a magnificent portrait of their first Bishop, Right Reverend Henry W. Lee, one of the great names in the ecclesiastical history of the West. This was painted by David J. Gue, an Iowa artist, who is represented in our Capitol by several valuable works of art.

Hon. William B. Allison, our distinguished senior Senator, has been instrumental in securing a large collection of aboriginal pottery, casts, map models, minerals, prehistoric stone implements, valuable public documents, etc., from the great scientific depositories at Washington. These are not only soon to be increased, but there is reason to believe that the Historical Department will ere long receive a magnificent gift from the Senator himself, of which we hope to speak hereafter.

U. S. Senator James F. Wilson procured for the Department an entire set—now most difficult to obtain—of the War Records, by far the most exhaustive compilation of American historical data in existence.

Hon. J. A. T. Hull and Mrs. Hull, of Des Moines, are not only represented in the collections by a most valuable set of photographs of distinguished Iowa people, but Mr. Hull has

placed the Department under many obligations for kindly efforts and favors at Washington.

Hon. S. G. Matson, of Viola, Linn county, has presented many scarce and valuable Iowa books and documents, and has been most earnest and energetic in securing gifts from other people, of which we shall have something to say hereafter.

There are scores of other contributions of which we would be delighted to make mention, did time and space permit. Our object at this time is merely to name a few of the most noteworthy, and to show that the tide is finally coming in. It has for quite two generations tended in other directions, carrying away from Iowa much of the data for her own history, as well as the memorials of the races which preceded ours. That sort of thing has ceased. However much our State has lost in the past, the outlook is very encouraging for securing whatever remains.

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### PRESERVE THE HISTORIC PLACES.

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Every true American rejoices over the growing disposition of the present generation to preserve historic relics of great events. When the association was formed many years ago, by some patriotic ladies, for the purchase of Washington's old home at Mt. Vernon, and the preservation unchanged of the plantation and modest house where the great American General and President lived and died, they did a most commendable work, which has served as an example for others who have the public spirit to inaugurate similar movements.

The general efforts of late years, on part of the survivors of the great Battle of Gettysburg, to erect monuments, tablets and statues, at different points of interest where heroic struggles took place during the three days of terrific fighting on that historic field, meets with general approval. In this way there can be perpetuated for all future generations a most graphic tableau of the hundreds of thrilling episodes of that gigantic battle between American soldiers. As ages pass

away and the great conflict between freedom and slavery is known only in history, every monument on the field of Gettysburg will bear witness to the valor of American volunteer soldiers, and become a sacred memento of the sublime courage and loyalty of the thousands who there gave their lives as martyrs to their convictions of duty.

Recently the Grand Army of the Republic, of Georgia, has purchased the forty acres upon which, in 1864, was enacted, on one side, the most fiendish inhumanity that ever disgraced a civilized government, and on the other the most heroic endurance of torture and lingering death of thousands of martyrs who ever gave their lives for a sacred cause. The very name of Andersonville is associated with horrors so dark and demon-like that it becomes a synonym for cruelty in its most ghastly form. The thirteen thousand graves of victims of the Andersonville stockade are each marked with a marble slab to perpetuate the name and memory of the heroic dead who perished in that "hell upon earth." The Government has beautified the sacred ground with well kept lawns and grateful shade above the graves of its immortal martyrs, who sleep calmly now, tenderly watched over by trusted officials. The old flag they followed in the weary march, and the bloody charge on many a battle field, waves its folds unceasingly from a lofty staff in the lonely cemetery. But now the sloping hill-sides where they were once herded like cattle, unsheltered from winter's fierce storms and summer's tropical heat, until life was slowly tortured out of their emaciated bodies, is to be rescued from the neglect of a quarter of a century, and forevermore held sacred to their memory by loyal comrades and grateful countrymen. The field once inclosed within the old stockade will be visited in all the years to come by thousands of the descendants of those who were victims of its horrors, and others who revere their memory; and it is well that it should be rescued from the careless cotton and corn planters, and beautified as a tribute to the heroes whose unparalleled sufferings have made it sacred ground.

There is a growing sentiment among thoughtful people in favor of marking historic localities and buildings by monu-

ments or tablets, with appropriate inscriptions to preserve the record, and connect it permanently with the spot thus made historic.

A memorial association has recently been organized at the National Capital with Chief Justice Fuller at its head, having for its purpose the preservation of historic buildings in Washington, which have been the scene of memorable events, and inscribing upon them in durable tablets, a brief record of the facts which have made them of ever-increasing interest to the people. Such tablets will tend to cultivate a historic spirit among our people and inspire a reverence for the memory of the founders and leaders in the formation and development of our republic.

Our own State has been sadly deficient in preserving its history, marking the localities made memorable by its heroic and historic achievements. But two or three of its ninety-nine counties bear the names of notable Iowa men, and very few of its cities or chief towns; while scores of each have been named for Indian chiefs, national and foreign notables, and cities so often duplicated in name as to become tiresome from long-continued repetition. One tablet in the Court House of Hamilton county, secured by the efforts of one man, is all that commemorates the achievements of as heroic a little band of volunteers as ever risked their lives to save other lives, and bury the victims of a massacre as horrible as that of Wyoming or Deerfield.

A few localities have erected monuments or tablets in honor of soldiers of the Union Army, whose graves were thickly strewn in every village and country cemetery in Iowa thirty years ago. No memorial halls have been built in which to preserve the relics of the greatest of wars and the records of unsurpassed valor and sacrifice. It will be one of the missions of the ANNALS OF IOWA to urge upon the living the sacred duty of commemorating the virtues, the achievements and heroisms of the dead. We have many historic localities and buildings in so new a State as Iowa; let us mark them with suitable monuments and tablets that will in all time to come enlighten

the growing generations, and stimulate the acquirement of historic knowledge.

A few venerable forms, here and there, are the sole survivors of the earliest pioneers, who pressed close upon the retreating footsteps of the Iowa Indians, as they looked for the last time upon their "beautiful land" of virgin prairie, sheltering groves and winding rivers.

The present generation of young men and women, who are now taking the places of trust and responsibility in society, business and government, vacated by the pioneers, must acquire most of their knowledge of the first settlers who possessed the State in its original wildness, their privations, their heroisms and their achievements, from history. They can only contribute to the work of preserving the records of the past by helping to rescue all that is not lost beyond recovery. No citizen of Iowa need fear to know all that has gone before his recollection, for it is an unwritten record of the fortitude, the energy, the wisdom and the virtues of a generation that laid the foundations upon which one of the greatest States of the Union is growing up. State pride, and respect for the pioneers who "buildded so wisely and so well," should impel the present generation to perpetuate the memory of their notable achievements, and mark with enduring tablets and monuments the historic places.

B. F. G.

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It is impossible for the citizens of prosperous Iowa of to-day to realize the privations of the early settlers who came to make homes on the vast wild prairies that stretched from the Mississippi to the Missouri fifty years ago. The dearth of money even among the most thrifty farmers in those days was almost absolute, and the law-makers in territorial times often started on horseback for the Capital without money to pay traveling expenses. "The Search for a Shilling," so graphically told in another place by Allie M. Letts, is a most touching realistic picture of frontier life in Iowa in the "forties," and shows how bravely the women and children met and endured the countless privations.

MRS. MARTHA J. LAMB.

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This distinguished woman died at her residence in New York City, on the 2d day of January last. Few persons are able to win such proud literary distinction, or confer such substantial service upon the historical annals of their day and generation, as resulted from her labors. Mrs. Lamb was born in Plainfield, Mass., August 13, 1829. She was thoroughly educated in the higher English branches, especially distinguishing herself in mathematics. After her marriage to Charles A. Lamb, in 1852, she resided a few years in Chicago, where she became well known from her abounding and sympathetic charities, as well as from the fact that she was Secretary of the Sanitary Fair of 1863, the success of which enterprise was largely due to her management. In 1866 she settled in New York City, thenceforth devoting her attention chiefly to historical literature, though she wrote some short stories and novels. Her most voluminous as well as most successful work was the "History of New York City," which was published in two ponderous, copiously illustrated octavos, in 1877-81. This was a new departure in that field of literature. It was a wholly original work and the most complete history of a city ever published. In the language of one of its reviewers—"a marvel for a man, a miracle for a woman." It took the highest rank of any local history wheresoever published.

In another direction her labors were quite as distinguished and more generally known to the public. We refer to the "Magazine of American History," of which she became the editor in 1887. This work, under her management, became a marked success, and is known in every State in the Union. Not only had she secured a corps of able contributors throughout the Union, but in every number of the magazine, for months in succession, the leading article was from her own pen. These writings were either in history or biography. Her articles not infrequently ran up to twenty or thirty pages, aside from her other editorial work in the preparation of each



monthly number. Her useful life was no doubt shortened by overwork. In her list of contributors she counted Hon. T. S. Parvin, of Cedar Rapids, the late Hon. A. R. Fulton, of this city, Hon. Irving B. Richman, of Muscatine, and others in our State. She was a capital converser, bright and witty when she chose to be—a person who left the pleasantest impressions upon all who met her—a rare woman, “of her gentle sex the seeming paragon.” She lived in the New York Hotel, and though proprietors had come and gone, she retained the same rooms—surrounded by her rare and precious books—from the time she settled in that city, until her lamented death.

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### THE EVOLUTION OF A PUBLIC DOCUMENT.

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There has been placed upon our table a bright and beautiful Iowa book of 208 pages, which seems to deserve appreciative notice in these pages. We refer to the “Iowa Official Register, 1893.” An effort was made as long ago as 1860 to secure the publication of a legislative manual, largely a book of statistics, after the style of many of the older States, but the Legislature declined to print the booklet, even though its preparation was to cost nothing whatever! That this determination was a mistake, we do not believe any well-informed person would to-day question. But the initial point in this work was attained in 1864, when Hon. James Wright, then Secretary of State, printed upon cards or loose sheets of paper the vote for the heads of the State tickets, giving also the population of the different counties. Only a limited number of copies, however, went into circulation. Succeeding Secretaries pursued much the same plan up to 1886, when the “Official Register” began to appear in its present form, though much smaller in size. In 1881 Hon. J. A. T. Hull, then Secretary of State, had issued a very diminutive pamphlet of 32 pages, containing lists of the Executive and Judicial Officers of the State and the Trustees of public institutions. The size of the printed pages was but  $2\frac{1}{4}$  by 4 inches. Possibly in length it was one-sixteenth of an inch longer. It was a very small

affair to be issued as a State document. But it was eagerly sought, and copies are now very scarce. It served an excellent purpose, however; not alone in the information presented, but as a step in the evolution of the beautiful book which we are now considering. In 1882 Mr. F. D. Reed, of Oskaloosa, prepared and published a Legislative Manual, a neat little volume of 194 pages, containing lists of public officers, rules of the House and Senate, and a variety of other information. It was really a very creditable work, but if our recollection is correct he had a rather hard time in getting any pay for the compilation. In 1881 Mr. Herbert S. Fairall, of *The Iowa City Republican*, began an annual publication called "The Manual of Iowa Politics," with the design of making it what the "Official Register" has since become; but he discontinued it after a few years, owing, we presume, to the growing importance of the work at Des Moines, and the superior facilities for obtaining information at the Capital. While it appeared regularly it was received as an important and most useful annual, and copies are now in demand and difficult to obtain.

The present form was adopted in 1886, during the Secretaryship of Hon. Frank D. Jackson. It was much smaller than at present, containing, in fact, but 92 pages. From that time forward it has steadily increased in size and the amount of useful information it contains. During this period of its growth, Mr. C. S. Byrkit, Deputy Secretary of State, has had editorial charge of the publication. It is but just to say, that this work has met with the heartiest approval of the press and people throughout the State. In everything but size it will compare favorably with the best Annual Registers or Manuals published by any of the older States. But, curiously enough, up to the last session of the General Assembly, the work had no official sanction, the Secretaries of State having published it because it was so obviously needed—a real necessity—relying upon the Executive Council to pay for each successive issue. But at the last session, Hon. W. M. McFarland, Secretary of State, brought the matter to the attention of members, asking that the publication be duly authorized by law and made permanent. A law was therefore passed which provides for the

publication and distribution annually of ten thousand copies. And thus this useful and beautiful annual volume has grown up from the smallest beginnings to its present solid foundation.

This eighth volume contains several new features of great interest. The frontispiece is a fine portrait of Gov. James W. Grimes. There are several cuts, including those of the different Iowa Capitol Buildings from the first. These will always possess much historic interest, and it has been a matter of some effort to obtain them. The Old Capitol in this city is shown as it appeared in its best days, and again after the fire of last autumn had converted it into a ruin. There is abundant information relating to the elections, the tickets and State and National party platforms, analytical statements of the vote in Iowa in 1892, by precincts and by congressional districts. Lists are given of State and county officers, and of the public institutions, with such further information as may properly be included in a work so largely statistical. The reader is also presented with information concerning the times of holding our courts, the Columbian Commission, the Military, the Governments of the States and Territories, the Public Schools, Libraries, etc.

This work, as stated, now stands upon a permanent foundation in law, but possibly better than this is the fact that it has met with such hearty approval by the people. Its appreciation is shown by the frequent demands for the early numbers, which are out of print. As the State increases in interests and population the "Official Record" will no doubt increase in size. The Ninth annual volume, the initial steps in the preparation of which have already been commenced, will be ready upon the meeting of the next Legislature. We do not doubt that it will contain new and useful features, as has each of its predecessors.

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"Recollections of Iowa Men and Affairs," by Hon. Hiram Price, published in this number, will be read with interest by old-time citizens of our State. Few public men have wielded a more powerful personal influence in shaping the policy and advancing the material interests of our State than Hiram Price.

PREHISTORIC IOWA.

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Prof. Samuel Calvin, State Geologist of Iowa, in December, 1891, delivered a very interesting lecture before the State Historical Society on Prehistoric Iowa, which has but recently been published. The following extracts show what Iowa was according to geological teachings in the most remote ages of its existence :

“ These records, untampered with and unimpeachable, declare that for uncounted years Iowa, together with the whole great Valley of the Mississippi, lay beneath the level of the sea, and so far as it was inhabited at all, marine forms of animals and plants were its only occupants. During these long years of submergence, the rocky strata of Iowa, as well as of all of the adjacent States, were successively accumulated as soft sediments on the sea bottom. Omitting the small area of Sioux quartzite in Lyon county, the oldest strata in the State are the limestones and sandstones of northeastern Iowa. These contain the record of a period of duration altogether incomprehensible. Myriads of years, if not myriads of centuries, pass again, and in the meantime the light-colored limestones, so well represented at Anamosa, grow by imperceptible sedimentary accretions. Other ages of similar duration drag on slowly into the lengthening past, but bring us only to the point at which the limestones and shales represented in Johnson county are completed. About this time a small portion of Iowa in the northeast becomes dry land, but all the region south and west was still under the all-pervading sea. \* \* \* Another of those ages, to human comprehension limitless, wends slowly by, and the agents of sedimentation build up in slow succession the great crinoidal beds at Marshalltown, Burlington and Keokuk, together with the coal measures and associated strata of central and southern Iowa. Still Iowa and the rest of the world are without human occupants. \* \* \* Soon after the completion of the coal measures, the sea left our whole State as a part of the growing continent. \* \* \* But after long ages the sea again took possession of at least the northwestern

part of the State and another geologic period goes by before the upward movement of the land, by which Iowa is at length permanently disenthralled from the dominion of the sea. Forests take possession of the surface. Animals related to the dog, wolf and panther, as well as to the deer, the camel, the ox and the horse, unite with lizards, birds, bats and monkeys to impart a modern aspect to the assemblage of animals that occupied this latitude. *The climate was that of southern Louisiana.* The conditions were not inconsistent with the possibility of man's existence, and yet the records show that man, at the beginning of this new period, was not only absent from Iowa, but was absent still in every quarter of the globe."

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#### LEWIS AND CLARK.

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It is well known that in the early part of this century, within a year after the acquisition of "Louisiana" by the United States, Captains Lewis and Clark conducted an expedition for purposes of exploration of this vast territory which extended from the Mississippi to the Pacific Ocean. Their route lay across an unbroken wilderness, through what is now Missouri, Iowa, Kansas, Nebraska, South and North Dakota, Montana, Idaho, Oregon and Washington. No white man up to that time had crossed the Rocky Mountains north of the Spanish and south of the British possessions. The Missouri River had not been visited much above Bismarck, nor was the Columbia River known above tide-water. This vast field of exploration was fresh and new. The Indian tribes which have since so sadly melted away, were in their best days, in happy ignorance of the white man and the contaminating influences of that "civilization" which has nearly swept them from the face of the earth. The plants and animals over that vast area were almost entirely unknown to science. As a matter of fact, no explorers were ever so favored with "fresh fields and pastures new," and they were equally favored in results, for they made the long journey of over 7,000 miles "with scarcely a casualty."

After the return of the expedition Mr. Nicholas Biddle, of Philadelphia—the "Nick Biddle" who figured so largely in the

financial history of our country in later days—wrote its history. This appeared in 1814, in two octavo volumes. It was afterward published in England; in fact, three of the best editions we have ever seen were printed abroad. The work seemed from the start to have made a profound impression upon the world. There was an irresistible charm about it, reminding the reader, possibly, of White's "Natural History of Selbourne." We believe that no less than thirty-five editions (counting mere reissues) have been published, many of which have been garbled and imperfect or greatly abridged and in some cases spurious and fraudulent. For many years the work has been out of print and perfect copies very scarce and expensive. There has never been a perfect reprint in the United States. But a new edition is to appear this spring, and under the most favorable auspices. Mr. Francis P. Harper, an enterprising young publisher, has lately engaged in business at 17 East Sixteenth street, New York city. He has signaled his advent into the guild of bookmakers by announcing a new edition of "The History of the Expedition of Lewis and Clark." Most fortunately, indeed, he secured the services of Dr. Elliott Coues, as editor. This gentleman, in many directions, is one of the profoundest of American scholars, distinguished as the author of various works, each of which, as it leaves his facile pen, becomes an authority, if not a classic. As a general ornithologist he easily takes his place "on the front seat." In some departments of natural history his studies are recognized as the highest authority of our day. He is the author of a dozen books, either of which would have made him famous in science. His crowning achievement, no doubt, is his work in the preparation of the great "Century Dictionary." Upon this immense undertaking he was employed seven years, having charge of the departments of General Biology and Natural History, which include all the terms in the many branches of zoology, comparative anatomy and related subjects. The wholly successful manner in which Dr. Coues performed these extended researches will give him permanently one of the most distinguished places in the literary and scientific history of the United States. In addition to his wide

range of scholarship, Dr. Coues is himself an explorer, and had visited most of the regions traversed by the Expedition, as an Army officer and Secretary of the U. S. Geological Survey. He thus entered upon his work with elements of special fitness which it is but simple justice to say could not be equaled by any other American.

When Dr. Coues came to consider the subject, he learned that the original manuscript journals, field note-books and other records of the expedition, in the handwritings of Captains Lewis and Clark, were still in existence. (It affords us some pride to know that they were discovered through a clue which came from the Historical Department of Iowa, though such an indefatigable searcher as Dr. Coues would no doubt have found them in any event.) The only surviving son of Captain Clark, who still lives, at an advanced age, in St Louis, desired that Dr. Coues should have the use of these precious treasures—some three thousand pages of manuscript—which were in the possession of the American Philosophical Society at Philadelphia. Dr. Coues speedily obtained this concession, by vote of the Society, thus acquiring an inexhaustible wealth of fresh and extensive materials from which to prepare this new edition. In this work he scrupulously retains the original text of Mr. Biddle, but also copies largely from these original manuscripts with copious commentaries. In fact, there will scarcely be a page which is not enriched either with hitherto unpublished extracts from the writings of the explorers or with notes by Dr. Coues, at least doubling the amount of matter in the first edition. The present editor is so familiar with the general subject, with the geology, natural history, ethnology, archeology and botany, of the regions traversed that his critical determinations and identifications will be simply invaluable. One result of his investigation tends to the almost certain conclusion that Captain Meriwether Lewis was murdered for his money, though it has been supposed that he committed suicide. But in numberless ways, Dr. Coues has been able to throw light upon points of history and biography hitherto but little understood. As the work comes from his pen it would seem that he has left nothing to be done by any

future editor. Having been privileged to see these precious manuscripts of Captains Lewis and Clark, and to examine some of the proof-sheets of the forthcoming work, we believe it will contain "the final word" in regard to those illustrious American explorers. It is to be issued in four octavo volumes, with numerous illustrations, portraits, maps, etc. There will be two editions from the same plates, one of which will be sold for \$12.50 and the other for \$25.00. The whole number to be issued is limited to one thousand copies. This publication is certain to be one of the foremost literary events of 1893, if not of this decade. It will revive and greatly increase the interest with which that famous Expedition has been regarded both at home and abroad.

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#### LOAN COLLECTIONS.

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During the past winter, Mr. A. J. Johnson, of this city, loaned to the Historical Department a fine case of mammals, one of eggs, and five of birds. All of these had been very carefully preserved and finely mounted. They are at this date (April 1) on exhibition, and attract many visitors to the new rooms. Speaking of loans for the purpose of exhibition, the writer was quite surprised to see what a large feature they present in the National Museum at Washington, D. C. Hundreds of the most interesting objects in that vast and well filled edifice have been placed there, simply as loans, by their owners. The public are thus given the benefit of seeing a great variety of most precious objects, a fact which we know to be very gratifying to most collectors. There are very few men who make collections with the idea of hiding them away from sight. Nothing suits an old collector more than to have good listeners and opportunities to exhibit and expatiate upon his treasures. This brings us to what we wish to state in this place, viz. : That the Historical Department is the best place in Iowa to exhibit collections of such objects as books, maps, documents, coins, specimens in natural history, paintings, engravings, and other objects having literary or historical value. So far as museums are concerned, this becomes one of the most fruitful sources of



additions, for scores of collectors, once seeing their "hobbies" carefully housed and appreciated by visitors, choose to let them remain permanently. Just now the Department would especially appreciate collections of stone implements, coins and ancient books, old fire arms or other weapons which have come down from long ago.

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#### NOTABLE DEATHS.

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JUDGE S. C. HASTINGS, the third Chief Justice of the Supreme Court of Iowa, died on the 19th of February, 1893, at San Francisco, Cal., eighty-nine years of age. He was a native of the State of New York and came to Iowa when a young man, settling at Muscatine about the year 1838. He was one of sixteen young lawyers admitted to practice in the Supreme Court at its first term in 1838. The veteran T. S. Parvin is now the only survivor of the sixteen. Mr. Hastings was a member of the House of the first and second Territorial Legislatures, and a member of the Council of the fifth, sixth and seventh. In 1846 he was elected to Congress with Shepherd Leffler, the first Representatives after the admission of Iowa as a State, on the 28th of December, 1846. His term expired March 4th, 1847.

In January, 1848, Governor Briggs appointed Mr. Hastings Chief Justice of the Supreme Court, which position he held one year. Upon the expiration of his term Judge Hastings moved to California, and has been Chief Justice and Attorney General of that State.

DR. NATHAN G. SALES, who recently died at his home in Anamosa, Jones county, was a notable pioneer law-maker, politician and physician. He was born October 18th, 1813, in Ohio; came to Iowa in 1845, and located at Iowa City. He was an active Democratic politician, and in 1848 was elected to the lower house of the Second General Assembly. Upon the expiration of his term he was elected to the Senate from the district comprising the counties of Jones and Jackson. At the expiration of his senatorial term he was appointed Receiver of the U. S. Land Office at Chariton. Dr. Sales was a leader

in the Democratic party for many years, and was personally acquainted with nearly all of the public men who administered the State government as long as the Democratic party remained in control.

HON. E. J. BOWDOIN, of Floyd county, died at his home in Rockford, on the 24th of January last, at the age of 72. He came to Iowa in 1855, settling in Floyd county. He entered upon the practice of law, and in 1859 was elected on the Republican ticket to represent the district composed of Floyd, Cerro Gordo, Worth, Hancock and Winnebago counties in the lower house of the Eighth General Assembly. He was made chairman of the committee on schools, serving with marked ability. He was re-elected to the House in 1862, and made chairman of the committee on ways and means. In 1860 he was chosen one of the delegates to the Republican National Convention, which met at Chicago and nominated Abraham Lincoln for President.

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It really seems to prolong the life of a man to elect him Governor of our magnificent State! It is a singular fact, and one which we do not believe has a parallel in any other State of the Union, that every Iowa Governor elected since 1857 is still living. "The Old War Governor," Samuel J. Kirkwood, first chosen in 1859, has at times seemed very nearly called upon to go "over to the majority;" but he still lives at his home in Iowa City, and of late his health has appeared to be improved. If he remains with us until December, he and his estimable wife will be able to celebrate their golden wedding. It is safe to say that such an announcement will be hailed with delight in every part of Iowa. Our later Governors are all living, and so far as we are informed, are in the enjoyment of excellent health. In the order of succession, the list is as follows: William M. Stone, Samuel Merrill, Cyrus C. Carpenter, John H. Newbold, John H. Gear, Buren R. Sherman, William Larrabee and Horace Boies. Governor Kirkwood was elected to a third term next after Governor Carpenter, in 1875, but resigned to take his place in the U. S. Senate, to which he was chosen in 1876.

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JULY, 1893.

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ANNALS OF IOWA.

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*Wm. W. Baker*  
*W. W. Baker*

# ANNALS OF IOWA.

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## GENERAL NATHANIEL B. BAKER.

BY B. F. GUE.

During the War of the Rebellion, two Iowa men who remained in the State, each in a sphere to which he had been called, achieved national reputation for patriotic services of the highest character. I refer to Samuel J. Kirkwood, who was one of the foremost of the "War Governors" of the loyal States, ranking easily as the peer of Morton of Indiana, Andrew of Massachusetts, and Curtin of Pennsylvania, and to Nathaniel B. Baker, whom he selected in that stupendous emergency for the arduous duties of Adjutant General of Iowa. Each was the natural adjunct or complement of the other. Kirkwood, though he did not see a day in school after he was fourteen years of age, had become a profound lawyer, possessing wide knowledge of men and affairs, although he had spent many of his mature years in rural life. In "the summers of long ago" he was a barefoot boy on a Maryland farm. He therefore understood as one "to the manner born" the works and ways, the inner life, the instinctive patriotism of the masses of his countrymen. He went about his work coolly and steadily, making few mistakes, always meeting emergencies, and never failing to gain and retain the confidence of the people.

Baker, on the other hand, was a man of action, whose impulses were as prompt and instant as they were patriotic. Whatever the exigency, or however suddenly it arose, he saw at once, as by intuition, the course to be pursued. To a nature at once kindly and generous, for he was a born philanthropist, a lover of his race, he united the highest type of the executive officer. His equal in the management of the largest

affairs, or the smallest details, has never appeared in our State, and but seldom in the nation. On one occasion the writer saw him hurriedly paying out coin, early in the war, when hard money was still plenty, to a dozen different men, apparently without memoranda. He had such ways of transacting business, with little of red tape, and yet he never made mistakes, or failed to account for the last cent. His accounts remain models of system and accuracy. It is of the career of this large-brained, large-hearted, patriotic man that I shall speak in the following pages, and only incidentally of the illustrious War Governor who had the sagacity to select Baker for the great work of that eventful time.

General Baker was born at Hillsborough, Merrimack county, in the "Old Granite State," September 29, 1818. He received a liberal education, his preparatory at the Phillips Exeter Academy, afterward taking a full course and graduating at Harvard, the college which has been the *Alma Mater* of a long and brilliant array of America's most eminent statesmen, jurists, authors, scientists and clergymen.

He was but twenty-one years of age when he finished his college course, and entered the law office of Franklin Pierce. He was admitted to the bar in 1842 and entered upon the practice of his profession. He was always a clear, forcible and able writer, and for three years was one of the editors of *The New Hampshire Patriot*. In 1845 he was appointed Clerk of the Court of Common Pleas, and in 1846 Clerk of the Supreme Court. In 1851 he was elected to the Legislature from Concord. He was chosen Speaker of the House, and served with distinction for two terms. He was at this time one of the most popular men in his native State, and in 1852 when the Democrats were disposed to take their Presidential candidate from New Hampshire, N. B. Baker was one of the men frequently spoken of for the place, while Franklin Pierce, his warm friend, had also a host of supporters for the position. When Baker learned that his former instructor was a candidate, in the generosity of his abiding friendship, he stood aside and used his influence to help bestow the great honor upon



Pierce, who received the nomination, and as all know, was elected by an overwhelming majority. Baker was chosen one of the Presidential Electors, and had the satisfaction of helping to give the vote of his State to his old friend for President. Although a young man at this time, not thirty-five years of age, N. B. Baker had become one of the most influential leaders of the Democratic party; he was especially popular with the young men of his State and in 1854 was nominated for Governor. The great conflict which was now going on over the enactment of the Fugitive Slave Law, the repeal of the Missouri Compromise, the persistent efforts to force slavery into Kansas, had resulted in a wide-spreading Free Soil movement in the Northern States, and the organization of a new political party. This party drew its strength from the Anti-Slavery element of both the old parties, and before the next Presidential election, united in a strong organization known as the Republican party. In New Hampshire, the Free Soil party, led by John P. Hale, put a candidate in the field for Governor; the Whigs nominated a strong man also, and the contest in this hitherto staunch Democratic State became warm, with the result in doubt. Baker entered into the campaign with great spirit, and his personal popularity enabled him to secure a majority over both of his competitors, but he was the last Democratic Governor of New Hampshire, as the growing anti-slavery sentiment of the people left his party in a minority in that State permanently. But Governor Baker made an able and popular executive, adding to his already well established reputation.

In 1856 he removed to Iowa and settled at Clinton, a small but ambitious young city, from which point the Cedar Rapids & Missouri River Railroad was then being constructed toward the Missouri River. A grant of public lands had been made by the General Government to aid in the construction of four trunk lines of railroads through Iowa, from east to west. Clinton county was deeply interested in the disposition of lands granted to aid one of these roads, and Gov. Baker was elected one of its representatives, in 1859, in view of the great influ-

ence he would have in the Legislature in securing the resumption of the grant of land made to the Iowa Central Air Line Company, which had failed to comply with the conditions imposed. The citizens of Clinton were working to secure this forfeited land grant for the new company, and they counted largely upon the powerful aid that Gov. Baker could bring to a measure in which their city and county were so deeply interested. They were not disappointed. Under Baker's leadership the land grant was resumed by the Legislature and re-granted to the new company, thus securing the completion of its road through to the Missouri River, and making the eastern outlet for the Union Pacific, through the heart of Iowa, in advance of all competitors. The early opening up of this great through line, traversing the beautiful and fertile prairies of central Iowa, was one of the most important public works ever accomplished in our State. It gave to thousands of travelers their first sight and knowledge of the limitless resources of our magnificent State, and brought into its border thousands of thrifty home-seekers to aid in its development and add to its population and capital. The pioneers whose energy, foresight and influence thus early secured to Iowa what is now the great Northwestern Railway, deserve permanent recognition in Iowa history, and N. B. Baker, John Weare, G. M. Woodbury, W. W. Walker and John I. Blair, are names that should be ever remembered.

One who was officially connected with the General Assembly of 1860 has written as follows of Gov. Baker as a legislator:

While he served but one regular session, that of 1860, in the Iowa House of Representatives, he took a very high position as an able, wide-awake, vigilant and efficient law-maker. He always knew what was going on, what measures were before the body, when they were likely to be reached, and how to secure the most favorable action upon all in which he took an interest. Not only was he an excellent manager, though not strictly speaking, a parliamentarian, but he knew how to appeal to men, how to secure their friendship and support. He used to be spoken of in those old stage-coach days as one of the "wheel-horses" of legislation. The Speaker, Hon. and "Honest" John Edwards, was an excellent presiding officer when everything went well, but when "storms arose" on "the floor," as he called it in his Southern vernacular, he was only too glad to "call the gentleman from

"Clinton" to the chair. As soon as Baker took up the gavel order came out of chaos and the business was pushed along rapidly, and as easily as though all the machinery had been freshly oiled. As a presiding officer he had many of the characteristics of James G. Blaine. He was, no doubt, somewhat arbitrary, as every good speaker must be; but he had an instinctive horror at seeing time wasted. He was especially useful as the session wore along toward the close. If he believed that a bill should be passed, he could expedite it on its way to the third reading more rapidly than most speakers would care to do. He never spoke for mere "buncombe," in fact, his remarks were generally very brief, in a sort of conversational way, and almost wholly confined to explanations, or the tersest setting forth of reasons. He was always ready and armed for emergencies—full of resources.

On one occasion the important portion of one of the manuscript journals of the House had been stolen. The fact coming to the knowledge of a few members, there was talk of "investigation," and the affair seemed likely to grow into a scandal. But coming to Governor Baker's knowledge, he counselled those who knew the facts to keep quiet. Meantime, he learned that the Chief Clerk would be able to reproduce the journal almost word for word from his rough notes of the day's proceedings. The next morning, as soon as the journal was read, Governor Baker rose in his place and stated the whole case very quietly, making a motion that the clerk be directed to reproduce that part of the journal which had been abstracted and have it ready for approval the next day. The motion was adopted and the whole affair was thus settled without a ripple of any sort.

At the extra session in May, 1861, he was the leading spirit. As a war Democrat he had the full confidence of his own party, while the Republicans trusted him implicitly. Both House and Senate contained many able men, but there can be no doubt that his master hand shaped the legislation of that most important war session.

Governor Baker was ever the friend of young men and always met them upon equal terms. Even in his latest years, when his hair was becoming white, he appeared naturally to seek the association of young men. When he was chosen to the Legislature in 1860, he was a Democrat. The officers of the House were Republicans, feeling at the start a degree of backwardness in making his acquaintance. He had been Speaker of the House of Representatives of New Hampshire and Governor of that State, and came to Des Moines with almost a national reputation. But he was not long in making the acquaintance and winning the friendship of everybody. He was not burdened with that species of dignity which only makes a man repellent in his manners. The House had elected for Chief Clerk a young man who had never seen a legislative body in session two days in his life, and it may be inferred that he was not over-confident of his power to discharge its complicated and onerous duties. When the session was about four days old, Baker came to the desk, immediately after an adjournment, saying rather sternly: "See here, young man, I've got something to say to you," and the clerk stopped to listen; "I sit right there," pointing to his desk, "where I can see you from head to foot, and I notice when you are reading or calling the roll, that your knees tremble. I want to say to you

that that is all —— nonsense, and I don't want to see any more of it! You needn't stand in awe of anybody in this House! You are going to make a good clerk, and we all like you! Brace right up, my boy, and you are all right." Turning upon his heel he walked rapidly away. It is needless to say that General Baker and the clerk were ever afterward the closest of friends. He had said an encouraging, kindly word, just at the time that it was needed, and in such a way that it was never forgotten.

The year 1860 closed amidst the most intense excitement throughout the country. When it became certain that Abraham Lincoln, the Republican candidate, had been elected President, the Legislature of South Carolina provided for a State Convention to secure the secession of that State from the Union. On the 20th of December an ordinance of secession was adopted by a unanimous vote, and the declaration was made that "the Union now subsisting between South Carolina and the other States is hereby dissolved."

Before the inauguration of the new President, five more of the Southern States had seceded from the Union, seizing forts, arms and other United States property. The gravest apprehensions everywhere prevailed, as a terrible civil war seemed inevitable. The expiring administration of James Buchanan had offered no resistance to the seizure of the forts, arms and other government property by the foes of the Union, and intense anxiety was felt by the new administration and its supporters, to know what the attitude of the Northern Democrats would be in the coming conflict.

When the war began by the attack on Fort Sumter, and the call for 75,000 volunteers was made by President Lincoln, the test of loyalty came. Every citizen must decide whether he would in this hour of supreme danger, stand loyally by his country and its government, or by indifference, or sympathy with its enemies, contribute to its destruction. A united North could speedily crush out the rebellion, while division on party lines might lead to the overthrow of the Government. The fate of the Republic seemed to hang upon the attitude and action of the Democratic party of the North. Some of its great leaders hesitated not a moment. Stephen A. Douglas, John A. Dix, Edwin M. Stanton, Joseph Holt, Benjamin F.

Butler, Daniel S. Dickinson, Lewis Cass and others, promptly arrayed themselves on the side of the Government while many others openly opposed coercion of the seceding States. In Iowa, Gov. Baker, Wm. W. Belknap, Marcellus M. Crocker, J. M. Tuttle, Cyrus Bussey, R. D. Kellogg, and other Democratic leaders, directed the loyal wing of their party into a cordial support of the Government, while a large minority held aloof. The younger generation of to-day can hardly realize how much the restored country owed to the superb loyalty of the "War Democrats" of 1861.

In the meantime a proclamation had been issued by Governor Kirkwood, calling an extra session of the Iowa Legislature, to make provision for raising and equipping the regiments that our State would be called upon to furnish. The Legislature assembled on the 16th of May, and in the House all partisan contests were put aside, by the harmonious election of officers for the session from both political parties.

The first business that came before the House was the following resolution offered by Gov. Baker:

*Resolved*, That in the opinion of this House there shall be enacted at this session, a law providing for the payment of all volunteers who enter the service of the General Government, or of the State, from the date of their enlistment to the time of their mustering into service, and also providing for their pay from the date of their discharge to the time of their arrival at their respective homes.

By common consent N. B. Baker at once became the leader of the House. Governor Kirkwood had promptly responded to the President's call for volunteers, and without waiting for legislative authority, appropriations of money, or the aid of any efficient military laws, had issued a call for volunteers. The people had nobly responded, and with the aid of such patriotic private citizens as Hiram Price, J. K. Graves, Ezekiel Clark, William T. Smith and others, the means had been furnished to put two regiments in the field, before a special session of the Legislature could be convened.

It devolved upon the Legislature now assembled to enact laws for the organization of the military forces to be called into service, and to provide money to meet the extraordinary

expenses that must be incurred. Iowa was a border State, and must take prompt measures to repel invasions which were threatened from Missouri, where thousands of troops were being mustered into the Confederate service.

Provision must also be made for the support of the families of volunteers who had hurried to the front. Without money in the treasury, or military organization, or experienced officers, it was a herculean task that confronted the General Assembly. But the emergency fortunately developed men who were qualified to meet it. In the House, Baker was placed at the head of the Committee on Military Affairs, and H. C. Caldwell was made Chairman of the Committee of Ways and Means, and, in co-operation with the strong leaders in the Senate, framed the bills required to put the State on a war footing. Persistent efforts were made by a minority to embarrass and defeat radical war measures, but the loyal majority had little patience with the obstructionists, and in a session of but thirteen days enacted all the legislation needed to enable Iowa to do its full share in furnishing its quota of the grand Union Army, then gathering from all the loyal States.

N. B. Baker had in this brief session shown such marked executive ability, that he was in July appointed Adjutant General of the State. He entered at once upon the duties of the office, and soon demonstrated his superior qualifications for the great work before him. He proceeded to organize that department upon thorough business principles, to gather as his assistants a most efficient corps of clerks, adopting a plan of records that preserved a concise history of every private and officer who entered an Iowa regiment, or any branch of the service. As the war progressed, increasing in magnitude from year to year, additional duties devolved upon him, as he was also made Inspector General, Quarter Master, Paymaster and Commissary General. The amount of labor and responsibility devolving upon him in these various positions was enormous, and proved a great tax even upon his wonderful powers of endurance. As the years of the long and bloody war rolled on, call after call was made by the President for volunteers to

swell the size, and fill up the depleted ranks of the Union Army. General Baker in Iowa had organized fifty-seven regiments and four batteries, besides sending thousands of recruits to the various regiments, until a vast army of nearly 80,000 men had gone from our State before the war closed. No State in the Union had been more prompt than Iowa in responding to the calls of the President for troops, and no one official in Iowa contributed so largely to make this possible as General N. B. Baker.

The eight large volumes of Adjutant General's Reports, carefully compiled from the records of that office, from the beginning of the war up to 1867, by General Baker, make up a most complete and reliable history of all Iowa soldiers engaged in the war of the Rebellion. It will be the official record and the roll of honor in all the years to come. Every name is there; and every soldier's record is briefly given, just as he made it, in a few lines, pathetic in their brevity.

Here is one copied at random from these volumes: "Ward, Willey, 29 years of age, residence Inland, Cedar county, Iowa, native of Ohio, enlisted as a private August 8, 1862, in Company C, 24th Iowa Volunteers, died May 16, 1863, in hospital at St. Louis, of small pox." Four brief lines make the official record of one of Iowa's 80,000 strong, brave men who, in the morning of life, marched away to Southern battle fields, of whom 12,000 never returned.

This record does not tell of the young wife and two little girls left in the lonely farm home by the banks of Rock Creek, to wait, in dread suspense as the weeks and months go slowly by, for tidings from the husband and father; nor of the despair of the young widow and the fatherless girls when the fatal letter came to them, on that bright spring morning, wrecking all their hopes and forever desolating their home. The war years were filled with such tragedies, all over the land, and these volumes so carefully prepared under General Baker's direction will forever preserve the record of the humblest private as well as the highest officer. It is a cyclopedia of wonderful accuracy and of priceless value; and so long as Iowa has an exist-

ence, it will be consulted by the descendants of soldiers of the Union Army and the students of Iowa history.

Few States have such complete records, and the following correspondence will throw some light upon the obstacles met and overcome by General Baker, in gathering the material embraced in his records.

General Johnson issued at one time—

GENERAL ORDERS NO. 6, }  
 HD. QRS. SIXTH DIVISION CAVALRY CORPS, M. D. M. }  
 EDGEFIELD, TENN., Dec. 28, 1864.

It has come to the knowledge of the Commanding General, that in the Iowa regiments serving in this division, and perhaps in those from other States, it has been customary under the supposed authority of some regulation or order from Headquarters of the so-called "Army of Iowa," or other authority of like character, to furnish to the Adjutant General of the State of Iowa, and other States, copies of the monthly return, list of casualties, reports of operations, and other reports. Not only military propriety, but the danger of such papers falling into the hands of improper persons, forbids this practice. It is, therefore, ordered that in future no such reports, returns or others of like character, or copies thereof, be furnished to the Adjutant General of the State of Iowa, or any other State, or any person, persons, or authority, except as now required or as may be hereafter required by orders from the War Department, or Department Headquarters.

The time of the officers of this command is too precious to be devoted to the preparation of official documents for the satisfaction or curiosity of civilians at home. This must be left to the newspaper correspondents. Officers will understand that they and their troops are in the service of the United States, and in their military capacity have no relations whatever to the State from which they come, or the Executive thereof.

By command of Brigadier General Johnson.

E. T. WELLS, *Assistant Adjutant General.*

Official copy for the information of the Adjutant General of Iowa.

E. T. WELLS, *Assistant Adjutant General.*

General Baker was justly indignant at this arbitrary and insulting "order," and at once forwarded it to the Secretary of War with the following endorsement:

GENERAL JOHNSON:—

The Adjutant General of the State of Iowa acknowledges the receipt of the extraordinary "General Orders, No. 6." The State officials have asked nothing improper, and the Adjutant General cannot comprehend the motives of Brigadier General Johnson in issuing the "General Orders" of which the within is a copy.

The State wishes to keep up the records of the volunteers sent from this State.



No other General, that this Department is aware of, has heretofore attempted to prevent the completion of said records. These records are absolutely essential for the protection of soldiers and their families here at home.

[Signed]

N. B. BAKER, *Adjutant General of Iowa.*

The War Department promptly revoked the "order" of General Johnson in the following:

SPECIAL ORDERS, NO. 53.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,

(Extract)

WASHINGTON, D. C., February 2, 1865.

40. So much of General Orders No. 6, December 28, 1864, from Headquarters 6th Division Cavalry Corps, Military Division of the Mississippi, as forbids the rendition of certain returns and reports called for by the Adjutant General of Iowa, is hereby revoked, it being improper in its tone, and disrespectful to the authorities.

By order of the Secretary of War.

E. D. TOWNSEND.

General Baker was thoroughly informed as to his powers and duties in his official capacity, and would not submit to officious interference from any quarter. His system contemplated the securing of all information relating to Iowa soldiers in the service that might at any time be required to make up the elaborate records of his office, and protect the interests of the State, its soldiers, and their families. No State in the Union was better served in that department. But General Baker's interest in Iowa soldiers did not by any means end with a faithful discharge of his official duties. He was untiring in his efforts to provide for the comfort of soldiers in the camp, field and hospital, and in rendering aid to their families. One of the many instances of his watchfulness over them is related in a case of a railroad accident in Indiana, where many Iowa soldiers were killed and wounded. He issued a public order giving notice to the friends of the victims not to settle with the company, as it was a case of criminal negligence on the part of the officials, and pledging himself to secure ample reparation as far as in his power—and he did it.

When the war closed and the survivors returned to their homes, every soldier found a life-long friend in General Baker. As long as he lived he spoke of them invariably as "my boys." His heart and purse were always open to all Iowa soldiers in trouble or in want.

As the Iowa regiments were disbanded Gen. Baker gathered into the State Arsenal the old battle flags torn by shot and shell, representing nearly every Iowa regiment and most of the great battles of the war. Some of them are stained with the life-blood of those who bore them aloft in the thickest of the fight.

Major R. D. Kellogg was intimately connected with Gen. Baker in the Legislature of 1860-1, and also in his military work as a prominent officer of an Iowa regiment during the war. In an address delivered before the Pioneer Law Makers' Association in 1890 he gives his estimate of Gen. Baker as a legislator, and as an executive officer, as follows:

He was largely instrumental in shaping the legislation of this eventful session. He was a man of powerful frame, a giant mind, an iron will and a voice and manner that commanded attention and respect. He moved and thought and wrote and acted with such force and rapidity that, to those of a different type, his methods savored of recklessness. But his public acts and records are a standing refutation of such a charge and declare him to have possessed a master executive mind. While with my best efforts I should fall short of doing full justice to his great qualities of head and heart, yet I would not canonize him. He was not perfect. He had sufficient faults to assert kinship to humanity, but he was a manly man. He was gifted with a sound judgment and perception of the right thing to be done when matters of the greatest moment waited upon his decision, that seemed like intuition.

In the summer of 1870 Gen. Baker, in conjunction with many officers of the late war, planned a great reunion of Iowa soldiers to be held at the Capital of the State. The proposition met with universal favor and was received with great enthusiasm by the "boys in blue." Gen. Baker at once entered upon the work of making all needful preparations for the transportation, care and comfort of the Grand Army of citizen-soldiers that was sure to gather in from all parts of the State. Through his influence the railroads were persuaded to give free transportation, and Gen. Sherman and Gen. Belknap, Secretary of War, came from Washington to greet the Iowa soldiers.

The date fixed for the reunion was August 31. It continued through two days, and fifty thousand people came together, of whom more than twenty thousand were Iowa soldiers. It had been five years since they were mustered out of the service, and this meeting again and for the last time of thousands

of comrades who had marched, camped and fought together in so many trying campaigns, was an event never to be forgotten. No such reunion had occurred since the grand review at Washington in 1865, at the close of the war.

Most of the distinguished Iowa officers who survived were present, and took part in the services, and again greeted their old companions in arms. It was the proudest day in General Baker's life, as he was continually reminded of the warm affection entertained for him by "his boys." Every soldier wanted to take him by the hand. It was the first and last great reunion of Iowa soldiers, an event ever to be remembered in Iowa history.

General Baker's love of newspaper work clung to him through life. He was for many years a member of the Iowa Press Association, and at one of its annual meetings delivered the principal address. It was a paper of rare interest to the fraternity, filled with hints of especial value to the younger members. No man in Iowa probably, in his day, sustained such cordial relations with the publishers of the leading papers. Their editorial columns were always open for his contributions, and for years he was in the habit of sending his comments on current topics of the day to a dozen or more State papers, where they were uniformly "appropriated." When he thought of something that in his judgment ought to be said, he wrote it out in the best English and always sent it to the right place. He seemed to have an intuitive knowledge of men that guided him unerringly in making his selection. No one besides these editors, and General Baker, ever knew how many of the best leaders, or paragraphs, in the Iowa papers for the twenty years, from 1856 to 1876, were from the pen of the old editor of *The New Hampshire Patriot*.

In 1872 northwestern Iowa was visited by immense swarms of grasshoppers, which destroyed the crops over a wide area of country. Great destitution prevailed in some fifteen counties where the devastation had been greatest. As winter approached thousands of the new settlers found themselves and families on the verge of starvation. When their situation

became known to the State at large, the generous people in more favored regions were willing to contribute out of their abundance for the relief of their unfortunate fellow citizens. But some one was needed to take charge of the collection, transportation and equitable distribution of the vast amount of supplies freely tendered to the sufferers. General Baker at once stepped forward and volunteered to superintend this great humane work. He procured from the railroad companies greatly reduced rates of transportation, organized an efficient corps of assistants, and entered upon the work with his accustomed promptness and energy. For months he labored unceasingly in collecting, forwarding and distributing provisions and seed-grain to the destitute farmers of the famine-stricken region, until the greatest destitution was relieved, and the settlers enabled to raise a crop. The fact that General Baker was at the head of the relief movement, was a guarantee to both contributors and sufferers that the great work would be performed with the utmost fidelity and efficiency, and the people of all parts of the State contributed generously until the needy were supplied. General Baker, who was first appointed Adjutant General in July, 1861, was successively reappointed by each succeeding Governor for fifteen years. He also held the offices of Inspector, Quartermaster, Paymaster and Commissary General, continuously to the day of his death, performing all official duties with strict fidelity to the close of his life.

Death came to him in the midst of his usefulness, on the morning of September 13, 1876. The following account of the sad event is from *The State Register* of the next morning:

. A year ago last winter while in northwestern Iowa looking after the grasshopper sufferers, he exposed himself in a storm of snow, sleet and rain, being out in it a whole day, which exposure seemed to fasten upon him the fatal results which now have followed. But the lion-like strength of the General bore it without apparent great injury, until last fall, when a cough set in which from the first had in it the sound of death. This quietly and insidiously wrought upon him through the winter months, and when spring had come, the man of such former great strength, was worn to a man of weakness, and glorious Nat Baker, as his friends always called him in their hearts, had little left of him and his pride of strength but his heart, that grew larger to the last, and constantly tenderer.

Through long weeks and months of suffering the man once so strong, so impulsive, always so impatient of restraint, bore with patience, cheerfulness and courage his lot, frequently rising to the point of jovialty, in order to keep up the sinking hearts of those around him. Even pain and torture could not wring complaint from his lips, and although the failing body was on the rack, the intrepid spirit preserved constantly the martiality of its heroism. Those who were about him in these last days saw revealed in all its beauty the gentle inner nature which had always been the soul and the stay of a character that ever had in it an element of the impetuous and the stormy—saw the sun go down from the spanning sky of pride, valor, strength and majesty, to the peace, the twilight and the submission of the expiring day. \* \* \*

At one o'clock Wednesday morning death came on as a sleep. Almost immediately there came into the face that perfect peace which is seen on earth only in the face of the dead, the noble head with its crown of iron-gray hair, the classical face as clearly cut and as nobly featured as any ever on Roman bronze, set about with a beard which age had spun into silver, showed that Nathaniel B. Baker had from nearly sixty years of incessant activity lain down in death, and lain down in peace. Could all who have ever felt the warmth, or shared the bounty, or been kindly held in the shelter and the love of that stilled heart, come to it now and lay their hands upon it with a blessing, the world would know what it little knows now, of the numberless deeds of kindness, succor and help, performed so quietly that only God knew of them to remember them.

When death came to General Baker, Governor Kirkwood, who had fifteen years before first commissioned him Adjutant General, was again in the executive chair. As soon as the sad news reached him he issued the following:

#### EXECUTIVE ORDER.

STATE OF IOWA, EXECUTIVE OFFICE, September 13, 1876.

It is with profound sorrow that the Governor announces the death at one o'clock this morning of Brigadier General Nathaniel Bradley Baker, Adjutant and Inspector General of Iowa since 1861, and acting Quartermaster and Paymaster General, and at one time Governor of his native State, New Hampshire. The Governor anticipates the universal regret this event will awaken, throughout the entire State, and even beyond its borders. To his skill, his indomitable energy and his tireless industry, our State owes not a little of the high reputation her military record has made for her. To the soldiery of Iowa, of whose deeds he was ever proud, and whose history he did so much to preserve, he was especially dear; and so long as that history shall be read, will the memory of Iowa's great Adjutant General be perpetuated. More recently, during seasons of great destitution in the newer parts of our own and adjoining States, the same characteristics that had distinguished his services in the department of arms, were of measureless value in securing relief to the impoverished and starving settlers; and the devoted and self-sacrificing labors of this faithful officer in this work will ever constitute one of the bright pages in the State's annals. The Gov-

ernor himself, long intimately associated officially with the deceased, feels that the popular estimate of this distinguished man is a just one, and realizes that in his death the State has lost a valuable public officer, the public a servant of spotless integrity, and society a useful member.

It is therefore ordered,

1. That proper military honor be rendered the illustrious dead, by the Third Regiment of the Iowa State Militia.
2. That upon Friday, the 15th inst., the day of the funeral, minute guns be fired from noon until sunset.
3. The detachment of artillery attached to the Olmstead Zouaves will report for duty at such time and place as shall be directed by the commanding officer.
4. Lieutenant-Colonel Townsend, Third Regiment I. S. M., is charged with the execution of these orders.
5. The national flag will be displayed at half-mast from the various public buildings belonging to the State.

SAMUEL J. KIRKWOOD.

The funeral was the most imposing ever known in Iowa. Ex-Governors, veteran army officers and prominent citizens from distant parts of the State, came to pay the last tribute of respect to the honored dead. Among the organizations that formed a vast procession was a detachment of the 2d Iowa bearing the flag they so gallantly upheld at Shiloh. Riddled with shot and shell, the old banner as borne by them was but a remnant of the silken folds that first floated in the breeze on that eventful day. A scant dozen of the gallant men who then held it aloft remained and carried it in honor and sadness to the grave of the noble officer who had been so firmly and constantly their friend.

No man in Iowa knew Gen. Baker better than J. S. Clarkson, at that time editor of *The State Register*. The day after his death he wrote of him as follows:

His work as Adjutant General during the war, his organization of the Iowa troops, his care of Iowa soldiers, his matchless records with which he has handed the achievements of Iowa valor and the names of Iowa heroes over to history, his well earned plaudits from the General Government, the Secretary of War, the General of the Army, as having been the most efficient, accurate and painstaking Adjutant General of all the States, his unflinching devotion to the soldiery of the Union and his unwearying care for their interests, his proud record of good deeds as a public officer, the unretinted charity of his private hand, his heart of warm sympathy and his hand of quick help to the many thousands stricken by the plague of locusts in Iowa, his constant position at the front in every matter of public charity or private generosity in our State for twenty years, his sacrifice of his own

fortune, his forgetfulness of his own needs in his readiness and anxiety to relieve the distress of others—the unselfishness, the great-heartedness, the ruinous generosity of the man, are known to all, honored by all, while thousands of his acts of kindness and sacrifice stand as good angels around his coffin to-day, not talked of in the speech of man nor recorded on earth.

There was probably never a man in whose heart children lived more supreme than in Gen. Baker's. Many are the children who have been taken barefooted from the paving stones of Des Moines into the stores and clothed and warm shoes put upon them, and Gen. Baker was always the name of the kind man when they could find it out. Older people, mothers in poverty and fathers in difficulty, knew of one door which never closed on them.

We mention these things not to benefit Gen. Baker now nor to serve the purpose of eulogy. Benefit cannot reach him, nor eulogy add to his fame. We write them because as we write of him the countless noble and good things in his record come trooping up to our mind so forcibly that they fairly crowd their way into this article. Nobody will ever tell all of them.

The news of the death of Gen. Baker will go cruelly throughout the whole length and breadth of Iowa. No man in the State had so wide and so universal a personal acquaintance, and no man in the State had so many personal friends. They were in all classes and societies, and the most devoted are found among the unlettered and the plain. All the Union soldiers will feel as though a brother or father had died. They were all his "boys," and for them he would have suffered, gone hungry, starved or even died. At the great Iowa reunion of soldiers, in Des Moines in 1870, neither the General of the Army nor the Secretary of War received the attention that Gen. Baker did. He was the man who was most entirely in their hearts and whom they cheered and lionized most.

To every soldier and to every home with a soldier in it, or a soldier's vacant chair, this tidings of death will strike hard and sharp. To such and all who knew him best this article will be none too warm in its tribute and none too cordial in its praise. We ask no apology for it, for we feel that the dead is our dead, too; and feel in the valley of this sorrow that a heart which made this world warmer for us, now is cold; that the strong hand which so often took our own weaker one in its grasp to cheer and strengthen it is never to thrill our blood again; that the familiar form which has so often glided into a seat by our side in dark days, and in darkest days the oftenest, whether to be there just then was popular or unpopular—to say that he was there as a friend—will never come again; all this in the shadow of this hour we feel, and God pity us if in such a time we do not speak the truth of the unselfish, faithful, noble man as we knew it. We write not with sharpened inspection of such dead. We would bury him, faults and all, as tenderly as we would bury a child of our own home and heart.

\* \* \* Wherever sterling patriotism is prized throughout this broad land his name is revered and honored. Brave men died on Southern battlefields blessing the great heart that was so full of tenderness for them. Gentle women and children will mourn him as a friend whose generosity and manliness lived only to do good to those about him. The citizens of Des Moines where he lived so long will ever bear him in kindest memory. A

man without a stain, an official whose every act was born of probity and justice, a friend whose charity of heart impoverished his purse, and a citizen whose public spirit was ever enlisted in good deeds for his fellows, Gen. Baker fills an honored grave. Sunshine and shadow where he lies will rest on a tomb inclosing a heart that beat ever for the good of others. In history he will fill a place accorded to those who worthily, bravely, honestly fill their stations in life and who left behind them records of good.

Soon after his death leading citizens of the State organized the Baker Memorial Association, for the purpose of providing for the erection of a suitable monument to the memory of Gen. Baker. Samuel J. Kirkwood, Iowa's great War Governor, was elected president of the Association, which proceeded at once to organize a plan for raising the funds required. An appeal to the soldiers of the late war was issued, and contributions in small sums were made by thousands of "his boys," who regarded it a privilege thus to testify to the high regard they entertained for one who had ever been their most helpful friend.

A sufficient sum was thus raised to erect a granite column that marks the last resting-place of the honored dead. Hon. George W. McCrary, the distinguished Secretary of War and an Iowa man, secured from Congress an act authorizing him to furnish four brass field-pieces to the Monument Association to be permanently stationed around the lot in Woodland Cemetery where rest the remains of N. B. Baker. But more enduring than granite is the priceless work he did for Iowa soldiers and Iowa history. The superb records he so wisely devised are more enduring monuments than brass or stone and will be sacredly preserved long after the others have crumbled into dust. As the years go by in the onward march of time, generations yet to come will turn to these pages to trace the glorious record of their ancestry, whose deeds will forever illuminate the pages of American history. When "a thousand years" will have rolled away in the life-time of our now young State these records of its early glory will be treasured as among its most valued possessions, and every name thereon inscribed will be embalmed in the memory of the remotest generations. In the old world the youth are proud to trace their ancestry



to dukes and earls. In America the badge of honor will be in the distant future to trace an ancestry back to a member of the Grand Army of the Union.

It is a matter deeply regretted by the friends of General Baker that there is not in existence a good oil portrait of him, painted when he was in his prime, as at the outbreak of the great civil war. The engraving which precedes this article, however, is a fairly good likeness. It was engraved from a somewhat faded photograph which has been preserved by "The Aldrich Collection" in the Historical Department.

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### THE CHARGE ON BATTERY ROBINET.

BY EX-GOVERNOR CYRUS C. CARPENTER.

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The reminiscences of the great Rebellion are becoming more interesting as they recede into history. This fact alone could induce me to repeat the story of one of the events of the war with which I was personally familiar. Time can never efface from the memory of those who saw it, the desperate charge made by the rebels upon Battery Robinet at the battle of Corinth, October 4, 1862. And I sometimes think that the battle of Corinth has not been fully appreciated by the historian; as it was really one of the important events of the war. The little town of Corinth, Mississippi, was neither large nor attractive, but it was one of the strategic points in the territory occupied by the rebel armies. It was at the junction of the Memphis & Charleston, and the Mobile & Ohio Railroads. The one extending east and west from Memphis, Tennessee, through the heart of the rebel territory to Charleston, South Carolina; and the other running north and south from the Ohio river to Mobile and the Gulf of Mexico. To obtain possession of Corinth had cost the bloody battle of Shiloh (Pittsburg Landing) and the subsequent long campaign by regular approaches of the armies of the Tennessee, of the Ohio and of the Mississippi, under General Halleck. Prior to the battle of Corinth, the Union forces in northern Mississippi and west-

ern Tennessee were scattered at various points on, or near, the Mobile & Ohio and Memphis & Charleston Railroads. General Grant, commanding the department, was at Jackson, Tennessee; General McPherson at Bethel, Tennessee, a station between Jackson and Corinth; General Sherman was at Memphis; General Hurlbut at Bolivar; and General Rosecrans at Corinth. After Price had attacked the Union forces at Iuka, from which point he retreated precipitately to Tupelo, there was an ominous silence for some weeks. Finally the rebel forces, commanded by Van Dorn, Price, Villipigue, Lovell and Rust, began to concentrate in the vicinity of Ripley. The combined forces constituted an army of about 40,000 men. The purpose of Van Dorn, who was chief in command, was not easy to divine, but it was believed he contemplated an attack either upon Corinth, Jackson, Bolivar or Bethel. After a few days of maneuvering, in which his cavalry demonstrated against all these points, it was found that he was massing his entire command on the roads leading to Corinth. General Grant immediately began to draw forces from other points with orders to reinforce Corinth, where General Rosecrans was then in command of about 20,000 men.

On October 3, Van Dorn having driven in the outposts of Corinth, moved upon the place in force and with great determination. He, of course, knew that the moment he had fully unveiled his purpose, reinforcements would be hurried forward from Bolivar, Jackson and Bethel, and that his success depended upon his ability to overwhelm Rosecrans before these reinforcements could reach the battlefield.

The town of Corinth lies in a sort of a basin, the ground gradually rising, especially on the north, northeast and northwest, encircling the town from these points of the compass with a low but well defined ridge. Corinth had been strongly fortified by General Beauregard when occupied by the rebels. Our army had the advantage of these fortifications, and the interior line of rebel defenses had been strengthened and perfected by the Union forces. The outer line of entrenchments were comparatively impracticable of defense, as they had been planned

and built for a much larger force than that commanded by General Rosecrans. The interior defenses, of which Batteries Williams, Robinet and Powell were salients, were not more than from six to eight hundred yards from the town. It was the plan of General Rosecrans, as the rebel forces moved upon his command, to make a demonstration of defense at the outer works, more or less obstinate, as circumstances might seem to determine as wise, but to withdraw gradually to the support of these interior batteries, thus shortening his lines and bringing into play the guns of the batteries upon the enemy.

The first day of the battle (October 3) the Second Division of the Army of West Tennessee, commanded by Brigadier General Thomas A. Davies, held a position across the Chewalla road and in the northwest angle of the two railroads. In the First Brigade of this division, commanded by Brigadier General Hackleman, were five Iowa regiments, the 2d, 7th, 8th, 12th and 14th Infantry. In the Sixth Division of the Army of West Tennessee, commanded by General T. J. McKean, there were four Iowa regiments, the 11th, 12th, 15th and 16th Infantry, brigaded together and called the Iowa Brigade, commanded by Colonel Marcellus M. Crocker. In the Second Division of the Army of the Mississippi, commanded by General David S. Stanley, was the 2d Battery of Iowa Light Artillery, commanded by Captain Nelson T. Spoor, which received honorable mention by Colonel Joseph Mower, commanding the brigade to which it was attached, and also by General Stanley, commanding the division, for its splendid work during the battle. In the Third Division of the Army of the Mississippi, commanded by General Charles S. Hamilton, were the 5th, 10th and 17th Regiments of Iowa Infantry, and in the cavalry, commanded by Colonel Mizner, was the 2d Regiment Iowa Cavalry.

The brunt of the battle during the 3d, fell upon the Second Division of the Army of West Tennessee, commanded by General Thomas A. Davies. It held a position in the northwest angle of the Memphis & Charleston and Mobile & Ohio railroads, and across the Chewalla wagon road, upon which

General Lovell's division of the rebel army was advancing. Although, as has been said, it was not the purpose of General Rosecrans to risk the results of the day by making a final and decisive stand at the outer defenses, as he knew it would too greatly lengthen his lines for the number of men he had as compared to the enemy, and that it would be beyond the reach of aid from the forts near the town. But this splendid division clung to its position at these outer defenses with great tenacity, and when finally obliged to fall back, did so obstinately and in good order. Night found it between a half and three-quarters of a mile from Corinth, in line, between and in front of Batteries Williams and Robinet. The division had suffered serious losses—especially in officers—General Hackleman, commanding a brigade, had fallen mortally wounded, and died during the night; General Oglesby was also severely wounded; Colonel Baker and Lieutenant-Colonel Mills, of the 2d Iowa Infantry, were wounded, both of whom died a few days later.

During the night this division, being greatly exhausted, was moved farther to the right, and the line which they had held was occupied by the division of General Stanley. In this rearrangement of forces, the so-called Ohio Brigade, commanded by Colonel John W. Fuller, of the 27th Ohio, occupied the line to the right and left of Battery Robinet.

In order that the disposition of General Stanley's division in relation to the rebel forces may be fully understood, the ground they occupied should be described. As I have said, Battery Robinet was but little, if any, more than a half mile from the town. It was between the Mobile & Ohio and the Memphis & Charleston railroads—not more than 200 yards east of the latter, and within a few yards of the Chewalla wagon road. It was perhaps two-thirds of the distance from the foot of the gradual slope, which rose north and northeast of the town to the crest of the ridge. Beyond the crest of the ridge was a forest. Originally the timber had extended considerably south of the ridge between the Chewalla road and the Mobile & Ohio railroad, coming down nearly to Fort Rob-

inet. But the trees had been felled with the tops outwardly from the fort up to the crest of the ridge, many of the limbs had been sharpened, and as the ground was thickly strewn with brush and logs, they formed a tolerably effective abattis. The railroads in crossing this ridge passed through deep cuts, both cuts being quite deep at their nearest approach to Battery Robinet.

The afternoon of the 3d had been exceedingly warm, and as there was no living water in any part of the field covered by the operations of the army during the day, the men were nearly famished for water. The Quarter Master, Captain J. K. Wing, was putting forth every effort possible to have water hauled out to the front by teams, but it was a slow and difficult process. I knew that there was a switch engine lying just behind one of the warehouses near the junction of the railroads, with steam up and manned by an engineer and fireman. It occurred to me that it might be used to get water out to our lines. When the attention of General Rosecrans was called to it, he ordered it sent immediately. I went to the engineer and told him what was required of him. "Well," said he, "it is a pretty dangerous experiment, but here goes." As I had been somewhat instrumental in securing an order for this business, I determined to go with him and take the chances of the experiment. I will never forget the expression of face with which he turned to me and said: "You better stand on the rear end of the flat car; if the Johnnies should happen to shoot a hole into the boiler, there is no use in all of us being scalded to death!" The water tank was about three-quarters of a mile south of Corinth. Taking a flat car and a number of empty pork barrels, he ran down to the tank, filled the engine tank and the barrels, then ran back up through the town and up the track into one of the deep cuts of the railroad just in the rear of our lines. The news ran along the lines of thirsty soldiers, who were lying flat on the ground, that there was water in the railroad cut to their rear. Immediately they began to crawl down over the embankment to fill their canteens. Each soldier who left the lines would bring about a

dozen canteens—his own and those of several of his comrades—and when he had filled them, crouching and hugging the ground, would crawl back to his place in the lines.

Between three and four o'clock on the morning of the 4th, the rebels, having moved a battery into position under cover of the woods, some four hundred yards in front of our lines, began to shell the town. This was kept up with more or less spirit until daylight, when the officers of our batteries, being able to see the position and get the range of this daring intruder, soon silenced and drove him away. The morning was occupied in skirmishing and more or less desultory fighting along our entire lines. About ten o'clock I had gone with the engineer up into the cut in the rear of the Ohio Brigade, with another car load of water. For some time there had been an ominous silence, indicating that the enemy in the woods beyond the ridge were preparing for some new and desperate move. The engine remained in the cut until the entire command in the vicinity seemed to have been supplied with water, when it slowly moved back to the railroad junction and ran behind one of the warehouses. On arriving at the warehouse, I started up the railroad track with the view of crossing over towards the right to the headquarters of General Rosecrans. I had gone but a short distance when there seemed to be a fierce engagement on our right and east of the town. I heard at the same time an unusual commotion on the street which ran parallel with the railroad. Running to the top of the railroad embankment, I saw what seemed, for a moment, to be a panic. Men, wagons, ambulances and two or three pieces of artillery, were flying pell mell down the street. Several officers, among them conspicuously General Rosecrans himself, were trying to stop the wild rush. I had not fully taken in the situation, when a regiment, in perfect order, swung into the street and swept everything before it on a double quick to the front. This slight reverse was the result of a sudden onset of the enemy on our right, in which they had captured a part of one of our batteries, and in the attempt of the company manning it to get away with a part of the guns, they had run through a regiment, throwing it into confusion, leaving the

flanks of two other regiments unprotected and making a break in our lines. Through this break a part of a rebel regiment had penetrated under the impression that they had captured the town. They were met by the 5th Minnesota Regiment, as I have described, whilst General Davies' division soon recovered the lost ground, reformed his lines and made a counter charge, supported by General Hamilton's division, by which they recaptured the battery and drove the enemy in confusion back into the woods on our right and east of the town. In all this the 5th Minnesota Infantry and the 17th Iowa were conspicuously gallant.

Almost simultaneously with this movement the guns in Batteries Williams and Robinet began to pour forth volley after volley in startling and deafening chorus. At first I thought they were shelling the rebel lines on our right to aid the movement just described, but on looking to the crest of the ridge north of the town and beyond Fort Robinet, I saw four columns of the rebel army emerging from the woods and coming over the ridge. At first they seemed to be in line, forming almost a solid front from the column on the right to that on the left. The column advancing in the road, however, moved faster and was soon considerably in advance of the others, as the two columns on the right of the road, especially, were impeded by the fallen trees and brush. The batteries were pouring into these approaching columns a terrific fire with deadly aim. But aside from the men manning the guns of the batteries, and here and there an officer walking back and forth on the flanks and in the rear of Robinet, not a man could be seen to confront and repel this portending charge. In face of the fearful slaughter of the batteries, the rebel columns had approached within less than one hundred yards of Robinet, when, with the common impulse of the veteran soldier, the entire Ohio Brigade and the 11th Missouri Infantry sprang to their feet and in quick succession poured volley after volley into the oncoming columns. Where but a moment before no living man was to be seen, there seemed to come up out of the earth a swarm of men extending nearly across the angle from one railroad to the other, and for a few moments the incessant

fire from their muskets had the appearance of one unbroken flame of fire, covering the whole field with an impenetrable cloud of smoke. It was more than human courage could withstand, the rebel columns wavered and recoiled, and then a retreat began, and when the 11th Missouri and 27th and 63d Ohio rushed forward with fixed bayonets, it became a rout. Many threw down their arms and surrendered rather than take the chances of a retreat, exposed to the fearful fire in passing over the open space back to the cover of the timber. Some of the officers, however, even after the first recoil from the blaze of musketry, were conspicuous in an attempt to rally their broken lines and renew the charge. In this last vain endeavor Colonel Rogers, of the 2d Texas Infantry, commanding a brigade, fell mortally wounded, after having absolutely reached the ditch in front of the battery. This was the final death struggle of the battle of Corinth.

The writer of this article disclaims any attempt to give a full account of the battle of Corinth. It was begun with the single purpose of relating some of the incidents connected with the charge on Battery Robinet. In order to do this it seemed necessary to describe some of the movements which led to this final supreme effort of the rebels, and incidentally to relate how the writer happened to be in position to have a full view of this heroic charge and no less heroic defense.

*(Conclusion in next number.)*

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## LOST IN A SNOW STORM.

BY EX-GOVERNOR WILLIAM LARRABEE.

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The winter of 1856-7 was unusually severe in the northwest—in fact, none ever equalled it in the memory of the oldest settler. Snow fell to an enormous depth, and the mercury not infrequently ranged from 20° to 40° below zero for several days in succession. A series of great storms—now called “blizzards”—from the boreal regions—swept the prairies, whirling the dust of the powdery snow in a wild dance and piling up



large banks wherever natural or artificial obstacles interrupted their turbulent course. During that long and severe winter nearly all the deer in northern Iowa were destroyed, some freezing, others starving to death, still others getting fast in the deep, crust-covered snow, and being killed by the merciless settlers while in this helpless condition. Few of the frontier people were prepared for such a winter, and certainly none had anticipated it. Thousands suffered for want of sufficient clothing and fuel, and many a man, overtaken by a blinding storm, or tired out wading through the deep snow, froze to death on the prairie, perhaps only a stone's throw from home.

Such winters are fortunately a rare occurrence, even in the Northwest. Moreover, the people of this region have learned to provide for cold weather, and probably keep now as comfortable and get as much enjoyment out of the cold season as their countrymen east or south.

During the month of December, 1856, with my year's earnings in my pocket, I journeyed through the southeastern part of Minnesota with a view to select a good quarter section of government land. I finally made my choice, and then, to enter the land, set out for Winona, where the land office was located.

On the morning of the 23d of December, I left Mantorville and walked to Rochester, a distance of about seventeen miles, where I arrived about 4 o'clock in the afternoon. It had commenced snowing before I reached that town, but anxious to make a few more miles before dark, and hoping to find an inn on the road, I took lunch at Rochester and again pursued my journey.

As night approached a fierce wind arose and inwrapped me in blinding eddies of snow. The road followed a ridge between the Zumbro and Root rivers. There was no house, no fence or other landmark in sight. At first a well-beaten track served as my guide, but this was soon obliterated by the drifting snow. I found that I had lost the road and was forced to rely upon the wind to indicate my course. The snow was from one and a half to two feet deep and was covered with an icy

crust. Having already walked more than twenty miles, I plodded wearily through the sea of snow.

The wind increased in severity as the night wore along, and every new gust seemed to be ushered in by a more furious howl. The high, treeless prairie presented no obstacles to the icy wave. As the blasts swept by me they seemed to penetrate every pore of my body. I was but thinly clad. Like other new comers, I had not yet learned to properly protect myself against the severity of the western winter. I wore neither overcoat nor overshoes, a pair of stockings and cowhide boots forming my sole foot-gear. For a few steps the snow would bear my weight and then give suddenly way below me; and as I fell headlong upon the snow or broke through its crust, the fine crystals worked into my boots and gradually melting there, chilled my feet till their numbness reminded me that they were beginning to freeze. My body, however, was perspiring freely from the severe physical exercise, and perhaps also in consequence of the fear occasioned by the thought of freezing to death.

I had probably traveled eight or nine hours and was from ten to twelve miles out from Rochester before I fully realized the desperateness of my situation. I had no means of knowing how far I had strayed from the high road; I had walked mile after mile without discovering the least trace of a settlement, and the chances of finding a human habitation during the remainder of the night were small indeed. The whole landscape seemed to be wrapped in a cloud of white dust, and unless the glimmer of a light happened to penetrate the snow-filled air, I was almost as likely to step upon a mile stone below the snow as to find a human residence while groping my way through the blinding storm.

It could not be far from midnight, and as I was well aware that farmers are wont to retire early, the hope of being rescued by a guiding light appeared to me extremely slight.

Somewhat discouraged, I paused to consider the advisability of turning around to find my way back to Rochester, but a moment's reflection convinced me of the utter impracticability

of such an undertaking. I had but little chance to successfully retrace my steps. Besides this, it would have been an all night's journey, and I was too much exhausted for such a task. The growing numbness of my feet and the drowsiness which was gradually stealing upon me, made me realize more and more the extreme danger into which I had placed myself. Feeling that possibly I had but a very few hours, at the farthest, during which I could hope to use my lower extremities, I determined to make the best of my time and pushed on.

The rage of the storm seemed to increase from minute to minute. Toward midnight, with a temperature of from  $20^{\circ}$  to  $40^{\circ}$  below zero, the wind blew at a rate of from thirty to fifty miles an hour. Overpowered by the conviction that I could not hold out much longer, I occasionally halloed as loud as my strength would permit, in the hope of making myself heard by some one. But the maddened winds only seemed to mock my efforts.

With death staring me in the face, I could not help speculating upon the probable fate of my body. It flashed through my mind that the wolves would be likely to pick my bones, and that when my skeleton would be found in the spring and my identity discovered or surmised, the newspapers would contain an item to the effect that I had been found dead on the prairie between Rochester and Winona, that presumably I had partaken too freely of strong liquor, and straying from the road, had frozen to death. As I had never even tasted of liquor, this thought worried me greatly and seemed to revive my flagging energies. From that day to this I have been careful not to ascribe any serious accident to intoxication, unless indications clearly justified such a charge.

While these and similar thoughts were still engaging my mind, I came to a partially constructed pioneer cabin. The structure consisted only of four walls of roughly joined logs. It had neither roof nor door, nor window, and the logs were not even chinked. Some one had probably commenced building this cabin on his claim late in the fall but had been compelled by the approach of winter to abandon it.

The discovery of this symbol of pioneer civilization in the snowy desert greatly encouraged me and I at once resolved to make it my headquarters for further explorations. A short survey of this airy resort fully convinced me that to rest here was to surrender to grim death without a struggle. Remembering that there is a well marked disposition among pioneers to settle in clusters, I determined to walk in a wide circle around this embryo cabin in the hope of finding some human habitation near it.

Taking a radius of about sixty or eighty rods, I proceeded to carry out my plan. I had passed not much more than half around the circle, when, after surmounting a long swell in the prairie, I discovered a small grove in the distance. I at once abandoned my former base and quickened my steps, fully assured that if there was a house anywhere upon that wide prairie, it would be found in the shelter of the grove before me. I had not advanced very far when I espied a faint glimmer of light proceeding, as it seemed to me, from a snow bank across a small ravine. Flying in the direction of this light as fast as my benumbed feet would carry me, I presently found myself before a small log cabin, which was half buried in a snow drift. It had but one little window, of which the lower portion was hidden by the snow, while its upper panes were so thickly covered with frost that they scarcely permitted the light to pass through them.

The joy which I experienced at the sight of this lowly cabin may be imagined, but cannot be described. I rapped loudly on the door and, when it was opened, did not even wait for an invitation to enter, but boldly stepped in. The house was occupied by a Mrs. Foot, with her three sons. After they had listened to the brief story of my cold adventure, the young men pulled off my boots and then brought in a pail of water to thaw out my frozen feet. They gave me a warm supper and a bed on the floor of the small attic. I slept close to the stovepipe and had a good night's rest. Never shall I forget the hospitality which I received at the hands of these kind-hearted people. From them I learned that theirs was the only

house within one mile of the main road for a distance of twenty miles, and that several persons had frozen to death on that road the previous winter.

The next morning, with the mercury hovering about the point of congelation, I walked fifteen miles to St. Charles, and on Christmas morning I proceeded from there to Winona. The wind had given away to a complete calm, and as I came in sight of that city a most beautiful spectacle, only to be seen in such a climate, presented itself to my eyes. The smoke from hundreds of chimneys rose in almost perpendicular columns until it seemed to vanish in the azure sky. Beyond the city lay the crystallized level of the majestic Mississippi, bordered by the snow-covered bluffs of the Wisconsin shore.

I went to the land office and, after paying a premium of five per cent for exchange of my wild-cat money for gold, entered my quarter section of land, and then turned my face toward my Iowa home, which I reached a day or two before the close of the old year, after having walked more than 600 miles in the midst of the severe weather of that extraordinary winter.

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## THE TWENTY-FOURTH IOWA VOLUNTEERS.

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FROM MUSCATINE TO WINCHESTER.

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BY THAD. L. SMITH.

(Continued from April number.)

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### BATTLE OF CHAMPION HILL.

The column, Hovey's division in advance, reached Bolton Station about 4 P. M. on the 15th. Here our advance guard encountered the enemy's pickets, and a sharp skirmish ensued. Having driven the pickets about a mile, the skirmishers were withdrawn, a position chosen, the line of battle formed, our own pickets put out, arms stacked, and the men ordered to remain close to their guns.

A few, however, paid a hurried visit to Bolton Station, cap-

turing a supply of meal, bacon, sugar, etc., with something a little new in the line of captures—a few gallons of excellent brandy, which even the men of the “Temperance Regiment” could not resist tasting although none partook freely enough to render their joints limber or their steps unsteady. The troops had become accustomed to coming in contact with the enemy’s pickets, and thought little about the force in front. A battle was one of the things liable to occur any day, and anticipating it was neither profitable nor pleasant. Yet after darkness set in there was an unusual quietude in camp, as if inspired by a presentiment of the terrible ordeal of the morrow. It was not a fear that occasioned this, but a conjecture of a possible occurrence in the event of a battle, and thence a turning of the mind towards the loved ones of the home circle. Morning came: still all was silent in front. The sun rose clear and warm. The advance moved out about 6 o’clock, going cautiously and slowly in the direction of the foe. About 8 o’clock the line of battle was formed some three miles from the encampment of last night. General Hovey’s division took position on the right of the main road leading to Vicksburg via Champion Hill. The lines were formed in the edge of the timber skirting the hill. Skirmishers were immediately thrown out, and the enemy discovered to be posted on the ridge of the hill about three-fourths of a mile from the point at which the road begins its winding ascent. A thick growth of timber beginning at the base and extending over and beyond the narrow ridge rendered it very difficult to discover his exact position. The country was much broken by deep, narrow ravines, which made the advance extremely exhausting and difficult. Hovey’s division being foremost, it devolved upon him to bring on the engagement. Skirmishing had been progressing more or less briskly for nearly two hours. At 10 o’clock the skirmishers were withdrawn, and an advance ordered. Then came the lull that precedes the storm. The first brigade led off, bearing towards the right gradually, and covering the main road. Upon reaching the crest of the first line of hills they received and gave a terrible volley. The second brigade, pressing for-

ward as rapidly and in as good order as the nature of the ground would permit, arrived a moment later and were similarly greeted and similarly responded. The first line of the enemy retired a short distance to their main line, their batteries continuing to play mercilessly on their advancing foes who were loading and firing as they went. An open field intervening on the left of the road between the enemy's main line and the second brigade, he was observed to be posted on the rise of ground just beyond, a position from which he would be able to rake with a withering fire of musketry and artillery the entire space. Two regiments of the second brigade, the 28th Iowa and the 56th Ohio, were ordered to move to the left of the open space, and take a position in a ravine near the center of the field. The 24th was ordered to move up on the left of the first brigade, which advanced at double quick on the enemy's lines, the right swinging round and partially flanking the enemy's line, and compelling it to retire. The 24th was then ordered to cross the upper right-hand corner of the field, which it did under a severe discharge of grape and canister from a battery located on an eminence near the opposite corner of the field, and in a position commanding the main road winding around the right, and a by-road which leading up on the left, intersected the main road near the point of its location. The main road making a sharp turn to the left, the regiment passed over it, and leaving the line of the first brigade lying down, halted in a shallow ravine a short distance in advance. The battery on the immediate left and the musketry in front kept the air full of deadly missiles, most of them passing harmlessly over them. But the gunners perceiving that the line was not advancing, quickly became more accurate in their aim, and the regiment was losing men every moment. Capt. Martin, of Company I, discovering the exact position of the battery, pointed it out to Col. Byam, who after consulting a moment with Lieut. Col. Wilds, ordered it to be charged. Glad of the opportunity to escape from their present dangerous position, where they were receiving fire without being able to return it, the men rose, fixed bayonets, and rushed to the

charge. The din around them was deafening. Grape and canister from five pieces was poured into them as rapidly as the guns could be loaded and discharged, but with that fierce and burning enthusiasm which the hope of victory and the shame of defeat can only inspire in the man of true courage, alone and unsupported, they pressed forward rapidly in good order, closing up the gaps in the line as fast as they were made.

Fortunately, the distance to be passed over was not very great, and the way comparatively smooth. But the men at the guns were brave and determined, and it was not till they were shot down at their posts and captured, or driven back at the point of the bayonet, that they yielded up their destructive weapons. The regiment of Georgians in support, however, were less brave, and seeing the battery captured, and that their volley did not for a moment check their advancing foe, precipitately fled. Lieut. Col. Wilds being close up with the right, seized one of the guns and attempted to turn it upon the enemy, at the same time calling upon the men to halt.

About the time the battery fell into our hands, Major Ed Wright, who was at his post on the left, received a severe wound, compelling him to quit the field. Captain Henderson, of Company A, heard the order given to halt and succeeded in checking the right, but the left continuing in pursuit of the fleeing foe, Col. Wilds ran down the line and succeeded with great difficulty in getting those on the left to halt, but not until they had advanced more than one hundred yards beyond the battery, and extended the line to more than double its original length by reason of the halt on the right.

In the meantime the enemy's left was still unbroken, a fresh line of troops had appeared in front, and a strong force dispatched to operate on the right flank. The regiment retired by order, slowly at first, returning the concentrated fire upon it with a spirit and energy which showed how loath they were to yield up their hard-earned prize. Could they have had support on either flank at that critical moment, the fortunes of the day might have been decided then and there. But the enemy perceiving the paucity of the number opposed to them,



and the stubbornness with which they fought, attempted to surround and capture them. In this, however, they were detected, and while the center was withdrawn, the flanking companies, A and G, stubbornly resisted any approach in the rear.

Failing in this, the enemy advanced his whole line on the double quick, driving back at the same time the entire division. Left without any means of support whatever, the only means of avoiding death or capture was instantaneous flight. A spirited race ensued for more than half a mile. It was during this retreat, and the period of its attempt to retain the battery, that the regiment incurred its severest loss. Had they been sensible of the full danger of their situation and the hopelessness of retaining their prize without support when assailed on three sides by more than five times their number, they might have escaped better, but so terrible and close was the contest on front and flank, that each thought his own the only position assailed. Then, too, not more than twenty minutes were occupied in the whole adventure. It reflected great credit upon both officers and men that, though so many fell, there were but thirteen captured. Being driven beyond the open field, about 100 rallied under shelter of the same hill where they had first met the enemy's fire, and having refilled their cartridge boxes, were again advanced to assist in holding the enemy in check until reinforcements could be brought up. Soon after this, a division of McPherson's corps, under command of Brigadier General M. M. Crocker, came to their relief. The gallant charge of the 5th, 10th and 17th Iowa regiments quickly sent the rebels back to their former main line. Logan's division, striking them in the rear, and threatening to cut off their escape to Vicksburg, decided the contest at once. The bliss of that moment repaid them for all their past toil, suffering and danger. The faces begrimed with powder and dust relaxed their stolid and determined expression, and shout answering shout went ringing through the forest aisles.

Then came the lull after victory, and the hurried, anxious inquiries concerning the fate of absent comrades. A few only

were allowed to go to the assistance of the wounded, while the remainder were marched over the same road where they had fought so stubbornly during the day, and upon either side of which were scattered their dead and wounded comrades. Reaching Baker's creek about dark, the division went into camp. Never can the aspect of the regiment on that night be effaced from memory. Nearly one-half the number engaged were either killed or wounded. The survivors clustering around their log fires carefully described to one another the incidents of the day, where a comrade had fallen and the character and location of his wounds. The proud joy of victory had been mellowed down to soberness by the memory of the sacrifice of smoking blood upon the field, the pale still forms of the dead, the agonized features of the wounded, and the thoughts of sorrowing hearts at home. Deeply did the soldiers of Companies C and H lament the fall of their gallant captains. Captain Silas D. Johnson had fallen near the battery just after its capture. In the retreat an attempt was made to assist him off the field by Captain Martin. Making a determined effort he bounded to his feet, and, with the assistance at hand, walked about ten steps, when his muscles relaxed, his eyes grew dim, and he dropped like a withered leaf. He was carried about thirty yards further, when the enemy coming up, killed Captain Huey of his company, thus compelling the others to abandon him. He had been an earnest, efficient and gallant officer. In addition to these qualities of the soldier he possessed a social, humorous disposition which rendered his appearance in the circle about the camp-fire always welcome. He had fallen in the hottest of the fray while leading his men forward before the tide had turned against us. Captain William Carbee had fallen far in front of the battery, at the moment of checking the further advance of his company. Above the ordinary height, erect and well formed, his fine appearance had made him the mark of some rebel sharpshooter. Modest, social, brave and earnest, the community at home lost a valuable citizen and our country a model soldier. Lieutenant Chauncey Lawrence was killed at the outset of the charge. Possessing a weak constitu-

tion, he had struggled long and well to perform his whole duty to his country, and fell while gallantly advancing to meet its common foe. The closeness and severity of the contest is attested by the long list of casualties and the mortal character of the wounds received. Of 55 officers and men in Company A, 31 were killed and wounded. But 6 of the 31 men even so far recovered as to return to the company. Of the regiment 45 fell dead upon the field, 39 were never removed from the field hospital, except as they were transferred to their graves, 28 were crippled for life. Thus 112 were dropped from the rolls by reason of this one engagement. Besides these there were 40 severely wounded, 20 more slightly, and 12 captured, making in the aggregate 193. The appended list contains the entire loss to each company. The whole number of men and officers engaged was 417, as ascertained just before the engagement began. All the Companies were engaged except Company B, which had been previously detailed as provost guard at corps headquarters.

An incident connected with the wounding of Major Ed Wright is worthy of mention. As previously mentioned, immediately after the capture of the battery, the Major was severely wounded across the thighs, rendering it necessary for him to quit the field. While the regiment was yet advancing, one of the gunners who had been "playing possum," a mode frequently employed to escape capture, discovering how short the line was, rose up in its rear and attempted to escape capture by passing around the left flank. The Major, being too severely wounded to get off the field without assistance, although able to stand, was still at the place where he had received his wounds and observed the rebel coming. Although unarmed himself, he called out to the man in gray to halt and surrender. The peremptory manner in which this was done led the startled rebel to suppose that the summons was not without the means to enforce a halt should he refuse. Concluding therefore that "prudence was the better part of valor," he surrendered. Having thus brought him to and finding him without arms, the Major passed his arm around his neck, and lean-

ing upon him for support, was enabled to reach the field hospital and turn over his quondam captive to the guards stationed there.

The evening following the first hard battle is a well remembered era in the history of every military organization. In the heat of battle, victory is the ruling passion and thoroughly absorbs all the thoughts. All men more or less dread the fiery ordeal before the storm comes on, but in its midst the most timid will struggle manfully for victory. He who has formed a resolution that he will not fight before the contest opens must not follow his comrades to the breach if he would not break it. The horrors presented on the field scarcely receive a passing notice at the time of their occurrence. The whole attention is engaged in the one object of defeating the foe. But when the contest is once decided, in the first moment of reflection the memory passes quietly back over the scenes of the day, and the pictures of blood, of wounds, and the dead, and the sounds of battle, the war of musketry and artillery, the whistling of balls, the shouts of victory, the groans of the wounded and the dying—all come thronging upon the mind, kindling emotions never felt before. Imagination leads the troubled soul homeward for relief. Visions of happiness there float in upon this present sea of blood. How anxiously friends will scan the list of casualties. It is with a sigh of relief that the soldier feels able to lift off the burden of their anxiety, a thrill of joy that he can tell of victory now, and a saddened heart, more sad than others may suppose, that he recounts the names of the brave who have fallen by his side. Assembled about the log fires, the scenes of the day are repeated as each saw them—where a comrade fell and where wounded; where the enemy retired, and where he stubbornly resisted, and in fine all the incidents of the tumultuous fray are there repeated with the interest of their first production. The wounded are being speedily collected in the field hospital immediately in the rear of the battle-ground by the ambulance corps. There might be seen busy surgeons and attendants dressing wounds, amputating limbs, extracting balls, feeding

and caring, as circumstances best afforded, for the unfortunate in battle. The chaplains, too, were busy, for one after another the mortally wounded are passing to eternity. It is a quiet, busy, bloody scene. Scarcely a moan is heard from the hundreds of suffering, dying men, strewn around. In low, sad accents the message to friends at home is whispered to the chaplain, and the dying prayer reaches across the stream of time and murmurs the arrival of another heroic soul to the spirit world. The dead are being buried by the pioneer corps. The graves of forty-five of the 24th are upon the crest of the hill on either side of the road, near the spot where they fell. Let those who would doubt the severity of the conflict visit the spot where they sleep. If the ax does not invade their cemetery, the oaks many centuries hence will stand as living monuments of the heroes who fell on the 16th day of May, 1863. The memorial of their valorous deeds is inscribed upon a thousand trunks by the death-dealing missiles of Mars, less graceful, indeed, but more thrilling and truthful than the happiest efforts of the chisel of Canova.

According to the official report of General Grant, the burden of the battle had fallen upon General Hovey's division. Its loss exceeded half the entire loss of all the troops engaged. In consequence of this, the division was allowed a few days for rest, while the remainder of the army followed rapidly in the track of the retreating foe. The division left Baker's Creek upon the afternoon of the 17th, and went into camp near Edwards Station. Here our troops had captured a train loaded with ammunition and commissary stores. The enemy had set fire to it and succeeded in partially destroying it, but there remained a quantity of sugar, molasses, meal and bacon, uninjured, which proved very acceptable to our hungry boys. The village of but five or six buildings had been turned into a hospital for the rebel wounded. All the buildings were crowded and the commons were strewn over with cotton upon which they had been placed. Many of them had been removed to Vicksburg by the cars, which doubtless accounted for our capture of the loaded train of supplies. The prisoners, 2,000,

were brought up the next morning, and having received a share of our captured meal and bacon, were marched on towards Vicksburg. The division again moved out at 4 P. M. on the 19th, and the regiment encamped on the west bank of Black River near the charred skeleton of what had been the magnificent railroad bridge. The river here is a deep, narrow, muddy stream. There were three piers, one upon either side and one in the center of the stream. The center pier could not have been less than forty feet, and may have reached fifty feet in height. There is more than a mile of trestle work leading up to the bridge from the east side, while the railroad passes out upon level ground on the west side. Beyond the trestle work the enemy had constructed a low, irregular line of earth-works, with a narrow, deep bayou in front facing an open level strip of land. From these works the gallant charge of the 22d and 23d Iowa regiments had routed the demoralized foe. The charge was made on the left of the works and near the railroad, and must have been very sudden and resolute to have succeeded so admirably. That they might be enabled to fire more rapidly, the enemy had prepared their cartridges and laid them before them on the works, where many of them still remained unused. Another line of works had been constructed upon the brow of the abrupt bluff rising on the west side of the stream. From these works a flank movement of the 15th Corps under General W. T. Sherman had driven the enemy in hot haste on the morning of the 17th. Immediately below the bridge were the wrecks of three steamers burned by the enemy to prevent capture. We could now hear the booming of cannon in the direction of Vicksburg. The first brigade moved on directly from Edwards Station to Vicksburg. The regiment was ordered on the morning of the 20th to proceed about three miles up the river to guard a bridge which had been thrown over it for the purpose of crossing another flanking column. About 4 P. M. orders were received to destroy the bridge, and return where orders awaited us to go forward towards Vicksburg. The column, setting out about dark, dragged slowly through the darkness for seven miles, where a halt ensued until

morning, when it was again ordered back to the bridge. Somebody had been ordered back to guard the crossing at Black River, and somebody had countermanded the order. The loss of a night's rest and a march of eighteen miles was the sum of our casualties. There was a little grumbling, but no matter. "It all goes in three years." Having settled down to our old camp, foraging parties were sent out to secure such articles of subsistence as the country afforded. Meal, beef, bacon, poultry and sugar were forthcoming; these, with blackberries for dessert, and we lived. The muddy waters of Black River were made more muddy by hundreds of hands mingling with them the accumulated dirt of a month's campaign from their bodies and clothing. It was a noisy, busy, tumultuous scene, and *many lives were doubtless sacrificed* in the operation.

The news of Sherman's success at Haines Bluff on the 18th, reached us on the morning of the 20th. We did not anticipate the immediate capture of Vicksburg, and hardly dared hope for an immediate opening of our long severed communications, but the news, accompanied by a mail, we were by no means disposed to doubt. From that hour all felt that the campaign was destined to be successful. Vicksburg, if not already fallen, must soon fall. Our wagons were immediately started to the new base for supplies. If there had been any doubting circumstances before, there were none now. Meantime the cannon continued to roll back their thunders from the besieged city, announcing the steady progress of the fight. The terrible assault of the 22d was heralded to our ears by a louder and more continuous roar of artillery. When it died away we thought the victory won, but the same heralds announced a continuance of the fight on the following morning. On the 24th inst. we again set out for Vicksburg. Arriving about sundown, the regiment went into camp about a mile below the Vicksburg & Jackson railroad, which at that time was the extreme left of the line.

It was some ten or twelve miles from here to Chickasaw Bayou, our base of supplies. The camp was, as were all the others, in a deep ravine. The batteries on the hill above us

were firing at the time, and many were very anxious to look over at our friends in gray. Going heedlessly up over its brow, they were first discovered by their friends, who sent them a few leaden signals of welcome, which caused them to return with somewhat wiser notions of the uncertainty of life. The lesson of caution, however, was not valueless, for, being ordered to move to the ravine in front on the following day, they took good care, as the circumstances required, to elude the vigilant eyes of the foe. The batteries protected by earthworks and trenches at the base of the hill occupied by the rebel forts were already in progress. The crests of the hills frowning with forts and artillery occupied by the opposing forces were but little more than half a mile from one another, not so far but that the gunners were obliged to keep well concealed to elude the bullets of the sharpshooters, who were concealed in gorges a short distance in advance of the works. The rebel artillery seldom replied. When one did have the audacity to fire a shot, not less than twenty guns would be turned upon their fort, raking it from every quarter except its immediate rear. The work in the trenches was performed principally at night. At dark pickets were thrown out by both sides, and all musketry firing suspended until daylight returned. The pickets were within speaking distance of one another, and at first were inclined to be social and communicative, but the rebels soon discontinued this. The trenches were used during the day for rifle pits. They were advanced at acute angles with the rebel line of works, the dirt being thrown upon the side next to the enemy. They were from two to four feet deep, according to the nature of the ground. In exposed places they were deep, and in small ravines and partially covered places were shallower. Bales of cotton and bundles of cane were used in advancing them to cover the working parties. Once or twice only during the siege did they fire upon the parties. At such time they were compelled to first withdraw their pickets, and thus give the alarm to those at work. These uniting with the pickets at such times were prepared to return the compliment. The enemy being compelled to appear upon



the parapets of the forts, were first permitted to fire into the harmless cotton bales, while they were greeted with a shower of balls from the trenches at the same instant. After a few lessons of this kind, they resorted to no more dangerous means of preventing our near approach to their works than by threats and remonstrances. Thus the work went forward steadily until each principal work of the enemy's fortifications was environed with a net-work of safe approaches from almost every direction in their front. There are miles of trenches there that cost many weary nights' labor. For more than a week previous to the surrender conversation could be carried on without any very great effort between those in the trenches and those in the forts. Thus, in the very heat of contest, when each was awaiting a favorable opportunity of shooting the other, taunts were bandied back and forth between foes. "Hello, Yank, have you got any hard tack to spare?" "Yes, look out!" and over would go a hard tack into the rebel fort. "Hello, reb, how do you like Champion Hill?" Back would come the response: "How do you like the 22d of May?" "How are you, mule steak?" The enemy were very anxious to obtain news from the outer world, and generally came on picket prepared to exchange Vicksburg papers for Northern papers. The traffic in tobacco and hard bread was carried on briskly while it was permitted, but this was stopped in consequence of other less harmless articles being conveyed within the enemy's lines by persons less loyal than money-loving.

It had been ascertained that the enemy lacked a sufficient supply of caps, and in one or two instances had received them from our soldiers, or those professing to be soldiers, at the rate of \$40 per canteen full. Notwithstanding the impossibility of exposing the smallest portion of the body without experiencing that unpleasant sensation produced by the whizzing of a minie ball in close proximity to the exposed part, there were but few casualties resulting from this during the entire siege. There were more wounds received from pieces of shells torn

off by our rifled guns and their premature explosions, than from any other source.

As the infantry were far in advance of the artillery, the howling of these monster shells overhead was at times terrific. At night the scene was especially grand. The mortars, which were on the opposite side of the city, would then join their hoarse roar to the conflict. These monster shells from the east would join them in their work of destruction in the city. First was seen a flash like a distant flash of lightning, lighting up the whole western horizon; then the bright light of the burning fuse ascending at an angle of  $45^{\circ}$ . Having reached an altitude of perhaps a mile, it would begin its descent, which was announced by the deep roar of the mortar, and followed up by the hoarse howl of the shell through the air. When within a hundred feet of the ground, the shell would usually burst with a bright flash, scattering its two hundred pounds of fragments in every direction and making a noise equal to the discharge of a six-pound gun. This display of fireworks, although beautiful to our eyes, could not have been very entertaining to the besieged. Our camp was well protected from the ingress of balls except in one direction. There was a battery stationed on a hill above the camp and when firing at the gunners the rebel bullets dropped in our camp. There were three wounded, one mortally, when it was found necessary to change camp. A very slight change in its location was necessary to render the camp a safe one.

On the 8th of June Col. Byam, who had done but little duty during the entire campaign, having received a leave of absence, again left the regiment. Had it been his resignation all would have been satisfied. As it was, there was great dissatisfaction among the officers and men. During the ten months of service he had not been with the regiment much above two months. This fact, connected with the circumstances of an indisposition overtaking him at the outset of the battle of May 1, and incapacitating him for further duty during the day, had operated disastrously to his reputation in the regiment. This had occasioned the worst of the conflicting accounts of his conduct

at Champion Hill to be accepted as true by a great many. His own account of his conduct there is certainly somewhat extraordinary. He says he led his men to the battery swinging his hat, and called out to the men to come on, and that while doing this his hat was blown to atoms in his hand, and that he offered a reward of five dollars for a piece as large as his hand. Now this is his own account. I have not been able to find any one who saw him in the advance of the line at any time during the day, much less at that moment. Neither was any one able to discover the coveted piece of shattered felt. What Col. Byam might have been had not his health failed him we cannot determine, but certain it is that Vicksburg afterwards fell without his being present. If born to command, he, as a sick man, is certainly entitled to the honor of having his name enrolled among the illustrious successors of Esau.

Remnants of our baggage, which had been stored upon barges at Millikin's Bend, began to come up early in June. Nearly all that was valuable had been stolen, and the greater part of the camp equipage lost. But the weather was warm, and all that was required for comfort was a shelter from the sun and rain. The water in ravines was easily obtained by digging and was tolerably good. Still, the severe duty of one day and night in the trenches, together with the duties out every three days, caused considerable sickness among the men, although not of a very fatal character. Occasional rumors of a heavy force under Johnston approaching our rear were circulated, but the worst he could do would be to assist the beleaguered garrison to escape capture, and but few entertained any uneasiness on that score. All became accustomed to their daily routine of danger and duty, and labored cheerfully and fearlessly with a view to its early, glorious consummation. Scaling ladders were being prepared and placed in the advance pits by the first of July, and it became rumored about that a charge would be made on the enemy's works. The prospect of cutting a route through wire fences and a line of sharpened stakes, leaping ditches and then mounting the works by means of a ladder, in the face of a vigorous resistance, was not very

pleasant, surely. Nor is it likely that such was the intention of Gen. Grant, unless hardly pressed in the rear by a superior force. Every preparation, however, which could be employed to secure success was made. Happily, however, hunger was accomplishing more than skill and gallantry could effect.

Their long expected relief by the forces under Johnston had failed them, and the lean finger of famine pointed to capitulation or death by starvation. It was not difficult to determine the nature and cause of the flag of truce on the 3d inst. Yet we did not anticipate the extraordinary pleasure of witnessing the transfer of our glorious banners from our own to the rebel works on the coming morning of our national birthday, as well as the imposing surrender of 30,000 men, together with the immense munitions of war collected there to resist our approach. Such, however, was the case. Let those who can, if any such there be, fittingly represent in words the spectacle of joy presented among the bronzed heroes of that memorable campaign. Three months had elapsed since the inauguration of this last successful campaign for the capture of that rebel stronghold, the key to the Mississippi river, and the bolt which held firmly together the states east and west of its mighty flood. The long, weary days of danger, toil and exposure, the bloody conflicts of Grand Gulf, Port Gibson, Raymond, Jackson, Champion Hill, Black River Bridge, Millikin's Bend, and the fearful charge of May 22, had not been in vain. What wonder that the heroes of these battles and marches greeted the white emblems of submission with mighty cheers, as one after another they took the places of the rebel banners upon the principal works of their line. What wonder that tears of joy should start into eyes unused to weeping, as the loved old banner of freedom supplanted these! Who, of all the mighty host that witnessed it, will ever forget it? The soldiers of the two armies forgot past animosities and mingled freely together wherever permitted. Our boys cheerfully shared their rations with their half-famished foes. Many a high-born Southerner will remember the zest with which he partook of his dinner on

that Fourth of July, although it consisted of nothing more than hard tack, pork and coffee.

During the latter part of the siege Johnston had been hovering about our rear, threatening an attack for the relief of the beleaguered garrison. His headquarters were at Jackson, about fifty miles eastward, where it was said he had collected a force of 30,000 men. Accordingly in the midst of the rejoicings on the 4th came the order to be prepared to march against him at 5 o'clock in the morning. The force under command of General Sherman consisted of the 9th, 13th and 15th corps. Our corps, the 13th, was now under command of General E. O. C. Ord, Gen. John A. McClernand having been removed for misconduct during the progress of the siege. The immediate cause of his removal, it was said, was the issuance of a congratulatory order to his troops of the 13th corps, without having submitted it for approval to General Grant, in which he arrogated to himself and command more of the glory of the preceding successes than rightfully belonged to him and them. He was undoubtedly ambitious, and perhaps jealous of the successful advancement of his superiors in command. But he was well-esteemed by his troops, and his removal was the occasion of some dissatisfaction among both officers and men. Gen. Ord, however, was accounted an able officer and the dissatisfaction soon died away. The column moved out in the morning and proceeded by easy marches toward Jackson, where Johnston had collected his forces, and having repaired and strengthened the defenses, promised a second siege. The lines were closed in about the defenses on the morning of the 12th. The troops, having laid on their arms the night before, were ordered to advance in the morning as near to the enemy's works as possible, without incurring any great danger by reason of their proximity. Gen. Hovey's division was posted second from the right on the line, the 24th being formed across the Jackson & Raymond road.

The line advanced in good order, driving in the enemy's pickets and halted within long rifle range of their works. By reason of some terrible blunder the 4th division on our right,

under command of Gen. Lauman, immediately charged the works. There was a well-constructed abattis in front of the earthworks for several hundred yards. The attempt was madness. No line of infantry could have passed through it if unopposed, much less could they do it in the face of a terrible fire from the artillery and infantry in the forts. About 2,000 fell without having been able to injure the enemy, who were well protected, at least. This tragic scene on the right having passed over, firing along the lines was confined to an occasional duel between batteries and skirmishers. In consequence of the musket balls and occasional discharges of grape and canister reaching camp, it was deemed necessary to construct earthworks for protection. These were completed on the 13th, but not until two in the regiment had been wounded, one mortally.

Preparations were immediately begun for crossing the 9th corps over Pearl river, and thus cut off the enemy's retreat, but Johnston discovering this, suddenly evacuated on the 17th inst. On the morning of the 18th, our pickets seeing no enemy went over into the city. By 6 o'clock they had returned, loaded with tobacco. Gen. Hovey soon afterward riding up the road over which our regiment was posted, and observing things somewhat lax, as he supposed, began in his impetuous manner the delivery of sundry orders and rebukes.

A broad grin was visible on the countenances of all gathered around him. Orders and rebukes only came faster and thicker, until one of our officers interrupting him informed him that our skirmishers and sharpshooters had just returned from the city and had found no enemy there. "Orderly! Orderly! go and inform Gen. Ord that my skirmishers now occupy the enemy's rifle pits. Be quick." Then there was a rattling of sabres flashing in the bright rays of the morning sunlight, and the General and his staff rapidly disappeared down the road. The information had doubtless given them all an excellent relish for breakfast.

*Concluded in next number.*

## A PIONEER OF TERRITORIAL TIMES.

## REMINISCENCES OF KISHKEKOSH COUNTY.

BY B. F. GUE.

James Hilton, one of the notable pioneers of southern Iowa, who is a fair type of our young men who came west fifty years ago, visited the Historical Rooms at the Capitol in April. He was born in Columbia county, New York, in 1816. In 1824, when eight years of age, his father took him to Newburg to see the great French patriot and nobleman, General LaFayette, of Revolutionary fame, who was then making his last visit to the United States. Young Hilton was one of the few boys who shook hands with that friend and companion in arms with Washington, who was loved and revered by all Americans. When a young man Hilton opened a drug store in New York City near Bond street. The upper story of the building was occupied by George Catlin, the famous Indian writer, traveler and portrait painter. In Catlin's studio Mr. Hilton often met Black Hawk and other noted Indian chiefs, who frequently visited this friend and historian of their race. A warm friendship sprang up between the young druggist and the great artist, and Mr. Catlin secured for Mr. Hilton a position in the American Fur Company then fitting out an expedition at St. Louis to go to the Yellowstone River. Mr. Hilton started west in 1840 to join the expedition, but met with so many delays that he reached St. Louis too late, it having got off several weeks before his arrival. He had formed a very favorable opinion of the new Territory of Iowa, but remained in Missouri until the treaty was concluded with Keokuk, by which the Indian claim to the west part of the Territory was relinquished at Agency City in 1842. Mr. Hilton went up into the new purchase and took a claim in May, 1843, about six miles south of where Albia now stands. On this claim he made his first home in Iowa, and opened a farm where he has lived for fifty years. During the first year after he came to Iowa he

often met Keokuk, Appanoose, Hardfish and other Indian Chiefs.

In February, 1843, the County of "Kishkekosh" was established and named after a chief of the Fox Indians. Wareham G. Clark, in 1844, laid out a town two miles northwest of where Albia is located, and named it Clarksville. Here the first court in the new county was held.

James Hilton, who was quietly working on his farm, was surprised one day by receiving a letter from Charles Mason, one of the Territorial Judges, a copy of which we here present:

OTTUMWA, September 19, 1845.

*Mr. James Hilton,*

Sir:—Enclosed you will receive an appointment as Clerk of Kishkekosh county. You are authorized to use the eagle side of the American half dollar as the seal of your county, until further arrangements shall be made. I should have made an appointment sooner, but it has not yet been three weeks since I first saw the law organizing your county, and authorizing me to make the appointment. It will be wholly impossible for me to hold court in your county this fall. I shall endeavor to find time during the spring to visit you for that purpose.

Yours Truly,

CHARLES MASON.

#### CERTIFICATE OF APPOINTMENT.

By virtue of the authority in me vested, I hereby appoint James Hilton, of the county of Kishkekosh, Clerk of the District Court, to hold his office from this date till the end of the first term of the District Court in and for said county.

Dated this 19th day of September, A. D., 1845.

CHARLES MASON,

*Judge of the 1st Judicial District, Iowa Territory.*

Mr. Hilton had not been an applicant for the place and was very much surprised when notified of his appointment, as he was not even acquainted with Judge Mason.

It afterwards appeared that a "one-horse" lawyer at Keokuk was the only candidate working for the appointment, and he had secured the indorsement of a large number of his Democratic neighbors. Armed with these documents, he called upon Judge Mason, presented his credentials, and urged his claims most eloquently. The Judge listened patiently to the young man, carefully read the letters of indorsement from his kind neighbors, and remarked that he would consider the matter.



After the visitor had departed he inquired of a friend from Van Buren county if he knew of a good man for Clerk over in the new county of Kishkekosh. "Why, yes," he replied; "there is a young farmer, James Hilton, who will make a good one." "Well," says the Judge, "I don't know Mr. Hilton, but I do know this young fellow from Keokuk, who is the only candidate for the place—and I shall appoint Hilton."

John Clark, who was the Sheriff of Kishkekosh county, had put up a log cabin in the newly laid out town of Clarksville, early in the spring. It had no floor, and no door, but there was an opening on one side for an entrance. In April, 1846, when Judge Mason came to open his first term of court, the horses ridden by the Judge and lawyers were put in the log building for want of a stable. In the morning they were taken out and hitched to the trees, while the Sheriff fixed up a rude table and some benches in the cabin thus vacated, for the accommodation of the court. There was but one case on the docket, and that was soon disposed of, when the court adjourned.

Edward Johnstone, then a young man just entering upon the practice of his profession, was among the lawyers in attendance at this primitive court. He is described by Mr. Hilton as a very tall, fine-looking youth, "six feet four," with long white hair falling about the brow of one of the most majestic heads ever seen in Iowa. Several other young lawyers were present who in later years became eminent in their profession, and held important offices.

But alas! the first county seat, Clarksville, was beaten in a contest with Princeton, two miles away (now Albia), and soon after disappeared from the map of Iowa as a town. The first court house became a farm house, and even the name of the county vanished forever a year later, when the Legislature changed it to Monroe. "Kishkekosh" county and its first seat of government, "Clarksville," exist now only upon here and there an early map, or in the memory of the old pioneers.

The original letter of Judge Mason, and the commission sent to Mr. Hilton fifty years ago, written with a quill pen

on foolscap, faded and yellow with age, are now deposited in the Historical Department at Des Moines. There is little besides now in existence to remind the present and future generations that Iowa once had a county named after the forgotten Fox Chieftain, Kish-ke-kosh.

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## HISTORICAL SKETCHES—NORTHWESTERN IOWA

BY MAJOR WILLIAM WILLIAMS.

[In the year 1866, Major William Williams, a pioneer settler of Fort Dodge, contributed to *The Iowa North West*, a weekly paper published at that place by Hon. B. F. Gue, a series of very interesting and valuable historical sketches which were continued through several months. He was a man of rare intelligence, and had distinguished himself as the commander of the relief expedition which went to Spirit Lake immediately after the inhuman massacre of the settlers by the Sioux Indians, in the spring of 1867. He saw the first settlements, when that portion of the frontier was still under military protection, and lived long enough to see the country quite thickly populated. Wielding a ready pen, and having been an active participant in public affairs, his articles possess permanent interest. From the first and second we copy the following:]

Fort Des Moines, situated at the junction of the Des Moines and Raccoon rivers, was established in May, 1843, and continued to be the outpost on the northern frontier of Iowa until the 11th of October, 1845, when it was abandoned. At that time the territory lying north, northeast and northwest of Fort Des Moines was comparatively an unexplored region of country, the habitation of the wild Sioux Indians, and ranges for buffalo and elk. The only exploration of the country north of the Raccoon Forks (Fort Des Moines) that was previously attempted, was by Captain Boone of the U. S. Dragoons, who by order of the Secretary of War marched with his company from Old Camp Des Moines, formerly a station of the U. S. dragoons, situated on the Mississippi river, and now called Montrose.

In 1848 the government surveys of the land purchased north

of the Raccoon Forks was commenced. Mr. Marsh, of Dubuque, set out from that place with his company to run the correction line from a point on the Mississippi, near Dubuque, to the Missouri river. He progressed with his work without molestation, until he and his company crossed the Des Moines. On the west bank of the river he was met by a party of Sioux Indians, under the lead of a chief named "Si-dom-i-na-do-tah," who told him that that country belonged to them, and he should proceed no farther, and ordered him to "puc-a-chee" (be off or clear out). After they had left him, on consultation, Mr. Marsh concluded to proceed. They had not proceeded a mile from the river, however, when they were attacked at a point near the head of a large ravine (south of the south line of section No. 30, T. 89, R. 28), by a large force of Indians who surrounded him and his party and robbed them of everything. They took off their horses, destroyed their wagons and surveying instruments, pulled up his stakes, tore down his mounds, and forced him and his party back across the river, to find their way home as best they could. This outrage, with others committed on families who had ventured up the Des Moines, and made claims north of the Raccoon forks, in the fall of 1849, caused the Government to determine on establishing a frontier post, and station troops to keep the Sioux Indians in check. In 1850, a portion of the 6th U. S. Infantry was stationed at Fort Dodge. After the troops arrived emigrants felt secure in settling in this northern portion of the State, and in the years of 1849 and 1850 several families settled in Boone Forks, which is embraced in Webster county. Four or five pioneers came in as early as the fall of 1849.

The Legislature of the State of Iowa, during the session of 1850-51, arranged and laid out all the north, northwestern and northeastern territory, in Iowa, into counties, and gave them names (this was done before the treaty was ratified that extinguished the Indians' title to the lands lying west of the Des Moines river). In naming the counties what is Webster county was named Yell county, and what is Hamilton county

was named Risley, in honor of two colonels who fell in the Mexican War.

At the session of the Legislature of 1852-53, the settlers then in Boone Forks, at the mouth of Boone river, the only settlement then in Yell or Risley county, for the purpose of securing a central point for themselves, as they discovered that the dividing line between the two counties ran through their settlement numbering then about fifty persons, petitioned the Legislature, and induced them to unite the two counties, Yell and Risley, into one county, which they named Webster county.

In 1850, previous to the organization, the valuation of property returned to Polk county was \$40,000. In August, 1853, the population, independent of the troops at the Fort, was about 150 souls, all of whom were located in the vicinity of Boone Forks, from eighteen to twenty miles south of Fort Dodge. They were composed principally of emigrants from Missouri, North Carolina and Indiana, with some three or four from New York. They formed a republic of their own. Law and justice was administered in their own way. Every one read the Code of Iowa, and expounded the law to suit himself. It was not long until a few troublesome characters came in and trouble commenced. Quarrels about claims and all kinds of contentions arose amongst them. (It was the privilege of all to make claims. Every man, woman and child had a claim to sell to new comers.) Little was attended to but quarrels and litigation with one another, for the first two or three years. When a law suit was to be tried, all the settlers would attend, and quite an array of men with their rifles in their hands, and each accompanied by from two to three half-starved dogs, were to be seen. Lawing, claim-jumping, trapping and hunting appeared to be the height of their ambition. Rev. J. Johns, who settled among them, preached and expounded the Scriptures for them, on the Sabbath day, when he was not too busily engaged in hunting elk and deer—or bee-hunting—or trapping.

The site of Fort Dodge was first selected for a military post

by Brevet General Mason, then Colonel of the 6th Regiment of U. S. Infantry. The object in establishing the post was to keep in check the Sioux Indians, and it was placed at the extreme western part of what was called the neutral ground between the Sioux and Sac and Fox Indians. In the spring of 1850, Major Samuel Woods was ordered on with a portion of the 6th U. S. Infantry, and established the post which was named Fort Clark. The officers of the detachment, under Major Woods, were Brevet Major Lewis A. Olmstead,\* acting Commissary, Lt. L. S. Corley, Lt. Stubbs, and Surgeon Dr. Chas. Keeney. But it was found that another detachment from the same regiment had established another post on the frontier west, which they also named Fort Clark. To prevent confusion in mail matters and in forwarding supplies, the name was changed by order of the Secretary of War, from Fort Clark to Fort Dodge, in honor of Senator Dodge of Wisconsin.

After establishing Fort Dodge, some time was spent during the summer and fall of 1851 in reconnoitering and examining the country, with the view of ascertaining the location of the Indians, and to determine on the best route for roads as well as to gain a knowledge of streams and the country generally. We found many remains of ancient fortifications and mounds, which had evidently, from their location and construction, been (at some very remote period) raised for defense and positions of observation, giving evidence that this northern country was inhabited by a race of people long before the present race of Indians inhabited it. On viewing the location and tracing the lines we found them arranged with some judgment. Others evidently were burial places. On directing the attention of the Indians to them, we were unable to find any among the oldest Sioux who had any knowledge of them either by tradition or otherwise; they all asserted that they were here when their people first came into the country. The most distinct of these ancient works will be found in the forks of Boone, on

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\*Major Olmstead served through the Mexican war, and was one of the "forlorn hope" that made the assault upon the stronghold of Chapultapec. He was afterwards a Brigadier General in the Rebel army, and was killed at the battle of Gettysburg.

and in the neighborhood of L. Mericle's place, on the west side of the Des Moines, near where Mr. Beam lives, also on Indian creek, about twelve miles north of Fort Dodge, on Lizard rivers, and at Fort Dodge. Some of the mounds at Fort Dodge have been removed, and in digging into them they were found to contain the remains of human beings; such as parts of skulls, teeth, thigh bones, etc., and along with them pieces of burnt or charred wood and coals. From their location on high and dry ground, covered with sand and gravel, together with the appearance of the bones, their color, etc., physicians and all who examined them were of opinion that a great length of time had elapsed since they had been deposited there, perhaps two hundred years or more; the ancient mound builders were in the habit of burning their dead, which is not the custom of any of the Indians of whom we have any knowledge.

In the fall of 1851, the Fort being established, roads laid out, and streams bridged on the east side of the Des Moines river, to enable the wagon trains to pass and repass to Keokuk, where all supplies for the Fort were delivered from St. Louis, suitable stopping places were much wanted, as the escorts and teamsters had to encamp, Major Woods, Major Armistead, Wm. Williams, and Barlow Granger, of Des Moines, in company, determined upon laying out a town and building a company hotel in the forks of Boone river, and for that purpose took in D. B. Spaulding, and enclosed his claim, eighty acres, in the town plat. Mr. Spaulding was to keep the hotel when finished. We went on and surveyed and laid out the town, which looked exceedingly well on paper, and named it Dakota. This raised a great commotion among the natives. Claim-jumping commenced at once, and high prices for claims were demanded. Mr. Spaulding sold out his interest to Wm. Pierce. We had all made claims in the neighborhood of the town site, and each of the company commenced improvements, and after expending from \$75 to \$150 each in cash, some of the very men employed jumped our claims. Rather than be mixed up with such a crowd, we abandoned our projects and left them in their glory.

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### THE CHAIN OF TITLE TO IOWA.

In these times of careful business methods every prudent man who purchases a piece of real estate requires of the grantor an "abstract of title." These abstracts carry titles back from one to another to the patent issued to the pioneer owner by the Government of the United States. In rare instances even the validity of a patent has been questioned, and in such cases the Supreme Court at Washington determines whether the Government itself had the right at the time to convey title. It has sometimes happened that the General Government has never owned some certain tract or parcel of land "situate, lying and being" within its own domains—by reason of its having been granted or sold by some former jurisdiction which had owned it; or, possibly, it may have been previously conveyed by the Government itself. Such instances have been fruitful of litigation, as well as laying the foundation for interesting and complicated historical disputes.

In like manner, every State and Territory has a chain of title running back to the days of Columbus or the Cabots. These chains of title, not only to the general reader, but even to the precise and accomplished scholar, are often exceedingly complex and difficult to find and follow. We partially explained this proposition, or rather made it a subject of reasonable inference, in an article in our first number, upon the "Historical-Geographical Atlas," which has been compiled after years of most careful and patient research, by Captain Frank E. Landers, Clerk of the Executive Council of this State. From the original manuscript of the work, we are privileged to present to our readers the following abstract of the titles to the region now included within the boundaries of Iowa. We leave out all questions connected with the Indians,

presenting only such historical facts and dates as are recorded here and there in books, official documents, or patents granted to civilized adventurers or discoverers. As soon as it began to be dreamed or known in the Old World that there was "a land beyond the sea" inhabited by savages, the greed of gold, the lust of power, and the desire to spread the gospel, or a powerful combination of these impulses, led various potentates to take steps to secure a lion's share of these rich possessions. The first one to act was Pope Alexander VI. We gather the following data from the maps of Captain Landers.

#### GRANT TO THE KING AND QUEEN OF SPAIN.

1493. Pope Alexander VI granted to Ferdinand and Isabella, King and Queen of Aragon and Castile—Spain—all the continents inhabited by infidels, which they had discovered, extending the assignment to their heirs, and successors, the kings of Castile and Leon. The boundary between the grants to Spain and Portugal was fixed on a line drawn from pole to pole, one hundred leagues west of the Azores. All countries east of that meridian not actually possessed by any Christian prince were to belong to Portugal; all to the west, to Spain. Owing to the dissatisfaction of Portugal, as to the boundary fixed in the grant to that country and Spain, a commission was appointed, which, on July 2, 1493, agreed on a line two hundred and seventy leagues farther west. In the first assignment Portugal only secured the title to what was found to be a vast expanse of ocean, and the change of meridian was made in the belief that she would thereby acquire some portion of *terra firma*. But in this she was also doomed to disappointment.

#### THE CABOT PATENTS.

1496. Henry VII, King of England, granted to John Cabot and his sons, Lewis, Sebastian and Sancius, a patent of discovery, possession and trade. This was to include all lands they might discover, of which they were to take possession in the name of the English Crown. England laid claim in 1498 to all of North America, through the discoveries of the Cabots.

#### THE PLYMOUTH COMPANY'S CHARTER.

1620. James I, King of Great Britain, France and Ireland, granted to the Council at Plymouth, England, all that part of America lying between the fortieth and forty-eighth degrees of north latitude, and extending from "Sea to Sea." This grant included within its limits the whole of Iowa, and challenged any rights Spain may have received from the Pope.

#### THE MASSACHUSETTS BAY COMPANY'S CHARTER.

1628. The "Council established at Plymouth," England, granted to Sir Henry Roswell and others, all that part of New England in America, extending along the Atlantic coast from three miles north of the Merrimac to three miles south of the Charles river, and westward between the latitude of 42°, 2' and a point three miles north of the most southerly bend of the Merrimac, to the South Sea. This grant gave to the Massachusetts Com-



pany that part of Iowa lying between parallels passing through the north edge of Clinton county and the south part of Clayton county. Charles I, King of England, granted, March 4, 1629, to Sir Henry Roswell and twenty others, a charter similar to that of 1628, with the exception, that no part of the lands therein granted were, on the 3d day of November, 1620, inhabited by any other Christian prince or within the limits of the Southern Colony of Virginia. The associates were made "one body corporate and politic in fact and name, by the name of the Governor and Company of Massachusetts Bay in New England."

#### THE WARWICK GRANT.

1630. The Council at Plymouth granted to the Earl of Warwick a tract of country south of Massachusetts. The Earl on the 19th day of March, 1631, transferred the grant to Lords Say & Sele, Brooke and others. The country was defined in the transfer as lying south of Massachusetts, and west of Narragansett river, extending westward 120 miles along the coast, and thence west to the Pacific. The Warwick grant embraced that part of Iowa lying between latitude  $41^{\circ}$  and  $42^{\circ}, 2'$ , parallels passing through near the center of Henry county and the north edge of Clinton county.

#### THE PLYMOUTH COMPANY'S CHARTER.

1635. The charter of the Plymouth Company was surrendered to the Crown of England, to obtain a confirmation of the respective rights of the original members of the Company. The grant was divided into twelve parts, and distributed by lot. No territory was partitioned lying west of forty miles west of the Hudson. The Province of Virginia, on the surrender of the Charter of the Plymouth Company, extended its jurisdiction to the forty-first parallel, the south line of the Warwick grant. The territory of Iowa was then claimed by Virginia, the assignees of the Earl of Warwick, and Massachusetts, to the north line of Massachusetts, and from thence north by the Crown of England.

#### THE MASSACHUSETTS BAY COMPANY.

1652. The General Court of Massachusetts extended the northern boundary of the province to three miles north of the head of the Merrimac—latitude  $43^{\circ}, 43', 12''$ —and west to the Pacific. This extension of boundary placed all of northern Iowa under the claim of Massachusetts.

#### THE CONNECTICUT CHARTER.

1662. Charles II, King of England, Scotland and France, granted a charter to John Winthrop and other associates, to the country included in the Warwick grant of 1639, the colonists having purchased the rights of the patentees in 1644.

#### THE MASSACHUSETTS BAY COMPANY.

1677. The Crown of England ordered that the northern bounds of Massachusetts be restored to within three miles of the Merrimac, thereby leaving the jurisdiction of the north part of Iowa, subject to the direct control of the King, as it was previous to 1652. The colony, however, still claimed to the northern limits.

#### LA SALLE'S PATENT.

1678. Louis XIV, King of France and Navarre, granted a patent to Robert de la Salle, permitting him to endeavor to discover the western part of

**New France.** April 9, 1682, La Salle, having descended the Mississippi and explored the shore of the Gulf of Mexico to the westward, took formal possession of the country in the name of the King of France, "from the mouth of the Ohio; also along the Mississippi and the rivers discharging themselves therein from its source beyond the country of the Nadouessioux as far as its mouth at the Gulf of Mexico."

#### THE MASSACHUSETTS BAY COMPANY'S CHARTER.

1684. The Court of Chancery of Westminster, England, decreed that the patent of Massachusetts should be brought into court and cancelled.

#### THE MASSACHUSETTS BAY COMPANY'S CHARTER.

1691. William and Mary, King and Queen of England, granted a charter uniting the colonies of Massachusetts, New Plymouth and others under the name of "Province of Massachusetts Bay in New England." This charter included the same territory in Iowa as did that of the charters of 1628 and 1629.

#### CROZAT'S PATENT.

1712. Louis XIV, King of France and Navarre, granted a patent to Anthony Crozat, for fifteen years, with the right to carry on a trade in the country between Carolina and New Mexico. The country was to retain the name of Louisiana and be annexed as a dependent of New France. The laws of France were extended to the province.

#### THE WESTERN COMPANY'S PATENT.

1717. Crozat surrendered his patent to the Crown of France, and King Louis XV granted to the Western Company, for twenty-five years, the exclusive commerce of Louisiana, and the right of beaver trade with New France. The charter gave rights of civil and military jurisdiction. It was surrendered to the Crown in 1730.

#### THE ACT OF FONTAINBLEAU.

1762. A preliminary treaty was signed between England, France and Spain, by which it was agreed that the boundary between the provinces of England and France should be irrevocably fixed by a line drawn in the middle of the Mississippi river, from its source to the Iberville, etc. Louis XV, King of France, ceded Louisiana to Spain. The province was formally taken possession of August 18, 1769. By this treaty the territory comprised in the bounds of the State of Iowa was definitely placed in the Province of Louisiana, and the rights of the English claimants terminated.

#### THE TREATY OF PARIS.

1763. A definite treaty was signed between England, France and Spain, confirming the boundary between the possessions of England and France as agreed upon by the Act of Fontainbleau, of 1762.

#### THE TREATY OF ILDEFONSO.

1800. A secret agreement was entered into by which the King of Spain was to re-cede the Province of Louisiana to France, upon a fulfillment of certain considerations to be performed by the French Republic.

The agreement of the Treaty of Madrid, made the following year, provided that the retrocession of Louisiana as provided in the Treaty of Ildefonso should be carried out.

## THE TREATY OF PARIS.

1803. France ceded the Province of Louisiana to the United States. The treaty was ratified and proclaimed October 1, 1803. The Province comprised all west of the Mississippi river north and east of the Spanish possessions, with the Island of Orleans.

## DISTRICT OF LOUISIANA.

1804. That part of the Province of Louisiana south of the thirty-third parallel was detached to form the Territory of Orleans, by act of Congress, and the residue named "District of Louisiana," and placed under the control of the Governor and Judges of the Indiana Territory.

## TERRITORY OF LOUISIANA.

1805. A territorial government was established by Congress in the District of Louisiana, and the name changed to "Territory of Louisiana."

## TERRITORY OF MISSOURI.

1812. The government of the Territory of Louisiana was re-organized and the name changed to "Territory of Missouri."

## TERRITORY OF MISSOURI.

1821. Missouri was admitted as a State, and the remaining portion of the territory, that part north and west of Missouri and Arkansas, left without any form of government.

## MICHIGAN TERRITORY.

1834. The boundaries of Michigan Territory were extended by act of Congress westward to the Missouri river. This act again placed Iowa among the governments east of the Mississippi river. Michigan Territory extended from Lake Huron to the Missouri river, and from the States of Ohio, Indiana, Illinois and Missouri north to the British possessions.

## WISCONSIN TERRITORY.

1836. Michigan Territory was divided by act of Congress April 20, 1836, and the western part established as "Wisconsin Territory."

## IOWA TERRITORY.

1838. Wisconsin Territory was divided by act of Congress of June 12, 1838, and the western part given a territorial government and named "Iowa Territory." This Territory embraced the territory of the present State of Iowa, North and South Dakota east of the Missouri and White Earth rivers, and Minnesota west of the Mississippi river and a line drawn from its source to the British possessions.

## STATE OF IOWA.

1834. Application was made to Congress Feb. 12, 1844, for admission of Iowa as a State. On the first day of November of that year a Constitution was adopted by a Territorial Convention. An act of admission was passed by Congress on the 3d day of March, 1845, but at the election held on the 4th of August following the people rejected it. The reason for this action is given below. On the 18th of May, 1846, another constitution was adopted by a second convention, called for that purpose. The Constitution proved acceptable to the people and was adopted at an election held Aug. 3, of the same year. On the following day, Aug. 4, 1846, Congress passed an act repealing the law of March 3, 1845, and accepting the boundaries of

the State as defined in this last constitution and as they exist to-day. On the 28th day of December, 1846, Congress passed an act admitting Iowa as a State in the Union. The boundaries were set forth in the act as follows:

"Beginning in the middle of the main channel of the Mississippi river, at a point due east of the middle of the mouth of the main channel of the Des Moines river; thence up the middle of the main channel of the said Des Moines river to a point on said river where the northern boundary of the State of Missouri—as established by the Constitution of that State, adopted June 12, 1820—crosses the said middle of the main channel of the said Des Moines river; thence westerly along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersects the middle of the main channel of the Missouri river; thence up the middle of the main channel of the said Missouri river to a point opposite the middle of the main channel of the Big Sioux river, according to Nicollett's map; thence up the middle of the main channel of the Big Sioux river, according to the said map, until it is intersected by the parallel of forty-three degrees and thirty minutes, north latitude; thence east along said parallel of forty-three degrees and thirty minutes, until said parallel intersects the middle of the main channel of the Mississippi river; thence down the middle of the main channel of the Mississippi river to the place of beginning."

Reference is made above to the fact that the first constitution and act of admission of Iowa Territory as a State were rejected by the people. How and why this was done, the following paragraphs fully disclose. They are copied from an address by Hon. Theodore S. Parvin, before the Iowa Association of Pioneer Law Makers, February 10, 1892. These sentences are especially valuable, also, on account of the deserved tribute which they contain to the memory of the late Lieutenant Governor Enoch W. Eastman:

It may not be, and doubtless is not, known to the majority even of the Pioneer Law Makers' Association that the people of the State of Iowa are indebted more to Enoch W. Eastman for her present boundaries than to any other man, living or dead. When the constitution of 1844, prescribing substantially the same boundaries as now, was adopted by the Convention and sent to Congress for ratification before being submitted to the people for their approval, Congress struck out the boundary and in lieu of that adopted by the Convention, and since established, provided that the western boundary should be a line drawn from near the intersection of the Little Blue Earth river with the Minnesota river south, passing about thirty [really forty] miles west of the Raccoon Forks, or the present city of Des Moines, to the Missouri line, thus cutting us off from the western half of the State, known in later years as the "Missouri Slope," and directed that the boundaries as prescribed be submitted to the people.

All the office-holders and office-seekers were anxious for the adoption of

the constitution to the end that they might secure the preferment they desired. Mr. Eastman, then a young lawyer recently arrived at Burlington from New Hampshire, where he was born in 1810, united with the late Captain Mills, who lost his life during the Mexican war, and also a prominent attorney of the same place, to defeat the measure before the people. They undertook to stump the Territory, but finding the job too large a one, they invited myself to relieve them in the Second Judicial District of the Territory, which I did, taking as a text of my discourse before the people the famous distich of Bishop Berkley, "Westward the course of empire takes its way," and from that I proceeded to urge the people to insist that inasmuch as emigration followed the parallel lines of latitude, we should insist upon our State extending to the Missouri river, and that the only way to accomplish this would be the rejection of the boundaries prescribed by Congress.

Our efforts in the First and Second Districts were successful and the Constitution [of 1844] was defeated by some 400 votes, and but for the efforts of Mr. Eastman in organizing that effort and combination against its adoption, the Congressional boundaries would have been imposed upon our people and there would now be two states where there is but one—Iowa.

The setting forth of the boundary of the proposed State, as stated by Mr. Parvin, seems to be a little indefinite, and not to include all the territory which the people asked for in the Constitution of 1844. The Constitution included all that part of the present State of Minnesota south and east from a line drawn from the mouth of the Sioux or Calumet river to the southerly bend of the St. Peters—now the Minnesota—river, and thence by that river to the Mississippi, and excluded that part of the present State of Iowa northwest of the Sioux river. The act of Congress of 1845 provided as the boundary a parallel passing through the mouth of the Mankato or White Earth river, from the Mississippi to the meridian of  $17^{\circ} 30'$  west from Washington, and thence due south to the boundary line of the State of Missouri.

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#### FIRST ANNUAL REPORT OF THE IOWA GEOLOGICAL SURVEY.

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The first official report of the Geological Survey of Iowa, for which the last General Assembly made provision, has just left the hands of the printer and is now ready for distribution. Two attempts have been made already to investigate the material resources of Iowa; one in the fifties and the other more

than a quarter of a century ago. Unfortunately for the State both were cut off before they had fairly begun work. It is to be hoped that the third attempt will be more successful and that the work be permitted to continue to its finish—work that should have been done a score of years ago. It is the purpose of the Geological Survey to make a complete examination, as the law specifies, "Of the natural resources of the State in all their economic and scientific aspects; including the determination of the order, arrangement, dip and comparative magnitude of the various formations; the discovery and examination of all useful deposits, their richness in mineral contents, and their fossils; and the investigation of the position, formation and arrangement of the many different ores, coals, clays, building-stones, glass-sands, marls, peats, mineral oils, natural gas, mineral and artesian waters, and such other mineral materials as may be useful, with particular regard to the value of these substances for commercial purposes and their accessibilities; also the careful noting of the characters of the various soils, and their capacities for agricultural purposes; the growth of timber, and other scientific or natural history matters that may be of practical importance and interest."

Although the organization of the Survey was not effected until late in July, 1892, when the field season was fully two-thirds over, considerable progress was made during the remaining portion of the year that could be devoted to out-door work. Of course all subjects cannot be taken up at once. Among the special and important lines of inquiry that are already being worked out are the coals, clays, building-stones, and cement rocks. The artesian and mineral waters will be reported upon soon. The soils of the State will receive full consideration; their properties and capacities are now being studied by the most advanced methods known to agricultural geologists and chemists. Particular attention will also be paid to ores of zinc, iron and other minerals. As stated by one of our State's most eminent engineers: "One noteworthy feature of the present Survey is the number of competent investigators who are giving their service without pay. It is expected that







there will be at least one such local assistant in each county, so that no geological facts of scientific or economic interest will fail to be recorded. The gratuitous service that the State will receive, if the work is completed according to present plans, will amount to many thousands of dollars annually. All that is needed is time and moderate annual appropriations to make for Iowa one of the most complete, most valuable, and at the same time least expensive of all the geological surveys thus far undertaken by any of the States."

The First Annual Report is a large royal octavo volume of about 400 pages, with a colored geological map and section of the State, and a dozen or more of full-page engravings, besides a number of cuts and sections.

In addition to the administrative reports of Professor Samuel Calvin, State Geologist, and Dr. Charles R. Keyes, Assistant State Geologist, there are a number of papers in which special topics are discussed. The first is a succinct account, or summary, of the Geological Formations of Iowa, by Dr. Keyes. It embraces 140 pages and is illustrated by a number of plates showing some of the more typical rock outcrops. The following is the classification of the geological formations which occur in the State:

Quaternary		Drift
Cretaceous	Upper	Niobrara Woodbury
Carboniferous	Upper	Missouri Des Moines
	Lower	St. Louis Augusta Kinderhook
Devonian		Lime Creek Montpeller Cedar Valley Independence
Silurian	Upper	Le Clair Niagara
	Lower	Maquoketa Galena Trenton St. Peter Oneota
Cambrian	Upper	St. Croix
Algonkian		Sioux

Among the more important geological features described are a number which exhibit the lines of separation between the several different geological formations. One of the most marked is in southeastern Iowa, where the hard Burlington limestone forms overhanging cliffs above the soft Kinderhook shales. Wherever the small streams cross this line, rapids and water-falls are formed. One of the latter near Burlington is called the "Cascade." It is shown in the accompanying plate.

Professor Samuel Calvin has a "Preliminary Report on the Cretaceous Deposits of Woodbury and Plymouth Counties, with Observations on their Economic Uses," in which are described valuable deposits for the manufacture of Portland cement and materials for various kinds of clay goods. Incidental references are made to certain deposits of lignite, or brown coal, which are now being investigated farther.

Professor S. W. Beyer gives a scientific account of "Some Lava Flows," which occurred long ago in the northwestern part of the State. This old volcanic eruption will be reported upon farther in due time. In "The Distribution and Relation of the St. Louis Limestone in Mahaska County, Iowa," Mr. H. F. Bain gives some very important conclusions in regard to the mining of coal along the east margin of the Iowa coal field. If the suggestions offered are duly considered in the prospecting for coal in that part of the State, it will doubtless save the citizens of Mahaska and neighboring counties many thousands of dollars each year.

"An Annotated Catalogue of Minerals," by Dr. C. R. Keyes, gives brief notes on all the minerals, whether of economic importance or not, which are known at present to occur within the limits of the State. It was prepared in response to a large number of inquiries from all parts of Iowa in regard to the occurrence and location of the various kinds of minerals.

Mr. Gilbert L. Houser describes the localities, value, accessibility and the properties of the lime-burning dolomites and building-stones of certain parts of northwestern Iowa. It forms a preliminary account of a more extensive report on the subject to appear soon. The concluding article of the report

is a "Bibliography of Iowa Geology," by Dr. Charles R. Keyes. It embraces over 200 pages, and is practically a dictionary catalogue of all references pertaining to Iowa geology. It includes:

1. An author's list, in which is given the full title, volume, pages and illustrations of the book or serial in which each article appeared, place of publication and date. Each entry is followed by a brief synopsis of the contents of the work.

2. A title index in which the name of each article appears under each of its leading words. Then comes the name of the author and an abbreviated reference to its place of appearance.

3. Subject entries and cross references. These embrace under each topic all references to any particular subject, as to county geology, geological formations, zoological groups, special subjects, etc.; also, those writings referring to Iowa in general. The names of authors and abbreviated references to place and time of publication are given in all cases. Whenever additional information is wanted reference can be made readily to the name of the author. For convenience the whole is arranged alphabetically.

One of the most noticeable features connected with the bibliographical index is the fact that the literature is so widely scattered and now largely inaccessible to the people of the State. The last of the two earlier geological reports was issued nearly a quarter of a century ago. They were rather sparingly distributed, and during the period which has elapsed since their publication most of the copies have been lost, destroyed or passed beyond the boundaries of the State. In the meantime the population has largely increased, so that if the reports were all at hand the supply would be inadequate. A goodly number of references have appeared in the publications of leading societies and have had a limited distribution, a large share of which have been foreign. Many of the papers referring to the geological phenomena as presented in Iowa are found in the reports of other states; still others are scattered far and wide through various journals and serials both in English and foreign languages; besides there are many short articles and

more or less lengthy allusions included in the long list of publications printed by the Federal Government. A large majority of these descriptions are unknown to the people of the State, who consequently know not where to look for the information desired.

Yet all these have to be gone over, involving so much time and labor that considerable hesitancy arises before the preparation of indices of this kind is entered upon finally.

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#### MESSRS. BYERS AND RICHMAN.

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It is doubtless known to our readers that Col. S. H. M. Byers, of Oskaloosa, has for the past two years held the position of Consul-General at St. Gall, Switzerland, to which he was appointed by President Harrison. It was announced in the public journals about the middle of May that he had been recalled by President Cleveland, and that Hon. Irving B. Richman, of Muscatine, had been appointed to fill his place. As both gentlemen are widely known, the present is deemed a fitting occasion to make mention of their merits and distinguished public services, and especially because of the excellent work they have done in the direction of Iowa history.

Mr. Byers was born in Pulaski, Pa., July 23, 1838. The family came to Iowa in 1851, and settled in Oskaloosa in 1853. After his school days he studied law and was admitted to the bar. When the Fifth Iowa Infantry was raised, young Byers enlisted as a private. He was immediately appointed Quartermaster's Sergeant. A little later he was commissioned as First Lieutenant and Adjutant of the regiment. He served in this capacity until the battle of Mission Ridge, where he was captured by the Confederates. He was, first and last, in six different prisons, including the Libby at Richmond, and was one of the Union officers who were placed under the fire of our own guns at Charleston, S. C. During this long imprisonment of one year and four months he escaped three times, but was as often recaptured. While in prison he wrote his well-known song of "Sherman's March to the Sea," thus winning national

fame and giving a name to that great expedition. A few hours after he had again escaped at Columbia, S. C., the city fell before the attack of Gen. Sherman, and the long sojourn in the enemy's country ended. He was at once appointed to a place on the staff of the commanding General, receiving also kindly attentions from Gen. Grant, and thenceforward his lines fell in pleasant places, although his health was ruined. In fact, when he was mustered out of the military service he was a physical wreck. It was several years before he regained anything like even a tolerable degree of health, and from the effects of his sufferings while in prison he has never fully recovered. No sooner was he out of the army than he was compelled to set about earning a livelihood, though he was a fitter subject for a hospital than for any active employment. He had, indeed, acquired a national reputation by his popular song of "Sherman's March to the Sea," but even that availed him little in the "struggle for existence" which at once confronted him. After some years at home he was appointed U. S. Consul to Zurich, Switzerland, where he served with such distinguished credit that he was promoted to the post of Consul-General at Rome, from which he was recalled at the beginning of Mr. Cleveland's first administration.

Coming home, he resided in Oskaloosa during the succeeding four years, much of the time engaged in writing his excellent and well-known book, "Iowa in War Times." He had long before published a thrilling little volume which will one of these days be worth its weight in gold, entitled, "What I saw in Dixie; or Sixteen Months in Rebel Prisons." President Harrison made him Consul-General at St. Gall, some two years ago, where he is now to be superceded by Mr. Richman.

In addition to his official services, which have always been as acceptable to the Government as they have been popular with the multitude of Americans who have met him abroad, Col. Byers has found time to perform considerable literary labor. He has contributed many very able illustrated articles to the best magazines of the country, as well as published two or three volumes of poetry. His official and special reports

have been cyclopedic in the amount and value of the information contained in them. During all the years he has been abroad his thoughts have constantly been upon his native land, and he has striven to the utmost of his powers to benefit his countrymen. Among other good deeds, he is collecting, at his own expense, a gallery of fine paintings in oil, for Penn College, Oskaloosa. He deserves all the honors, all the consideration, which can come to the good and faithful servant.

While Mr. Richman has attained his present honorable position without the terrible "storm and stress" entailed upon "Adjutant Byers" during the war of the Rebellion, he is a young man whose merits may well be deemed of the first order. He was born at Muscatine, Iowa, October 27, 1861. He graduated at the Iowa State University in 1883, and was admitted to the bar two years later. In 1889 the citizens of his county elected him to the lower house of our State Legislature, where he served two terms. With his party ticket he was defeated for Presidential Elector in 1892. A fine speaker and debater—always ready, cool, dignified and judicious—he took and maintained a very high position from the beginning of his legislative service. Like Col. Byers, he has won much distinction in literature, having published elaborate articles in "The Atlantic Monthly," "Political Science Quarterly" and "The Magazine of American History." He has also achieved considerable success in the domain of State History, having given especial attention to the career of "John Brown in Iowa," "Mormonism in Iowa," "The Spirit Lake Massacre," "The Indian Chiefs Keokuk and Black Hawk," and many other topics. Some of his monographs have been published, though the greater portion have not yet seen the light. He has it in contemplation to issue a book before many months. With youth and health, high culture, literary tastes and thorough knowledge of the law, he goes forth to his new duties splendidly equipped. His future career would seem to be full of promise.

## OUR WAR GOVERNOR'S PORTRAIT.

On a certain Sunday morning during the session of the last Legislature, one of the Des Moines daily papers had an editorial article urging that it would be "a most graceful thing" for the Legislature to place in the hands of Governor Horace Boies, \$1,000, with which to give some artist of high repute a commission to paint a portrait for the Capitol, of our illustrious War Governor, Samuel J. Kirkwood. The next morning a bill to that effect was promptly introduced into the Senate. With but little friction, and the slightest possible opposition, it was speedily and "gracefully" passed by both houses and approved by the Governor, though the amount was reduced to \$800. Really, the act seemed to be endorsed by everybody.

When it came within the province of Governor Boies to "execute" this law, two thoughts seemed to be uppermost in his mind: 1st, To secure an artist whose name should be a guaranty of the highest success; 2d, To select one who would be entirely acceptable to Governor Kirkwood and his friends. He was not long in deciding that Mr. George H. Yewell, N. A., formerly of Iowa, but now a resident of New York, would meet both requirements. Mr. Yewell soon after came here, pursuant to an invitation, and entered into an engagement to paint the portrait. He had known the aged War Governor many years, but he nevertheless spent two or three months in Iowa City, studying his subject from every possible standpoint, even painting a preliminary portrait, in addition to securing many photographs. It was fully a year before he finished the painting, for Mr. Yewell is one of the most painstaking artists, as well as one of the severest critics of his own work. The portrait was finished in May. It was sent to Iowa City about the 1st of June, where it was placed upon exhibition for a couple of weeks. It was often and carefully examined by Governor and Mrs. Kirkwood, as well as by the citizens generally, and the verdict was on all hands most favorable. Everybody agreed that the artist had achieved a distinguished success. The portrait was then forwarded to the Capitol.

At this stage of the proceedings several of Governor Kirkwood's friends in Des Moines determined that the painting should be unveiled at a public meeting, with simple but appropriate ceremonies. Tickets of invitation were issued and sent to the War Governor's old friends throughout the State. The time fixed was Tuesday, June 20, at 2:30 P. M. The portrait had been placed upon the north wall of the Executive Reception Room, and draped with two American flags. At the time fixed Ex-Chief Justice George G. Wright, of Des Moines, took the chair. Seated on his right hand were Governor Horace Boies and Ex-Governor John H. Gear; on his left Hon. Peter A. Dey, the friend and representative of the artist. The chair introduced Judge Dey, who paid a brief but eloquent tribute to Mr. Yewell, leaving others to speak of Governor Kirkwood. We do not copy from this very excellent address, for the reason that we hope to present it in full hereafter. At the conclusion of his remarks the Stars and Stripes fell gracefully away from the portrait, and the form and features of Governor Kirkwood were revealed to the audience amid hearty applause. Judge Dey added: "In the name of the artist, I present to your Excellency this picture, and ask you if the contract for painting the portrait of Governor Kirkwood has been satisfactorily executed?"

In well chosen words Governor Boies accepted the portrait, paying a tribute to the great qualities and patriotic services of his illustrious predecessor. Brief addresses were made by ex-Governor Gear, Judge C. C. Cole, Judge Charles C. Nourse, Hon. H. W. Lathrop (Governor Kirkwood's biographer), and Hon. W. T. Smith. In closing the exercises, Judge Wright took occasion to express the high sense of appreciation, entertained by the friends of Governor Kirkwood, of the action of Governor Boies in the selection of the artist, who had executed this great work.

The portrait shows Governor Kirkwood as he appeared about the time he was Secretary of the Interior, in the full vigor of health, and before age had begun to tell upon him. He is seated at a table, with such accessories as books, docu-



ments, library shelves, etc. That it is a most faithful likeness, is the opinion of all who have known Governor Kirkwood. It shows him as he was, in splendid physical health, a man of great mental power, to whom firmness and decision would be easy and natural, but who was withal kind and benignant in the highest degree—one whom the humblest citizen could meet on equal terms. As an artist, Mr. Yewell has achieved more than national fame, but there can be little doubt that this is his master-piece, the crowning work of his life.

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### TWO VISITORS.

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In one of the early days in May, the Historical Department was honored by a call from the venerable widow of Mr. N. H. Parker. Possibly very few of our readers will recall the name, but Mr. Parker was a man whose memory should be preserved in the Annals of Iowa as one who "did the State some service" long ago. Away back in 1856 he wrote a little book entitled "Iowa as It Is." This volume gave only a partial, but yet a very just statement of the resources of our State. So far as it went, the account was a glowing one. The book was widely advertised, and well known at the time, and without doubt was the means of inducing thousands of people to settle within our borders. This was at a time when every Western State, by reason of necessities real or imagined, needed immigration. Mr. Parker's book had a large circulation in the East, and in its time was productive of much good. But it soon went out of print, and at present copies are only found in the houses of pioneer settlers, or in second-hand book stores. At one time the author edited a paper in Davenport, but removed to St. Louis, where he attempted to issue a work relating to Missouri, similar to his Iowa venture. But from a combination of unforeseen circumstances, it did not prove a success. He died probably twenty years ago, and is well nigh forgotten in this State, where his labors were most useful. Mrs. Parker came to Des Moines to visit old friends, with whom she remained several weeks. She is apparently upwards of seventy years of

age, but still in vigorous health, and a lady of high culture and intelligence.

Another caller was the venerable ex-U. S. Senator, Gen. Geo. W. Jones, of Dubuque, who was in attendance upon the Supreme Court, in which he appeared as a party to a suit. He was born in 1804, and is close upon ninety years of age. But he is still in the enjoyment of excellent health, and is as fastidious regarding the polish of his boots, the twist in his mustache, and the ringlets in his hair, as deferential in his treatment of ladies, as kind to little children, as breezy and full of good-fellowship when meeting old friends, as when the writer saw him gliding about the floor of the U. S. Senate in 1852, and throwing salutations to the beauties in the gallery. At that time we also saw Henry Dodge, of Wisconsin, and A. C. Dodge, of Iowa—father and son—Senators from their respective States. But the Dodges are dead and gone, and aside from Gen. Jones, few, if any, who were in the Senate in those days of compromise and pro-slavery rule, remain alive. Our aged ex-Senator has led a useful, active life, but he must be one of that class of men whom Dryden had in mind when he wrote these lines:

“Some few, by temperance taught, approaching slow,  
To distant fate by easy journeys go.”

With his habitual care of his health, the aged statesman may still be spared through many happy years. While in the Historical Rooms he sat down and quickly wrote a letter, holding his pen with a firm, steady grasp, finishing the page without blot or erasure, and producing a fine piece of manuscript. He signed his name very handsomely over a set of flourishes almost as elaborate and much neater than those which always accompanied the autograph of Charles Dickens.

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### SAVE THE PAMPHLETS.

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Among the various materials for history which accumulate in libraries or general collections, pamphlets are always valued very highly. This is no doubt due to the fact that each one

is in itself a complete publication—at least from the standpoint of the author. One side, certainly, of a question is apt to be exhaustively treated; and then farther than this, they almost invariably point the way to other sources of information. Here and there an individual makes a specialty of collecting them. It is by no means infrequent that such collections run up into the thousands, becoming very valuable historically, and commanding high prices.

Such accumulations are occasionally offered for sale by the dealers in second-hand books. A large price could no doubt be very readily obtained for a complete collection of pamphlets issued in our State. But useful and valuable as they are it is a matter of doubt whether there is any considerable Iowa collection in existence. Probably Bishop Perry has saved up more in his large private collections in Davenport than can be found in the possession of any other public or private library in the State. It is the fate of these publications to be considered as ephemeral, and scattered and destroyed like the issues of the daily press. We remember many of these Iowa publications, issued years ago, but of which it would be impossible to find a single copy at this time.

These thoughts bring us to what we desire to say, more especially to our newspaper friends throughout the State. The Historical Department of Iowa is now making every possible effort to gather up copies of all Iowa pamphlets of the present and the past. If our friends of the press who receive this publication will kindly aid us in this matter, not only by setting forth our desires in this direction through their columns, but by a little personal effort themselves, as opportunities occur, a great deal can yet be accomplished. No pamphlet is so trivial as not to be valuable in a State collection. Especially desirable are catalogues of colleges and schools, proceedings of religious or secular bodies, important law cases, premium lists of agricultural societies, addresses, sermons, those issued for the purpose of making business interests known, and all relating to the history of towns, counties, or particular regions—in short, every species of publications in this direction.

There are hundreds of pamphlets no doubt, *in the offices of lawyers and in editorial rooms*, of no use to their present owners, at present left to gather accumulations of dust, but which would be regarded as prizes by the Historical Department. In fact, we have assisted, during the past three years, in extracting from such "innocuous desuetude" a large number of very valuable publications. Some of these same pamphlets—Iowa pamphlets, too—are worth \$50 each, and yet they might almost any day have been sacrificed in kindling a fire, or have been destroyed in a conflagration. Especially precious are most of the reports and other public documents published by the State prior to 1860. We shall prize gifts of all such publications, and feel deeply grateful to those who assist us in obtaining them.

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#### A GOLDEN WEDDING.

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We are sure that thousands of Iowa people, as well as many far beyond our borders, were heartily rejoiced to learn that Hon. Theodore S. Parvin and his excellent wife were spared to celebrate the fiftieth anniversary of their marriage, on the 17th day of May last. It is seldom, indeed, that two such useful and harmonious lives are spared to each other for half a century after their union in marriage. That Mr. Parvin, in many directions, has been one of the most useful, as he has been one of the best known and most distinguished men in Iowa, goes without saying. This is a truth known to everybody. His reputation rests upon his own personal merits—his own hard work—and has not risen from any adventitious aids, as of politics, wealth or social surroundings. He has hewed out his own career, and it has been as remarkable in point of success as it is unique in character. He is one man among a million. We know not where another could be found capable of becoming so distinctly useful in the highly intellectual paths which he has pursued. From the day that he entered upon his duties as Private Secretary to Robert Lucas, the first Governor of Iowa Territory, until now, the man's head has been full of

wise plans for benefiting his fellow man, while his busy hands are never idle. His pluck, energy and endurance are remarkable. Even now, at the age of seventy-six, his frame seems as flexible and wiry, his mental powers as bright, as when we first began to know something of him, almost forty years ago. It would be an easy task to set forth some of his more useful labors, but they are known and appreciated by every intelligent citizen of Iowa.

Mr. Theodore S. Parvin and Miss Agnes McCully were married at Muscatine, Iowa, on the 17th day of May, 1843, by the Reverend Samuel Stocker, a Presbyterian clergyman. Of the witnesses of this event, but one, a sister of Mr. Parvin, is now living. Very few, indeed, of the residents of Muscatine at that time have survived to see this day. Mrs. Parvin has reached the age of seventy-four. During all these years no Iowa woman has enjoyed a wider acquaintance or been more thoroughly respected. In the direction of unobtrusive and unheralded charity, as a life-long member of the church of her choice, and in the social circle in which she has moved, this quiet, undemonstrative woman has won the highest measure of respect and esteem. Many a poor student at our great University, during the years that Mr. Parvin was one of the professors, found friends in the day of need in this kind and benevolent and always thoughtful couple. From many of these students, long since established as prosperous members of distant communities, have come the most grateful acknowledgments of well remembered aid when they were struggling alone and unfriended to obtain an education.

The occasion was an especially happy one to Mr. and Mrs. Parvin. Letters and tasteful presents were received from dear old friends in and out of the State. In the evening the beautiful Masonic Library—that great institution founded by the Parvins—was brilliantly lighted up, and music and pleasant greetings fitly rounded out the day. That the parties may “still live” for many and many a happy year is the earnest hope of troops of friends.

## NOTABLE DEATHS.

JESSE C. ALLEN died at his home in Des Moines, May 7, 1893, aged fifty. He was a gallant soldier of the Eighth Illinois Cavalry, in the Army of the Potomac, and served four years. He was in the thickest of the fight in the great battles of Fair Oaks, Savage Station, South Mountain and Antietam, and many other engagements of less note. He served with detachments on the staffs of Gen. Sumner and Gen. Keyes. He was on Gen. Buford's front line at the opening of the great battle of Gettysburg. On the last day of that terrible conflict he saw his commander, Farnsworth, fall while leading a desperate charge against Longstreet's right near Round Top, which helped to defeat the last superhuman attempt of Lee's army to pierce the center of the Union lines on Cemetery Ridge. Mr. Allen remained with that famous regiment to the close of the war, sharing in all its heroic achievements and dangers.

LIEUT. CHARLES WICKWARE, who recently died at Webster City, was a heroic soldier of the Army of the Potomac. He entered as a private in the 6th Vermont Infantry, near the beginning of the war. He was shot through the body at the battle of Savage Station, and lay all night on the battle field, falling into the hands of the enemy. He was taken to Libby prison, but soon after exchanged, and under skillful treatment at the hospital in Philadelphia, finally recovered so far as to be able to rejoin his regiment in the field. In the terrible battles in the Wilderness he lost an arm. He was promoted to Lieutenant in a colored regiment and served gallantly to the close of the war. He settled at Webster City in 1868, and held many important offices in the city, county and district, serving with the utmost fidelity. He was an active and honored member of the Grand Army of the Republic from the time of its organization to the day of his death.

HON. NICHOLAS BAYLIES died in Des Moines on the 15th of May, at the age of eighty-four years. He was a native of Ver-

mont and in his younger days traveled extensively, visiting Brazil and other southern countries. In 1836 he settled at St. Helena, Louisiana, where he remained many years, holding several important public offices, the duties of which he discharged with ability and fidelity. He came to Iowa in 1858, and settled on a farm near Des Moines. In 1863 he was elected a member of the House of the Tenth General Assembly and was one of the influential members of that body. He was always a man of influence in the communities where he lived, enjoying the confidence and esteem of all who knew him.

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CAPT. W. W. NIXON, a prominent citizen of Boone county, died at his home in Boone on the 21st of May. He was a gallant officer of the Union Army in the War of the Rebellion, serving in the 33d Ohio Infantry. After the close of the war he removed to Boone county, Iowa, which has since been his home. He was Mayor of Boone two terms, and in 1873 was appointed by President Grant, Collector of Internal Revenue for the Sixth District, which embraced about one-fourth of the counties in the State. He was an able and faithful officer, and an excellent and highly esteemed citizen.

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MRS. WM. SALTER, wife of Rev. Dr. William Salter, of Burlington, was instantly killed by the falling of a tree upon the carriage in which she was riding with her husband and some friends, on June 12. *The Burlington Hawkeye* says of her: "She was an active, cheerful and courageous worker in the church and its related societies, during the almost half century of her husband's long ministry. By nature intellectual, she could not do otherwise than keep pace with her scholarly husband in all his theological studies and writings, and his literary ventures into the field of history and biography, which he has cultivated with such great success. Her richest legacy is the memory she leaves of a faithful, loving wife, affectionate mother and true woman."

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JUDGE J. M. BECK, late of the Supreme Court of Iowa, died suddenly at his home in Fort Madison on the 30th of

May. He was born at Clermont, Ohio, April 2, 1823, and removed to Iowa in 1847. In 1867 he was elected Judge of the Supreme Court of Iowa, and repeatedly re-elected, serving twenty-four years. He was one of the ablest and most popular Judges the State has ever had. His decisions extended through forty-seven volumes of the Iowa Reports. Besides being an able lawyer and eminent Judge, he was a scholar of wide research and extensive reading, and there are few subjects upon which he could not converse with profit and pleasure to his listener. He was an especial friend of library development in our State. We hope to be able to present his portrait, with a sketch of his life and public services, at some future time.

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GENERAL JOHN M. CORSE, who recently died in Boston, was one of the most gallant and notable of all the heroic Iowa soldiers. His old home was Burlington, where he had lived from the time he was six years old until after the close of the war. He entered the service at the beginning of the rebellion, and was appointed Major of the Sixth Iowa Infantry. During "Sherman's March to the Sea," Gen. Corse, with a small force, held the pass at Allatoona, which was of vital importance to the Union army. He was assailed by the rebel army in overwhelming numbers. Sherman signaled to him across the mountains to hold the pass at all hazards. He signaled back, "I will hold it till — freezes over!" And he held it. It was one of the most heroic achievements of the war. Moody's celebrated hymn, "Hold the Fort for I am Coming," was suggested to its author by this episode. We shall endeavor to procure a biography and portrait of this gallant Iowa General for publication in *THE ANNALS* at an early day.

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On a farm about four miles north of Manchester, in Delaware county, lives Christian Coonrad, who is 113 years old. He heard Washington make a speech, was a soldier in the war of 1812, and is still a well preserved old man. One day's talk with him will teach a history class more about early United States history than they will learn from books in a week.—*Spencer Herald*.



THIRD SERIES.

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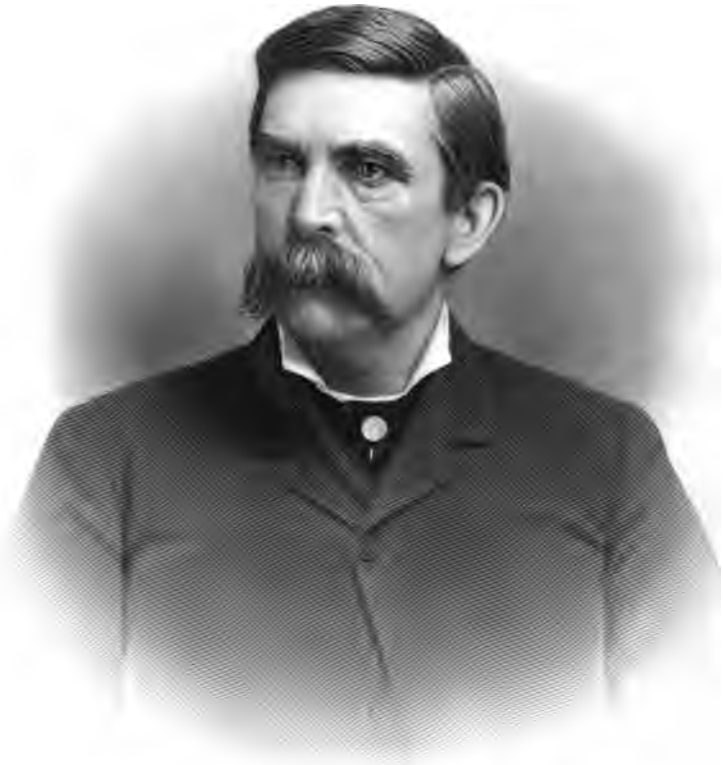
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*Palmer*





Eng<sup>d</sup> by A.H. Beach

G. M. Dodge

# ANNALS OF IOWA.

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## MAJOR-GENERAL G. M. DODGE.

BY EX-GOV. CYRUS C. CARPENTER.

One of the first responses to the patriotic impulse inspired by the fall of Fort Sumter was from a young civil engineer of Council Bluffs. He was probably as well equipped for the business of war as any man who entered the service from Iowa. He was an earnest patriot. He was thoroughly in sympathy with the administration of President Lincoln. He possessed the industry and tenacity of a New England ancestry. He had a taste for military studies, and love for military drill and tactics. He had graduated at a school of civil engineering, and subsequently at a private military academy. He had been employed in the location of railroad lines, and in the construction of railroads. He had a trained eye, capable of taking in a strategic situation at a glance. He had been engaged in freighting upon the western plains, until he was physically hardened and prepared for the deprivations of the camp and the hardships of the march. He was self-reliant when intrusted with discretionary power, and had the instinct of military subordination when acting under the immediate command of a superior officer. He was a disciplinarian, and yet thoroughly in sympathy with the democratic instincts of the volunteer soldiery. He was alert, active, enterprising and untiring. Such are the attributes which constitute the ideal soldier, and these were elements in the character of General Grenville Mellen Dodge, of whose career the following pages are an imperfect recital.

He was born at Putnamville, Danvers, Massachusetts, April 12, 1831. When but ten years old an ambition to obtain an education became the ruling passion of his life. To secure advantages beyond those offered by the common school, which he had been able to attend during the winter months only—with the same force of character which distinguished him in after life—he for a time drove a butcher's cart; then for three years had charge of the fruit and vegetable farm of Mrs. Edward Lander, the products of which he marketed in Salem. During the time that his summers were occupied in this severe toil, he was engaged in the winter months as a clerk in a small store at South Danvers, to which the postoffice was attached, and where his father was the postmaster. Even whilst his time was thus occupied, he found occasional leisure hours, especially during the long winter evenings, to devote to study.

In the winter of 1845-6 he attended the academy at Durham, New Hampshire, and in 1846 entered Norwich University of Vermont, in the scientific department. In 1850 he graduated from this school as a civil engineer; and in the following year from Captain Partridge's Military Academy. Immediately after his graduation, armed with his diploma as a civil engineer, he left for the West and located in Peru, Illinois. Here he was engaged for a few months in city and land surveys; and during the closing weeks of 1851 was employed by the Illinois Central Railroad Company in making a survey for that road between Dixon and Bloomington.

Following this, he secured a position as civil engineer under Peter A. Dey, at Tiskilwa, Illinois, on the Chicago and Rock Island Railroad; and was entrusted with the survey of the Peoria Branch. He remained with Mr. Dey, with headquarters at Iowa City, until the final location of the Mississippi and Missouri River Railroad across the State from Davenport to Council Bluffs, and was the assistant engineer during the construction of this road from Davenport to Iowa City. Early in his connection with these surveys he wrote a letter to his home in Massachusetts prophesying the building of the Pacific Railroad, and indicating the very route upon which

eighteen years afterwards he was chiefly instrumental in locating it. The Pacific Railroad enterprise grew to be an ever present project in his active and restless mind. So, in 1853, he made a reconnaissance west of the Missouri river, and up the Platte, with a view of determining its probable location. And from 1853 to 1861, as he could secure the leisure from his other exacting business enterprises, he continued these explorations. Whilst they were largely the voluntary pastimes of his projective mind, yet he was always aided and encouraged by Mr. Henry Farnham and Mr. Thomas C. Durant, who were his early and constant friends.

November 11, 1854, he settled in Council Bluffs, and in addition to his engineering projects, engaged in the business of freighting across the plains, in which he was more or less interested up to 1860; having visited in connection with his business, and for traffic with various Indian tribes, the valley of Cherry Creek, at the very point where Denver now stands, and many of the settlements of New Mexico. He was also instrumental in establishing the banking house of Baldwin & Dodge, which was afterwards merged into the Pacific National Bank, of which he became president. It is now the Council Bluffs Savings Bank, of which his brother, N. P. Dodge, is the president. With all these enterprises engaging his attention, he found time, in 1856, to organize and drill a military company, known as the Council Bluffs Guards, of which he was elected Captain, and which maintained its organization until 1861.

When Fort Sumter was fired upon, and the call for 75,000 troops was issued by the President, he immediately tendered his own services, and, with the approval of his men, that of his independent company, to the Governor. His services were declined, as the Governor did not deem it wise at that time to draw any military forces from the western border of the State. Governor Kirkwood, however, appointed him to a position on his staff, and sent him to Washington to obtain arms and ammunition with which to arm the independent companies of the State, in order to be in readiness to repel any attempted inva-

sion upon the Missouri border. Notwithstanding the failure of the Congressional delegation to secure these arms, upon his representation to the authorities of the dangers threatening the southern border of the State, and of the propriety and practicability of committing its defense to the State, he procured an order for 6,000 stand of arms and the required ammunition.

The military judgment and resolute persistency with which he pursued his purpose while at Washington convinced the War Department that he possessed the characteristics to make a useful officer in a military command. He was accordingly tendered a Captaincy in the Regular Army. This he declined, not because the offer was not a flattering recognition of his zeal and ability, but because he had tendered his services to the Governor of the State, and had been entrusted with an important mission which he regarded as binding him in honor to cast his lot with the military fortunes of Iowa. Upon his declining the Captaincy, the Secretary of War was so impressed with his natural military capacity that he suggested by letter to the Governor that it would advance the public interest to give him the Colonelcy of a regiment. Immediately upon his return from Washington he was appointed Colonel of the Fourth Iowa Infantry, and adopting his independent company, of Council Bluffs, as the nucleus of the organization, he entered upon the duty of recruiting and organizing a regiment. To comprehend fully the difficulties that confronted him in this undertaking, it must be understood that the regiment was recruited after the first flush of enthusiasm at the beginning of the war had abated, and was largely drawn from the Missouri Slope, then but sparsely populated, by pioneers who had just begun the struggle of laying the foundations of new homes in a new country. But the military service had now become the absorbing thought of his intense mind; and night and day he pursued the one purpose until he was ready to mount his horse and give the command to march. Before he had assembled the entire command and had fully completed the organization, with his natural alertness and enterprise he



began to look about for somebody to whip. During the summer Colonel Poindexter, a Confederate partisan, had been hanging about the northwestern border of Missouri, threatening the settlements in southwestern Iowa, and particularly breaking into the traffic of the Hannibal & St. Joseph Railroad. So Colonel Dodge took such of his Regiment as were available, drove him into southwestern Missouri, and for the time being broke up his command. He then returned to Council Bluffs and completed the organization of his regiment. His success in recruiting had secured the enlistment of a larger number of men than was necessary for a single regiment; so he asked and obtained authority to organize in connection with it a battery of artillery, known as Dodge's Battery, but appearing in the Iowa Roster as the Second Iowa Battery. As the time approached for moving with his command to report for duty, difficulties thickened and annoying delays resulted from the apparent impossibility of securing, in presence of the overwhelming demands upon the Government, the necessary equipments and supplies for his regiment and battery. These obstacles, however, he overcame by pledging his own credit for their necessary outfit.

In August, 1861, he reported with his regiment and battery to General Fremont, at St. Louis, and was ordered to Rolla, Missouri.

He had now reached a position where the unwearying activities of his mind could find employment. His fitness for independent discretion was soon recognized, and he was assigned to the command of the Post. Missouri at this time was a harvest field of partisan border warfare. While the State did not attempt by formal action to secede from the Union, a large minority at least of its population were Secessionists. It supplied to the Confederate Government a good-sized army, and a convention of Secessionists in some remote hiding-place had even adopted a rebel constitution and had put in operation a traveling State government. George G. Vest, one of the present United States Senators, was sent as a Senator to Richmond. The hostile sentiment, dividing the

population which remained at home, made the State a rich recruiting ground for active rebel fugitives who possessed too much brigandism to enter the regular rebel service, in which to some extent the principles of civilized warfare were enforced. They, therefore, remained in the State and called around them adventurous followers who sympathized with the Rebellion, and whom they organized into semi-military commands with which they went trooping through the country preying upon any of the population known to have Union proclivities. And whenever they could fall upon a small detachment of Union soldiers, remote from military support, they would if possible lead them into an ambush, where, in the language of the day, they could "bushwhack" them. The social condition of the State is illustrated by a circumstance related to me by a neighbor of mine in Fort Dodge. At the beginning of the war he lived in Missouri. In the spring of 1861 he went with his brother-in-law to hunt cattle which they supposed had strayed into a rough and unsettled portion of the State, and were absent from home when Fort Sumter was fired upon. Whilst returning, they met a man from the settlements who had heard the news and who told them that the President had called for 75,000 men with which to put down the Rebellion. "Well," said my neighbor's brother-in-law, "if that is the case, I am going with the South." The other said, "I shall stay by the old flag and the old Government." And without dismounting they shook hands, bade each other good-bye and parted, not to meet again until after the close of the war. The spirit of treason and ruffianism had been schooled and hardened by six years of turmoil in the vain attempt, by armed interference and invasion, to force slavery upon Kansas. Colonel Dodge was of the right mould to deal with a population composed of these chaotic elements. He had the judicial mind which enabled him to weigh and balance causes; and yet he was firm and unbending in his devotion to the Union and its friends.

In war as in other avocations men are fitted by temperament and character for the various requirements of the service. A

man may be competent to command a regiment or a brigade, and as part of a larger command would be a most gallant and reliable officer. But give that very officer an independent command, and he might have neither the enterprise nor alertness to discover and guard the exposed points of his command, to explore the roads which should be picketed, or to meander the streams and sound the fords which should be watched. But the man who, when a civil engineer of the Mississippi & Missouri Railroad, had found time to explore the unsettled and Indian-haunted region between the Missouri River and the summits of the Rocky Mountains, impelled solely by the activity and energy of his nature, was not the kind of a man to be caught napping in an enemy's country. He could divine the purpose of an enemy because he knew what he would be doing himself, if he was in the place of that enemy. Col. Dodge's command at Rolla illustrates his metal. By personal inspection, and through his scouts, he explored every road and meandered every stream for miles around; acquainted himself with the geography of the country; knew the movements of every partisan guerrilla chieftain; and was informed, and furnished information to the commander of the Department, of the various movements connected with the organization of the Rebel army in southwestern Missouri. During the time he was in command at Rolla he brought order out of chaos in the territory over which his jurisdiction extended.

When General Samuel R. Curtis organized the army of the southwest, Col. Dodge was assigned to command the First Brigade of the Fourth Division, commanded by Acting Brigadier General Eugene A. Carr. In the movement to drive Price and his army from Missouri, which resulted in the battle of Pea Ridge, he led the advance upon Springfield, where it was supposed Price would offer battle. In this connection General Carr, in his report, relates a somewhat amusing incident. On the morning of the day the command marched into Springfield, his division, with Dodge's brigade in advance, arrived at a point about five miles from the town before daylight, where

he ordered a halt, to give time for the other divisions to come up and deploy. But one company of the Fourth Iowa, which had been thrown forward as skirmishers, did not get the order and pushed forward into Springfield, which had been evacuated during the night, capturing quite a number of prisoners and a large quantity of stores.

The Army of the Southwest scarcely halted at Springfield, but pushed on into northwestern Arkansas, whither Price had fled. As Price fell back he was joined by various detachments from Arkansas; and as his army was augmented by these reinforcements, he would half resolve on giving his pursuers battle. Finally, at Sugar Creek, he made quite a determined stand, but after a brisk skirmish, led by the Fourth Division, in which Col. Dodge's brigade took a prominent part, a cavalry charge was ordered, when the enemy again retreated. Price now moved to the vicinity of Boston Mountains where he was joined by General McCulloch with eleven regiments, and by General Pike with five regiments; which gave him an army of 30,000 troops. To oppose these, all told, General Curtis had but 12,095 men. With these he had to protect his long line of communications by leaving garrisons at Marshfield, Springfield, Cassville, and Keetsville; thus reducing his force to barely 10,500 infantry and cavalry, with which to meet and repel this enemy. General Van Dorn was in command of the combined Rebel army. General Curtis had necessarily spread his command over quite a wide territory in order to secure forage and supplies. His first and second divisions, commanded by Sigel and Asboth, were four miles from Bentonville. The fourth division was at Cross Hollow, where also was the headquarters of General Curtis, and Col. Vandever with his brigade of the fourth division was at Huntsville. On the 5th of March the commanding General learned that the entire Rebel force was marching from his rendezvous near Boston Mountains to offer battle. General Curtis immediately dispatched couriers to the division commanders with orders to march to Sugar Creek, where Colonel Jefferson C. Davis, in command of the third division, was in position. The fourth division, at Cross

Hollow, twelve miles from Sugar Creek, immediately took up the line of march at 6 o'clock P. M., and arrived on the chosen battle-field at 2 o'clock A. M. The field selected by General Curtis was on the bluffs and projecting points overlooking Sugar Creek, a stream running through quite a wide valley, along which ran the main roads from Fayetteville by Bentonville to Keetsville, and also from Fayetteville by Cross Hollow to Keetsville. In the rear was a somewhat broken plain called Pea Ridge, extending back in the direction of Cross Hollow. About three miles to the rear of this position was a road running nearly parallel with Sugar Creek and with the proposed line of battle.

General Curtis anticipated, as did his subordinate officers, that the rebels would be likely to march across his flank, with the view of reaching this road in his rear. He therefore ordered Colonel Dodge to proceed to this road, and by falling the timber in reach of it, obstruct as far as possible the advance of the enemy in this direction. As was his habit this order was performed thoroughly. His command worked unceasingly until long after midnight, cutting every tree available to make a thorough obstruction. As was anticipated, daylight found the Rebel force making a flank movement to gain this road. This necessitated a change of front, which was accomplished about half past ten A. M., of the 7th. The advantage to our army of the work of General Dodge and his command in obstructing this road is thus told subsequently by General Van Dorn, in his official report: "I halted the head of my column near the point where the road by which I proposed to move diverges, threw out my pickets, and bivouacked as if for the night. But soon after dark I marched again, moving Price's division in advance, and taking the road by which I hoped before daylight to reach the rear of the enemy. Obstructions, which he had hastily thrown in the way, so impeded our march that we did not gain the Telegraph road until near ten A. M., of the 7th." Immediately after the changes which this disposition of the enemy necessitated, the new right (which before the change of front had been the left) near Elk Horn

Tavern was fiercely assailed. This was the position occupied by General Carr; and the extreme right, near Elk Horn Tavern and beyond, was the position of Colonel Dodge's brigade. Here ensued and continued with little cessation for seven long hours a most fearful engagement. At times, as the enemy would attempt some new movement in his endeavor to turn the flank of Dodge's brigade, it would become a desperate conflict. But here the Division stood with its face to the foe; Dodge, being on the extreme right, was in the exposed position, really occupying the objective point of the enemy. General Carr asked for re-enforcements early in the day, immediately upon his discovering that with some 2,500 men he was holding at bay 10,000 or 12,000 of the enemy. But as a severe conflict was in progress in the center, where General Jeff C. Davis was in command, most of the re-enforcements that were available were diverted to the center, whilst General Curtis sent his aid to Carr, with a message which in its brevity and almost despairing tone was absolutely pathetic: "I can only ask you to persevere." And Curtis says in his report: "He did persevere, and the sad havoc in the Ninth and Fourth Iowa regiments and Phelps' Missouri and Weston's Twenty-fourth Missouri, and all the troops in that division, will show how earnest and continuous was their perseverance." Finally at 2-o'clock in the afternoon he learned that the left, occupied by Sigel and Asboth, had not been under fire during the day, whilst, in the language of his report, "the enemy had melted away in the brushy center;" and he says: "I had now resolved to bring up the left and center to meet the gathering hordes at Elk Horn Tavern." General Curtis himself accompanied General Asboth. It was about five o'clock in the afternoon when the advance of General Asboth's column reached the vicinity. The Fourth Division was nearly out of ammunition, and was slowly falling back, but fiercely contesting every inch of ground. General Curtis says in his report "that the Fourth Iowa was falling back for cartridges, in line, dressing on their colors in perfect order." He says: "Colonel Dodge came up explaining the want of cartridges, but being informed of the

reinforcements at hand, and that General Asboth was planting his batteries in the road, from which he soon opened fire, the Fourth and Ninth regiments, with fixed bayonets, though without cartridges, made a charge, driving the enemy from their front." And he says: "These two regiments won imperishable honors on that day." The batteries continued a tremendous fire, but their ammunition was finally exhausted, and darkness put an end to the conflict. The infantry lay on their arms during the night with their dead and wounded comrades scattered about them, and the following morning the conflict was opened with renewed force. General Curtis had readjusted his lines during the night. In the morning he confronted the enemy with a continuous line on open and comparatively unbroken ground, which admitted easy evolutions to meet the enemy at exposed points. The enemy occupied the broken ground and gorges at the head waters of Sugar Creek. The ground he occupied was not suited to movements to the right or left to reinforce points of attack. Our troops felt their advantage. The extreme right was occupied as the day before, by Dodge's brigade. After the contest had been continued for some time, the right and left wings had so far advanced as to threaten an enfilading fire upon the flanks of the enemy, when he broke and fled from the field, seeking safety in precipitous flight through gorges of the hills.

The losses tell the story of the battle. Loss of the First Division (Sigel's), 144; the Second (Asboth's), 119; the Third (Davis'), 329; the Fourth (Carr's), 701. I have always thought—and reviewing these reports thirty years after the battle has passed into history, I am confirmed in the opinion—that Sigel's efforts to reach and reinforce the Fourth division, after two o'clock on the second day of the battle, were, to say the least, not very enthusiastic. He took a circuitous route and made a leisurely march when he knew that the right of the army was holding its ground against fearful odds and at fearful cost. General Curtis in closing his report, after commending the division commanders, says: "I also again present commanders of brigades, Colonels Dodge, Osterhaus, Vandever, White,

Shaefer, Patterson and Greusel. The three first named I especially commend." General Carr says, speaking of the fierce contest on the right, the second day: "During all this time Colonel Dodge had sustained a constant engagement with the enemy. He placed himself on the hither side of the field near Clemon's house, and though immediately outnumbered and in point blank range of grape, held his position until his ammunition gave out, when he retired a short distance, waited for the enemy's approach, gave him a last volley, which checked and turned him, and then marched off the field with colors flying, and bringing his wounded men along. Colonel Dodge had three horses shot under him, one of them being struck with twenty balls, and was wounded himself, though not so severely as to leave the field."

Thus closed with a complete victory the battle of Pea Ridge. It was Colonel Dodge's first "baptism of fire," and fixed his place in the army as a cool-headed and level-headed fighter. For his service in this battle, upon the recommendation of General Halleck, he was appointed Brigadier General. Owing to his wound and hard service, after the battle of Pea Ridge, he was compelled to take a short respite from the duties of the camp and the hardships of the campaign. As soon, however, as he had recovered he was assigned to duty at Columbus, Kentucky. Here he had before him a task suited to his genius. The Mobile & Ohio Railroad had been greatly impaired, a large number of the bridges destroyed, and much of the rolling stock had been burned and made way with during the campaigns in western Kentucky and Tennessee. When Corinth was finally occupied by General Halleck's army, this railway as a line of supply became a necessity. To its reconstruction General Dodge brought his experience as a railroad engineer and railroad builder. Whilst thus engaged he found employment for his military skill in guarding the entire line from the constantly threatened raids of the guerillas. In these efforts he met and captured General Faulkner, near Island No. 10, and whipped Villipigue on the Hatchie river. And finally overcoming all obstacles, on the 26th of



June, 1862, trains were running continuously from Columbus to Corinth.

On November 15, 1862, General Grant assigned him to the command of the Second division of the Army of the Tennessee, then stationed at Corinth, Mississippi. This division originally was organized by General Grant at Cairo, and had remained under his personal command during the earlier months of his great career; and it was with this division he proved to the country his metal as a soldier. Some time after this General Dodge was assigned to the command of the District of Corinth. July 7, 1863, he was assigned to the command of the left wing of the Sixteenth Army Corps, with headquarters at Corinth.

Whilst in command at Corinth he perhaps rendered service to the Government more far-reaching—combining his military and executive duties—than any other corps commander during that period. He held the important strategic position which Corinth then was from a military standpoint; being at the junction of the Mobile & Ohio and the Memphis & Charleston railroads. It was midway between the great armies commanded by Grant, which were thundering at the gates of Vicksburg, and the Army of the Cumberland, commanded by Rosecrans, with Chattanooga as the objective point. This gave General Dodge a wide opportunity for the exercise of his versatile and inexhaustable resources as a commanding officer. He was engineer and railroad manager. He organized a corps of observation, and a system of scouts, through which he kept himself informed of all the movements of the various Rebel cavalry commands which hibernated in northern Mississippi and western and middle Tennessee. Through these sources he collected news which he furnished both Grant and Rosecrans, and which was acknowledged by both of them to be of inestimable value. On three occasions these Rebel cavalry commanders came so near Corinth, in their excursions through the country to replenish their supplies and pick up a relay of fresh horses—with the ulterior purpose of capturing any weak and unsupported detachments which they

might chance to surprise in an unwary hour—that he marched out to meet and drive them out of the country. On one occasion he moved up into Henderson county, Tennessee, and drove out the combined forces of Forrest and Ferguson, who were threatening Gen. Sullivan at Jackson, driving them with loss of men and material; they barely escaping capture by fleeing east of the Tennessee river. Again, marching up the Tuscumbia valley, he drove back Forrest, Van Dorn and Roddy, keeping them employed and diverting their attention until Col. Straight got fairly off upon his raid into northern Georgia. Then pushing the enemy to Town creek, he swept them from his front. In this expedition he again illustrated his unselfish interest in the entire military service, and in a brother officer. When Col. Straight arrived at Tuscumbia, after a long march from middle Tennessee, many of his horses were broken down and disabled, so General Dodge stripped his own cavalry, and his transportation teams, of every horse he could spare, and turned them over to Colonel Straight, trusting to his diminished transportation to supply his command. He also marched up the Tennessee river in the rear of Bragg's army, going as far as Decatur, and laying waste the country, to aid Gen. Rosecrans in his Chattanooga campaign; and on returning from this campaign he was followed by several hundred refugees, white and black. Whilst thus constantly employed in keeping his military fences in repair, he originated an enterprise which could only occur to an officer of his practical mind. In northern Alabama, especially in the mountainous counties, a large percentage of the population were loyal to the Government. Many of these people, when the attempt was made to draft them into the Rebel service, fled from their homes, and hiding in swamps and among the mountains, were fed by trusted friends not subject to military duty, thus eluding the Rebel authorities for weeks, and some of them for months. But late in the summer and fall of 1862, the system of espionage by the Rebel government became so thorough that they knew their hiding-places would be discovered and that they would be forced into a service, for a cause, which

they hated. So thousands of these people fled to the Union lines, and hundreds were sent north, where they either found employment, or were cared for by the Union people until the war closed. Several hundred came into the Union lines at Corinth. A great many fell in with Gen. Dodge's command when making its various campaigns to meet and repel Rebel raiders. Some of these refugees were people of social standing in the South, many of them were illiterate, but all of them had the instinct of loyalty, and a love of liberty born of the mountain air in which they had lived. Among those who came into Corinth were three brothers named Smith. The elder, Wm. H. Smith, had been a Judge of the court in northern Alabama, and after the close of the war, was for two years Governor of the State. From these refugees Gen. Dodge determined to raise a cavalry regiment. Procuring authority from the War Department, he secured the enlistment of such as were willing to serve in the army, then at Corinth; and as fast as others came into our lines, able-bodied and of suitable age, he gave them the choice of enlisting or going north. Thus he raised a full regiment which he officered largely from trained soldiers who had been either privates or officers in northern regiments. For the colonel he took Captain Geo. E. Spencer, who was his assistant Adjutant General. For the lieutenant colonel he selected George L. Godfrey, the Adjutant of the Second Iowa Infantry, who had proved himself a most gallant and reliable officer. For many of the company officers he selected privates from northern regiments who had proved their qualities as soldiers. After he was assigned to the command of a corps in the field, Col. Spencer was detailed as his Chief of Staff, leaving Lieutenant Colonel Godfrey in command of the First Alabama Cavalry, which became a most effective and gallant regiment.

He also while at Corinth, and during his occupancy of middle Tennessee, organized and put into service five regiments of colored soldiers. He was a pioneer in the organization of colored troops, and pushed forward the experiment, even while the proposition to arm the colored men was unpopular in the

army. There was a large number of able-bodied colored refugees within our lines at Corinth, and of course a practical, common-sense officer like General Dodge would begin to consider how he could utilize able-bodied people whom he had to feed and yet were of no service to the Government. So he organized a regiment of laborers to be used in loading and unloading cars, in working on the railroads, as repairers, in policing the camp, etc. He officered them and organized them into a command similar to a regiment. And as soon as the authority to enlist and arm them as soldiers was granted, it was not twenty-four hours until General Dodge had them equipped and in readiness for the muster and the drill. The writer remembers, at the beginning of the experiment in raising colored troops, hearing General Dodge talk with an officer who was skeptical in regard to the wisdom of enlisting the colored man as a soldier. Of course this opponent of arming the negro argued that he would not fight—that putting arms into his hands was equivalent to turning them over to the rebels, because the rebels would eventually capture the colored soldier and his musket. The reply of General Dodge will never be forgotten, as it was so emphatic and complete. Said he: “You need not tell me the negro will not fight. His nature is to fight. The African tribes in their native barbarism are in a constant state of war. Occasionally one village or tribe will swoop down upon another and literally wipe out the inhabitants at the cost of more than half the lives of the combatants on both sides. Give these people the confidence which the drill and the use of fire-arms inspire, and put at their head brave and intelligent officers, and I’ll take the chances on their fighting.” How literally true was this diagnosis of the negro soldier. There was not during the War of the Rebellion a more heroic charge than that made by Col. Shaw at the head of the Fifty-fourth Massachusetts Colored Infantry upon Fort Wagner.

There was another branch of the military service at Corinth which was perhaps more important and difficult of proper performance than anything else with which General Dodge had

to deal. It was the sort of semi-civil government he had to administer over the citizens in the hostile territory. This authority he exercised with unbending firmness, and yet was careful to refrain from an unnecessary and harassing show of military interference with the individual. In this connection one of the most embarrassing matters which came under his jurisdiction was the Treasury permits to certain civilians to deal in cotton, paying to the Government a royalty on purchases. General Dodge had so much trouble with these Treasury agents, by the information the enemy were constantly securing through their employes and agencies, and the whole business withal was so demoralizing in its tendency, that he finally determined to ignore all Treasury permits. These recommendations for permits would come from the Treasury Department to General Grant, and he would send them on to Dodge, who would refuse to let the agents pass through our lines. Then complaints would be made to Washington, whence they would be sent back to Grant, who in turn would send them to Dodge, without suggestion or recommendation. Finally the speculators undertook to influence General Dodge himself; which is said to have been the foundation for the story that he wrote Grant asking to be relieved from the command, as he was afraid the cotton speculators would reach his price.

Another incident illustrates the character of General Dodge and his manner of intercourse with his officers and men. He had a habit, when considering any proposition, of picking up a piece of paper from his desk and slowly tearing it in strips; and as his mind worked towards a conclusion the faster he would tear off the strips of paper. In the autumn of 1863, after the fall of Vicksburg, there was something of a lull in military activity in northern Mississippi, and of course officers and soldiers, who did not foresee the campaign to middle Tennessee, and Chattanooga, became somewhat restless and anxious for furloughs and leaves of absence. Among others Captain Farran, of the regular army, who was then serving on General Dodge's staff, was anxious to get a leave. He told

the writer that he intended to apply for a leave, and afterwards that he had done so; but without avail. Upon being asked why he did not argue the matter with the General, "Oh!" he says, "I did try to convince him that it was the proper thing to do; and he listened patiently for a few minutes, but after awhile he began to tear paper, and I knew the jig was up."

Finally, in the fall of 1863, General Dodge, with the left wing of the Sixteenth Army Corps, bade adieu to Corinth and the surrounding country, over which he had marched and counter-marched for more than a year. He followed immediately in the rear of the Fifteenth and Seventeenth Corps, which had gone forward to Chattanooga to take part in one of the most brilliant achievements of the war, resulting in raising the siege of Chattanooga and putting Bragg and his army to flight. General Dodge's command, on leaving Corinth, of course supposed their destination was Chattanooga. But on arriving in middle Tennessee he was halted by an order of General Grant, and making his headquarters at Pulaski, stretched his command along the railroad extending from Nashville to Decatur. Here General Dodge was given the opportunity to bring into play the marvelous versatility of his mind. General Grant with his immense army in and about Chattanooga had but one line of communication with the rear, and but one line of supply for this army; and that was the Nashville & Chattanooga Railroad—a single slender thread. This road was greatly overworked, and there was the constant danger of raids by the enemy which might interrupt even this line of supply for some days. So General Grant determined to open another line, by rebuilding and re-equipping the railroad from Nashville to Decatur, where it formed a junction with the Memphis & Charleston Railroad, over which communication could be continued east to Stevenson, where the Nashville & Chattanooga and Memphis & Charleston railroads formed a junction.

Whilst General Dodge was engaged in this work he had to protect the country from the invasions of raiders, and supply the subsistence for his army from the country. The land between Nashville, Tennessee, and Huntsville, Alabama, although

quite broken and cut up with small streams, is a most beautiful and fertile country. The farmers along the valleys of these streams were more thrifty than in any portion of the South the writer had ever seen. They raised corn and hay and oats, had extensive orchards, and many of them had quite large herds of cattle, horses, sheep and hogs. Every few miles there was a grist mill; and as General Dodge had to supply his army of 8,000 men, and their necessary horses, from the country, the resources of these farms were seriously taxed. The mills were run night and day; corn and wheat were gathered and brought to the mills, whilst cattle, hogs and sheep were driven together and slaughtered. For all these supplies, vouchers were issued to the owners, leaving the question of loyalty to be settled afterwards. Thus General Dodge supplied his army from the resources of the country; and of the manner in which he rebuilt and re-equipped the railroad, General Grant, in his Memoirs, gives a most vivid and appreciative description, which I know the reader will thank me for here inserting:

Sherman's force made an additional army, with cavalry, artillery and trains all to be supplied by the single-track road from Nashville. All indications pointed also to the probable necessity of supplying Burnside's command in east Tennessee, twenty-five thousand more, by the same route. A single track could not do this. I gave, therefore, an order to Sherman to halt General G. M. Dodge's command of about 8,000 men at Athens, and subsequently directed the latter to arrange his troops along the railroad from Decatur north toward Nashville and to rebuild that road. The road from Nashville to Decatur passes over a broken country, cut up with innumerable streams, many of them of considerable width and with valleys far below the road bed. All the bridges over these had been destroyed, and the rails taken up and twisted by the enemy. All the cars and locomotives not carried off had been destroyed as effectually as they knew how to destroy them. All bridges and culverts had been destroyed between Nashville and Decatur and thence to Stevenson, where the Memphis & Charleston and the Nashville & Chattanooga roads unite. The rebuilding of this road would give us two roads as far as Stevenson over which to supply the army. From Bridgeport a short distance further east the river supplements the road.

General Dodge, besides being a most capable soldier, was an experienced railroad builder. He had no tools to work with except those of the pioneers—axes, picks and spades. With these he was able to entrench his men and protect them against surprises by small parties of the enemy. As he had

no base of supplies until the road should be completed back to Nashville, the first matter to consider, after protecting his men, was the getting in of food and forage from the surrounding country. He had his men and teams bring in all the grain they could find, or all they needed, and all the cattle for beef, and such other food as could be found. Millers were detailed from the ranks to run the mills along the line of the army. When these were not near enough to the troops for protection they were taken down and moved up to the line of the road. Blacksmith shops with all the iron and steel found in them were moved up in like manner. Blacksmiths were detailed and set to work making the tools necessary in railroad and bridge building. Axmen were put to work getting out timber for bridges and cutting fuel for locomotives when the road should be completed. Car builders were set to work repairing the locomotives and cars. Thus every branch of railroad building, making tools to work with, and supplying the workmen with food was all going on at once, and without the aid of a mechanic or laborer except what the command itself furnished. But rails and cars the men could not make without material, and there was not enough rolling stock to keep the road we already had worked to its full capacity. There were no rails except those in use. To supply these deficiencies I ordered eight of the ten engines General McPherson had at Vicksburg to be sent to Nashville, and all the cars he had except ten. I also ordered the troops in west Tennessee to points on the river and on the Memphis & Charleston road, and ordered the cars, locomotives and rails from all the roads except the Memphis & Charleston to Nashville. The military manager of railroads also was directed to furnish more rolling stock and, as far as he could, bridge material. General Dodge had the work assigned him finished within forty days after receiving his orders. The number of bridges to rebuild was one hundred and eighty-two, many of them over deep and wide chasms. The length of road repaired was one hundred and two miles.

*(To be concluded in January number.)*

## THE TWENTY-FOURTH IOWA VOLUNTEERS.

FROM MUSCATINE TO WINCHESTER.

BY THAD. L. SMITH.

(Concluded from July number.)

AFTER THE SIEGE OF VICKSBURG.

There is one remarkable circumstance connected with this brief siege, viz., while within 35 miles of Black River, whither the cars were running, and having an almost unobstructed communication to the rear, at no time were we supplied with half rations by the Government. The Fifteenth and Seventeenth Corps had passed through this region while en route



for Vicksburg, and left but little in the country. The army had to be supplied with green corn from the fields, and upon this and fresh beef it was principally subsisted. At least this was true with regard to our twelfth division. The water, except where it could be obtained from springs, was exceedingly bad. The enemy in compliance with an order from General Johnston had killed their stock and thrown it into the lagoons, in the first instance to prevent its capture by our forces, and in the next for the purpose of poisoning the water. Although this did not operate as successfully as he had hoped, owing to the hot dry weather, and the scarcity of water, it was the means of great annoyance, and in many instances may have operated disastrously to the health of the command. Jackson contained but very few munitions of war, Johnston having succeeded in destroying or carrying away all that was valuable.

Several hundred prisoners too sick to travel, or tired of the contest, fell into our hands. The Government works of the city had been partially destroyed by General Sherman in May. General Johnston having collected a considerable quantity of supplies which he was compelled to store in the business buildings of the city and could not get away with him, had set fire to them, which resulted in the destruction of its principal business blocks. The destruction thus commenced ended in the almost complete devastation of the city, leaving it a mass of charred and blackened ruins. The capitol buildings and others were burned by our soldiers in revenge for the torpedoes scattered about the streets, resulting in the murder of several of our men. They were usually placed under the ground in the streets and sidewalks, with wires attached, and a very slight jerk would suffice to explode the concealed infernal machine. It was the first general destruction of private property during the campaign by our troops, for which the losers may feel grateful to the inventors and abettors of this unrecognized, cowardly and barbarous mode of warfare. The want of supplies and the heat and drouth rendered the pursuit of Johnston impracticable, and the forces prepared to return to Vicksburg as orders indicated. The division set out on the morn-

ing of the 21st by slow and easy marches, returning by the Raymond road. The weather was extremely hot and sultry, the water bad and the dust deep.

In direct disobedience of orders, the troops were marched rapidly along, and in all their marches never before suffered so severely from heat and fatigue. Fifty miles were passed over in the latter part of July in less than two and a half days. Five or six from our regiment alone, men who had participated in all the hardships of the campaign, fell down as they marched along, utterly overcome by heat and fatigue, some of whom never fully recovered from its effects. It was cruel and heartless, because useless.

The regiment reached its former camp in the rear of Vicksburg about 1 o'clock A. M. of the 23d, and marched into Vicksburg on the following morning, encamping on the river bank about a mile below the city. The city itself was in a most deplorable condition. All life and energy had been swept out of it by the terrible ordeal through which it had recently passed. Of the citizens, some had fled North seeking peace and rest, while others, following the fortunes of the Southern cause, sought relief within their own lines. The debris of a large army cooped up within its limits for 47 days had rendered it almost uninhabitable. Munitions of war of all kinds were lying about in every direction, as if left where they were last used, or as if the contents of some mighty arsenal had been suddenly hurled into the air and scattered within its limits, shattering its dwellings and spreading destruction everywhere to life and property. Never perhaps in the history of the world has it fallen to the lot of any city to undergo an equal amount of bombardment from all sides for so long a period.

Many were the victims reported to have fallen while quietly walking along its streets. Upon either side of the streets and along the bluffs were to be seen the underground dwellings whither the inhabitants had fled for safety. Some of them were floored and carpeted, and presented a tolerable appearance of comfort, but, having only one narrow door for the ingress of light, must have been very dark prisons. Add to this

the pangs of hunger and the long suspense, and we have a picture of physical suffering scarcely equalled in the annals of the world. Of course all the citizens who had chosen to leave the city were allowed to do so at the outset of the siege. Those who remained will not be likely so to elect again. The city had been stubbornly defended to the last, and its fall was a most important event in the history of the rebellion. It dragged down with it Port Hudson, the last barrier to our navigation of the Mississippi River. This accomplished, the scene of important movements shifted immediately to east Tennessee, and thence proceeded until the Confederacy was again severed by the legions under Sherman. With what pride the soldiers of that army gazed upon the bosom of the mighty river freed at last from all rebel dominion after two years of bloodshed! From the first hour that the sullen boom of the cannon on the bluffs behind us had announced opposition to its free navigation, the young West had dedicated herself to the overthrow of the presumptuous enemy. Her sons standing upon the river bank on that morning felt that she had fulfilled her pledge. It only remained to destroy the foe still in arms, and its waters would be free for navigation forevermore.

The work of refitting the army after its long and arduous campaign was immediately begun. As all needful supplies were at hand, this occupied but a few days. Orders were issued allowing five per cent. of the command to visit their homes on thirty days' furloughs.

Orders were received to proceed at once to the Department of the Gulf, then under command of Gen. Banks. Embarking on board of transports, the division left Vicksburg on the morning of the 2d of August. Proceeding directly to Natchez, our regiment disembarked on the 4th inst. The city was almost as silent and lifeless as a churchyard. The wealthy portion of the late inhabitants had fled to the interior, bearing away with them the greater portion of their slaves, in anticipation of its early occupation by our forces. The streets, however, were very clean, as it had never suffered by the presence of any large force within its limits. All

places of business were closed and Sunday seemed to prevail throughout the entire week. The troops were encamped immediately back of the city. Rest, after the late toilsome campaign, was here promised them. The arrangements for their comfort were still incomplete when orders were again received to re-embark on the 11th inst.—having remained but one week. Two days later we again encamped at Carrollton, Louisiana. Here we were doomed to swelter through a month of laborious rest upon the banks of the Mississippi river, under the broiling August sun, unrelieved by breeze or shade. Quitting Carrollton on the 13th of September, the command proceeded by rail from Algiers to Brashear City, one hundred miles distant, arriving the following day. Brashear City is situated on Berwick Bay, and is about thirty-five miles inland. It is an inconsiderable village, surrounded by swamps and infested with mosquitoes from January to December of each year. The bay is less than a mile in width at this point, but affords an excellent harbor. The wharf and depot buildings are extensive and commodious. An enormous supply of Confederate and quarter-master's stores were captured by a few daring Texans during Gen. Banks' advance upon Port Hudson. Upon one side of the building the Rebels had facetiously posted in large letters the following words: "Major-Gen'l Banks, Chief C. S., Stonewall Jackson's army and Chief of Ordinance for the Rebel Army in Louisiana!"

Meanwhile preparations were being made for an advance through the Teche region, one of the finest and richest in the South. Four days were occupied in crossing over the troops. The army set out from the imaginary city of Berwick on the morning of October 3. Strict orders were issued forbidding any foraging, except by details organized for that purpose; but the habit of living off the country, acquired in the late campaign, rendered the utmost vigilance on the part of the officers commanding necessary for the enforcement of the order in a region where yams, pork, beef and poultry abounded. A natural suspicion that the Government was not being benefited by the vast quantities of sugar and cotton

which were being collected and forwarded to Brashear City by speculators, doubtless increased the desire to disobey the order. Gen. Ord expostulated, threatened and punished, but withal effected very little. He then increased the beef ration to two and a half pounds per day, sent out yam details, but still pork and poultry found their way into camp. An order then appeared permitting citizens to use arms in defense of their property. This exasperated the troops to such a degree that he could find no guard who would molest the foragers. The corps yielded a willing obedience to all other particulars, although the General's determination in this matter had rendered him exceedingly unpopular.

The army moved forward leisurely and uninterruptedly. The 1,500 troops under Gen. Green could do comparatively nothing in opposing the advance of the two corps, the 13th and 19th. Their cavalry would occasionally attack a foraging party, but seldom inflicted any other damage than to facilitate their return to camp. The advance occupied Vermillionville October 10, where the army rested until the 21st. The weather now began to grow cooler, and many suffered from an insufficiency of proper clothing for the season. A cold, drizzling rain setting in on the morning of the 23d continued throughout the day. All will long remember that day as one of the most dismal and disagreeable in their experience. The troops encamped about Opelousas on the evening of this day. A few only advanced beyond here. A little more than a week was occupied in eating out the corn stores, to give place to cotton and sugar in the wagons, when the conquering army set out on its return.

Thus far the enemy had not favored us with a skirmish. The army marched to Carencro Bayou November 1. On the following day the 19th corps continued its march towards New Iberia. The 13th corps had one brigade under Gen. Burbridge posted about three miles in advance of the main body of the troops. The brigade remained thus situated through the 2d. During the day small bodies of the enemy were observed scouting about the lines, but his known weak-

ness dispelled all fears of his being able to cope with any part of our force so situated. During the day a lamentable disaster occurred to the 24th. A foraging party was sent out under command of Capt. J. C. Gue, for the purpose of procuring sweet potatoes. They were not more than two miles from camp and were busily engaged in loading the wagons, when a party of some thirty horsemen were observed about half a mile away, but apparently dressed in blue, and created no fears among the foragers. One of the party, appearing to be an officer, leaving his companions, rode slowly towards the fence, as if desirous to speak with those within the field. The Captain rode out to meet him and ascertain his business there. The horseman rode up to the fence about sixty rods distant from the party and stopped. It is somewhat wonderful that in a country known to be infested with guerrillas the Captain should have advanced so far, but impelled by a strange fatality he continued until within ten or fifteen rods of the man, when the Rebel, disguised in a blue uniform of the U. S. army, drew up a carbine and shot him through the left breast, killing him almost instantly. It was but the work of a moment for him to leap the fence and rob his victim. This done, he hastily withdrew with his booty. The detail fired several ineffectual shots at him, and hurried rapidly to the Captain's side. One of the party was dispatched to the camp for assistance in case of an attack, while the remainder placed the body in the wagon and secured the Captain's horse. Company C was immediately sent to their assistance. Satisfied with the result of their cowardly exploit, the enemy made no further attempt upon the party of fifteen men with the wagon, and all soon after returned in safety to camp. The Captain was a gallant and able young officer, and his tragic death was lamented by the entire regiment. He was buried on a little knoll near the encampment on the day following.\*

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\* Twenty-one years after his burial on the banks of Carencro Bayou, in western Louisiana, his grave was found by his brother, B. F. Gue, who had gone south for that purpose. By order of the War Department his remains were removed to the great National Cemetery at Vicksburg, where rested hundreds of his comrades who fell at the battle of Champion Hill. Captain Gue had been severely wounded in

The work of paying off the troops under command of General Burbridge was begun on the following morning. While this was being done, the enemy made a sudden and unexpected attack upon them and succeeded in routing the greater portion before they were prepared to meet him. Troops were immediately sent to their assistance, and soon succeeded in beating off the enemy, but not until he had killed many and secured a number of prisoners. A deserter had, no doubt, reported the condition and situation of the troops, upon which General Green, who had been hovering about our lines, determined to make the assault with a view of inflicting whatever injury was possible under the circumstances. He succeeded but too well, escaping with small loss to his command. He is the same general who afterwards led his troops in a charge upon a gunboat above Grand Ecore during the Red River campaign, losing his head by a cannon ball as a result of his temerity.

During the absence of the troops in front, an attempt was made to pillage the camp, the enemy doubtless supposing it to have been left unprotected. Companies H and K, under Major Ed Wright, had been dispatched to cover the left flank of the camp, and arrived just in time to frustrate their design. A brisk skirmish ensued, in which four of the enemy were killed and the remainder put to rout without any damage whatever to our boys. The 19th Corps returned during the night of the 3d, and rumors having been circulated that the enemy had been greatly reinforced, an attack was anticipated on the following morning, but he failed to make his appearance.

The army resumed its march on the morning of the 5th inst., and camped on Vermillion Bayou, where it remained without further molestation until the 16th. Proceeding to New Iberia, it remained there until the 19th of December. During

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that battle in May, while leading his company in the desperate charge of the gallant Twenty-fourth on a Rebel battery. The regiment lost 84 killed and 100 wounded and missing in that charge. Captain Gue had but just recovered from his wound at Champion Hill, and thus perished in the first service he was able to undertake after that battle.

our month's stay here, vast quantities of sugar and cotton were brought in from the surrounding country and shipped to New Orleans. It was estimated that one hundred teams were daily employed in this business. Two regiments were daily sent out as guards with the teams. From New Iberia these products were shipped to Brashear City upon small steamers navigating Bayou Teche. The country about is exceedingly fine and thoroughly cultivated. The immense quantity of sugar stored away from the crops of three previous years seemed almost incredible. Each plantation had its own sugar mill, in which were stored from one to five hundred and in some cases one thousand hogsheads of sugar. It has not yet come to light whether "Uncle Sam" was greatly enriched from his share of this property. Had he procured all of it, it would not have remunerated him for the expense of that useless expedition.

While here Col. Slack, our brigade commander, went home on leave of absence, and the command of the brigade fell upon Colonel W. H. Raynor of the Fifty-sixth Ohio, a quiet, gentlemanly officer. Colonel Wilds, with ten men, was also ordered home on recruiting service, leaving the regiment under command of Major Ed Wright. The troops set out on their return to New Orleans on the 19th of December. Marching to Brashear City, they were transported by rail from there to Algiers, where they arrived December 25. We were paid off the day of our arrival. The regiment wallowed about in the mire of this camp until January 21, 1864, when our brigade started for Madisonville, where it arrived the 23d. During the expedition the command was composed of the 19th Army Corps under the command of Major General Franklin, the 13th Army Corps under Major General Ord, and a small body of cavalry under General Lee—Major General Banks being in command of the whole army. The campaign was conducted in the most approved style. The soldiers were well supplied with rations, transportation, etc. A signal corps and military telegraph formed a part of its ornamental appendages, and if



the expense was great and the results small, we were at least a *victorious* army, with "none to molest or make us afraid."

JANUARY, 1864.—The regiment was now in the 2d brigade, 3d Division, 13th Army Corps, Colonel W. H. Raynor, 56th Ohio, commanding, and General George F. McGinnis commanding the division. We went into camp at Algiers, Louisiana; the weather was very wet, mud and water rendering the camp almost impassable to man or beast. Frequently, after a heavy rain, the water would raise several inches on the floors of the tents. We remained in this condition until the 14th, when General McGinnis procured the warehouses on the bank of the river immediately below town, and ordered the regiment moved there. These warehouses were large and had a fine pier in front, for recreation. Here we remained and enjoyed ourselves hugely until the 21st, when the division was assigned to the "District for the defense of New Orleans," commanded by Major General Reynolds, and ordered to report to Brigadier General Grover at Madisonville, Louisiana, a small town on the north side of Lake Pontchartrain.

The regiment left Algiers on the 21st, moved by railroad to Lake Port, and from there to Madisonville on the steamer N. P. Banks, arriving at midnight of the 21st, and bivouacked in the streets.

On the morning of the 22d we went into camp west of town on a sand ridge. We were ordered to make our camp as pleasant as possible, as we should probably remain in it for some months, consequently the camp was laid out according to the latest and most approved style, and beautifully decorated with small pine trees in which the country abounds. We remained in this camp until the end of the month, spending the time pleasantly, building fortifications, drilling, etc. This was the most pleasant camp it had ever been the privilege of the 24th to enjoy since leaving Camp Strong at Muscatine. It was not unusual to hear the remark made by both officers and men that they would be willing to spend the balance of their natural lives soldiering, providing they could do it in a camp like that.

**FEBRUARY 1.**—The regiment went into camp at Madisonville, Louisiana, spending the time in the usual camp duties, such as building works, doing picket duty, drilling, etc. We remained until the 26th, when we were ordered to ship on board the steamer Kate Dale for Lake Port and thence by railroad to New Orleans. We left Madisonville at sunset on the evening of the 26th and arrived at Lake Port at 10 o'clock. We shipped our "traps" from the boat to the cars, then laid down on the upper side of the depot floor and slept till morning.

At eight o'clock on the morning of the 27th the regiment started for New Orleans, and arrived in due time. We transferred our goods from the cars to the ferry boat and from the boat to the camp at Algiers, La., by sunset the same evening. On the 28th we arranged camp and prepared to live.

On the 29th we were mustered for pay.

**MARCH 1.**—The regiment went into camp at Algiers, La. We received notice that on the 3d of the month a review would come off by the Commanding General. The review passed off to the satisfaction of all concerned. The Twenty-fourth did its duty well; was especially complimented by the General for the beauty of its marching and maneuvers generally. **4TH.**—We were ordered to ship on the cars for Berwick Bay, La. We transferred all our "traps" to the cars, and were ready to move by 12 o'clock M., when we received a telegram that a bridge was broken, and we would probably have to remain at Algiers several days, consequently everything was again transferred to camp, the tents were pitched and matters put in condition for living. **5TH.**—We were ordered to load on the cars again for Berwick Bay, at which place we arrived at midnight on the 6th, and went into camp about a mile from the bay. We were ordered to turn over all camp and garrison equipage that could be dispensed with on an expedition, send back to New Orleans all extra baggage, and prepare for a lengthy and rapid expedition, which we obeyed to the letter. Company F was here detailed as Provost Guards and ordered to report to the Division Commander. We left

Berwick Bay on the morning of the 13th for Shreveport, La., on what is generally known as Banks' Red River Expedition, Colonel W. H. Raynor commanding brigade, General Cameron commanding 3d Division, and General Ransom commanding 13th A. C., consisting of the 3d and 4th Divisions. We arrived at Franklin, La., on the evening of the 14th; rested one day and drew some clothing and ammunition. We left on the morning of the 16th and arrived at Washington on the evening of the 20th. Here we came up with the 19th A. C., under command of Major General Franklin. Rested on the 21st, we left on the morning of the 22d, arriving at Alexandria on the morning of the 26th and went into camp about two miles above town on the banks of Rapides Bayou. Resting the 27th, we commenced the march again, taking the advance on the morning of the 28th, arriving at Kane river on the evening of the 29th, where we had to build a bridge, which was completed on the 30th. On the 31st we resumed the march, arriving at Natchitoches at noon on the 1st of April, having traveled during the month by railroad 100 miles, and marched 290 miles. The weather had been fine all the time, the roads were good, and everything passed off to the satisfaction of all concerned.

APRIL 1.—The regiment went into camp at Natchitoches and remained until the morning of the 6th, when we took up our line of march for Shreveport. We arrived at Pleasant Hill on the evening of the 7th, and found the cavalry skirmishing in front. The brigade was ordered out to support the cavalry. We marched about one mile, when it was discovered that the enemy had left. The brigade then returned to camp with orders to be ready to march at daylight the next morning. At daylight we took up the line of march, the 4th division having the advance. Companies A, D, I, C and H having been detailed as escort for the train, were left back. About 8 o'clock P. M. our advance came up with the enemy, but drove him without any difficulty.

Upon arriving at St. Patrick's Bayou the 3d division was ordered into camp to remain until the 19th Corps came up, as

it was understood we had found the enemy in force, and would make a grand attack the next morning. At 2 o'clock p. m. we were ordered forward, and took part in the battle of Sabine Cross Roads, or Mansfield. After the battle was over the regiment was ordered to fall back to Pleasant Hill.

Major Wright having been detailed to command the brigade, Captain Martin assumed command of the regiment. We arrived at Pleasant Hill about sunrise on the morning of the 9th, when the detachment of the 13th Army Corps, under command of General Cameron (General Ransom having been severely wounded), consisting of the 3d and 4th divisions, was ordered to take charge of the trains and proceed to Grand Ecore on Red River. We started about 12 o'clock m. and arrived at Grand Ecore on the evening of the 11th and went into camp. We remained at Grand Ecore until the 22d, during which time the regiment threw up strong fortifications. Here Major Wright returned to the regiment, having been relieved by Lieutenant Colonel Wilson of the 28th Iowa, as Brigade Commander. We left Grand Ecore on the morning of the 22d and reached Kane River about 2 o'clock a. m. of the 23d, where we found the enemy strongly posted on the opposite side of the river, contesting our crossing. We moved up the river to the right, waded it, and by making a circuitous march flanked him and drove him out, put down a bridge and by 10 o'clock next day Banks' army was all safe across, when we again took up the march for Alexandria, arriving there on the evening of the 25th. During this retreat I think we had some of the most tiresome marches we ever experienced, marching all day and all night. Men would go to sleep walking along the road. We remained at Alexandria the remainder of the month, threw up some slight works and did some skirmishing with the enemy, a few of whom followed us up. Before leaving Grand Ecore Company A was detailed to guard the steamer Hetty Gilmore to Alexandria. During the trip the guerrillas made an attempt to capture the boat. A sharp fight ensued in which the company had two men severely wounded, Sergeant Chas. Wager and Private R. McKinley.

The guerrillas were driven off, and the company returned to the regiment upon its arrival at Alexandria. We were mustered for pay on the 30th. Colonel Slack of the 47th Indiana returned and took command of the brigade, General Cameron of the Division, and General Lawler of the detachment of the 13th Army Corps.

MAY 1.—The regiment went into camp at Alexandria; the next day it was ordered out to the front, deployed as skirmishers, driving the enemy about three miles, when we were ordered back, and encamped behind a briar hedge, two miles north of Alexandria. Here Lieut. Col. Wilds joined the regiment, having been absent since December 6, on recruiting service in Iowa. We remained there until the 4th, when we were ordered forward and drove the enemy to Middle Bayou; then fell back to camp again and remained until the 6th, when we were ordered forward with the 3d and 4th divisions of the 13th A. C. under command of Gen. Lawler. We drove the enemy to Middle Bayou and encamped for the night. We moved forward the next morning and drove the enemy to the bridge across Bayou Rapides, which is about twelve miles north of Alexandria. We killed a major and wounded a few of the enemy and had several men slightly wounded. The command fell back that night and encamped on Middle Bayou until the 13th, when Gen. Banks commenced his retreat from Alexandria. We arrived at Simsport on the evening of the 17th, and remained there doing picket duty, etc., whilst a bridge was being built across the Atchafalaya river. Crossing the Atchafalaya on the evening of the 20th, we arrived at the Mississippi river near the mouth of Red river on the morning of the 21st, and at Morganza Bend on the evening of the 22d. We remained at Morganza Bend until the end of the month. During the stay at Morganza the regiment went out to the Atchafalaya on a reconnaissance and was fired into by a small band of guerrillas concealed in the bushes, killing Captain B. G. Paul of Company K and wounding four enlisted men.

JUNE 1.—Regiment went into camp at Morganza Bend, between the levee and river, with but very little protection.

from the rays of a southern sun, which caused a number of cases of sickness. We left Morganza Bend on the 13th, arriving at Carrollton next morning, and went into camp at Greenville Station on the New Orleans & Carrollton Railroad. We remained in this camp until the 21st, when we moved to Kennerville, a small town on the New Orleans & Jackson Railroad, about sixteen miles from New Orleans. We remained at Kennerville until the 26th, when a "big scare" was gotten up at Thibodeaux, and we were ordered to report to Brig. Gen. Cameron as soon as the circumstances of the case would admit; consequently we immediately started for Algiers, where we took the railroad and arrived at Thibodeaux on the morning of the 27th, finding everything quiet along the lines. We went into camp and commenced preparing the rolls to muster for pay, which we did on the 30th, without further interruption.

JULY 1.—The regiment went into camp at Thibodeaux; had a "big time" on the 4th—stars shone brightly, eagles spread their wings—and several of the lesser lights tried to display their oratorical powers in proving that the Rebellion was near its end. On the 6th we received orders to be ready to move on the next morning for Algiers by railroad, where we were to report to Major-General Reynolds for embarkation to some unknown point. We arrived at Algiers on the evening of the 7th and went into camp near the railroad depot, where we remained until the morning of the 22d. During our stay the regiment was supplied with an entire new outfit of arms and accoutrements, turning over the old Enfield rifles which had become much worn by service, receiving in lieu thereof new Springfield rifled muskets and accoutrements. On the evening of the 21st orders came to embark on the transport "Star of the South"; obeyed orders, and by 9 o'clock next morning everything was in readiness to start on the unknown journey. Arriving at the mouth of the Mississippi river just after dark, we could not cross the bar till morning. Next morning about sunrise we weighed anchor and bade adieu to the "Father of Waters." After passing the bar, the sealed orders

were opened and read. These orders directed us to report to the commanding officer at Fortress Monroe. After passing through the necessary amount of sea sickness required to make a sea voyage pleasant, and without anything having happened of particular interest, we arrived at Fortress Monroe on the evening of the 29th and were ordered to report to Major-General Halleck, at Washington, D. C. Reaching Alexandria, Virginia, on the evening of the 30th, where we had to ship all our goods on another boat, as the *Star of the South* could not sail up as far as Washington, a ferry boat carried us to the "City of Magnificent Distances" about 12 o'clock the same night. We unloaded our goods upon the wharf, made down our beds and slept until morning. The command reported to Gen. Halleck the next day, and received orders to store all extra camp and garrison equipage and extra baggage, and report to Brevet Maj.-Gen. Emory, commanding 19th A. C., at Monocacy, Maryland, as soon as possible. The storing was all attended to properly and at dark we were going for Monocacy as fast as steam could carry us. We reached Monocacy about daylight on the morning of the 1st of August.

AUGUST 1.—The regiment went into camp at Monocacy, Maryland, near the pike leading to Frederick, Col. Wilds commanding the brigade and Col. Molineaux commanding the division. We remained there until the evening of the 4th, when a big scare occurring at Harper's Ferry, we were ordered on board the cars with the utmost dispatch. Arriving at Harper's Ferry about midnight, we moved out to the works on the Winchester Pike and slept on our arms. Leaving Harper's Ferry on the 6th, we moved out to Halltown and went into camp on the left of the pike, leading to Charlestown, a place rendered historical by the trial of old John Brown. We left Halltown on the 10th in search of Gen. Early, who was reported to have an army of some 30,000 men endeavoring to make another raid into Maryland and Pennsylvania. We arrived at Cedar Creek, a small stream rising west of Little North Mountain and emptying into the

north fork of the Shenandoah near Strasburg, on the evening of the 12th. Here we remained until the 15th, when it becoming evident that Early would not give us fight in that position, we fell back to near Charlestown, arriving there on the 18th. Here Gen. Grover came up with reinforcements from Washington and a reorganization took place. The 24th was assigned to the 4th Brigade, 2d Division, 19th Army Corps, Col. D. Shunk, 8th Ind. Vet. Vols., commanding brigade, Gen. Grover commanding 2d Division, and Brevet Maj.-Gen. Emory commanding 19th A. C.

The Army of the Shenandoah now consisted of two divisions of the 19th A. C., Gen. Emory commanding—the 6th Corps, Maj.-Gen. Wright commanding, the Army of Western Virginia commanded by Gen. Crook, and about 10,000 cavalry commanded by Gen. Torbert—in all about 40,000 under command of Maj.-Gen. Sheridan. Remaining at Charlestown until the 21st, the army moved to Bolivar Heights, between Halltown and Harper's Ferry, and entrenched. On the 28th it was moved out about two miles southwest of Charlestown, where it entrenched. Then we mustered for pay on September 1.

NOTE.—Mr. Smith's history of the Twenty-fourth Iowa Infantry ends here. He did not live to complete it. There is, however, a continuation of the history of the regiment in the report of Gen. Ed Wright to the Adjutant General of Iowa, in 1866. This, with possibly other data, will be presented in an early number of *THE ANNALS*, completing the narrative down to the close of the war.

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## WHO WROTE THE POEM "THERE IS NO DEATH"?

A letter from the Author, J. L. MCCREERY, an Iowa man.

DEAR SIR: I am in receipt of your request that I furnish you a full account of the origin of the verses beginning, "There is no Death"; of the circumstances that led to their being ascribed to Sir Edward Bulwer Lytton; and of the reasons of my making certain changes therein upon republishing them in the little volume of my poems entitled, "Songs of Toil and Triumph."



Not foreseeing the notoriety that was destined to attach to these verses, I did not mark down in my diary (if I kept one) the exact date when I wrote them. The nearest I can come to it is to say, that it was in February or March of 1863. I was at that time a resident of Delaware county, Iowa. One pleasant Saturday afternoon I was riding from the northwestern part of the county, by way of Forestville and Manchester, to my home at the then county seat—Delhi. My (borrowed) horse could go no faster than a walk, the most of the way, as the last of the winter's snow was thawing from the ground, and the roads were very muddy; so the journey, of about twenty miles, was not finished until after dark.

My early education had all been with a view to the (Methodist) ministry; St. Paul and John Wesley were the unapproachable heroes of my boyhood—and I have lost none of my admiration for them yet. But I had become skeptical regarding many points of dogma regarded as essential by orthodox churches. My mental and moral make-up was such that I could not preach what I did not believe; and I did not recognize in myself any special fitness for any other calling. True, I was editor and proprietor of a weekly newspaper, *The Delaware County Journal*, but the prospect was that the mortgage I had given for the purchase money of the office would be foreclosed in a few months; it was doubtful what sort of farmer I would make, and it was certain that it would be a long time before I could earn money enough to buy a farm; and my muscular development was not such as to warrant me success in sawing wood. In short, I was, as respects a purpose in this life or a theory of my destiny in another, adrift without chart or compass upon a boundless sea of uncertainty. The fundamental question as to whether there was any such thing as a personal existence hereafter was one upon which I was bestowing most serious consideration. True, I had read what Emerson says: "Concerning immortality the soul, when properly employed, is incurious." But I had not reached the Emersonian altitude of altruism. With the question as to personal immortality settled in the affirmative, I felt that pretty

much everything else, in this world or any other, would take care of itself.

I was yet half a dozen miles from home when nightfall overtook me, and the stars began to shine out, one after another. The splendid constellation Orion, the brightest visible in our northern latitudes, was just past his meridian, riding in triumph down the western sky. The subdued and tranquil radiance of the "heavenly host" relieved the somberness of my meditations, and imparted a more serene and hopeful tinge to my thoughts and feelings. Just at this juncture the first four lines of the poem came to me in their completeness. I say "came to me" as the most nearly appropriate manner of expressing the fact that the first I knew I found them in my mind. I certainly had not the least idea of setting myself at work to make a poem for the occasion. It would be equally incorrect to say that I "heard a voice" uttering the words in my bodily or spiritual ear.

By this time it was between nine and ten o'clock; I had reached my home; and the duties of practical everyday life occupied my attention to the exclusion of all imaginative or poetical ideas.

The next morning I sat myself about making some more of that poem. But I labored—I use the word advisedly—I labored at a disadvantage. The exalted and imaginative mood of the evening before had vanished. The "inspiration," though earnestly invoked, refused to inspire. But in the course of the forenoon I constructed, in a mechanical sort of a way, several more verses, and laid them aside for a while, to dry.

I was at that time taking "*Arthur's Home Magazine*," of Philadelphia. It had previously printed three or four of my contributions. It gratified my vanity more to have an article printed in a down-east magazine than to print it myself, in my own paper; it showed that some one else thought it worth placing before the public. So, sometime in the spring of that year, I sent my verses to *Arthur's Home Magazine*. In the course of three or four months they appeared—in the num-

ber for July, 1863 (Vol. 22, page 41). The following is the form in which they at first appeared:

There is no death: the stars go down  
To rise upon some other shore;  
And bright in heaven's jeweled crown  
They shine for evermore.

There is no death: the dust we tread  
Shall change, beneath the summer showers,  
To golden grain, or mellow fruit,  
Or rainbow-tinted flowers.

The granite rocks disorganize  
To feed the hungry moss they bear;  
The forest leaves drink daily life  
From out the viewless air.

There is no death: the leaves may fall,  
The flowers may fade and pass away;  
They only wait, through win'try hours,  
The coming of the May.

There is no death: an angel form  
Walks o'er the earth with silent tread;  
He bears our best-loved things away,  
And then we call them dead.

He leaves our hearts all desolate,  
He plucks our fairest, sweetest flowers;  
Transplanted into bliss, they now  
Adorn immortal bowers.

The bird-like voice, whose joyous tones  
Made glad this scene of sin and strife,  
Sings now its everlasting song  
Amid the tree of life.

Where'er he sees a smile too bright  
Or soul too pure for taint of vice,  
He bears it to that world of light,  
To dwell in Paradise.

Born into that undying life,  
They leave us but to come again:  
With joy we welcome them, the same  
Except in sin and pain.

And ever near us, though unseen,  
The dear, immortal spirits tread;  
For all the boundless universe  
Is life:—there are no dead!

A week or two after they had been printed in the *Home Magazine* I reprinted them in the *Delaware County Journal*—giving credit to the *Home Magazine*.

The second branch of your inquiry is, how the verses came to be attributed to Lord Lytton?

I learned the printer's trade, while yet in my teens, in the

office of the *Telegraph*, at Dixon, Illinois. My earliest and greenest literary productions were printed in that paper. The foreman of the printing office was named John H. Moore; my best friend when I was a homeless, destitute, and but for him, friendless boy. When I printed my verses in the *Delaware County Journal* I sent him a marked copy. I am not certain but by that time he had become employed upon another paper in Dixon; you must remember that at that time I was not expecting to go down to posterity very far, and I did not charge my mind with all sorts of unimportant little facts and dates. At any rate, whatever paper he was working on, he had in part (in the absence of the editor) the selecting of reprint copy. And he printed my verses in that paper.

South of Dixon, somewhere in Illinois (I have forgotten the exact locality), there lived somebody by the name of Eugene Bulmer—or else he took that for a pseudonym, I have never known to a certainty which. He wrote an article for the *Farmers' Advocate*, an agricultural paper then published in Chicago. For some reason, undoubtedly satisfactory to himself, instead of writing on the silver question, the sub-treasury scheme, the cause of the low price of corn, or the best method of dehorning cattle, he essayed a more modest role, and one requiring less information on the part of the writer, and indited a column and a half on the subject of "Immortality." His article concluded with my verses. The *Farmers' Advocate* exchanged with the Dixon paper; my friend Moore saw this article, and sent the paper to me—at the same time informing me that he had written to the *Farmers' Advocate* setting me right in the matter.

But it was too late. A Wisconsin paper that exchanged with the *Farmers' Advocate* cut off the poetry part of the article on Immortality, and printed it, with the name attached, "E. Bulmer." The abbreviation of the first name was obviously the result of the laziness of the compositor. Then another Wisconsin paper printed it, just to fill up with, and either the editor or the compositor, sagely supposing that he had discovered a typographical error in the name, changed the



*J. L. McCreery.*



"m" to a "w," and the work was done! "E. Bulwer" was now of record as the author of a poem that the distinguished Lord Edward Bulwer Lytton, of England, had never seen nor heard of.

I never saw these Wisconsin papers. It was a long time afterward before I learned of these facts. Then, being in Chicago one day, I called at the office of the *Farmers' Advocate*. The editor afforded me an interview of half or three-quarters of an hour, in the course of which he furnished me the information embodied in the last preceding paragraph; but after the lapse of years he could not give me the names of the papers—the whole affair being but an incidental and very minor matter in his busy life.

Meanwhile the poem has encircled the world. I have received papers containing it printed in nearly every state of the Union; in England, Scotland, Ireland, Wales and Canada; and even one from Australia. It has gone into dozens of school books, and been incorporated in scores of miscellaneous collections of poetry. It has been quoted, in full or in part, five times that I know of in Congress; on the last day of January, 1880, I had the pleasure of sitting in the strangers' gallery of the House of Representatives, in Washington, D. C., and hearing the Hon. Mr. Coffroth, member of Congress from Pennsylvania, in his oration on the death of the Hon. Rush Clark, member of Congress from Iowa, quote a portion of it (credited to Lord Lytton, as usual), which thus became embalmed in the Congressional Record. (See 46th Congress, 2d session, part 1, page 638.)

About 1870, Harper Brothers, of New York city, publishers of school books (among other things), printed the verses in their United States Fifth Reader, page 242—crediting them to Lord Lytton. My attention was directed to the fact by Mr. John Kennedy, in his earlier years of Delaware county, Iowa, who afterward became agent for these publishers. He suggested that it would be well for me to present evidence sufficient to convince the firm that I was the author of the verses, and he would do the best he could to have the credit changed

from Bulwer to myself. I furnished the evidence, and he brought the matter to the attention of the publishers. About a year later he wrote me as follows:

FRANKLIN SQUARE, N. Y., March 27, 1875.

*Friend McCreery*:—I send you herewith a page of the table of contents of one of our school readers, in which you will find the poem accredited to you. The plates have recently been changed. This is an advance sheet. As soon as the books are out I will send you a copy. You have no idea of the amount of form through which such a question of change has to pass.

From that time until the present, every year or two the question has been publicly raised by some leading newspaper or magazine; but all who have taken the pains to make a thorough investigation have arrived at the same result. A few years ago *Lippincott's Magazine* (Philadelphia) printed "One Hundred Questions" regarding disputed literary matters, offering a prize to the person who should answer the greatest number of them. Question No. 80 was in regard to the authorship of this poem; answers were made implicating, as usual, Lord Lytton and myself; and the *Magazine* decided (June, 1889, pages 918-9), that I was the author. In the Iowa Masonic Annual Souvenir for 1890-1, Hon. T. S. Parvin, Grand Librarian for Iowa, printed the verses, over my name; for this he was taken to task by the *Masonic Tyler* of Detroit; this led Mr. Parvin to make an exhaustive investigation, which confirmed him in his original opinion. The editor of the *Tyler*, however, remained obstinate and refused to be converted, until, when he directly challenged me personally to prove my claim, I wrote to him offering him a thousand dollars if he would produce the verses, or any of them, written by Lord Lytton or any one else, printed in any book, magazine, newspaper, or in any other shape, prior to their publication under my name in *Arthur's Home Magazine*, for July, 1863; thereupon, in the *Tyler* for April 15, 1893, he acknowledged that he had been misled. The thousand-dollar argument is not a very dignified one, but it has thus far proved effective.

Finally, you ask me to explain how it has come about that there are different versions of the poem afloat.



Some of these changes have been made by the publishers of the different volumes in which it has appeared. Thus where I originally wrote, in the first verse, "The stars go down to rise upon some other shore," Messrs. Ivison, Blakeman, Taylor & Co., in their "American Educational Reader, No. 5," page 321, changed it to "some *fairer* shore"; and made half a dozen other changes of equally slight importance. The greatest changes, however, have been made by myself.

In the summer of 1883 I received a proposition from Putnam's Sons, of New York city, relative to publishing some of the poetry I had written up to that time. At their suggestion I separated the serious and sentimental from the humorous, leaving the former in their hands, to an amount that they estimated they could afford to print and sell at retail for one dollar. These they printed in a neatly bound volume of a little over 150 pages, under the title, "Songs of Toil and Triumph." A few years later I "bought in" so much of the edition as remained unsold, and thus acquired a library of several hundred volumes.

In preparing this little work for publication, I carefully revised every poem printed therein; among them the one now under consideration. During the twenty years since it was written I have matured (somewhat) in judgment; and the more the public, bewildered by the glamour of Bulwer's name attached to it, saw surpassing beauties in it, the more glaring in my own eyes became its defects. For instance, the lines originally written

" The granite rocks disorganize  
To feed the hungry moss they bear,"

seemed to intimate, by negation, that other kinds of rock, except granite, do *not* disorganize. To say the least, "granite" was surplusage; and every needless word weakens a sentence. So I remodeled the verse by dropping the "granite."

The last couplet of the same verse,

" The forest leaves drink daily life  
From out the viewless air,"

was very awkward. In the last line, "out" was worse than

surplusage. It may have been good Greek idiom, as shown in Matthew, 7th chapter, 5th verse: "First cast *out* the beam *out* of thine own eye; then shalt thou see clearly to cast *out* the mote *out* of thy brother's eye"; but certainly it was not good English. Both sense and euphony demanded that I cast *out* the "out" *out* from *out* of that sentence; and I settled the matter by casting out the verse.

Again, in the couplet that at first said of the flowers,

"They only wait, through wintry hours,  
The coming of the May,"

it was manifest to the dullest comprehension that "the" was forced in before "May" simply to fill out the meter. It was as inappropriate as it would be to assert that Independence day is celebrated on the "Fourth of the July." So I gave that line a twist that would in part rectify its awkwardness:

"The warm, sweet breath of May."

Again, in the verse,

"Where he sees a smile too bright  
\* \* \* \* for taint of vice,  
He bears it to that world of light,  
To dwell in paradise,"

the simile, or metaphor, or whatever syntactical figure of speech it may be, did not delight me when I came to look at it critically. I tried to imagine how "he" (whoever "he" was) went at it to bear away that "smile." Possibly he ran a pole through it and carried it off on his shoulder. Possibly he folded it up flat and packed it in his valise. I inclined to the latter hypothesis, for the longer I listened to it with my mental ear, the *flatter* it sounded. I decided to omit that verse.

"The birdlike voice, whose joyous tones  
Made glad this scene of sin and strife,  
Now sings its everlasting song  
Amid the tree of life,"

is not, I frankly confess, wholly original. So far as the rhyme is concerned, while I concede that "life" *might* be made to rhyme with "rife," or "wife," or "knife," or in a pinch even with "fife," I do not remember that I have ever seen it rhymed with anything except "strife." And I have seen it rhymed so

often during the thirty years that have elapsed since I wrote the poem, that I have become as tired of it as the man is reported to have become of quail, after having eaten a quail a day for thirty days. My impression is that even before I wrote that verse somebody had rhymed "life" with "strife." Therefore I wish to be understood as distinctly disclaiming any originality as to the rhyme. As to the idea before writing that verse I had listened to a funeral sermon in which the preacher asserted that the deceased sister, who had formerly been a soprano singer in the church choir, was now singing the song of the redeemed beside the river of life, I could not work into the poem anything about the "river of life," on account of the meter; but I got along very well by making use of the "tree of life." Then, the meter and the "woman" would not agree; besides I had my doubts as to whether "poetic license" would allow me to represent a "woman" up a tree. So I put the "voice" in the tree: "*vox et preterea nihil.*" But, as intimated above, I am free to confess that I do not build my hopes of literary immortality on the surpassing ingenuity manifested in making "life" rhyme with "strife," or in getting a voice "amid" a tree. So I took out the "tree."

The verse,

" Born into that undying life,  
They leave us but to come again;  
With joy we welcome them—the same  
Except in sin and pain,"

is ambiguous, because of the elision in the last line, rendered necessary by the exigencies of the meter. It might mean, as easily as anything, that when they return they are the same as when they left, "except" (that they return) "in sin and pain." Besides, the statement carries with it a suggestion of materiality and coarseness that is unpoetic, unspiritual, and not in accordance with my actual thought. It appears to me that there is much more delicacy and elegance in the verse as reconstructed.

" We feel upon our fevered brow  
Their gentle touch, their breath of balm," etc.

Perhaps too much ought not to be expected of poetry, in

the way of common sense and logic; yet certainly if it purports to enforce any given lesson, and is apparently written for that especial purpose, it would seem that it ought not forthwith to proceed to argue something directly the contrary. But while I start out to assert that "there is no death," I proceed to state that the rocks—do what? continue in existence forever? On the contrary, quite the reverse; they disorganize, they become moss, but never again rock—certainly not that identical rock. The forest leaves drink life from the air; in autumn they fade and pass away; do *those* leaves that fade and pass away come up fresh and blooming with the coming of the ensuing May, or is it some *other* leaves that succeed those that have perished? If these illustrations illustrate anything, they illustrate precisely the opposite hypothesis from that for which I called them into being; for if I do what the rock does, what the leaf and flower do, what the bird and its voice do, I shall disintegrate, perish as an individuality, and be transmuted by the forces of nature into something else. In the light of reason and common sense, what is there admirable in the logic or illustrations of a poem which succeeds in enforcing a lesson directly contrary from that which its author intended?

I know you will excuse me from going over each verse seriatim, and explaining just why it was unsatisfactory to me. Suffice it to say that to obviate as far as possible *some* of the objections I have mentioned (and others that I have not mentioned), I altered some of the verses; some I entirely omitted; and I added several, with the purpose of making the thought more connected and coherent than it originally was. There seems to me to be a little more sense, a little less absurdity, and just as much poetry, in the version as printed in "Songs of Toil and Triumph":

There is no death! the stars go down  
 To rise upon some other shore,  
 And bright in heaven's jeweled crown  
 They shine for evermore.

There is no death! the forest leaves  
 Convert to life the viewless air;  
 The rocks disorganize to feed  
 The hungry moss they bear.

There is no death! the dust we tread  
Shall change, beneath the summer showers,  
To golden grain, or mellow fruit,  
Or rainbow-tinted flowers.

There is no death! the leaves may fall,  
The flowers may fade and pass away—  
They only wait, through wintry hours,  
The warm, sweet breath of May.

There is no death! the choicest gifts  
That heaven hath kindly lent to earth  
Are ever first to seek again  
The country of their birth.

And all things that for growth or joy  
Are worthy of our love or care,  
Whose loss has left us desolate,  
Are safely garnered there.

Though life become a dreary waste,  
We know its fairest, sweetest flowers,  
Transplanted into paradise,  
Adorn immortal bowers.

The voice of bird-like melody  
That we have missed and mourned so long  
Now mingles with the angel choir  
In everlasting song.

There is no death! although we grieve  
When beautiful, familiar forms  
That we have learned to love are torn  
From our embracing arms.

Although with bowed and breaking heart,  
With sable garb and silent tread,  
We bear their senseless dust to rest,  
And say that they are "dead."

They are not dead! they have but passed  
Beyond the mists that blind us here  
Into the new and larger life  
Of that serener sphere.

They have but dropped their robe of clay  
To put their shining raiment on;  
They have not wandered far away—  
They are not "lost" nor "gone."

Though disenthralled and glorified,  
They still are here, and love us yet;  
The dear ones they have left behind  
They never can forget.

And sometimes, when our hearts grow faint  
Amid temptations fierce and deep,  
Or when the wildly raging waves  
Of grief or passion sweep,

We feel upon our fevered brow  
Their gentle touch, their breath of balm;  
Their arms enfold us, and our hearts  
Grow comforted and calm.

And ever near us, though unseen,  
The dear, immortal spirits tread;  
For all the boundless universe  
Is life:—there are no dead.

I have answered your questions; but will add one or two more facts, which you may print or omit, as you choose. This little poem has had considerable influence on my career. In the fall of 1868, shortly after General Grant's election to the Presidency, he returned to his former home in Galena, Illinois. I was not at that date reclining upon a bed of roses, metaphorically speaking or otherwise; and at my suggestion a friend of mine in Galena, in high position, conferred with the President elect in regard to the possibility of my obtaining the appointment of his official stenographer when he should enter upon his duties at the White House. My friend was so enthusiastic in his advocacy of my merits that the General showed unmistakable indications of being disposed to make the appointment—in case upon trial I should be found competent. But in a moment of indiscretion my friend said a little too much. As a "clincher" to his highly-colored account of my literary abilities, he pulled from his pocket a copy of "There is No Death," and read it to Gen. Grant. When he had finished he looked up into the General's face, and at once saw that he had blundered. The General said the poetry was very good—no doubt—he did not pretend to be a judge of poetry; when he became President, what he should need about him were men who understood public business, and whose minds would be on their business; and so far as his experience and observation went, a man that was good at making poetry generally was not good for much of anything else. I was not appointed official stenographer to the President. What my life thereafter would have been if my friend had not read that poem to him it is impossible to conjecture.

But it has influenced my career in another and widely different manner. The tendency has been to do away with all ambition to write poetry *for the public*—an ambition that I acknowledge I cherished in my early days. The "Songs of





*C. Baldwin*



Toil and Triumph" contain a number of poems written in early life, before my literary ambition waned; and a number of more recent date, pertaining to purely personal and family matters; but for the last quarter of a century I have written nothing *for the public*.

J. L. MCCREERY.

*Washington, D. C., Aug. 15, 1893.*

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## CHIEF JUSTICE CALEB BALDWIN.

BY EX-CHIEF JUSTICE GEORGE G. WRIGHT.

Among the best and warmest friends I have ever had, personally, professionally, politically and officially, was the strong, able and true man whose name heads this article. He was from Pennsylvania, born in that county (Washington) which has sent out so many grand men to the West and the Nation, and a graduate of that school (Washington College) which has given as much, if not more, good and educated brains to the world than any institution East or West. In college with such men as Blaine and others of national reputation, he was ever admired by his old schoolmates, and none others rejoiced more in his successes and triumphs. From such a locality, he was naturally, by influence and association, a Presbyterian. A brief epitome of his life, private and public, would be this:

Born April 3, 1824; graduated in 1842; moved to Iowa in 1846, and was married to Jane Barr at Fairfield in 1848. To this union there were born eleven children, six now living: Laura, Lizzie (now Mrs. W. S. Ament, of Denver), Thomas, John N., Susan (now Mrs. Jason Walker, of Kentucky) and Janie. He was Prosecuting Attorney of Jefferson county for three successive terms—in 1856 was appointed Judge of the District Court by Governor Grimes, to fill a vacancy occasioned by the resignation of Hon. W. H. Seevers—moved to Council Bluffs in 1857, and in 1859 was elected to the Supreme Court of Iowa, at the first election under the present Constitution—in 1862, became Chief Justice; declining a re-election, he re-

sumed his practice in 1864—in 1865 was appointed by President Lincoln United States District Attorney for Iowa, and in 1874 became by appointment one of the Judges of the Court of Commissioners of Alabama Claims, which office he held at the time of his death at his home in Council Bluffs, December 15, 1876.

Settling in Fairfield where, as now, there was a large and influential Pennsylvania colony, he entered at once upon the practice of his profession and was soon recognized as a leading lawyer and prominent citizen. He took a most active interest in the organization of the State Agricultural Society, becoming one of its first officers. He was alike active in the organization of the County Society; and, indeed, there were few persons in that then new county who were more trusted or relied upon in any and all public matters, educational, benevolent or otherwise, than Judge Baldwin.

—He was a man of immense stature (weighing in his prime 430 pounds)—and yet of proportions admirable and most commanding and impressive—among the largest, if not the largest man ever in public life in Iowa or elsewhere. This was to him a cause of constant sensitiveness and embarrassment; and yet it is not to be denied that often therefrom he commanded the most profound respect and attention. (Not at all for the purpose of demonstrating this, but as a pleasing incident, I relate that when the meeting was closed at which the State Agricultural Society was organized, the attendance not being very large, Dr. Shaffer, the Secretary, said to Judge (then Colonel) Claggett, the first President: "What shall I say, Colonel, about the meeting through the press?" "Well," said the Colonel, in his ever impulsive manner, "publish to the world that at a large and respectable meeting, etc." "Why," said the doctor, "isn't that stretching it a little?" "Not at all," said the Colonel, "for Baldwin makes it *large* and you and I make it *respectable*." And it was announced accordingly.)

For one of his attainments, splendid bearing, knowledge of men, and ability to care for himself, he was among the most timid and modest men I ever knew. I do not mean by this

that he was wanting in manly courage, for he was as bold as a lion and as defiant of opposition as any man you would meet, when occasion demanded; but rather that he was distrustful of himself and modest in pressing his views or provoking controversy, though he was exceedingly tenacious when once he had reached his conclusion, and could and always did sustain himself if the combat was forced. He was as tender-hearted as a child, and as gentle in manner and in his association with the world as the most refined lady in the land. And yet, strangely enough, he was an acknowledged leader of men, followed by politicians and people as few others ever were in our conventions and political contests, whether in nominations, platform, legislative assemblies or elsewhere. He was my chosen friend and leader when I received my nomination for the Senate in 1870, as he was after that of Senators Allison and Kirkwood. Judge R. P. Lowe, who with Judge Baldwin, was my associate on the bench, from June, 1860, until the expiration of Judge Baldwin's term, was a most credulous man, taking every man to be honest and true until convinced otherwise; whereas, Judge Baldwin took nothing in politics or the affairs of life for granted—was not in the least credulous, but read men—had the power of analyzing, scrutinizing and combining, with wonderful tact in bringing others to his views, and without offense or provoking unnecessary antagonisms. His judgment of men was intuitive and almost uniformly correct, few deceiving him, and I remember very well that more than once in the contest of '70, above referred to, though I thought I knew my friends and supporters, he often satisfied me, after a seemingly most casual meeting of some supposed friend, that I was mistaken. Instead of taking doubtful or unknown things for granted, he counted them against us and organized for and upon the certain; and if this did not portend success, he was prepared for defeat. With marked ability to judge men, he was always ready to accommodate himself in speech and manner to their varied dispositions and positions. He was as much at home with the plain farmer as with the learned attorney;

with the humblest mechanic as the man of largest means; with the "hale fellow well met" as with the most accomplished and fastidious divine. All this with him was not a matter of study, but a part of his nature; and whatever his surroundings he was ever true to himself, and never other than the dignified gentleman. In society he was a favorite, for he was so kind, so gentle, so cordial, and in the evening circle, for instance, could with other affable qualities, so deftly touch the lightest keys of the piano, with his immense hands, that he was sought for and always in demand. (He could bring music also out of other instruments, for in the old band of Fairfield, say, in 1850, I remember that he blew the largest French horn, and with wonderful effect. With that he fairly made "the very hills to tremble.")

He had the keenest sense of the humorous; and whether the incident bore upon himself or otherwise, it was alike enjoyed, unless some stranger, or one for whom he had little respect, made his size the occasion or excuse for the story or joke; and then his whole manner changed and the offender was but too glad to escape his presence. Some man who, in his judgment, had no right to propound the inquiry, once asked him, "How much do you weigh?" "I weigh a ton, sir!" and the manner in which he said it closed the conversation at once. His big sunny face when bright with laughter made mirth contagious, and one could no more resist than stand before a cyclone. Indeed, he laughed all over; and when his whole 430 pounds joined the whirlwind it was indeed a cyclone of good humor, and you, *nolens, volens*, got into the way.

As a judge he was almost uniformly distrustful of his own conclusions. He was so anxious to do right, to declare the very law, so fearful that he would make a mistake or give reasons for his conclusions which attorneys would criticise or deem insufficient, that he would hesitate and turn the question over and over in his own mind and with his associates; not because he did not have his own views, but because he wanted to be sure that he was in no danger of doing something wrong or reaching an untenable conclusion. His perceptions were

unusually quick—his first conclusions perhaps as correct as those reached after reading and investigation; and yet in all cases alike he desired and courted support. He talked more readily than he wrote. In a few sentences, when in consultation, I have known him to state with admirable clearness his views on the question in hand, but upon going to his table to commit it to paper, would labor sometimes long and earnestly to give a like clear expression of what we all well understood, but which he had difficulty in saying with the pen. Often I have known him to hold his pen, hesitate, get up and look around; when asked to state the connection and the word suggested to him, confused as a little girl he would say, "Certainly, I knew that all the time, and why couldn't I get it?" He believed in good, plain Anglo-Saxon, without much polish or amplification; and when he was done, quit. What a rare virtue this is, whether in lawyer or judge! His opinions, I think, give abundant evidence of this. And yet notwithstanding his timidity and hesitation in reaching results, he was a very tower of positiveness when the conclusion was settled and the work over. Of such a man I need not say that he was among the most pleasant, affable and genial in the consultation room; for while he had his views he was equally tolerant of those of others, never dogmatically insisting upon his own conclusions, knowing, as an intelligent lawyer and judge, that others might be right and he wrong.

Few men had warmer friends or were more reliable as a friend. He had the most absolute contempt for the shyster or quack or pretender, and avoided and decried them in every way in his power. Young men he loved, and the worthy he was ever ready to help. He had not much ability in acquiring property, caring more for a happy home, the comforts of life and the education of his children than for great wealth. As a lawyer, he was successful from preparation, the confidence of court and jury, which he had beyond most men, and the absence of all tediousness on the trial, whether in taking testimony or argument rather than much argument or the force of some others in presenting his case. He did have success

and a very excellent business; for, differing from many others of more show, he grasped the main question and took no time with non-essentials.

Iowa has had few men taken in all the relations of life—the home circle, church, at the bar, his connection with state institutions, filling as he did so many positions and the very highest; and indeed in all his life-work—of whom the State, his friends or his family (the latter among the best and most honored in Iowa or elsewhere) should be more justly proud. When the work of frescoing the ceiling of the magnificent Hall of Representatives in our new capitol was in progress, it was deemed most appropriate to include among the portraits of State and National worthies that of one of our Iowa jurists. When this was suggested no other name was mentioned except that of Caleb Baldwin. Notwithstanding this portrait was copied from another, it is a very correct likeness of the man to whose precious memory it most appropriately stands as an imperishable monument.

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## THE CHARGE ON BATTERY ROBINET.

BY EX-GOVERNOR CYBUS C. CARPENTER.

(Concluded from July number.)

It is perhaps fitting in this connection that I should give a summary of the casualties and of deeds which received special mention, in the Iowa regiments engaged in the battle of Corinth. The 10th Regiment belonged to the Second Brigade, Third Division of the Army of the Mississippi. It was commanded by Major Nathaniel McCalla. In his report, Captain N. A. Holson, acting Lieutenant Colonel, and Captain Jackson Orr, acting Major, and the Adjutant, William Manning, were specially mentioned for coolness and courage. Ninety-six enlisted men and one officer were wounded and three enlisted men were killed. The 17th Regiment was conspicuous, especially during the second day's battle, charg-

ing upon the left of the enemy's lines and capturing prisoners and a battle flag. Lieutenant Garrett of Company A, and Lieutenant Morris of Company F, were severely wounded. Sixteen enlisted men were wounded and one killed.

The 2d Iowa Infantry, which belonged to the First Brigade, Second Division, Army of West Tennessee, suffered severely, especially in its officers. Major James B. Weaver, who was in command at the close of the battle, reported: Killed on the first day, three officers, Lieutenants John G. Huntington of Company B, Thomas Snowden of Company I, and Alfred Bing of Company C; enlisted men, Corporal Wesley H. Henderson; privates, John W. Dunn, Marion French and James C. Manswell; wounded, Colonel Baker, mortally, and Second Lieutenant V. P. Twombly, severely; enlisted men, 31 and two missing. In the engagement of the second day, Second Lieutenant George W. Neal of Company H and Corporals Henry A. Seiberleisch, A. Stevenson and Jacob M. Males, and privates John W. King, John A. K. Klough, W. W. K. Harper, W. M. Summers, Charles E. Walker, John W. Dows and Franklin Prouty were killed. Wounded, Lieutenant Colonel Noah W. Mills, mortally; Captain N. B. Howard, Company I, First Lieutenant C. C. Parker, Company F, severely; Second Lieutenant George Blake, Company K, dangerously; Second Lieutenant Frank M. Suiter, Company B, severely, and 44 enlisted men. This makes the aggregate of killed, wounded and missing during both days' engagements—killed, commissioned officers, four; enlisted men thirteen; wounded, commissioned officers seven (two mortally); enlisted men seventy-five; missing, five; constituting a loss of one hundred and eight.

Major Weaver says: "In this protracted and desperate engagement, in many respects the most desperate of the war, the officers and men displayed the most laudable gallantry and heroism. Colonel Baker fell mortally wounded on the first day, at the very time his regiment was charging upon the retreating rebels with the greatest enthusiasm and fury. He remarked as he was being borne off the field: "Thank God! when I fell my regiment was victoriously charging." Lieu-

tenant Colonel Mills was wounded in the second day's engagement, while fighting with the most conspicuous courage and coolness. He was loath to leave the field. Better and truer officers never fought. He says: "Lieutenants Huntington, Bing, Snowden and Neal fell at their posts fighting like heroes." Speaking of Adjutant George L. Godfrey, he says: "He could be seen riding along the lines, and heard shouting to the men to be steady and cool." Of Captains Cowles, McCullough, Mastick, Howard, Ensign and Davis he says: "They were marked instances of bravery and efficiency upon the field." Conspicuous for bravery were Lieutenants Parker, Duffield, Marsh, Wilson, Tisdale, Suiter, Hall, Blake, Duckworth, Bullinger, Twombly and McCoid." He continues: "After Lieutenants Parker and Twombly of Company F were wounded Sergeant James Terry took charge of the company and displayed marked efficiency and courage. So after the fall of Lieutenants Huntington and Suiter, of Company B, Sergeant Lewis took charge of the company and rendered most satisfactory service." He also speaks in high praise of Assistant Surgeon Elliott Pyle and the Quartermaster, Lieutenant John Lynde; and then says: "Sergeant Major Campbell distinguished himself throughout the battle for coolness and bravery. Color Sergeant Harvey Doolittle while supporting the colors was again wounded and Color Corporals Henry A. Seiberlich, G. C. Phillips, G. B. Norris, J. C. Wise and John Stewart were all wounded while supporting the old flag."

The 7th Regiment Iowa Infantry was commanded during the two days' engagement by Colonel Elliott W. Rice; and formed a part of the first Brigade, Second Division, Army of West Tennessee. Its loss was 122 in the two days' battle. One officer and twenty enlisted men were killed; and seven officers and eighty enlisted men were wounded. One officer and thirteen enlisted men were missing. Colonel Rice speaks of Lieutenant Colonel Parrott with unstinted praise; and mentions other individuals as follows: Of Major McMullen he says: "He did efficient service until he was wounded and disabled on the evening of the 3d." "Captain Coun though wounded remained



with his command through both days' battle." "Captains Hedges and Mahon, left in camp sick, left their beds and came on the battle-field on Saturday, and did efficient service. Their companies were well commanded Friday by Lieutenants Dillin and Sergeant." "Lieutenant Gale displayed great gallantry, and was very severely wounded in the battle of the 4th, after which the company was bravely led by Lieutenant Morrison. Captains Irvin and Reiniger also performed their duties nobly. I must also mention Lieutenants Hope, Longbridge, Irwin, McCormick, Bennett and Bess." "Captain Benton K. Smith, who was killed in the last hour of the battle of the 4th, was one of the most promising young officers of the service. Color Sergeant Aleck Field was wounded in the battle of the 3d; afterwards the colors were borne by William Akers of Company G, who was also wounded. They were then carried by George Craig of Company B. All the color guard with the exception of one being either killed or wounded, Sergeant Major Cameron, severely wounded, must not escape favorable mention for his bravery and valuable duties upon the field." And of Surgeon Lake he says: "He and his assistant labored day and night to alleviate the sufferings of the wounded."

The Union Brigade was composed of detachments of the 8th, 12th and 14th Iowa Infantry, and was under the command of Lieutenant Colonel John P. Coulter of the 12th Iowa Infantry. In the two days' battle it constituted a part of the First Brigade, Second Division, Army of West Tennessee. In the engagement the 8th lost in killed one officer and two enlisted men; wounded, two officers and thirty-two enlisted men, and missing, seven enlisted men; making a total loss of thirty-seven. The 12th lost in killed, four enlisted men; wounded, five officers and twenty-three enlisted men; missing, seven enlisted men. Total loss, thirty-nine. The 14th lost in wounded eleven enlisted men and three missing, total fourteen. Colonel Coulter says in speaking of the first day's battle: "The day was one of the hottest of the season; many of the men were completely exhausted." "We lost this day Lieutenant Tichenor, a meritorious young officer of the 8th Iowa, who

was killed, and Lieutenant Palmer of the 12th, shot through the chest and left for dead on the field. He is, however, likely to recover."

The Third Brigade, Sixth Division of the Army of West Tennessee (called the Iowa Brigade), was composed of the 11th, 13th, 15th and 16th Regiments Iowa Infantry; commanded by Colonel Marcellus M. Crocker. In these regiments the following casualties occurred. In the 11th one enlisted man was killed; two officers wounded and eight enlisted men, and ten enlisted men were missing. Total loss, twenty-one. In the 13th Iowa one enlisted man was killed, one officer and thirteen enlisted men were wounded, making a total loss of fifteen. In the 15th Iowa three officers were killed and eight enlisted men. Three officers were wounded and sixty-four enlisted men. Eight enlisted men were missing, making a total loss of eighty-six. In the 16th Iowa one enlisted man was killed, two officers and eighteen enlisted men were wounded, and six enlisted men were missing, making a total loss of twenty-seven.

Colonel Crocker, in his report, speaks of the following individual instances of signal bravery. He says: "I deem it my especial duty to particularly mention Lieutenant-Colonel Belknap, who commanded the 15th Regiment. This regiment was under the hottest fire, and Colonel Belknap was everywhere along the line, mounted, with sword in hand, encouraging by voice and gesture his men to stand their ground."

"Lieutenant-Colonel Addison H. Sanders, who commanded the 16th, is entitled to great praise. He rode along the line of his regiment amid the storm of bullets, encouraging his brave boys who had so lately suffered at Iuka to remember their duty, and although severely wounded, remained with his regiment until it marched off the field."

"Majors Cunningham of the 15th and Purcell of the 16th did their whole duty and conducted themselves with great bravery. Two companies of the 13th Iowa, Company A, in command of Captain Kennedy, and Company G, in command of Captain Walker, had before the engagement commenced been deployed as skirmishers. The advance of the enemy

drove them in. They were ordered to form on the left of the 15th Iowa. They formed in order, fighting like veterans, retiring under their brave commanders without confusion, when ordered to do so."

The 15th Iowa was commanded by Lieutenant-Colonel William W. Belknap (Colonel Reid being sick and unable to command the first day of the battle), who says in his report: "The three officers killed (First Lieutenant Eldridge of Company K, and Second Lieutenants Kinsman of Company C and Cathcart of Company G) were among the best in the service. Though young—dauntless in fight and devoted to duty—their loss can hardly be overcome. Personally witnessing their conduct on the field, I can truly say they did their duty well; none could have done it better." He further says: "The officers whose gallant conduct came under my official observation were Major Cunningham and Adjutant Pomutz; Captain Kittle and Lieutenant Whitenack, of Company A; Lieutenant Wilkins of Company B; Captain Seevers of Company C; Captain Madison and Lieutenant Throckmorton of Company F; Captain Hanks of Company G and Lieutenants Miller and King of Company I. Others doubtless did as well, but those referred to were noticed by myself. Major Cunningham throughout the contest rallied the men and cheered on the regiment, and, though quite severely wounded, remained with the regiment to the close."

"Of the staff officers Assistant Surgeon Gibbon and Quartermaster Higley, and of non-commissioned staff, Sergeant-Major Brown, who was wounded, and Commissary Sergeant Elliott, have my thanks for services promptly rendered in their departments. Color Corporal Black of Company E had charge of the colors, and commanded applause by his great gallantry. Clinging to the standard, he only gave it up when severely wounded, at which time Color Corporal Wells of Company I took the flag as it was falling and bore it bravely through the remainder of the fight."

"During the action of the 4th (or second day) the regiment, under command of Colonel Reid, was placed in position

to support the fort from which the artillery of Captain Phillips was served with such terrible effect, and while there had two men wounded."

The 16th Regiment at the close of the battle was under the command of Major Wm. Purcell. In his report, after describing the movements of the regiment at the beginning of the engagement, and subsequent change of front in consequence of the maneuvers of the enemy, he says: "During the fight this day Lieutenant Colonel Sanders was severely wounded in the thigh and had his horse shot in several places, but retained command until the regiment was ordered to the inner line of fortifications, when he retired to have his wounds dressed, and the command devolved upon me." He says of the entire regiment: "Permit me to say while at this point that the officers and men are entitled to great credit, and their superior officers and their State may well be proud of them. They did their whole duty in the engagement of Friday. They displayed great courage in reforming the regiment in the presence of the enemy and seemed willing to engage them again. I noticed with pleasure the courage and bravery displayed by the Color Sergeant, Samuel Duffin, Company F. He stood waving the colors and encouraging the men both by actions and words. He was the last to leave the field, and bore the colors away with him while missiles of death flew thick and fast around him. The Color Corporals, McElhany of Company E, H. B. Eighnoy of Company H, and J. Kuhn of Company C, also deserve mention for their gallant conduct."

It had not been my purpose in preparing this article to go into their details respecting the meritorious conduct and the losses of Iowa regiments in the battle. But as I began to review these events to refresh my mind for its preparation, it occurred to me that a simple recital of how officers, wounded and bleeding, remained on the field with their boys during these two memorable days; and of how the brave boys who bore the colors, torn and bleeding with wounds, stood at their posts waving the flag and shouting their comrades to the contest; and how when one fell another was ready to snatch up

this dangerous mark for rebel bullets and bear it forward nearer the enemy—would recall to the grasping, money-getting, bloodless ingrates of this generation the spirit of heroic consecration that animated the country in those days of patriotic fervor. The contrast will also in some measure illustrate the supreme littleness and meanness of men who took no part in the contest, who are now higgling about the pension list with the hope of reversing the policy so solemnly enjoined by Lincoln in his last inaugural address: "To care for him who shall have borne the battle, and for his widow and his orphans."

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**THE MUSQUAKIES.**—The census of the Musquakie Indians in Tama county was taken the other day. There were 389 persons living, a decrease of four during the year. There were twenty deaths and sixteen births during the year. Males 195, females 194. Two Indians have crossed the 100-year line—one being 112 years of age and the other an even 100, according to the best obtainable authority. The Musquakies were never a great tribe, but in aboriginal days they were greater as a nation than they are now. The occasional brawls in which individual members of the tribe became embroiled with one another and with white men were most invariably to be traced to the fire water supplied by the latter. The women and occasionally the men are seen here once in a while selling some articles of native handiwork. They are slowly and steadily growing less in number.—*Cedar Rapids Republican*.

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**DUBUQUE'S GRAVE.**—There was no mausoleum or even a slab of marble there. A stone wall, enclosing a space about six feet long and three wide, two feet high, and covered by a light roof, contains his bones. . . . At the head of the grave stands a cross of red cedar, about ten feet high, on the arms of which are inscribed his name, the time of his death, and age. The following is the inscription: "Julien Du Buque, Mineur de la Mine Espagne, mourait le 24 mars, 1810: age de 45½ années."—*Cor. Dubuque Visitor, August 10, 1836*.

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### ANENT THE CONSTITUTION OF IOWA.

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In the copies of this important document as generally published, whether in the Codes or elsewhere, there have from the very beginning been more or less clerical errors. These errors have not imperilled the rights of any person or persons, but they have not been pleasing to the critical sense. Then, at various times since its adoption in the autumn of 1857, it has been the subject of amendment. For instance, in 1868, by a vote of the people, after a contest not free from acrimony, the word "white" was stricken from five of its sections; and in 1880 the words "free white" were in like manner eliminated from section four of article three. Other amendments have also been adopted—notably one prohibiting "the manufacture for sale," etc., of "intoxicating liquors," which was held by the Supreme Court not to have become a part of the constitution. (*Koehler & Lange vs. Hill*, 60th Iowa Rep., p. 543.) It having become very desirable that correct copies of this instrument should be readily accessible at the Capitol, as well as in libraries and county seats, the Secretary of State has caused a transcript to be made from the original rolls in his office. This is now printed in a neat pamphlet of 36 pages, and copies may be had on application at his office. In addition to the original instrument, the amendments are all presented by themselves in a supplement, and also duly incorporated in the text where they properly belong.

It will be interesting to our readers, we do not doubt, to see the vote by counties, upon the question of the adoption or rejection of this New Constitution. Here is the table, as compiled originally, which is both interesting and valuable, and well worth preserving in these pages:

An abstract of the votes cast in the several counties in the State of Iowa at the August Election, A. D. 1857, for and against the adoption of the New Constitution.

COUNTIES.	For the New Constitution.	Against the New Constitution.	Whole Number of Votes.	COUNTIES.	For the New Constitution.	Against the New Constitution.	Whole Number of Votes.
Adair .....	107	15	122	Jasper .....	836	393	
Adams .....	98	72	170	Jefferson .....	1082	1038	2120
Allamakee .....	480	679		Johnson .....	847	1257	2104
Appanoose .....	388	1004	1392	Jones .....	784	772	1556
Audubon .....	17	57	74	Keokuk .....	789	779	1548
Benton .....	535	622	1157	Kossuth .....	61	21	82
Black Hawk .....	609	618	1227	Lee .....	2721	661	
Boone .....	248	456	704	Linn .....	1307	955	2262
Bremer .....	348	91		Louisa .....	698	473	
Butler .....	198	189		Lucas .....			
Buchanan .....	649	583	1232	Madison .....	625	656	1281
Calhoun .....	34	3	37	Mahaska .....	926	872	1798
Carroll .....	45			Marion .....	819	1417	2236
Cass .....	119	80		Marshall .....	231	641	
Cedar .....	826	692	1518	Mills .....	253	346	599
Cerro Gordo .....	118	48		Mitchell .....	290	224	514
Chickasaw .....	389	296		Monona .....	28	119	147
Clarke .....	458	381	839	Monroe .....	548	695	1243
Clayton .....	866	1395		Montgomery .....	17	31	
Clinton .....	812	676	1488	Muscatine .....	1108	778	1886
Crawford .....	37	20	57	Page .....	142	309	451
Dallas .....	476	361	837	Polk .....	1892	106	
Davis .....	574	1202		Pottawattamie .....	264	418	682
Decatur .....	254	644	898	Poweshiek .....	653	221	
Delaware .....	592	842		Ringgold .....	183	50	233
Des Moines .....	1465	1130	2595	Scott .....	1414	1242	
Dickinson .....				Shelby .....	100	14	114
Dubuque .....	539	2023	2562	Story .....	280	359	
Fayette .....	653	667		Sac .....	37	51	
Floyd .....	312	198	510	Tama .....	386	298	684
Franklin .....	62	129	181	Taylor .....	221	157	
Fremont .....	124	389	513	Union .....	109	101	
Greene .....	112	78	185	Van Buren .....	1062	1508	
Grundy .....	51	40	91	Wapello .....	938	1249	
Guthrie .....	245	213		Warren .....	881	361	1242
Hamilton .....	82	199	281	Washington .....	813	709	
Harrison .....	198	196		Wayne .....			
Hardin .....	549	303		Webster .....	142	264	406
Henry .....	1205	624	1829	Winneshiek .....	590	241	831
Howard .....	273	118	391	Woodbury .....			
Humboldt .....	26	1	27	Wright .....	61	50	111
Iowa .....	424	459	883				
Jackson .....	581	1077	1658	Total .....	40,311	38,681	78,992

This unique edition of the Constitution presents reduced *fac similes* of the signatures of the men who made it. Some of them are living, but the majority have passed away. They wrote their names as follows:

• Timothy Day	• W. Robinson
S. G. Winchester	Lewis Luskinton
David Brunker	John Edwards
D. S. Palmer	S. C. Traver
Geo. W. Ellis	J. F. Wilson
J. C. Hall	Amos Harris
John S. P. P. P.	Geo. Clark
W. A. Warren	S. Ayres
W. M. Gray	Henry J. Staff
Robt. Gower	J. A. Parvin
W. D. Gibson	W. Bond Clarke
Thomas Rich	Samuel Hallingworth
A. Hallavin	Wm. Patterson
J. H. Emerson	Wm. P.
R. L. B. Clarke	Alfred Scott
Samuel Garney	George Gillaspay
D. H. Solomon	Edward Johnson
Lucy	Alex. H. Cotton
W. H. Saunders Secretary	Francis Sprunger President
E. Bates Ass <sup>t</sup> Secretary	

We had an election in those days in August, which was afterwards abolished. It was at this election that the vote was taken "for and against" its adoption. After all the votes were



received and canvassed, Gov. James W. Grimes issued a Proclamation declaring the instrument adopted, and "to be the supreme law of the State." This is a reduced *fac simile* of that announcement:

*Proclamation*

Whereas an instrument known as the New Constitution of the State of Iowa adopted by the Constitutional Convention of said State on the fifth day of March A.D. 1857 was submitted to the qualified electors of said State at the annual election held on Monday the third day of August 1857 for their approval or rejection.

And whereas an official canvass of the votes cast at said election shows that there were Forty thousand three hundred and sixteen votes cast for the adoption of said Constitution and thirty eight thousand six hundred and eighty one votes were cast against its adoption, leaving a majority of sixteen hundred and thirty votes in favor of its adoption.

Now therefore I James W. Grimes Governor of said State, by virtue of the authority conferred upon me, hereby declare the said New Constitution to be adopted, and declare it to be the supreme law of the State of Iowa.

On testimony whereof I have hereunto set my hand and affixed the Great Seal of the State of Iowa.  
Done at Iowa City this  
Third day of September A.D. 1857  
of the Independence of the United States the Eighty second and of the State of Iowa the Seventh.



By the Governor, James W. Grimes;  
Edwin Wells  
Secretary of State.

In view of the fact that everybody accepts our Constitution as a very excellent one—no demand having ever arisen for a new one—the very small majority of 1,630 by which it was

adopted seems almost unaccountable. The facts were—as we are informed by an eminent, we might well say illustrious, member of the Convention—that it was “the product of a Republican body,” and hence largely opposed by the Democrats, as the vote by counties fully indicates. It “anchored” the State Capital at Des Moines, and hence aroused the opposition of ambitious rivals for that high distinction. It also made a radical change in the law of evidence—Sec. 4, Art. 1—and this was distasteful to many voters.

The seal is a good copy—though its small size detracts somewhat from its clearness—of the first seal of the State, concerning which there has been some controversy. The originals from which these copies were made are in the office of the Secretary of State, through whose courtesy we are able to present them here.

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### THE IOWA DOG LAW OF 1862.

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The writer hereof had the honor of serving as Chief Clerk of the House of Representatives during the regular session of the General Assembly in the winter of 1862, as well as at the extra session of the same body in the following September. Very soon after the regular session opened petitions began to come in, seemingly from all parts of the State, praying for the enactment of a law “providing for the registry of dogs, and defining the duties of township officers in certain cases.” It was undoubtedly true, as was afterward charged, that some one or more individuals interested in raising sheep had started this movement and given it very systematic direction. That there was good management behind the effort can not be doubted. A full head of steam was kept up from start to finish. So many petitions came in and kept coming, that it seemed that a large majority of the people were determined that Iowa should have not only a “well-regulated,” but most stringent “dog law.” This apparent unanimity of sentiment resulted in the passage of the bill, which was introduced by Mr. White of

Scott county on the 4th day of February. During the discussion of the measure there was no end of merriment, and all sorts of humorous and whimsical amendments were offered, but for the most part not recognized by the chair. So that a hearty laugh was evoked, the mover was fully satisfied. The acknowledged wag of the House was the Hon. Thomas Hardie, of Dubuque, who saw many opportunities for the display of his incisive wit upon this measure, both at the regular and extra sessions. He improved his opportunities to the best of his well known and acknowledged ability in that direction. There were many Members and Senators who would not have voted for the bill but for the fact that it seemed to be so unanimously demanded by their constituents. Various efforts were made to secure a modification of what were regarded as too severe provisions—substitutes were offered for it—but all to no effect. A vote was reached in the house on the 7th day of March. This resulted in its passage, though it received only 51 ayes—just the least number by which it could be passed under our constitution. But it is probable that more votes could have been secured had they been necessary. There were ten “not voting,” most of whom were doubtless near at hand at the time of the roll-call.

The bill was duly approved by Governor Kirkwood, and went into effect upon its publication in the *Des Moines Register*, *Des Moines Times* and *Iowa Homestead and Farmer*. It contained twelve sections besides the publication clause, and was at once most specific and severe in its provisions and penalties. It compelled owners of dogs to register them each year at the office of the clerk of the township, the fee being from \$1 to \$3. There were heavy penalties for false registries of dogs, and for killing dogs lawfully registered. Marshals, police officers and constables were enjoined to kill any dog at large without his collar, as provided by law.

While the measure was pending before the Legislature it seemed to be wanted by almost everybody. As is said of certain quack medicines, one might almost believe that “children cried for it!” But it is very doubtful whether a more unpop-

ular enactment was ever placed upon the statute books of our State. The nature of the measure can best be shown by copying one of its sections:

"SECTION 1. *Be it enacted, etc.,* That every owner or keeper of a dog shall on or before the 15th day of May, 1862, and each year thereafter, cause it to be registered, numbered and described, in the office of the Clerk of the Township where said owner or keeper resides, and shall pay to said clerk for said registry, the sum of one dollar for every male dog, and three dollars for every female dog, and shall receive from said clerk a certificate of registry, number and description of said dog, which certificate shall be *prima facie* evidence of the proper registry of said dog in any township of the State. The Township Clerk shall receive for every certificate so issued twenty cents, from the funds accruing under this section."

Many of the newspapers treated it with contemptuous derision, as did thousands of the people. While no data is accessible to the writer, it is pretty safe to say that it was in most places "a dead letter." Members and Senators who voted for it innocently enough, because of the apparent popular demand for such an enactment, were simply horrified at the storm of indignation which greeted them as soon as its provisions became known in their counties. Here and there communities seemed to favor the law and endorsed the action of their representatives in voting for the bill and against its repeal. This, however, was not the general sentiment in regard to it.

But on the 3d day of September the Legislature was convened by Gov. Kirkwood in extra session—for the purpose of providing ways and means to aid the Government in suppressing the Rebellion. "Father Abraham" had called for "300,000 more." It was often and widely claimed and published that this extra session was held for the sole purpose of repealing the dog law! This assertion was purely a fiction. But it is nevertheless true, that no sooner was the House organized than a dozen members sprang to their feet for the purpose of introducing either bills or resolutions for the repeal of the obnoxious statute. Mr. Van Anda, of Delaware, was recognized by the Speaker, his resolution merely requesting the Committee on Agriculture to report a bill repealing the dog law. Various efforts were made by Messrs. Bowdoin, Ferguson and others to amend, but the resolution, after some de-

bate—and evidently with the determination that no man should be allowed to steal a march on any other as a champion repealer—was laid upon the table. On the next day, Mr. Knoll, of Dubuque county, quietly introduced House File No. 2, a bill to repeal the law. There was more dignity and less hurry and rush in the Senate; still, Mr. Neal introduced a bill (S. F. No. 1) to the same purport. It was read a first and second time and referred to the Committee on Agriculture, “with instructions to report at an early day.”

It really looked ridiculous and absurd to see the Legislature, called together in one of the gravest public emergencies that ever arose in the State or Nation, wholly unwilling to enter upon the great business of that extraordinary session, until steps had been taken for the repeal of a law for the registry and taxation of dogs! But if there was any particular question more than another upon which a majority of the Members and Senators united, it was upon the abrogation of what had proved to be a most irritating, vexatious and obnoxious statute. The measure for repeal was several times under discussion, but was quickly passed and approved by the Governor. One of the provisions only of the original act was retained, viz.: that making owners responsible for damages done by their dogs. While the law existed it created a world of acrimonious discussion. Votes in its favor no doubt sealed the fate of quite a number of budding statesmen who had cherished aspirations for higher places of honor or profit. Some of them paid very dearly for what they attempted to do for the people in thus meddling with their canine friends. The old saying, “Love me, love my dog,” seemed just as pertinent as ever.

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#### A LITERARY QUESTION SETTLED.

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For more than a quarter of a century the question of the authorship of that beautiful and oft-quoted poem, “There is no Death,” has been in dispute. The writer attempted, fully twenty years ago, to induce his friend, the author, Mr. J. L.

McCreery, a well known Iowa man, to take steps to settle the question in a manner which should thenceforth admit of no doubt. He did not do this, and his poem has continued to go "the rounds of the press" and to be quoted in funeral oratory as the work of the late Lord Edward Bulwer Lytton, the distinguished author of "The Last Days of Pompeii" and other great novels. True, within the past two or three years, Hon. Theodore S. Parvin and others, in the interest of justice, have undertaken to set the matter right—in fact, have well nigh dissipated all doubt upon the subject. Mr. McCreery also had written one or more letters relating to it, which seemed to be fairly conclusive. But nevertheless there were points which might be raised in the future, and tend to throw doubt upon these attempts to set the matter right. The principal difficulty in this direction was the fact of there being more than one version of the poem in circulation. We therefore, earnestly urged Mr. McCreery to consider all these points and present to our readers the history of his great poem, making everything relative to it clear and authoritative. This he has done. It affords us great pleasure to present his statement in our pages, accompanied by a fairly good reproduction of his portrait. We are spared the necessity of saying more concerning the poem, for his own account is full and graphic to a remarkable degree, and will be found exceedingly interesting.

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#### "FIT TO COMMAND AN INDEPENDENT ARMY."

That General Marcellus M. Crocker had a strong hold upon the affections of the people of Des Moines is evinced by the facts that one of the foremost of the city schools, a street, a public park, a post of the Grand Army, and a railroad station near by, all bear his honored name. His old brigade, which won imperishable renown under his command, also holds a reunion every two years and publishes reports of its transactions. Many people still reside here who knew him intimately and well, the writer of this item among the number. He was two years at West Point, but had to leave the

school in consequence of the necessities of his family at home. He was, therefore, possessed of much military knowledge. Before the war, he had attained a conspicuous position as a lawyer, and was known throughout the State as a shrewd and most active Democratic politician. He was a wide-awake, breezy, large-hearted, "good fellow," possessing great personal popularity. He entered the service in very feeble health, but rose rapidly to the rank of Brigadier-General, and but for his untimely death would very soon have been made a Major-General, with a lower rank in the regular army. Some day we hope to present a sketch of his most brilliant career. Just now we simply place on record the fact that his friends, Messrs. P. M. Casady, J. S. Polk, Geo. G. Wright, Barlow Granger, Isaac Brandt, Geo. Whitaker, J. W. Cheek, E. L. Marsh, R. S. Finkbine, Hoyt Sherman, B. F. Gue and Charles Aldrich, have caused to be cut upon his monument in Woodland Cemetery the famous words which General Grant wrote in his book—"General Crocker was fit to command an independent army"—than which one hero could not more highly compliment another. These words cut in the marble block are duly credited—"U. S. GRANT."

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#### RIVER LAND INVESTIGATION.

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Under direction of Hon. Hoke Smith, Secretary of the Interior, an agent of the Department has been engaged during the past summer in investigating the claims of settlers upon the Des Moines River lands. The end in view is to secure from Congress indemnity for their losses. The great case in their behalf, which was taken to the Supreme Court of the United States by the Attorney General of Iowa, having failed, this course is the only one left. However, it does not vary in any material respect from that instituted and ably prosecuted by Hon. Cyrus C. Carpenter in his first term as Governor. Hon. John F. Duncombe was then a member of the Iowa House of Representatives, and earnestly supported the measure. Under the law which was passed, with little or no oppo-

sition, three Commissioners were appointed, who after a protracted investigation, submitted their report July 25, 1872, "on the extent of losses of settlers upon Des Moines River lands by reason of failure of title." This was printed in a pamphlet, now very scarce, of about 60 pages. On the 3d of March, 1873, Congress passed an act providing for another Commission, which also submitted a report November 20, 1873, covering substantially the same ground. As a result of these efforts a bill passed the House of Representatives, largely through the efforts of Hon. Jackson Orr, then in Congress from the Ft. Dodge District, under which the settlers would have received something over \$400,000—but it failed in the Senate, owing doubtless to the powerful opposition of Senator Pratt, of Indiana. This new effort is based upon the idea of fair indemnity, precisely as it was advocated by Governor Carpenter and Mr. Duncombe in 1872. It is certainly to be hoped that the action of Congress will be more propitious to the settlers than that of twenty years ago.

As a part of the history of the times we copy the following notice—August 17, 1893—to the settlers by the special agent of the Interior Department:

RIVER LAND INVESTIGATION.

*To Whom it May Concern:*

All parties interested are hereby notified that the commission appointed by the Secretary of the Interior under the sundry civil appropriation act of March 3, 1893, touching the Des Moines River Land Grant, will hold its sitting at Fort Dodge on the 16th. The sitting will begin at 9 A. M. and continue from day to day. The object of the investigation is to ascertain the sum or sums paid by the holders of certificates or patents to said lands, their heirs or assigns, to purchase the paramount title as settled by the decisions of the courts; and also the value of such paramount title in case where the purchase has not been made by any of the holders of such certificates or patents, and to ascertain such other facts as are necessary to enable the United States to properly and equitably adjust the claims of persons who entered upon such lands receiving from the proper officers written evidence of such entry or settlement upon any of said lands. The inquiry will cover the original holders of certificates and patents and also the present owners holding such original certificates and patents. Parties will facilitate the inquiry by presenting with their titles an abstract of the same. After completing the work at this point the commission will hold sittings in the counties where the lands are situated, of which notice will be given.

ROBERT L. BERNER, *Special Agent.*

Mr. Berner will visit Stratford previous to coming to Fort Dodge.



The Fort Dodge *Messenger* of August 17 spoke of this effort as follows:

On Tuesday Hon. Robert L. Berner, accompanied by his secretary, Mr. T. E. Fletcher, and his stenographer, Mr. A. M. Speer, arrived in this city and registered at the Duncombe House. Mr. Berner is the special commissioner appointed by Hon. Hoke Smith, Secretary of the Interior, to investigate the claims of the *bona fide* settlers on what is known as the Des Moines River Land Grant. At the last session of Congress a bill was passed providing for this investigation, the object being to ascertain the sum or sums paid by the holders of certificates or patents to said land, their heirs or assigns, to purchase the paramount title as settled by the decisions of the courts; and also the value of such paramount title in cases where the purchase has not been made by any of the holders of such certificates or patents, and to ascertain such other facts as are necessary to enable the United States to properly and equitably adjust the claims of persons who entered upon such lands, receiving from the proper officers written evidence of entry or settlement upon any of said lands. The inquiry will cover the original holders of certificates and patents, and also the present owners holding under such original certificates and patents. Parties will facilitate the inquiry by presenting with their titles an abstract of the same.

Mr. Berner's report will contain a full history of the claims against the Government by the settlers, so that the Government can make an appropriation to repay the settlers the amounts originally paid to the Government for the land, averaging about \$1.50 per acre. He also wants information concerning the improvements made and all transfers. The report is to be submitted at the next regular session of Congress. Mr. Berner desires that all parties in this county who are interested should call on him during his stay in Fort Dodge this week and next. His headquarters will be at the Duncombe House, but his work will be carried on in the office of the County Recorder in the court house.

Mr. Berner has a list of about two hundred claims in this county against the Government, on land to which the United States Government gave the settlers a title. He is not authorized to investigate any other cases. Mr. Berner states, however, that he will hear any claims in which he considers there is any considerable amount of equity and present them to Congress.

Mr. Berner expects to remain in Fort Dodge until Friday, August 25, and hopes to hear from every settler who has a claim against the Government during that time. He stopped at Stratford yesterday and investigated several cases but found he could make no progress without the county records. The commission was in session at Boone for a week and in that time heard all but two cases scheduled there.

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### AN INTERESTING SPECIMEN OF COPPER.

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Col. Warren S. Dungan, of Chariton, has sent to the Historical Department a specimen of Iowa copper, which has attracted considerable attention. It was on exhibition at the New Orleans Exposition of 1883-4, and for some time in the museum of the State University. It was found by Mr. John

Clowser, while digging a well on the divide between the waters of the White Breast and Cedar creeks, in Lucas county, at the depth of 32 feet. It weighs 36 pounds. It is what is known as a "drift specimen"—having been carried far from its original resting place.

Native copper has been found in the drift at a number of places in our State. It usually occurs in small irregular masses, varying from a few ounces to thirty or more pounds in weight. These masses are more or less flattened and rounded, and frequently covered on one or more sides with small parallel striations like the glacial scratches of the granite boulders which are associated with them. At Des Moines, Chariton and elsewhere, fragments of this description have been found from time to time, awakening considerable interest. Frequently, time and money have been expended in digging and prospecting for this mineral in places where these masses have been obtained. Careful examinations show that these pieces of native copper found in the drift are merely erratics of northern origin, like the boulders of granite and other igneous rocks whose native place is also far to the northward, beyond the borders of Iowa. These erratics have been transported southward by the glaciers, which once spread out over the upper Mississippi valley and brought down from the north mixed masses of clay, gravel, sand and boulders, which collectively are called drift. In seeking the origin of this copper it must, therefore, be looked for somewhere near the northern boundary of the United States. At the present time it is believed that most, if not all of the native copper which has been found in the drift of this region has come from the well-known copper district of Lake Superior. The party who found this specimen tried to chop it in two with an ax, and it bears a deep indentation on one of its sides. Both sides are flattened and smoothed, and these planed surfaces bear deep striations or glacial scratches, showing how it was compressed under the great ice-plow. Altogether, it is a very interesting specimen.

## NOTABLE DEATHS.

EX-GOVERNOR WILLIAM M. STONE died at his home in Oklahoma on the 18th day of July last, at the age of 66. He was a native of Ohio, and came to Iowa in 1854, settling at Knoxville, where he entered upon the practice of the law. In October, 1855, he established the *Knoxville Journal*, and became its editor. He was a delegate from Marion county to the convention which assembled at Iowa City (then the capital of the State), on the 22d of February, 1856, and organized the Republican party in Iowa. He was nominated by that convention for Presidential Elector, and was elected in November following. In 1857 he was chosen District Judge, and under the new constitution which took effect the next year was elected Judge of the new Sixth District. When the Rebellion broke out in 1861, he raised a company which went into the Third Iowa Infantry, of which regiment Captain Stone was appointed Major. He was taken prisoner by the Confederates at the battle of Shiloh, and was held at Richmond several months. Soon after he was released by exchange, Governor Kirkwood appointed him Colonel of the 22d Infantry. He was slightly wounded at one of the battles before Vicksburg, in 1863, and came home on furlough. He attended the Republican State Convention, made an eloquent war speech (with his arm in a sling), the night before the ballot was taken for a candidate for Governor, where most of the delegates were present. A warm contest had been going on for months between the supporters of General Fitz Henry Warren and Elijah Sells. But the thrilling eloquence of the wounded soldier in blue, captured a majority of the delegates, and Colonel William M. Stone was nominated for Governor. He was elected over General J. M. Tuttle, the Democratic candidate, by a majority of nearly 30,000. He was re-elected in 1865 over Colonel Thomas H. Benton by a majority of about 17,000. In 1888 Governor Stone was chosen Presidential Elector over Judge Grant of Davenport, who had been his competitor for the same position in 1856. In 1889, Governor Stone was

appointed Assistant Commissioner of the General Land Office at Washington, and near the close of President Harrison's term, was promoted to Commissioner. Upon retiring from that position he settled in Oklahoma, where he resided at the time of his death. He leaves a widow, Caroline M., a daughter of the late Professor James Matthews of Knoxville.

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MAJOR GENERAL WILLIAM VANDEVER died at Buena Ventura, California, July 23, at the age of 77. He was born at Baltimore, Maryland, March 31, 1817. He came west in 1839, when but 22 years of age, and settled at Rock Island, Illinois. He was a surveyor in early days, and surveyed large tracts of the public lands in Illinois, Wisconsin and Iowa. In 1846 he became editor of the *Rock Island Advertiser* and for many years conducted that journal with rare ability. In that capacity he was one of the earliest and most untiring advocates of the building of a line of railroad from Chicago to the Mississippi river, which enterprise was finally accomplished, giving to the country the first division of the great Chicago, Rock Island & Pacific system. In 1847 he married Miss Williams of Davenport, Iowa, and in 1851 settled in Dubuque. In partnership with Ben. M. Samuels he entered upon the practice of the law, and in 1855 became Clerk of the Supreme Court of Iowa. In 1858 he was nominated by the Republicans for Congress in the Second District, which then embraced the north half of the State, and was elected by a majority of 2,739 over Wm. Leffingwell of Clinton county. He served with marked ability and was re-elected in 1860, over his old law partner, Ben. M. Samuels, by a majority of 9,599. When the war of the Rebellion broke out, Vandever resigned his seat in Congress and entered the Union army. He was appointed Colonel of the 9th Iowa Infantry, and served with distinguished ability in the battle of Pea Ridge, the Vicksburg campaign, Lookout Mountain and Sherman's "March to the Sea." For gallant services in these great campaigns and battles, he was promoted to the rank of Brigadier-General and brevet Major General. After the close of the war General

Vandever returned to Dubuque, where he resided for many years, esteemed as one of the foremost public men in Iowa. Several years ago he removed to California, where his ability was soon recognized, and he was again elected to Congress, serving that far western state with such marked ability that at the close of his term he was re-elected. The *Dubuque Times* says of him: "General Vandever was a man of sterling qualities, brainy, prompt to act, and always efficient. He was an effective debater, a loyal citizen, and a man beloved by his friends and respected by his political opponents. He was an ideal legislator, and an able, brave and faithful soldier."

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CHANCELLOR GEORGE T. CARPENTER, of Drake University, died in Des Moines on the 29th day of July. Professor Carpenter was born in Nelson county, Kentucky, March 4, 1832. He graduated at Abingdon College, Illinois, in 1859. He soon after entered the Christian ministry, preaching for two years at Winterset, Iowa. Later, he accepted a professorship in Oskaloosa College, where he served for twenty years, the most of the time as president. He was for a long time editor of the *Christian-Evangelist*. In 1863 he married Henrietta L. Drake, who survives him. In 1873 Professor Carpenter was one of the Commissioners to the World's Fair at Vienna. He was an influential leader among the prohibitionists, and in 1879 was nominated by them for Governor, but declined. In 1881 Professor Carpenter, Elder D. R. Lucas and General F. M. Drake founded Drake University. From this time as long as he lived, Chancellor Carpenter gave his best energies to the building up of this educational institution, which largely through his excellent work and influence has become one of the great colleges of the State.

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HON. JOSEPH DYSART died at his home in Tama county, on the 8th of September, at the age of 73. He was born in Huntington, Pennsylvania, July 8, 1820, and first came to Iowa in November, 1839. But he did not make a permanent settlement in this State until April, 1856, when he located

at Vinton. He bought an interest in the Vinton *Eagle*, which he edited with ability for two years. He was elected on the Republican ticket to the State Senate, to represent Benton and Tama counties, in 1861, filling a vacancy for one session. In 1869 he was elected to the Senate for a full term from Tama and Poweshiek counties. In 1873 he was elected Lieutenant Governor. He was a warm friend of the Agricultural College, and in his official capacity as President of the Senate, rendered it valuable service when a vindictive warfare was waged against it before the Legislature. In 1884 he was chosen one of the trustees of that institution for the term of four years. The town of Dysart, in Tama county, was named in honor of Lieut. Governor Dysart, and was for many years his home, during the latter part of his life. Throughout his long life in Iowa he rendered valuable public service to his town, county and State, and was honored and esteemed by all who knew him.

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JUDGE W. H. MCHENRY, of Des Moines, died at his home September 9, 1893. He was one of the earliest settlers at old Fort Des Moines, coming there in 1848. He was the first Mayor of the Capital city. In 1878 he was elected Judge of the Fifth Judicial District and was re-elected in 1882, serving until 1887. He was a native of Ohio and was 77 years of age at the time of his death. He was a fine specimen of the sturdy, self-reliant, western pioneer.

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SENATOR R. S. SMITH of the Thirty-ninth District, composed of the counties of Butler and Bremer, died at his home at Parkersburg, on the 27th of August, after a very short illness. Mr. Smith was born in Pennsylvania and came to Iowa in 1858, settling on a farm. He was elected to the State Senate in the fall of 1891, on the Democratic ticket. He was highly esteemed by his colleagues in the last General Assembly, as well as by his constituents of all parties at home. He was a man of sound judgment, excellent business ability, and became an influential member of the Legislature. His sudden death

in the prime of life is deeply regretted by all who knew him.

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WILLIAM W. WALKER, one of the pioneer railroad builders of Iowa, died in Chicago, September 22. He was born in Cooperstown, New York, in 1834, and was educated for a civil engineer. He came to Iowa in 1855, and was soon after chosen chief engineer of the Chicago, Iowa & Nebraska R. R., then being located and constructed from Chicago via Clinton, Iowa, to Council Bluffs. After the completion of that road he became chief engineer and one of the leading spirits in building the Sioux City & Pacific and Elkhorn Valley railroads. He was an active promoter of the B., C. R. & N. R. R., and for many years its superintendent. He afterwards built a road south from Hannibal, Missouri, and in later years built an important line in Arizona. He was the first president of the First National Bank of Cedar Rapids, and was also for many years one of the owners and editors of the Cedar Rapids *Republican*. He was widely acquainted with the leading men of Iowa for more than thirty years, and was highly esteemed by all who knew him. His whole life was one of great usefulness, and his name will long be remembered as one of the pioneer railroad builders of Iowa, commencing, as he did, when the great system that now traverses every county in our State was in its infancy.

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HON. J. WILSON WILLIAMS of Des Moines county, died at his home near Burlington on the 29th of August, at the age of 77. He was born in 1816, at Charlotte, Vermont, and was educated for a civil engineer. In 1836 he came west to Chicago, and settled in Hancock county, Illinois, where for twelve years he was county surveyor. He was engaged in making the survey of the boundary line between Iowa and Missouri. In 1850 he settled at Huron, Iowa, where he continued to live up to the time of his death. In 1852 he was first elected to the Legislature and was repeatedly chosen, serving five terms in the House and two sessions in the Senate. During his first term in the House he was a colleague of James W. Grimes,

afterward Governor and United States Senator. He was first a Whig, and afterwards a Republican in politics, from the organization of the latter party to the day of his death. He was one of the trustees of the Agricultural College during the years of its organization and the erection of the main building. In 1847 he married Miss Julia A. Robinson of Burlington. Mr. Williams had a very wide acquaintance throughout the State, and was esteemed as a genial, honorable and true man in every relation of life.

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THE MISSISSIPPI'S OLDEST BOAT.—The Le Claire Navigation Company, of Davenport, has just sold the steamer Iowa. The price is not given, but it is not a large figure. The Iowa is the oldest boat on the river. She was built at Burlington in 1862. She was used on the rapids below here for a transfer at times of low water, when larger boats were not able to get up or down over that sticking point. Later, she was in service as a ferryboat at some point on this river now forgotten. She was originally a side wheeler, but was altered after her term of service as a ferry to a stern-wheeler. During all these thirty-one years she has been hard at it. She has had her share of the vicissitudes of river life, and has done her share of carrying and towing on the river, and still, after an unusually long term of service, she is a fair steamer yet.—*Burlington Gazette*.

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HON. HENRY W. LATHROP'S "Life and Times of Samuel J. Kirkwood" will appear about the same time as this number of THE ANNALS. It promises to be a very popular book.

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Without doubt the greatest book written by an Iowa man is Bishop W. S. Perry's History of the P. E. Church in this country; but through the failure of his publishers and a disastrous fire, it caused the author a loss of several thousand dollars. His friends hope it may yet be republished, and the Bishop himself has it in contemplation to bring it out in a cheaper edition.



THIRD SERIES.

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JANUARY, 1894.

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A HISTORICAL QUARTERLY.



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*Published*





*Sam. A. Miller*

# ANNALS OF IOWA.

VOL. I, No. 4.

DES MOINES, IOWA, JANUARY, 1894.

THIRD SERIES.

## JUSTICE SAMUEL FREEMAN MILLER.

BY HON. HENRY STRONG.

[During the past year Mr. Strong, formerly of Burlington, but now of Wisconsin, gave a commission to Mr. Charles Noel Flagg, a distinguished artist of New York City, to paint a portrait of Justice Miller, who resided in Keokuk at the time of his appointment by Abraham Lincoln, in the year 1862, to the Supreme Bench of the United States. On the 21st of November, Mr. Strong presented this portrait to the State of Iowa, in the Executive rooms of our Capitol. It was expected that His Excellency Governor Horace Boies would be present to accept this portrait, but he was at that time confined to his home in Waterloo, through serious illness. The portrait was therefore received by Hon. William M. McFarland, Secretary of State. Ex-Governor Lucius Fairchild, of Wisconsin, Hon. Messrs. John Mahin, John F. Lacey, W. T. Shaw, E. H. Conger, A. L. Swalm, D. N. Richardson, Sam. M. Clark, C. H. Gatch, Tac Hussey, W. T. Smith, Judges Given and Granger, of our Supreme Court, Judge John S. Woolson, of the United States District Court, and many other distinguished citizens, were present. Ex-Chief Justice George G. Wright took the chair at 2:30 p. m. After brief tributes to his old-time friends, Justice Miller and Henry Strong, Judge Wright introduced the last-named gentleman to the audience. Mr. Strong spoke as follows:]

When Mr. Charles Aldrich, the intelligent and enterprising curator of the Historical Department of Iowa, whose zeal in promoting this interesting and most important branch of State education, and thus stimulating a just and commendable State pride, must enlist the sympathy and command the earnest support of all good citizens, wrote me saying that he wished to procure for the State a portrait of Justice Miller to place by the side of those of the other men who have largely contributed to make her history, though so brief, yet so honorable, and bespeaking my aid in this behalf, it required no argument to convince me of my duty to the young commonwealth that had been always kind to me, and where I had laid the foundation of whatever small measure of suc-

cess I may have attained in professional and business life; and to the mercy of him, her most distinguished citizen, who had permitted me to be "the Roman friend of Rome's least mortal mind"—a friendship cemented by nearly forty years, on the one side, of unfailing kindness and unmerited appreciation, on the other, of ever increasing affectionate admiration.

There is so little personal incident in the life of an American jurist, however eminent, even though it might justly be said of him as Bacon said of Coke, "Without Lord Coke the law by this time would have been like a ship without ballast," that his career necessarily presents but little to catch the popular eye or interest the ordinary reader. And yet, in American governments, both Federal and State, limited as they are by written constitutions defining the powers of the several departments—legislative, executive and judicial—and under these constitutions the judiciary department having the authority to determine what their respective limits are, the decisions of the highest State and Federal courts upon constitutional questions must of necessity have to do with many quasi-political problems, and cover more or less of National history.

In no other country, ancient or modern, is there to be found any parallel in political consequence and profound public interest to the constitutional decisions of the Supreme Court of the United States.

It would be quite impossible under a system of federation, embracing so many States that are wholly independent of each other and of the General Government, except as that independence is limited by the National Constitution, that there should exist such entire harmony of opinion upon a multitude of questions affecting State authority and the political and commercial rights of the citizens, as not very often to call for the intervention of the Federal judiciary in their decision. Possessing, as it does, a sort of veto power over both National and State legislation, the Supreme Court of the United States is the most unique tribunal in political history. Clothed with an authority which Jefferson and

Other eminent statesmen of the early period regarded as despotic and dangerous and wholly incompatible with popular government, it is the constitutional arbiter in all those controversies of a mixed political and judicial character arising under a written constitution, which in other countries are determined by the executive and legislative departments of the government. It has a right to decide what Congress may or may not do, and how far the authority of the Executive extends. It adjudicates every legal question arising under an act of Congress, whatever its character. It goes farther, and defines its own powers derived under the Constitution. Therefore, a Judge upon the Supreme Bench of the United States is never wholly removed from the sphere of National and State politics, and his character and talents are known and appreciated by those who have the conduct of public affairs. Nevertheless, as a whole, his career is too exclusively professional to interest the general reader, and it is almost sad to reflect how little is known of the truly great men who have sat upon the Supreme Court bench, and whose talents, learning and foresight have so greatly contributed to the wonderful success of the political experiment embodied in the Federal Constitution, the wise adaptation of which, for the government of the American people, a century's experience has confirmed. Only the really intelligent student of political history knows that the patriotic services of Hamilton, Madison and Webster have had their equally important counterpart in those of Marshall, Story and Miller. The public ear caught, and the public mind has treasured the utterances from the early political forum, while the profound discussions of the jurist, confined of necessity to the consultation room of the court, can never be known, except as they find expression in the written opinions of that court, which few persons are qualified to value or understand. Even the names of many of the Judges, whose unappreciated talents have acquired for the Supreme Court of the United States its reputation as the greatest judicial tribunal in the world, are, alas! forgotten.

It has been often said that the most valuable service the elder Adams rendered to the Nation was the appointment of the young Virginia lawyer, John Marshall, to the Chief Justiceship of the Supreme Court of the United States. Himself an extreme Federalist, passing over men eminent at the bar of his own Federal New England, he went to the home of Jefferson, his political enemy, who had just been elected his successor to the Presidency, and chose for by far the most important office in his gift the man who became one of the greatest judicial magistrates the world has ever known—the judge whose profound and just analysis of the powers invested by the Constitution in the three estates constituting the Federal Government, has, ever since, and almost without question, been accepted as their political chart by the executive, the legislature and the judiciary. When President Lincoln crossed the Mississippi and appointed to the Supreme Court bench a lawyer of whom few persons outside of his State had ever heard, he wrought better than he knew, and chose the man, of all others, fitted by nature for that high office and for the great responsibilities that were soon to devolve upon him and his associates.

Among the eminent men who have adorned the American bench, I may say there have been none, except Chief Justice Marshall, whose opinions have been more potent in their influence upon the judicial history of the country, especially for the last quarter of a century, than those of Justice Miller. That influence has been felt and acknowledged by his associates upon the bench, and is generally recognized by the public. Called to the bench at a time when the most formidable attempted revolution in history was in progress, and nearly 2,000,000 of men were under arms to destroy and to defend the American Union, Justice Miller lived to witness the overthrow of that rebellion, and to take a leading part in the adjustment of the authority of the States in the Federal Government, under the broader theory of personal liberty and civil rights declared in the amendments to the Constitution, securing citizenship to five millions of emancipated



slaves, and hardly less important, in the new industrial era, in establishing upon a liberal and secure basis the limits of municipal authority in relation to individual and corporate enterprises. For it has become almost dangerously apparent that in consequence of the wonderful development of such enterprises, so complex and far-reaching, boldly entering by means of the combination of capital under corporate forms, upon undertakings which would drain an imperial treasury, and affecting interstate commerce and state authority, the highest courts have been called upon to solve the most difficult problems, involving mixed questions of commercial law and political power, in a hitherto largely unexplored region, full of uncertainty and danger, and requiring the first order of judicial ability for their solution. The equally profound and lucid reasoning, carrying with it at once admiration and conviction, to be found in the opinions of the court in *Marbury vs. Madison*, *Gibbons vs. Ogden*, *McCullough vs. State of Maryland*, and in the *Dartmouth College* case, finds a parallel in the opinions of Justice Miller in *Buck vs. Colbath*, the *United States vs. Lee*, *Hepburn vs. Griswold*, the *Loan Association vs. Topeka*, the so-called slaughter house cases, and others I may not stop to name. The most important judgments of Chief Justice Marshall we all hope may stand as a guide alike of statesman and jurist, so long as the Government shall endure. They imbue the mind with the soundest principles of political action, while they delight the intellect with the simple logic of their argument. They are judicial corollaries of the demonstrations of *The Federalist*, maintaining the rights of the citizen and authority of the State, as embodied by Washington, Hamilton, Madison and their associates in a written constitution, an harmonious system of federation, preserving alike National supremacy and State independence. Many of the opinions of Justice Miller, by their comprehensive statement of personal rights and governmental control, at once recall the great Chief Justice, so that now, in reading the judgments of either, we almost distinctively associate the two great jurists in our minds.

It has been fortunate for the country that the eminent Judges, whose duty it is to interpret the National Constitution, almost without regard to their early party affiliations, have recognized the necessity of unquestioned authority in all government. The importance of this historical fact becomes every day more increasingly apparent under the obvious tendency to unsound, if not anarchical theories, in all popular governments. The naturally conservative temper of the judicial mind adds immensely to the value of the Supreme Court, and its influence upon political administration. Even the young and ardent Jeffersonian Story, had not been long upon the Supreme bench, when he wrote: "Let us extend the National authority over the whole extent of power granted by the Constitution; let us have great military and naval schools; an adequate regular army; an ample permanent navy; a National bank; \* \* judicial courts which shall embrace the whole constitutional powers; National notaries public and National justices of the peace; and thus prevent the possibility of division by creating great National interests." Strange language this to come from the mouth of a Federal Judge, appointed by Jefferson's successor and disciple—the Jefferson who was listening with delight to Marat reading the Jacobinical Koran of Rousseau in the streets of Paris to the young lawyers of France, and proclaiming to the world a political Utopia based upon the "natural contract," formulated by the son of the watchmaker of Geneva, at the very time that Hamilton, with his marvelous intellect and sleepless energy, was moulding the weak and wavering Confederacy of the States into the glorious Union of the people—the Jefferson who inspired the Kentucky and Virginia resolutions, thus paving the way to the nullification of 1832 and the rebellion of 1861, and who said, "God forbid that we should ever be twenty years without a rebellion; if the people take up arms against the Government, let them be set right by facts; pardon and pacify them"—the Jefferson whose political idiosyncrasy led him to say, "Those societies, like the Indians, that live without gov-

ernment, enjoy an infinitely greater degree of happiness than those who live under any European government." It seems marvelous strange, I say, that the disciple of such a political leader should, having been elevated to the Federal bench, and feeling the influence of that high tribunal, so soon become the wise and conservative jurist, the illustrious Judge Story, of American history.

The young statesmen of Iowa may not all worship at the shrine of Hamilton, who distrusted the extreme democracy of the masses, the *vox populi, vox dei* maxim of the demagogue, but they should temper the sophisms of the popular rostrum with the saving reason and judgment of the judicial forum. They may, and they should, impress their minds with the sound political theories, and the enlarging and enlightening wisdom to be found in the constitutional opinions of their great fellow citizen, whose memory we have met to-day to honor.

I remember, many years ago, during the period of reconstruction, walking down the avenue in Washington with Chief Justice Chase. We were speaking of the characteristics of the members of the Supreme Court bench, past and present; their judicial tendencies and their influence upon the court. He then remarked: "Beyond question, the dominant personality now upon the bench, whose mental force and individuality are felt by the court more than any other, is Justice Miller, who is, by nature, by intellectual constitution, a great jurist." As corroborating this estimate of the Chief Justice, it is interesting to note, and as showing the profoundness of his reasoning, and the far-reaching influence of his mind, in how many important cases the dissenting opinion of Justice Miller, afterwards, in cases involving the same constitutional questions, became the judgment of the court—notably so in the case of *Hepburn vs. Griswold*, involving the legal tender of the obligations of the United States, and in the *Reading R. R. Co. vs. Pennsylvania*, touching the power of Congress to regulate commerce between the States. His always clear conception of the situa-

tion and its requirements, his foresight of results and consequences, his fearless statement of judicial duty, recall the independence of Mansfield, who by his marvelous judgments, then often questioned, but later universally approved, anticipating the growth of English commerce, and adopting the juster reasoning of the civil law, made possible the England of to-day.

But I may not, on this occasion, and in this presence, refer at greater length to those masterly constitutional expositions on which our friend reared the enduring monument of his fame. I only share your admiration and feel your appreciation of his great services to the country, and your just pride that this fair young State, then so recently admitted to the Union, furnished to the Nation its most distinguished jurist, to whom, by two Chief Justices and their associates, was more often assigned the responsible duty of expressing the opinion of the court in cases involving the construction of the Federal Constitution than to any other Judge, not excepting Marshall, who ever sat upon that bench.

I feel to-day as I know you must feel, that no commonwealth can afford to let such a citizen, who, when living, has conferred most honor upon the State, leave forever the field of his great achievements, where he was known and honored and loved, without preserving, as best she may, the form and features of his living presence. Alas! the highest art can only make us more deeply lament the inexorable decree, that not genius nor virtue nor public service can ward off death; that neither "storied urn nor animated bust can back to its mansion call the fleeting breath."

Distinguished as was his career; valuable, invaluable, as were the services of Justice Miller to the Nation at large, so as to rightfully entitle him to the appellation of "the John Marshall" of the most critical period in the history of the Republic, when only the highest statesmanship, united with the soundest judicial learning, might safely pilot the ship through the perils incident to the re-establishment of the Union, after four years of disunion and war, and appreciating

as we do these services, yet to-day, we, his friends, in placing his familiar face where coming generations of the bar of Iowa may look upon the features of her most illustrious jurist, are imbued with such personal feeling for the noble character of this great citizen, that in our hearts we adopt the language of Cicero, when the senate voted a public tablet to Sulpicius—"Not to Sulpicius the orator, but to Sulpicius the man, has Rome decreed this tablet."

It was the peculiarity of Justice Miller's character that those who were nearest to him felt as much the greatness of his soul as of his mind. There was a sturdy, invincible friendship in the man that nothing could shake, and though seemingly sometimes almost cruel in his imperious self-will and hasty expression, yet there was ever present a tenderness that made you love him. And how fine the moral fiber of that great character! How you could lean upon him without thought of treason! No man, high or low, rich or poor, ever had a truer friend.

I cannot close this brief tribute to the memory of our great friend, and you will pardon me I know, without one word of recognition of another in mind and character like him—his friend, and yours, and mine—in whose death the bar of the State has suffered a personal bereavement; whose long and distinguished career upon the Federal bench—nearly forty years—has made his honored name familiar to every citizen of Iowa; whose last message to me, written in pencil on his dying bed, I shall always cherish as a precious memento. His portrait, also, I had hoped to have here now, to be placed by the side of that of his illustrious associate. I have heard Justice Miller, in the confidence of the fireside, say that he never sat upon the bench with a greater Judge than James M. Love. I have heard Judge John F. Dillon indorse that estimate. That is enough to say. I now and here add only this, that of all the eminent Judges you and I have known, we have not known one who more completely united the admiration and the affection of the bar of a State than did Judge Love. So gentle and so great! And these men were friends—*par nobile fratrum!*

If, indeed, it be given to mortals in the dim hereafter to visit again the scenes of their labors and their triumphs here below, then are they with us here to-day, in this their most familiar place. Hail, ye noble shades! The semblance of the forms that once ye wore among us, our love would seek to preserve; but the record of your lives, preserved in the history of your country, shall be your imperishable monument to inspire us and the generation of lawyers who shall come after us with veneration for your character and just pride in your achievements.

[In receiving the portrait Mr. McFarland made a brief but very neat and appropriate speech, diverging a little from our report to narrate an anecdote of Justice Miller. His remarks as reported were as follows:]

*Mr. Chairman, and Ladies and Gentlemen:* Through the unfortunate circumstance of the sickness of our Governor, I have the distinguished honor in these ceremonies to represent the great Commonwealth of Iowa, of which we are all so justly proud. In receiving this generous donation for the State from the hands of friendship and patriotism, I feel very keenly my inability to fully express the feelings and emotions which I know must exist in the heart of every one, not only in this presence but in the State of Iowa, who is brought to contemplate this gift and the great character which it represents. It is said that the most precious and resplendent jewels of a commonwealth are those of its children who have either honored its origin, illuminated its history, or added lustre to its fame. In the broadest and best sense, the subject of this gift has done all of these.

Coming to Iowa almost contemporaneous with its Statehood, he was among those early pioneers who gave to the State its almost Puritanic character for integrity, devotion to liberty, and profound loyalty to the National Union. For nearly two decades after settling in the State, he adorned the private walks of citizenship, seeking neither official honors nor recognition.

He was always, however, found in the front ranks of Iowa's distinguished citizens, who in those early days so grandly promoted the prosperity of the State, shaped the character,

and laid the foundation of its magnificent educational system, all of which have made of it the particular bright star in the Union of States.

In the meantime in his chosen profession, the law, by the right use and cultivation of unusual natural endowments, by habits of industry, and by adherence to the strict rules of morality, he not only adorned his profession and helped to elevate it to the high plane which the profession has always occupied in the States, but he builded himself up into that strong, clean, rugged and fearless personality that so signally distinguished his later career as an almost peerless jurist.

But it is not my purpose to enter upon a panegyric of this great man. In life he honored his State, his country and his age. He has passed away. As a State we have his life, through eminent public service, preserved to us in enduring history, and his example will be a benediction and a bright inspiration to aspiring youth, while virtue and ability are honored among men.

We have presented to us to-day in this great work of art a representation of the physical identity of this distinguished fellow citizen. To those who knew him in life, this picture itself speaks in more eloquent tones than I can command of the value of this gift. To Hon. Henry Strong, the generous donor, the whole State is under lasting obligation; and I cannot accept this generosity to the State without first expressing that gratitude which I know is universal where the name and virtues of Justice Miller are known.

Nor can I refrain from speaking of the noble sentiments which will ever be associated with this gift. Friendship inspired the desire to preserve in material form the features and memory of a beloved neighbor and friend. Public-spirited generosity and patriotism were the mainsprings of the desire on the part of the donor to place in the possession of his native State the portrait of one of its most distinguished citizens.

The people of Iowa, I am sure, will accept this portrait with gratitude to the donor and love and veneration for the memory of Iowa's greatest jurist—aye, of the world's greatest jurist—of whom this is a memorial.

[In reponse to an invitation from the chair, Hon. Sam. M. Clark, of the Keokuk Gate City, paid a very eloquent tribute to the memory of his townsman, Justice Miller, as did also ex-Gov. Lucius Fairchild, of Wisconsin. Letters were received from the following distinguished gentlemen who were unable to be present: Hon. John A. Kasson, Hon. John W. Noble, Hon. Francis Springer, Hon. Frank W. Palmer, United States Senators Allison and Wilson, Hon. James Harlan, Hon. Theo. S. Parvin, ex-Gov. C. C. Carpenter, Hon. W. S. Dungan, Col. H. H. Trimble, Hon. T. S. Wilson, Hon. John Russell and others. We copy three of these letters, all of which we deem to possess historic value:]

FROM HON. JOHN A. KASSON.

WASHINGTON, Nov. 10, 1893.—*My Dear Mr. Aldrich:* It gave me great pleasure to receive your invitation of the 7th instant, and to know that the State gallery and museum were to be enriched by a portrait of that very eminent Justice of the National Supreme Court, Justice Miller. I wish to unite with you, the friends and promoters of the Historical Department, and with its other friends, in thanks to the generous donor.

Justice Miller was a man, a citizen, a lawyer, a judge of whom any State in the Union and any kingdom of the world might be justly proud. At the time of his much-lamented death he was by the bar of this country recognized as the greatest constitutional lawyer of that distinguished tribunal. The court itself so far acknowledged it that questions of constitutional interpretation were with few exceptions assigned to him for the draft of the opinion. The civil war and its results made these questions very numerous. The Justice himself told me that he had given, during his term on the bench, more opinions construing the Constitution than all which had previously been announced by the court during its entire existence. He had great breadth of view, combined with a natural power of clear and simple logical statement.

He was recommended for appointment by the bars of several States in the Northwestern circuit. No other candidate for the vacancy was so well recommended. At that time, however, he was little known outside the bar, and had little fame beyond the borders of his own State. When, at his request, I called upon President Lincoln to ascertain the cause of delay in his nomination, I found that his reputation as a lawyer had not then even extended so far as to Springfield, Illinois, for the President asked me if he was the same man who had some years before made a frontier race for Congress from the southern district of Iowa, and had trouble about the Mormon vote. Correcting Mr. Lincoln's misapprehension on this point, I proceeded to give the President a sketch of Mr. Miller's career and character; and now recall with pleasure my opinion then expressed, that impartiality and equanimity were essential qualities of his mind, and that nature herself had fitted him for the administration of justice. That judgment was verified by every year of his notable public service in the National court of last resort.

My great personal regard for Justice Miller has never wavered. He was not only attractive by his great intellectual ability, but also by his amiable and kindly manners. His mental superiority was never shown in arbitrary treatment of the bar. Few judges have had the good fortune to win such uniform respect and reverence from his fellows in front of the bench.

So much I take the liberty of saying, in response to your note—all that need be said may be summed up in the declaration that an Iowa historical gallery would be incomplete, indeed, if it did not show the broad head, the judicial brow and tranquil expression of Iowa's great representative in that exalted tribunal of justice, which is acknowledged by all nations to be in the very foremost rank of judicial authority. May this memorial of him in the State capitol inspire the young men of Iowa with ambition to



reproduce in the coming generation his high sense of justice, his intellectual culture and his patriotic devotion to our American Union.

I am very sincerely yours,

JOHN A. KASSON.

FROM GEN. JOHN W. NOBLE.

ST. LOUIS, Mo., Nov. 14, 1893.—*Mr. Charles Aldrich, Curator, Des Moines, Iowa.* MY DEAR SIR: It is with great regret I find I cannot attend the presentation of the portrait of Justice Miller to the State of Iowa, on the 21st inst.

It was my good fortune to have known Judge Miller from 1855 to the close of his life; (indeed I think I was the last person to whom he spoke), and I but express the judgment of our countrymen in saying he was one of the most able lawyers and jurists we have ever had. His natural powers were of the highest order, and had been trained by great study and the severest discipline. He was growing stronger and broader intellectually at an age when even the greatest men are expected to abate their fires. He met some of the most trying crises of our political life with a courage and wisdom to which our Government to-day owes much of its safety and power. He moulded important departments of the National jurisprudence into their first definite and stable forms, and adorned the high place to which he was called, with a strength of reason and common sense united to a clearness of expression and warmed by a patriotism that have associated his name forever with Marshall and Lincoln, distinguished as they are above all for soundness of opinion, foresight and love of country.

But the people of Iowa will not remember Judge Miller any more for his greatness than for his goodness. His heart was big. He had the great bravery to stand by and up to his friends. I doubt if there ever was a man possessed of more unquestioning physical courage than he, and I believe he would have dared more for a friend than for anything else, save family and country. He seemed sometimes to forget even that other men might be made afraid. But wherever he was, he was attended by charity. His kindness of heart was as an ever-flowing spring—abundant, pure and constant. Green be the grass above him and his soul at peace with God!

But you will have his character displayed by others, and I might have kept silent. I could not, however, send you a cold regret on an occasion so important to the memory due our great and good friend. Iowa is all the dearer to me because Judge Miller was one of its citizens.

Sincerely,

JOHN W. NOBLE.

FROM HON. FRANCIS SPRINGER.

COLUMBUS JUNCTION, Iowa, Nov. 18, 1893.—*Hon. Charles Aldrich, State Historical Department of Iowa.* MY DEAR SIR: I have to thank you for your favor inviting me to be present at the presentation of a portrait of the lamented Judge Miller, of the Supreme Court of the United States, to take place at the Capitol on Tuesday the 21st instant. I much regret that the infirmities of an octogenarian, in this November weather, would seem to deny me the gratification I would have in being present at a ceremony so interesting and appropriate. Iowa cannot too highly honor the memory of the great jurist, who, by the grandeur of his life and public service, has reflected so much honor upon her as well as upon the public at large. The portrait is a valuable thing in its way, so far as it goes, and reflects credit on its generous donor. But it is the opinion of many that the State of Iowa would more appropriately and justly honor herself and delight the great body of her intelligent and patriotic people by causing the erection near the Capitol, or in some public park in the city of Des Moines, of a monument or bronze statue, in memorial of her greatest and most distinguished son, the greatest jurist of his time in the world. Much of the expense would doubtless gladly be made up by individual contribution. It is to be hoped that the first step in this direction will be taken by the next General Assembly, and that public attention may be called to the subject by the press of the State.

There was a grandeur in the death of Judge Miller as in his life. He fell as he might be supposed to have preferred to fall, with shield and buckler on and lance at rest, in the full maturity of his great faculties and in the zenith of his fame.

And even in death, how majestic he appeared, as seen on the occasion of his funeral, while lying in state in the Federal court building in Keokuk. It was a theme of admiring remark among the crowds who had come to pay their last tribute of respect to their beloved fellow-citizen, as he appeared "like a warrior taking his rest," in a calm, natural sleep.

I esteem it my good fortune to have had the honor of Judge Miller's personal acquaintance and of his friendship for some thirty years prior to his decease. So loved and admired was he by myself and my sons that his death was felt by us as a personal bereavement.

For some years prior to his appointment to the Supreme bench he was a member of the bar of the court, (the District Court of the First Judicial District), where I presided as judge. That his rank was that of the highest in the courts of Iowa is well known—that the same relative rank was achieved by him in his career on the bench of the Supreme Court, the foremost and greatest among great Judges, is the voice of history.

How gratifying it is that the presentation of the portrait is to be accompanied by an address by the distinguished donor, on the life, character and public services of the great jurist; for it is safe to say that there is no gentleman in the country better equipped than he, by his long and intimate acquaintance with his thorough knowledge of, and his admiration for his great friend, for the preparation of an address of higher interest and completeness than that which he will probably give. I have the honor to be,

Truly yours,

FRANCIS SPRINGER.

[By request, and supplementary to his address given above, in presenting the portrait of Justice Miller to the State of Iowa, Mr. Strong has furnished for THE ANNALS the following biographical sketch of the great Judge, ending with his appointment to the Supreme Court bench of the United States in 1862, in the 46th year of his age:]

Of the ancestry and early life of Samuel F. Miller it is sufficient to say that his family was of German extraction, first resident in this country in Pennsylvania. In 1812 his father moved to central Kentucky, where Justice Miller was born April 5, 1816. After receiving a common school education, and a limited academic training, he entered upon the study of medicine and was graduated from the Transylvania University, in Kentucky, in 1838. He soon after removed to Barboursville, in the same State, and continued the practice of the profession for eight years. It did not require all this time, however, to convince the young M. D. that nature had intended him for a different vocation. Taking up the study of the law, as he did, it may well be surmised that for the last three years of his medical practice he took more interest in Coke and Blackstone than in Cullen and Watson.

He was admitted to the bar in 1847. At that time Iowa

had recently come into the Union, was the youngest of the States, abounded in wonderful resources, and opened the most promising field for an enterprising young man. Hundreds of young Kentuckians had already come here, some of whom had taken part in the organization of the State Government in 1846. John C. Breckinridge was settled at Burlington; Hendershott at Ottumwa; Chambers, afterward Governor, was also an emigrant from Kentucky. Miller was among the number, and took up his residence in Keokuk, in 1850.

Of the young and enterprising cities of Iowa, at that time, Keokuk was the most promising, situated at the foot of the first rapids of the Mississippi, and at the head of the deep-water navigation, it rivalled even Chicago as a point for the distribution of merchandise, as far west as Kansas and Nebraska. I feel justified in saying that in no State in the Union was there a greater proportion of young lawyers of high character and ability. Able and ambitious young men of the bar flocked here from every part of the country, many of whom have since filled the highest political and civil offices, both State and National. It was an embryo empire in itself, of untold possibilities. There I first met him six years later. I was impressed by his mental vigor and originality, and by his terseness of expression, whether in written pleadings or oral arguments. I had come from an Eastern law college where I had been taught to practice most strictly upon the *stare decisis* theory of the law, and to yield unquestionably to the weight of authority, which meant the doctrine of the majority as applied to court opinions, departing only far enough to admit that where the numbers were nearly equal, the judgments of Chief Justice Shaw, and such as he, were entitled to special consideration. Miller's method, however, was to cite few cases, but to impress the court with the reason of the law. As already stated, his terseness in pleading particularly impressed me. A page of legal cap written in an open hand would have been for him a long declaration or answer. One of his bills in Chancery was a marvel of condensed statement, and yet I do not recall a successful attack

upon his practice in this regard, by demurrer or by a motion for a more specific statement. He grasped at once the theory of the code of practice then and still in vogue here, and in this respect his court papers were an education to the younger bar. He was almost invincible in argument in the higher courts, so that we younger men were inclined to feel that he appeared before the Judges *auctoritate doctissimi*, who treated his utterances as *responsa prudentum*, and that our learning was not fully appreciated.

He never held a political office. Once, after twice declining, he was nominated, against his will, for the State Senate, but, though leading his ticket, he was unable to overcome the large Democratic majority in the county. His extensive and lucrative practice would not permit his accepting a position upon the State bench. The only office I ever knew him to hold was that of President of the State Bank at Keokuk, which indicated the estimation in which he was held by the business men of the community in which he resided.

The career of Justice Miller upon the bench of the Supreme Court has been no surprise to those who knew him best thirty years ago. Notwithstanding that he admittedly stood at the head of the Iowa bar, and had no superior among the lawyers of the Western States, while his fitness to be the associate of the ablest Judges on the Federal Bench was well known at home, yet the fact that he resided in the far West, in a new State, away from the centers of legal influence and opportunities for wide forensic display, made his appointment to the bench of the Supreme Court of the United States somewhat of a surprise to the country. There had been no Queen Caroline trial or Dean of St. Asaph's case, in connection with which the young lawyer could leap into National fame, as did Erskine or Denman, yet, while in stately, persuasive argument, there had been but one Erskine, no competent critic will claim that in original judicial reasoning, either Erskine or Denman was the superior of Miller or Matthews or other members of the Federal bench. The Western man's reputation had to grow by gradual accretion.

When the war of the Rebellion broke out, Miller took an active part in supporting the cause of the Union. Although brought up in a Southern State, the postulate of his political creed was the inviolability of the Union of the States. Abhorring any concession to the extension of slavery, yet recognizing the gravity of the situation, he was willing to accept the Crittenden resolutions as a compromise and escape. I well remember his reluctant but able argument in their support before a mass meeting of citizens called without distinction of party, to give expression to the public opinion. When, therefore, in the darkest period of the war, a vacancy occurred in the Federal Supreme Court, in 1862, which it was expected would be filled by the appointment of a Western lawyer, Miller was at once recognized as the most fitting person for the place. He was not only unanimously recommended by the bar of his own State, but his appointment was urged by most of the leading attorneys in the adjacent States, and by 126 out of 140 members of the House, and 28 out of 34 Senators in Congress. President Lincoln said that he had not known such an unanimous recommendation of any man for any office, and felt that he could not err in making the appointment of a Federal Judge so generally approved by an intelligent bar, and, not less important in such a crisis, by a patriotic people.

His subsequent career is a part of our national history.

Judge Miller was in every way an ideal citizen; a friendly neighbor, a genial host, an affectionate husband, a devoted father. By nature skeptical, yet reverential, almost devout, he realized the value of purely religious institutions, and gave to them his most cordial support. In theology he was a Unitarian, which church he attended both in Iowa and Washington. His benevolence, his natural kindness of heart, his charity that covered all errors and frequent sins, his big-souledness (if I may coin a word) controlled his judgment and conduct all through life. The nearer you approached, the more you were drawn to the great sweet soul that always responded to the cry for help.

## THE WORK OF THE WISCONSIN HISTORICAL SOCIETY.

BY REUBEN GOLD THWAITES, SECRETARY.

Wisconsin had an historical society while it was still in the Territorial stage. As the result of agitation begun in the columns of the *Mineral Point Democrat*, in October, 1845—three years before Wisconsin was admitted to the Union—a society was formed at Madison, the capital, in October, 1846, by delegates in attendance on the first constitutional convention. Most of the principal men of the Territory were present at the initial meeting of the association, the purpose of which was “to collect from the pioneers then alive, such facts in regard to the early history of Wisconsin as they might possess, as well as to treasure up those concerning the future.”

But while the enthusiasm at this meeting was great, the participants were immersed in their own affairs and no one gave the matter any further attention; no records were kept, no money was paid into the treasury, no work was performed. What was everybody's business, was nobody's. Thus the first organization of the society may be considered as having died when the gavel sounded for adjournment.

On the thirtieth of January, 1849, nineteen days after the opening of the first session of the State Legislature in Madison, a hundred and fifty persons, chiefly members of the Legislature, held a meeting at the American House and formed a State Historical Society, the previous existence of the old society, now defunct, being ignored. Governor Nelson Dewey was chosen President of the Society, as a compliment to his official station. The list of vice-presidents comprised one from each county in the State. I. A. Lapham, the distinguished scientist and antiquarian, was elected Secretary, but he was able to give no time to the work. Public addresses were given before the Society, in 1849, 1850, and 1851, by prominent citizens of the State; but beyond these three ad-

dresses, nothing of importance was done during this period. The pamphlet discourses were sent out to perhaps a dozen other learned societies, and a library of fifty volumes was slowly accumulated—all of these books being state laws, legislative journals, miscellaneous public documents, two volumes of the "Transactions of the American Ethnological Society" and a volume of American bibliography. The meagre collection was contained in a small glass-faced case, kept on a table in a corner of the Governor's office, and this case is now exhibited as a curiosity in the Society's museum.

It was evident that the Society would never amount to anything at this rate of progress. Somebody must devote his entire time to the work, becoming personally responsible for the conduct of the Society's affairs, and giving to it life and individual character. The man for the place was imported to Madison in October, 1852. He was Lyman C. Draper, of Philadelphia, who had already spent about fifteen years in the accumulation of materials for Western history, achieving such success in his manuscript and book collections, in a time when collectors of Americana were few, as to attract the attention of scholars throughout the Eastern States. Draper was then thirty-seven years of age; full of vigor and push, kindly of disposition, persuasive in argument, devoted to his life-task of collecting, self-denying in the cause, and of unimpeachable character.

For various reasons, not necessary here to recite, it was the eighteenth of January, 1854, before the Society was thoroughly reorganized for work on the new plan. Draper was at that time chosen Secretary and at once entered with joyous enthusiasm upon the undertaking of accumulating books for the library, relics and curiosities for the museum, portraits for the gallery, and documents for publication in the *Wisconsin Historical Collections*. In the course of a few weeks, the little library case was too small. By the close of the year, the Secretary was able to report to the Society the acquisition of a thousand volumes and a thousand pamphlets and documents—certainly a remarkable showing, compared with the

fifty books which had been the product of the five years preceding his administration. For want of library space, the greater part of the acquisitions were stored in Draper's residence until in August, 1855, a small room in the corner of the basement of the local Baptist church was secured for the Society's use. On the first of January, 1856, Daniel S. Durrie, a bookseller, formerly in business at Albany, N. Y., was chosen Librarian, and held this useful and honorable position for over thirty-six years until his death, August 30, 1892. He was succeeded by Isaac S. Bradley, for seventeen years his chief assistant.

The Society soon securing legislative aid, the collections grew apace until nearly the entire basement of the church was occupied. This place was, however, dark, damp and dingy, and in no way suited to library purposes. In January, 1866, the institution—library, portrait gallery and museum—was removed by authority of the Legislature to quarters especially prepared for it in the then new south wing of the capitol. It was thought that there was now ample room for the accessions of at least a quarter of a century. But such was the rate of increase that in less than ten years' time these quarters were a tight fit. By 1881 cords of volumes, pamphlets, and relics were piled in out-of-the-way corners and rooms throughout the capitol, there being no space to shelve or display them.

Secretary Draper, as the executive officer of the Society, now opened a vigorous campaign for a new building; he awakened interest in many of the leading men of the State, and gained the unanimous support of the newspaper editors. But there were certain complications which made it impossible to carry a separate building scheme through the Legislature. A compromise resulted in the Society being given the second, third, and fourth floors of one of two large transverse wings ordered by the Legislature of 1881 to be attached to the capitol. In December, 1864, the transfer was made to the new and greatly enlarged quarters—the library occupying the second and third floors of the wing, and the museum and portrait gallery the fourth. These several floors are reached by a



passenger elevator. Having seen the Society established in its new rooms, Secretary Draper resigned his position on the sixth of January, 1887, with a record of thirty-three years of arduous labor in behalf of the State.\* It was Dr. Draper's desire to devote the remainder of his life to forwarding some private literary work, but he was prevented by ill-health from accomplishing his long-cherished plans in this direction, and died on the twenty-sixth of August, 1891. The Wisconsin Historical Library, which he practically founded, and so successfully managed and purveyed for through a third of a century, will remain an enduring monument to his tireless energy as a collector of Americana; while the first ten volumes of *Wisconsin Historical Collections* attest to his quality as an editor of material for Western history.†

From the first, the Wisconsin Legislature, with enlightened liberality, looked kindly on the undertaking, and made appropriations with which to purchase accessions, meet the greater part of the running expenses, and pay the salaries of Secretary and Librarian. The relationship of the Society to the State is not generally understood, even in Wisconsin. It is, however, easy of comprehension. By statute, the Society, which operates under a legislative charter granted in 1853, is the trustee of the State, and holds all of its property for the Commonwealth. It can neither sell nor give away any of the property it thus holds in trust, nor remove any of it from the capitol, without special consent of the Legislature. As to rooms, lights, fires, janitorial service, repairs, mechanical supplies, stationery, printing, and postage, the Society is on pretty much the same footing as any of the State bureaus. The machinery of the Society serves to remove the management of this enterprise from partisan control; the members are gentlemen of prominence throughout the State, of all shades of political opinion, and for forty-three years there has not been even a suspicion of "politics" in the conduct of its af-

\*He was succeeded by the writer of this paper, Mr. Thwaites, who had been the Assistant Secretary for two years previous.—ED.

†See *Wisconsin Historical Collections*, Vol. XII, pp. 1-22, for Secretary Thwaites's memoirs of Dr. Draper.

fairs. The Historical Society is an institution which all good citizens unite in declaring should be free from such baneful influences. The work is thus left in the hands of those having a keen interest in it, and trained to its performance. As for the official interests of the Commonwealth, they are looked after by the Governor, Secretary of State, and State Treasurer, who are by law *ex officio* members of the Executive Committee and serve on its most important sub-committees. The fact that these officers have the power to report upon the Society's operations, and the further fact that the Legislature can at any time investigate its affairs, tend to make the management scrupulously careful.

The Society is actively engaged in several departments of research and accumulation, has a fairly equipped historical and ethnographical museum, and a portrait gallery of Wisconsin worthies, containing about two hundred portraits in oil, about a hundred crayons, and numerous pieces of portrait statuary. About fifty thousand persons visit the gallery and museum annually, the three large halls devoted to these departments being possibly the best patronized exhibition rooms in the State. Yet, whatever reputation the Society may have won among scholars has been chiefly the outgrowth of its library; in this it takes great interest and is doing its best educational work.

In 1875 the miscellaneous books in the State Library, at the other end of the capitol, were transferred, by order of the Legislature, to the Historical Society's library, leaving the former purely a State law library, under the control of the Justices of the Supreme Court; while the latter became, to all intents and purposes, a miscellaneous State Library in charge of the Historical Society. The relations between the two libraries, both the property of the Commonwealth, are harmonious.

The Society has published twelve volumes of *Wisconsin Historical Collections*, averaging five hundred pages each; the *Catalogue* of its library, in seven volumes of seven to eight hundred pages each; the *Proceedings* of its annual

meetings; two *Special Class Catalogues*, one containing titles of "Books on the United States Civil War and Slavery," and the other an exhaustive "Bibliography of Wisconsin Authorship;" three editions of its *Portrait Gallery Catalogue*, and numerous historical pamphlets.

The Wisconsin Historical Library now numbers about 95,000 volumes and 75,000 pamphlets. The average annual increase is 3,500 volumes and 3,000 pamphlets; nearly two-thirds of the former are purchased, but not over ten per cent of the latter.

In the West, large private libraries are not so numerous as in the East, and these are generally in the possession of young or middle-aged men. Thus we have not that source of supply enjoyed by the older libraries of the Atlantic slope, in the receipt of books by bequest. Only once have we had a large gift of this character. In 1866, Mrs. Otto Tank, of Fort Howard, gave us the library of her father, a scholarly Amsterdam clergyman named Van der Meulen. The Tank Library consists of 5,000 old and rare volumes, mostly in the Dutch language—probably the largest collection of Dutch books in the United States. Nearly half of them are richly bound in vellum, and many are profusely illustrated with seventeenth century copperplate engravings; in the collection are numerous Bibles, atlases and charts, old editions of the classics, early lexicons and historical works. These old Dutch books are among the most precious of our treasures.

The principal daily and weekly newspapers of the State, some three hundred and seventy-five in number, are sent gratis to the library, by their publishers, for binding and permanent preservation. Some two hundred and fifty stout volumes are annually made up in this manner, three years of the smaller weeklies being bound in a volume. These files generally reach back to the first issues of the journals represented. We find that the State papers are frequently referred to by judges, lawyers, members of the Legislature, and special investigators of every sort, while, as the Society's files are in many cases the only full ones in existence, editors themselves have not

seldom had occasion to examine them in the library or write for data contained in early issues. Our collection of bound newspaper files published outside the State, amounts to over 7,000 volumes. The earliest London file is that of the *Public Intelligencer*, bearing date 1656. From that time on, there are few years not represented by some prominent English or American journal. From 1750 forward the collection is unusually strong, especially in the American department. Newspapers are a fertile source of historical information, and this feature of the library we regard as of the utmost practical importance. An elaborate catalogue of our newspaper files is now being prepared for publication.

Regarding the scope of the Society's library, I may explain that it is a general reference library, with the lines of local and general American and English history, economics, and description, developed with especial care. On account of the proximity of the University of Wisconsin—a mile away—about ninety per cent of our readers are students from that institution, and in purveying for the State Historical Library their wants are taken into consideration. University students doing original work of some importance are under certain restrictions allowed access to our shelves, the same as other special investigators, as it is greatly to their advantage to have in sight all the resources of the library on a given subject. To be as useful as possible is the aim of the library, and the attendants are instructed to grant to deserving students whatever privileges are consistent with careful management. The University seminars, and some special classes in that line of work, are given the use of rooms adjoining the library. The students and professors are, in fact, encouraged to use our library as freely as they would that of the University itself. The University library, of some 30,000 volumes, is at present more especially devoted to technical works, and duplication of books already in the State Historical Library is avoided so far as possible; the students appear chiefly to rely upon the latter, as their own literary laboratory.

In addition to the University students, specialists from all

parts of the West may be found in the State Historical Library, especially in the summer months. During the past year historical investigators from several of the Atlantic States, north and south, have sought our shelves chiefly to consult our manuscript collection, which now embraces nearly six hundred stout folio volumes. These are particularly rich in material for the history of the West and the South during the Revolutionary War, and the war of 1812-15, and for the history of the fur trade in the Old Northwest.

The Legislature has certainly been generous to the Society; with a few notable exceptions, the latter's relations with the governing body have been harmonious, and it must be confessed that the Society could not have been successfully maintained in this State—far removed from the intellectual centers of the Nation, and thereby laboring under peculiar difficulties—without liberal State aid. The most immediate need of the Society is a new, commodious, fire-proof building, designed on the most approved models, and costing not less than \$400,000. The present quarters in the State capitol are quite inadequate in extent, badly constructed in every way, and in no sense fire-proof; moreover, the State Government needs for the use of legislative clerks and committees the space occupied by the Society. At the next meeting of the Legislature, in 1895, we shall stoutly urge our necessities in this regard, and have good reason to hope that they will be recognized in the same spirit of liberality that has hitherto marked the attitude of the State toward this now important factor in its system of public education.

## THE STATE BANK OF IOWA.

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BY THE HONORABLE HIRAM PRICE, ONE OF ITS FOUNDERS.

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Bacon is recorded as saying, "let there be no bank, or common stock, but every man be master of his own money." But Bacon's management of his own financial affairs was not so phenomenally successful as to induce men to be governed by his advice on questions of finance. For, if the history of his transactions in matters of this kind can be relied upon, he was unable, though for many years in receipt of a splendid income, to so manage his own money matters as to prevent being arrested for debt—and his entire career as a financier is *only* useful as a warning to avoid both his example, and his teaching on that subject.

Bacon may or may not have written what are known as Shakespeare's plays. Ignatius Donnelly has had that matter under consideration, and the public seems willing to leave the settlement of that question in his hands. It is not the purpose of this paper to discuss that question, for it seems very similar to an inquiry as to who was the Father of Zebedee's children. The business and commercial world has after mature deliberation decided by a large majority that banks of deposit and banks of discount, and banks to facilitate exchange and transfer of funds between remote parts of this and other countries, are among the important advantages of modern civilization. It is not necessary now, as it was in past generations, for an individual to travel on horseback hundreds of miles, at much expense of time and money, with the cash in his saddlebags, to pay a debt or make a purchase. Any well regulated bank will for a very small compensation transact all his business for him in a few minutes to the entire satisfaction of all concerned. And if it be true, as poor Richard says, that time is money, then the bank transacting this business has saved its customer much time, and consequently much money. It may be said that banks have sometimes been managed by bad or incompe-

tent men, and that consequently loss has resulted to honest people. The answer to this is found in the fact that such cases are the exception and not the rule. Christianity, the highest type of human civilization, has had and possibly will continue to have counterfeit members in its folds, but this only proves the system to be good, for men do not counterfeit a bad article. Among all the banking institutions of the different States of the Union, prior to the War of the Rebellion, the State Bank of Iowa, although among the youngest, was by no means the least important. The provisions of the law authorizing its organization, and providing for and relating to its management, were of such a wise and conservative character that, if strictly observed, the bill holder and the general public were safe beyond doubt or contingency. Prior to that time the whole country, but more particularly the Western States, had suffered much loss and embarrassment in business, on account of a spurious and depreciated paper currency. In those days in Iowa the two most important books that every business man needed were a Bible and a counterfeit detector. And of these two the detector seemed to be the most important for at least six days out of the seven, and most men in business seemed to act as though it had been written "six days shalt thou diligently study thy counterfeit detector, but the seventh, which is the Sabbath, thou mayest give heed to thy Bible."

A counterfeit detector in those days was the best safeguard that was available or obtainable; but business men were not even then secure against imposition and loss from depreciated and counterfeit bank paper, because a bank might be in good condition when the detector was published, but the next week afterward, and before he could procure a new edition, showing the standing of the banks, the paper which he had taken as good would have depreciated from five to twenty per cent, and sometimes even more. I have now in my possession some bank bills taken at par some years before the State Bank of Iowa was established, and proved to be utterly worthless. Money in those days in Iowa was scarce, and

much of what there was, had a doubtful value. About the only silver money in circulation in Iowa in those days that could be depended upon as to value were the five-franc pieces and the  $12\frac{1}{2}$  and  $6\frac{1}{2}$  cent pieces. The larger of this silver fractional currency was called "eleven-penny bit" and sometimes "bits" or "levies," and the smaller pieces went by the Spanish name of "picayune." These francs and bits and picayunes were all foreigners, merely abiding on American soil, and but few of them ever became naturalized citizens, and if ever naturalized were never afterward known by the same name. These foreigners were not only tolerated on American soil, but actually sought after and courted by all citizens "to the manner born." The more wealthy people, however, monopolized to a great extent the entertainment of these visitors from foreign lands. No select party or joyous occasion was considered complete, or a social success, unless some of these aliens were present, and the more of them the better. They were not only popular and influential in polite society and in social and commercial circles, but also somewhat important in the political field. Candidates for office who could not or would not command some aid from this source found their political pathway more difficult to travel than it otherwise would have been.

Americans all remember, of course, that one of our most able and venerated statesmen once cautioned his countrymen against "entangling alliances with foreigners." This caution in reference to these silver foreigners was sometimes conveniently forgotten on election days. But, however much may be said against the foreign silver used in those times, it was nevertheless true that with this kind of money a person could sleep soundly with the assurance that he would find it as good in the morning as when he retired the night before. The much-abused and recently legally-tabooed silver dollars of this day were not then troubling people very much, simply because very few people were fortunate enough to get them, however highly prized when obtainable. The history of Iowa for the last forty years in reference to her paper money, or



more properly speaking, the different kinds of paper which circulated in place of and as a representative of money, would be amusing and ought to be instructive. Almost all kinds of all systems of paper issues have been experimented with, and the results ought to be useful as lessons of warning to the present and future generations. But one of the greatest troubles which confront the descendants of the man who would not be satisfied about the consequences of biting that historic apple until he had personally experimented with it, is that each seems determined to try for himself, and so Adam's children continue to keep on experimenting, each feeling that he has the ability to succeed where others have met disaster and defeat. The ingenuity of man has left but few (if any) schemes that have not been given the test of time and trial, to evolve some Utopian plan by which everybody could have plenty of good money, and at the same time have it at cheap rates. It would seem from the history made by all civilized nations in the past that sufficient experiments had been made in that line to prove conclusively that the terms *plenty* and *cheap* do not as a rule belong in the same family. But nevertheless the wild chase still continues in search of the philosopher's stone, or Aladdin's lamp, or something that will repeal or neutralize the command, "In the sweat of thy face shalt thou eat bread." In searching for some kind of *cheap* money which would act as a panacea for the cure of all the financial ills that "flesh is heir to," all kinds of "red dog," "wild cat," and kindred schemes in the shape of paper promises to circulate as money have been resorted to. All of which had the same object in view, to-wit, to get something for nothing; and after exhausting all the old and familiar subterfuges, some new and heretofore untried plans have been resorted to, such for instance as bits of paper called in common parlance "shin plasters" (sometimes issued by corporations and sometimes by individuals) have had trial, and ever and again failure, defeat, and frequently disaster, have been the result.

During the days of which this record speaks, when some people conceived the idea that "every man could be his own

banker," one prominent firm in Davenport, operating as merchants, millers and pork packers, undertook single handed and alone to supply a "long felt want" in the financial world, by furnishing a paper circulation. I have a very distinct recollection of seeing the chief member of the firm carrying in his hat (a large bell-crown, such as our Uncle Samuel is represented as wearing) whole printed sheets, resembling bank bills, of what was called the money of the firm, and in his vest pocket a pair of scissors, so that whenever and wherever he was met on the street or other place he was prepared to pay in this currency for wheat or pork, or any other legal claim, by simply extracting from his capacious hat a sheet of what he called, and what for the time being passed for, "money," and with his scissors cutting off the necessary sum to liquidate the claim!

Somebody once said or sung that he dreamed he "dwelt in marble halls." But this man with his bank in his hat and his scissors in his pocket, did not only dream about the splendor and magnificence of his abiding place, and the "pomp and circumstance" of his surroundings, but he had the substantial evidence also daily before him, in his palatial residence with pillars, and porticos and halls. And, having heard somehow, somewhere, about a city that was "set on a hill," this gentleman had his mansion built upon a no-mistake, real hill. So that from his elevated position he could look down and upon the more humble and less pretentious domiciles of his apparently less fortunate neighbors. Nor did his ambition stop here. He did not propose that any "pent-up Utica" should limit or confine his movements or his power. He had somehow heard something "said or sung" about Alexander and his splendid horse Bucephalus, so his next startling surprise for his more humble neighbors was the procurement of a splendid equipage. Other people might trudge along life's rugged and dusty pathway on foot, or perchance in common, every-day wheel vehicles, but "for him and his house" he provided a conveyance called a coach, drawn by high-stepping chargers with flowing manes, caparisoned with splendid trappings and adorned with

trimmings and tinselry, all of which splendid turnout was under the special care and management of what ordinary mortals call a driver, but this was presided over and controlled by no less a personage than a coachman. The owner of all this magnificence seemed to have found some kind of substitute for the fabled philosopher's stone, which, if it did not turn to gold all it touched, did at least seem to turn it into something which, for the time being, appeared to answer the same purpose. The paste, in this case, seemed to answer the purpose of a diamond, and some common, every-day people plodding along life's steep and rugged pathway, began to have serious doubts as to the reliability of some things which they had been taught to believe were rock-ribbed and substantial, and that the time-honored declaration of all men being "created equal," might after all be only a myth of high-sounding phrases and "glittering generalities." But time, that tries all the things of earth, clutched with rude and relentless grasp this seemingly solid and beautiful structure of wealth and all its surroundings, and it crumbled and fell, and then the common people made the discovery that all that seems to glitter may not be gold, and that in the language of a pious colored brother, many beautiful and substantial structures may be built upon "foundy sandations."

And so it has ever been in the ceaseless roll of years, the line which divides the upper *ten* from the lower *million* is ever changing, and as a consequence he who occupies a palace to-day may have his domicile in a cabin to-morrow, and so, on the other hand, the cabin may give place to the mansion. The successful on life's financial battlefield are greeted with plaudits, and the unsuccessful with neglect. Pope wrote, "Worth makes the *man*, the want of it, the *fellow*." But the world of mankind in these last years seems to act as though wealth makes the man, the want of it the fellow. Some one has said, or sung, in reference to possession of this world's goods:

"'Tis virtue, wit, and wealth, and all  
That men divine and social call;  
For what is worth in anything,  
But so much money as 'twill bring?"

What makes all doctrines plain and clear?  
About two hundred pounds a year,  
And that which was proved true before,  
Proved false again for two hundred more."

It is not to be understood, however, in what is here recorded in reference to this case, that the individual referred to had no good qualities. On the contrary he was a constant attendant at the church of which he was a member, and no community ever had a more industrious citizen. The object had in view, in referring to this case, and the lesson to be learned from it, is to emphasize the fact, that while a man may be a good farmer, or a good mechanic, or a good lawyer, or a good physician, or a good preacher, he may not be, and in a multitude of cases, is not, a very good financier. There are thousands of cases on record to prove that multitudes of men, able, efficient, and even eminent in the various pursuits of life, have been utter failures as financiers. A man may be able to learn almost anything, but no man ever did or ever will learn everything, because life is too short, and possibly that fact may have been the reason for the homely adage, that "the shoemaker should stick to his last."

Professional financial tinkers in all ages and in all countries have succeeded better as breakers than as menders. Books have been written to demonstrate how every man could be his own lawyer, or his own doctor, and reasoning from these premises, some people supposed that every man, without any special training or natural adaptation, could be a skilled financier, with the right and ability to manufacture something and to call it money. Eventually, however, this condition of affairs in monetary and financial matters in Iowa aroused to some extent the sleeping energies of the people, and thoughtful men of all parties and all schools of finance united in an honest and earnest endeavor to devise some plan or some arrangement of governmental policy, by which a sound and stable currency, with a solid coin basis, could be devised and established, which would be safe and advantageous to the commercial, manufacturing and agricultural, as well as to the

laboring classes. All profound thinkers on questions of money or finance, from the days of Alexander Hamilton to the present, no matter how widely they may have differed as to details, have been in accord as to the wisdom of so framing our financial system that all grades of society should be equally benefited and protected. Equal rights to all and exclusive privileges to none, has been inscribed upon all banners of all parties. "Money," says Hamilton, "is with propriety considered as a vital principle of the body politic, and enables it to perform its most essential functions." James Madison, in his comments on that clause of the Constitution which prohibits any State in the Union from issuing bills of credit as money, says: "The loss which America has sustained from the pestilential effect of paper money on the confidence between man and man, and on the morals of the people, and on the character of republican government, constitutes an accumulation of guilt which can be expiated in no other way than by a voluntary sacrifice on the altar of Justice of the power which has been the instrument of it."

The same author further says on this subject: "The same reasons which show the necessity of denying to the States the power of regulating coin, prove with equal force that they ought not to be at liberty to substitute paper for coin." The use of the words "paper money," by Mr. Madison, is, at this day, a misnomer. The paper issues of to-day are not money, but simply *promises* to pay money. "Money," says Locke, "differs from uncoined silver in this: that the quantity of silver in each piece of money is ascertained by the stamp it bears, which is a public voucher." Our lexicons describe money as being "stamped metal, generally gold, silver or copper," never as paper. Banks and bank paper *create* no money, but under wise laws for their government, and when properly conducted, are of incalculable benefit to the commerce of the Nation, and to all classes of people; and it is very doubtful if the business of the world could be successfully conducted without them. It is safe to say that very few people are aware of the amount of labor performed by banks for little or no compen-

sation. If all the banks in the Nation were closed, and all the people compelled to transact their business without the facilities which they furnish, for thirty days, there would be such a stirring up of the business community as has not been heard of since the firing of the first gun upon Fort Sumter.

The law creating the State Bank of Iowa, designated Iowa City as the place of its location. This, however, was not a bank of discount and deposit, but simply an office to be occupied by the president and secretary, where all the business relating to all the branches of said bank in the State was transacted, and where all the circulating notes of all the branches were kept and delivered to the several branches, at such times, and in such sums, as they were each entitled to. All the worn out or mutilated notes of any of the branches had to be returned to the bank at Iowa City for cancellation and destruction, and new notes delivered to each branch in lieu of the notes so destroyed. The provision of law, for the destruction of the mutilated currency of the several branches of the State Bank, required it to be burned to ashes in the presence of the president or vice-president, and two of the directors of said bank. This burning was done in a large, old-fashioned, ten-plate stove, in the office of the State Bank at Iowa City. Sometimes, in warm weather, this was by no means a pleasant job. The door of the stove had to be kept open so that the witnesses could certify, *not* that the mutilated currency had been put into the fire in the stove and burned, but that the burning was done in the presence of those who made the certificate. It was also necessary to keep the door of the stove open, so that there should not be draft enough to carry any of the bills only partially scorched out of the chimney; and it was no unusual thing for one of the committee to go outside occasionally to see whether any of the mutilated notes were escaping in that condition through the flue. For it must be remembered that the certificate had to state, *not* that the notes were put into the stove, but that they were burned to ashes. This provision of law made it necessary for the committee to see them burned; and it was necessary, also, to do consider-

able stirring up of the charred and smouldering paper so as to make it certain that the certificate could truthfully state that the notes were burned to *ashes* in their presence. Those who have had experience in this kind of work know that greasy, mutilated bank bills make a very hot fire.

This particular statement is given in detail, to show with what care every minutia of this business was attended to, so that no chance was left for mistake or oversight, and the result has, I think, been satisfactory to all the people of Iowa, and to all who were officially or financially associated with, or interested in the safe conduct of the affairs of the institution. Subsequent to this time, and for some years after the passage of the National bank law, the act of Congress required the destruction of all mutilated National bank notes to be by burning. Now, the mutilated National bank bills are macerated instead of being burned. Once while the law of Congress required the burning of mutilated notes, I was requested by an Iowa National bank, while in Washington at one time, to witness the burning of some of its mutilated currency. When I presented my authority at the Treasury Department, I was shown into the room where the mutilated currency was kept, and a couple of young gentlemen employes detailed to witness with myself the burning. When the package of bills to be burned was handed to me, I took a seat at a table and commenced to count the bills. This seemed to amuse these two gentlemen, as being in their opinion entirely unnecessary, because, as they *kindly* informed me, these bills had already been counted. To which I replied, "That may be sufficient for you, but not for me," and so I continued counting until I had verified the correctness of the amount to be burned. Then we three proceeded to another room in the same building, where a small furnace, which seemed to be enclosed in, and part of a brick wall, was located, and these mutilated notes were thrown into the fire in the furnace. One of these gentlemen then attempted to close the door of the furnace, which I prevented him from doing. This seemed strange to these government employes. I inquired if they could see the notes burned

if the door was closed, and if they could not, how could they truthfully certify that they saw the notes burned to ashes? I refer to this transaction merely to show a sample of how a great deal of business, both public and private, is done, and to furnish an explanation of how so many things happen, which are called unexpected occurrences, or unavoidable or unlooked for misfortunes, when in fact they are the legitimate result of criminal carelessness, or absolute and willful neglect of plainly expressed and positive duty. It may not be possible to make specific provision by law for every exigency that may arise. Human wisdom does not reach that far, and consequently the wisest and best men sometimes make mistakes. Good laws, administered by good, careful men, would minimize the ills of life. Bad men and bad laws would make this world a howling wilderness. Scheming men with evil intent have sometimes over-reached themselves and there have been some instances in the history of human affairs where such men have succeeded in having such laws passed for their personal benefit or gratification, but such laws sometimes operate against the author, and he has had good reason to exclaim with Dryden:

"The blow recoils and hurts me while I strike!"

Such cases serve to "point a moral," even if they do not "adorn a tale." When Daniel's enemies succeeded in procuring a decree, which, from a human standpoint, looked as though they were certain of closing forever the old Prophet's career on earth, they made what proved to be to them a fatal mistake in the specifications. They took it for granted that if Daniel could be safely deposited in the "den of lions," and no appeal or change of venue could be evoked to interfere with or defeat their designs, his case would be closed. But when the "Presidents and Princes" framed that celebrated decree, causing Daniel to be cast into a den with those savage wild animals, they forgot to specify that he should remain there, and this omission was fatal to their law, and eventually to themselves. These "Presidents and Princes" simply digged a pit and fell into it themselves.



But I have wandered from my subject all the way from a city on the sundown side of the "father of waters" to a city built by Nimrod, on the banks of the Euphrates, about four thousand years before Iowa City, or the State Bank of Iowa, was dreamed of, and must now try to get back to my text. But just as I came to this conclusion, I chanced to see in the *Christian Advocate*, of New York, an article on the subject of money, written by a gentleman who has the prefix of "Rev." to his name, in which he says: "All money is *fiat* money. The intrinsic of so called coin is sunk in the *fiat* value of the coin, and what is wanted now, is for the creation and distribution of far more *fiat* money. Not less, but more *fiat* money." And immediately after reading this receipt for the cure of all the financial "ills that flesh is heir to" a preacher in Washington city one Sunday took for his text these words, "The Money of the Nation," and in the course of his sermon is reported in the newspapers as saying: "The remedy in this money matter lies in nationalizing the entire currency of the country, stripping it of all *intrinsic value*," and in support of this theory quoted Dr. Franklin as in favor of issuing "proclamation money," to be loaned to the people in sums not exceeding five hundred dollars, payable in sixteen years and secured by real estate. Possibly Dr. Franklin may at one time, while this country was merely an English colony, have advocated the issuing of paper, without a coin basis, to be used as a substitute for money. But when he did this, he gave as the reason for such an opinion the following words, which can be found on page 443 of volume II of the life and works of Benjamin Franklin: "Gold and silver are not the product of North America, which has no mines, and that which is brought here cannot be kept here in sufficient quantity for currency. The colonies are dependent governments, and their people having naturally great respect for the sovereign country, and being immoderately fond of its modes, manufactures and superfluities, cannot be restrained from purchasing them, because such law, if made, would be repealed as prejudicial to the interest of Great Britain." Now, if we are still a colony

of Great Britain, and must shape our laws and customs as she directs, we may as well close our gold as well as our silver mines, and confine our financial operations to such plans as she may decide are best for *her* interests. But if we have still any faith in what we call our "Declaration of Independence," which we made without the advice or consent of Great Britain and if instead of not producing any gold or silver, as was the case when Dr. Franklin wrote on that subject, we are now the largest producers of these metals of any nation in the world, the case presents an entirely different aspect. It is certainly not fair to quote Dr. Franklin as favoring irredeemable, *fiat* money at this day, when one of his chief reasons, and the one on which all his others are based, for the issuance of that kind of paper promises, is that this country at that time produced no gold or silver, and was entirely dependent on foreign countries for *coin* money.

If Dr. Franklin had known that this country in the years of the then coming future would be a very large producer of both gold and silver it is safe to say he would have given very different advice on the money question. A country that produces no gold or silver, as was the condition of this country at the time the Doctor made his statement, occupies a very different position in the commercial and financial world, from a gold and silver producing country, such as this country is now. It seems, however, to be the fashion in these days, when an individual wishes to bolster up some pet theory of his own, to lug in the words of some man for whose life and character the world has great respect, and in doing so, very little or no regard is paid to the intention of the writer. Sometimes, while what is told is true, yet the *whole* truth is not told, and that is why it has been asserted that *half* a truth is in many cases a falsehood. Our laws require a witness, when answering under the solemnity of an oath, not *only* to tell the truth, but also to tell the *whole* truth. If the whole truth in Dr. Franklin's case is told, he cannot be fairly counted on the side of an irredeemable paper currency. Dr. Franklin has also been represented as an infidel, by some who possibly

wished it to be so, and it may not be generally known that the Doctor, while mentally and physically in good condition, wrote his own epitaph to be placed on his tombstone, in these words: "The body of Benjamin Franklin, Printer (like the cover of an old book, its contents torn out, and stripped of its lettering and gilding), lies here food for worms. Yet the work itself shall not be lost, but will (as he believed) appear once more in a new and more beautiful edition corrected and revised by The Author." In quoting Dr. Franklin, or any other of the great names of former generations, it ought to be remembered that the conditions surrounding the commercial relations of a gold and silver producing country, and those of a nation producing little or none of these metals, are as different as can be imagined. The reverend gentleman to whom I have referred as quoting Dr. Franklin as being in favor of "proclamation money" is reported at the same time as admitting that he was himself a "Nationalist, and even a Socialist."

One hundred years ago a committee appointed by the Government to examine and report "facts relative to paper money" said in their report, among other things: "When paper was issued in lieu of money, bankruptcy followed, and creditors suffered accordingly." One writer of some prominence as authority in financial matters says: "Every medium of trade should have an *intrinsic* value, which paper money has not; gold and silver are therefore the fittest for this medium, as they are an equivalent which paper money never can be." Now, if I understand the meaning of the word *fiat*, as applied to money by the writer whose words I have quoted, he is preaching a very dangerous doctrine. The word *fiat* denotes a decree, or an order. No mere order or decree by human authority can create something out of nothing. That is an attribute alone of Deity, and outside of and beyond the power of man. Cowper says:

"Why did the fiat of a God give birth  
To yon fair sun and his attendant earth?"

The word *intrinsic*, used by one of the writers whose words I have quoted from the *Christian Advocate*, means fixed in the

nature of things; inherent, internal, genuine, possessing value. And the word *value* means a price equal to the worth of the thing bought; equivalent; the amount of labor necessary to produce a thing; excellence; a given quantity of labor. As a general rule, the value of anything depends, not entirely but to a great extent, upon the amount of time and labor required to produce it. The value of the mainspring of a watch is more than one thousand times greater than that of the crude ore out of which it was produced, and labor has caused all the additional value. And the word *labor* means, exertion, toil, task, fatigue, etc. If any one doubts this statement, or calls in question the importance which is here given to the word labor, I refer him to 1st Thessalonians, 2d chapter and 9th verse. Applying the labor test, it becomes very clear that a mere promise to pay money is not in itself money, and the value of the promise depends entirely upon the ability and disposition of the promiser to make good his promise. The financial world has had at least two striking proofs of this in the case of the assignats of France and the continental paper of this country. Fiat money, strictly speaking, is a delusion and a snare. It "keeps the promise to the ear (or more properly, to the eye) and breaks it to the hope." It has always seemed strange to me that this Government, when it became able to pay the continental currency, did not do so, because, in the line of even-handed justice, "no time, or space or roll of years" should have prevented this from being done. An honest debt, either public or private, in the hands of an honest holder, ought to be held sacred, and beyond the reach of outlawry. A solemn promise given for the performance of a sacred duty should be as lasting as the years.

Paper promises, to be valuable as a circulating medium, must have behind them some responsible grantor and a *place* of as well as a *time* for redemption. One of the best and most important features of the National Banking System, and one which is not appreciated as it should be, is the fact that all the notes of all the National Banks in the United States are furnished by the Government at Washington, so that the

Official records of the Comptroller show at all times just what amount and to whom circulating notes have been issued. And the same law requires all mutilated or worn out notes from all National banks to be returned to Washington for cancellation and destruction, so that the official records at all times show the amount of outstanding paper circulation of each bank and of all the banks in the United States.

Reference to this feature of the National Banking Law is now made for the purpose of saying that this is exactly the system upon which the State Bank of Iowa was founded, so far as furnishing and retiring circulation were concerned. And the fact ought to be emphasized and never forgotten by the citizens of Iowa, that while the systems in this particular were similar, the framers of the Iowa law did not borrow the idea from the law of Congress establishing the National banks, because the law creating the State Bank of Iowa was passed and the Bank in operation in 1858, and the National Banking law was not passed until about five years after. If the law creating the State Bank of Iowa did not in express terms compel the several branches to receive at par the notes of all the other branches, the same thing was accomplished by the general supervisory power given in Section 3, for the inspection, control and general oversight of all the branches, in the following words: "The Directors shall have power, by themselves or by a committee of one or more members of their own body, or by a special agent appointed by them for that purpose, whenever and as often as they think proper, to visit any branch, inspect its books, records and accounts, and all the evidences of debt, due to, and securities held by such branch, examine and ascertain the amount of money and other property held by such branch, examine on oath the President, Vice-President and Directors and Cashier, and all other officers, clerks or servants of the branch, touching its condition, means and liabilities. They shall have power to require any branch to reduce its circulation or other liabilities within such limits as they shall, after full inquiry as to its condition, deem necessary to secure from loss either the dealers with such branch,

or the other branches of the State Bank of Iowa." This provision of law, with the additional one requiring a meeting of representatives of all the branches every ninety days, for the purpose of consultation, as to the best and safest measures to be adopted for the benefit of all the branches, was considered a sufficient safeguard against all possible danger, and the result has proven the correctness of that policy.

The records of the State Bank at Iowa City showed at all times the exact amount of circulating notes and the date of delivery to each branch, and also the amount of mutilated notes returned for destruction by each branch, so that the exact amount of circulation outstanding of each branch, and of all the branches, could be exactly ascertained at any time by a reference to these records.

In the case of the National banks the Government holds its own bonds to secure their circulation. In the case of all the branches of the State Bank of Iowa, the President of the State Bank was the custodian of the securities of all the branches, to secure their circulation. During all the years of the existence of the State Bank of Iowa it redeemed its circulation when presented for redemption, in coin. Its history as a Bank was an honorable and useful one, and it is safe to say, that the men who were connected with the management of the Bank, and of the several branches in any part of the State, have reason to feel an honest pride in the manner in which the institution was conducted.

It is worthy of note that the law under and by authority of which this Bank came into existence was neither violent nor arbitrary in any of its provisions, nor was it of any force or effect until it had passed the crucial test of an examination by the people and had received their indorsement and approval at an election held for that special purpose. It was, therefore, in a double sense, a law of the people, for the people and by the people. The language in the 56th Section of the act creating this bank provides as follows: "This act shall take effect and be in force from and after its approval by a majority of all the electors of the State, voting for and against it at an

election provided by law, and *not* otherwise." And the law providing for the government of this system of banking, directs that there shall be one representative from each of the branches in the State, and three directors on the part of the State. The language of the law on this point is in these words: "It shall be the duty of the General Assembly to elect three directors of the State Bank of Iowa at each regular biennial session." These, with the President and Secretary of the State Bank, were required to meet every three months at the office of the State Bank in Iowa City, for the transaction of such business as was necessary for the safe management and best interests of the general public and the banks. At each of these meetings the President was required to make a written report of all matters and things pertaining to the business and operations of the several branches, so that the Board of Directors could decide what, if any, action was necessary in reference to any branch. This constant and special oversight of all the branches, enabling *all* to know what *each* was doing, and *each* to know how *all* were conducting their business, was at once a stimulus to correct action and a safeguard against loose and careless management. In short, it was a verification of the saying that "in union there is strength."

In order that the President might be able to make the report at each meeting above referred to, it was made his duty to visit and examine the several branches, so that he could state from personal knowledge the true condition of each of the branches. The safety fund held by the President, before referred to, to secure the circulating notes of the several branches, consisted of State bonds, stocks that had a cash value, and cash. The law under which this bank was organized, did not allow any branch to receive any circulating notes until it had made the required deposit to secure its circulation. For the safe keeping and proper disposition of the bonds so deposited with the President of the State Bank, he was required by the Board of Directors of said bank to give a bond with approved sureties in the sum of one hundred thousand dollars. Section 4 of the act authorizing the estab-

lishment of the State Bank of Iowa, fixes the "compensation of the President for his services at such rate as said bank shall allow." It is worthy of note in this instance, as a case probably without parallel in the history of banking or other moneyed corporations, that the President of this State Bank, who, in addition to all his other duties, was personally responsible for the safe keeping and proper disposition of the large sums of cash and bonds held by him as the safety fund of all branches in the State, was expected to, and did perform all these duties, and shoulder all these responsibilities for a much less pecuniary compensation for his services than an ordinary clerk receives in most of the commercial or banking houses of the country. But while his compensation in "filthy lucre" was very small, he had, when his work was faithfully performed, the better and more valuable pay, from all his associates and all others who were interested, of "well done, good and faithful servant." All persons who do anything in this world to "smooth the rough paths of peevish nature," or to accelerate the movements of the business wheels of progress in the right direction, are good servants, and it speaks well for the better side of humanity if, in judging the work of such, we apply the language of one who said:

"Expect not more from servants than is just;  
Reward them well if they observe their trust."

Attention has already been incidentally called to similarity between the law under which the State Bank of Iowa was organized, and the law of Congress authorizing the National banks, in reference to the distribution and cancellation of circulating notes, and to the further fact that the Iowa law was passed some five years prior to the National Banking law. But that this may be better understood, the letter of the Iowa law is here given. Section 3 of the Iowa law directs that "the officers of the State Bank shall procure and furnish each branch with notes for circulation, and decide on the amount to be furnished from time to time to each, within the limits, and agreeable to the rules and restrictions prescribed by the law." And in Section 6, it is directed that "all



notes designed for circulation by the branches shall be furnished by the State Bank of Iowa, but no notes shall be delivered to any branch until they are numbered and countersigned by some person authorized by the State Bank of Iowa to countersign the same as register. And all such notes shall have stamped or printed on their face the words 'Registered by the State Bank of Iowa.'” And in the same section of the law it is required that “all notes so worn, defaced or mutilated as to unfit them for circulation, shall be returned by the branch by which they were issued, to the Bank, and an equal amount of new notes received therefor. All such notes so returned by a branch shall be credited, and all new notes delivered in their stead shall be charged to said branch on the books of said Bank, and the notes so returned shall be burned to ashes in the presence of the President or Vice-President, and at least two of the Directors of said bank.” So it will be seen that the law of Congress authorizing the creation of National banks followed the policy adopted five years before by the framers of the Iowa Banking law, so far as the issuance, retirement and cancellation of circulating notes are concerned.

It also provided in express terms that all National banks thereby created should protect the issues of all other banks similarly organized. Section 5196 of the Revised Statutes provides as follows: “Every national banking association formed or existing under this title shall take and receive at par, for any debt or liability to it, any and all notes or bills issued by any lawfully organized national banking association.” This 5196th section of the law is the keystone of the arch, which has upheld and made strong and complete the entire National bank structure. Without it the National banks in remote parts of the country would have been at war with each other, and their notes circulating hundreds and thousands of miles from the place of issue would not in many cases have been received at par. If proof of this is desired, it is only necessary to refer to the fact that prior to the establishment of the National banks no bank paper in the United

States ever was at par in all parts of our domain. Even the old United States Bank bills, that came the nearest to it, were always at a discount at points remote from the place of issue. When the National Banking law was being framed, there was an earnest desire on the part of many members of Congress to make some provision by which all banks organized under it should be placed on an equality, and as far as possible be mutually interested. Among those who took an active part in framing that law may be named James A. Garfield, James G. Blaine and Thaddeus Stevens, all of whom had much ability to "govern men and guide the State;" and all these, and many others, seemed to think that fixing a uniform rate of interest, to be charged by all these banks, would be the means of accomplishing the desired purpose, and six per cent was the rate which was most generally named as the rate of interest beyond which no bank organized under that law should be allowed to charge.

My experience in banking in Iowa made it very clear to me that such a provision as that would not only not accomplish what its advocates desired, but would also be fatal to the law, so far as the territory west of the Mississippi river was concerned, because money in the West in those days was in demand at ten per cent. Uniformity in the rate of interest to be charged upon loans, could not by possibility have insured equality of value to the circulation of National Banks, in all parts of the United States, but would have left each bank from the Atlantic to the Pacific at liberty to say at what rate of discount it would receive the bills of any other National bank. This would have been like Achilles' heel, the vulnerable point that would have led eventually to the destruction of the system. If Achilles' mother had tumbled the boy into the river Styx, and then fished him out again, he would have been proof against the weapons of his enemies. In the part which I was allowed to take in the discussion, I tried to show that by compelling *all* National banks to take the notes of *each* at par, and leaving the *rate* of interest to be fixed by the law of the State where the bank was located, the "greatest good to

the greatest number" would be accomplished. This policy was finally adopted and the result has been generally satisfactory. It ought to be a gratification to the people of Iowa that the system of establishing one central point, from which all circulating notes of National banks should emanate and to which they should be returned for cancellation, was exactly the system upon which the State Bank of Iowa was established *five years before the National Bank law was thought of.*

The present National banks are to the Nation what the State Bank of Iowa was to the State of Iowa, with this difference, however, that all National bank notes lost or destroyed in any manner, amounting at this date to many millions of dollars, is a clear gain to the Government, the banks by which such notes were issued deriving no benefit of any kind from such loss. But in the case of the loss of circulating notes of the State Bank of Iowa, the branch of the bank issuing such notes derived the benefit. This Iowa system of State banking, where all the branches radiated from and were directed by a central head, gave strength and power to as well as confidence in the system, and the public felt more immediately identified with the management than would have resulted from any other system. If it is a fact that money is the "life blood of trade and the wings of commerce," then it follows as a consequence that the volume of money, or bank bills representing and redeemable in money (and no other bank bills should be allowed), is an important factor in determining the condition of the financial health of a nation, and consequently of every State in the Nation.

If a certain volume of currency, based on coin, is essential to the prosperity of any country, then it follows as a consequence that a reduction of that volume is injurious to that country. An examination of the books of the Comptroller of the Currency discloses the fact that on the 1st day of October, 1882, the circulation of the National banks then outstanding and in circulation was . . . . . \$362,889,134  
and on the 10th of October, 1893, it was only . . . . . 208,659,520  
showing a reduction in eleven years of . . . \$154,229,614

which is just \$14,020,874 of a reduction of the circulating medium for each year of the eleven; and this, too, in the face of the fact that in those eleven years our population has increased many millions, which would seem to indicate that an increase rather than a decrease of the circulating medium is needed. And it needs no argument to prove that the financial outlook to-day is much less encouraging than it was a few years ago. An increase of population demands (not a decrease, but) an increase of something as a circulating medium based on coin, to facilitate transfers and exchanges. Recent National legislation seems to favor strengthening the picket line, to prevent an onslaught from silver. But when the fact is considered that it would require about five years for our mints to coin enough silver to equal the amount of the reduction of the National bank currency the danger line must be somewhere in the dim distance. In addition to what has been already said in reference to the volume of currency, the fact must not be lost sight of, that this is only a *part* of the real condition. The books of the Comptroller show how much has been issued and how much returned, but do not and cannot show how much has been lost or destroyed.

Every person who has ever had any personal experience with issuing and returning bank currency, knows that no bank ever got back all its notes. Losses by fire, losses by flood, losses from accident, misfortune or carelessness, amount in the aggregate to many millions of dollars, and these losses of National bank notes are all clear *gain* to the Government and also a reduction of the volume of the circulating medium. Some years ago the Government called in all the outstanding fractional currency, and the call demonstrated conclusively the fact that some ten millions of that currency had gone to the "tomb of the Capulets," or some other tomb, and the Government was just that much richer, and the general public just that much *short* on currency. In giving these facts and figures, to show the reduction of the volume of currency with which the general business of the country has to be transacted, I must not be understood as viewing the question

from any Republican, Democratic, Populist or partisan standpoint. The intention is simply to "hold the mirror up," not to nature, but to truth. The question is one of cold, naked, stubborn facts of such a character that even a "wayfaring man" can understand them and need not err—and so plain: "that he may run that readeth it" (Habakkuk 2d chap. and 2d verse), run doubtless to some refuge or place of safety. What and where that city of refuge is in this case is left entirely to the judgment of the reader.

The State Bank of Iowa had its birth in the days when peace spread her white wings over all the land, including "lake and ocean," unclouded by any sign of "grim-visaged war," and its circulating notes seldom traveled far beyond the boundary of the State.

But when the "dogs of war" were let loose and the bugle-call to arms was sent ringing through the land, then in response to that call the farmer left his plow, the merchant his counter and his trade, the lawyer his briefs and his clients, and the preacher his pulpit and his flock, and all rallied as one man to protect and preserve a united nation. But when all this grand exhibition of patriotic, unselfish zeal had been demonstrated by the people from all the peaceable pursuits of life, and these unbroken ranks of freemen stood marshaled beneath the starry banner, the unwelcome fact was demonstrated that neither the general Government nor the State of Iowa had one dollar of money to equip or to subsist these patriotic volunteer defenders.

Then it was that some individuals, prominently connected with the State Bank of Iowa, voluntarily came to the rescue, and from their own private means and without authority of law, or order or request of either the National or State Government, paid to the three Iowa regiments then in the field, thirty-three thousand dollars (\$33,000), most of which was Iowa currency, and thus it was that some of the Hawkeye currency found its way to the Sunny South, the land of the orange and the palm, "away down South in Dixie." So, when the returns are all in and the accounts are all made up,

it will be found that the State Bank of Iowa, in addition to its other good qualities, had something to do in defeating rebellion and restoring the Union.

The history of the different systems of banking, and the laws regulating and governing the same, in this country, furnish many instructive lessons on the subject of finance and financial systems, which if properly heeded will be of immense advantage in the future. The many wrecks of financial enterprises and Utopian schemes for the rapid accumulation of wealth, which are strewn along the shores of time, are object-lessons which teach in a manner not to be misunderstood or mistaken that permanency and stability are generally plants of slow growth. The rapid growth of Jonah's gourd must have been a surprise to the slower-growing plants around it, but its decay was equal in rapidity to its growth. It is recorded upon authority from which no successful appeal was ever taken, that "they who make haste to be rich shall not be innocent, and shall fall into divers temptations and a snare." 1st Timothy 6th and 9th, and Proverbs 20th and 28th.

The State Bank of Iowa, while it continued in existence, served well the purpose for which it was created. But there came a day when it seemed to be a patriotic duty to close up its business as a State institution and give place to the National banking system, based upon the bonds of the Government, and thus accomplish two laudable purposes, to wit: First, furnishing a sound and reliable currency, not to one State only, but for all the States; and in the second place, to aid the Government in disposing of its bonds, in those dark days and severe trial hours of the Republic. Those Government bonds, it must be remembered, were not as popular in the financial world at that time as they are now, and a market for them was found mainly among the friends and supporters of the old flag. For the reasons above stated, the State Bank of Iowa closed up its business, returned the safety fund to each of the branches, called in and destroyed, by burning, the circulation of the branches, and left a clear field for the National banks.

In addition to what has already been stated in these pages, in reference to the law regulating and controlling the management of the State Bank of Iowa, and of the machinery which the law provided for putting it in working order, it may be proper to state that the act of incorporation provided for a board of Bank Commissioners whose business it was to make the necessary preliminary arrangements for the commencement of business by the Bank. The first meeting of these Commissioners was held at Iowa City, on the 28th of July, 1858, and the following persons were present and took the oath of office as said Commissioners, to wit: C. H. Booth, E. H. Harrison, Ezekiel Clark, W. J. Gatling, C. W. Slagle, Elihu Baker, Wm. S. Dart and Edward T. Edgington. The official record of that meeting shows that the board organized by appointing Ezekiel Clark as President and W. J. Gatling as Secretary *pro tem*. This board of Commissioners met and adjourned from time to time, at the same place, until such business as had been intrusted to them by the act of the General Assembly had all been transacted, and then on the 9th of October, 1858, adjourned, as the records show, to "meet on the 11th of November, unless sooner called together according to law." But the records fail to show that any subsequent meeting of this board was ever held. But the records do show that on the 27th of October, 1858, just eighteen days after the last meeting of the Board of Commissioners, the representatives of the several branches of the State bank was held, and organized, by the "appointment of Samuel J. Kirkwood as President *pro tem*. and Hoyt Sherman as Secretary *pro tem*," and the following persons were present as representatives from the several branches, to wit: William T. Smith of the Oskaloosa branch, Samuel R. Miller of the Keokuk branch, P. M. Casady of the Des Moines branch, Samuel J. Kirkwood of the Iowa City branch, Chester Weed of the Muscatine branch, Richard Bonson of the Dubuque branch, Timothy Whiting of the Mount Pleasant branch, and H. Price of the Merchants' branch; and the representatives on the part of the State were Hoyt Sherman and Benja-

min Lake. Subsequent to this time, seven other branches sent their representatives, to wit: Washington, Maquoketa, Council Bluffs, McGregor, Lyons, Fort Madison and Burlington, making the whole number of branches in the State fifteen. At the first meeting of the representatives of the eight branches first named, the organization of the State Bank was completed by the election of Chester Weed as President and Elihu Baker as Secretary. Mr. Baker continued as Secretary during all the years of the existence of the bank. Chester Weed retired from the Presidency at the end of one year and the writer of this article was elected President, and continued as such until the closing of the Bank and the final winding up of all its affairs on the 22d of November, 1865, at which time all the currency of all the branches then remaining uncanceled and outstanding, amounting at that date to \$35,460, was destroyed, by burning, in the presence of the following persons representing several of the branches: R. E. Graves, H. M. Holden, Samuel Rand, Col. Samuel Merrill, Otto V. Schrader, S. D. Viele, Wm. T. Smith, O. C. Hale, Samuel J. Kirkwood, Lyman Cook and H. Price.

From the books and records of the State Bank it will be seen that its life was seven years and twenty-five days. Counted by years its life was brief, but counted by its acts and influence, seven years was not its limit.

"We live in deeds, not years—in thoughts, not breaths—  
In heart throbs, not in figures on the dial;  
He most lives, who thinks most, feels the noblest, acts the best."

As a financial institution the State Bank of Iowa now belongs to the history of the past and is no longer a factor in the business affairs of the world. It is, however, a satisfaction to know that the final page of its record closed with the verdict of the people—that it served its day to good purpose and performed in good faith all its promises. The holder of an Iowa State Bank note could rely implicitly upon its being redeemed at its face value on demand, in the lawful coin of the realm. The promise and the figure on the face of every one of its notes meant the same thing at all times, in all sea-



sons and to all *people*. The institution was at no time, or under any circumstances, either the tool or the slave of any *party or clique or faction*. Its debt-paying power and its purchasing power of all the comforts and conveniences of life were as great in the hands of the poor as of the rich. It was every man's friend, and no man's enemy. It *lived* and operated to benefit and to bless, and it *died* to give place to the Nation's favorite, and its record ought to be an inspiration and a benediction in the world of commerce, and its history a beacon star in the firmament of honest financiering.

Most of the men who helped to organize this bank and were active in the management of its affairs, have closed their bank accounts on the time side of the "dark river" and have reported for the final settlement of their accounts on the "other shore," where let us hope the final balance sheet kept in the *main* office, in the land of the great hereafter, may show the largest figures in the credit column of the "general ledger" of eternity, in which all accounts of time are condensed and forever closed. The record which men make in this present time is only additional testimony to that of the millions who have preceded them in life's journey, that

"These struggling tides of life that seem  
In aimless, wayward course to tend,  
Are eddies of the mighty stream  
That rolls to its appointed end."

If, in the years of the coming future, State banks shall be substituted for the present National Banking System, it will be fortunate for the country if the new banks so established shall be as sound, conservative and reliable as the old State Bank of Iowa.

*November, 1893.*

## GEOLOGICAL MAP OF IOWA.

BY CHARLES R. KEYES.

The geological map of to-day is a mine of information. Aside from an accurate representation of the geographical features of a region, as in the best atlases, a properly constructed geological map is ever so much more. It indicates within a few feet the elevation above the sea-level of every point within the area of the map; it notes all the drainage basins and water powers; it marks the distribution and limits of the geological formations, each of which contains different kinds of ores, building stones, clays, and all minerals of economic use; it locates all the best places for obtaining these substances; it is also a reliable soil map.

Of course the construction of a map of this kind is not the work of a few days or a few weeks, but the labor of several years. The Iowa Geological Survey has undertaken the preparation of a map of the State in connection with its work on the economic resources. It will appear in its reports on the different substances which go to make up the mineral wealth of the State. According to the plan proposed each county will have a detailed map on which is indicated all the information just alluded to. Accompanying each will be a report with an explanation of the mineral resources of the district, embracing a full description of the characters of the different soils, and their capabilities for agricultural purposes; the extent and value of the various deposits of coal and lead, iron and other ores; the distribution, properties and uses of the exhaustless beds of valuable clays; the accurate determination of the areas for artesian waters; the analyses of the many mineral waters; the relative value and durability of the numerous kinds of building stones; and many other kindred subjects, of such prime importance to the citizens.

There is also to be a general map of the State. A small copy of the preliminary map showing the approximate boundaries of the different geological formations is shown in the accom-

panying colored plate, with which is also a colored geological section of the rocks represented and their relative thicknesses.

In considering the various mineral deposits of the region an accurate knowledge of the distribution of the several geological formations is of the greatest importance. Iowa possesses a measurably complete sequence of strata. The Palæozoic beds from the Cambrian to the upper Carboniferous are very fully represented. The Mesozoic deposits, of Cretaceous age chiefly, are found in considerable thickness. Over all spreads a thick mantle of drift, or glacial debris. Beneath the deposit of unconsolidated drift material the harder rocks are everywhere exposed through erosion. The complete vertical section of the rocks of Iowa indicates a thickness of at least 5,000 feet.

*Algonkian Rocks.* These are the hardest rocks found in place in the State and are regarded as the oldest geologically. The formation called the Sioux quartzite or Sioux "granite" is well exposed in the extreme northwestern corner of the State. It is everywhere thoroughly crystalline in its structure, often quite vitreous, not unlike red jasper in its general appearance and properties. It forms one of the most durable of building stones and exhaustless quantities occur in Lyon county and the adjoining portions of Dakota and Minnesota.

*Cambrian.* In Iowa this formation includes what is called the Saint Croix sandstone which is exposed in the valleys in the extreme northeastern part of the State. Building stone and pure sand for the manufacture of glass, constitute its chief economic value.

*Silurian.* This formation occupies a large portion of eastern Iowa from Davenport to the north State line. It is subdivided into seven minor formations. At the base is the Oneota limestone which furnishes an excellent quality of building stone and lime and also some lead ore. Overlying it is the Saint Peter sandstone which supplies large quantities of very pure sand well adapted for the manufacture of glass. The Trenton limestone comes next. These rocks form a very durable building material and are largely quarried. A very

good quality of lime is also manufactured from this stone. The clay shales separating the limestone beds afford excellent material for the manufacture of light colored brick. In the Galena limestones are found the ores of zinc and lead which have been so extensively mined, since the earliest settlement of the Upper Mississippi valley. The Maquoketa shales may be utilized in the manufacture of brick and pottery. The Upper Silurian limestone, comprising the Le Claire and Niagara, supplies in unlimited quantities fine building stones and also furnishes the best lime in the world.

*Devonian.* West of the Silurian area in Iowa there is a broad area extending in a belt thirty to forty miles in width from the mouth of the Iowa to the Minnesota line. Wherever the rock is exposed good building material can be readily obtained. In the northern part a fine quality of plastic clay exists, forming a valuable material for the manufacture of brick. The different formations represented are the Independence shales, the Cedar Valley limestone, Montpelier sandstone and the Lime Creek shales.

*Lower Carboniferous.* This formation is made up chiefly of limestone and extends in a narrow belt from the southeastern corner of the State northwestward into Minnesota. The limestone furnishes a good grade of building stone, and some of the best paving bricks in the West are made from portions of the shale. There are three different formations, the Kinderhook, Augusta and Saint Louis.

*Upper Carboniferous.* The chief portion of this formation is made up of the productive coal measures which form Iowa's greatest source of mineral wealth. Besides the valuable deposits of coal there are exhaustless beds of clay capable of supplying the whole country with all the products manufactured from it that may be needed for ages to come.

*Cretaceous.* The rocks of this age occupy a large area in the northwestern quarter of the State. The different formations are the Nishnabotany sandstone, the Fort Dodge beds, Woodbury shales and the Niobrara chinks. Besides the great gypsum deposits near Ft. Dodge this formation contains un-





<b>PALEOZOIC</b>	<b>MESOZOIC</b>		125
	<b>CRETACEOUS</b>	UPPER	100
			200
	<b>CARBONIFEROUS</b>	UPPER	1200
			400
			75
			225
	<b>DEVONIAN</b>	LOWER	150
			100
			50
			300
			50
			200
	<b>SILURIAN</b>	UPPER	300
			100
LOWER		250	
		250	
		75	
		300	
		250	
<b>ALGONQUIAN</b>	UPPER	250	
		200	

GENERAL

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limited quantities of good clay material for the manufacture of Portland cement, and some building stone. There probably exist also valuable beds of brown coal. Some of the seams are known to be upwards of four feet in thickness.

*Pleistocene or Surface Deposits.* This formation is the mantle of loose incoherent material which spreads over all the hard rocks. The pure clays form good material for the manufacture of brick, while certain portions can be utilized in glass making.

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### AN IOWA BENEFACTOR.

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Abraham Slimer, of Waverly, this State, is not understood to be millionaire, but according to his means he deserves the name of benefactor quite as much as those who draw checks for larger amounts. He is devoting his fortune to objects of charity, and what is even better, he is giving his time and judgment to see that his bounty serves its intended purpose. To bequeath money after it can be no longer used is not uncommon, but to let go of it in the strength of health is far more unusual. This Mr. Slimer has done repeatedly. An Associated Press dispatch to the *Democrat* states that this good man of Waverly had presented the Board of Supervisors of Bremer county his home and his spacious grounds surrounding it, all valued at \$20,000. The condition attending the gift is that the house shall be used as a home for poor people, and Mr. Slimer takes it upon himself to meet the expenses during his life. This grand act had been carefully thought out. Mr. Slimer had taken time to investigate the good done by such institutions as the Cook home for women and the Fejervary home for men in Davenport, and others of similar character elsewhere. About a year ago he founded and endowed a home for aged and unfortunate Jews, on Drexel avenue, in Chicago, and in other ways he has helped the helpless. Personally Mr. Slimer is one of the most modest and unassuming of men, one who prefers not to be known. He seeks to avoid rather than court public attention. He is thoroughly business-like in all that he does,

and his acts are characterized by the highest intelligence. It makes no difference what his creed may be, or his political affiliation, or his nativity. He is one of Iowa's benefactors, one whose deeds will make his memory blessed.—*Davenport Democrat*.

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## HISTORY OF THE BAHAMA EXPEDITION.

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BY PROF. C. C. NUTTING, OF THE IOWA STATE UNIVERSITY.

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The Bahama Biological Expedition from the State University of Iowa was largely an experiment along educational lines. It afforded the first opportunity ever enjoyed by students to engage in deep-sea dredging and to study the animal forms thus secured fresh from their native element. The enterprise differed from its predecessors in being the first attempt to do scientific dredging at any considerable depth without the use of steam either to propel the vessel or to work the dredge.

The vessel chartered for the occasion was the "Emily E. Johnson," a two-masted schooner, tonnage, 116 net. She was chartered for three months, and cheaply yet conveniently fitted up for the occasion, by flooring over the hold and placing comfortable bunks, tables, etc., in the after part. A convenient laboratory for marine biology and a good library of reference were provided by the University. The cabin was furnished with all necessary comforts for the ladies who accompanied the expedition. A cheap and effective dredging equipment, devised by Prof. L. G. Weld, furnished a means of working down to about 260 fathoms. An experienced and entirely satisfactory sailing master was secured in the person of Captain Charles Flowers, who is an expert dredger as well as sailor.

The following persons constituted the party which sailed from Baltimore, May 5, 1893: Instructors—G. L. Houser and H. F. Wickham and Professor C. C. Nutting, Executive Committee. Mrs. H. F. Wickham, Mrs. Gilman Drew, Dr. Leora Johnson, Miss Margaret Williams, Miss Bertha Wilson,

Miss Minnie Howe, Miss Edith Prouty, Professor M. F. Arey, of the State Normal, Professor Stephen Stookey, of Coe College, Professor Gilman Drew, of Oskaloosa, and Messrs. Wm. Larrabee, Jr., E. G. Decker, Henry Ditzen, A. G. Barrett, A. M. Rogers, Wm. Powell, Edwin Sabin and Webb Ballord.

After a most enjoyable sail down the Chesapeake the outward passage was an usually rough one. Most of the party suffered severely from sea sickness. In crossing the Gulf Stream an interesting study was made of the Gulf weed and its numerous animal inhabitants.

On Friday evening, May 15, the first anchorage was reached at Egg Island, Bahamas. The next day was spent in exploring this interesting place and in collecting natural history specimens, both on land and in the surrounding water. Animal life was encountered in profusion and the first day's work resulted in large collections.

Next the Great Bahama Banks were crossed. The Banks are immense submerged sandy flats, covering thousands of square miles. Here the dredging equipment was tried, largely for practice. The trial was entirely satisfactory, and a large number of interesting specimens, particularly large star fish, was secured.

Havana was reached on May 21st. Three days were spent in visiting "The Queen of the West Indies" and in transacting official business. The Spanish authorities proved extremely courteous and granted every concession necessary for our work.

About three miles from Castle Moro, which marks the entrance to Havana harbor, is the famous "Pentacrinus grounds," where the United States vessels "Blake" and "Albatross" made their famous hauls of *Pentacrinus*, a stalked crinoid or sea lily.

The S. U. I. expedition went to Havana for the purpose of dredging for these rare and beautiful animals. This was the first attempt of the kind without expensive equipment worked by steam. At the very first haul over a score of magnificent crinoids came up on the tangles. This was the most notable triumph of the cruise, and demonstrated the practicability of

our plan and the efficiency of our equipment. Dredging was successfully carried on at a depth of 260 fathoms. Aside from the *Pentacrin*i many other valuable deep-water specimens were secured during the week spent at this place.

Bahia Hunda, about thirty miles west of Havana, was the next port. Here the officials were extremely suspicious, evidently taking our party for filibusterers, and refused to let any one go inland more than thirty yards from the water's edge. Fortunately the "Hawkeye" visitors were interested mainly in the water, where a rich harvest of marine forms was secured. The mosquitoes, however, were a great annoyance and kept most of the party from sleeping during the two nights spent at Bahia Hunda.

Arriving at Key West on June 5th, the expedition was refused permission to land, because yellow fever might have been brought over from Cuba. The "Emily E. Johnson" was ordered to the Dry Tortugas to be fumigated. Dr. Robert Murray, the physician in charge of the fumigating plant, exerted himself to make our enforced quarantine at Fort Jefferson delightful. The party was given full run of the old fort, now abandoned as a military post, and this turned out to be perhaps the pleasantest part of the whole cruise. The Tortugas proved a splendid place for the collecting and study of marine forms of all sorts. Sharks, sea birds, crustaceans, mollusks, sea urchins, serpent stars and corals almost without limit gave plenty of material for work and study. For once, at least, a party left the dreaded quarantine station and its yellow flag with real regret.

Returning to Key West on June 16, our stores were replenished and preparations made for two weeks of hard work on the "Pourtales Plateau," a submarine shelf stretching out toward the gulf stream from the Florida Keys. While dredging over this plateau an accident occurred which might have resulted in a tragedy. The dredge caught suddenly on the bottom and the guys and lashing of the dredging spar broke, the spar itself, with a heavy iron block at its end, falling to the deck, the block just missing a young lady's head. No

damage was done, however, that could not be promptly mended. At this time a dead calm of several days' duration was accompanied by almost insufferable heat. The tar boiled from the deck, and awnings gave but little relief. The nights, however, were delightful, and all hands secured refreshing sleep.

The quantity of valuable material dredged on the Pourtales Plateau exceeded the most sanguine expectations. Among other things were several species of crinoids, many rare deep-sea corals, flexible corals of novel forms, basket fish, sea urchins, and a great variety of exquisitely graceful plume-like hydroids, marvels of delicate beauty. During the calm several sharks and dolphins were added to our collections. A magnificent series of madripore coral was secured and bleached near Sand Key light.

On July 1st the expedition cleared from Key West for Harbor Island, British West Indies. The "Fourth" was passed at sea, but was duly observed with appropriate ceremonies.

Arriving at Harbor Island, our vessel was run aground by a careless or ignorant native pilot. She floated off, however, the next day, and the vessel entered the port, to clear the same day for Spanish Wells, Eleuthera, where an excellent opportunity was afforded to study the coral reefs with all their accompanying forms of life and beauty. Realizing that the time approached for turning homeward, the party worked with a will and secured probably a greater quantity of material than at any other station, particularly of corals, of which many superb specimens were collected.

After leaving Spanish Wells, on July 15th, three days were spent in beating around to the southeastern end of Eleuthera. One day was spent in dredging between this island and Little San Salvador, with good results.

The homeward passage of eight days was spent in packing collections and equipment.

The expedition landed at Baltimore on the morning of July 27th, having enjoyed a wonderful immunity from storms, sickness, accident or misfortune of any kind. As an educational experiment it was a marked success. The collections

secured amounted to a car load and all arrived safe at Iowa City. This was probably the largest amount of marine natural history specimens ever shipped at one time into the interior of the United States.

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MAJOR-GENERAL G. M. DODGE.

BY EX-GOV. CYRUS C. CARPENTER.

(Concluded from October Number.)

During the progress of the events which closed the chapter in the last number of *THE ANNALS*, General Grant wrote to General Sherman a letter, from which the following is an extract:

"It is not my intention to have any portion of your army to guard roads in the Department of the Cumberland, when an advance is made, and particularly not Dodge, who has been kept constantly in that duty since he was subject to my orders. He is too valuable an officer to be anywhere except in front, and one that you can rely upon in any and every emergency."

In conformity with this opinion, in March, 1864, he wrote General Halleck suggesting that Missouri, Kansas and Arkansas be added to the Department of the Gulf and that General Dodge be assigned to the command, with a view of increasing the order and efficiency of the Department, and also moving against Mobile. But as General Sherman was about to begin the Atlanta campaign he was unwilling to spare him from the command of the Sixteenth Corps. Accordingly on the 29th of April, General Sweeney, commanding the Second Division, moved from Pulaski, Tennessee, and General Veatch, commanding the Fourth Division, moved from Decatur, Alabama, with orders to concentrate at Huntsville. From Huntsville the two divisions marched eastward towards Stevenson until May 4, when they embarked on the cars for Chattanooga, the Second Division at Larkinsville and the Fourth at Woodville. The transportation and artillery, under escort of Colonel J. J. Phillips, 9th Illinois Mounted Infantry, and a portion of the 1st Alabama Cavalry moved by the wagon road to Chattanooga *via* Bridgeport. General Dodge and his com-

mand reached Chattanooga May 5, and marched out and bivouacked at Gordon's Mills, on Chickamauga Creek. The Rebel army, under Johnston, was at Dalton, a station on the railroad connecting Chattanooga and Atlanta, about thirty miles southeast of Chattanooga. Dalton is located on the south side of a gap in a spur of the mountain through which the railroad passes. As a military position it is almost impregnable by nature, and had been made still stronger by the art of the engineer. Against this position General Thomas, in command of the Army of the Cumberland of 45,000 men, marched, as if intending an assault directly from the front. General Schofield, in command of the Army of the Ohio, marched east of the railroad, forming the left wing of the entire army.

From Gordon's Mills running south is a valley between Missionary Ridge and Chickamauga Hill. Along this valley, securely veiled from the observation of Johnston, marched the Army of the Tennessee, General Dodge with the 16th Corps having the advance. At midnight of the 6th of May, his advance, General Sprague's Brigade, occupied Ship's Gap, a narrow defile between Taylor's ridge and Chickamauga Hill; and on the 8th arrived at Snake Creek Gap, a narrow passage cutting through Chattanooga Mountain, another spur of the main ridge. The passage through this gap necessitated a left wheel of the army from its southern course to the east. The *debouche* opened into the valley of the Oostenaula, along which ran the railroad from Dalton south, and at the intersection of the road with the river was the town of Resaca. This gap was found almost undefended, so that the Army of the Tennessee had nearly reached the railroad, twenty miles in Johnston's rear, while his attention was entirely directed to guarding against Thomas and Schofield in his front. On the morning of the 9th, at six o'clock, General Dodge moved in line of battle for Resaca and the railroad. The ground over which he passed made the distance some seven miles. He advanced steadily until he arrived at the Calhoun and Dalton cross roads, one mile west of Resaca. From this point the enemy

in line of battle could be distinctly seen on a bald hill west of Resaca, and behind his defenses in the town. General Dodge, with the Second Division, drove the enemy from his position and took possession of the bald hill. Here General McPherson came forward and ordered him to hold the cross roads and Bald Hill with the Second Division until the arrival of the Fifteenth Corps; and with the Fourth Division, which was on the left, feel to the north for the railroad. He had sent Captain DeHues, with eighteen cavalry troopers, his headquarters scouts and his only available cavalry, to the left, with orders to reach the railroad if possible; while with the Fourth Division, under General Veatch, with Fuller's Brigade in advance, he crossed Mill Creek north of Resaca, moved across a field in plain sight of the town, and within range of the enemy's guns, gaining the woods northeast of the field, his skirmishers being in plain sight of the railroad, when the enemy opened a fire immediately upon the right of Fuller's Brigade. General Dodge was with the advance, and immediately ordered Fuller to charge this battery. Whilst he was making his dispositions to execute this order, General McPherson sent an order for him to fall back across the field and to the west side of Mill Creek. By the time this order was executed, under a galling fire of the enemy, it was dark. General McPherson now ordered a countermarch to the mouth of Snake Creek Gap, where the Army of the Tennessee was entrenching its position. The following quotation from General Sherman's Memoirs will give his views of this day's operations:

"McPherson had startled Johnston in his fancied security, but had not done the full measure of his work. He had in hand twenty-three thousand of the best men in the army, and could have walked into Resaca (then held by a small brigade), or he could have placed his whole force astride the railroad above Resaca, and there could have easily withstood the attack of all Johnston's army, with the knowledge that Thomas and Schofield were at his heels. Had he done so, I am certain that Johnston would not have ventured to attack him in position, but would have retreated eastward by Spring Place, and we should have captured half his army and all his artillery and wagons at the very beginning of the campaign.

"Such an opportunity does not occur twice in a single life, but at the critical moment McPherson seems to have been a little timid; still, he was jus-







*G. M. Dodge  
Major Gen U S A  
1865*

tified by his orders, and fell back and assumed an unassailable defensive position in Sugar Valley, on the Resaca side of Snake Creek Gap. As soon as informed of this, I determined to pass the whole army through Snake Creek Gap, and to move on Resaca with the main army."

Of course the events of this day were freely discussed in the army; and in this connection an incident occurred at General Dodge's head-quarters which illustrates his loyalty to his commanding officer and his fidelity to a friend. There is no doubt that he thought General McPherson had missed a great opportunity, in not throwing his army across the railroad, intrenching, and holding it against all comers. But observing the etiquette of a soldier he said nothing. Colonel Spencer, his Chief of Staff, however, had a habit of criticising freely and profanely all officers who in his judgment were not up to the standard. And on this occasion he was rather outspoken in his criticism, including General McPherson in his uncomplimentary review of events. General Dodge at first did not seem to notice the Colonel's remarks; but finally there was a little more than he could stand, and he said: "You have a free way of criticising every officer in the service who has any enterprise; who the devil does have any sense in your estimation?" Spencer hung his head, with a sort of expression which seemed to imply: "I give it up!" but after a moment's hesitation, said: "Old Billy Sherman." "Well," says Dodge, "I am devilish glad there is one man in the army who knows something even in *your* opinion." This ended further criticisms at General Dodge's head-quarters.

In the subsequent operations of the army in the vicinity of Resaca and Lay's Ferry, across the Oostenaula, General Dodge and his command were actively engaged, most of the time in the extreme front, or on the exposed flank. The Fourth Division under General Veatch was engaged in the final movements on Resaca. The Second Brigade under Colonel Sprague made a gallant charge upon the enemy, and the First Brigade performed gallant service in protecting the right flank of the Fifteenth Corps. At Lay's Ferry the Second Division under General Sweeney crossed the river and laid a pontoon bridge. In

the movements connected with the crossing of the Oostenaula and securing possession of the road leading to Adairsville, which really led to the evacuation of Resaca by the enemy, the brigade of Colonel E. W. Rice and Colonel P. E. Burke, who fell mortally wounded, of the Second Division, and Colonel M. M. Bane, commanding a brigade of the Fourth Division, performed feats of valor not excelled during the campaign. In these movements they were under the eye and immediate direction of General Dodge, as he had a habit, when marching in the face of the enemy, of keeping near the skirmish line. The enemy being swept from his front, the flank movement continued, and after two nights and one day of almost constant marching General Dodge with his command entered Kingston. Here the Army of the Tennessee remained until the 23d of May.

On the 22d of May, 1864, at the special request of Generals Grant and Sherman, General Dodge was appointed a Major-General, and the notice of his promotion reached him while at Kingston. During the time he commanded at Corinth and Pulaski it had been his fortune to execute the verdicts of more than one court martial, which had been convened to try persons captured as spies and guerrillas, and when convicted he unhesitatingly executed the orders of the courts martial. There is a story told that when President Lincoln was examining the recommendations of Dodge with the view to promoting him to be Major-General, he said: "Let's see; this is the General who orders men shot and then sends the proceedings of the court martial to the War Department for my approval." Then after a moment's reflection he said, "Well, I don't know as that disqualifies him from being a Major-General." In this connection it might not be out of place to relate another incident, although it anticipates by a few months the time of its occurrence. After General Dodge had been placed in command of the Department of Missouri, he captured some of Quantrell's men who were engaged in the bloody massacre of defenseless men, women and children at Lawrence, Kansas. He summoned a court martial for their trial. Of course the Rebels

and Copperheads in Missouri were greatly exercised at these proceedings, as their sympathies were with the murderers. So they sent a delegation to Washington to labor with Lincoln to get him to stop the proceedings. It resulted in leading the President to write a friendly letter to Dodge commending his vigorous and just administration of the Department, and suggesting that inasmuch as these men, supposed to be outlaws, were being tried by court martial, it might be well, if they should be convicted, before shooting them, to give them the benefit of all the forms and of any doubts, by sending the proceedings of the court for review to the War Department.

Returning now to the movements of the army, the Sixteenth Army Corps moved from Kingston towards Dallas on the 23d of May, and after three days and two nights of almost constant marching, the corps, led by its commander, came promptly into position on the Pumpkin Vine Creek, from which point the Army of the Tennessee moved upon Dallas. From that time there was incessant skirmishing and fighting in the vicinity of Dallas and New Hope Church, up to the 1st of June. Several desperate charges were made upon Dodge's lines, and upon the earthworks behind which the army lay entrenched, but at no time did the enemy succeed in moving Dodge or his command a single inch. On June 1 the flank movement was continued. The Sixteenth Corps made a most difficult and dangerous move in face of the enemy, to Ackworth, from which point it formed the rear guard of the army to Big Shanty. The enemy, after several days skirmishing and one or two quite severe engagements, evacuated their works near Big Shanty and fell back to Kenesaw Mountain. This position was by nature a strong line of defense, and had been made doubly so by the skill of the military engineer. Here, after several days heavy skirmishing and various military maneuvers, adopted with the hope of drawing the enemy out of his position, General Sherman attempted to take the enemy's works by a direct charge from the front. It was unsuccessful, and was one of the movements for which General Sherman, in his Memoirs, criticises himself. In this final charge the

64th Illinois Infantry, deployed as skirmishers, were particularly heroic. They ascended the mountain in face of a deadly fire, and against almost insurmountable obstructions, gained a position so near the enemy's works as to be unable to leave when the retreat was ordered until darkness enabled them to creep out from under the enemy's guns unobserved. Three or four of the regiment were killed upon the enemy's works, and several within a few yards of the ditch in their front. On the morning of July 2, it was found that Johnston had evacuated his works on Kenesaw Mountain, and again the old story was repeated. The army pushed forward in pursuit to find him, as usual, a few miles further on, strongly intrenched. Thus, on July 4, the Sixteenth Army Corps encountered Hood's entire corps at Ruff's Mills, on Nick-a-Jack Creek. They carried his first line of works, capturing some one hundred prisoners. Then the enemy continued his retreat to the Chattahoochie, whilst skirmishing, as heretofore, unceasing, filled the air with its unwelcome music. On the 9th of July, General Dodge, with his command moved to the Sandtown and Marietta road, passing through Marietta *en route* for Roswell. The march to Roswell, about thirty-one miles, was accomplished in less than two days under a most scorching sun. General Sherman had urged celerity, as he feared the enemy might occupy the bluffs on the south side of the river, from which it would be difficult to dislodge him. The energy and patience of the troops on this march, and the alacrity with which they intrenched their position, after gaining the south side of the river, was a fine illustration of what the veteran soldier will accomplish uncomplainingly when led by a determined and resolute commander. Here in the space of two days General Dodge built a bridge 710 feet long, spanning the Chattahoochie River, over which the Army of the Tennessee and all its trains and artillery passed, dry-shod, a day or two after. The command remained at Roswell until the morning of July 17, when it again moved. General Dodge was ordered to march between the Seventeenth and Twenty-third Corps. This necessitated one of those achievements which frequently

fell to the lot of portions of the army when moving in supporting distance of other commands. The Seventeenth Corps occupied a road on the left, and a few miles to the right was another road running almost parallel, upon which the Twenty-third Corps was moving. So that the Sixteenth Corps had to cut its own road through heavy timber, bridge streams and corduroy swamps. It steadily worked its way, of course, at the cost of toil and effort, which no man can estimate who has not had a like experience. And in addition to this, there was the constant skirmish with the enemy, sometimes necessitating the deployment of a part of the command in line of battle and bringing the artillery into play. Finally, on the 19th of July, Decatur, six miles north of Atlanta, was reached and occupied. The Twenty-third Army Corps moving upon an old wagon road, and the Sixteenth Corps cutting its own road, entered the town of Decatur at the same time. About 1 o'clock p. m., of the 20th, the Army of the Tennessee, with the exception of the Second Brigade of the Fourth Division, General Sprague commanding, which was left at Decatur to guard trains, moved toward Atlanta. On the morning of the 21st General Fuller, with the First Brigade of the Fourth Division, moved to a position near the left and in the rear of the Seventeenth Corps, as a reserve. The Second Division confronted the enemy with its right connecting with the Twenty-third and its left with the Fifteenth Corps. During the 21st it advanced its lines three-quarters of a mile nearer to Atlanta, and at 4 o'clock a. m. on the 22d it was discovered that the enemy had fallen back from his outer defenses and was occupying a new line near the city. On this discovery the Army of the Tennessee made an advance, which so shortened the lines of approach to the city that the Second Division, Sixteenth Corps, was thrown out of position. General Dodge was therefore ordered to move to the left of the Seventeenth Corps, which then occupied the extreme left of the army, and take and fortify a position upon the left flank. General Fuller with a portion of the Fourth Division was then in the rear of the Seventeenth Corps. The Second

Division moved during the forenoon along a road which followed a ridge almost parallel with the line of the Seventeenth Corps, and about three-quarters of a mile to its rear. At noon the head of the column halted near a farm house, from which the road gradually descended some 300 yards, when it entered a heavily timbered plat of low ground. Through these woods it would be necessary to pass, to reach the position the corps was to occupy. The men, as usual when halting at midday, made preparations to boil coffee and take a lunch. General Dodge, accompanied by General Fuller and one or two staff officers, had gone to the headquarters of General Blair to consult about the position the Sixteenth was to occupy on his left, and had also ridden over the ground and selected the line which he proposed to intrench. As General Blair, however, had determined not to make the changes in his line which were contemplated, until the next day, General Dodge resolved to bivouac with his command on or near the ground it then occupied. With this purpose he rode back to his command. When passing General Fuller's headquarters, as a lunch was just prepared, he stopped to dine with Fuller. He had sent word to General Sweeney to select proper ground upon which to bivouac for the night. He was scarcely seated at the table before the pickets in the woods a short distance in front began a brisk skirmish fire. This startled the entire command. It seemed impossible that there could be an enemy so far in the rear of the main line occupied by the Seventeenth Corps. Between the ridge along which the Sixteenth Corps had been marching and the line occupied by the Seventeenth Corps was a narrow valley through which ran a small stream. From the ridge occupied by the Sixteenth Corps down to this stream was a gradual descent through an open field. Crossing the little stream, there was a gradual ascent up to the bald hill occupied by Leggett's division of the Seventeenth Corps. The surface of this ascent had once been cleared, but was now largely grown up to a second growth of pine trees. In the little valley formed by the stream were the trains of the various headquarters, ambulances, teams, teamsters' quar-



ters, etc. The house and out-buildings near which the head of the column had halted, occupied the most elevated ground on which the Second Division were resting and awaiting orders. The Rebels so completely veiled from sight in the timber just in front of this column were General Hardee's corps of Hood's army. Of course the meeting at this point of Dodge and Hardee was a mutual surprise. Hardee had made such progress without being discovered, that he hoped to sweep along the entire rear of the Army of the Tennessee—destroy the trains, and possibly, to some extent, demoralize the entire army. Dodge of course had no idea that the Rebels had made a night march around Blair's left flank, and were now well advanced in his rear. As soon as the skirmish firing commenced, however, General Dodge divined the situation. He sprang from the table, called for his horse, saying: "There is a fight on hand"; and to Fuller, "Get your division in position for action." He immediately rode to the Second Division, talked a moment with Sweeney, and then rode along the entire line, readjusting it in places where his quick eye saw ground better suited to defense and protection. The men in less than twenty minutes were in position; and with the instinct of veterans, were utilizing every rail from the fences which bounded the road, and were tearing down the out-houses and negro quarters, mostly built of logs, at the adjoining farm house, and throwing up such slight defenses as were possible in the short time and with the limited material at command. It was a scene of wild turmoil, and yet there was a purpose in every movement. Men were carrying rails and logs to make their rude and temporary defenses. Batteries were being hurried into position; headquarter teams and ambulances were being driven to the rear; officers were riding along the line and directing the movement of the men; staff officers were riding to Dodge and reporting the situation at different points on the field; and occasionally a Rebel shell or solid shot, screeching overhead, was giving notice of the havoc which was approaching. In such a time as this, coming at an unexpected moment, the commanding officer who

"keeps his head," unless he loses it legitimately by shot or shell, is a soldier with attributes suited to his business. General Dodge kept his head. He seemed to comprehend and have in mind the whole situation. He knew from the nature of the ground that his right would not extend far enough to unite with the left of the Seventeenth Corps, and that a gap would intervene between the two corps. At the very outset of his preparations for battle, he sent an aid, Lieutenant Jonas, to notify General Giles A. Smith, who commanded the division on the left of the Seventeenth Corps, of the situation, with the suggestion that he refuse his left to meet Fuller, who commanded the right of the Sixteenth Corps. He ordered the writer to go with haste to Decatur, four miles in the rear, where General Sprague, commanding a brigade, was guarding the supply train of the Army of the Tennessee, and tell him that the enemy was on the left flank and rear of the army, and would be after him. And by the way, this is the same General Sprague who, as Colonel Sprague, commanded the Sixty-third Ohio, which lay under the guns of Fort Robinet at Corinth, and who in view of the impending charge, walked along the line of his regiment, telling his men not to fire until he gave the command, to wait until the Rebels came so near they could see the white in their eyes, and then up and at them; and it was he who ordered the final bayonet charge that day, which swept the Rebels off the ground and back to the timber. The writer started to obey the order, but had not ridden two miles before he was convinced by the fire of musketry and artillery at Decatur that General Sprague had been notified that the Rebels were in our rear. General Wheeler with two divisions of Rebel cavalry had ridden straight for the trains at Decatur. But the lion-hearted hero, Sprague, drew out his little brigade, and placed it in front of the trains, and for three hours held the Rebels at bay, until the result of the contest in front of Atlanta made it necessary for Wheeler to retreat.

In the meantime Hardee's corps, which confronted General Dodge, moved out of the woods and pushed forward upon the open field under cover of the Rebel batteries, which were con-

cealed in the edge of the timber. They were met unflinchingly by the Sixteenth Corps. The infantry steadily and effectively poured volley after volley into the advancing columns, whilst the Fourteenth Ohio and Welker's batteries, in position on the high ground, at the right of the road, mowed down terrible swaths in their ranks. One assault after another was attempted until from sheer exhaustion they fell back to the timber and gave up the battle. When Hardee struck the Sixteenth Corps the remainder of Hood's army came out of their intrenchments at Atlanta and attacked the Fifteenth and Seventeenth corps in their intrenchments. General Giles A. Smith's and General Leggett's divisions of the Seventeenth Corps had a desperate hand-to-hand fight. Owing to the fact that the open space between the Sixteenth and Seventeenth corps could not be filled in the heat of the engagement, the enemy were in front and rear of Smith and Leggett, so that they sometimes fought from one side of their earthworks, and sometimes from the other. But as the writer does not pretend to give a full account of the battle—only that part taken in it by General Dodge—no details are given in respect to the other corps.

There was one thing which tempered the rejoicing that usually follows victory, with deep and lasting sadness in the Army of the Tennessee. And that was the death of General McPherson. He was young. He was handsome. He was genial. He was brave. And he was patriotic. He was an ideal soldier. His death brought to every soldier in the Army of the Tennessee a personal sorrow. In some respects this was the most remarkable battle fought during the Rebellion. The Rebels had the advantage which comes from being the attacking force. Hardee's corps, which fought Dodge, was at least three times greater than the Sixteenth Corps. They had the advantage of a timber covering in which to perform their evolutions. And yet the Sixteenth Corps met them on the open field, with both flanks exposed and enveloped by the enemy, and with no protection but the few rails gathered hastily from the neighboring fences, and swept them back to cover, severely whipped. For a desperate stand up fight it was not excelled during the war.

The Sixteenth Corps again on the 26th of July drew out of its works and moved toward the right of the army. This movement was continued on the 28th, reinforcing the Fifteenth Corps during the engagement of that day. From this time on there were constant movements, feeling further and further to the right, in the direction of the Macon Railroad, and drawing nearer and nearer to the city. Every foot of ground gained was at the cost of skirmish and battle, and every foot of advanced position held was at the cost of throwing up new earthworks and erecting new fortifications. Finally, on the 19th of August, while General Dodge was engaged in superintending the preparations for charging and taking a detached fortification of the enemy, he was severely wounded in the forehead. He had gone into the rifle pits some distance in front of the fortifications, where he could get a closer view of the enemy's works. Captain H. I. Smith,\* of the Seventh Iowa Infantry, was in command on the line of rifle pits. The General was looking through one of the peep-holes in the works when the ball, striking on the side of the forehead and ranging upward and around under the scalp, came very near ending the career of as earnest and as true a man as the war produced, and an able and enterprising officer. The feeling in his army corps, when the fact of his being wounded was heard, showed the high estimation in which he was held, and his established place in the confidence and good-will of the soldiers. On August 24, 1864, he was removed to the North. His farewell words to the Sixteenth Army Corps will close this part of his military career:

HEAD QUARTERS, LEFT WING, 16TH ARMY CORPS,

NEAR ATLANTA, GEORGIA, August 24, 1864.

Soldiers: It becomes necessary for me to relinquish my command for a short time. No one can regret this more than I do. Upon leaving you I cannot refrain from extending to you my heartfelt thanks for the efficient and brave manner in which you have supported me throughout this campaign. Whether on the battle-field, in the trenches, or on the march, you have given that earnest, zealous and efficient attention to your duties that always insures success.

\*Captain Smith resides at this time (1894) at Mason City, Cerro Gordo county, Iowa.—Ed.

From Chattanooga to Atlanta, through a campaign unparalleled in its severity and its successes, you have done your full share; your comrades are buried on every field, and while we deeply mourn their loss we have the satisfaction of knowing that they fell nobly doing their duty. I leave you in the hands of able and tried commanders; give them the same cheerful support you have always given me, and there will be no fears of the result. I shall watch your course with the same interest; your victories will be mine. May God bless and protect you.

G. M. DODGE,

*Major General.*

The enforced absence of General Dodge from his command just as the purpose of the campaign was about to be realized was one of the severe disappointments of his life. He remained at his home, however, only long enough for the wound to heal, and partially to recover his usual strength, when he was again on the move. At the invitation of General Grant he visited his head-quarters at City Point. Here he spent several days. This was his first really intimate association with General Grant, and with that prince among men—his Chief of Staff—General Rawlins. At the suggestion of General Grant he visited the headquarters of the various army corps of the Army of the Potomac. And after spending a day with the officers of a corps he would return to City Point in the evening, where, with Generals Grant and Rawlins, he would sit out in front of their quarters until late at night talking over the affairs of the country, and especially discussing the probable movements and requirements of the Western armies. During his visit at City Point General Butler attempted an advance movement, General Dodge being present and witnessing the engagement which followed. Although it was reported in the telegraphic dispatches as a successful movement General Dodge dryly remarked that “out West it would have been regarded as a defeat.”

On leaving City Point he visited Washington. Here at the request of General Grant he called on President Lincoln, with whom he spent several hours, and by whom he was plied with questions as to his impressions of the Army of the Potomac and of his judgment respecting General Grant's final success. He replied that he believed the Army of the Potomac was the most thoroughly equipped and supplied of any army on the

planet, and that General Grant would capture Richmond and overthrow Lee if he was given time to carry out his plans.

Whilst at City Point General Grant had suggested to him that if it was agreeable to him he could give him an important command in the East. But to this suggestion Dodge unhesitatingly replied that his preferences were for service in the West. His old corps (the Sixteenth) having been broken up, after he left it, and merged into the Fifteenth and Seventeenth corps, General Grant had determined to give him a new and independent command. In subsequent years General Sheridan, in a conversation with Mr. N. E. Dawson, who was the stenographer and private secretary of General Grant on his trip through Mexico, told him that Grant had in mind the purpose of putting Dodge in command of a strong force with the view of penetrating the Rebel States and pushing to the sea-coast in a manner somewhat analogous to Sherman's famous march to the sea. But the subsequent movement of Hood in the direction of Tennessee, and Sherman's consequent plan to divide his army and send General Thomas into Tennessee with a part of it to take care of Hood, whilst he, with the remainder, should cut loose from his communications and march through Georgia to the sea, precluded the consummation of this purpose.

From Washington he went directly to Nashville and reported by telegraph to General Howard, commanding the Army of the Tennessee. In response he received an order from General Sherman to proceed to Vicksburg, where he was to combine such troops as were available and could be spared from the various military districts along the Mississippi, and move upon Mobile from the rear; not only with the view of capturing that important seaport, but also as a diversion in aid of General Sherman's march to the sea.

On arriving at Cairo, however, he received a counter order from Secretary Stanton directing him to repair to St. Louis and await further instructions from Washington. Soon after reaching St. Louis he received an order directly from the President, assigning him to the command of the Department

of Missouri from which General Rosecrans was relieved. Missouri was known as the graveyard of Generals. Here General Lyon had fallen in one of the most desperate pitched battles of the war. Here General Fremont had failed. General Hunter succeeded to the command and left it without adding to his fame. General Schofield had, to say the least, fallen short of success. And General Rosecrans had made little progress toward reducing the chaotic elements with which he had to deal to anything like order. General Dodge on assuming command found the military service greatly demoralized and the entire State overrun with guerrillas and marauders. With his usual activity and singleness of purpose he at once set to work to reorganize the various detachments of troops scattered over the State, into something like military system, and re-inspire them with something like military *morale*. But just as he began to get his command well in hand he received an order based upon the following request of General Grant:

CITY POINT, Virginia, Dec. 8, 1864.

*To General Halleck, Washington, D. C.:*

Please direct General Dodge to send all the troops he can spare to General Thomas. With such an order he can be relied on to send all that can properly go.

The high estimate placed upon the character of Dodge by Grant is shown in the foregoing dispatch. And its full force is better appreciated when interpreted by a letter from Grant to President Lincoln of about the same date. In this letter he advises that the departments of Missouri and Kansas be merged together. And he says: "This is advisable from the fact that as a rule only one point is threatened at a time, and if all that territory is commanded by one man, he can take troops from one point to satisfy the wants of another. With separate department commanders, they want to keep all they have and get all they can. This will not be the case with Dodge, who has been appointed to command Missouri." In accordance with the order of General Halleck, notwithstanding the disturbed condition of the department, and the scarcity of troops for effective service, he immediately sent fourteen

regiments of infantry and four regiments of cavalry to report to General Thomas at Nashville. They arrived and constituted a part of the force with which Thomas swept Hood from the front of Nashville and very nearly swept his army out of existence. Upon the departure of these troops Dodge found those remaining constituted but the skeleton of an army. As soon as he was able to equip and mount the cavalry which had been broken into small detachments, mostly dismounted and stationed in the various towns, merely to repel the raids of guerillas and marauders, he began to prepare for active operations.

General Dodge adopted a new policy. He was not the man to sit down and order a disposition of troops to defend a few towns and cities while the whole country outside was in a state of turmoil and danger. He ordered the troops out of the towns, instructed their officers to go into the brush and hunt down and exterminate every guerrilla. This change of tactics had a most wholesome effect. The guerrillas were now on the defensive and were hunting hiding-places to save their necks, while the troops, inspired by the intense activity of their commander, were beating the bush and scouring the gorges of the hills to find them. As a complement to these active military operations he instructed the district commanders to encourage the revival of civil law and to aid in the establishment and protection of civil courts throughout the State wherever loyal civil officers could be found with a loyal sentiment back of them sufficiently strong to enforce order. This had a most salutary effect. He also found the prisons overflowing with political prisoners, with Federal soldiers imprisoned for trivial offenses, and with conscripts who had escaped from Price's army. He personally investigated thousands of individual cases, and when he was satisfied that there was no well-grounded cause for the arrest and imprisonment of these persons he ordered their release. In this manner he recruited his own depleted regiments, and revived a spirit of confidence in the justice of the military authorities which greatly enhanced a spirit of social order throughout the State.



One of the most effective methods which he adopted to develop civil order was by the encouragement of local organizations for the protection of life and property. He sought and obtained the authority of the Secretary of War to aid the local authorities in putting into the service several regiments of the Missouri State Militia. In this purpose he received the active co-operation of the local authorities in Missouri; and on the 26th of December, 1864, he was commissioned by Governor Hall, of Missouri, as Major-General of the Missouri State Militia.

An incident occurred about the time his policy of active operations against the guerrillas began to develop, which illustrates the spirit that animated many of those who sympathized with the Rebellion in Missouri. General Dodge had been out riding with his family in St. Louis, and having returned to the Lindell Hotel just at dark, left his family, and told the driver to proceed to his headquarters. He had gone but a short distance down one of the most frequented streets, when he was aroused by the sharp report of a gun at close range. The driver, who sat near his side and a little in front of him, fell against him. He caught the reins, and driving a short distance, secured help and medical attention for the driver, who had received a wound from which he died a day or two after. General Dodge had been warned that he was in danger of assassination, and had been advised not to drive or ride without an escort, but had disregarded these warnings, and now came very near losing his life. The driver had stopped the bullet intended for the Commander of the Department of Missouri.

On February 8, 1865, the Department of Kansas was merged into that of Missouri; Major-General Curtis being relieved. The union of Missouri and Kansas under one military head was partly in compliance with the wishes of Senator Lane, of Kansas. He supposed that as Curtis was the senior officer he would be appointed to the command, but General Grant, whose approval of the project finally determined the War Office to merge the two Departments into one, recommended

the appointment of Dodge. One of the reasons for this was the fact that the Indians were making serious trouble on the plains. They were killing and driving away the frontier settlers, and were especially active in robbing the mails, killing the passengers and plundering and destroying the stage stations on the overland route to the Pacific. In fact the Indians had become so bold and aggressive in their depredations, that they had in effect, for several months, levied an embargo upon the overland commerce between the States and California. Grant had suggested to Curtis the propriety of making a winter campaign against these hostile Indians. To this Curtis had objected and argued that it was impracticable. He had therefore written Dodge asking his opinion as to the practicability of a winter campaign on the plains. To this Dodge replied, emphatically approving it, as he well knew if it was deferred until the grass should grow, so that the Indians could subsist their horses away from the streams, that following them over the plains with a cumbersome military organization would be a fruitless chase. This, undoubtedly, was one of the reasons which influenced General Grant to urge the union of these two Departments under one commander, and that the commander should be Dodge. Immediately upon his being assigned to this command he proceeded to Fort Leavenworth and with his usual activity and enterprise began to make preparations for opening and defending the stage routes to California. He found the troops on the plains facing two enemies—the unprecedented cold weather and the hostile Indians. They had therefore cooped themselves up in block-houses at some of the stage stations and at other points where they could find wood, water and forage, whilst the Indians were moving along the stage lines, murdering, plundering and destroying telegraph lines, almost unopposed and unrestrained.

General Dodge immediately began to concentrate troops and supplies at the main points on the route, and cold as it was, opened a campaign against the Indians which in thirty days inspired the red rascals with a wholesome fear of attempting raids upon the stage lines, either of the Platte or Smoky Hill

routes, and enabled the stage companies to renew their regular trips with comparative safety.

The hostility of the Indians, however, did not cease. The unrest of all the plains tribes seemed to have culminated in deadly hostility to the whites. The Arapahoes, Cheyennes, Comanches, Kiowas, Pawnees and Sioux, with two or three other small tribes, seemed to recognize the fact that the great overland stage lines, extending from the Missouri to the Pacific, with their attendant outfits of men, animals, stations and property, were but the vanguard of oncoming throngs of civilized men, to be followed by the steam engine, the railway, the plow and the seeder; and that their only hope of turning back this advancing tide was in rendering all their lines of travel and supply insecure and untenable. With this purpose in view they committed barbarities which left a trail of blood from Fort Kearney to the Rocky Mountain passes. General Dodge early protested against any attempt to make terms of peace with detached portions of these tribes; for while negotiations were in progress with one portion of a tribe, the remainder would very likely be on the war-path at some other point. He advocated the policy, as being one of mercy to the Indians as well as to the whites, of following them with relentless purpose and with the force and appliances of war, until they felt the power of the Government and came to understand that their only safety was in maintaining permanent peace. But in spite of his wishes and recommendations the Government insisted upon a temporizing policy which encouraged constant outbreaks all along the line from the British Possessions to the Red River of the South.

Whilst carrying on his operations against the hostile Indians, General Dodge was not indifferent to the progress of events in Missouri. Now that Lee had surrendered to Grant, and the Southern Confederacy had fallen to pieces, he felt that every armed organization which could be induced to surrender in form, accepting the terms given by Grant to Lee, would tend to encourage peaceful citizenship in every man who was included in the terms of the parole. Accordingly soon after

the surrender of Lee he sent Colonel Davis of his command, under a flag of truce, to General M. Jeff Thompson (Rebel), who was then operating along the border between Missouri and Arkansas, proposing to him and his command the same terms accepted by Lee. On the 24th of June, 1865, Colonel Davis returned, having accomplished his mission, Thompson surrendering with 636 officers and 6,818 enlisted men. Large numbers of General Kirby Smith's men had also given themselves up, and all the organized companies of bushwhackers surrendered to the different military posts in Missouri; and peace and order once more reigned in this rebel-ridden and battle-stricken State.

General Dodge was now left at liberty to turn his entire attention to the final settlement of the Indian problem on the plains. On the 21st of July, 1865, he was assigned to the command of Kansas, Colorado, Utah, Nebraska, Montana, and all that portion of Dakota lying west and south of the Missouri River. In his official report of his operations in this extensive command he says: "I arrived here (Fort Leavenworth) and assumed command July 26, 1865, and in a few days thereafter started on the plains to make a personal inspection and examination of all troops, posts, routes, etc., within my command; to direct and improve on the ground such changes and dispositions as were deemed necessary; and to give my personal attention to matters generally. I proceeded from here to Fort Kearney, thence up the Platte, taking all intermediate posts and stations *en route* to Fort Laramie; thence to Powder River; thence to Denver *via* base of the mountains; and returned along the Smoky Fork of the Kansas River, and *via* Forts Ellsworth and Riley; reaching here on the 18th ultimo, having traveled with escort and train over 2,000 miles."

On the 18th of June preceding these events a band of some 300 Indians had attacked the stage line west of Fort Halleck, killing three soldiers and two citizens, and driving off the stock. So on the 1st of July General Dodge had ordered General Sanborn to move into the enemy's hiding places and fight him whenever and wherever found; to observe the laws

of civilized warfare, but to capture their villages and property and compel them to sue for peace. On the 29th of July 1,000 Indians attacked Platte Station. General Connor, after fighting them two days, drove them off badly punished; but with the loss to his command of Lieutenant Collins and twenty-five soldiers killed. And the singular feature of this business was that at this very time General Sanborn had been halted in his campaign by an order from General Pope, and was holding a conference with representatives from the Kiowas, Comanches, Arapahoes, Apaches and Cheyennes, with the view of treating for peace. The conference of General Sanborn with these southern bands of Indians resulted in an agreement for a future council to which the representatives present agreed to bring all the principal Indians of their tribes. Finally, on the 6th of November, a treaty was concluded between the southern Indians and the Commissioners of the Government.

As part of the general plan of the campaign, at the same time that General Sanborn was ordered to penetrate the Indian country from the southern border, General Patrick E. Connor was ordered to move north in three columns, to meet and punish the northern tribes in their chosen hunting grounds. From delays in receiving supplies and promised reinforcements his expedition was necessarily deferred several weeks, and finally when able to move, on reaching the Big Horn Mountains the fall storms had set in, impeding his march and increasing his risks and difficulties from inadequacy of forage and supplies. But notwithstanding all these discouraging circumstances he fought three battles, one of which, on Tongue River, in which he entirely destroyed an Arapahoe village, was one of the most decisive and effective victories of the year, and nearly broke the backbone of the Indian war. Colonel Cole, who commanded one of the columns of the expedition, prevented by storms and an imperfect knowledge of the country from forming a junction with the main command under Connor, turned south from the base of the Big Horn Mountains, and falling in with the Indians fleeing from Connor, again defeated and punished them most effectively.

After the severe punishment which the Indians received in this campaign of General Connor, the northern Sioux and Cheyennes sent their head men to General Dodge to ask for a cessation of hostilities, with the view of holding a council and settling terms of peace. The troops having discovered gold in the Black Hills, Dodge knew that no earthly power could prevent the invasion of the hills by the adventurous miner, and that unless there was a definite understanding as to boundaries, and a line established which would detach the Black Hills from Indian territory, any treaty would be but a temporary truce. He therefore tried to secure an agreement to the Belle Fourche Fork as the southern boundary of the Indian territory, but they insisted upon the Platte as such boundary, to which Dodge would not agree and the treaty was broken off. The Laramie Commission of 1866, which made terms of peace, agreed to the Platte as the southern boundary, and, as General Dodge had foreseen, the Black Hills were invaded by the miner and the emigrant, resulting in the Sitting Bull war.

Still there were hostile bands and small tribes, especially the Ogalalla Sioux, against whom it was necessary to guard the lines of travel. And when we consider that there were 2,600 miles of mail and telegraph lines to protect, besides carrying on these operations against the enemy, and that General Dodge was called upon to send an escort to accompany Colonel Sawyer and his party, who were surveying and opening a wagon road from Sioux City up the Niobrara *via* Fort Connor and the Big Horn Mountains to Virginia City, in Montana, which depleted his already meagre ranks by taking from them the companies of the 5th U. S. Volunteers with two howitzers, and their necessary transportation, and the brave and experienced Captain G. W. Williford who was sent in command, it gives us a faint idea of the immense field and various enterprises which demanded constant attention and oversight. Generals Heath, Upton, Wheaton and Col. Fleming, subordinate commanders, were kept on the alert. Platte and Alkali stations were attacked during the month of November before the ink upon the treaty signed by the southern tribes was scarcely dry.

General Dodge had felt from the beginning that there was but one course to follow in dealing with the Indians to secure permanent peace, and that was to whip them into submission. And when some of the southern tribes asked for a cessation of hostilities and proposed to meet commissioners to negotiate for peace, he believed it to be a ruse of a portion of these tribes to divert attention to themselves whilst the remainder were still robbing and plundering. As he had foreseen, the months of November and December, 1865, succeeding the peace negotiation on the Little Arkansas, were distinguished for the activity of the hostile bands of Indians. In one instance on the Laramie Plains they burned the soldiers in a train belonging to a Michigan cavalry company. Dodge himself accompanied the command of Major North, following their trail for three weeks until they had killed and captured the whole band. And whenever a raid was made upon the stage line or stage stations, they were uniformly followed and punished. Heath followed a marauding party south to the Republican River without wood or water for three days, and two days without rations, overhauled them and killed twenty-five or thirty of them. General Wheaton fought another band of marauders at Pole Creek Station and dispersed them. Colonel Fleming fought three hundred at Alkali Station, whipping and dispersing them. Eighty Indians attacked twenty of the United States Volunteers near Downers' Station and were repulsed with the loss of six killed and several wounded. On the same day another band attacked two stages loaded with passengers and escorted by a company of the 17th Illinois Cavalry, fifteen miles from Bluffton. The Indians were repulsed, and on the same day another band attacked Lieut.-Colonel Tamblin and fifteen men, but were repulsed with loss. Some who came into the post were informed of the recent treaty and seemed satisfied, but went away and returned with reinforcements and renewed the attack. The Indians between the Arkansas River and the Smoky Hill route seemed disposed at first to accept the treaty, but soon began to attack the stations along the Smoky Hill route whenever they thought they could destroy

them or drive off the stock. General Elliott, commanding the District of Kansas, was ordered to follow and punish them. General Wheaton led an expedition against the Indians along the Republican, Beaver, Solomon and Saline Rivers in face of the severe weather of middle December. Colonel Brown, of the 12th Missouri Volunteers, led a scouting party from Cottonwood with the thermometer  $18^{\circ}$  below zero.

These details of active campaigning in the face of unmeasured difficulties might be continued, but they have been sufficiently extended to show the spirit of the commanding officer who directed and inspired them. No storm could dishearten him, the intensest cold never appalled him, no plain was too wide or too bleak or too deeply piled with drifted snow to turn him back from a pre-determined purpose; no mountain was too high for him to scale, and no foe so numerous or well equipped as to deter him from giving battle. They also illustrate to the traveler of to-day who rides across these plains in a palace car, the change wrought by a generation of resolute men.

Finally, on the 17th of January, 1866, the Sioux chieftains expressed a wish to confer with General Dodge respecting a council to settle terms of peace. Whilst there were a few collisions afterward with scattered bands the majority of the Sioux, including all the principal chiefs, were anxious for a final settlement. On February 2, 1866, it was agreed that a council should be held at Fort Laramie on the 30th of the following June for a full adjustment of all unsettled questions. Early in March Red Cloud of the Sioux, while *en route* to Laramie, sent couriers to General Dodge to ask permission for the northern Cheyennes and Arapahoes to join the Sioux in the peace council. The Indian war was now ended, and the Sioux went off on a hunt with the understanding that they were to return to Laramie in time for the council. All that now remained to be done by the military authorities was to prepare the way for the Indian council at Fort Laramie, and reduce the number of troops, serving on the plains, to a peace footing.



It was said by General Fuller, who knew the man he was talking about, that "he (Dodge) was a man true to his word, merciful to those under him, and hating nothing so much as idleness." These qualities were signally illustrated in his service on the plains. He was ready to take all the risks and endure all the hardships and deprivations of the soldier who carried the musket or wore the sabre. And he did more. Whilst he was busy with the thousand details necessary to supplying and directing all the detached bodies of troops scattered over this vast field of operations, guarding long lines of travel, fighting battles, and establishing military posts, *he occupied his spare time* in making a map of the territory included in his command. It showed the political subdivisions of these Territories, the streams and their courses, the mountains and their trend, the fertile valleys and the arid plains, the lines of travel, the stage stations, and the military posts. This required patient toil and the comprehensive knowledge acquired by personal exploration.

He also recommended the establishment of permanent military posts along the lines which he foresaw would be the highways of commerce and travel; and from personal observation indicated the points at which they should be located. These comprised the Platte route, to-day the line of the Union Pacific Railroad; the old Smoky Hill route, to-day the railway line from the Missouri to Denver; the Fort Laramie and Yellowstone route, a natural highway from Fort Laramie to Montana; and also the Powder river route, from Denver north to a junction with the Platte route. All this being done, and the Indian war being over, on May 1, A. D. 1866, he resigned his commission as Major-General of Volunteers in the United States Army.

Although this closes his military history it is by no means the end of his career. During the long years of the war, and of his subsequent command upon the plains, the faith in the future of this vast region, which had led him by the force of his own intense nature to devote many months to its exploration, while a private citizen at Council Bluffs, never forsook him.







*Horace Boies*

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### THE OUTGOING AND INCOMING GOVERNORS.

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We are sure our readers will be pleased to receive in these pages portraits of Horace Boies, who in this month of January, 1894, retires from the highest office in the gift of the people of Iowa, and of Frank D. Jackson, who takes his place. So much has been said and written of these distinguished gentlemen during the past few years, that their names and the principal events in their lives are as familiar to the people of Iowa as household words.

Horace Boies was born on a farm near Aurora, Erie county, N. Y., eighteen miles from Buffalo, December 7, 1827. His father was a soldier in the war of 1812. The future Governor of Iowa was brought up on the farm—though he made his own way in the world, after he reached the age of 16, “roughing it” awhile in the West, then returning to the East, and acquiring his education as a lawyer through his own unaided efforts. He practiced as a country attorney a few years, finally removing to Buffalo. He was elected for a single term to the lower house of the New York Legislature, that being, we believe, the only office he has ever held besides that of Governor of Iowa. He came West in 1867 and settled in the city of Waterloo, which is still his home. He gradually built up a large legal practice which resulted in giving him a State-wide reputation. In 1889 he received the Democratic nomination for Governor, and was elected. He was re-elected in 1891. During these two terms the quiet, dignified and unobtrusive ways of Governor Boies have differed in no respect from his well known habits in private life. Known throughout the State for many years as one of its ablest lawyers, he has always been singularly free from any ambition for mere display.

Nothing has been more absolutely foreign to his nature. With a character unsullied by the faintest breath of suspicion or distrust, devoid of all pretense, his phenomenal success was, in a very large degree, due to his own personal qualities. Placed at something of a disadvantage, as being the only representative of his party in the Executive Council, his relations with his associates have always been marked by great kindness and cordiality. It has been made evident to all that his only ambition has been to render the best service in his power to the State. In retiring to private life he carries with him the abiding respect, the hearty good will, of those who have known him best, regardless of party affiliations. He will always be regarded as one of our best governors, and we have had some very excellent ones.

The last three months of Governor Boies' administration were clouded with misfortunes which have given him the deep sympathy of the people of Iowa. He was himself a stricken invalid, confined to his room for many weeks, during which time a beloved daughter was steadily fading away. She died on the first day of the new year.

Frank Darr Jackson was born January 26, 1854, at Arcade, Wyoming County, N. Y., probably not more than a dozen miles from the birthplace of Governor Boies. At the age of thirteen he came to Iowa with his parents, who settled at Jesup, Buchanan County. When he left the village school he became for a time a student in the Iowa Agricultural College. Later, he entered the law department of the State University, from which he graduated in 1874. He married Miss Annie F. Brock in 1877, in 1880, he settled in Greene, Butler County, entering into a law partnership with C. N. Greene. He was chosen Secretary of the Senate in 1882, and re-elected in 1884. In this laborious position he won very distinguished credit. Upon an Iowa Legislative chief clerk is devolved more hard work, more care and responsibility, during his term of service, than falls to the lot of public officers in general. But the place is full of opportunities for acquiring knowledge of men and affairs, of rendering the State excellent service.





*Frank Jackson*



and of making friends. In this field of usefulness he acquitted himself so well that he was nominated in the summer of 1884 for secretary of State, the next place below that of Governor. In this wider sphere his usual good fortune attended him. He won "golden opinions," especially from the young men of the State. He was three times elected to this high office, but no sooner was his successor chosen, than he entered at once into an active business career, disconnected altogether from the arena of politics. His nomination and election to the governorship, which seemed quite foregone conclusions, are fresh in the public mind. He comes to the highest office in the State in the very prime of life, with great personal popularity, a wide knowledge of men, unusual familiarity with the affairs of State, and with hopes on every hand that his administration may be as successful as that of any of his predecessors. Very few men of his age have been so remarkably favored, and his future would seem to be full of splendid opportunities and high possibilities. If the idea can be true that some men are "men of destiny," then Governor Frank D. Jackson must indeed be one of those rare favorites of fortunes. Scarcely another man in our State has up to this time had such a career of uninterrupted success.

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#### THE STATE BANK OF IOWA.

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In response to our request Hon. Hiram Price—long a resident of Iowa, and its faithful servant in many public capacities, but who is spending his last years at the National Capital—has prepared a historical sketch of the old State Bank of Iowa which will be found in this number of *THE ANNALS*. It was particularly fitting that he should do this, for he was not only one of the foremost financiers in our State, but he was one of the chief actors in organizing and conducting the State Bank and its various branches. People who were in active life in 1858-9-60 too well remember the disturbed conditions which prevailed in money matters. With the panic of 1857 gold and silver had well nigh disappeared from circulation,

and much of the paper money was of dubious value. It was called "red-dog," "wild-cat" and "stump tail" currency, and so much uncertainty hung over it that those into whose hands it fell did not care to keep it very long. Many of the "banks" whence it was issued failed after thousands of dollars of the worthless stuff had gone into circulation. Times were very hard, especially in 1858, when the crops, from long continued rains and early frosts, were nearly as poor as the money.

But in the midst of this untoward state of things the Legislature of Iowa passed one of the best banking laws that ever found their way into the pages of a statute book. Hiram Price was one of the leaders in organizing the State Bank and putting the machinery of the law in running order—succeeding Chester Weed, the first president. Even at that early day he had acquired a character for business capacity and integrity which was above question. Whatever he vouched for was deemed as good as gold.

We well remember the feeling with which the people everywhere greeted those handsome bills of the State Bank of Iowa. It was precisely like that which every loyal man felt at the sight of the first "green-back" in the days of the great civil war. The bills were pretty—marvels of fineness in the way of steel engraving. The best thing about them, however, was their abiding value—equal always to gold. No circumstance ever arose to impair their value in the slightest degree. But at last the State Bank was wound up and ceased to exist. All its issues were redeemed, gathered in and destroyed—a gentleman now residing in Des Moines participating in this work. We refer to Hon. William T. Smith. So effectual was this destruction that collectors of curios have hard work to find one to-day. The Historical Department has been able to secure—as a loan—a single \$2 Iowa State Bank bill. This would doubtless command five times its face value to-day.

The State Bank was a necessity of the times in which it existed, and in the midst of much bad financiering it maintained the highest standard of faithfulness and reliability. The people of our State may well look back with pride upon

that splendid institution, for in its field of usefulness its example was only equalled by Iowa valor on bloody fields. But Mr. Price writes with a free and ready pen of all those things, and his readers will conclude that, for a man who will be eighty years of age January 10, 1894, he wields a very ready pen.

Since writing the above we learn from Hon. Hoyt Sherman, of Des Moines, that the bills of the State Bank were issued in denominations of \$1, \$2, \$3, \$5 and \$10. The prettiest one of the lot was the \$3 bill—a denomination not at all usual in bank currency. The necessity for issuing so many small bills arose from the scarcity of silver money. At the outset Mr. Sherman was charged with the duty of devising the engravings for the steel plates, which were made by Messrs. Toppan, Carpenter & Co., engravers, of New York City. It was the work of several days, in which he had the aid of Mr. Toppan, the senior member of the firm, a gentleman who was an artist in his profession. Mr. Sherman was cashier of the Des Moines branch, which duties he discharged until he entered the military service. We regret, as no doubt the reader will also, that a set of these beautiful bills—always worth 100 cents on the dollar—were not saved from the hot fire in which they were consumed at Iowa City.

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#### WISCONSIN'S HISTORICAL COLLECTIONS.

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We take great pleasure in presenting in this number of *THE ANNALS* a most interesting article from the pen of Mr. R. G. Thwaites, on the origin and progress of the Historical Collections of the State of Wisconsin. Mr. Thwaites is the Secretary of the Wisconsin Historical Society, the successor of Dr. Lyman C. Draper, who laid the foundations of that great work. Mr. Thwaites is a man of wide and thorough culture and one of the foremost of Western historical writers. The showing which he makes—though very modestly put forth—is a proud one for the State of Wisconsin. It dwarfs not only that of every other Western State, but in many directions

all of them put together. The reader will, however, kindly bear in mind that these magnificent results are the culmination of fifty years of well-directed effort. Work in this direction by most of the surrounding States is of but comparatively recent origin. It not only requires time to develop such magnificent collections, but the moral and material support of a great State. One man, as a historical collector may even rival such a progressive State as Wisconsin—as in the case of the illustrious Hubert Howe Bancroft of California—but to accomplish this he must possess both immense wealth and the disposition to use it. Ordinarily, this work moves but slowly, for the reason that it depends upon the efforts of specialists who do not have command of the means necessary to accomplish such magnificent ends. What Mr. Thwaites writes will repay the thoughtful attention of our readers.

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#### THE DEATH OF JESSICA BOIES.

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This sad event occurred at the home of Gov. Horace Boies, in Waterloo, on the first day of the New Year. The funeral, which was the largest that ever occurred in that city was attended from the family residence on Thursday, the 4th inst. There were present many distinguished persons from abroad—among whom were Hon. C. G. McCarthy, Auditor of State, Gen. Byron A. Beeson, State Treasurer, and Adjutant General George Greene; Hon. Peter A. Dey, of Iowa City; Hon. John F. Duncombe, of Fort Dodge; Judge Lenehan, Hon. M. M. Ham and J. J. Dunn, of Dubuque; Col. and Mrs. Charles A. Clarke, and Hon. N. M. Hubbard, of Cedar Rapids; President Schaffer, of the State University; Cato Sells, of Vinton; members of the Governor's official staff, and others. The business places were closed and the people of Waterloo gave every manifestation of their high respect for the deceased and their deep sympathy with Governor Boies.

Miss Boies was born in Erie county, New York, nearly 29 years ago, and removed with her family to Waterloo in 1866, She was educated in the public schools of that city, at Cornell

College, Mt. Vernon, Iowa, and at Highland Park, Illinois. It has been understood for some years that her condition was quite precarious from pulmonary weakness, making her an object of continual solicitude to her father and their circle of friends. But she kept up courage and hope, striving by constant effort to regain her health. For this purpose she spent much time in Alabama, Arizona and California. But for the past six months she had been constantly growing weaker, until the end came on New Year's day.

Miss Boies was in Des Moines a portion of the time during her father's first term as Governor, where her kindly, pleasing ways, her winning smile, her rare intelligence, and her freedom from anything like pretension or pride of position, made friends of all who met her. She was a rare and radiant woman, who, had she been blessed with health, would have shone conspicuously in any society. She met thousands of people while stopping at the Capital, upon whom she left only the most favorable impressions. She is the subject of none but the pleasantest recollections. Sympathy with her distinguished father is wide-spread and universal.

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#### ANOTHER GOLDEN WEDDING.

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The fiftieth anniversary of the wedding of Judge and Mrs. George G. Wright was celebrated at their home in Des Moines, on the 19th day of October last. By a singular coincidence it was also the silver wedding of Thomas S. Wright, Esq., a son of Judge Wright, and one of the most distinguished of Western lawyers. Mr. and Mrs. T. S. Wright were present, sharing in the festivities of the occasion, and receiving the hearty congratulations of their friends. Judge and Mrs. Wright would seem to be one of the most fortunate couples in our State. Not only have they been "blessed in basket and in store," but they have raised a large family, each individual member of which appears to be coming to equal good fortune. (And the Judge will not even admit that he is an old man!) Reaching our State in the dawn of manhood, with scarcely a dollar in his

pocket, Judge Wright was truly the builder of his own fortunes. Blessed with learning and large ability—but much more in the possession of genial manners, great kindness of heart, the finest social qualities—he has ever been the idol of a wide circle of warm personal friends. His public services have been varied and to the largest degree useful and patriotic. He was early chosen to the State Senate, and later to the Supreme Court of the State, where he became Chief Justice. After retiring from the bench he was elected to the United States Senate. He has thus filled two of the highest places in the gift of his State, in each instance adding to his well-earned fame. Mrs. Wright, the daughter of Thomas Dibble, a prominent pioneer of southern Iowa, has been a most worthy partner of her distinguished husband, enjoying the cordial esteem and high respect of the wide circle of their friends and acquaintances. The combined golden and silver weddings passed off most pleasantly. There were congratulations from hosts of friends, affectionate letters from absent ones, with tasteful, precious presents, and all the accompaniments of such joyous occasions. But all this was duly recorded in the daily papers of the next morning.

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#### A VALUED CORRESPONDENT.

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We are sure that our readers place a high value upon the articles which appear in these pages from the facile pen of ex-Governor Cyrus C. Carpenter. He is not only a ready and pleasing writer, but there is not his equal in the newer part of our State, if, indeed, within its borders, in pioneer experiences, capacity of close observation, retentive memory, or wide and varied information. One would of course expect a man who had been the Governor of a great State like Iowa—so noted for the intelligence of its people—to be a man of culture. But Governor Carpenter is not only well informed upon the current history of our country and the world at large, but he is familiar with the best literature and the best thought both of the past and present. Probably this is in a great degree due to the

fact that he has read *The Atlantic Monthly* ever since the appearance of the first number, and *The New York Tribune* from his boyhood. Such a course of reading—not referring at all to politics—is a “liberal education” in the broadest, highest, most practical sense, and it points the way to paths of knowledge which remain hidden from many a man who climbs high on the ladder of promotion. In view of the fact that it is quite difficult to find writers informed about Iowa and Iowans before and during the Rebellion, we are especially gratified to have secured his most efficient aid in these pages. So far as his other duties will admit, we are glad to have his promise to aid us in the future. If he is spared to write his recollections of pioneer, army and public life, we are not certain that this will not be deemed his best work and his surest guaranty of a place in history, useful and honored as his career has been.

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#### JOE KINTZLEY'S PENSION.

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During the past year the American Express Company set a most commendable example in awarding a pension to an employe at Boone who had spent nearly thirty years in its service. The case seems to us a very interesting one—worthy of being made a matter of record in these pages. It shows that fidelity to important trusts—faithfulness in small matters as well as in great—are not always forgotten, even by corporations, and that several gentlemen connected with the American Express Company are endowed with souls, though the organization itself be denied such a possession. Mr. Joseph M. Kintzley—possibly, however, we had better simply call him “Joe,” the name by which he is best known at home and by his employers—emigrated from the State of Indiana with his parents in 1854. The family came through with an ox team and settled in Boonesboro, as it was then known. The boy, who was born in 1840, engaged in all sorts of outdoor work, hauling pottery to Des Moines, Fort Dodge, Webster City and other towns, and worked for a time

about one of the early flouring-mills at Boonesboro, but in the winter of 1864-5 was employed as a messenger by the Express Company. He traveled from the end of the C. & N. W. R. R. west by stage to Sioux City, with occasional trips to Council Bluffs. It is reported that on one occasion the stage was turned over and rolled down hill. Some passenger averred that as the coach started on its wild career "Joe" made a grab for his packages and held them fast until the vehicle brought up below. Fortunately no one was hurt and nothing lost. His route was occasionally varied to other points, as the exigencies of the service required, but his employment was constant, summer and winter, and much of the time day and night. He "staged" awhile from Boone to Des Moines—down one day and back the next. He always rode on the outside of the coach. On one occasion only was an attempt made to rob the stage. This occurred a few miles east of Carroll, but we are unable to indicate the year. However, about 11 P. M., when the full moon was shining brightly, the coach had reached a point where it could not turn around without upsetting, when four men fired upon it, killing two of the horses and wounding the other pair. The driver jumped off his seat, when the lead horses broke from their fastenings and ran off to the residence of John H. Moore, who kept the next stage station, a sort distance further on. All the robbers succeeded in getting was the driver's watch and \$28 in money. The coach was badly riddled by bullets, the harness cut in pieces and two of the horses killed. Two wealthy gentlemen from New York, with a large amount of money, were in the vehicle, but by lying still on the bottom they escaped injury and molestation. Something like \$10,000 was to be sent by this vehicle, but by an accident it remained behind, and so was not endangered by this attempted robbery.

But when the railroad reached the Missouri river, Joe was given a comfortable express car and the old coaches were laid aside. Generally he served as messenger, but he was a man who could be assigned to any duty. There was no detail of express business in which he was not proficient. At times



for a considerable period he kept the local office in Boone. During all these years he had not lost a dollar nor a parcel of property entrusted to his care. In thirty years he had been off duty but fifty-seven days—absence in consequence of the illness or deaths of relatives. His record of faithful, competent work was unbroken. He never married. His habits were steady, temperate. He was frugal, almost miserly, so far as his own personal expenses were concerned, dressing most cheaply. The legend says that for many years he did not even possess an overcoat; but his earnings were freely devoted to relieving the needs of poor relatives—his father, and his brothers and sisters. They looked to him for assistance quite as a matter of course, seeming to deem him capable of bearing almost any burden. Yet he was badly crippled and very lame. In youth a “white swelling” upon one of his knees had sadly shortened and distorted the limb. His kindness of heart was broad enough to take in animals, for he was most humane in his care and treatment of the company’s horses whenever any of them were in his charge. And not only was he a faithful servant of his employers, but those who dealt with him always found him as careful of their interests. He was a marvel of promptness in the delivery of freights, especially of animals and perishable property. His demeanor was such that the poor, limping man made every one who knew him his friend. One of these friends suggested to the writer that instead of placing upon their cards or advertisements the portrait of a bulldog, the express company might better substitute that of Joe Kintzley, as a type of the highest courage, fidelity and vigilance.

But the years wore along—night work and exposure were telling upon him—and last spring Mr. A. J. Barclay and two or three other friends in Boone thought that Joe was failing under the strain resting upon him, that he was, really, almost worn out. They called the attention of the Express Company to the fact, and an Assistant Superintendent was sent to Boone to investigate the case. The officials seemed to be aware that they had a very good man at Boone, but so long as everything

went well no especial attention was paid to him. The visiting official looked the matter up very thoroughly. He found that all we have set forth was true, and that Joe had even expended \$400 of his own money in supplying the office with fuel, besides keeping it in repair at his own expense. But there were at least two dozen letters from the Company to "Joe" which had not been opened, much less answered. "Why this neglect?" "Simply," said Joe, "because I am overworked and tired out, and have not had time to open and read them." Possibly, from their appearance, he may have known they were not important. All necessary business had been carefully attended to.

This Superintendent was so impressed with Joe's statements, so pleased with the high commendation bestowed upon him by the good people of Boone, that he relieved him from duty at once, refunded the money he had expended in the Company's service, and recommended that the faithful man should be allowed a pension of \$36 per month to the end of his life. This recommendation was immediately carried into effect at headquarters, and at this writing (Jan. 8, 1894) Joe has been several months in receipt of his pension. One effect of this beneficent action of the American Express Company is seen in the improved appearance of Joe Kintzley. No longer under the severe strain of night work, care and responsibility, his health and personal appearance have visibly improved, and he seems to have taken a new lease of life. Thus a "pension case" was settled by the investigation of one fair man, and something quicker than the average of those which go up to Washington. It is not a large *honorarium* for a lifetime of such laborious service, but it places this faithful servant above the reach of want, and will enable him to spend his remaining days in ease and comfort. All honor to the American Express Company for this good example.

## NOTABLE DEATHS.

**DR. THEODORE DeTAR**, who died in Florida, November 27, was a pioneer of Boone County, Iowa, having settled in Boonesboro in 1854. He was Captain of Company "D," 32d Iowa Volunteers, during the war, and lost a leg at the battle of Nashville. He was a kind and genial neighbor, a steadfast friend, an excellent physician, and one of the bravest soldiers that ever went to the front. He was nearly 67 years of age.

**JUDGE MARTIN D. McHENRY** died at Louisville, Ky., on the 12th of December. He was a member of the Kentucky Legislature several times, before he removed to Des Moines, in 1856. He was a prominent lawyer in central Iowa for many years. In 1885 he was appointed Receiver of the United States Land Office, at the Capital. He was a pronounced Democrat and Prohibitionist, and a man highly esteemed by all who knew him. At the time of his death he had reached the advanced age of 87.

**MRS. SUMNER B. HEWETT.**—This excellent lady, who had a large acquaintance in this State, died from an attack of the prevailing influenza, at her residence in Santa Barbara, California, on the 27th day of December last. Mrs. Hewett was born at Bluehill, Maine, December 9, 1827. She was married to Mr. Hewett at the same place, October 22, 1854. The couple came to Iowa in February, 1855, settling on a farm a mile and a half northwest of the present city of Eagle Grove. Mr. Hewett was one of the proprietors who laid out the town at the time the N. W. Ry. reached that locality. He held the office of Judge of Wright County, and was at one session of the Legislature one of the Secretaries of the State Senate. He also served a term in the House and was for many years one of the State Agricultural Board. For a long time in pioneer days this was one of the most hospitable homes in northwestern Iowa, where the lone wayfarer was always sure of a hearty welcome, and more especially during a winter blizzard. Mrs. Hewett held the office of Postmistress many years, beginning when the mail was carried on horseback once a week, and continuing until it came several times a day by the railroad. A few years ago Mr. Hewett built a residence at Santa Barbara, where they have since spent their winters. They are remembered with great respect and esteem by all who knew them.

**ERASTUS G. MORGAN**, one of the pioneer settlers of Fort Dodge, died in Chicago on the 4th of October. He was born in Ontario County, N. Y., January 31, 1829, and removed to Fort Dodge in 1855. He built the first brick house in Fort Dodge the next season. In 1857 he was elected County Treasurer, holding the office two terms. He was for many years a trustee of the Hospital for the Insane at Independence, and was an efficient member of the building committee during the period of the erection of the first buildings. He was one of the organizers, and afterward cashier and president, of the First National Bank of Fort Dodge. In 1877 Mr. Morgan was deputy Treasurer of State under Hon. G. W. Bemis, and afterwards for many years Secretary of the Board of Railroad Commissioners. He was an excellent business man, and filled with ability and fidelity the various important positions conferred upon him.

HON. JEREMIAH H. MURPHY died at his Washington residence, on the 11th of December, 1893. He was born in Lowell, Mass., February 19, 1835. In 1849 his father moved his family to Fond du Lac County, Wisconsin, and in 1852 settled in Iowa County, in this State, on a claim lying near Old Man's creek. Jeremiah Murphy was then seventeen years of age, a strong, energetic lad, and with a younger brother to drive the two yoke of oxen, they broke up 80 acres of prairie the first summer. In the winter following, the boys made enough rails and stakes to build an old-fashioned "worm fence" around a quarter section of the new farm. In 1854 Jeremiah entered the Law Department of the State University, at Iowa City, and completed a three years course. He then secured a position in the law office of William Smyth, of Marion, and a few months later was admitted to practice. He soon after formed a partnership with H. M. Martin, of Marengo, where the firm carried on a successful business for nine years, when Mr. Murphy removed to Davenport. He was always an ardent Democrat, and was a delegate from Iowa to the Democratic National Convention in 1864 and again in 1868. In 1873 he was elected to the State Senate, from Scott County, serving four years. In 1876 he was nominated for Congress against the veteran Republican leader, Hon. Hiram Price, but was defeated at the election. In 1881 Mr. Murphy was again the Democratic candidate, and this time was elected to Congress, serving four years. His principal work in that body was the promotion of the Hennepin canal scheme, for the success of which he worked with untiring zeal. He never ceased his labor until an appropriation was secured for that great project which is to connect Lake Michigan with the Mississippi river. He won a national reputation as the chief promoter of the Hennepin canal, and lived to see the great work inaugurated by act of Congress.

HON. SAMUEL A. RUSSELL, one of the well known pioneers of Washington county, Iowa, died at the home of his son in Nebraska, September 28. He was born in Baltimore, Md., November 21, 1816, went to Ohio when a young man and read law with Edwin M. Stanton, afterwards Lincoln's War Secretary during the rebellion. In 1846 he was elected to the Ohio Legislature as a Whig and served two terms. In 1850 he settled in Washington county, Iowa, and in 1853 was elected to the Legislature. In 1856 he was chosen one of the Presidential Electors on the Republican ticket. When the rebellion broke out he raised a company of which he was made captain and joined the 25th regiment; but was compelled to resign the first year on account of failing eyesight. He was again elected to the Legislature in 1863 and acquired an unenviable notoriety by making an abusive attack upon Annie Wittenmeyer, the grand woman who had charge of the sanitary work for Iowa soldiers in the field. The *Washington Press* says of this singular man: "Though a man of the most violent passions, irascible, abrupt, severe, he yet had a kind heart and lots of good streaks and traits. He was loyal to friends, a good lover and an equally good hater. One has to pity with a sore heart the sad life of the lonely old man. In his prime, he was a holy terror in debate. His wit had rattlesnake fangs, and when he struck an adversary in discussion, not even whisky could save him from the effects of Russell's awful bite."

BENTON J. HALL, of Burlington, died at his home on the 5th of January. He was the only son of Hon. J. C. Hall, who was one of the ablest legislators and lawyers in Iowa thirty years ago. The son graduated from Miami University in 1855, and at once began his law studies in his father's office. He was admitted to practice in all the courts of the State in 1857. He was City Solicitor of Burlington when a young man, and in 1872 was elected to the lower house of the Iowa Legislature. He took a prominent part in the revision of the statutes and the enactment of the Code of 1873. In 1881 he was elected to the Senate and during his term was recognized as one of the ablest members of that body. In 1884 he was nominated for Congress and elected, being the first Democratic Representative from that District in thirty years. In 1886 he was appointed by President Cleveland, Commissioner of Patents and conducted the affairs of that office with distinguished ability to the end of his term. The Burlington *Hawkeye* says of him: "Among men of his own years, he was universally accorded the highest station as a lawyer, citizen, statesman and gentleman; by the men of younger years, who grew up from boyhood under his own eye, he was looked up to as a model of every ennobling grace of mind and character. As a lawyer he was distinguished for his discriminating and logical mind. He was thoroughly grounded in law, and at the bar stood pre-eminent. He always treated an opponent with courtesy; bitterness had no place in his heart, or public utterances. Mr. Hall was learned in geological lore, and assisted at one time in the prosecution of one of the most valuable geological surveys ever made in Iowa. He also contributed largely to the preparation of the published records." He was in the full vigor of his intellectual powers when prostrated by the illness which terminated his life at the age of fifty-nine.

HON. HAWKINS TAYLOR, a well known pioneer lawmaker of Iowa, died at his residence in Washington, D. C., on the 15th of November. He was born in Barren County, Ky., November 15, 1811, and died on his eighty-second birthday. In 1836 he came to Iowa, which was then a part of Wisconsin Territory, and settling in Lee County, was one of the founders of the town of West Point. In 1838 he was chosen to the House of the first Territorial Legislature of Iowa. In 1857 he became Mayor of Keokuk, and was instrumental in projecting many important public enterprises for building up that city. He was a delegate from Iowa to the convention at Chicago which nominated Mr. Lincoln for the Presidency in 1860. He was appointed Postoffice Inspector for Kansas by President Lincoln in 1863, and held this position until 1865. During this time he also served on the Commission with Judge Charles Sherman, the brother of Senator Sherman, and Colonel Russell, who were appointed to settle the claims preferred against the Government by the Home Guards of Missouri. In 1868 he removed to Washington, D. C., where he remained until his death. Hawkins Taylor probably had a wider acquaintance with Iowa men and Iowa history, than any other man living, with the exceptions of Theodore S. Parvin and George G. Wright. He never lost his interest in our State, and has written historical sketches of early days in Iowa for the public journals for more than thirty years. It is known to his friends that he had a large amount of manuscript ready for the press before his death, relating to his recollection of Iowa men and affairs of pioneer days. It is to be hoped that some

arrangement may be made for the publication of these valuable writings, that will preserve them for history in the future.

**GEN. DATUS E. COON**, a distinguished Iowa soldier, was accidentally killed near San Diego, California, on the 17th of December. He was an old time editor in Iowa, having started the first paper in Mitchell county, in 1855. In 1857 he established the first paper published at Mason City. When the rebellion broke out he was authorized by Gov. Kirkwood to raise a company for the Second Iowa Cavalry. He was commissioned captain of Company I, was soon after promoted to Major, and finally became Colonel of that famous regiment. He was a gallant and able officer, winning the confidence of his men, as well as that of his superiors in command, and was brevetted Brigadier General before the close of the war. He was a member of the provisional legislature of Alabama during the reconstruction period, and was afterwards appointed Consul to Babaca, Cuba, by President Hayes. In 1878 he went to San Diego, as superintendent of the Chinese Exclusion Law, where he was living at the time of his tragic death, by the accidental discharge of a revolver in the hand of a friend.

**PHOEBE K. MERICLE**, one of the earliest settlers in northwestern Iowa, died at her home in Webster county in October last. She was born near Binghams-ton, N. Y., November 11, 1820. She was married to Jacob Mericle in 1841. In the spring of 1849 the young couple started west to make a new home. They traveled by canal and steamboat by the Ohio and Mississippi rivers to St. Louis, and thence up to Keokuk. From there they hired a team to convey them to the "Raccoon Forks," where they found but two families living on the site of the future capital of the State. They went up the Des Moines valley to the mouth of Boone river, reaching that point on the first of May, 1849. There was but one other family living north of Boone county at the time they settled at this place. The country was as new and wild as when Columbus discovered America. Buffalo, elk, deer, panthers and wolves were its only occupants, besides the Indians. The streams swarmed with beaver, otter and mink. The nearest mill was at Three Rivers, in Warren county. The only teams in that new country were oxen, three yoke of them making the ordinary road or breaking team. The Indians were lawless and helped themselves to any of the property of the few white settlers to which they took a fancy. The whites were powerless to prevent any of these outrages. It took a courageous woman in those days to face the dangers of the frontier settlements; but Mrs. Mericle was courageous and never flinched when great perils surrounded them. It is one of the lasting reproaches to our Government that the Mericle family were dispossessed of their homestead which had been settled upon by them long before it was surveyed. They were granted a patent, the highest title the Government can give to its public land, but the courts set it aside and by an act of infamy dispossessed the honest settlers and conveyed it to the grantees of a foreign corporation. The Mericles beaten after half a lifetime of expensive litigation, were driven from their home and impoverished in their old age. "Mother Mericle" passed away after a heroic, almost life-long struggle with hardships and wrongs which embittered her last days.

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*Published*



removed to Marshalltown in 1860 he moved to that place which has been his residence since. The *Times-Republican* says of him : " He had been a continuous resident of this city for more than thirty-four years, and has taken pride in its growth and prosperity, contributing much of his time, talent and means towards every industrial enterprise or public improvement; and his influence, ability and sagacity have been material factors in the promotion of the city's interests. He was a kind and lenient man, with a big warm heart, a helping hand for the poor, ever ready to assist a friend in need, always actuated by generous and unselfish impulses. He was intellectual, scholarly, polished, brilliant and courteous, rich in all the attributes of civility; in fine, a true gentleman."

HON. HANS REIMER CLAUSSEN, of Davenport, died in that city on the 14th of March. He was born in Schlesswig-Holstein, Germany, in 1804, and graduated from the law department of the University of Kell when he was 26 years of age. Entering at once upon the practice of his profession, he attained high rank and was repeatedly elected to the Legislature for Holstein, of which he became a leading member. The province of Schlesswig-Holstein, although settled largely by Germans, was under the rule of the King of Denmark. In 1848 the people of Schlesswig-Holstein declared their independence and took up arms to resist the rule of the Danish government. Mr. Clausen was a prominent leader in the insurrection, and the Provisional Government established by the revolutionists sent him as an ambassador to Berlin. He obtained material aid from the Prussian government, and with this assistance the Danish army was driven out, and the independence of the province established. In 1851 Prussia had been an active member of the German Parliament which sought to establish a free constitutional government similar to that of the United States, but the kings rejected it and maintained their rule. He had been such a very prominent leader of the party working for a free government that when Schleswig was restored to Denmark he was one of the twenty revolutionists to whom amnesty was refused. He, therefore, emigrated to America, settling in Davenport in 1851. He mastered the English language in two years, and acquired such a knowledge of Iowa law as to be admitted to the bar. He was henceforth a prominent and influential citizen of Davenport, and in 1869 was elected to the State Senate from Scott county, serving four years with marked ability. After his native country had been emancipated from Danish rule, he returned to his old home to visit the friends and scenes of his youthful days. He was warmly welcomed by his companions of revolutionary times, who were now enjoying the freedom they had so bravely struggled for a quarter of a century ago. The Davenport *Tribune* says of him : " Mr. Clausen was a man always loyal to principle, and to his convictions, no matter what the effect on his personal fortunes. He carefully and conscientiously considered a subject from every standpoint, and formed his opinions, from which he would not vary. His influence has been exerted for good all his life, and will continue to bear fruit in the years to come."

GEORGE C. BAKER, who died at Washington, March 23rd, was for many years a prominent citizen of Iowa. He was born in Cook County, Illinois, in 1844 and came with his parents to Iowa, settling near Des Moines in 1862. In 1862 when but 17 years of age he enlisted in the 23rd Iowa Volunteers, and served three years. He took part in Grant's campaign which resulted in the capture of Vicksburg and General Pemberton's entire army. He was the principal organizer of the Baker Barb Wire Co., which was moved to Chicago several years ago. His greatest achievement was the invention of a sub-marine torpedo boat, which was approved by the Navy Department. Congress made an appropriation of \$250,000 to perfect his invention for government use, and he was in Washington existing in the development of this enterprise when death overtook him.

four years. In 1860 Mr. Brown was chosen a delegate to the Republican National Convention which nominated Abraham Lincoln for President. In 1879 he moved to Waverly in Bremer county where he acquired a large law practice, and remained up to the time of his death. The *Waverly Democrat* says of him: "He was exceptionally free from jealousy and vindictiveness in his professional and political life. It is true, he fought hard in the forum and on the rostrum, and necessarily gave and received many hard blows, but all the asperity died with the occasion; and when the curtain fell upon the last act of his life, every heart in the large circle of his acquaintance felt a genuine pang of sadness and regret as some deed of courtesy or kindness of the departed lawyer was recalled to memory."

JAMES R. HARTSOCK, of Iowa City, died suddenly of heart-disease on the 10th of March after one day's illness. He was one of the early pioneers of Iowa, having come to the Territory in May, 1838, before its separation from Wisconsin. He was then a young man, just starting out for himself, and soon after his arrival at the "Flint Hills," (now Burlington), he opened the first school established in that city. Among his pupils were Geo. W. and John W. Jones, who years after became prominent public officials of the State. In 1841 Mr. Hartsock moved to Iowa City, which had recently become the Capital of the Territory. In 1846 he was a subordinate officer of the Senate of which Stephen Hempstead (who afterwards became Governor of the State) was President. He was a delegate to the Democratic State Convention which nominated Ansel Briggs for Governor. Mr. Hartsock became a warm friend of Samuel J. Kirkwood, and when the anti-slavery agitation disrupted the Democratic party these two young Democrats helped to organize the Republican party. In 1858 Mr. Hartsock was chosen Sergeant-at-Arms of the State Senate at the first session of the Legislature held in the then new Capitol at Des Moines. In 1861 President Lincoln appointed Mr. Hartsock postmaster at Iowa City; he was removed in 1865 by Andrew Johnson, and re-appointed in 1869 by President Grant. For more than thirty-five years he had been a prominent Republican and was widely known throughout the State. He was seventy-six years of age at the time of his death.

JUDGE JAMES W. McDILL died at his home at Cresion on the 28th of February, of typhoid fever, after an illness of several weeks. He was born in Butler County, Ohio, March 4th, 1834. He was a graduate of Miami University, and came to Iowa in 1857, settling at Ation to enter upon the practice of law. He was elected Supplemental of Schools in 1858, and was County Judge in 1859. In 1870 he was chosen District Judge, and in 1872 he was elected to Congress from the Eighth District, serving with distinction two terms. In 1878 he was appointed Railroad Commissioner, and in 1881 was appointed by Gov. Gear to fill a vacancy in the United States Senate, occasioned by the resignation of Gov. Kirkwood, who had become a member of President Garfield's cabinet. He was appointed by President Harrison, a member of the Inter-State Commerce Commission, which office he held at the time of his death. Judge McDILL was a man of fine literary attainments, his specialty being philology. He was a lawyer of ability, and a public official of the strictest integrity. He was widely known throughout the State, and everywhere esteemed as one of its best citizens.

HON. JAMES L. WILLIAMS, of Marshalltown, died suddenly on the 30th of January, 1894. He was born in Cattaraugus County, New York, May 3rd, 1831, and came to Iowa in September, 1854. He settled at Marietta, then the county seat of Marshall county. He was soon after appointed Clerk of the District Court, which position he held until 1868, when he declined to serve longer. He practiced law from that time until 1873, when he helped to organize the City National Bank of which he became president. In 1872 he was elected to the lower branch of the Legislature, serving with ability. When the county seat was

HON. A. F. BROWN, who died at Waverly on the 25th of January, was one of the pioneer editors of Cedar county, one of the early lawyers of Scott county, and a Senator from Black Hawk county from 1860 to 1864. He was born near Zanesville, Ohio, Dec. 8th, 1828, graduated at Granville College, and was admitted to the bar in 1848. In 1850 he came to Scott county, Iowa, to practice his profession, and soon after became editor of the *Cedar County News*, a paper published at Rochester. Upon the removal of the county seat to Tipton, he transferred his office to Cedar Falls and named his paper the "*Cedar Falls Banner*." In 1855 Mr. Brown was elected prosecuting attorney and served with ability in that position for several years. In 1859 he was elected State Senator for the 36th District, composed of the counties of Grundy, Black Hawk, Butler and Franklin. He became a prominent member of the Senate, serving

## NOTABLE DEATHS.

this domain of high usefulness. Competent men should be selected and encouraged to work in presbytery, or other general assembly of religious bodies. elicit a half-hour's attention in every conference, synod, works of this nature. The subject is one which ought to tunity or acquired that aptitude which finds expression in useful of the churches, but they do not seem to have found oppor- There are men enough who are fully competent in every one patient, scholarly worker in every one of the religious bodies. it is the greatest of pities that there is not just such a plodding, exists in regard to the preservation of the data for Iowa History, places throughout our State. And now, that a better feeling Episcopal Church. These documents can be found in many there is abundant data for the Iowa History of the Protestant and appreciative, thoughtful people. The consequence is, that us in his distribution of copies to libraries, reading rooms its appropriate and attractive garb, the Bishop is most gener- to clothe all this interesting and useful reading, each item in does not possess his superior. Then, in addition to the ability casual observation that in these lines of usefulness our State always manifests excellent taste. It is palpable to the most types, paper and bindings, he has opinions of his own and press, he is nothing less than an adept. In the selection of pamphlets, circulars or broadsides, while going through the

lections of the great campaigns in the southwest, "all of which he saw, and part of which he was."

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### HON. JOHN M. BRAINARD.

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This Iowa pioneer editor and publisher writes in our pages most intelligently and clearly of the great snow storm—the veritable "blizzard"—of December, 1856, which was the cause of wide-spread suffering and the loss of many lives in the north half of our State. In addition to his own experiences he gives accounts of losses in other neighborhoods, all of which will be read with interest. Mr. Brainard is one of the oldest journalists in Northern Iowa, having commenced his work at Clear Lake, Cerro Gordo County, in 1859. He was connected with *The Story Eggs* in 1860, and with *The Nonpariel*, at Council Bluffs, in 1868-9. Since the last date he has published *The Boone Standard*. His journalistic work has extended continuously through 35 years. He was chosen a member of the State Board of Education in 1859, but that body soon afterwards ceased to exist, at least, no session was held after his election. Mr. Brainard edits his paper in an old-fashioned sort of way, the matter for its columns having always been largely put in type at home. But it is one of the very best country journals in Iowa—brave and outspoken, the advocate of progress, education and good morals—and always reliable. His bound files for the past 30 years have found their way into the State Historical Department where they are highly prized.

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### A FAITHFUL RECORDER.

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We have often had occasion to note the thoroughness with which Rt. Rev. William Stevens Perry, Protestant Episcopal Bishop of Iowa, attends to the publication, not only of his sermons and addresses upon anniversary or other special occasions, but of all official papers and matters of current church history. In the art of editing, in the supervision of books,

From the pen of this well-known soldier and citizen of Iowa we publish an account of General Lauman's disastrous charge at Jackson, Miss., on the 12th day of July, 1863. No man could be better qualified to write of that event, for Colonel Crosley commanded his regiment, the gallant 3d Iowa Infantry, in that affair. The article possesses great historic value, from being the narrative of an eye-witness and actor in the dreadful tragedy.

Colonel Crosley was born in New Haven, Huron county, Ohio, March 4, 1839. Four years later his parents removed to the vicinity of Bloomington, Ill., but in 1856 came to Iowa, settling on a farm near the present town of Ames. He assisted his father in improving the farm until the spring of 1861, when he enlisted in Company E, 3d Iowa Infantry. His military history is that of the regiment. At the outset, he was appointed First Sergeant of his company, and subsequently First Lieutenant. Later on he was promoted to the position of Major, in which capacity he served until the command was reduced by the vicissitudes of war to the merest skeleton. At the end of his three years' service he was transferred to Hancock's First Veteran Corps, in which he served till the end of the war, receiving the bregets of Lieutenant-Colonel and Colonel. His military record is a proud one. He participated in the battles of Blue Mills, Shiloh, the Siege of Corinth, the Hatchie, the Siege of Vicksburg, the battles around Atlanta, and many small engagements and skirmishes. In civil life his record has been most useful and honorable. He served two or three terms as Sheriff of Hamilton county, and six years as Warden of the penitentiary at Fort Madison, everywhere enjoying the highest degree of public confidence. Such a man may well print his recol-

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### COLONEL GEORGE W. CROSELY.

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perplexing. If this item should meet the eye of any party who is likely to be interested in such a publication, we trust that our suggestion may be borne in mind.

Throughout our State there is a rising tide in the matter of pamphlet publications relating to churches, educational institutions, the growth of towns and cities, etc. This is most praiseworthy, but the forms in which these publications appear are at once very distressing to the collector who essays to gather them together and put them into some accessible shape. Their pages vary from, perhaps, 3x4 inches in size, up to great folios. It is a puzzle how to preserve them. Manifestly they should be classified and bound into volumes. But as they are now running, this is simply an impossibility. By far the best form to adopt, looking to permanent preservation, would be that of the ordinary octavo. Then, all such publications can be easily classified and bound into volumes. Properly lettered, their contents are readily accessible. This is a most important matter. We are just now as a State at "the parting of the ways." All that is old is rapidly passing away, and new men, new methods, and new institutions, are coming to the front. In the matter of church pamphlets, which are now reaching the Historical Department, efforts are very properly being made to present the past history of these organizations. Such publications become at once highly valuable as historical data, and should be grouped together. But when one is small enough to be carried in the vest pocket, and the next, perhaps, a large folio, the task of caring for and arranging them in an easily accessible shape becomes very

## FORMS OF PUBLICATION.

formed their difficult task most successfully. Their work in *THE ANNALS* we have the pleasure of presenting from the pen of Dr. J. L. Pickard, long the President of the State University, an analytical review of this monograph which gives a good idea of its scope and literary quality, as well as a very fair summary of its contents. We bespeak for it a careful reading, and commend the little book itself as worthy a place in every public and private library in Iowa.

been useful, honorable and distinguished in the highest degree. Stepping down and out of public life has made little difference in the career of this useful and eminently Christian gentleman, for he is called upon daily to put his hand to some good work, either in the furtherance of measures of public improvement, charity or education. Without going further into biography this time, these facts present the highest attestations of his worth as a man, and the statesman-like character of his public services.

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## THE AMANA SOCIETY.

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From occasional notices in the newspapers it has been known for the life-time of a generation that there existed in Iowa county a religious community under the above name; but it was not until 1891 that any definite knowledge of these peculiar but most industrious and conscientious people became accessible to readers. In that year a pamphlet was published by our State University in which the history of this organization was most completely and admirably set forth. The title-page showed that it was written by William Rufus Perkins, A. M., Professor of History, and Barthinius L. Weeks, '91, of that institution.

This seemed to us by far the best piece of historical writing that had appeared in our State, and it was a matter of surprise that it did not attract more general attention, though it was fairly reviewed by *The New York Critic*, and sundry other papers. Within the limits of 100 pages, and printed in quite large type, the history of "The Amana Society" was so clearly presented as to leave nothing to be desired. This work was one that demanded much research, for the religious movement out of which the organization has grown, originated long ago, and the process of evolution through which it has passed has been not only slow, but the materials for its history have been obscure and difficult to find. It was, in fact, to a great extent, a gathering up and piecing together of "the short and simple annals of the poor." But the authors per-

fine portrait of Col. Gatch. He is "one who has done the State some service, and they know it." Nearing his 70th year, for he was born in 1825, we believe that even a historical magazine may speak of him as he deserves, without waiting for his translation to another sphere of existence. He served a term in the Ohio Senate prior to 1861. Entering the Union service as a Captain, and participating in several campaigns, he rose to the grade of Lieut.-Colonel. Settling at the Capital of his State some time after the war, he was chosen to the State Senate in 1885, and was re-elected in 1889, serving eight years. Of this body he became one of the most industrious and useful members. Among the measures with which he was conspicuously identified during this service, and which found their way into the statute books, were those for the improvement of the capitol grounds, the founding of the Historical Department, and an act reducing the number of peremptory jury challenges by defendants in criminal cases to the number allowed by the State. Among other measures introduced and advocated by him, which passed the Senate, but failed to become laws, some of them through want of attention rather than opposition in the House, were bills providing for a board of control of state institutions; for the imposition of a collateral inheritance tax; requiring corporations as a condition of their organization to pay a franchise tax; and his county option bill providing a method of dealing with the liquor question. He was also active and influential in preparing and in the advocacy of the revenue bill introduced as a committee bill by the Ways and Means committees of the two houses, which passed the Senate of the 24th General Assembly. But the bill considered by himself the most meritorious of any introduced by him during his legislative service, was one exempting the homestead from taxation to the value of one thousand dollars, which, though introduced at each of his four successive sessions, and earnestly advocated, failed each time of receiving the favorable consideration even of the Senate.

His record in the army, at the bar, and as a legislator, has



No local question has ever arisen in our State which, first and last, has caused more public annoyance or real trouble, than that of the long-disputed land titles "up and along the valley of Des Moines." Just now these matters of controversy seem to be settled, and all persons interested are accepting the late decision of the Supreme Court of the United States as a finality. On all hands the hope is freely expressed that Congress may soon make a liberal indemnity to the deserving settlers whose titles failed. But before this vexed question passes wholly from sight, it has appeared meet to us that a brief history of the "River Land Troubles" should be published in these pages. Looking around for some fit person to write the narrative no one seemed better equipped for the work than Col. and ex-Senator C. H. Gatch, of Des Moines. True, he has acted as the attorney for the Grantees of the old Des Moines Navigation and Railroad Company. He is, however, not only an able and most honorable man, but the articles from his pen will be founded upon acts of Congress, and of the legislature of the Territory and State of Iowa, supplemented by decisions of the Supreme Court of the United States, and other public documents, all of which are accessible to the public. The history, therefore, if not official, will at every step be based upon official documents, which are not in any sense subjects of controversy or dispute. We believe that it will be eminently fair, and that it will be so accepted by all who retain an interest in the subject. As at present advised there will be two of these articles in addition to the one in this number of THE ANNALS.

We are very glad to be able to present our readers with a

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THE DES MOINES RIVER LAND TROUBLES.

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EDITORIAL DEPARTMENT.

ANNALS OF IOWA.

a good reason for it. I remember well when in 1852 I moved my family from Illinois to this place with an ox-team. There was then a *track* most of the way—when it was dry; but when it was a little moist—down it went out of sight! When I got here I inquired how often the mail came. I was told there was a man at Quasqueton who brought it through once a week; in bad weather, not so often; in very bad weather, not at all. He rode a blind horse, in order, I suppose, that when he came to a bad slough, the animal might 'go it blind.' A few years later the mail was carried in a buggy—afterwards in a two-horse rig. Finally it came in style on a four-horse stage coach. Now, I understand, though I do not pretend to know much about railroads, that the rails are laid upon the track; then you carried the rails on your back to help the coach out of the mud." In 1864 Mr. Streeter was appointed by the Governor as one of the Commissioners to take the vote of Iowa soldiers in the field.

During his long and useful life he was often chosen to positions of honor and trust by the people of Black Hawk county, and always served them with ability and fidelity. He died on the 7th of January, 1880, at the age of 79, respected and esteemed by all who knew him.

experience, varied and extensive general information. He always comes squarely up to the work, and the call of the yeas and nays has no terror for him.

"He is a substantial, honest, patriotic old man—one whom it is safe to tie to every time. It is quite amusing to hear him speak. When he arises and says 'Mr. Speaker,' every member turns to hear 'the gentleman from Black Hawk.' He seldom speaks more than three or four minutes, and generally closes his remarks by the time the members get fairly fixed for hearing him. He makes a brief statement of his position, and concludes with some original witticism or humorous illustration, then *drops into his chair*, leaving the House convulsed with laughter. The members always expect to laugh when he rises to speak, and they never fail to have the opportunity; they see fun sticking out of his eyes.

"'Old Black Hawk' is a kind and generous man whenever he discovers merit or honesty of purpose in any member's course, but he is a regular terror to all excessively 'smart' young men, who come down to the Capitol with the idea that they 'know it all.' During the session of 1858 there were several members who justly deserved the severe sarcasm which he always had in store for the egotistic and pompous." A bill was once under discussion relating to exemptions from sales under execution, which he deemed sheer demagoguery. "Mr. Speaker," said Uncle Zimri, "I hope our benevolent friends will not tinker up the law so as to prevent a feller from paying his debts if he wants to."

"He was one whose wit

Without wounding could hit,

And green be the turf that's above him."

At a meeting held by the citizens of Cedar Falls to celebrate the advent of the Dubuque & Sioux City railroad into that place in 1861, "Old Black Hawk" was called upon to respond to the following toast :

"Cedar Falls—from the stage coach to the locomotive."

Mr. Streeter said: "I have been accused of making short speeches. I do not claim any credit for it—for there is always

never a demagogue or policy man, and despised everything that savored of insincerity or deception. He was a typical Iowa farmer, simple in his habits, plain of speech, positive in opinions, but tolerant with those who differed with him. He was staunch in his friendships, genial in manners and a hater of all shams.

In 1857 he was nominated by the Republicans of Black Hawk County for Representative in the Legislature, and elected by a large majority.

He went to Des Moines without any "axes to grind," and had no special measures to urge upon the Legislature. He was always in his seat, attentive to business, and invariably acted upon his own judgment. He had no vain ambition to see his name in print as the author of bills presented, but he took especial delight in showing up and defeating extravagant and selfish schemes. He held it to be the highest duty of a member, to closely examine every proposition presented to the Legislature, and unless it was clearly right and necessary, it had better be defeated. It is probable that no member of the House of 1858 and 1860 defeated so many visionary, vicious or useless bills as "Old Black Hawk." With great geniality, he *possessed* sound judgment, an unusual allowance of common sense, and saw at a glance through the various "schemes" that come before legislative bodies. A two minute speech, pointed with a touch of his irresistible humor and sarcasm, generally "did the business" for a measure that he thought ought to be defeated. Few people, aside from his colleagues, have ever known how valuable were the services he rendered the State during his four year's term in the Iowa Legislature. A newspaper correspondent of that day thus describes him: "That old-looking man down there next to the wall, on the speaker's right, is Hon. Zimri Streeter, or "Old Black Hawk," the wag of the House. He is fifty-nine years of age, but hardly seems so old. He is a man who probably never enjoyed many advantages of education in his early days and doubtless has seen much of pioneer life. He understands human nature pretty thoroughly and is a man of mature

One of the unique characters among the pioneer lawmakers of Iowa, thirty years ago, was Zimri Streeter, "Old Black Hawk," as he was familiarly called by his colleagues in the General Assemblies of 1858-60. He was born February 7th, 1801, at Granville, Washington County, N. Y., where his boyhood years were spent on a farm. In 1824 he married Lucinda Dean, and in 1852 removed to Iowa, settling on a quarter section of prairie on the banks of the Cedar River, midway between Waterloo and Cedar Falls, which he had entered as government land. He built a good log cabin, into which they settled down and made their home for many years. He was a man of excellent judgment and sturdy integrity, always held in highest esteem by his neighbors. They believed in him, trusted him, and elected him to represent them in many responsible positions. He was honorable and straightforward in all the relations of life, a man of courage and convictions, with ability to maintain his views upon all occasions. He was

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BY PETER MELENDY.

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## ZIMRI STREETER—"OLD BLACK HAWK."

They had no price to set on their manhood; but they won names which are synonyms for stern integrity. While many other good and true men were for years earnest and faithful co-workers in this historic struggle, it was C. F. Clarkson whose brain devised the plan which discomfited a powerful combination which was, by most men, regarded as too strong to be successfully resisted. The magnitude of the victory can be measured by millions of dollars saved to western farmers in the forced reduction of more than 100 per cent from the syndicate price fixed upon fence wire. During his long and useful life Father Clarkson did his adopted State much valuable service in various capacities, but he regarded that above briefly noted, as his greatest achievement, as will history, when it is faithfully written.

B. F. GUE.

This syndicate backed by millions of dollars, seemed too powerful to be combated by individual manufacturers, and most of them closed their doors to avoid expensive litigation. For a time it looked as though the farmers were to be taxed enormously to pay two hundred per cent profit to the syndicate for an article which was rapidly becoming a necessity. C. F. Clarkson, as agricultural editor of the *State Register*, was ever watchful of farmers' interests. He saw clearly the enormity of the tax proposed to be levied upon Iowa farmers, and acting as a leading spirit in consultation with others, a public meeting was called at the capital to arrange for resistance. A large assemblage of intelligent farmers came together to devise means for mutual protection. "Father Clarkson" opened the meeting with one of his most vigorous speeches, in the presence of the paid attorneys of the syndicate. His address will be long remembered as one of the clearest statements of the coming controversy ever made. He proposed the organization of a Farmers' Protective Association to resist the extortions of the "Barbed Wire Syndicate." His advice was followed, and a free factory established to supply farmers direct, ignoring dealers. Then began the most determined and uncompromising legal contest ever known in Iowa. W. L. Carpenter, a man of unflinching courage and stern integrity, was placed in charge of the Farmers' Free Factory, and for five years it furnished fence wire to farmers at prices less than one-half of those first fixed by the syndicate. This little factory never closed its doors until the battle was won, and the iron-clad combination was broken down. A. B. Cummins, then a young lawyer, won his first fame in this historic litigation. He was matched against the ablest patent lawyers in the country, and in every conflict proved equal to the occasion, winning a national reputation. The old proverb that "every man has his price," was proved false in this case, for Father Clarkson, M. L. Devin, W. L. Carpenter, or A. B. Cummins, could either have named his price at any time during the long years of this notable contest, and have realized a fortune in cash for betraying the cause in which he was enlisted.

A public service that should not be forgotten by the farmers of the west originated in Des Moines twelve or thirteen years ago. An eastern syndicate had purchased the most important patents issued to various inventors of barbed wire fencing, together with the machines used in its manufacture. Possessed of immense capital this syndicate had formed an iron-clad combination having for its object the absolute control of the entire output, and also the fixing of prices at which the product should be sold to dealers, and by them to farmers. As barbed wire was coming into general use for fencing prairie farms, the control of its manufacture might become one of the most oppressive monopolies ever organized in America, and these movements were watched with anxiety by thousands of intelligent farmers of the west.

When the combination was finally completed, a few concerns only were licensed by the syndicate to continue the manufacture upon arbitrary terms, and all sales were required to be made to dealers at most exorbitant prices. All factories left out of the combination were notified to quit business.

ORGANIZES RESISTANCE TO A MONOPOLY.

made a strong and fervid speech. Said that while he was thankful for the good-will of the convention, he could not accept the nomination. That he had recently moved into the state; was opening a new farm; was not yet fully prepared for the winter, either to secure the comfort of his family, or the proper care of his stock. So he said: "I want to be excused this time, and in future years, if desired, I shall be ready to aid in fighting the political battles of the country whether there is a prospect of electing the candidate or not," and closed by naming S. G. Winchester, which was carried unanimously. After the adjournment of the convention he invited me to walk with him, out upon one of the bluffs overlooking the Iowa river, from which, pointing to the east, he said: "Where you see those long hay-stacks away on the Grundy prairie is where I am laying the foundation of a home."

CYRUS C. CARPENTER.

Fayette county—the most populous county in the district. We suggested to him our purpose, and he unhesitatingly said that he wanted to be "counted in on that deal." Then the question arose as to whom we could vote for with any assurance that if he was nominated he would accept; as in the large district, populated by recent immigrants, there was little knowledge of the men suited to the duties of public life. The writer had previously met at the land office in Fort Dodge, Hon. C. F. Clarkson, who had lately moved into the State. He was struck with his impressive personality and his evident intelligence. Mr. Clarkson was the delegate from Grundy county, and both Everts and Seely had met him during the day. We all agreed that his experience and evident ability would make him a useful member of a convention to frame a constitution of the State. We therefore determined to make him our candidate. Our plan was to say nothing to Clarkson about it, as we feared he would decline; but we thought if voted for and nominated, he would accept the nomination. When the convention finally met at 2 o'clock p. m., John W. Jones, then a citizen of Eldora, had scented that there was something in the wind that Hardin county had not been apprised of, and to the astonishment of the writer, he nominated him for chairman of the convention. He pleaded youth and inexperience and asked that some older person be made chairman. But there was a concert of voices crying out: "No excuses! Take the chair." He had hardly reached the chair before some one nominated C. F. Clarkson for Secretary. The preliminary organization was settled in a few moments, and a motion was made to proceed by ballot to nominate a candidate, the delegates being authorized to cast the full vote of their counties. Two tellers were appointed to take up and count the ballots, and the vote was taken. I shall never forget the peculiar expression on Mr. Clarkson's face, as he sat keeping tally, when his own name was called by the tellers as the ballots were read. And when Fayette county was announced, *thirteen votes for Clarkson*, it was evident that he was the nominee. He then took the floor and





This excellent portrait of "Father Clarkson" is copied by permission from  
*The Midland Monthly*

C. F. CLARKSON.



In the summer of 1856 a Republican Convention was held at Eldora to nominate a candidate for delegates to the State Constitutional Convention from the Senatorial District, composed of the following counties: Fayette, Bremer, Butler, Franklin, Grundy, Hardin, Hamilton, Wright, Webster, Boone, Story, Greene and Humboldt. Of course there was no way to reach Eldora except by private conveyance. The consequence was that none of them were fully represented, except Hardin. The writer was the delegate from Webster, and had proxies for Humboldt and Greene. He left Fort Dodge for Eldora the morning of the day preceding the convention, and arrived at Webster City at noon. Here he was joined by Morgan Everts, the delegate from Hamilton county; who also had a proxy for Wright. Occupying the same conveyance, we drove across the then sparsely settled prairie, arriving at Eldora late in the evening. The next morning when the delegates from the different counties had arrived we found that there was really no declared candidate for the nomination, except that the delegation from Hardin county proposed to present the name of S. G. Winchester, of Eldora. Everts and the writer talked the matter over, and concluded it would at least enliven the proceedings a little by having a candidate of our own. Among the delegates was a man by the name of Sealey, and who was the sole representative from

DECLINING A NOMINATION.

RECOLLECTIONS OF C. F. CLARKSON.

an important initial step in the formation of this great commonwealth of Iowa, the intent will not have been in vain. If some one in Lee County, who was "on deck" fifty years ago, and whose memory has not forsaken him, will write the story of "The Half Breed and the 'Possum," another reminiscence will be placed upon the record, possibly to be of use to the future historian.

Seminoles, etc., the great mass to-day are Indians still. Even among the students, who have been educated and apparently reformed, many on returning to their own, having been overcome by their strong tribal instincts and lost what they were supposed to have gained.

Whether the Indians generally can be tamed, improved and transformed into a useful and self-respecting manhood, before the present generation shall have passed away and successors come upon the stage, less under the influence of hereditary bias, is a problem that must wait on the future for its solution. Tribes differ somewhat, but the great multitude are devoid of any traits of character that would hold them up above the lowest plane of life.

Without individuality, except in a few instances like Keokuk, Sitting Bull and some Choctaw Chiefs, they drag along an indolent life, without any just pride, or aspiration for anything higher or better. Imbuing many of the vices, and few of the virtues of the neighboring whites, they deteriorate till they become spoiled Indians rather than civilized men. The policy of our Government has been, and is, liberal toward them. We take no land from them by conquest, but acquire it by mutual agreement, rendering to them considerations more than are equivalent for what they surrender. Their lands are made useful only by skillful industry. To this the Indian is averse: when the question with him is doing or dying, he prefers the latter unless, it be in the chase or some of his tribal amusements. If the Creator (their "Great Spirit") had a purpose in giving such a wonderful fertility to these great plains, the blessings therefrom were available on conditions: The hand must be stretched forth in active industry, and not folded idly on the bosom. The white man will comply, the Indian will not. Who could or would avert the consequences? There is an imperative decree, ordained of fate, that the "fittest shall survive." Intelligent industry must prevail over indolent ignorance, and the Indian races generally, sooner or later, will, like the "Lost Arts", probably be among the things that have been. If what I have written, should throw a ray of light on

from which they were to derive a stated income. This, added to previous resources, made them very independent, becoming more so, individually as their numbers diminish. The cost to the Government of the land released did not vary far from (12) cents an acre. "What robbery," says some sentimental sympathizer. It was no robbery at all. The bargain was a good one for all concerned—especially for the Indians. Though still intense in their native prejudices, they had borrowed habits from their white neighbors, giving rise to wants, which the chase and their indolent habits could not supply. They were human and needed food and raiment of some kind. The "Great Spirit" had made them swift of foot, and they were skillful marksmen with the bow and arrow, but the buffalo had disappeared, and smaller game was becoming less. They needed blankets for their braves, and clothes and chintzes for the use of their squaws and papoosees.

The skins of animals were becoming scarce, and they did not find these needed articles hanging on the limbs of their great trees of which they were so proud. They wanted arms, ammunition, traps, hatchets. Their "Great Spirit," whom they referred to so often, had failed to supply a magazine of these things from which they could draw at will. It required means to supply these wants, and the sale of their lands furnished them. Thus they became independent, and if reports are correct they are so to this day. At the close, the Commissioner gave them some kindly advice—not only to live peaceably, but especially to engage in the industrial pursuits. Occupation would keep them from evil, and greatly increase their comforts of life. The advice was respectfully listened to but little heeded. The idea that a proud buck, in his gaily painted blanket and feathers, should make a squaw of himself by delving the earth with a hoc, was abhorrent to his hereditary instincts. Since the time of the treaty I have been considering, great efforts have been made to improve the Indian and give him character, and it would be untrue to say there has been no success; but far less than had been fondly hoped, certainly. With the exception of a few tribes at the South—Chickasaws, Choctaws,

and disfigured by the plow and the harrow, would gainsay a word of their proud description. In journeying over them one felt a quickened motion in his pulses, there was so very much air to breathe, such endless range, un hindered by a single line of severalty or demarcation. Evidently the Indians were lovers of nature and appreciated her beauties. They talked of their great meadows of green, gay in the aftermonths of the season with blooming flowers—of the springs and running streams—of the groves that bordered the streams, and especially of the great sycamores and walnuts, that stood in vast numbers on all the larger alluvions. Sad to say, they have nearly all been destroyed in later days, by the axe and the saw of our boasted civilization. They talked of the sun and the moon, as though made for them—of the stars, with a kind of wondering delight, as guardian watchmen—of their Great Spirit hovering over them, perhaps, but they did not know. Wherein do they differ from us? who does know? Science, taking a hint from nature, has wrought out wonderful problems. But whoever attempts the "Starry Realm" will soon find a limit to his pen. Savant or savage, "if we would declare them and speak of them, they are more than we are able to express." We know not their whence or their whither, their when or their where. All of us are lost alike in a mystery of mysteries yet unrevealed.

After this efflorescence of oratory by the Chiefs and braves were over, and the real business was brought forward, Keokuk resumed his place as Head Chief of the tribes. The terms and details were soon arranged. A public sentiment had been worked up in favor of the proposition of the Government, as presented by the Commissioner, so that the whole subject became a matter of easy solution. A small tract of land, or Reservation, was to be assigned them in Kansas as their future home, and a money balance of twelve hundred and fifty thousand dollars allowed them, for relinquishing their entire body of lands in Iowa. From this sum was to be deducted the amount of their debts as before described, leaving about a million dollars or more to be invested in the usual way.

aid our negotiations. Among those giving their aid was Major Stanford of the Fur Company, extensively and favorably known and recognized as a friend. Those having claims had a double motive, and citizens generally were interested in the same direction, thus creating a pressure of public opinion, that greatly assisted the Commissioner in his patient, persuasive reasonings with the Indians, in trying to convince them that their true interest would be promoted, by accepting a smaller home farther west, with increased means of support and free from border entanglements. Although finally successful, there was no motive, reason or argument, to spare. The Indian heart appreciates friendship, and had it not been for this strong undertone of faith in known friends, I doubt if the mission had been fully successful. The aid of Major S. and others is entitled to just appreciation to this day. The entire Indian title was extinguished, the lands opened to settlement, and all future embarrassment avoided.

When the real question—the terms of sale—was taken up, the claims and debts having been pretty thoroughly considered there was little of incident worth recording—except the speech-making, and the great effort to brag up the country—an effort in fact to drive a good bargain as well as to make a display. Keokuk was too shrewd and too wise a man not to have seen the end from the beginning. He said little at first, but allowed bucks and braves to talk all they pleased—in fact allowed them to think they were “doing it all.” Their general oratory, in which many seemed to take pleasure, followed a common line of thought, giving it a tone of sameness and monotony; and still, it was not without interest. They claimed that the “Great Spirit” made this beautiful country, and made the Indian and put him in it. His title then ran back to the beginning of things. There was no question about that. No memory of man recalled—no tradition ever taught anything to the contrary. Tribal relations sometimes changed and occupied different localities, but the race held possession. The features and good qualities of the country were a prolific theme, and no one familiar with the virgin lands of Iowa, before they were marred

that goods of this kind were of a high grade in all the trading houses.

To the credit of the Indians there appeared to be no disposition to avoid the payment of their just debts—the accounts of large traders they said were too long for their memories; we must look them over and whatever we thought was right they would agree to. Hence it became necessary to examine in detail all these large bills—comparing prices charged with purchase prices as shown by their invoices, for the Commissioner was determined that nothing that could be ascertained, should be left to any blind guess work. These accounts were less troublesome because regular books had been kept; not so with the many smaller outside claimants. Their accounts were often sharply criticised and in many cases materially modified. One instance will explain others. A party living near Towaville brought in a bill for beer supplied. There was a hurried and exciting talk which we did not of course understand; but Keokuk jumped up and with a loud voice said, "Throw that out! that worthless old bull has been too much paid for already!" and that was the end of the claim.

Several others were served in a similar way, or greatly reduced. When we found satinet coats charged at sixty dollars each by small outside traders, we considered it liberal to divide the claim by the figure two at least. Claims, however, that had a *prima facie* appearance of fairness, and were sustained by explanation, seldom met with opposition or a word of complaint—showing an element of honesty in the Indian character not always found among many of those with whom they had been dealing. But the acts of an unscrupulous few who drift along the borders between savage and civilized life, should characterize nobody but themselves.

While the early ceremonial councils were being held, and the accounts or claims were being received, sifted and arranged, there was a busy activity in securing influences to help toward effecting our object. Persons known to, and knowing the Indians, and having their confidence, especially those who could speak their language, were invited and requested to



the Daniel Webster of the tribe. Our organization being completed and ceremonious introductions over, the first thing by way of business was to ascertain the amount of obligations the Indians were honestly under to their white neighbors, as well as to the large licensed traders. To this end all parties interested were allowed to present their claims with such explanatory statements and evidence as they were disposed to offer. After careful examination, each claim was presented to the Indians in council, to hear what they had to say, and no claim was to be allowed until after such presentation. The duty of examining and sifting these claims was assigned to the late General A. Bridgman, of the city of Keokuk, and myself—and a heavy job it was. In amount they ran up to about a quarter of a million dollars, and kept us very busy for over three weeks, all the days and half the nights—for which service we received our camp fare free, and the liberal sum of three dollars a day in cash for the time actually employed. Financially, it did not make us, and I trust it did not break "Uncle Sam" or anybody else. There were three large firms licensed to trade with the Indians. The principal or largest one was that of a Fur Company in St. Louis, headed by a Mr. Choteau and conducted by his son-in-law, Major Sandford. Another was that of the Ewing Bros., of Indiana. Both of these were located on the Des Moines river where the city of Ottumwa now stands. The third establishment was managed by a former merchant of Burlington by the name of Eddy, from whom the Eddyville of to-day took its name. The accounts of these traders constituted the bulk of the indebtedness. Bills were sometimes made by large parties outfitting for their fall hunts, as high as ten thousand dollars at a time. Prices were liberal at least, if not high, and in most cases allowed on account of the risk and uncertainty in the trade. So far as clothing was concerned, the Indians would have only the very best. No mean blankets, or cheap, thin broadcloth, or poor quality of calico, could be sold to them at all. They were judges and would not be imposed upon. We found upon examination,

in slowly and as gravely as a band of Roman Senators—his braves on either side. All being seated, our showy General arose and addressed his "friends and brethren" in a very complimentary speech, which was "Indianized" by our interpreter as he went along, sentence by sentence. This speech was full of fine adjectives and friendly sentiments, but meaning little more than a cordial, ceremonious introduction. In response, Keokuk quickly rose, took a few measured steps to the middle of the open area, raised his right hand, glanced at his comrades, and said: "We are happy to meet you here to-day, as the representative of our Great Father in Washington, in friendly council." His address was also Anglicized by the interpreter as he spoke, but was *apropos* and fitted to the occasion. A glance at his bearing—his self-possession—his intellectual and expressive countenance—at once revealed his great superiority over his fellows. All was in keeping with the fashion of the present day—considerable fine talking, but little of importance said. After these opening speeches and general greetings at the first council, there was a general hand-shaking and all retired. The Indians in their appearance were not outdone by our showy Brigadier. Each wore his best blanket, freshly painted with gay fantastic figures, with feathers and fine plumage in the hair. Many wore bracelets on their wrists and various "dangles" in their ears, having a fancy war-club in one hand, richly embossed with large-headed brass nails. I think a good photographic view of the *personnel* of the entire council in session, Brigadier and all, would rival any made last summer in the White City.

In the daily meetings of the council the fact was still further revealed that there was one master mind among the Indians, with whom we should have to deal—and that was Keokuk, not only head chief but head and shoulders above all his associate chiefs. His individuality was marked—his oratory was proverbial—so intense and energetic were his words and his gestures, when aroused, that he would carry his audience with him whether they understood a word or not. He was

tation that they would be allowed, *en masse*, whenever a sale of their lands was made to the Government. The rigid examination required by the Commissioner was unexpected, but the rule was inflexible—evidence and reasonable explanation were required in all cases.

Notwithstanding their obligations the Indians were at first reluctant to give up the whole of their country, of which they were justly proud. In former days game had been abundant, wild fruits were scattered through the groves, and even the hollow trunks of trees along the principal streams were filled with the delicious product of the busy-working bees. Although insufficient for their present support, there was a latent, lingering attachment hard for them to sever. The Commissioner, fully appreciating the condition of things, avoiding any hasty or abrupt movement, sought patiently to create a common sentiment favorable to the object of his mission, by making use of the various means of influence within his reach.

At the appointed time the tribes had been gathered and camped near the site of the present town of Agency City. Captain Allen, with his command of United States dragoons stationed at Fort Des Moines, had been ordered to be in attendance to guard against disturbances—and more needed to watch over troublesome whites than over Indians. For a council chamber the Agent, Captain Beach, had prepared a large circular tent, with a slightly raised platform on one side for the Commissioner, his interpreter, and a few others. The interpreter was the well known Antoine Le Claire, of Davenport. A circular row of seats ran around the body of the tent for the accommodation of the chiefs. There was not as much ceremony as I suppose there was at the coronation of Queen Victoria, but much more than I had expected.

By the advice of General William Henry Harrison ("old Tippecanoe"), whose early life had been spent among the Indians as Governor of the Northwest Territory, our Commissioner donned the full uniform of a Brigadier General of the United States Army. After taking his seat with his interpreter and his unadorned aids, Keokuk and his fellow chiefs filed

State. Whether the Indians *willingly* surrendered the lands embraced in this purchase, or were governed by a necessity following their defeat, is immaterial. The coveted lands were secured and in due time thrown open to settlement, and many a wanderer in search of a home was diverted to the "Black Hawk Purchase" by the universal report of the beauty and value of the country. Among those wanderers in search of a home was the writer heretofore, as early as 1837. Black Hawk having been deposed after his defeat, Keokuk, who was peaceably inclined, became Chief of the nation. Aside from the territory already ceded the Indians held and occupied a very large body of land in the middle and southern part of the present State, amounting to some twelve or fifteen millions of acres. As our population increased, it became more and more desirable that these beautiful lands should be rescued from the occupancy of bands of roving savages, and opened to settlement by an industrious and intelligent civilization. Responding to this general feeling, the Government at Washington appointed Governor Chambers a Commissioner on behalf of the United States to hold a council with the Indians, and secure if possible the desired results. No better appointment could have been made, because Governor Chambers was not only a good lawyer, but a man of prudence, patience, and rather remarkably good business judgment. Aside from the fact that previous experience had given him a knowledge of Indian character, he had lived here in Iowa, as a neighbor of these Indians, long enough to be somewhat familiar with their character and to understand the complicated relations that had grown up between them and their white neighbors. His home was only seventy miles from their great trading-houses on the Des Moines, the real center of Indian life. The United States agency was nearer still—at Agency City, some six miles east of Ottumwa. These relations grew mostly out of trade in some shape, but illicit whisky, horse-racing and other various kinds of gambling were no inconsiderable factors. Aside from the accounts of the licensed traders, scores of other smaller claims had been carefully nursed with the expect-

though as yet far from being fully improved, has developed a food-producing, life-sustaining capacity unsurpassed by any tract of like extent on the face of the earth. Great credit is due the United States Commissioner who carried through so happily and so successfully the difficult and complicated negotiations. That Commissioner was Major John Chambers, of Kentucky, who at the time held the position of Governor of the Territory of Iowa, being the second Territorial Governor before Iowa left her minority and assumed her position as an independent State of the Great Union. And right here I deem it fitting that I say something more of John Chambers than the mere mention of his name. Men in important positions, who are distinguished for conscientious and successful discharge of official duty, affecting the welfare of their fellow-men, are entitled to grateful recognition. With Major Chambers duty was first, consequences took care of themselves. In appearance he was of medium height and slightly robust. In bearing, dress and address, a gentleman—without the slightest suggestion of personal consequence on his own part; genial, affable and sympathetic, with all who were entitled to regard. Very soon after his arrival among us he identified himself with the leading interest of the country, by purchasing a tract of land some six miles west of Burlington, on which he built a comfortable home and made improvements that were exemplary to the neighboring farmers. His two younger sons he placed in a family where they could pursue their studies a part of the time, and a part of the time engage in and become familiar with industrial pursuits—believing that useful occupation was no small part of a valuable education. It would be well if others of the present day entertained similar views. One of these sons died in his youth, the other grew up, acquired wealth, character and reputation, possibly the result of parental example and sensible education.

Iowa was at first known to the outside world as the "Black Hawk Purchase." It lay on the west side of the Mississippi River and extended west a little beyond Fairfield, Jefferson County, embracing but a small part of the present area of the

In compliance with a partial promise, I now venture to make a few statements, entirely from memory, relative to a treaty made with the Sac and Fox Indians some fifty years ago—a treaty hardly second in importance to any one ever made with the Red Man—especially if judged from the stand-point of the present day; because the large amount of land then acquired,

BY HON. ALFRED HEBARD.

## AN INDIAN TREATY AND ITS NEGOTIATION.

in Hancock County, across an open prairie of twenty-five miles; thence to Algona, crossing a wider stretch of open country, a total distance of sixty miles. The contractor for this work was Hewitt, an old Indian interpreter and thorough pioneer. He was sixty-three years of age, but strong as a man of forty; with ruddy face, bluff, hearty manners, and physically as "tough as a pine knot." In preparation for his winter journeyings it was his custom to set up, in the fall, oak poles at intervals of about three-hundred yards, their leaty tops being retained; and these were his guides when the storm howled across his path. His mail cart was canvas-covered on all sides, with small port holes for the reins to pass through, sockets for candles on the wooden supports, and plenty of fatty provisions. Thus armed, if his team gave out after nightfall, it was sheltered on the lee side of the canvas; he lit his candles for warmth, ate his provisions, and wrapped in buffalo robes stood out the siege until morning. With such thorough preparations death need not have happened to any settler; but the proverbial heedlessness of frontier people seldom impelled them to make them. They trusted to luck and to their "judgment" of the weather, much as sailors are reputed to do, and often with like results. But these were the men who pioneered the way for our modern farms, with artificial groves, furnace-heated houses, and defiance of the worst storms. Their memory and their fate are worthy of a better pen than mine.

Two men, Charles Weeks, and Abbott, froze to death at Owen's Grove, in Cerro Gordo County. The particulars have passed from memory.

John Van Aiken was lost that winter and his remains discovered at East Grove, south of Clear Lake. The discovery of his body was made by two hunters, who saw, out on the prairie, wolves gathered in a bunch, and on coming to the spot found they had been feasting upon the exposed arm and elbow of a corpse buried in the snow, which proved to be that of the lost Van Aiken.

On the Shell Rock Creek, not far from the present site of the town of Plymouth, a man and wife lost their lives in a storm. They had left their home near lake Albert Lea, Minnesota, for food for themselves and destitute children, traveling with an ox team. As night fell and the blizzard was in all its fury, their team got down in a snow drift, and the husband exhausted himself in trying to extricate it. His wife, the stronger of the two, went out on foot for help and succeeded in reaching a house when her strength was about gone. The man and team were rescued. They secured the coveted food and started for home, but were caught by another storm before reaching their destination and both perished, the brave wife within a half mile of a house in search of succor before her strength gave out and she fell and died in the snow.

These are a few instances, rescued from fast-fading recollection, of the disasters which befell pioneers in Iowa on that fatal blizzard day. They have had their repetition in the experiences of settlers in the Dakotas of later years, which, as told in the papers, bring vividly to mind the like in early Iowa days. Our first settlers took claims along the streams, in shelter of the timber belts, and the prairies were for years open and unsettled. Without a compass, and in a storm, these were fully as trackless as the sea. The distances, in the portion of the State referred to in these memoirs, were, from timber belt to timber belt, an average of from ten to fifteen miles; frequently rising to from forty to sixty miles.

A weekly mail was carried from Clear Lake to Upper Grove,

not many rods apart. The evidence was plain that they had attempted to walk after abandoning the team and had gradually succumbed to the benumbing cold. The team was found far to the southward, both horses dead.

A mile or two northwest of Mason City was a settler, Horace Green, having in his employ two brothers, Ruben Williams, aged about twenty years, and David, about twelve years old. The farmer had a fair herd of cattle. About noon, the morning being very fine, the farmer sent the boys to drive the cattle down to the Clear Lake Outlet, known as "Willow Creek," some half to three-quarters of a mile away, to be watered. The driving, and the deliberate operation of drinking characteristic of cattle, occupied so much time that when the return home was attempted the lads found themselves bewildered and unable to reach it. A small grove, "Crab Apple Grove," not far from the Outlet became their refuge. Constant exercise was necessary to keep from freezing, and the poor boys walked, back and forth, all the night long, beating a hard path in the limited grove where they trod their weary rounds. This exertion, and hunger, rendered them faint towards morning, and as their strength began to fail the cruel cold gained upon them, and increasing drowsiness warned the elder that his brother was freezing. He grasped him by the coat collar and compelled him to continue the walk. Daylight dawned at last and the sun coming up showed them Mason City in plain sight. They left the grove, the elder brother dragging the younger by the collar. An early rising citizen, Zebina Day, noticed the strange, dark objects on the prairie, went out to examine, and carried them into town. The hand of the older boy was frozen fast about the collar of the younger one, so that the garment had to be cut away. Both had their feet and ears frozen, and lost half of each. Dr. E. D. Huntley, brother of Lieut Charles Huntley, lost in the battle of Pleasant Hill, and Dr. John Porter, afterwards Judge of the District Court for that district, attended the sufferers, who are yet living. Some years after I met the Williams boys, then full grown men, with the mutilations mentioned.



back yard one morning, which he captured with his hands. A fine buck could be bought on the street for \$2.50 with its hide on, and the latter readily sold for \$1.00. In one respect this was a godsend for the poor, giving them cheap meat; for beef-steaks were 25 cents a pound. But there were persons who that winter forever lost their taste for venison, through enforced and long continued use of the flesh. Iowa's larger game was lost forever.

The Great Storm of that December day claimed many human lives. The people were not prepared for such an exhibition of angry nature in her worst mood. The later immigrants, those of the current year, were not instructed in the arts of providing for winter. They knew not the value of banked foundations, of heaped wood piles, of preparation for caring for stock in storms; nor did they credit the warnings of pioneers against trusting to the delusive sunshine of a morning whose day might set in blizzards and the loss of life. Even old settlers were caught in its toils, and despite supposedly safe preparations, paid the penalty of exposure by the loss of life or limb. A few instances are recalled.

Two residents of Forest City, Winnebago County, old settlers both, the one Alexander Long, a man of some note, and his companion, Myers, started on the morning of December 1st, to drive to Upper Grove, Hancock County, a distance of twenty-seven miles across the unsettled prairie. They made good preparation, had a strong team, a low sled filled with straw and buffalo robes, extra pairs of stockings, that in emergency boots might be discarded and double woollen substituted. The sun was bright and the air, though cool, was exhilarating. Their direction was south by west. But the storm caught them, the fierce northwest wind could not be faced by their team, which "drifted," and before half their journey was done they found they were freezing. The team was allowed to go free, or broke away, the sled was overturned, and they were found stiff in death, sometime after, by searching parties, a little to the west of the Clear Lake timber. They were on their hands and knees, double stockings on their feet,

one-half storied houses of the new city. In one case the resident found, when the storm had ended, that his front door was covered by a drift reaching to the comb of the roof, through which he tunnelled and, for the rest of the winter, had an entrance to his dwelling *à la* Esquimaux.

The mercury fell to 30° below and the work of breaking out the country roads was something fearful. The neighbors turned out *en masse* with ox teams, each in turn taking the lead until worried out, the others following to beat down the track. Ten miles was a good day's work at this business, nor was so much often accomplished.

A few days after the storm had passed rain fell and froze, forming a crust which bore the heaviest teams and their loads. This is impressed upon my recollection by the fact that a "wood bee" was arranged for the Methodist minister about that time. The heavy sledges came across lots, over buried fences, taking the most direct route to the parsonage, and leaving but faint traces on the hardened surface. In making a journey the road was ignored for the rest of the winter, and the compass gave direction, groves being avoided, since the ice-covering was not so good in the open. In the little school house before mentioned the ice left its record; for dry wood was not to be had, and the green, soft-maple was uniformly coated on one side with two inches of ice, so that the fuel for the following day had to be prepared again by piling it about the stove to thaw out.

Another lamentable effect of the ice-cap of that winter was the cruel and wanton destruction of wild game. Prior to that season the groves bordering the streams in northern Iowa were well stocked with deer, elk, hare, foxes, wolves, etc. The ice drove these out from the sheltering timber to seek food about the farmers' stacks. Men and boys, with dogs and guns, made savage onslaught upon these. The sharp feet of larger game cut through the ice and rendered their escape impossible. In some instances they were run down by men on foot, with no other weapon, than the family butcher knife, which was all too effective. A neighbor discovered a fawn in his

The sun rose clear and bright on the morning of that day. It sparkled over the crisp, snow-covered prairies, and sent a million scintillations from the prisms which hung from every weed-stalk, or jutted out from the little inequalities of the smooth surface. The air was quite cold and in it floated small ice needles, at certain angles reflecting the bright sunshine as do the wings of summer insects. In the west there was a faint haze, and an absence of air currents, deceptive even to old settlers. Such was the condition until about 10 o'clock, when the wind began to rise in little cat's paws, continuing for a few moments, and then dying down again. Snow began to fall in an hour or so more, and by 2 o'clock it was coming down fast. The winds were constantly increasing, and by 3 o'clock it began to look decidedly serious, to one in his first experience with the "blizzard." Before the closing hour the largest boys, selected for their strength, had been sent out to find their homes and procure assistance in escorting the younger children to safety. This was not accomplished until it was quite dark, and the teacher was left to find his way across two unfenced lots and a street, each in primitive grass, to his home. By carefully counting off paces, getting once confused—an instant of terror never forgotten—this was accomplished, and groping my way from the rear end of the lot, when I should have reached the front, I found safety and shelter.

The storm continued all that night. It had not the mournful sighing of winds among Appalachian pines; it was rather the fierce shriek of a storm on craggy coasts, a natural, siren fog-horn, subsiding for an instant only to gather greater fury, then renew the attack as though it would rend everything which hindered. It rocked the "balloon" framed house and threatened its destruction. I did not then know the endurance and adaptability of the "balloon" to Iowa architecture. It held, and so did the storm; three days of howling, seething wind and snow; searching its way into every crevice; piling great, white mounds around eddying corners; covering up hay stacks, wood piles, and, in some instances, the little one-and-

## THE GREAT BLIZZARD OF 1856.

BY JNO. M. BRAINARD, BOONE, IOWA.

The years 1855 and 1856, were marked by steady streams of immigration from the states east of it into Iowa. The fame of its fertile prairies had come drifting back in letters from earlier settlers and was laid before the firesides of the East through the local papers. The Free State contests in Kansas and Nebraska had called further attention to Iowa, and it was known that her people were true to the doctrines of personal liberty, and had verified this repute by active work in the cause of freedom imperiled in those States.

Among these "Argonauts of the Prairies" was the writer, who had left the foot-hills of the Alleghenies, a short distance east of Pittsburgh, to find what life had in store for him in the region which his school geography marked as the verge of "The Great American Desert." He had youth, hope, and a wife—the three essentials for a settler in Iowa—found the Mississippi at Dubuque, Iowa, and at McGregor, and a home at Charles City, Floyd county, in July, 1856.

About the 1st of November, I was entrusted with the village school, consisting of some seventy or more robust lads and lassies, harbored in a little frame building of one story, on the outskirts of the town. The first school house was always set at the outer limit of improved lots in the early towns of Iowa; partly that it might be the first building seen by new arrivals, and partly from the firm faith that in a few years it would be in the center of population.

My recollections of that school house are confined to the facts that the blackboard was very small, the school books were gathered from every State in the Union, the windows were curtainless, and that green, soft-maple wood was the fuel. However, the work of moulding future society went on there—in without particular incident, until the afternoon of December 1, 1856.

agents are employed in selling their goods from Maine to the Pacific. The stamp "Colony Goods" is a guarantee of their excellence.

#### DOMESTIC LIFE.

Each family has its own house. All houses are nearly of the same size, unpainted and uninsured. A garden spot is about each house and is the only spot which each family can call its own. Their food is simple and substantial. In each village there are several kitchens where food is prepared and served. Their dress is plain and after the fashions of Germany two centuries ago.

Each person has upon the books of the Society a credit each year, varying from \$25 to \$75 according to the Trustees' estimate of the value of their services. This fund is at their individual disposal, but the return of the same to the Society is considered a meritorious act.

Meals are served five times a day.

Tramps find food and shelter in a house provided for them, since their religion forbids their refusal of such favors when asked.

Communism is with them not democratic, but oligarchic rather.

The authors of this monograph deserve credit for their pains-taking investigations, and for their clear presentation of the results of their study. A thorough perusal of the work will reward any lover of historic accuracy and of good literary style in narration of facts.

ited by class or sex." "They believe in prayer as the spontaneous expression of the soul which should not be fettered by any fixed or prescribed formula." "They reverently believe in the Three conceived of as One." "They believe in the resurrection, in a reward for the good and punishment for the wicked." "They believe in the Lord's Supper and use the same not at any stated time or place, but after severe trials, or misfortunes, for the strengthening of the young members. Several days spent in prayer are necessary in order to participate in this rite."

"They believe war to be inconsistent with Christianity, and that oaths are inadmissible." "There are eighty elders who take turns in conducting worship Sundays and Wednesdays and prayer-meetings every evening." "They practice feet-washing." "They use salutations, but object to frivolous plays." "They have singing in worship, but without instrumental accompaniment."

"Their burial customs are simple and no costly monuments are permitted, but small slabs of wood, painted white, bearing an inscription of the name and age of the deceased."

#### EDUCATION.

They maintain their own schools. Education is compulsory and every child must attend school the entire year from seven to fourteen years of age, and during the winter months all from fourteen to twenty years of age. School hours are from 8 A. M. to noon. The afternoon is devoted to manual training. English is taught, though German is the chief language used. Teachers pass examination before the County Superintendent and are paid thirty dollars a month, which they turn over immediately to the Society.

#### INDUSTRIES.

Agriculture is the chief industry. Every village has its saw mill, machine shops and store. They have grist mills, calico print mills, woolen mills, soap factories, starch factories, hominy mills and book binderies. One chemist makes great quantities of pepsin. All products are of the very best. Six

shall forever remain God, the Lord, and the faith which He worked in us according to His free grace and mercy," etc., a distinctively religious foundation.

Article II makes all land "a common estate and property," with "title vested in the Amana Society."

Article III provides for the means of sustenance in agriculture, manufactures and trades.

Article IV provides for the annual election of thirteen Trustees from the elders, who shall attend to all the business of the Society, with full power to act for the Society.

Article V requires the surrender of all real and personal property of members to the Trustees for the common fund.

Article VI provides for free board and dwelling, care in old age, sickness and infirmity, and for the quit-claim to the Society of all claims for wages or share in profits.

Article VII grants to heirs all the rights of their deceased parents, and provides for the payment of any debts of said parents. Members dying without heirs and intestate, their property reverts to the Society.

Article VIII provides for payment of their due claims to original investment without share in profits to members who may recede from the Society.

Articles IX and X provide for amendments and for the time in which the Constitution shall be of full force and effect. The membership has increased from 572 in 1861 to 1,688 in 1891. Their assessment for taxation in 1890 was \$417,453, an average of \$250.57 per member, less by \$20.54 than the average in the county as a whole. This is supposed to represent the difference existing between communistic and uncommunistic labor profits. The authors, however, caution against hasty judgment from the returns of a single year.

#### RELIGIOUS DOCTRINES AND PRACTICES.

"They believe in the inspiration of the Bible, and that as God revealed hidden things through visions, dreams and revelations, in older times, He can do so now." "They think the ministry of the gospel depends on inspiration and is not lim-

fall and named it Ebenezer. It was part of the Seneca Reservation, and the Indians proved a constant source of trial. The purchase money was furnished by the founders of the Society, with an agreement that at any time they saw fit to withdraw they could take with them the exact amount contributed, but must leave with the Society all profits that had accrued. Heirs could act as their fathers could have done had they lived.

After coming to America the Society soon ceased from all communication with their old friends in Germany. The Community at Ebenezer prospered, 1, because its members "were of the sturdy peasant class"; 2, because "their leaders were neither agitators nor theorists, but sagacious, far-sighted men with much practical knowledge."

The Society became so prosperous in eleven years that they sought an opportunity for extension in some locality where cheap land could be obtained.

In 1855 C. M. Winzenried, John Beyer, Jacob Wittmer and Friederich Heinemann were sent west in search of a favorable locality. The only instruction given the committee was to go west of Chicago. Their wisdom in selecting a site can not be questioned. They found in Iowa County, Iowa, a rich soil, abundant water and a most attractive location. Their first purchase was of 18,000 acres (since increased to more than 23,000 acres). The township was named Amana, which signifies "remain true," a name the Society has never dishonored. As the removal from Ebenezer progressed other townships were organized—West Amana and South Amana in 1856, High Amana in 1857, East Amana in 1860, Homestead in 1861, Middle Amana in 1862 and New South Amana in 1883. No legal incorporation was attempted until the new Constitution of the State was framed. The Society feared opposition. But the provisions of the Constitution were favorable to incorporation and the Society was incorporated in 1859 under the name of "Amana Society." Their name as a religious body is "Society of True Inspiration."

The Constitution adopted consists of ten articles. Article I states the foundation of the Society, which "is and



II. "The precepts and the practice of the Apostles agree with the teachings of Christ.

III. "The early Christians were firm in their belief in the unjustness of war, and many suffered death in affirmation of that belief.

IV. "War is not a necessary evil; for if the people would not fight, ambitious rulers would either have to fight themselves, or dwell in peace and harmony.

V. "The general character of Christianity is wholly inconsistent with war, and its general duties are contrary to it." With such sentiments they would choose naturally the peaceful life of agriculturists.

"After the death of Rock in 1749 Inspiration ceased" for a time. A remarkable revival occurred in 1817. As one of the fruits, an ignorant peasant girl, Barbara Heinemann, became inspired, and was held in honor by the Society, coming to America with the first emigrants, who settled near Buffalo, and with them to Iowa, dying at the ripe age of 88 in 1883.

The communistic element in the Society originated with Christian Metz, who, "far-sighted and thoughtful, came to the conclusion that the best method (to provide for the large number of exiles thrown upon the Society at Hesse) would be for the Society to lease some large estate, where the exiles could be put to work and make enough to supply their wants, the Society paying the rent. . . . They worked the land together, sold the products, and divided the proceeds equally. . . . A few of the members were artisans, and preferred to work at their old trades rather than upon the estate. Therefore the Society rented a few factories. . . . Soon their woollen goods became famous throughout the country. . . . They used the best material and used the greatest care in making them."

The decade of unrest in Europe 1830-1840 had reached the quiet societies, who desired greater religious freedom. In 1842 Christian Metz, G. A. Weber, Wilhelm Noe and Gottlieb Ackermann were sent to America with full power to secure a suitable place for the settlement of their Society. After thorough investigation they bought 5,000 acres of land near Buf-

Messrs. Pott and Neumann on the 16th of November, 1714, the day from which dates the existence of the AMANA SOCIETY or COMMUNITY OF TRUE INSPIRATION. "E. L. Gruber and his son J. A. Gruber, J. F. Rock, J. T. Pott, Johanna Melchier and G. Neumann were the first ones to join together in Christian fellowship for the organization of a new sect based not upon any code of external sanctity, but upon truth and a belief that God could now, as of old, inspire chosen prophets who should act as messengers to men."

Gruber and Rock visited every part of Germany, Switzerland and portions of France and Holland. They were successful with peasants, chiefly, but suffered persecution from authorities.

Unlike other communities of similar origin, they believed in the possibility of false inspiration. Frequent instances occur in the history of the Community of condemnation of false Inspirationalists. In the Society a committee is always appointed to examine those who claim to speak by inspiration. Violent opposition, showing itself in imprisonment, in the pillory, in public flagellation, failed to silence the faithful ministers.

In 1718 John A. Gruber came to America, but returned to Germany. A descendant was an active member of the Methodist Church about a hundred years later. Through friends who emigrated to America the attention of the Inspirationalists was turned toward this country as "a promised land," though a century elapsed before permanent emigration set in this direction. The monograph gives a very interesting account of incidents connected with the life of the Society from its organization in 1714 to the first movement which established the Society upon American soil in 1844.

Justice can not be done by excerpts.

One point is touched which shows the spirit of the Society. "In the wars of Frederick the Great, the Inspirationalists wrote much against the evils of wars. The position which they took may be summed up as follows:

I. "The teachings of Christ forbid war.

munities, should be less eagerly studied, and less frequently treated, though not entirely neglected."

III. "That all mixture of philosophy and human science with divine wisdom was to be most carefully avoided; that is, that pagan philosophy and classical learning should be kept distinct from, and by no means should supersede Biblical theology."

IV. "That on the contrary all students who were intended for the ministry should be kept accustomed from their youth up to the perusal and study of the Holy Scriptures, and be taught a plain system of theology, drawn from these unerring sources of truth."

V. "That the whole course of their education should be so directed as to render them useful in life, by the practical power of their doctrine and the commanding influence of their example."

After Spener's death internal strife divided his followers. Few remained, and as outcasts from the church and exiles from their native land found consolation in the belief that "God in his mercy caused a wind to blow, soothed the troubled souls in their afflictions, and raised up in their midst persons who were inspired." A lady of noble rank, who spent much of her time in prayer, under inspiration prophesied the rising of a new sect. She was imprisoned, but communicated to a man who visited her in prison her views of inspiration. He traveled quite extensively, defending the doctrine that men of the present day may be inspired as were the prophets of old.

Three brothers from Halberstadt, in Saxony, together with a woman of high rank from Konneburg, organized a little congregation to which the woman, Eva Catharina Wagneria, ministered as preacher of the gospel.

One of the brothers, Johan Tobias Pott, hearing of the two men at Himbach who for seven years had devoted themselves to the study of the mysteries of religion and to private devotions, with a friend, Gottfried Neumann, visited them. Eberhard Ludwig Gruber and Johann Friederich Rock welcomed

of it has received only such attention as became necessary from its historical importance." The value of the monograph as a contribution to history may be known from the fact that "the Trustees have kindly given the authors access to their records and publications—the latter being intended exclusively for the use of members and having no circulation beyond them." The further to insure accuracy, "the manuscript has been read by a number of the Trustees and the statements herein contained may be considered authoritative."

The Amana Society, or as they style themselves, "The Community of True Inspiration," "is what remains of that great revival movement which took place in Germany in the eighteenth century. The story of this honest, God-fearing people is a history of suffering, of hardships and of innumerable disappointments: their piety, their uprightness, and their endurance can not but command respect."

The authors trace the Society back to its roots in Mysticism and Pietism, which played a conspicuous part in the church history of Germany in the seventeenth century. The work treats briefly of the doctrines of the Mystics from Plato to Boehme, a poor Silesian shoemaker. Boehme and his followers, Arndt, Gerhard and Andrea, aroused the German people to protest against the "dry formalism and the sectarian strife of the times." They proclaimed the doctrine of "inward light" and of "inspiration." There arose in the church a body of men who organized "Collegia Pietatis," and hence were called "Pietists."

Phillip Jacob Spener when a child read the works of the Mystic Arndt, and from his childhood devoted himself to the work of reform in the Lutheran Church. The tenets of his faith were:

I. "That the scholastic theology which reigned in the academies, and was composed of intricate and disputable doctrines and obscure and unusual forms of expression, should be totally abolished."  
 II. "That polemical divinity, which comprehended the controversies subsisting between Christians of different com-

## A GREAT HISTORICAL MONOGRAPH.

A REVIEW BY J. L. PICKARD, LL.D., IOWA CITY, IOWA.

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HISTORY OF THE AMANA SOCIETY OR COMMUNITY OF TRUE INSPIRATION. BY WILLIAM RUFUS PERKINS, A. M., PROFESSOR OF HISTORY, and BARTHINUS L. WICK, Fellow in History, of the State University of Iowa. Published by the University, 1891.

The past decade has witnessed a marked revival in the study of all sociological questions. Sociology, upon its industrial side, has awakened the most lively interest. Combinations in capital and in labor have led to unrest, sometimes to collision. The need of wisdom in guidance on the part of both parties has been recognized by the leaders in thought. Prominent Universities have discussed the signs of the times, have reorganized their curricula, have opened the way for a more thorough study of the science of sociology. The younger men, who have taken hold of the work with enthusiasm, have not rested content with the historic verdict of failure stamped upon ephemeral experiments. It is true that American soil has not in all cases proved favorable to the transplanting of European social communities. They have studied conditions of success or failure from both the European and the American side. They are bringing to the attention of their classes the results of philosophic and of scientific study. Failures are traced to their causes: successful attempts in combination are presented in their setting. The student of to-day, who in the near future is to be the leader in the activities of the industrial world, has learned of the possibilities of successful combination under conditions which obtain in the society he enters.

The monograph under review is a brief record of marked success in combination for agricultural and manufacturing pursuits.

The Amana Society "is viewed strictly from its historical standpoint, and not from the communistic. The latter phase

Theirs not to reason why,  
 Theirs but to do and die—  
 Into the valley of Death  
 Rode the six hundred.  
 Cannon to right of them,  
 Cannon to left of them,  
 Cannon in front of them,  
 Volleyed and thundered;  
 Stormed at with shot and shell,  
 Boldly they rode and well;  
 Into the jaws of Death,  
 Into the mouth of Hell  
 Rode the six hundred.  
 Flashed all their sabres bare,  
 Flashed as they turned in air,  
 Sabring the gunners there,  
 Charging an army, while  
 All the world wondered:  
 Plunged in the battery-smoke,  
 Right through the line they broke;  
 Cossack and Russian  
 Reeled from their sabre-stroke,  
 Shattered and sundered:—  
 Then they rode back—but not,  
 Not the six hundred.  
 Cannon to right of them,  
 Cannon to left of them,  
 Cannon behind them  
 Volleyed and thundered:  
 Stormed at with shot and shell,  
 While horse and hero fell,  
 They that had fought so well  
 Came through the jaws of Death  
 Back from the mouth of Hell,  
 All that was left of them,  
 Left of six hundred.  
 When can their glory fade?  
 Oh, the wild charge they made!  
 All the world wondered!  
 Honor the charge they made!  
 Honor the Light Brigade,  
 Noble six hundred!

2d, 7th and 12th Iowa and 25th Indiana regiments. His Brigade stormed the enemy's works on our left and compelled the surrender of the Fort. At Shiloh he commanded the Third Brigade of the Fourth Division, which did splendid service in that great battle and was again specially mentioned for gallant conduct. His personal courage was of the first order, and his humanity and kindness to the men under his command was conspicuous upon all occasions. After his promotion to the command of the Fourth Division of the Sixteenth Corps, the 3d was the only Iowa regiment in his Division. We, in common with the other regiments under his command, considered ourselves exceedingly fortunate in having him for our leader. It was naturally most gratifying to us because he was from our own State, and we were proud of the brilliant reputation he had made. From the date of his promotion to the rank of Brigadier General, the soldiers he commanded had never known defeat, until the morning of that fatal day at Jackson. His friends will always believe that he obeyed General Ord's orders, and was unjustly relieved of his command.

And now, Companions, had I the power of the trained elocutionist, to enable me to recite the soul-stirring poem describing the charge of that other Light Brigade, I might feel that I had succeeded in entertaining you for a few moments, at least, in closing. As I am not an elocutionist, I can only imitate the action of my old Brigade and make the attempt, knowing that I shall at least have the support of your forbearance and sympathy.

Half a league, half a league,

Half a league onward,

All in the valley of Death

Rode the six hundred.

"Forward the Light Brigade;

Charge for the guns!" he said:

Into the valley of Death

Rode the six hundred.

"Forward the Light Brigade!"

Was there a man dismayed?

Not though the soldier knew

Some one had blundered:

Theirs not to make reply,

General Hovey, and I am glad to be able to present it here:

CHICAGO, February 20, 1893.

MY DEAR COLONEL:—For some days I have been overwhelmed with correspondence, and court business, and have but just read your friendly letter of the 15th inst. I can only take time to thank you for it. If I can get an hour's time, it will afford me pleasure to give you my recollections of that disastrous charge by your Brigade at Jackson, Mississippi, July 12th, 1863. The assault was as heroic as it was disastrous, and it may be that the responsibility for the terrible loss of so many gallant men will always remain a matter of uncertainty.

Very truly yours,

W. Q. GRISHAM.

General W. T. Sherman says in his personal Memoirs, page

359:

"General Ord accused the commander (General Lauman) of having disregarded his orders, and attributed to him personally the disaster and heavy loss of men. He requested his relief, which I granted, and General Lauman went to the rear and never regained his division. He died after the war, in Iowa, much respected, as before that time he had been universally esteemed a most gallant and excellent officer."

General Sherman further says in his Memoirs, page 361:

"In the attack on Jackson, Mississippi, during the 11th to 16th of July, General Ord reported the loss in the Thirteenth Army Corps 762 of which 533 were confined to Lauman's division. General Parkes reported, in the Ninth Corps, 37 killed, 258 wounded and 33 missing; total 328. In the Fifteenth Corps the loss was less; so, in the aggregate, the loss as reported by me at the time was less than a thousand men, while we took that number alone of prisoners."

The loss in Lauman's Division was almost exclusively confined to the First Brigade, which sustained a loss of over 500 in killed and wounded, in the charge on the morning of the 12th. Thus it will be seen that the loss in that charge was more than one-half that of the Ninth, Thirteenth and Fifteenth Army Corps in all the operations against Johnston's army from the 5th to the 17th of July, when Jackson was evacuated. In closing I feel in honor bound to say a few words in justice to the memory of my old commander. General Jacob G. Lauman entered the service as Colonel of the 7th Iowa Infantry. He commanded his regiment in the battle of Belmont, where he was severely wounded and won special mention from General Grant for his gallant conduct. At Fort Donelson he commanded a Brigade in Smith's Division, consisting of the



I was a personal witness of the charge of the First Brigade of General Lauman's Division at Jackson, and it was one of the most desperate charges ever made by soldiers upon any battle field. I was astonished when I saw the Brigade break from its alignment with my Division, and advance to the assault, and I instantly knew that some one had made a terrible mistake. No troops ever behaved more gallantly, and our army had no braver officer than General Lauman. I can give no opinion as to the personal responsibility of General Ord or General Lauman for that useless slaughter of brave men. No official investigation was ever had. General Lauman, who was personally relieved of his command, constantly insisted upon the fullest investigation, but died at his home in Iowa without his request having been granted. We who witnessed the charge *knew* you could not succeed. Had I received an order to detach the Brigade of my division next to you in line to your support, the result would have been the same, they would only have shared your fate. But the fact was, no troops were within supporting distance of your brigade when it made the charge."

General W. Q. Gresham was also a personal witness to the assault. He was one of the first officers I met (outside of my command) when the assault was over, and I shall never forget his sympathetic greeting. In a conversation I had with him some years ago, when he was a guest of Crocker's Iowa Brigade at its Cedar Rapids Reunion, he spoke feelingly of our terrible loss, and regretfully of the consequences to General Lauman, for whom he entertained a high personal regard. Recently—since I had decided to prepare a paper upon this subject—I wrote to General Gresham, asking him to do me the favor of giving me his personal recollections of the charge, with permission to incorporate his reply in this paper. I regret that he was unable to fully comply with my request, but his brief reply completely corroborates the personal statement of

that I shall never forget. I hazard nothing in saying that at that moment had the order been given to charge again, it would have been as promptly obeyed as the first order had been. To die upon that hillside, thickly strewn with our dead, and where many of our wounded and helpless comrades still lay, was not a thought to inspire terror. It was rather a privilege to be sought. At Shiloh, where this same brigade had twice rolled back the mighty tide which surged and beat against it, and when the smoke of battle had lifted, beheld the ground strewn thickly with the enemy's dead and wounded, we had been lost in admiration for the valor of our foe. But there we had not fought behind breastworks. We stood in line of battle in the open field and received the fire of the enemy, and suffered heavy loss from his repeated attacks. There the battery raged for the greater part of two days, while here, we had in a few minutes lost more than half our number in killed and wounded, and had been able to inflict but comparatively slight loss upon the enemy in his secure and almost impregnable position. We knew well that a second attempt meant a second failure, with equal or greater loss, yet no feeling of dismay would have come to us had the order been repeated. It is simply impossible for those who have not had a similar experience, to comprehend the feeling of absolute contempt for death which had taken possession of us. But to many, if not to all of you, Companions, the same feeling has doubtless come at some fateful moment in your soldier career, and you look back upon it with a feeling of satisfaction that you rarely—  
 if ever—feel in contemplating any other incident of your past life. To have had such a feeling, if only for a few brief moments, enables one to know what total self-abnegation means. The impartial witnesses to that fatal charge vastly outnumbered those who participated in it. I wish to add the testimony of a few of these witnesses. But a few months before his death, I had the pleasure of meeting General A. P. Hovey, then Governor of Indiana, at his home in Indianapolis. In the presence of a number of gentlemen he said to me—  
 and I have carefully treasured his words—"Colonel Crosley,

he has learned in the hard, but necessary school of military discipline, that he cannot act upon his own judgment, that he must obey orders, and let the responsibility rest upon the officer who commands him.

"Theirs not to make reply,  
Theirs not to reason why,  
Theirs but to do and die."

That some one had blundered in giving the order for that hopeless charge, we knew right well. The moment the enemy's works came into view, and our skeleton brigade was ordered to assault them, we realized that it was a forlorn hope. Looking to the left we saw that the troops there had come to a halt, glancing to the rear we could see no troops moving to our support. In our front frowned the formidable works of the enemy. It was clear to the comprehension of the dullest soldier in the ranks that our small force, unsupported, could not reach, much less capture those works. I here quote briefly from the account of Lieutenant S. D. Thompson, in his book entitled "Recollections of the 3d Iowa Regiment," and, but for the necessary limit of time, would be glad to give his graphic description of the charge in full :

"Colonel Fugh now reported his position in person to General Lauman, who still ordered him to advance. It must have been a harrowing moment to him. There stood the remnant of his gallant brigade, now only eight hundred strong, which he was ordered to destroy. His order was imperative and he was too true a soldier to question, much less to disobey it. Colonel Fugh gave the order to *Charge!* The enemy opened with fourteen pieces, and two brigades of infantry rose from their concealment and poured a converging fire upon that devoted band. The men raised the shout and sprang forward through that thick storm of death. A few moments and all was over. The line crumbled into broken bands, which arrived within pistol-shot of the embrasures, and halted and staggered, and were swept away."

Companions, I think it is not claiming too much for the men of that old brigade, to say that they were as well disciplined, as intelligent and brave a body of soldiers as ever followed our flag or fought beneath its folds. The men of the 3d Iowa promptly rallied to their colors, after emerging from that hell of battle, and as they again came into line, there was a look of determination mingled with sadness upon their faces

for about twenty minutes. The enemy replied promptly with two guns, getting our range the first shot. As soon as the Battery ceased firing the line again moved forward. We advanced half a mile through timber and dense undergrowth, our skirmishers meeting with no opposition. When we came to the edge of an open field, the line was again halted. Here we were joined by the 28th Illinois Infantry, which took position on our right. General Lauman now came up and ordered the line forward, the skirmishers keeping well advanced. When about half way across the field our skirmishers engaged the enemy's pickets. Soon after their picket reserves were encountered and driven in, and a moment later we came within sight of their works, about three hundred yards distant. The enemy now opened fire with twelve pieces of artillery, all bearing directly upon our line; and also gave us a heavy fire of musketry. The men answered this greeting with a shout, and rushed forward to the assault. We were met by a perfect storm of grape, canister and musketry. The timber and brush had been cleared away in front of the enemy's works and an abatis formed which broke our line and threw the men into groups, thus giving the enemy's artillery an opportunity to work with most deadly effect. Our line rapidly melted away under this terrible fire, and after getting up to within seventy-five yards of the works, we found ourselves too weak to carry them by assault, and after remaining under this severe fire for twenty minutes, we were compelled to fall back. We brought off our colors safely and reformed at the place where we had last halted previous to advancing to the assault. We were then ordered back to the point where we had first crossed the railroad. The regiment went into action with 223 enlisted men, 15 line and three field and staff officers—making an aggregate of 241 rank and file engaged. Out of this number we lost 114 killed, wounded and missing. Part of our wounded and all of our dead were left on the field. An attempt was made to bring off our killed and wounded, under a flag of truce, but it was unsuccessful. After the evacuation of Jackson, a few days subsequent to the fight, we recovered part of our men who had been left in the hospital; but those who were able to be moved had been taken away as prisoners of war. Most of those reported as missing are known to be wounded. Of the conduct of both officers and men during this, the severest conflict in which the regiment has been engaged, I cannot speak too highly; all did their duty nobly, and it is impossible to make special mention of any one without doing injustice to others. The inclosed list of killed and wounded will show how the regiment fought, better than I have been able to describe it.

G. W. CROSLBY,  
Major Commanding 3d Iowa Infantry.

It is a fact too well known to require comment here, that the volunteer soldier of America possesses that average high degree of intelligence, which enables him to form an approximately correct judgment of the situation confronting or surrounding him in battle, almost, if not quite as quickly as the officers under whose immediate command he is fighting. But

—was simply for the purpose of taking a position indicated, as necessary to complete the prolongation of the line of investment to the right, in the direction of Pearl River. We were expected to force the enemy's heavy line of pickets back upon their main line, or to their outer defenses, if such were encountered, then halt and construct rifle pits to protect our own line. We had successfully executed many such movements before Corinth and Vicksburg. If the nature of the ground over which we had to pass, and the position of the enemy's advance line had been ascertained by the usual methods, and explicit orders given to General Lauman, who had so often demonstrated his ability as a Brigade and Division Commander, we are justified in believing that the useless slaughter that ensued might have been avoided. Colonel Aaron Brown, who commanded the Third Iowa, fell severely wounded early in the engagement, and the command devolved upon the writer. A copy of my brief report was forwarded to the Adjutant General of Iowa, in compliance with his request, and I find it on page 427 of his report of the operations of Iowa troops, made to Governor Samuel J. Kirkwood in 1864. I have not been able to obtain the Report of Colonel Fugh who commanded the Brigade, or those of the 28th, 41st and 53rd Illinois Regiments. It is now nearly thirty years since that bloody conflict—short in duration, but most terrible in results—took place. I may, therefore, be pardoned for presenting here my own report, rather than to rely upon my memory, after the lapse of nearly one third of a century.

HEADQUARTERS THIRD IOWA INFANTRY,  
Near VICKSBURG, MISS., July 26, 1863.

*Col. N. B. Baker, Adjutant General of Iowa:*

COLONEL:—I have the honor to submit the following report of the conduct and loss of the 3d Iowa Infantry in the assault on the enemy's works at Jackson, Miss., July 12, 1863. About nine o'clock on the morning of the 12th, the 3d Iowa, 41st and 53d Illinois Infantry and the 5th Ohio Battery of six guns, crossed the New Orleans & Jackson Railroad, at a point about two miles south of Jackson, and one mile from the enemy's works. After crossing, line of battle was formed, skirmishers thrown out, and the line ordered forward. After advancing about one-fourth of a mile the line was halted, the Battery placed in position one hundred yards in our rear, opened fire with shell and continued to fire rapidly

As day dawned we were rudely awakened, and reminded of the close proximity of the enemy, by the brisk firing which at once began along the picket line, only a short distance in front of us. But we had become so well used to that familiar sound that it did not greatly disturb us. Our first thought was to satisfy the imperative needs of the "inner man." We partook of the usual hard-tack and coffee, were strengthened and refreshed, and ready for the work before us. Several hours passed, however, before the order to advance was given, and it was nearly nine o'clock when we crossed the railroad, formed in line of battle and deployed our skirmishers. Surely time enough for the advance had elapsed for General Ord to have fully perfected all the details which, as was afterwards explained to us.

How all was ranged and ready for a sumptuous jubilee."  
 For death was walking in the dark, and smiled *his* smile to see  
 Its very heart of life stood still and the white mist brought its shroud :  
 Our camp lay in the quiet vale, all silent as a cloud,  
 Their music floated on the air, and charmed us to betray.  
 So like the bells that call to prayer in the dear land far away ;  
 It seemed so like our Sabbath chimcs, we could but lie and bark ;  
 Cathedral dark.

At four, a burst of Bells went up thro' nights  
 We lit the pipe of peace.  
 And at the smouldering fires of war,  
 O'er their wild work did cease,  
 " 'Twas midnight ere our guns' grim laugh

rounded and threatened their homes.  
 their minds to peaceful slumber amid the dangers that sur-  
 were unused to "the dreadful of war" and could not compose  
 the soldiers who defended them, and their assailants, they  
 happy citizens were no doubt broken and unquiet, for unlike  
 dear homes in the far away north. The slumbers of the un-  
 turbed as though we had been resting beneath the roofs of the  
 presence of the enemy, our slumber as profound and undis-  
 sky and slept, as we had so often slept before, in the immediate  
 moon, but the stars shown brightly. We lay beneath the open  
 picket line in our front. The night was clear, there was no  
 hillside before us, dead or wounded. All was quiet along the  
 meridian, more than half our number would be lying upon the

in active service for over two years. They had taken part in many severe engagements, and their ranks had become so greatly decimated, that the entire Brigade numbered less than a full Regiment of effective fighting men, on the morning of that fatal 12th of July. It was indeed a "Light Brigade" in point of numbers, at least.

We had all participated in the Siege of Vicksburg from its commencement until the morning of that glorious Fourth of July when the rebel stronghold surrendered.

On the morning of the 5th, turning from the scene of our triumph, we had promptly moved to the support of General Sherman, who was advancing to attack the rebel forces under the command of General Joseph E. Johnston. That General, declining an engagement in the open field, slowly retired before us until he reached his strongly intrenched position at Jackson.

On the evening of the 11th the Fourth Division was closing in on the right of Sherman's Army to complete the investment of the city. The First Brigade, with the gallant Colonel I. C. Fugh of the 41st Illinois in command, was advanced with orders to keep aligned with General A. P. Hovey on our left. We pushed the enemy's skirmishers well back towards their intrenchments, and were still advancing when night closed in and it became too dark for us to reach the position we had been ordered to occupy. We were ordered to halt and go into bivouac for the night. We did not expect that we should be ordered to carry the enemy's works by assault the next day, on the contrary everything seemed to indicate that General Sherman had determined to reduce Jackson by the same methods that General Grant had employed at Vicksburg—a series of regular siege operations. We knew, of course, that more or less severe skirmishing would take place before we reached the position assigned to us the next day. After that, however, we did not anticipate such stubborn and prolonged resistance as we had met with at Vicksburg.

As we slept upon our arms that summer night, we did not dream that before the sun of another day had reached the

The main motive that actuates me in the preparation of this paper, is to pay a just tribute to the memory of my dead comrades. I am therefore solicitous, that it shall contain nothing that will not meet with the cordial approval and endorsement of all the survivors of the bloody conflict it is intended to commemorate. But a few years more, and none will remain to give personal testimony as to the facts connected with military events, in which they took part, or of which they were witnesses. These fragments of history may, and let us cherish the hope, will be preserved long after we are gone, by all who shall sacredly cherish the memory of our Country's defenders. No poem, recounting the deeds of brave and heroic men, doing battle for their country, and nobly sustaining the honor of its flag, has been so universally read and admired, as that of the immortal Tennyson describing the charge of the "Light Brigade" at Balaklava. With the slight draft upon the imagination, necessary to suggest the requisite changes to fit a different arm of the service, the character and nationality of the troops engaged, and the scene of the conflict, that poem might be read as truly descriptive of the charge of the First Brigade of the Fourth Division of the Sixteenth Army Corps at Jackson, Mississippi, on Sunday, July 12, 1863.

The Regiments composing the Brigade were the 3rd Iowa, 41st and 53rd Illinois and the 33rd Wisconsin Infantry. The 33rd Wisconsin had been detached from the Brigade on some special duty and therefore did not participate in the assault. Its place was taken by the 28th Illinois Infantry.

These four small Regiments had all been constantly engaged

## LAUMAN'S CHARGE AT JACKSON.

BY MAJOR AND BREVET-COLONEL GEO. W. CROSLY.

[The following paper was read by Colonel Crosley before the Commandery of "The Loyal Legion of Iowa," at its meeting in Des Moines, March 14, 1893. It appears also in the published records of that body.]

*Commander and Companions.*



Very Truly Yours  
Wm. J. D. [unclear]





lands by the General Government for the improvement of Iowa's favorite stream had been so injudiciously applied, that from the mode of carrying on the work in the manner it had previously been conducted, the grant was fast being expended with but little if any practicable beneficial results to the State. Hence the enactment of the law at the last session of the General Assembly of Iowa which confined the officers to the making of contracts which were to secure the improvement of said river to the *greatest extent practicable*." It is also said in the report: "Could the desired end have been obtained, so that the State could have retained possession of the improvement after completed, it would have been a source of great satisfaction to the Board, as well as a source of profit to the State. But the Board are of the confident opinion that the lands have been so far expended in what has already been done that the time would never come when the proceeds of the lands alone would have completed the work. It has not been without some considerable difficulty, during the past few years, that the attention of capitalists could be attracted to the subject and the importance of slack-water improvements. Railroads seemed to be the all absorbing topic of interest which has occupied the public mind."

May 14, 1855, the Register of the improvement, George Gillaspay, certified a list of 88,853.10 acres, lying in the counties of Lee, Van Buren, Davis, Jefferson, Wapello, Mahaska, Marion, Warren, Dallas and Polk, to the Company, as sold to it "in pursuance of the contracts and agreements with said Company for the construction of said Des Moines River Improvement," and May 6, 1856, another list of 116,636.4 acres lying in the counties of Polk, Wapello, Marion, Boone, and Webster, certified as being "in consideration of \$144,657.70 expended in pursuance of the contracts and agreements between the State of Iowa and the Des Moines Navigation & Railroad Company, upon the improvement of the said river and in payment of the liabilities resulting from the former prosecution of the work by the State of Iowa."

governed in the conveyance of lands were specified as far as practicable, and when not specified were to be fixed by the engineer, who was to be appointed by the joint assent of both parties. The work was to be done under the joint supervision of the Board of Public Works and engineers, except as otherwise provided in the contract. The Company was to look alone to the funds belonging to and arising from the improvement for compensation, the State in no event to be liable therefor. There were many other minor and collateral provisions reference to which is unnecessary. It will be seen that the contract contemplated that the Company would receive for the work lands of the value, at \$1.25 per acre, of \$1,300,000, to be conveyed as the work progressed, on estimates made by an engineer to be appointed by the joint assent of the parties, in limited specified quantities at the stipulated price.

By reason of a misapprehension when the original agreement was executed, as to the amount of unsold lands belonging to the improvement below Fort Dodge, by supplemental agreements, one of the same date with the original, the other dated June 29, 1854, it was stipulated that the right of the Company to rents and tolls should be extended from forty years to seventy-five years; referring to which, on December 1, 1854, the Commissioner and Register of the improvement in a report to the General Assembly giving their official doings from April, 1853, until the date of the report, say: "Subsequent to the execution of the supplemental contract of the 9th of June, 1854, on a view of the upper Des Moines river country and on an examination of the plats in the office of the Register, it was found that the lands below Fort Dodge had been disposed of and the money applied to said improvement, to a much greater extent than had been previously understood by either the Commissioners or the Des Moines Navigation & Railroad Company, although the amount of land originally estimated was found *not to be too large, yet the location being much higher up the river, and consequently at present not so valuable.*"

It is further said in the report. "It has long been a source of complaint by the citizens of the State that the grant of

of \$55,000; and on the other hand should be entitled to receive all moneys due to the improvement from the General Government and all claims and demands against the General Government, together with various other sums specified; and was required to pay from time to time the salaries of the Commissioner, Register, Engineer and other officers and employes of the improvement. The State and the Commissioners were to sell and convey to the Company in the manner and upon the terms therein provided, all of the lands donated to the State for the improvement by the act of Congress, remaining unsold by the State, December 23, 1853, for which the Company agreed to pay \$1,300,000 in the manner also therein provided. Whenever the Company should do work to the amount of \$30,000 according to estimates made by the acting engineer, the proper agent of the State was to convey to the Company lands belonging to the improvement to the amount of \$30,000, at the rate of \$1.25 per acre, deducting 15 per cent to be adjusted on final settlement, and so, as to each successive estimate of \$30,000, until work should be done to the amount of \$1,300,000, if so much land should remain unsold from and after December 23, 1853, and until the work should be completed. Upon the expenditure of the \$1,300,000 and the completion of the work, all of the lands remaining unconveyed, if any, were to be conveyed to the Company. All money paid by the Company to the Register or Commissioner of the improvement in the payment of liabilities on account of the former prosecution of the work by the State, was to be deemed expended on the improvement by the Company, for which the Register should convey lands to it at \$1.25 per acre, equal to the amount so paid, which amount should be included as part of the \$1,300,000. For all moneys advanced by the Company for salaries and pay of officers and agents or servants, for rights of way, damages to mill owners, and other matters not covered by actual work done on the improvement, lands were also to be conveyed to it at the stipulated price of \$1.25 per acre. The prices for the different kinds of work, according to which the engineer was to make his estimates, and by which the parties were to be

of eighty acres of these lands, \$160 of which is recited in the act as having been the principal sum paid; while from the report of the Secretary of State just referred to, it appears that the sale of this eighty by the Commissioner was to one Leander Boher for \$100, \$25 of which only was paid and had been refunded; and immediately following the decision of the Supreme Court of the United States finally determining the question of title against the claim of the "settlers," a bill was introduced into the Twenty-fourth General Assembly and passed the House, providing for the payment to all of the purchasers of said lands so sold, or their assigns, of their then full value, to be ascertained by appraisal, subject only to a credit of any amounts theretofore refunded under the act of the Eighth General Assembly above referred to.

December 17, 1853, Henry O'Reilly, Esq., of New York, entered into a contract with the Commissioner of the Improvement, in which, for the consideration of the "unsold lands belonging to the improvement and the tolls, water rents and other profits arising from the work, for the term of forty years," he agreed to complete the entire work within the period of four years from the first day of July, 1854, according to the original survey and specifications made by the engineer of the improvement, then on file in the office of the Register. Immediately thereafter O'Reilly returned to the east and organized under the laws of Iowa the Des Moines Navigation & Railroad Company, composed of eastern capitalists, and on the 9th day of June, 1854, at his request, his contract with the State was canceled and a similar one entered into between the State and the company so organized by him. The following are the material provisions of this contract:

The Company agreed for considerations named to make and finish the improvement from the Mississippi River to the Racoon Fork, the work to be completed on or before July 1, 1858, one-fourth part of it each year, commencing July 1, 1854; to pay all debts outstanding against the Improvement December 23, 1853, provided the amount did not exceed \$60,000, to meet which liabilities it paid over to the Commissioner the sum

above the Racoon Fork; and on December 30, 1853, still another list of 12,813.51 acres. This last list was certified as: "A list of lands falling within the Des Moines River grant, under act of 8th of August, 1846, selected by the State under the act of September, 1841, on the 20th day of July, 1850, and erroneously approved 20th of February, 1851, previous to the adjustment of the grant and before it was known that they belonged to the State under the Des Moines River grant." All of the foregoing lists were approved to the State without prejudice to the rights, if any, of other parties.

From the report of Thomas H. Benton, Jr., Superintendent of Public Instruction, to the General Assembly, under date of June 6, 1854, it appears that before the erroneous certification of the last mentioned list had been countermanded, acting under his instruction, John Tolman, School Fund Commissioner, had sold 3,194.28 acres of the 12,813.51 acres as school lands. By an act of the Eighth General Assembly, approved April 2, 1860, it was provided that the purchasers of the lands so sold should, on making proper proofs of the amounts of purchase money paid by them respectively, be reimbursed the amounts so paid with ten per cent interest out of the State treasury on warrants to be issued by the State Auditor. Under the authority of this act, it appears from the report of the Secretary of State for 1889, pages 183-4, that as to 2,639.43 acres the purchase money with interest had been refunded; and that as to 120 acres, the purchaser being an alien and having since died, there was consequently no one entitled to the refund. There would seem to be no reason why any further provision should be made by the State for the relief or indemnity of any of the purchasers of these lands. Under the circumstances the refunding of the purchase money actually paid with ten per cent interest from date of payment, ought to relieve the State from any further obligation.

But notwithstanding this just and ample provision on the part of the State, the Twenty-second General Assembly passed an act for the payment to one John Haidien of \$389.40, as a refund or indemnity on account of his purchase from the State

have equal power with the elected Commissioner in making contracts for the improvement of the river. By the sixth section it was provided that the Commissioners should make no agreement, "unless such contract or agreement stipulates for at least \$1,300,000 to be faithfully expended in the payment of the debts and liabilities of said improvement, and to the completion thereof to the greatest extent practicable." And by section nine it was provided that, "In no event shall the State be liable for any contract made or to be made; but the person or company contracting shall look alone to the funds belonging to and arising from said improvement." June 14, 1853, the legislative committee before mentioned—Knapp, Clark and Hebard—made a report to the Governor as to the operations and financial condition of the improvement; in which in regard to the quantity of land claimed by the State they say: "With regard to the number of acres granted for said improvement, we submit: That the act of Congress, approved March (August) 8, 1846, . . . conveyed to the Territory for the purpose above mentioned the alternate sections of land in a strip five miles wide on each side of said Des Moines River from its mouth to its source. The amount of land embraced in this grant has never yet been ascertained. Much of it is yet unsurveyed, and only a portion as yet of that which has been surveyed has been reported to the Register's office. We are therefore unable to report the number of acres granted for said improvement. The amount has been variously estimated at from one million to one and one-half million acres. From the best information we have been able to obtain, we think it may safely be estimated at 1,300,000 acres. We find there have been sold of these lands in all 253,472.43 acres. Of the above number of acres, 252,472.43 acres have been sold at \$1.25 per acre, making the sum of \$315,590.55; 880 acres at \$2.00 per acre, or \$1,760; 80 acres at \$3.00 per acre, or \$240; making the whole amount received for lands sold, \$317,642.55." They also found the actual indebtedness of the improvement to be \$104,625.44. December 17, 1853, the Secretary of the Interior certified to the State a list of 33,142.43 acres more



the contractors of not less than \$65,000, and unliquidated claims for damages of over \$80,000 on suspended contracts. The estimated cost of completing the works between St. Francisville and Keosauqua, excluding the canal, was \$210,000. Thus showing an absolute deficiency in means to be hoped for from the lands lying below the Kaccoon Forks, to meet the actual indebtedness and the estimated cost, of \$108,250, aside from all claims for unliquidated damages."

January 19, 1853, the General Assembly passed another act "to secure the more vigorous prosecution of the Des Moines River Improvement," amendatory of previous acts. By the first section it was provided that the Commissioner and Register should have power and they were fully authorized to sell and dispose of "all and any lands which have been, or hereafter may be granted by Congress for the improvement of the Des Moines River, in such manner as they may deem most expedient for the early completion and vigorous prosecution of said improvement;" with the proviso that the lands should not be sold for less than \$1.25 per acre, or a less amount than \$1,300,000 in the aggregate, and that the proceeds should be devoted to the payment of debts and the completion *as far as practicable* of the improvement. By the second section it was provided that "said Commissioner and Register are hereby authorized and empowered, if deemed by them necessary for the best interests of the improvement, to transfer, or convey in *fee simple*," to any individual or company, any portion of the lands to procure a fund to carry on the improvement.

January 22, 1853, the General Assembly by joint resolution appointed Joseph C. Knapp, Wareham G. Clark and Alfred Hebard a committee to examine the books of the Commissioner and Register of the improvement and make report; and January 24, 1853, passed still another act in regard to the improvement, amendatory of all previous acts. By the first section of this act provision was made for the election of a Commissioner and Register of the improvement, to serve for a term of two years. By the second, for two assistant Commissioners, George G. Wright and Uriah Biggs, who were to

state of things is to let contracts entirely on credit at a great additional cost, as well as loss of the vigor and efficiency which a system of cash payments brings with it. It is hardly too much to say that the work can never be completed unless some step is taken, by legislative enactment, to infuse new life into it." Speaking of the resources of the State to carry on the work they say: "She (the State) has now, beyond dispute, a million of acres of land applicable to the great object mentioned, which, if held in reserve, and sold at their actual value, would probably, in the end, pay for the improvement twice over; besides work is already done upon it to the amount of three hundred thousand dollars; to suffer it now in this condition of things, with a solid and perfectly reliable foundation on which to rest, and so much progress made in its construction, to go down to ruin and decay would be impolitic and unwise in the last degree; nay, a permanent discredit to the State."

December 7, 1852, Governor Hempstead, in his message to the General Assembly, referred to the improvement as follows: "In pursuance of the law of the last General Assembly relative to the Des Moines River Improvement, I proceeded at an early day to fill the offices of the Commissioner and Register, as therein provided, by the appointment of General V. P. Van Antwerp as Commissioner, and George Gillaspay, Esq., as Register, who after being duly qualified entered upon the discharge of the duties required of them. . . . The result of their labors during the first year will be found in their first annual report made to me in pursuance of law, and which is herewith submitted for your consideration. By this report it will be found that all work, or nearly so, when these officers entered upon the discharge of their duties, was suspended. There were no funds on hand, and no part of the work was completed. Of the lands below the Racoon Fork 188,466 acres had been sold, realizing the sum of \$235,708.81, all of which had been expended, and there remained only 133,401 acres, worth at \$1.25 per acre, \$166,752.36. Over and above the money already expended, there was an outstanding debt due

general land office, and properly certified copies by him transmitted on November 1, 1851, to V. P. Van Antwerp, the then President of the Des Moines River improvement.

November 30, 1852, the Commissioner and Register of the improvement made a report to the Governor of Iowa, as required by statute, which together with many other statements, contained the following: "In the report of the undersigned, of the first of December last, we were enabled to communicate the gratifying fact of the final settlement of the question as to the extension of the Des Moines River congressional grant, from the Racoon Fork to the source of the river, whereby a *million of acres* more of land were secured for the use of its improvement. . . . The congressional grant, limited to the 321,800 acres lying below the Racoon Fork, when the undersigned took charge of the work as Commissioner and Register, in March, 1851, has been made to embrace more than quadruple that amount. . . . The undersigned are now in possession of certified lists (with plats or maps corresponding thereto), approved by the Secretary of the Interior, over his signature, of 225,616.31 acres of these lands above the Racoon Fork, some few of which have already been sold by them and others offered. . . . The present ascertained indebtedness of the work in charge of the undersigned, exclusive of interest, will not vary far from \$108,000 embracing the following items: "Following which is an itemized statement of the then indebtedness of the board of public works on account of the improvement.

As to the practicability of carrying on the work by the State, they say: "It only remains to inquire whether means can, and should be raised, for the continued prosecution of the work, beyond a reliance upon the proceeds of sales of lands embraced in the grant, for it is now a clearly ascertained fact, about which a doubt can no longer exist, that with the large debt hanging over the work, which should and must be paid, and the slow sales of lands, it is folly to expect to carry on the Des Moines River improvement to a completion in many a long year, if ever. The most that can be done under the present

and the question as to the true construction of the grant having been submitted to the new Attorney General, he, on the 30th of June, 1851, gave it as his opinion that the grant did not extend north of the *Raccoon Fork*; but in view of what had previously been done and the different opinions that had been expressed, the Secretary of the Interior, Mr. Stuart, directed the Commissioner of the General Land Office on July 26, 1851, to withhold the lands in dispute from market until the close of the then session of Congress that the State might have an opportunity of petitioning for an extension of the grant. The whole matter was again brought before the President and his Cabinet, and finally settled as far as they could settle it, in the manner indicated in a letter from the Secretary of the Interior to the Commissioner of the General Land Office, dated October 29, 1851, in which the Secretary said, in substance, that the question of the true construction of the act and the extent of the grant would have to be determined by the judicial tribunals, but that he was "willing to recognize the claim of the State, and to approve the selections without prejudice to the *rights, if any there be, of other parties*;" and the Commissioner was directed to submit for his approval such lists as had been prepared of the alternate sections claimed by the State above the *Raccoon Fork*, as far as the surveys had progressed.

October 30, 1851, the Secretary of the Interior approved a list of 81,707.29 acres as falling within the limits of the grant above the *Raccoon Fork*, and on March 10, 1852, an additional list of 143,908.37 acres, which approval, however, was with the following qualification: "Subject to any rights which may have existed at the time the selections were made known to the Land Office by the agents of the State, it being expressly understood that this approval conveys to the State no title to any tract or tracts which may have been sold or otherwise disposed of prior to the receipt, by the local land officers, of the letter of the Commissioner of the General Land Office, communicating the decision of Mr. Secretary Walker, March 2, 1849—to the effect that the grant extended above the *Raccoon Fork*." These lists were delivered to the Commissioner of the

opinion that the decision of Secretary Walker, of March 27, 1849, could not legally be revoked, that it was a final adjudication and was beyond the control of the Secretary of the Interior, the successor in this respect of Mr. Walker. Notwithstanding this opinion of the Attorney-General, the Secretary of the Interior took no immediate action in the matter, and on December 30, 1850, the Iowa delegation in Congress addressed to the then Secretary of the Interior, A. H. Stuart, a communication setting out very fully the claim of the State under the grant. They said: "Relying upon the decision of Mr. Walker, the State has made arrangements very different from those which would otherwise have been adopted. The improvements have been commenced and contracts made for their prosecution, on a scale much greater than would have been the case had a different construction been given to the law in the first instance. The State is, by her constitution, prohibited from incurring a debt, and the state of our finances will not permit appropriations from the annual revenues; much that has been done will therefore be valueless if we are now deprived of the means of completing the work." In this condition of uncertainty as to the lands lying north of the Racoon Fork, which it was understood constituted about three-fourths of all the lands donated for the improvement of the river, the General Assembly of the State on February 5, 1851, passed an act containing among other the following provisions:

That the Commissioner and Register might contract with any individual or company for the completion of that part of the improvement of the river at and below Keosauqua, by allowing the contractors in payment for such work any portion of the lands granted for the improvement of the river which lie below Racoon Fork, at a price not less than \$1.25 per acre; and that dams and locks above Keosauqua might be constructed, the work to be paid for from the lands granted *above* the Racoon Fork.

In the early part of 1851, President Taylor died and a new cabinet, with Mr. Crittenden as Attorney General, was formed;

the order of reservation, which he did June 21, 1849, showing the quantity of land thus sold to have been 25,487.87 acres.

December 19, 1849, the Commissioner of the General Land

Office wrote Jesse Williams, then Secretary of the Board of

Public Works, who had requested that the State might be

furnished with a list of the Des Moines river grant lands *above*

Raccoon Fork, that the list was in course of preparation and

would be transmitted at an early day. On the 14th of Jan-

uary, 1850, the Commissioner made a report to the Secretary

of the Interior, which officer had then become the head of the

land department, of the amount of land that had been granted

to the several States for the purposes of internal improvement,

in which, after giving the quantity charged to the State of Iowa,

he said that quantity would "be increased by the unadjusted

portion of the grant for the improvement of the Des Moines

river, situated between the Raccoon Fork and the source of

said river, estimated to contain about nine hundred thousand

*acres."*

March 13, 1850, the Commissioner of the General Land

Office submitted to the Secretary of the Interior three lists of

lands falling within the limits of the Des Moines river grant,

as then understood, and lying north of the Raccoon Fork, the

purpose being to certify such lands to the State under the

grant, but on the 6th of April, 1850, the then Secretary of the

Interior, Thomas Ewing, expressed the opinion that the grant

*did not extend north of the Raccoon Fork,* and returned the

lists without his approval. Thereupon the Senators and Rep-

resentatives from Iowa appealed from this decision of the Sec-

retary to the President, in a communication setting forth the

understanding of the State authorities and the obligations that

had been incurred by the State acting upon the construction

placed upon the act by Secretary Walker in his opinion of

March 2, 1849.

The President referred the question to the then Attorney-

General, Revedy Johnson, who, on July 19, 1850, gave it as

his opinion that the grant ran "*the entire length of the river*

*within the then Territory of Iowa."* He also gave it as his

grant contained in the letter of the Commissioner of the General Land Office, of February 23, 1848, already referred to, and the fact that the Board of Public Works, influenced by that construction, had put under contract nearly a hundred miles of the improvement. Reference was also made to the proclamation by the President for the sale of a portion of the lands above the Racoon Fork, which, it was urged, would be contrary to the spirit and language of the grant, defeat its design by leaving insufficient available means to complete the portion of the improvement then under contract, and render useless the large expenditure already made, and it was asked that sales under the proclamation should cease, and that the State should have indemnity for those already made.

January 8, 1849, the Iowa Senators and Representatives in Congress addressed to Robert J. Walker, Secretary of the Treasury, who then had jurisdiction over the public lands, a protest in substantially the same terms contained in the memorial just referred to; and March 2, 1849, the Secretary in reply, concurring the grant, said: "I concur with you in the view contained in your communication, and am of the opinion that the grant in question extends, as therein stated, on both sides of the river from its *source* to its mouth, but not to lands on the river in the State of Missouri." Thus, it will be noticed, indicating still another and more northern limit to the grant, the "source" of the Des Moines river. In harmony with this opinion and construction of the grant by the Secretary, the Commissioner of the General Land Office, on June 1, 1849, directed the local land officers to "reserve" from sale all the lands included in the grant, according to that construction, and that *reservation* has continued ever since, and has been the decisive fact in the determination of nearly every controversy to which the grant has from time to time given rise.

The Commissioner of the General Land Office, R. M. Young, at the same time directed the Register and Receiver of the Land Office at Iowa City to make out and forward a list of the odd sections within the limits of the grant north of the Racoon Fork, which had been sold by the United States prior to

February 23, 1848, the Commissioner of the General Land Office in a letter to the Secretary of the Board of Public Works, among other things said: "A question has arisen as to the extent of the grant made to Iowa by the act of 8th of August, 1846, and the opinion of this office has been requested on that point;" and after referring to the terms of the grant, concluded his letter as follows: "Hence the State is entitled to the alternate sections within five miles of the Des Moines River, *throughout the whole extent of that river within the limits of Iowa.*"

September 18, 1848, the Secretary of the Board of Public Works in a letter to the Commissioner of the General Land Office, referring to a proclamation of the President for a sale of public lands, including as such some of the lands above the Raccoon Fork of the Des Moines River and therefore within the limits of the grant as claimed by the State, said: "Your very liberal opinion has influenced this board to place sixty miles of the contemplated improvement under contract, in addition to the thirty miles first let, and the State would now be embarrassed by any impediment to her prospects in this regard." In December, 1848, the Legislature of Iowa met in regular session and on the 16th day of that month addressed a memorial to Congress relative to the extent of the grant, in which it was said:

"By your act passed in August, 1846, every alternate section of land not otherwise appropriated within five miles of the Des Moines river was donated to the State (then Territory) of Iowa, for the improvement of said river from its mouth to the forks. \* \* \* After the organization of the Board of Public Works there arose some doubts as to the limit of the grant, to-wit: whether it extended to the boundary of the Territory of Iowa as it existed at the time of the act of appropriation, or was confined within the limits of the State, the line of which crosses said river many miles *below* the point where the territorial line crossed." The Legislature thus, it will be seen, pushing the claim of the State "many miles" *above* its northern boundary.

The memorial proceeded to recite the construction of the



The Territory of Iowa was admitted into the Union as a State by act of Congress, approved December 28, 1846.

The grant was accepted by the State by a joint resolution of the Legislature, approved January 9, 1847.

The first communication from the General Land Office to the State authorities, dated October 17, 1846, and written by acting-Commissioner James H. Piper, indicated that, in the opinion of the Commissioner, the grant extended "from Sullivan's line, the northern boundary of Missouri, to the *Raccoon Fork* of the Des Moines River;" and in another of the same date, relating to the selection and location of the lands, addressed to the Register and Receiver of the local land office at Iowa City, the same officer said: "No action can be had by you in this matter, however, till you are advised by the Governor whether he will select the sections with the odd, or those with the even numbers." December 17, 1846, Jesse Williams and Josiah H. Bonney, the Commissioners previously appointed by the Governor of Iowa to make the selections, reported to him that they had "selected the odd sections."

This was the only act to be performed by the State so far as the location of the grant was concerned, and the title to the odd-numbered sections within the five mile limit fixed by the grant thereupon immediately vested in the State.

The title having thus become vested, the Legislature of the State on the 24th of February, 1847, made provision for entering upon the work of improving the navigation of the river by creating "a Board of Public Works", consisting of a President, Secretary and Treasurer, whose duty it was to dispose of the granted lands and apply the proceeds as required by the granting act.

The first meeting of the Board was held September 22, 1847, and provision was then made for raising funds, with which to defray the expense of visiting other States for the inspection of works of the character contemplated, for the employment of a chief engineer, and for the purchase of the necessary instruments and material to begin the prosecution of the work.

form, and in the main chronologically, will be attempted. As the writer has for many years acted as counsel for some of the parties to the litigation of which the grant has almost from the beginning been a most fruitful source, special care will be taken to avoid any just suspicion of partiality on that account, and any statements that cannot be amply verified if questioned.

The grant gave rise to two notable and long protracted controversies: The first between the State and the United States as to its location and extent, or more definitely stated, as to the location of its northern boundary line. The second between, at first, the settlers, but finally, the United States, on one side, and the corporation known as the Des Moines Navigation & Railroad Company and its Grantees, on the other side, which grew out of conflicting claims of title to the lands involved in the previous contention.

Whether or not the grant was really of any value for the purpose for which it was intended depended, it will be seen, upon which of two conflicting claims or theories as to its extent, should finally prevail; for while according to one view or claim the grant contained only about 300,000 acres, according to the other it contained about 1,300,000 acres.

By act of Congress of August 8, 1846, there was "granted to the Territory of Iowa, for the purpose of aiding said Territory to improve the navigation of the Des Moines River from its mouth to the Racoon Fork in said Territory, one equal moiety, in alternate sections, of the public lands remaining unsold and not otherwise disposed of, encumbered, or appropriated, in a strip five miles in width on each side of said river, to be selected within said Territory by an agent or agents, to be appointed by the Governor thereof," etc. It will be observed that the land was granted for the purpose of *aiding* said Territory to *improve* the navigation of the Des Moines River, and that there is nothing in the act requiring the state to make the river *navigable*, or making the grant dependent upon its being made navigable.



Very much  
C. J. F. F.



The history of the grant so long and familiarly known as the "Des Moines River Land Grant" may fittingly have a place in the Annals of Iowa. Covering, from the date of the grant—August 8, 1846,—to the termination of the last possible legal controversy with respect to the title to the lands embraced in it, by the decision of the Supreme Court of the United States in January, 1892, in the case of the United States vs. the Des Moines Navigation & Railroad Company and others, a period of over forty-seven years, very few citizens of Iowa have not heard and read of the grant and the many interesting questions and bitter controversies that grew out of it, and not a few have suffered losses, hardships and grievous wrongs in consequence of them. Depending upon the facts themselves, rather than their treatment, to interest the readers of the following sketch, little more than their statement in narrative

FIRST PAPER.

BY COLONEL C. H. GATCH.

## THE DES MOINES RIVER LAND GRANT.

stormy political warrior did not know him in those closing years and find how under a coat of mail of battle there was the tenderness and gentleness of a child and the utmost kindness, sensibility and forbearance. In the later years of his life his health had become so frail that he was in relation with only a few people. We have never seen any one of our friends ripen into death with more gentleness and beauty and Socratic wisdom than he. He was a just man, too. Looking back over the years of his strenuous political fight in Iowa, he said, in a conversation with us near the end of his life: "One thing I can say of those territorial and early state Democratic leaders, hard as I fought them, is, that as men nearly all of them were nobly honest and they would have scorned to steal or plunder."

the Senate with scarcely a dissenting vote of either party passed the bill.

At the expiration of his Senatorial term in 1871 President Grant appointed Mr. Howell one of three Judges of Southern Claims, which position he held up to March 10, 1880, when the court expired by limitation, thus shortly preceding his own death, June 17, 1880. Through the larger part of his mature life Mr. Howell was never able for physical reasons to put forth the protracted and sustained effort which would have brought him the real power and distinction that were within his great abilities. On the 4th of July, 1860, he met with an accident making a double break and fracture of one of his legs, which kept him an invalid all the rest of his life. Before that time he had been a man of abounding strength and vitality. That accident kept him in bed many, many weary months. He refused to have the limb amputated and a slow blood poisoning set in, destroying his vitality and gradually deteriorating all his organs, diminishing his power for protracted endurance, until in the end he died from the effects of this accident, near the end of his 64th year, but a quarter of a century before his time.

I have known many great men, in Iowa and out. I distrust all attempts at parallels and comparisons between men. Plutarch has made many generations of readers his debtor for such parallels on the score of interest, but I doubt whether any man's real rank has been drawn by later readers from his admensurements. I do not care to make parallel or comparison between James B. Howell and the other able men I have known as to intellectual rank, but I doubt whether any man I ever knew was so wholly wise and had the like wisdom in forecasting events. In his political judgments he was the wisest man I have ever known, the one who saw the farthest and with the most unerring accuracy. Towards the end of his life his strenuous fighting quality yielded to the utmost placidity and resignation. It was a pity that those who had known him and many who had been angered by him in the "stump and stump" period of his political life when he was a

force and dominating temper, imperious in disposition, and could not bear opposition. At the least opposition to his will he stormed like a cyclone. This would have alienated men from his own support had he been a self-seeker, but he made himself potential in serving others, for his great ability and sagacity were everywhere recognized and the very fury of his advocacy of another man's nomination or election constrained the judgment of others. He angered the man to whom he was talking; he stormed at him, and the man in most cases would conclude that if so wise a man as Howell was so furiously in favor of having a certain candidate taken, then there must be some urgent political reason for it, and most men would yield their own views to the stormy convictions of J. B. Howell. This made him unusually successful in getting his man nominated, in the long years he was in Iowa politics, but it stood in the way of his own advancement, so that the first office that ever came to him by election was in 1870, when he was nearly 54 years old. He was then chosen to the United States Senate to fill the unexpired term of James W. Grimes. Short as his service was, from January, 1870, to March 3, 1871, he made a noteworthy Senator and was useful to the Republican party and the Nation. His first speech in the Senate was in support of a resolution he offered that the Government should cease the making of land grants to railroads. The resolution which he offered and in support of which he made a speech of much tact, strength and wisdom, and which was widely published throughout the country, was substantially incorporated as a plank in the national platforms of both great political parties at the succeeding Presidential election. An incident of the personal strength and power he gained in his relation to the Senators may be given. Congress passed a bill for the relief of a Mr. White who claimed the original invention of one of Colt's firearms then in the use of the regular army. President Grant vetoed the bill. Usually a vetoed private bill would have no life in it. Mr. Howell moved that the Senate pass the bill over General Grant's veto, made a plain talk stating the facts and in advocacy of his views, and

the *Des Moines Valley Whig* in 1845 to his election to the Senate in 1870, was the most fertile and creative period American journalism has had in its entire history as an organ of public debate and an exponent and leader of public opinion. No editor has, nor probably ever again will have, the importance to American thought that Horace Greeley had. The same can be said as to Prentice in Kentucky, Brownlow in Tennessee, Medary in Ohio, Howell in Iowa, and others, all of whom were exponents for their State or section of a condition that has passed away. Then the chief and prime feature of a paper was the editor's name at the head of its columns. The absence of that everywhere now shows the changed conditions. While Mr. Howell was always a man of large reading and delighted in books he did not use many of the graces of literature nor give much wealth of learning to his editorial writing. He knew his fact and stated it with great clearness and power; he knew the weakness of the other man's fact and assailed it with relentless vigor. He was a man of intensely strong convictions, and in the great battle of American politics, from the rule of Andrew Jackson through the anti-slavery conflict and the war for the Union until the accession of Grant to the Presidency, when he ceased his active editorial work, he took an active part in the discussion of every question of American party politics. He was always a partisan. His power of statement and clear directness had a good deal of the strength of Horace Greeley. He was not a paraphraser. He did not nibble at subjects. He took them in Horace Greeley's way and wrote his subjects out, until he had knocked the other fellow down and made the reader either his convert or his antagonist. While never an office-seeker for himself he was as indelible a politician as if he had always been a seeker for place, but he gave his services to the other man. From 1842 to 1870 there were few men who held political place in Iowa who did not in some way find their place largely related to Mr. Howell either as supporter or antagonist. He was always more effective in the support and advocacy of the other man than he could have been of himself, for he was of a



and J. B. Howell by the ardor of the Democratic 'Squire's dislike of them. He was really a kindly man, but those two editors gave him many a "bad quarter of an hour." What Greeley was to Whig journalism in the United States this Democratic 'Squire evidently rated Howell as to Whig journalism in Iowa.

Iowa's early settlement antedated railways. The movement of migration was along the rivers, for the early settlers took to the streams like fish and to the woods like squirrels, and the rivers and woods were together. The Des Moines was chief of Iowa rivers and its beautiful valley was a main line of settlement. From 1845 to 1865 J. B. Howell was the most potential maker of newspaper opinion in the Des Moines Valley and in Iowa. He took his paper to Keokuk in 1849 and as the wave of migration and settlement moved up the Des Moines Valley and to the westward Howell's *Whig* went along with it, preparing the popular mind for the political change that came to Iowa when James W. Grimes was elected to the Governorship in 1854.

Mr. Samuel B. Evans of the *Ottumwa Sun* said in 1870: "The election of Mr. Howell as United States Senator recalls to our mind the early history of this State. At the time alluded to Ottumwa was an obscure trading post, Wapello County was a wilderness, while the portion of Davis County which was then our home was inhabited principally by the Saukee tribe of Indians. We were but a boy then, and a small one at that, just beginning to read. Mr. Howell published a paper at Keosauqua which was then called the *Des Moines Valley Whig*. It is the first paper we remember ever to have read. We recollect with what pleasure this herald of civilization was greeted at our pioneer home in the woods, and how eagerly its columns were perused for the news of the outside world. Our boyish heart was then inclined to Whiggism and we believed every word Mr. Howell would say." That was the relation he and his paper and his opinions held to a multitude of Iowa homes.

The period of his active editorial life, from taking charge of

Valley and went with that view with some colonists and settled Farmington, in Van Buren County. Mr. Kneeland was a free thinker and his was to be a free-thinking state in which dogmatic Christianity was to have no foothold. He was a man of very considerable ability and the enterprise seemed substantial enough under his leadership to challenge a very eager contest with the ministers and leaders of the various Christian denominations who had come into the same territory. The election of 1842 was a coalition without regard to politics of those who were opposed to Kneeland's free-thinking commonwealth and those who favored it. The former won and Mr. Kneeland gave over his experiment. He died about the year 1844 and was buried near Farmington. From that campaign on Mr. Howell impressed his personality on public opinion so that he was thought and spoken of as a man of peculiar and distinctive strength. I do not know when the first Whig paper was started in Keosauqua. I think *The Des Moines Valley Whig* had been published some two years when Mr. Howell and J. H. Cowles bought it in 1845. Mr. Howell's force in political management when supplemented with a paper to express his views soon made him a power in the Des Moines Valley and throughout Iowa that had to be reckoned with. I was born in Van Buren County and his was one of the first names I heard and remember. I never saw him until I went to Keokuk as a law student in the fall of 1863, but his name had been for years a household word in our Van Buren County home. One of our nearest neighbors during my boyhood was a Democratic "Squire" who was continuously Justice of the Peace for the township and who felt it a supreme duty put on him by the Constitution of the United States and the universe that he should return Des Moines Township solid every time for General Jackson and the Locofoco ticket. In every campaign a hickory pole stood at the roadside in front of his house and against its rough bark his razor-backed hogs, the leanest lot on Indian Creek, scratched their concave sides into what comfort they could. If I had not known the names otherwise I should easily have remembered Horace Greeley

after he and J. H. Cowles started a Whig paper in Keosauqua—gradually drifted from his profession into journalism—culminating as you know into the *Keokuk Gate City*, "ever staunch, safe and popular." His after life in journalism, United States Senate, member of Southern Claims Commission, you know all about and I need not repeat. He was a most impressive and positive man. Often this led to the impression that he was haughty, dictatorial and dogmatic, and yet few men have had a kinder or nobler heart or nature. He was a Whig and Republican in whom there was no variability or shadow of turning. I think he had less patience with modern or old Democratic notions or ideas than any other man I ever knew. He thoroughly believed that Clay and old-time Whigs were right, forever right, on protection and all the ideas of Whiggery. And of Whiggery, so of Republicanism. He most cordially hated rebels and every one who was not for the Union all over and all through. He never admitted that there could be any half-way allegiance to the flag or to the Union.

He was married, say, in 1843 or 1844—you will know—joined the Congregational Church under the ministry of that man of precious memory, Daniel Lane, and was, with his wife, a leading and most valuable member of that little church until he removed to Keokuk.

Mr. John G. Brown, of Keosauqua, was a boy during Mr. Howell's residence there, and writes to me :

I first became acquainted with Mr. Howell in the spring of 1844. He came to Keosauqua, I think, the year before. He built a residence that summer and moved in with his family in the fall and lived there until the death of his wife in March, 1847. In the summer of 1848 Mr. Howell, together with James H. Cowles, J. C. Knapp and Frank Bridgman, came to my mother's to board. At that time Howell & Cowles were publishing the *Valley Whig*, and in the spring of 1849 they moved to Keokuk with press and fixtures and established what is now the *Gate City*. I was quite young then and used to enjoy the mental encounters between Howell and Knapp, occurring generally at the table, and they most always managed to differ, no matter what the subject, and when Howell would get through he would let off a volley and leave the field. Howell and the Rev. Daniel Lane were warm friends and he attended Mr. Lane's church regularly. He was rather moderate in religious matters while here. I have heard him say he liked to go to church and get all the good poked into him that he could. He was sociable and pleasant with persons that he liked and respected, and those he did not like thought him brusque and haughty, and I have no doubt they were correct as far as they were concerned.

The religious phase of the campaign in Van Buren County in 1842 to which Judge Wright alludes deserves a chapter of its own in Iowa history. The Eastern States and a part of Europe were teeming with socialistic experiments and schemes for ideal commonwealths about 1840. Abner Kneeland of Boston planned a socialistic commonwealth in the Des Moines.

George G. Wright, afterwards Chief Justice of Iowa and a member of the United States Senate, was already a young lawyer there. In some brief notes he has kindly furnished me he says:

J. B. Howell, on horseback, having so traveled, as I understood, from Ohio, first to Bloomington, thence to Keosauqua, arrived at the latter place, say, May or June, 1841. I remember him well, as also our first meeting. I was keeping house (a sister, Mrs. Benton, with her two children, now Mrs. Judge J. C. Knapp and Mrs. Judge H. C. Caldwell, in charge before I was married). They being temporarily absent, I was taking my meals at the old Keosauqua House. (Going to breakfast, I found this stranger who had arrived the evening before. I was attracted to him, got into conversation, and found that he was a young lawyer seeking a home in the new land. I invited him to my office and together we spent most of the day. That night I took him to my one room where I kept house, to sleep, and thus our friendship of years most intimate and close began.

Very soon he furnished abundant evidence of unusual ability as a lawyer and the promise of distinction as a citizen. He formed a partnership with James Hall, who was one of the proprietors of the town, but who was not bred a lawyer and yet was a gentleman of the most courtly and popular manners. He was a member of the First and Second Territorial Assemblies, of the Third and Fourth Territorial Councils, and afterwards Sheriff of the county. Very soon these two young men had a good business.

Howell had a natural and impulsive taste for politics. The very next year, 1842, was in Van Buren County the well known contest between the so-called Union ticket and the Democratic; the controlling elements of the campaign being the *religious* *ideas* of the candidates. The Whigs charged that the opposition were controlled by *infidel* men and ideas, while they had the "religiousists," and elected Elbert, Whig, and Jenkins, Democrat, to the Council; and Lewis, Whig, and Barton and Swearingen, Democrats, to the House—the first time the Democrats were defeated in that county. Howell, though a young man, took a very active part in that campaign and as ever was aggressive, bold and courageous, arousing enthusiasm wherever he went. He had one personal encounter and barely missed many others, such was his dehan and courageous manner and the causative nature of his speeches. He for the time was cordially hated by the opposition and as much loved by the party for which he fought.

As a lawyer he had the same elements and yet was the soul of honor, trust-worthy under all circumstances; and court and bar relied upon him as one whose word was his bond and his convictions sincere and always ably pushed to the front. Few men had better promise in the profession, and if he had continued there he would have taken the highest rank.

He was a candidate against Cyrus Olney for the Judgeship in 1846, the first election under the Constitution, but was defeated, although running ahead of his ticket, the district being large, extending to Marion, and it and all the counties intervening being overwhelmingly Democratic. About this time or soon there-

associated with lasting achievements in the great current of affairs get hold upon public knowledge.

Already James B. Howell is almost an unknown name to a great multitude of the people of Iowa. Yet there was a time, and that not long ago, when to the people of the Territory, and later in the young State, his name was a household word. Of all Iowa editors at the beginning his was the strongest and most dominating personality.

This is not the sort of a sketch that binds one to follow chronology very closely, and I dislike at the outset to be prisoner of even so much biographic detail as to say that Mr. Howell was born in New Jersey, near Morristown, July 4, 1816, and that three years later in 1819 his father, Elias Howell, moved with his family to a farm ten miles from Newark, in Licking County, Ohio. One might do a great deal of farming in seven years, and they counted for so much to Jacob as Laban's hired hand that they were thought worth putting into the Biblical record. But much depends upon the time of life they are a parcel of. And they did not go far to making a farmer of J. B. Howell, for he was three years old when he went upon an Ohio farm and ten years old when his father moved to Newark, where James immediately began his school life. It is easy for a young American to be drawn toward politics, and young Howell was to that manor born. The reason his father moved to Newark in 1826 was that he had been elected Sheriff of Licking County. After four years in that office he was in 1830 elected to the State Senate, re-elected in 1832, and in 1834 was elected to Congress. While the father was filling these public places, James fitted himself for college at an academy and entered Miami University in 1833 and graduated in 1837. He at once became a law student of Hocking H. Hunter, of Lancaster, and in 1839 was admitted to the bar. He opened a law office at Newark, but the great West drew him. In 1841 he visited Chicago, then an expanse of swamp and lake, but it did not fit his woodland likings and he went to Iowa. After visiting Muscatine and some other places he made his home at Keosauqua, Van Buren County.

As we look about us and see how many men of great brains, character and attainments there are in all departments of life and affairs and compare with them the shallow, flippery character of many men in literature and government whose names history preserves, it seems difficult to give a reason for, or to satisfy ourselves with, the slight hold that many men of great ability have upon public memory. Of course, this is due mainly in America to the changing of the population and the immense emigration and immigration of the people, so that individuals are unknown and only the names of those

substitute dispensing with their need. A future time will find priceless, unless science can invent a smoking factories consume those black diamonds of coal that vocations consumes brains and personalities, as the great water." The vastness of modern life with its multiplicity of for his own tomb, "Here lies one whose name was writ in ness expressed itself in the boyish epitaph composed by Keats "This is hard on the rest of us." This intense self-conscious-pervading desire of immortality in all of us, by saying that names would be remembered, he also made recognition of the would be the only two Americans of this century whose Galena that two thousand years hence Grant and Lincoln When Chauncey M. Depew said in his Grant oration at

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BY HON. SAM. M. CLARK.

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SENATOR JAMES B. HOWELL.

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VOL. I. No. 5. DES MOINES, IOWA, APRIL, 1894. THIRD SERIES.

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# ANNALS OF IOWA.

*Wm. A. Russell*







THIRD SERIES.

VOL. 1. NO. 6.

JULY, 1894.

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*Yours Truly,  
W. Bennett Clarke.*

# ANNALS OF IOWA.

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VOL. I. No. 6.

DES MOINES, IOWA, JULY, 1894.

THIRD SERIES.

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## GOVERNOR JOHN CHAMBERS.

BY HON. W. PENN. CLARKE,

Reporter of the Iowa Supreme Court, 1855-60.

Colonel John Chambers, the second territorial Governor of Iowa, was a native of New Jersey, born in the year 1779. In 1792, when the boy was thirteen years of age, his father migrated with his family to the State of Kentucky, and here young Chambers grew to manhood. The State was then sparsely settled, and owing to the conflicts which were constantly taking place between the settlers and the Indians, every cabin was a little fort; it was known as the "dark and bloody ground." Every man and boy had learned to use a rifle, and to hunt, not only the game of the forests, which then abounded, but to hunt and fight the Indians as well; and it cannot be doubted that young Chambers at an early age, had become familiar with the weapons of defense, and been trained in the mode of warfare that then prevailed in the frequently occurring contests with the aborigines of the country. He early enlisted in the service of his country, and took part in the Indian War of 1811, and the War of 1812 with Great Britain, participating in the battle of the Thames, and serving on the staff of General Wm. Henry Harrison, who was then in command of the American forces.

How and where young Chambers obtained his education, I have no information, but as Kentucky in 1790, contained only a little over 60,000 people, scattered over a wide area of terri-

tory, and as at that early period every hill or valley, was not dotted with school-houses, and every village did not contain an embryo college, it is probable that he received his early training from his parents, and was otherwise self-taught. However that may be, he read law, and entered upon the practice of his profession. That he was successful, and rapidly rose in the estimation of the public, is shown by the fact that he was appointed or elected Prosecuting Attorney of his district. At this period the State was overrun by lawless characters, who were a terror to the people, but by forming a combination with other prosecuting officers, Chambers soon established a vigorous system of enforcing the criminal laws, which made safe the lives and property of the citizens.

As he advanced in years, he became an active politician, and belonged to that galaxy of Whig statesmen and orators, which, headed by Henry Clay and John J. Crittenden, so long controlled the politics and swayed the destinies of Kentucky. While he was not the equal of those leaders as an orator, he was a strong and forcible speaker, able to command the attention of audiences which had imbibed a love of eloquence from the frequent addresses from the stump, not only of Clay and Crittenden, but of such well known speakers as Tom Marshall, Landaff W. Andrews, and the Rev. John C. Breckenridge, the well known and eloquent Presbyterian minister, not to mention others. He thus became prominent before the people of his congressional district, and in 1827 was elected to Congress, serving only one term. Why he was not re-elected is not known, nor can I name his successor, but in 1835, he was again sent to Congress, where he served four years, when he became the compeer of Thomas Corwin, ex-Gov. Vance, of Ohio, and the many other able and distinguished men during that period, and where he participated in the discussion of the important measures then before that body, such as the reception of abolition petitions, which led to many exciting scenes in that body, and the like.

Colonel Chambers was a great admirer of Mr. Clay and a devoted friend of General Harrison, with whom he had been in

close personal relations; and when it is remembered that the hero of the Thames was a man of genial nature, easily approached, and full of wit and repartee, and possessing none of the coldness of nature and hauteur of demeanor attributed to his grandson, the late President Harrison, it is not to be wondered that his early friend and those who had served with him in the Army were deeply attached to him. In 1839 General Harrison was nominated for the Presidency by the Whig National Convention, and then followed one of the most exciting political contests that ever occurred in this country. The writer of this article having been personally acquainted with General Harrison, took part in that canvass, and well remembers the earnestness and anxiety that were felt. Log cabins and coon skins were to be seen on every hand, and formed a part of every procession, while hard cider was the standard drink. Mass meetings, attended by thousands of the people, were held everywhere, and "Tippecanoe and Tyler too," was sung in every crowd, with as much fervor as in later days, the armies of the Union organized to preserve the government and its constitution, as they marched to victory or death, announced that while

"John Brown's body lies moldering in the grave,  
His soul goes marching on."

After eight years of Jackson, the "Hero of New Orleans," and four years of Van Buren, the politician, the country demanded another military man, and the "Hero of Tippecanoe" was nominated by the Whig National Convention of 1839, defeating Henry Clay and General Winfield Scott, who were his rivals for the nomination. In the canvass which ensued, Colonel Chambers took an active part in support of his old friend, in which upon the hustings he defended him from the slurs and slanders cast upon him by the opposite party, and no man was more gratified at the election of General Harrison than was the subject of this sketch. He was one of those who escorted the President-elect from his home to the Capital of the Nation, and witnessed his inauguration. But soon the bright anticipations of the Whig party were blasted! Within

one short month after his incumbency of the White House, the new President, after an illness of less than a week, passed from earth and was gathered to his fathers, and the Vice-President, John Tyler, succeeded to the Presidency. But short as was the period of General Harrison's administration, he was not forgetful of his friends, and one of his earliest appointments was that of John Chambers to be Governor of Iowa and Superintendent of Indian Affairs in that Territory. He took the oath of office before Judge McLean of the U. S. Supreme Court, and that oath is now on file in the collection of the Historical Department of Iowa.

Gov. Chambers was, as I recollect him, about five feet five inches in height, and, as will appear from the first portrait accompanying this article, was in his earlier years, a person of attractive appearance, with a bright face and genial manners; but when he became Governor, he had passed the age of 60 years, and had become quite corpulent, was somewhat slow in his movements, broken in health, and afflicted with a breast complaint, from which he was a great sufferer. In other words, the hardships of his earlier days, and the various experiences through which he had passed, had impaired his constitution, and he had lost the vitality that characterized him when in the vigor of life. Yet he was faithful in the discharge of his duties, and watched with jealous care over the interests of the Territory. He was not a great talker and seldom spoke of his own achievements, and had a very great dislike to anything like sham or egotism. I may mention one illustration of this feeling. During his Governorship, Jesse Williams, (as good a fellow socially as ever lived), who was Secretary of the Territory, brought to the Governor some paper to sign, to which he had affixed his own signature as Secretary, and below his name, as was his custom, had made a somewhat bold flourish of his pen. When the Governor took the paper and observed the Secretary's signature, with the display of penmanship attached, he asked, pointing to the latter, what that meant, to which Williams made some reply, to which Chambers responded, that it meant "d——d fool",—and after that, it may



well be believed the signature of the Secretary was plain Jesse Williams. The Governor was easy of access, genial in his intercourse with his associates, not inclined to harshness with those under him, and in his rebuke to Williams, only intended to check a display of egotism which he thought was unbecoming in one holding official position; and if he ever manifested irritability of temper the weakness must be attributed to the suffering he was enduring from disease, rather than to his natural disposition. When Gov. Chambers arrived in Iowa to assume the duties of his office, he purchased a tract of land of about one thousand acres near Burlington, then the largest and most important town in the Territory, and after the fashion of southern landholders, gave it the designation of "Grouseland," that game being then abundant in Iowa. Here he made his home, coming only to the Capital when the legislature was in session, or when his other duties required his presence there.

In 1844, I removed from Ohio to Iowa, locating in Iowa City, then the seat of the territorial government, and then containing from 1,500 to 2,000 inhabitants, which village I reached during the month of November of that year. Having been connected with the press of Ohio for a number of years, and being politically an active Whig, I was anxious to connect myself with some Whig paper then established in the Territory, and as the Burlington *Hawkeye* was then the leading paper, my attention was turned in that direction. Whether I had met Governor Chambers prior to that date I cannot now state, but on the 6th of December I wrote to him upon that subject. Prior to this period the Democratic party had called a convention and framed a constitution, which was then before the people to be voted on, and in my letter above referred to, I had proposed to write a series of articles in opposition to its adoption. In response to that letter, I received an answer—the first letter I ever received from Governor Chambers, as follows:

"BURLINGTON, IOWA, 19th Dec'r, 1844.

"*Dr. Sir*:—I have had the pleasure to learn from your letter of the 6th inst. that you have become a citizen of Iowa, and I sincerely hope you may find it to your interest to continue so.

"On the subject of the Whig press here, you have probably learned that an assistant editor has been taken into the concern, who promises more energy and efficiency than his senior. It remains to be seen how it will turn out, but the establishment is not now attainable. The new Constitution well merits the attention you propose to bestow upon it, but I would earnestly recommend that you do not give it a party aspect. Short and pithy articles are best calculated to effect your object. Labored essays on such a subject are not read by the masses, however well they may be written; and above all, do not give what you write an editorial character. Communications from 'a citizen' of the new purchase, will be read with attention.

"I agree with you—don't give up the ship; nor shift the flag; nail it to the mast-head, and if we must go down, let it be the last thing seen above the wreck. Why should we despair? The children of Israel—the idolatrous rascals—who were guided on their journey to the promised land by a pillar of cloud by day and of fire by night, and fed daily by their God on manna and quails, made unto themselves a *calf* and worshipped it while Moses was in the mountain, but he broke it to pieces when he came down and burnt it to ashes, and they reached the promised land in safety, and were forgiven their idolatry. Why should not we be forgiven for the occasional worship of a *calf*? Our Moses will yet come down and set us right. You see I write freely, but you know my position, and my creed forbids me to enter the arena of political strife. You must, therefore, regard what I have written as written for you only, and not to be repeated as coming from me.

"Turn your attention to the memorial from the Convention to Congress, and notice the 'protest' against our being restricted from taxing the purchasers of public lands for five years. Imagine a poor fellow who has expended his fifty dollars and borrowed fifty more, at from 12 to 20 per cent. to purchase eighty acres, and dependent upon the labor of his hands to fence and break up the prairie, and build a cabin, and then, and not till then, prepared to make food and clothing for his family—a fit subject for taxation; and there are many such.

"With great respect, your ob't servant.

JOHN CHAMBERS."

When Governor Chambers came to Iowa City, in the winter of 1844-5, to attend the legislature and discharge his other duties, he made his home with my father-in-law—whose hotel subsequently known as the "Crummey House," became a somewhat noted hostlery—with whom I resided. The Governor and myself were thus thrown together, and my intimacy with him became somewhat close. The legislature of that time was largely Democratic in both houses, and there was constant antagonism between the Governor and the members. The Constitution had been defeated by a vote of the people, and during this session, a bill had been introduced to re-submit the Constitution to another vote, without the formality of

calling another Convention, which bill passed both houses. The Governor was hostile to the measure, upon the ground that the legislature had not been elected with any view to such a measure; that the question had too recently been passed upon by the people, who should be consulted; and that the proper mode was to call a new Convention. He determined to veto the bill and had prepared some notes upon the subject, when he came to me late in the day, stating that he was in great pain, and could not write, and requested me to put the matter in shape, giving me liberty to exercise my own judgment and employ my own language. I undertook the task, and devoted the balance of the day and most of the night to its preparation. The next morning, the Governor approved and signed it, and it was sent to the Council and read. Phil. Bradley, of Jackson county, was clerk of that body, and the reading of the message devolved upon him. I was present at the time, and as Bradley knew my hand-writing, he looked at me with some amazement, and through him it became known that it was prepared by myself; and that document, if it is on file in the Archives of State, will be found to be in my hand-writing. However, the legislature passed the bill over the veto, and it became a law. The canvass that ensued involved the principles embodied in the proposed Constitution. The Whig party made every possible effort to defeat it before the people, and I contributed my share of the labor by writing a series of articles—twelve in number—reviewing its provisions, which were published in the *Iowa Standard*, a Whig paper published in Iowa City and then conducted by Wm. Crum.

Governor Chambers remained in office throughout the administration of President Tyler, but he did not desert his principles for the sake of office as too many Whigs did. In 1845, James K. Polk assumed the presidential office, having defeated Mr. Clay in the election, and shortly thereafter Governor Chambers was relieved from office, and James Clark, a brother-in-law of Augustus Cæsar Dodge, was appointed his successor. The ex-Governor returned to his home—the

Gen. A. C. Dodge was the Democratic candidate. This explanation is necessary to the introduction of the following

## PORTRAITS OF GOVERNOR JOHN CHAMBERS.

In the first edition of this number of *THE ANNALS* there appeared a mezzotint portrait of Gov. Chambers, to which my attention had been called by gentlemen who were his contemporaries in Iowa Territory. Supposing that they knew him well, and that the portrait was genuine, I obtained from the dealer in New York City, who owned the plate, 1,000 impressions with which to illustrate this article. It appeared in this place. I learned many months later that the descendants of Gov. Chambers united in repudiating the portrait as not being that of their illustrious ancestor, and upon investigation, I came to the conclusion that their judgment was correct. The portrait is therefore omitted from this reprint of the number. Those who would pursue the subject further are respectfully referred to *THE ANNALS OF IOWA*, Vol. V, p. 541 and Vol. VI, p. 230.

EDITOR OF *THE ANNALS*.

DES MOINES, IOWA, Aug. 6, 1906.

allusions to persons in the letter, which is as follows:

“BURLINGTON, 29th October, 1845.

“*My Dear Sir*:—I owe you a letter, and an apology for not having

written it long ago. My wretched health, and the pain it gives me to write, will, I know, insure me forgiveness for the seeming neglect. Since I saw you, I have been on the confines of eternity, and am so much reduced that even now, that my physicians say I am convalescent, and have regained some ten or twelve pounds of my lost flesh, you would scarcely know me. Yet under all this suffering, I have performed my every official duty promptly, sometimes lying flat on my back, dictating to my private secretary, and again scrawling illegibly for him to copy. I have betaken myself to my farm, and go to town two or three times a week for the dispatch of business. You would be amused to see me feeding the pigs, turkeys, etc., and the efforts I make to work.

"I have not seen 'Blueface's' call upon the President to remove me, but am truly indebted to you and Edwards, (editor of the *Hawkeye*), for the manner in which you have scourged the puppy, and the handsome things said of me. I am utterly at a loss for the reason of their not having removed me before this time. The great Cæsar, [Gen. Dodge,] has not condescended to speak to me for about two years, and it cannot, therefore, be that I am indebted to his good offices. It is probable, however, that Leffler, [Shepherd Leffler, President of the Council, etc.,] will be here in a few days, with his commission as Governor in his pocket. He has gone to Washington, disavowing any wish to be Governor, but you know as obliging a fellow as he is, could not resist the wish of the President to put him in office. I have asked leave of absence for the winter, (not of necessity, but of choice), but Mr. Secretary of War Marcy, has not deigned to answer my letter, and may happen to be told, (what he ought long ago to have discovered), that not being a gentleman himself, he does not know what is due to one. I must go to Kentucky, and whether I hear from the *throne* or not, or whether removed from office or not, I will go some time next month, and if not removed, you will have the benefit of Col. Jessie's [Williams] administration.

"The hope of help from New York is no longer to be entertained, and until a new excitement gets up here, I fear you can do nothing.

"With great regard, your friend,

JOHN CHAMBERS."

The bitterness and harsh language employed in the two foregoing communications of the Governor towards his political opponents, are excusable on this ground: As the contest over the adoption of the Constitution increased in bitterness, the coarsest vituperation was poured out upon the head of the Governor, by the Democratic press, and the delay of the administration in removing him, and perhaps the internecine feud in the party over that office, only added fuel to the fire. The most personal and outrageous assaults of this character came from the person designated as "Blueface," who was then the editor of the *State Reporter*, and hence the Governor's hostility to this man. The election in the following November

resulted in a drawn battle; for while the Whigs failed in electing Judge Lowe, they succeeded in defeating the adoption of the Constitution. The Whigs, therefore, were greatly elated and encouraged by the result, while their opponents were as greatly disappointed. Gov. Chambers made his visit to Kentucky, as he wrote me he would, but whether with or without leave, I am unable to state, and while he was absent James Clark was appointed Governor in his stead. While he was in Kentucky, I received from him the following letter:

“WASHINGTON, Ky., 28th Dec., 1845.

“*My Dear Sir*:—Your letter came to this place while I was in the interior of the State visiting some of my children, and I only returned last evening. Accept my thanks for Gov. Clark’s message. It has a few strokes of demagogueism in it, but considering all things, might have been worse. What the d——l did Leffler [Shepherd Leffler, afterwards elected to Congress] and Morgan, [Jas. M. Morgan, known as ‘Little Red,’ from his sandy beard and complexion], suffer themselves to be shoved off their chairs for? They ought to have held on, and had a right to do so. Well, I like it notwithstanding. They may shove Mr. L. into the river, without my complaining. Morgan I pity; but he doesn’t deserve it; he has not spirit enough to take the bull by the horns, even to save himself from being gored, and you will find the adhesive qualities of the party will be strong enough to retain Judge W. [Joseph Williams, then one of the territorial judges], Gov. L., and all the *temporarily* dissatisfied members of the party. ‘Cause why? Each of the aspirants to the office of Governor, will be an aspirant to the U. S. Senate, and their only chance is their adhesion.

“You have been a little impolitic in chuckling over the prospect of a split, in your editorials. It will be used by the cunning to drive the weak back into the ranks—they will say, ‘See how the Whigs are using your defection, and laughing at the prospect of your wrecking the party!’

“I fear nothing will result from your letter to Curtis. He is a mere creature of Webster, and no doubt wrote to me at his instigation. The prospect of an equal division in the Senate has made Iowa important. I hope your projected establishment at Bloomington will turn out well, but there is always such wretched apathy in a beaten party, that I fear it will be difficult to secure such a support as you ought to have. I will write to Crittenden on the subject of securing you a supply of documents. He will be able and willing to concert the course to be pursued with both the Senators and Representatives.

“I cannot but look forward to some action of the legislature on the subject of a State Government. They will be urged to it from headquarters, and are, notwithstanding their plundering the last session, willing enough to believe that they hold the destinies of Iowa in their hands. If they should direct a vote to be taken for or against a Convention, it will afford you a good theme upon which to bore them. Their *perfect knowledge of public opinion*, manifested at the last session, induced them.

to reject the executive recommendation to submit the question to the people, and yet they will have to come to that at last, or worse. They will have to assume the power of ordering a Convention without authority delegated or even contemplated when they were elected, and during a session held without authority of law, and in defiance of the adjournment *sine die* of the regular session.

“My health is improving and my flesh increasing, but I am still a good deal weaker than when in health. The prospect of a complete restoration is more favorable than I had hoped for, and I shall be with you early in the spring, and take hold of the plow-handles, or *put my shoulder to the wheel*, as circumstances may require.

“The President’s message and Gov. Cass’ speech on his resolutions, taken together, indicate anything but peace, though I do not believe either of them wish war or intend to put the boundary question on that issue. The object is to bluster and make a show of spirit which they do not possess, and in doing so they will probably over-shoot the mark, and involve us in an ever-to-be-lamented contest for which we are wholly unprepared, and in which we must suffer most severely, before we can put ourselves in attitude of defense.

“Present my best respects and kindest regards to our friends, Shelledy, Munger and all our good and true Whig friends, and tell them I pray Heaven to bless their labors in the good cause. Your friend,

JOHN CHAMBERS.”

The allusions in this and the preceding letter require some explanation for the benefit of those of my readers who have come upon the stage of action within the past forty years. As I have before remarked, Gen. Dodge had defeated Lowe for delegate, and was now in Washington City, and, as Chambers says, was near the *throne*; the applicants for governorship were impatiently awaiting his action, and each anxiously expecting the appointment. But Dodge, remembering, in the language of Holy Writ, that he who did not provide for his own household was worse than an infidel, and believing that charity began at home, to the consternation of the applicants and their friends, secured the appointment for James Clark, his brother-in-law, who does not appear to have been a candidate nor to have been thought of in that connection. Of course, there was friction and denunciation in the party, but Governor Chambers’ anticipations were realized; the hubbub was quieted; and Leffler and Morgan were subsequently provided for. The allusion to the threatened war in the last paragraph of the last quoted letter, refers to the Oregon boundary question.



During the Presidential campaign of 1844, one of the rallying cries of the adherents of Polk was "54°40' or fight," while the followers of Clay concluded that "49°" was the true boundary line; and had the party in power carried out its professions before the people, there can be little doubt that war with Great Britain would have followed. But wiser counsels prevailed, and during the existence of the administration the question was settled by treaty, upon the theory advocated by the Whig party. I may as well say here, for the like benefit of my readers, and that they may understand who are the persons alluded to in these letters, I have thought it advisable to give between [brackets] their full names and designate the positions they occupied in the Territory or in their party, so far as I am able.

Gov. Chambers was still in Kentucky; his complaint had returned, hence the depressed tone of the following letter:

"WASHINGTON, Ky., 16th February, 1846.

*"My Dear Sir:*—Your letter of the 29th ultimo reached me a few days ago, and contains matter enough to depress the spirits of a person of more energy than I possess. Recklessness and drunkenness among men entrusted with legislative power, are enough to indicate the road to ruin, if there were no other guides. But I cannot indulge in reflections upon the existing and prospective state of things in Iowa; for both my mind and body are enfeebled by disease to such a degree as make it a work of labor and pain to write a few lines. A return of the disease, from which I suffered so much last summer, has completely prostrated me, and will probably finish my earthly career, the opinion of the doctors to the contrary notwithstanding,—(they think or say the disease may still be counteracted). I do not wonder at your feeling depressed under existing circumstances, and am totally at a loss to advise you what to do, but at all events, do not leave the Territory without some certainty of employment elsewhere. Cincinnati and St. Louis, like every other place of business, are overstocked with professional men and persons connected with the press, and are withal more expensive to live in.

*"If I live and have strength enough, I shall return to Iowa in the spring. I cannot be contented here—the very sight of the negroes annoys me. I shall not be able to go to Washington, even if a change in my health should now take place, of which I see no prospect; the very stomach is a perfect drug shop. It would have been gratifying to have regained as much health and strength as would have enabled me to talk on the stump on the subject of the forthcoming Constitution, but I should not have been disposed to participate in its formation, for it will no doubt be ultra-Democratic in some respects, and like the rejected one, infamously aristocratic in others.*

"I have written to Crittenden on the subject of supplying Iowa with documents, etc., and know he will attend to it with great pleasure.

"I am truly glad to hear that your family have continued to enjoy good health; their kindness to me while amongst them is remembered with gratitude, and will be while I live. Present my kindest regards to all of them, and be assured that I remain Most truly, your friend,

JOHN CHAMBERS."

In my daily intercourse with Gov. Chambers, I had conversations with him upon many subjects, and most of the facts recited in this article, were derived from those conversations, but I do not now remember whether he ever expressed himself upon the subject of slavery. I assume that he had been the owner of slaves, and when in Congress he had voted against the reception of what were designated abolition petitions, as did most of the members of Congress of both the Whig and Democratic parties. But I judge from his remark in the foregoing letter, that he had changed his views, and then realized the evils which that system of labor was inflicting on both the white and black races. And the reference to my changing my location, requires this explanation: Owing to my taste for political controversy, and my attachment to the Whig cause, I had been since my advent in Iowa, editing the *Iowa Standard*, without compensation, and at the same time completing my study of the law. The paper was poorly supported, the patronage being mainly in the hands of the opposite party, and was unable to pay for my services. At the date of that letter, I had just been admitted to the bar, and I thought of a wider field for my labors in that direction. However, I finally concluded to remain in Iowa City, and I never had reason professionally to regret the choice I made. In the meantime, Gov. Chambers had returned to Iowa, and a new constitution had been framed and adopted by a vote of the people. In the contest over the adoption of that instrument, I had been a candidate for the territorial council, nominated by the Whigs, but, as the district was Democratic, I was defeated, as I expected to be. After the result was known I received a letter from Gov. Chambers, from which I extract the following:

“GROUSELAND, 17th August, 1846.

“*My Dear Sir*:—Your letter of the 10th inst., gives me the unpleasant news of your defeat in the late contest, and confirms the impression entertained here, (though not confirmed by official returns), that the new constitution has been adopted. I had hoped for a different result in both cases, but nothing can be relied upon which depends upon loco-foco intelligence or consistency, and we must, therefore, prepare ourselves for the misrule and ruin which will result from the ascendancy of such a party in all the departments of the new government; but I shall be greatly disappointed if the payment of the taxes in the first two years does not produce a revolution, especially as it will be accompanied by a U. S. tax, if Messrs. Polk, Dallas, etc., have nerve enough to make such a provision for the support of a bankrupt treasury; and bankrupt it will be before ten months shall roll round. Treasury notes and treasury drafts, without a cent to redeem them, must go down, and the government will not have credit enough six months hence to borrow five millions of dollars at a less rate of interest than ten per cent. These things seem as clear to my understanding as did the bankruptcy of the treasury in 1837, when I was compelled to travel to Washington to aid in authorizing Mr. Van Buren to issue treasury notes to meet the exigencies of the treasury. I will live the few days that remain to me in the confident hope that suffering will bring the people to their senses. The old “Keystone” is already undergoing the process in anticipation of the glories of free trade. But, enough of this, in which I ought to cease to take too much interest, as I probably shall not live to see the changes for which I hope.

“You ask if I cannot visit your city. I could not bear the fatigue to ride from Bloomington, and although I am better in my general health, I am yet a mere skeleton (weighing 127 pounds). I should like to have a long talk with you.  
Yours truly,  
JOHN CHAMBERS.”

After the adoption of the State Constitution in 1846, and in the fall of that year, the Whig party was about to hold a convention to nominate state and congressional candidates, and it was in relation to the course to be pursued, that the following letter was written:

“GROUSELAND, 14th Sept., 1846.

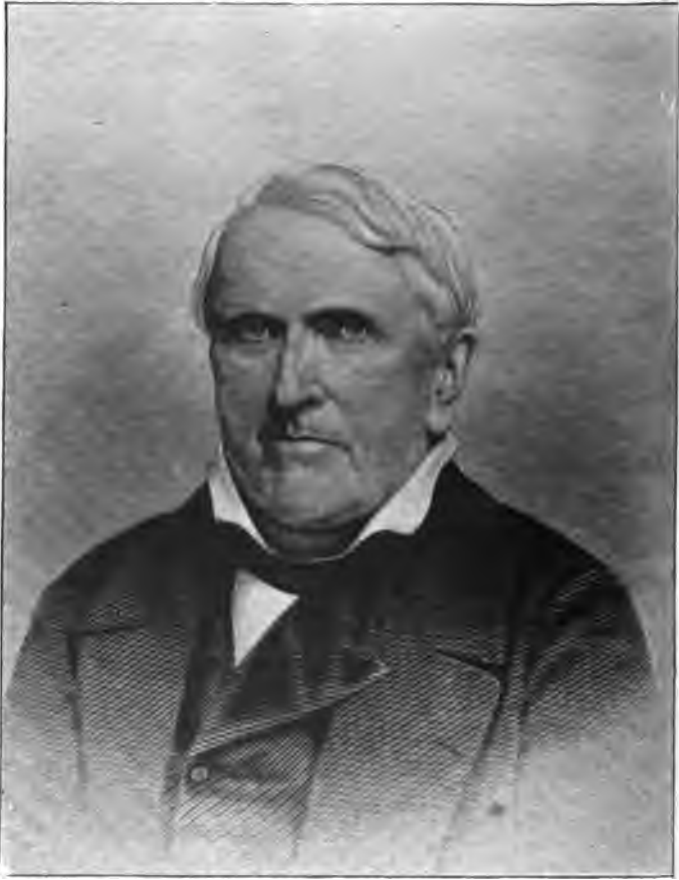
“*Dear Clarke*:—On going to town this morning, your letter of the 10th inst. was handed to me at the post office, and I hasten to reply to it. I mix so little with the Burlington politicians that I know very little, indeed nothing, of their views in relation to the proposed convention. \* \* \* You say I have been spoken of by some of my friends as a candidate for the office of Governor, and I have been urged by a number of them to consent, but have invariably declined; and should my name be mentioned in the convention with a view to a nomination for any office, you are authorized to say for me, that the state of my health, tho' generally improving, forbids the idea of my availing myself of the kindness of my friends to become a candidate for office, at this time. I say emphatically at this time, because, if my health should be re-established, and the

Whigs of Iowa should at any future time indicate a wish that I should take the field, I shall not hesitate to assume any position they may assign me.

“So much for myself. Now as to the Convention. For the purpose of consultation, and a change of views and opinions, it has my hearty concurrence, but I doubt the propriety of making nominations, for the reason that I find there are a good many of the Democrats who mean to avail themselves of their pretended aversion to caucus nominations and convention dictation, to vent their spleen upon their party for not nominating the men they want, and it is doubtless pretty well understood among them who are to be the nominees. Dodge and Leffler will stand off from the Convention nomination, and will contend for the senate. I am pretty well assured that Leffler will not suffer himself to be put upon any other track, and has full confidence that he can beat D. One senator and one representative must come from the north, and of course Judge Miller and Hempstead will probably be the men. If Leffler declines to run for the House of Representatives in Congress, they will be at a loss for a southern candidate. Johnstone won't do; the county of Lee would kill him. Hall and Mills are cast off by the Dodge party, and will probably go against them, but they have but very little influence. Well, now for Whig candidates. I have given some currency in this county to the idea of running Shelledy [Stephen B., U. S. Marshal under the Harrison administration,] for Governor, and a member of the late Convention from Wapello county, whose name I have forgotten, is also spoken of. The Whig vote of this county would be given to Shelledy without a division, and as opposed to my predecessor, Governor L. [Lucas] would get some Democratic votes. Upon the whole line of the Des Moines, he would be invincible, going in strongly for the improvement of the river, and having a local interest in it. McCarthy [Jonathan] is going in for Congress, I have no doubt, and it is believed by many, that he will even run beyond the Possum ticket in Lee county, by several hundred, and he is said to have made a favorable impression in Van Buren. He runs, if at all, as a Democrat, opposed to the vetoes and against the new tariff. I have not much confidence in him, but if elected, he must owe his election to the Whigs, and standing committed upon these leading measures, would have to abide his pledges. I cannot think the Dr. you mention [I cannot now remember who this person was] would have the slightest chance, and altho' a firm man and a sound politician, would, under existing circumstances, do more harm than good. Indeed, I believe if McCarthy runs, it would be the best policy to start no thorough Whig candidate. There is trouble brewing in the Democratic ranks, and many of them would throw off upon McCarthy, who would flinch if they thought their votes might contribute to the election of two Whigs; and in fact, if that class of voters split, as they would do, between the two Whig candidates in making up their ticket, they would not do either of them any good.

“As to the Union ticket, which originated in Lee, I fear it will do us no good under existing circumstances, but if there were more time to operate, I believe it would take. I learned today that it was favorably received last week at the Henry Court, and that McCarthy and others made speeches in favor of it. I hope Henry will not fall into the measure unless it becomes general, and of that there is little probability. I think it would be bad policy to name McCarthy in the convention as in any way connected with the Whig interest.





*John Chambers*

“I suffer very much from pain in my breast when writing, and a letter the length of this, requires an effort. I shall expect you after the convention is over, and hope to hear from you after its adjournment, if anything occurs that you think worth communicating. Hawk’s nomination for congress won’t do at all. I’ll tell you why when we meet.

“Yours truly,

JOHN CHAMBERS.”

The foregoing letters of Governor Chambers portray his character, particularly as a politician, more vividly than anything I can write. They show that he was an intense Whig and a bitter partisan. In the campaign which resulted in the election of Mr. Polk to the Presidency, three important questions were discussed before the people. These were the threatened war with Mexico; the Oregon boundary; and the subject of the Tariff; and to all these proposed measures the Whig party was bitterly opposed. While the official position of Governor Chambers, as well as his health, prevented him from taking an active part in the contest, he was none the less deeply interested; and when the result secured the election of Polk, he conscientiously believed the country was threatened with serious danger—hence the prediction he made in his letter of the 17th of August, 1846. Contrary to his own expectations, he was spared to see those predictions realized, in a measure, and to witness the change in the minds of the people that he never supposed that he would live to see. But while Governor Chambers was bitter as a partisan, and made political enemies, the hostility was entirely partisan, and not personal. He was courteous and affable, and so kindhearted, that persons could not have intercourse with him, without feeling for him a certain regard and affection. He was a Kentucky gentleman of the old school, and indulged in the hospitality for which that state was famous. As illustrating this phase of his character, I may mention a circumstance that occurred between him and ex-Governor and Senator-elect John H. Gear, and I trust the latter will pardon me for mentioning it, without his permission. It seems that when a boy, Gear carried certain dispatches from the Indian

Agency to the Governor. His boyish appearance attracted the Governor's attention, and after some conversation, as was the custom in those days, he invited Gear to take a drink, to which the latter assented, and the bottle and glasses were produced. In those days, the Germans had not yet invaded Iowa, and beer was not in general use; the people were too poor to purchase and drink wine; prohibition had not then been invented as a panacea for the evils of intemperance; and whiskey was the common drink—and it was corn-juice at that. But the Governor's whiskey came from Kentucky, and was the genuine old Bourbon, and Gear informed me that it was the first whiskey he ever drank—but he did not say it was the last. While Governor Chambers used stimulants in a moderate degree, I never saw him under the influence of liquor, and he did not present the appearance of a person who had ever indulged to excess.

In 1846, the State Constitution was adopted, and in 1847 Iowa was admitted to the galaxy of States. In the State elections of that year, 1846, the Democrats were successful, and the Whigs had but little hope for the future. But, in the national elections of 1848, the Whigs were triumphant, and Gen. Zachary Taylor, one of the leaders of the Mexican War, which the Democrats had inaugurated, was chosen President. After the election of Taylor, I have no letters in my possession from Gov. Chambers, till 1850, but I believe our correspondence was continued. But he continued to reside in Iowa, and in 1849 was appointed by the Taylor administration a commissioner to negotiate a treaty with the Sioux Indians, in which he was successful. This was the last official position he ever held. I come now to the last letter I ever received from Gov. Chambers, which is entirely personal in character, but which exhibits his kindness of heart. While the letter appears to have been written at Hudson City—a town of which I have no recollection—it was mailed at West Liberty, a village midway between Muscatine and Iowa City; it shows that the Governor was still in Iowa, and preparing to make his home in that neighborhood. Why he abandoned his place



near Burlington, I am unable to say. This letter is as follows:

“HUDSON CITY, August 7th, 1850.

“*My Dear Sir*:—I received your kind note some two or three days since. It has been my intention for some time past to visit Iowa City. Professional duties have prevented me from doing so. There has been considerable disease in the neighborhood since I had the pleasure of seeing you, and all my time has been consumed in visiting the sick. Since I saw you I have purchased from my son, Lewis, the tract of land opposite Mr. Hudson’s dwelling and am now engaged in building, and preparing to build, a dwelling, etc., consequently have declined going to Iowa City for the present. My wife is now at Tipton on a visit to Lewis. May desires to be remembered most affectionately to all the ladies of the household. Present my respects to them, and kiss them all for me.

“Yours sincerely,

JOHN CHAMBERS.”

At this time the Governor was nearly, if not quite, seventy years of age, his interest in Iowa politics had in a great measure ceased, and my own cares, professional and otherwise, demanded my whole time; and through these circumstances, our correspondence came to an end. How long he remained in Iowa after this, I am unable to say, but in 1852, he had returned to Kentucky. His disease, dropsy of the heart, from which he had been so long a sufferer, returned, and he had grown to be very fleshy. It caused his death, at Paris, in that State, on the 21st of September, 1852, in the 73rd year of his age and thus passed into the Future Life—

“That borne from which no traveler returns”—

a devoted patriot, a good citizen, a faithful servant, whose whole life had been given to the public service, and whose career deserves the highest meed of praise, and is worthy of imitation. The second portrait of Governor Chambers is taken from a portrait in oil, painted by George H. Yewell, an Iowa artist, now residing in New York City, and shows him in his later years and near the close of his life.

While engaged in preparing this article, I sought information in various directions, desiring to make it as complete as possible at this late day; and those to whom I applied were ex-Gov. Gear and Samuel W. Durham, Esq., who still survives in his 75th year, and who was a member of the first Constitutional Convention, representing Linn county, and from whom

I received replies. The letter of the latter is full of interest, mentioning as it does so many of the early citizens of Iowa, who were then prominent, all of whom have passed away, and all of whom were known to Gov. Chambers, and confirming the statement in this article as to the personal character and standing of the Governor, even among his political opponents—Mr. Durham being one of that number. Deeming these testimonials to the character of Gov. Chambers worthy of preservation, I take the liberty of appending them to this tribute to the memory of my old friend. The letters copied in this article are in the collections of the State Historical Department.

“WASHINGTON, D. C., February 13, 1894.

“WM. PENN. CLARKE, Esq.,

Kellogg Building, Washington, D. C.

“*My Dear Mr. Clarke:*—I have yours of the 12th and note its contents. I am surprised to hear there is no mention of Gov. Chambers in any of the encyclopedias.

“He was a distinguished man, being on the staff of Gen. Wm. Henry Harrison during the Indian wars and distinguished himself very highly. I recollect very well when I first saw Governor John Chambers. It was in September, 1843, I was then a lad, having left Fort Snelling to go to Burlington to make it my home. You will bear in mind that the Governors of the Territories then were also Superintendents of Indian affairs. Col. Bruce, of Fort Snelling, was then agent for the Sioux Indians. Hearing that I was going to Burlington, he gave me some dispatches to carry to Gov. Chambers. On arriving at Burlington, I presented myself. Being but a mere boy the Governor was quite inquisitive to know how I came to be made bearer of the dispatches. I told him that Col. Bruce, the Indian agent at Snelling, had given them to me to pay my expenses, and from that time until he left Iowa he treated me with the greatest consideration. While his office was in the town of Burlington, his home was on a farm eight miles west of the village. He was a most delightful man in his manners, thoroughly upright and just, and impressed me, as he did everybody else, as being a man of very great ability. He was appointed by President Harrison, and served as Governor of Iowa Territory until he was removed by Mr. Polk, being succeeded by the Hon. James Clark, of Burlington. Yours truly, JNO. H. GEAR.”

“MARION, IOWA, Feb. 14, 1894.

“HON. W. PENN. CLARKE,

“*Dear Sir:*—I have a recent letter from my daughter Mary, in which she says you are preparing an article for an Iowa magazine, and that you expressed a desire to hear from me about some historical points, as to Gov. Chambers and the Iowa Territorial Constitutional Convention No. 1, which convened at Iowa City, Oct. 7, 1844.

“John Chambers, a sterling, sturdy, fresh-complexioned, honest gentleman from Kentucky—an importation—as the phrase now goes, was appointed about the time of President Harrison’s death, displacing Gov. Lucas, who was sent on here from Ohio by President Van Buren in 1838. Lucas had served in the War of 1812, in Harrison’s army, with Colonel McArthur, afterwards Governor of Ohio, and both were surrendered by General Hull to the British General Proctor. Lucas was no doubt considered by General Harrison as an offensive partisan, as it is now termed, that is, he was a Democrat and Chambers was a Whig. This was always the only criticism I ever heard any Democrat allege vs. John Chambers. He enjoyed the respect of all, but when Mr. Polk was elected, he naturally anticipated a removal, which took place in 1845, and Chambers not very long after went back to Kentucky, having served about four years. James Clark of Burlington, a brother-in-law of A. C. Dodge, succeeded him; he, Clark, had been a member of the convention of 1844. He was a very respectable, quiet kind of a gentleman, slender and thin in build, and he was the last Territorial Governor. But why should I rehearse so much of these things to you, who no doubt know more about it than I.

“As to the Convention of 1844, presided over by Shepherd Leffler, it made several innovations on common State constitutions, the substance of which were incorporated into the next two succeeding ones, to-wit, in 1845-’56-’57. One was an elective Judiciary by the people, which was opposed very strongly by Maj. T. J. McKean, afterwards General McKean of Linn County, and others. Another was limitations of State indebtedness to \$250,000, which has no doubt saved this State from a debt of millions. Another was biennial sessions of the Legislature. Another, and which was not put in your convention and constitution, was a prohibition of any bank under State authority from issuing any bills or notes to circulate as money; the idea was that all paper money should be issued by the general Government in the form of treasury notes or something similar. This matter was discussed very warmly, Hempstead, Langworthy, Gen. Gehon, Olmstead, Dr. Bissell, Judge John Taylor, of Cascade, and I think Judge Grant in favor, besides my humble self. It was opposed by W. W. Chapman, Ebenezer Cook, R. P. Lowe, Gov. Lucas, T. J. McKean, et al.

“But the boundary question killed that Constitution. Edward Langworthy and the northeastern delegates insisted that the line should run up the Mississippi to Blue Earth River and take in to Mankato, thence west far enough about to strike the divide between the Missouri and Mississippi. In the light of subsequent events, this boundary should have been rejected.

“I am, respectfully, your obedient servant,

“SAM. W. DURHAM.”

## THE TWENTY-FOURTH IOWA VOLUNTEERS.

FROM WINCHESTER TO DAVENPORT.

BY CHAS. L. LONGLEY.

## WINCHESTER AND FISHER'S HILL.

The unfinished narrative of Sergeant T. L. Smith, the last installment of which appeared in the October (1893) number of the "Annals," left the Twenty-Fourth Regiment of Iowa Volunteer Infantry encamped near Charlestown, West Virginia, on the first day of September, 1864. It belonged at this time to the Fourth Brigade, Second Division, Nineteenth Army Corps—the Brigade being composed of the 24th and 28th Iowa, and the 8th and 18th Indiana Regiments. The Brigade was then a part of the Army of the Middle Military Division, better known as the Army of the Shenandoah Valley, the command of which was assumed by "Little Phil" Sheridan on the 7th of August preceding. The Nineteenth Army Corps was commanded by Major General W. H. Emory, the Second Division by Brigadier General Cuvier Grover, and the Fourth Brigade by Colonel David Shunk, of the 8th Indiana. Lieutenant Colonel John Q. Wilds was at this time in command of the 24th Iowa, with Major Ed Wright for his Lieutenant. A search in the archives of the Adjutant General of this State—perhaps the only similar office in the country to which regiments in the field were required to send, or did send, duplicates of monthly consolidated reports—reveals the fact that the total strength of the 24th at this time (August 31st report) consisted of twenty-nine commissioned officers and six hundred and sixty-eight enlisted men, of whom six commissioned officers and two hundred and forty-two enlisted men were absent, sick or on detached service, leaving twenty-three commissioned officers and four hundred and twenty-six enlisted

men present. As one of the former is reported on special service, and eight of the latter sick, the aggregate actually present for duty was twenty-two officers and four hundred and eighteen men, which may be taken as substantially the number participating in the battle of Winchester, three weeks later.

The Regiment moved to Berryville September 3rd and remained there until the morning of the 19th, participating meanwhile in several exhaustive marches and stirring reconnoissances; but as no casualties resulted, an attempt at detail will be unnecessary. Upon the 18th of this month came the significant order to send back everything that could not be carried upon the persons of the men or the horses of the mounted officers, and to be ready to march at two o'clock next morning with three days' rations in the haversacks. The historic interview between Grant and Sheridan had just taken place, which resulted in the most laconic instructions ever given by a Commander-in-Chief to a subordinate who, with a large army, was just opening an independent and vastly important campaign. Cæsar himself ceased to be the model of terse brevity when at this time General Grant said to General Sheridan, "Go in"! The loyal Winchester girl, Miss Rebecca Wright, had just communicated to General Sheridan information of the movement of General Kershaw's Division of the Confederate Army, then under command of General Jubal A. Early, toward Richmond; and on the third day after the interview with General Grant, General Sheridan *went in*.

Under the orders already noticed the 24th Iowa moved out of its camp at Berryville at three o'clock on that pleasant Monday morning, September 19th. After marching some two miles on the Winchester pike a halt of two hours was made to permit the Sixth Corps to take the advance through the narrow defile known as Berryville canyon and leading toward the left of Early's forces, then camped a short distance south of the town of Winchester. It was after sunrise before the command was again put in motion, and toward eleven o'clock, when, turning to the right, it was deployed on the right of the Sixth Corps—the Second Division constituting the right of

the Nineteenth Corps and the Fourth Brigade the right of the Division, which was not at this time connected with, upon its right, or supported by, any other command, although the First Division and further back, the Eighth Corps, were held in reserve.

In a paper like this it would be neither practicable nor desirable to attempt the presentation of the formation of the entire army nor of the details of the battle. Our concern is with the 24th Iowa, including only such outside facts as are necessary to a tolerable degree of intelligibility. An hour or more had been consumed in getting into line as stated. The rattling fire of skirmishers and the shuddering cry of the cannon have for some time told of the presence of the enemy in a belt of woods to the front and right, when, at twenty minutes before twelve o'clock, the order for a general advance is given. The 24th Iowa never moved into an engagement in better shape than on this occasion. Every man was in his place, and the line started across the open in as fine form as if it was only out upon parade. The fire that met its first advance and grew hotter constantly, together with inequalities of the ground and other incidents of such a time and place, were not without effect; but it was still a good line before which Ramseur's men recoiled and from which went up the premature cheers of victory. For the departure of the enemy uncovered the enflading fire of a well placed battery of seven guns, while a brigade of Rhodes' Division, just arrived upon the field from Stevenson's, pressed in between the Sixth and Nineteenth Corps, and the order to fall back was followed by a race against death or capture. A little point of timber just beyond the most vicious sweep of that enflading fire was a natural rallying place; and, according to an incident of this battle given by one of General Emory's Staff Officers and published in Harper's Monthly for December, 1864, which is reported in Greeley's "American Conflict," it was first utilized by Captain W. T. Rigby, of the 24th, who, with a dozen men, came marching deliberately to the rear and here halted, faced the front and called for three cheers; his little line forming a nucleus which





*Ed Wright.*



grew rapidly into a formidable one. It is at all events certain that a rally was made here and was at once joined by many of the officers and men of the 24th as well as of the other regiments; and that this line was held against a sharp attack for some time and until the arrival of the reserves.

It was from this point that Major Ed Wright started back after much needed ammunition and had ridden some distance when a solid shot, having passed over the line, ricocheted from the ground and, striking his horse between the hams, passed clear through his belly and lodged between his fore shoulders. The old fellow spread his feet, stiffened himself, stood fast while the Major dismounted and remained standing like a statue while the saddle and bridle were taken off—dying on his feet before the collapse came. The Major gave the saddle and bridle into the charge of a convenient darkey, who was just then making great haste to change his location, and went on after the ammunition—bringing back a box of cartridges on his shoulder, instead of on "Old Jack" as he had anticipated doing.

But the Eighth Corps finally came up, formed on the right of the Nineteenth and attacked vigorously, while still farther to our right the cavalry of Crook and Averill made its presence felt. This was the beginning of the end. One more grand effort from right to left and the Confederate legions gave way, and, as the day ended, went "whirling through Winchester," to quote Sheridan, in full retreat. The victory was a notable one, and coming from the Shenandoah valley, whence heretofore had been heard only notes of defeat and retreat, the news was exultantly received throughout the country—Grant's army at Petersburg firing a salute of one hundred guns, all shotted and pointed toward the enemy!

The tired troops rested that night at Winchester, but next morning pressed on down the valley after the retreating columns. Arriving at Strasburg on the evening of the 20th, the next day was spent in getting into shape to attack the very strong position now occupied by the enemy on Fisher's Hill. In this attack, which took place late on the 22d, the 24th, with

the other regiments of the division, formed in front of the entrenchments and skirmished sharply but without serious casualty until the Eighth Corps began its unsuspected advance from a flanking position on the enemy's left. A grand rush then swept everything in absolute rout, sixteen cannon being left in battery near the pike and great captures of men and material resulting.

Pursuit was at once taken up by the Nineteenth Corps and continued through all sorts of obstacles until 3:30 the next morning. The 24th held the advance during this trying night march, and several times received out of the bewildering darkness the fire of the Confederate rear guard. In one instance only was this attended with serious results, when a section of artillery and a line of infantry fired so nearly into the faces of the officers riding at the head of the regiment that the flash of the guns stampeded the horses and sent them crashing back through the crowded roadway. But although the darkness made the scene a trying one, it hid the men aimed at as well as the gunners, and the injury actually received was, under the circumstances, surprisingly small. Four enlisted men were slightly wounded and one officer, Captain S. J. McKinley, of Company A, very seriously hurt by a bullet which shattered his thigh.

Some strange fatality seemed malignly to follow the brave and capable officer last named. Desperately wounded at the first severe battle in which the regiment was engaged, at Champion Hill—a bullet in his face and his skull broken by a fragment of shell, insomuch that his recovery was thought impossible—he, nevertheless, returned to duty the following spring and attempted to join his regiment at Alexandria, La. While on his way up Red River the boat was fired upon by guerillas, and, as the "boys" said, "of course McKinley was hit," being again severely wounded, this time in the arm. At the time now under consideration he had just joined his command after convalescence from the Red River wound, and was walking in the very rear of the regiment, which was marching left in front. Yet the only serious injury was sustained by

poor McKinley; who, as the troops were without ambulances or conveyance of any kind, had to be left at the roadside in the care of a couple of the regimental musicians. And what is more, the details of the experience of McKinley and other wounded, thus left, for the next forty-eight hours, would fill greater space than is allowed in this paper and prove vastly more thrilling. For Mosby's guerillas came upon the scene and actually ended the suffering of some of the poor fellows by firing at them as they lay upon a hovel floor, under which the rest were hidden. Captain McKinley, however, survived and recovered and for some years appeared to be a well man; and although later in life more than half a hundred bits of bone from that shattered thigh worked out at different portions of the limb, and he walks to-day with two crutches, he is still a very live man, as many of his Iowa friends can testify. The pursuit of Early was continued down the valley to Harrisonburg, but the active work of this part of the campaign was concluded with Fisher's Hill—the regiment being authorized by general orders to have the names of both the battles here noted emblazoned upon its colors.

In the two engagements the 24th sustained serious losses among its best officers and men, as follows: *Killed*:—Captain J. R. Gould, Company D; First Lieutenant S. S. Dillman, Company E; and privates W. H. Davis, J. W. Arbuckle, W. B. Bricker, A. D. Carmichael, Theo. Stinger, H. M. Reed, G. F. Coleman, C. H. Dean, Harvey Williams. Four officers were wounded, including Captain McKinley, Lieutenant R. S. Williams and Adjutant D. W. Camp, all severely—and Lieutenant W. W. Edgington, slightly. Fifty-six enlisted men were also wounded, many of them severely, and three were taken prisoners, bringing the total casualties up to seventy-four officers and men. To the list of killed should also be added the names of seven men returned as "wounded," but who died of their wounds within the next few weeks, namely: William O. Miller, C. F. Bumgardner, Samuel Godlove, Israel M. Ritter, Cornelius M. Westfall, John W. Carmichael and Sergeant C. L. Foote.

The two company officers who gave their lives to the cause of their country were among the best of many good ones in the regiment. Joseph R. Gould, Captain of Company D, was born in Massachusetts and was at this time 30 years of age. He enlisted at Pedee, Cedar County, August 11, 1862, and was mustered in as First Lieutenant of his company. He was a competent and considerate officer, and withal as brave as a lion. He was shot through the abdomen by a musket ball; and although he lived until the next forenoon, those who lay near him through that terrible night on the battlefield will never forget the cries of anguish and pleadings for relief that were wrung from him by the torture of those sluggardly hours. Sylvester S. Dillman, among many students, was the most scholarly man of the regiment. Born in Ohio in 1828, he graduated from college and entered upon the profession of teaching, to which he was only less attached than to the wife and little ones he left behind when he entered the service. Quiet, refined and thoughtful, there was nothing alluring to Lieutenant Dillman in the life of a soldier. He enlisted strictly from a patriotic sense of duty; his business was to put down the rebellion, and to it he devoted himself with careful and persistent attention to every duty, and quiet but invincible bravery, and finally sealed his devotion with his life.

Of each one of the sixteen enlisted men whose lives were given in this engagement, especial mention might well be made did the scope of this paper permit. So also of the nearly three score wounded, who were next day gathered, with those from the 28th Iowa and some others, into a brick church in the town of Winchester, which was soon transformed into a well organized and excellently conducted hospital. Chaplain Simmons, of the 28th, always stayed on such occasions to look after the temporal as well as the spiritual welfare of his "boys," and the members of the 24th never failed to come in for a share of his attention. It has already appeared that, out of the fifty-six men who were so seriously hurt as to be officially returned as "wounded" in this battle, seven died of their wounds. This was not a large per cent., the conditions as to

location, weather and care, all being favorable after the establishment of the church hospital. And the weary days of pain spent there were brightened by hope and comradeship as convalescence became general, until some of the jolliest reminiscences with which the members of the 24th regale each other in their reunions of this later day find their rise here. For instance, it is told how "Jack" Pitman, of Company B, one day came hobbling into the main ward having in tow a countryman who was carrying a sack of peaches just taken from the nondescript vehicle standing at the door. Jack saw the process of distribution among those present fairly started, but when the bottom of the bag was reached could not be found by the now anxious vendor. After considerable fruitless search, the latter appealed to the surgeon in charge of the hospital on whose order Jack appeared and was confronted by the irate Virginian. The latter explained in a broad local dialect, how Jack had bought his peaches and refused to pay for them. "See here, old man," said Jack when his turn came, "when you drove your old shebang up here I was standing on the steps outside, wasn't I?" "I reckon so, sah." "And you asked me, if I didn't want some peaches, didn't you?" "Yes, sah!" "And you brought me one to try, didn't you?" "Yes, sah!" "And I told you you better carry them inside, I thought the boys would take some, didn't I?" "Yes, sah!" "Well what you growling about—didn't they take 'em?" The old man's jaw was already fixed for a yet more emphatic affirmation, but dropped with astonishment at this audacity; and while Jack limped away the surgeon explained that as the boys evidently thought they were being treated to the peaches, he did not see that he could do anything.

The regiment remained at Harrisonburg until the 29th, then moved on "up the Valley" about seven miles, being stopped by the destruction of the bridge over North River, this being the extreme point reached by the infantry. On the 30th we moved back to Harrisonburg and remained there until October 6th, beginning the work of destruction which had been agreed upon as absolutely necessary in order to end the Confederate

use of that rich country as a supply depot, as well as a provisioned route through which to make raids and forays. In this way the retrograde movement was leisurely conducted through Newmarket, Mt. Jackson and Woodstock, stopping a few days near Strasburg and finally, on October 10th, making an entrenched camp on the east bank of Cedar Creek just at its confluence with the Shenandoah river, where the next great act in the drama was played.

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REV. SAMUEL CLARKE.

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THE PIONEER METHODIST CLERGYMAN OF SOUTHEASTERN IOWA.

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BY HON. SAM. M. CLARK.

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About the time of its date, the following communication appeared in the Burlington *Hawkeye*:

DES MOINES, March 8, 1894.—*Editor Hawkeye*: The Historical Department is engaged in an effort to secure as far as possible oil portraits of the men and women who bore distinguished parts in the early history of our state. Among these, it is especially desired to obtain portraits of the early representative clergyman or missionary of each of the great religious bodies. We now have fine portraits of the Rt. Rev. Henry W. Lee, First Protestant Episcopal Bishop of Iowa, and the first Catholic Bishop of Dubuque. Several others are promised at no distant date. After much inquiry, I have no doubt that the foremost Methodist Episcopal clergyman of early Iowa was the Rev. Samuel Clarke, whose arduous labors are well remembered by our surviving pioneers. My purpose in writing this communication is to call the attention of the Methodist Episcopal Conference, which is to meet in your city the present year, to this subject, in the hope that some action may be taken in the matter of securing Mr. Clarke's portrait. Very respectfully yours,

CHARLES ALDRICH,  
*Curator of Historical Collections.*

Samuel Clarke (that is the way he always spelled his name, and his father before him) was born near Winchester, Virginia, October 9, 1799. His father, George Henry Clarke, was

born in County Cork, Ireland, 1755, and was brought up to the trade of a weaver. He came to America just before the breaking out of the war for Independence, and was a private soldier in that war. He was at the siege of Yorktown. At the end of the war and his retirement from service, he married Jane Mercer, and became a farmer near Winchester. Her people had been long in the colony. One of her brothers was a staff officer with General Anthony Wayne in his Indian campaign, and another brother built the first block house at Cincinnati. George Henry Clarke was raised a Quaker, but after Francis Asbury began to organize the Methodist Episcopal church in America, he became a Methodist, and was accounted a wise helper, and counsellor in the new church by Asbury and Bishop William McKendree, the latter of whom often visited him.

Samuel Clarke did not have many school advantages. There was no such thing as education of the masses in Virginia at the close of the last century, and he was not born to the wealth of the large land holders there, who employed tutors for their children, who prepared them for the university. We presume Mr. Clarke got the most of his education after he became a Methodist preacher, which he did in his twentieth year. Wesley and Asbury as the founders of the Methodist church recognized the deficiencies in scholarship of a ministry taken from the masses of the people and prepared a very wise and thoughtful course of reading and intellectual training for the young ministers.

Mr. Clarke's first two years that he was under a preacher in charge, as Methodist usage goes, were with Beverly Waugh, afterwards a bishop of the church, and with the German bent for thoroughness and scholarship. So it was a good association for young Clarke. The earliest book that we have of his, is an old battered copy of Ainsworth's Latin dictionary which belonged to that period of his studies. But he never became a scholar in the university sense. He was always a good reader, and tore the heart out of a book with an intuitive genius for reading and extracting the matter of

books beyond any man we ever knew. He was what Emerson admired, a man who knew the greatness of Shakespeare. He read him all his life and probably was more familiar with his plays and quoted them oftener than any book, except the Bible.

The Baltimore Conference at the time of Mr. Clarke's ministry, embraced Maryland, Virginia and a part of Pennsylvania. Mr. Clarke's appointments while he was in that Conference, were at Rockbridge, Hagerstown, Leesburg, Gettysburg, Frederick, Staunton, Fairfax. These years and work brought him to the year 1832. He then went to Ohio, bought a farm in Green County, near Xenia, where he settled his family and became a minister of the Ohio Conference. After nine years there he bought 640 acres of land in Van Buren county, Iowa, and moved with his family there. In the preliminary trip that he made to spy out the land to see whether he would like it, he preached at Keokuk in the summer of 1840 to an audience gathered in a grove where now runs one of the principal streets of the city. Iowa and the Iowa Conference were his final field of labor. In the early part of February, 1858, he walked from his farm into Keosauqua and preached to a full house, speaking with all his old time strength and force. He went on to Birmingham and preached twice there. He then went out to Libertyville in the edge of Van Buren and Jefferson county, and preached in a country church. He drove with a friend a few miles to his home, took an inflammation of the throat and died of the croup or diphtheria on the 16th of February, 1858.

Two years ago at the annual reunion of the old settlers of Van Buren county, that veteran Iowan, George G. Wright, ex-chief justice and ex-United States senator, made one of his reminiscent talks to his old friends and neighbors of Van Buren county. He said substantially: "I wonder how many people here recall the sermon preached by Rev. Samuel Clarke on a Sunday of 1842 at the camp-meeting in Purdom's grove, on the river just above Keosauqua. The circumstances were these: Mr. McBride, at that time a leading associate of Abner Kneeland in his attempt to found an infidel and free-thinking



commonwealth in the Des Moines Valley, was present. As Mr. Clarke went into the pulpit, or the plank platform which did duty for a pulpit, Mr. McBride was seen to approach and speak to him for a moment. Mr. Clarke advanced to the front of the stand and said: 'Brethren, I had intended to preach to you on another subject (naming it), but Mr. McBride has just handed me this written request: "Mr. Clarke, will you please preach to this people from the text, 'The unknown God whom ye ignorantly worship?' 'I will preach to you from that text.'"' Judge Wright continued: "I have heard at the bar and on the stump and on the platform about all the great speakers of the United States who have lived in my time. I have never heard nor did any one that heard it, ever hear the equal in power and greatness and massiveness of argumentation, of the sermon Mr. Clarke then preached."

Samuel Clarke was quick on the trigger in this way. We have heard from many sources about a sermon preached by him at Xenia, O., in 1840, which was much talked about. A strong Whig in politics, he was chaplain at the great Harrison demonstration at Dayton, O., when William Henry Harrison attended the great meeting there in that phenomenal campaign. Later in the fall, there was a Methodist meeting at Xenia which was attended by many ministers. Judge Alexander was congressman of the district, an intense Democrat, a man of burly physique, a political boss, dominating and of great force. He had taken a seat in the very front pew, there being a great audience present. Mr. Clarke read the opening hymn, read the scripture lesson, read the second hymn. Judge Alexander sat there either thinking that this might be preliminary and that another minister was to preach, or else purposing to make his demonstration the more effective when he made it. Just as Mr. Clarke was opening the bible to announce his text, Judge Alexander rose and with his heavy gold-headed cane making a ringing protest by a sounding rap on the floor every step he made, marched down the aisle and out of the church. He would not hear the Whig preacher but he had to hear his text. Before Alexander got to the door, Mr. Clarke said: "My text

is: "The wicked flee when no man pursueth, but the righteous is as bold as a lion." He went on and preached a sermon growing out of the heart of the occasion which the Whigs of Ohio made a tradition of, and it would have been difficult to convince some of them that that was not the greatest sermon ever preached in Ohio. Of course Mr. Clarke had no thought of preaching from that text when he entered the pulpit. It is only a full and ready man, masterful in resources, that can master circumstances in this quick way. Judge J. M. Casey, judge of Lee district, said in his address to the old settlers of Lee county in their meeting at Fort Madison last year, that Samuel Clarke was one of his two favorite preachers, and that he was the most forcible speaker he ever heard.

In the early days of his ministry there were incidents in his preaching when the close of his preaching would find every one in the congregation either standing excitedly upon their feet or bowing upon the floor in prayer and sobs. But he never was a shouting preacher; he was always quiet and masterful, speaking with a power that had a commanding effect upon his hearers. Calm and strong as his speech was, he always put in it enough of the Demosthenic element of action to move the enthusiasm and sensibilities of his hearers. And we don't care what any of the critics of oratory say. From Demosthenes until the end of the world, there will never be any supreme orator that doesn't fulfill the three rules of Demosthenes, that the first requirement of an orator is action, and the second is action and the third is action.

Mrs. Judge Townsend, of Albia, the chief of the young women scholars of Van Buren county in her girlhood, in a letter to us the other day, spoke pathetically of her regret at never again being able to hear such speaking as that of "The Old Man Eloquent," as she called Samuel Clarke. For a long time most men and women that you would have met in southern Iowa, or in central Ohio, or in the Baltimore Conference, would have had some incident or utterance to tell you characteristic of Mr. Clarke, and illustrative of his power. When some years ago we met Bishop Randolph S. Foster, the great

bishop of the Methodist church, at the home of his sister, Mrs. Dr. Burkett, of Keokuk, he said to us: "I heard your father make at Cincinnati, forty-four years ago, a prayer which I remember now, and it is the only prayer I ever heard that I could remember forty-four years." One of the greatest preachers of the Universalist church in the west once said to us that he heard Samuel Clarke make at Oskaloosa, the most impressive prayer he ever heard. Mr. Clarke was chaplain of the famous constitutional convention of Virginia in 1829-30, of which ex-President James Monroe was presiding officer and ex-President James Madison and Charles Fenton Mercer were members. Doctor Blackman, the great professor of surgery in the medical college of Ohio at Cincinnati, who was as a boy a looker-on at the convention, said, in talking about it in 1858, that the most distinctive impression he brought away from it was that in eloquence, bearing and power, Samuel Clarke was the greatest man there. Most people who knew him at all would remember him by some trenchant saying that went straight to its mark with the force of a minie ball. Colonel J. P. Sanford, soldier and Universalist minister, traveler, lecturer and the like, who became quite widely known in this and other states, told us that when he was a young fellow in his "smartest" state, when bright-minded and callow young men deny everything because they are certain they know more than mankind ever did before them, he thrust his opinion upon Mr. Clarke, who swept him off his feet by a dozen words, which Colonel Sanford always remembered as the most formidable statement he had ever listened to.

Uncle Dan Miller, the veteran lawyer and legislator, likes to tell of an incident that happened at a camp-meeting in Lee county during the time Joseph Smith and the Mormons were at Nauvoo. Mr. Clarke was preaching to a great audience on Sunday and made a statement about the Mormons. A well appearing and well-dressed man arose in the congregation and denied what Mr. Clarke had said. "What's that?" said Mr. Clarke, in the quick, imperious way in which he always met a challenge, "what's that?" The gentleman an-

swered, "I am an elder in the Mormon church and I deny the accuracy of what you have just said about my people." "You are a Mormon elder, are you?" said Mr. Clarke. "Yes, sir." "Then all I want is a rope and gallows for you," was the quick retort with which the preacher knocked the elder helplessly into his seat.

Earnest and zealous as Methodism was through all the period of Mr. Clarke's ministry, and it was a time when the churches were much given to polemics and disputation one with the other, formidable as Mr. Clarke was in debate and ready as he was to engage in it, he was a tolerant man and always more insistent upon character than doctrines. There was probably a bent in this direction given to him by the Quaker vein in his ancestry. He was always a favorite preacher with many other denominations and often filled their pulpits, in the way we are used to now, but which was an unusual thing then. And it was a favorite saying of his that he liked sinners and that he liked to preach to sinners; that he sometimes didn't know which was the better—the sinners or the church folks. We recall his saying one day to a devout class leader who thought there was a great difference between people in the church and people outside the church, and who didn't have a bit of doubt that he was going to Heaven and the other fellow was not: "Brother V., if you and I are so fortunate as to get to Heaven, we will probably be surprised at two things: first, not to find many people there we thought we would, and secondly, to find a great many people there we didn't expect would be there." Once he said to a favorite niece, good but frivolous, who was rollicking about the house, "Mary, I have no doubt whatever that you will go to Heaven if you die at any time within a week after a camp-meeting."

His insistence upon character was shown at his death. He died many miles from home and in midwinter, and none of his children were present. As the end approached, their mother asked him if he had any word to send to the children. He said: "Only this, that nothing but religion gives true dignity to character." And that is the only word that we ever knew

him to say directly to any one of his children in all their lives or his, to get them to be religious. In fact there was not a bit of cant or professional religion in his make-up. The day before he died, he walked to the window of the country house where he was and looked out upon the bleak winter outside and said—"Well, to-morrow I shall go home or I shall go to Heaven." Rev. Mr. Robinson and other ministers and Methodists who were present, had evidently been wanting him to say something on the line of what they thought would be bearing a testimony for religion in the hour of death. They probably had a desire that a ministry of thirty-eight years should be more demonstrative, confessional and professional than he was manifesting, for he was bearing himself in a very matter of fact way. So taking that calm utterance as a cue, Mr. Robinson asked a somewhat ministerial question as to what was his thought and testimony in dying, and as to the other life. Mr. Clarke merely said in a calm and tranquil way, "I am willing to trust the Judge of all the earth to do right," and that was all he said. It was his straight-forward manliness and sincerity that secured him the life-long friendship and attachment of strong and forcible men of all parties and beliefs, and no beliefs. The late Judge Thomas W. Clagett, of Keokuk, was devotedly attached to him. Whenever a Methodist Conference met in his city, Judge Clagett always put in a claim for Father Clarke to be his guest. He would say in his emphatic way, "Father Clarke is the only blankety blank preacher that I ever knew that wasn't a blankety blank blank hypocrite." He has often said to us, "Your father was the only religious preacher I ever knew." And however much Judge Clagett might swear from sheer force of habit, and without meaning anything bad about it, for he was a wonderfully good man with all his profanity, he never swore when Mr. Clarke was in hearing.

In loitering pleasant half hours over Prof. John Campbell Shairp's "Portraits of Friends," wherein with delightful freshness and spontaneity, he tells of his friends, Thomas Erskine, Bishop Cotton, Dr. John Brown, Norman Macleod, John

Macleod Campbell, John McIntosh and Arthur Hugh Clough, we can see how much men in Scotland and England and the old country have in their lives that men like Samuel Clarke miss out of their lives here in America. This country is too large and there are too great distances between the relation of man to man and mind to mind. In Scotland or England a man like Shairp or Norman Macleod or Campbell, may be at a little country manse where life for the hour seems very local and sporadic: they seem isolated and remote from their fellows and from all comradeship; but then you read a few lines further and you see that another half hour has placed them at Edinburgh, or at Glasgow, or at Cambridge, or at Oxford, in relationship with university men and the richest comradeship of the leaders of life and opinions. The thinkers and leaders are only a few miles or a few half hours apart from each other at the most and when ever they get lonesome, they can touch elbows with their fellows in the capitals of intellect. Americans have been, now and some years ago far more than now, suffering from isolation and distances, from a privation of separation from their fellows. Boy as we were, we have been conscious in a blind mute way, many an hour, that Samuel Clarke was in his pioneer Iowa home, amid the dull conditions of pioneer life, how he pined and chafed for the sort of contact that the friends in Prof. Shairp's portraits could give themselves at any hour they chose. Mr. Clarke's life would have been far richer in performance than the world would have known if from his boyhood he could have been in or near one of the world's capitals and comraded from the beginning with men of like power and capacity with himself. Another thing isolated him somewhat all the later years of his life, and that was that he was a Virginian. The strong attachments of his early life were with southern men and slave holders. He was the devoted friend of Bishop Soule, who went with the southern division of the Methodist church when the church divided on the slavery issue. He was a devoted patriot, feeling that from his revolutionary father he was one of the guardians of the republic, and though an anti-slavery man, it cast a shadow to the

core of his heart when the Methodist church divided, because he never doubted that that was the precursor of the division of the Union which came with the secession of the southern states in 1860-61, and which only four years of war overthrew. We have been told by those who knew him well throughout all his life, that he was never so buoyant and hopeful, that his oratory was never so great and masterful after the separation of the Methodist church as before it. That separation and the shadow thrust forward of the coming struggle for disunion, put its shadow upon his spirit and depressed his mood. He was never an abolitionist, and the last vote he cast was for Millard Fillmore in 1856. He thus remained with the old Whig party of Henry Clay and Daniel Webster to the last.

In 1824, Samuel Clarke was married at Hagerstown, Md., to Elizabeth Reynolds. Her father was Colonel John Reynolds, of that place. He commanded the Third Maryland regiment in the war of 1812, and was at the defense of Baltimore, the most memorable incident of which will ever be that Barton Key, with the thunder of the guns in his ears all the night long, wrote "The Star Spangled Banner"—"O say, does that star spangled banner yet wave?" How full of adventure the lives of Americans then and earlier had to be! The father of Colonel John Reynolds was Captain John Reynolds of York, Pa. He was an officer in the revolutionary war. At the close of it he bought a tract of 7,000 acres of land in Kentucky, where the city of Lexington now stands, and started there with a colony to establish a post. His fleet of flatboats was attacked by Indians just below Blannerhassett's Island in the Ohio river, and the Indians, following the boats along each shore, keeping up a continual fire, at last captured the company. Captain Reynolds was killed, and fell over in the arms of his wife. She, with her four children, John being then a boy of 10 or 12, were taken prisoners. They were nearly four years with the Indians, ranging from Detroit to the Ohio river in the migrations of the Indian tribes. The mother was separated from a part of her children, but she managed to keep run of all of them. She had several opportunities to get

away to the whites with three of them, but she would not go until she could have all. Finally she plotted and planned with an English trader until she got all of her children together and led them by a night march and in a concealed way into Detroit, where the English who ransomed them had to keep her and her children hidden for several days from the Indians, who searched the place for them. They were content to ransom the mother and three of the children, but they had adopted John into the tribe with Indian ceremonies and destined him for a chief. So they were determined that he should not escape them. When, after four years, the mother and the four children reappeared to her family and friends at York, Pa., it was as a company arisen from the dead. But incidents like these stand at the outset of the family history of all of us whose ancestry have been Americans for a few generations.

Nine children were born to Samuel Clarke and Elizabeth Reynolds; one of them died in infancy, and as to the other eight children, the rather remarkable experience has happened that there has been but one death among them in sixty-seven years.

Though combative and of quick and imperious temper, Mr. Clarke had the qualities of a great church executive. He was a young man in charge of a large circuit in Virginia at the time of the separation of the Protestant Methodists or "Radicals," from the M. E. church. The movement was strong with the people in his circuit. He managed the affair so wisely that less than a half dozen finally joined in the separation. Dr. Thomas Bond, the able editor of the *Methodist Advocate*, then the sole organ of the church—a whole family of Advocates have grown up since—said in the paper that Mr. Clarke had shown the most wisdom of any minister he had heard of, and that if all had shown equally good judgment, the attempted separation of the church would have come to nothing. During all his after ministry Mr. Clarke was called upon to adjudicate in cases far and near of trials between ministers and members or between members. We recall an incident in one of the then leading cities of the state; a prominent and active



layman had got into a fierce quarrel with the minister of the church. The case was fiercely contested in the local trial and was carried to the annual Conference. Mr. Clarke presided in that local trial and rendered judgment. After the whole matter was ended, the layman published a large pamphlet account of the proceedings. He said that when the case came before the annual conference, he submitted his case at great length, to which he had devoted weeks and months of preparation, and that Samuel Clarke merely arose and said to the Conference, "This is a plain case. Brother S. went to—as preacher in charge. He found a disturber of Zion there. He did just what he had to do, and just what this Conference will have him to do; he turned him out." And the complainant said that upon that simple statement by Mr. Clarke the Conference sustained him, and wiped out without further attention to the complainant's labored case.

Without much scholastic education himself, Mr. Clarke was an earnest advocate of education of the Methodist ministry and membership. He was one of the founders and first trustees of the Wesleyan University at Mt. Pleasant. He had views of his own of church polity. He always insisted that all children born and baptized in the Methodist church should be entered at once as church members. He knew human nature and went direct to his end without being prisoner of flimsy limitations. We recall that when he was pastor of a church in a southern Iowa town, a leading merchant of the place was of Methodist parents and had a devoted Methodist wife. The merchant himself was a man of good character but not a church member. His infirmity was that he would occasionally get upon a tremendous drunk. One Saturday morning, Mr. Clarke learned that this gentleman had been out with the boys, kishing tin pans up and down the street and raising a jamboree Friday night. Mr. Clarke took down the church book, and entered the name of the merchant as a member of the church. Then he took his hat and cane and walked down to the store, and said to the merchant: "Mr. S. I have just entered your name as a member of the Methodist church at

this place. We are building our church, there is a meeting of the building committee at my house at 3 o'clock, and I want you to come there and take the chairmanship of the committee." And when the time came Mr. S. was there and he never gave the church or community any more trouble.

When Mr. Clarke died the official memoir of him was written by the late Michael Hare, who was a devoted friend of his. But the best of all the memoirs was written by Henry Clay Dean. Dean was devotedly attached to Father Clarke. He was the only preacher of the Iowa Methodist church to whose leadership and power the great orator deferred, and he poured out the warmth of his feelings in an eloquent tribute worthy of Samuel Clarke and worthy of Henry Clay Dean at his best of heart and brain and pen.

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## THE DES MOINES RIVER LAND GRANT.

BY COLONEL C. H. GATCH.

[SECOND PAPER.]

It should have been previously stated that the Des Moines Navigation & Railroad Company became incorporated as an Iowa corporation under articles filed May 19, 1854, and that the incorporators were Edwin C. Litchfield, Porter Kibbee, Orville Clark, B. R. Whitmore, Henry O'Reilly, A. Hunt, Elisha C. Litchfield, Henry Ten Eyck, John Stryker, Nelson B. Stewart and E. B. Litchfield.

May 15, 1856, Congress granted to the State of Iowa, for the construction of four railroads from the Mississippi to the Missouri river, every alternate section of land designated by odd numbers, for six sections in width on each side of each of the roads, with the usual provision for indemnity selections within designated limits in case any of the granted sections had been previously disposed of. The grant was subject to

the following proviso, which it will hereafter be seen contributed very materially to the legal questions and complications that were to follow: "That any and all lands heretofore reserved to the United States, by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of *internal improvement*, or for any other purpose whatever, be and the same are hereby reserved to the United States from the operation of this act." The line of each of the railroads thus provided for would necessarily intersect the grant of lands for the improvement of the Des Moines River, provided it extended to the northern limit of the State. On the day of the passage of this act the Commissioner of the General Land Office directed the officers of the local land offices in Iowa to withhold the lands covered by the grant from sale or location until further orders. July 14, 1856, the General Assembly of Iowa accepted the grant.

The matter of the extent of the river grant having again been brought before the Secretary of the Interior, it was by him referred to the Attorney General, Hon. Caleb Cushing, who, May 29, 1856, rendered an opinion, the substance of which is stated in this sentence:

"I have hesitated much on the question whether that be not the true view of the subject (to limit the grant to the Raccoon Fork) but, for reasons already suggested, have come to the conclusion on the whole, to advise you to stand on the last decision, (Secretary Stuart's) which gives to the State the lands along the course of the Des Moines, up to the northern boundary of the State."

Up to this time the State had been claiming the lands on each side of the river from its mouth to the northern limits of the Territory, which was much further north than the northern line of the State as fixed at the time of its admission into the Union. In view of this claim to lands, which were then within the limits of the Territory of Minnesota, the Attorney General in his communication containing the opinion referred to, advised as follows: "I advise, therefore, that you propose to the State of Iowa, and *its assigns*, to acquiesce in and accept the decision of Mr. Stuart as final, and to approve selections accordingly; provided, the State and *its assigns* will themselves agree to acquiesce in and accept that decision as final." He

further advised that if the State refused to accept the grant upon this condition that the Secretary of the Interior should refuse absolutely to approve any more selections above the Raccoon Fork. Acting upon this advice, the Secretary wrote the Commissioner of the General Land Office June 9, 1856, as follows:

“In the subsequent action upon selections not yet approved, I have concluded to be governed by the advice of the Attorney General, as contained in the paragraph near the close of his opinion, beginning with the words, ‘I advise, therefore, that you propose to the State of Iowa and its assigns,’ and ending with ‘You can with safety award to them the residue of the claim up to the northern boundary of the State.’ In the certificates of approval hereafter prepared for my signature on any list submitted, the fact should be stated that the approval being based upon the prior action of the department and upon the ground that the grant is to be confined to the northern boundary of the State of Iowa, the acceptance by the State *and its assigns* would be considered an acquiescence on their part in this limit, and an abandonment of all claim beyond it, as it is upon this basis alone I can feel justified in yielding my assent to the claim preferred.”

July 16, 1856, W. C. Johnson, the then president of the Navigation Company, having applied to the Secretary of the Interior for the certification of additional lands, the Secretary, in a letter to the Commissioner of the General Land Office, directed that action be suspended until the assent of the proper authorities was obtained to the conditions mentioned in the foregoing opinion of Attorney General Cushing.

January 1, 1857, Commissioner Manning made his report to the General Assembly in which he refers to the fact that the affairs of the Improvement are in the hands of a joint committee of investigation, and among other things says: “The State of Iowa, through its Board of Public Works, prosecuted the Improvement about six years, up to June 9, 1854, and during this period expended about \$475,000.” And further “The character and quality of the work upon the lock walls is believed to be fully equal in all respects to that heretofore constructed by the state, which condition in the original contract in that respect is believed to be complied with.”

The report shows that on December 1, 1856, the Navigation Company had paid out and expended, under its contract with the State, for purposes recognized as falling within the terms

of the contract, \$366,711.26; and charges the Navigation Company with two lists of lands theretofore sold to it by the officers of the Improvement, one list comprising 88,853.19 acres, and the other 116,636.04 acres, amounting, at \$1.25 per acre, to \$256,861.53; thus leaving a balance at that time due the Navigation Company of \$109,849.73. An adjustment between the State and the Navigation Company made December 24, 1856, is referred to in the report, in and by which it was *agreed* and *settled* that there was then due from the State to the Navigation Company, after eliminating certain matters of difference between the Commissioner and the Company, a balance of \$40,369.04; of which among other things it is said: "The present adjustment has been mutually entered into with a full view of all the embarrassments and difficulties heretofore and at present encountered, and more especially to hasten and insure the immediate progress and early completion of the work." And as showing the fairness of the adjustment it is further said:

"The manifestation of the President of the company in making this arrangement appears to be quite equitable, and it is due from me to admit that his efforts in behalf of this adjustment have been of the most laudable character. The concessions herein made by the Company to the State are agreed to by me as highly creditable to the Company and equitable to the State. It is but right to regard it as an evidence of their good faith to perform this agreement."

By taking the balance of \$40,369 allowed the Company in the adjustment from the balance of \$109,849 due it according to the Commissioners' report, it will be seen that the Company made a concession of nearly \$70,000 in the adjustment.

In the report of J. C. Lockwood, Register of the Improvement, of January 1, 1857, it is said:

"From an examination of the lists of lands approved by the general government as coming within the Des Moines River Grant, and plats of those remaining unsold, it would appear that there were 266,107.13 acres undisposed of when the sales ceased per act of the Legislature, and of these only about 55,000 acres were situated below Fort Des Moines. I also find from the records of my office that there were certified of the above lands to the Des Moines Navigation & Railroad Company, by the Register, on the requisition of Commissioner Bonney, and the estimate of the acting engineer on the 14th of May, 1855, 88,853.19 acres. On the 6th of May, 1856, I received from Commissioner McKay the following requisition and estimate of the acting engineer, and on their receipt,

certified to the Des Moines Navigation & Railroad Company, 115,726.16 acres. . . . . After deducting the amounts of the above certificates, there now remains undisposed of 61,527.78. There have been about thirteen hundred certificates issued by former Registers, to persons who purchased Des Moines river lands from the State, between the 12th of October, 1852, and December, 1853, and for which no patents have been executed."

January 1, 1858, Commissioner Manning made his annual report to the Governor, in which he says the amount of expenditures by the Company, as claimed by it, up to December 1, 1856, was 366,711.26, and referring to the adjustment of December 24, 1856, says: "This adjustment with said Company was regarded by the Commissioner as having ascertained and fixed the amount thus expended by said Company on the improvement under their contract with the State," and following this admits the amount expended for debts, liabilities, improvement, engineering, etc., up to December 1, 1856, "by said Company upon said Improvement" to have been \$256,861.53, and that there was to be added to that sum, expended from December 1, 1856, to December 1, 1857, the further sum of \$77,193.70, making the total less 15 per cent. of the last mentioned sum "reserved by the State till final completion," \$322,436.18.

February 16, 1858, Governor Lowe sent to the general assembly a special message in reference to the Improvement, in which he stated that the entire grant of the Des Moines River lands embraced within the limits of the State, as accurately as could be ascertained, was 853,430 acres, of which amount the General Government had then only certified to the State 593,430.89 acres; and that of this last amount up to the date of the contract between the State and the Navigation Company, July 9, 1854, the Board of Public Works and State Commissioner had sold and disposed of 327,314.53 acres, the receipts for which were \$410,750.26; that since June 9, 1854, there had been certified to the Des Moines Navigation & Railroad Company, at \$1.25 per acre, 205,489.23 acres, and that there was a requisition in dispute for 24,000 acres more, leaving 37,537 acres of the land certified by the General Government to the State undisposed of; that the Company claimed to

have expended, subsequent to June 9, 1854, on account of the Improvement, including incidental expenses, \$544,547.84, and that the State Commissioner reduced this amount to \$270,005.-84. The message concluded with the suggestion that the "difference in the estimate of expenditures" might be "amicably adjusted" by the "appointment of a competent commissioner for that purpose, or the raising of a joint committee of the two houses, to settle all points of difference between the parties, and *dissolve* the contract if deemed expedient."

On the 22nd of March, 1858, the General Assembly passed an act making a grant in the following terms to the Keokuk, Fort Des Moines & Minnesota R. R. Company:

"All lands and compensation which may be given in extension or in lieu of any portion thereof by the General Government, and also all stone, timber and other material turned over to the State by the Des Moines Navigation & Railroad Company in settlement with the State of Iowa, . . . . .to aid in the construction of a railroad from the city of Keokuk at the mouth of the Des Moines River up and along the valley of said river by way of the city of Des Moines to the northern line of the State, . . . . .excepting all the land belonging to said grant heretofore sold by the State of Iowa or which may hereafter be conveyed to the Des Moines Navigation & Railroad Company, by virtue of a settlement now pending between the State and said Company, . . . . .this grant to become operative as soon as Congress shall assent to or permit a diversion, or the title thereto shall become vested in the State so as to be subject to grant."

On the same day the State appointed Charles Mason its agent to procure the further certification of lands to the State under the grant. On the same day also the General Assembly passed a joint resolution containing a proposition for settlement with the Navigation Company, and another instructing the Governor to enjoin the Company in the event of its failure to accept the terms of the compromise offered in the preceding joint resolution from

"Proceeding further with the improvement of the Des Moines River and to take such other means as he and his legal advisers may think best to protect the interests of the State in any dispute that may arise between the State and the Des Moines Navigation & Railroad Company in consequence of such injunction or any other process or proceedings that may be necessary against said Company."

And, further, on the same day, passed an act disposing of all the remaining Des Moines river lands by a grant of the same

to the Keokuk, Fort Des Moines & Minnesota Railroad Company, to aid in the construction of a railroad from Keokuk to the northern line of the State. April 15, 1858, the Company, by vote of its Board of Directors, accepted the terms of compromise proposed by the State. April 28, 1858, Governor Lowe certified to the President of the United States, that the Company had expended money to the amount of \$332,634.04 in work on the Improvement, for which the State was about to convey lands to it amounting in the aggregate to 266,107.23 acres. May 3, 1858, the remainder of the lands theretofore certified to the State under the grant, lying north of the Raccoon Fork, were certified by the Register of the State Land Office to the Navigation Company, pursuant to the joint resolution of March 22.

May 3, 1858, the State of Iowa, by Governor Lowe, executed fourteen deeds or patents to the Navigation Company, conveying by particular description, the lands to which the Company was entitled under the resolution of compromise; and May 18, 1858, a general deed, conveying the same and any previously omitted lands, by general description.

January 1, 1859, Commissioner Manning filed with the Governor his report, in which he stated that the Navigation Company had paid to him as Commissioner the twenty thousand dollars required to be paid by the terms of the joint resolution of compromise. And January 9, 1860, Governor Lowe submitted to the Legislature his annual message, in which he said: "The settlement made at the last session of the Legislature with the Des Moines Navigation & Railroad Company has been duly carried out according to the terms expressed."

While few Iowa people do not know in a general way of the troubles between the State and the Navigation Company about the "River Lands," probably fewer still know much, if anything, of the particular causes that gave rise to it, and I have purposely passed over such of them as seemed most deserving of notice, intending to return and by making them matter of separate and special mention, account more intelligibly for a



controversy about which however much has been known so much seems not to have been known. On the one hand the Company has been charged with having "robbed" the State of hundreds of thousands of acres of land, while on the other hand the State has been charged with having attempted to rob the Company of about a million more acres by arbitrarily putting an end to the contract under which it claimed it was entitled to buy them at \$1.25 an acre in work on the Improvement. As will hereafter be seen the Company, on the one hand, paid the contract price for all the land it received, and, on the other, the State could not have made title to the remaining lands if the Company had actually earned them in work on the Improvement to the required amount, the grant, after the repudiation of the contract by the State, having been held by the Supreme Court of the United States not to embrace them. Had both the State and Company acquiesced in Attorney General Cushing's proposed compromise, making the northern boundary line of the State instead of the *source* of the Des Moines River in Minnesota the northern limit of the grant, there *might not* have been occasion for any such charges or indeed any such thing as the "Des Moines River Land troubles." Which party, if either, was to blame in this particular contention, is a matter about which there is room for honest difference of opinion upon the statements to be presently referred to.

W. C. Johnson, the then president of the Navigation Company, in his report as such to the Governor November 15, 1856, says that as early as May, 1855, "nearly half the work was prepared for letting and was put under contract." And further that,

"At this point information was received that the General Assembly had passed an act in derogation of the title which had been agreed to be given to the Company, and requiring that no patents should issue to the company, except with a derogatory clause inserted."

The following is the derogatory clause referred to:

"Nothing in this patent shall be construed into a warranty by the State against any claim or claims to said lands arising out of any pre-existing contract in relation to any lands, made or entered into by the

State, or any of its agents, nor as intended to interfere with any of the rights of any person or company, to any of said lands accruing by virtue of any law of this State, or any contract under the provisions of any of said laws."

Further on in his report, referring to the suspense in which the company was kept by reason of the uncertainty as to what should be finally held as to the extent of the grant, he says:

"But it was not until June that a decision was given, and then it was that the grant might be construed as extending to the north line of the State, provided *the State* should release the lands lying above. Thus matters have stood until this time, the Government refusing to recognize the grant as extending beyond the north line of the State (cutting off about 300,000 acres of land) and refusing to recognize the grant as extending beyond the lands already approved to the State, except on the condition of the execution of a release of the balance. In this condition of the grant the Company felt that good faith towards the State required of it, a suspension of new work until the wishes of the State in the premises could be ascertained. . . . The Company has expended in payment of State indebtedness and construction (exclusive of the salaries of its officers and office expenses) more than the sum of \$360,914.14, on account of which there have been certified to it by the Register and Commissioner of the Des Moines Improvement, two hundred and five thousand four hundred and eighty-nine and twenty-three one-hundredths acres of land under its contract, leaving over a hundred thousand dollars due from the State and for which it is in arrears to the Company. To pay this would more than exhaust the balance of the lands, the title to which has, as yet, been transferred by the General Government to the State, excluding those which have been erroneously approved, and the entire balance of the grant is embarrassed by the refusal of the General Government to make more transfers to the State except on condition of a release of the lands north of the State line."

One Donald Mann presented a memorial to the General Assembly at its special session in 1856, charging mismanagement and fraud on the Managing Directors and Executive Committee of the Navigation Company, particularly in the matter of alleged issues of *apparently* "paid up" stock, on which in fact only a small per cent. had been paid, on part only five per cent. and on part only twenty per cent., thereby, as was alleged, deceiving both "the public and individuals," and through failure to realize from payments on stock and a consequent want of funds with which to prosecute the same, retarding the work on the Improvement. Another memorial presented by him to Governor Grimes on the same subject was by the Governor laid before the General Assembly at its

regular session in 1856; and the Governor's annual message submitted to the General Assembly at the commencement of the same session, referring to a request of President Johnson of the Navigation Company, and to the affairs of that Company generally, contained the following:

"I received on the 3rd day of last October from W. C. Johnson, Esq., president of the Des Moines River Improvement & Navigation Company, a request that I would examine into the affairs of that Company; or cause them to be examined by a committee whom I might appoint, and proffering to pay all expenses that might be attendant thereon. Although the Governor of the State had no authority to appoint such a committee, yet the necessity for such an investigation was so great that I should have exercised the power but from my inability to procure the services of the most desirable persons for the duty. It is due to the people of the State and to the members of the Des Moines River Improvement & Navigation Company, that the rights and relations of the Company to the State should be definitely ascertained, and distinctly understood. To this end it is recommended that a commission be appointed, with power to administer oaths and to send for persons and papers, with instructions to inquire into all the transactions of former Commissioners and Registers of the Des Moines River Improvement; to report as to the character and validity of any contracts that may have been made between the State and persons or companies for the improvement of the Des Moines river, and especially to report with regard to the transactions of the Des Moines River Improvement & Navigation Company.

"Until such investigation is made and report submitted, it is recommended that all action on the part of the State in connection with the Des Moines Improvement and the Des Moines River lands be suspended."

A joint investigating committee was accordingly appointed by the General Assembly and made its report to that body at the same session of 1856-7. The following are extracts from their reports:

"Your committee are of the opinion that no legal contract was ever entered into by the State of Iowa with the Demoine Navigation & Railroad Company.

(In this it will be seen hereafter the committee was mistaken, the Supreme Court having held otherwise.)

"By the terms of what is claimed to be the original contract, the whole Improvement was to be completed by the first of July, 1858, and one-quarter of the work done annually. Now, according to the evidence before the Committee, it appears that there were expended by the Company up to the first of December, 1856, a period of nearly two and a half years in actual construction, \$185,957.44, and in engineering and incidental expenses, \$104,180.74. Your Committee can find no reasonable excuse for the extraordinary sluggishness with which the work has been prosecuted, compatible with an honest purpose of prosecuting the work to completion, for the sole consideration of receiving in payment therefor

the lands granted by Congress, and the use and rents of the Improvement and water. Now, if the D. M. N. & R. R. Co. had a *bona fide* capital actually on hand of nearly \$1,000,000, paid in for the prosecution of the work, as they ought to have according to the amount of stock issued, and had hitherto prosecuted the work with that vigor and energy which its importance demands, and which the people of the State had a right to expect, the condition of things would be very different; but as the work has been done, in the opinion of your committee, under contract without any validity in law, and if said contract had been valid, in no manner according to the spirit and meaning thereof, your committee are of the opinion that said company are justly and equitably entitled to a fair compensation for the work done by them; but are not entitled, unless the State so elect, to payment in lands at \$1.25 per acre, which are worth six or seven dollars per acre."

The committee were D. T. Brigham, W. F. Coolbaugh, Wm. G. Thompson, J. W. Jenkins, J. J. Matthews, on the part of the Senate, and D. Edmundson, B. F. Roberts, John H. Fry, Miles Jordan, David Doud, Jr., John E. Kurtz, and James Galbraith, on the part of the House.

Governor Grimes in his message to the General Assembly, January, 1858, referring to this report of the joint committee, said:

"From the report of the Joint Committee of the two houses of the last session of the General Assembly, it would seem that the terms of this contract had never been complied with by the Company, but that it has been disregarded in its most essential particulars, whereby the purposes for which it was entered into have not been and will not be attained. If this be true, you may feel it to be your duty to rescind that contract, for the reasons stated in the report, and make other arrangements in relation to that munificent grant, now in danger of being frittered away without any useful result. The report above referred to also indicated that the Des Moines Navigation & Railroad Company have not only forfeited their charter by a failure to comply with the requirements of the statute, but they have engaged in practices calculated to deceive and defraud, upon a large scale, innocent and unsuspecting persons, both at home and abroad. If this be true, it may be thought a matter of sufficient public importance to justify you in directing the Attorney General to institute proceedings to vacate the charter of the Company, and thus prevent it from perpetrating any further wrongs under the authority of the laws of this State."

Commissioner Manning, from his report of January 1, 1857, about the same date it will be observed as that of the report of the Joint Legislative Committee from which the foregoing extract is taken, evidently did not agree with the Committee that the alleged unreasonable delay on the part of the Company was a matter of which the State had any reason to complain. He said:

“The policy heretofore adopted by the Company and approved by former Commissioners, of putting the entire line of improvement in progress at the same time, with a view to the simultaneous completion of the same, was, as has since been demonstrated, impracticable, from the fact that the country is yet new and but partially settled and improved, with only a limited supply of laborers in its vicinity. If the locality of this improvement was more convenient to the densely populated portions of the east, the case would be different. But when it is considered that it is one thousand miles distant from the seaboard, thereby rendering uncertain the procuring of the laborers necessary for its successful progress, then it becomes more apparent that the limited force at command should be employed so as to make the first section of the work available at an early day, whereby the citizens of the valley, as well as the Company, can derive some immediate benefit from the great expenditure upon the improvement. All past experience in like great internal improvements warrants me in this view of the subject.”

In the case of the State on the relation of Johnson, President of the Navigation Company, against the Commissioners of the Des Moines River Improvement, a mandamus proceeding to require the Commissioner of the Improvement to transfer and convey to the Company 89,000 acres of land claimed by the Company as having been earned under its contract, the Supreme Court of Iowa at its June Term, 1857, in a decision not found in the printed reports, held, that the contract of June 9, 1854, was valid and that while the supplemental agreements, one of the same date, and the other of June 29, 1854, were originally invalid for want of the Governor's approval, the necessity of such approval had been waived by the repeated and express action of the executive and legislative departments of the government.

The writ of mandamus was denied for the reasons:

1st. That it did not appear from the petition that the one-quarter of the work required to be completed in each year had been so completed.

2nd. Because the proceeding was in effect for specific performance of the contract and the petition did not show either performance or readiness or willingness on the part of the Company to perform.

3rd. Because from the petition and record it was doubtful whether the amount claimed or any amount was due on the contract and settlement with Manning.

Commissioner Manning in a report made to the Governor, January 1, 1858, referring to this decision said:

“The Supreme Court dismissed the application for a writ of mandamus, for the reason, among others, that it did not show such a compliance upon the part of the Company with their contract as entitled them to a specific performance upon the part of the State; and the Company not choosing to amend their application and risk an issue of fact with the State upon the question of their performance the litigation was ended.”

There seems to have been a contention between the Company and the State as to their respective rights under the contract as affected by the greater or less extent of the grant, accordingly as the location of its northern boundary should be finally determined; the Company claiming to be entitled to all the land within the limits of the grant even though it should, at \$1.25 per acre, exceed the estimated cost of the improvement—\$1,300,000—and, on the other hand, that it was not liable for more than \$1.25 per acre should the quantity of land within the grant prove to be less than the estimated quantity.

Commissioner Manning in his report already referred to, referring to this contention, said:

“The Company has agreed to pay and the State has agreed to take \$1,300,000 for the land, etc. The sum is fixed for the aggregate, the contract don't call for or contemplate any given or certain quantity of land, but is definite in other respects, insomuch that the Company get all that belongs to the grant after the date specified. Now, the Des Moines Navigation & Railroad Company repudiate and decline to pay the sum agreed upon for said 'grant' and this refusal has just been announced by the Company, and their policy disclosed. The fact is no longer disguised that the said Company now utterly refuse to acknowledge any liability whatever to the State to pay more than \$1.25 per acre for the land of the grant, and if the same exceed a certain amount, then they will or will not, as they please to elect.”

Following which he further states, that he and General Clarke, the latter acting as agent for the Company, visited Washington with reference to the compromise proposed by Attorney General Cushing, and that when there Secretary Thompson proposed to “carry out the *verdict* of Cushing;” whereupon he, Manning, proposed to Clarke to “co-operate with the Company, and either accept or reject the Cushing opinion, leaving the Company to elect which course to adopt.”

The report proceeds:

“At this juncture of our proceedings the agent of the Company (General Clarke) required the Commissioner (Manning) to accept the lands, and the interpretation of the act as provided in Attorney General Cushing’s opinion rendered in the case, and that upon the condition that the Commissioner or the State would release the Des Moines Navigation & Railroad Company upon their contract of 9th June *pro rata* and to the same extent that the State and Company are required to relinquish to the General Government under Cushing’s opinion, then upon that condition the Company would co-operate with the State, but upon no other or better terms. This proposition was rejected by the Commissioner as not intended in the contract between the Company and the State, and thus the case now stands.”

It is further said:

“The release they (the Company) demand of the State, involves a question of at least \$400,000 importance to the State, and is, in the opinion of the Commissioners, the gravest and most vital question that has ever arisen between the Des Moines Navigation and Railroad Company and the State.”

Resuming the chronological order of statement where it was interrupted by the foregoing somewhat lengthy digression:

March 29, 1859, Mr. Thompson, Secretary of the Interior, wrote the Commissioner of the General Land Office transmitting a copy of the opinion of Attorney General Black, holding that the grant did not extend above the Raccoon Fork, and concluded his letter as follows:

“In the view of the Attorney General as thus expressed, I fully concur, and it therefore only remains for me to inform you that no further action can be taken in this department or in your office which will recognize the grant as extending above the Raccoon Fork of the Des Moines River.”

At the December term, 1859, of the Supreme Court of the United States, in the case of the Dubuque & Pacific Railroad Co. vs. Litchfield, reported in 23 Howard, 66, it was held that the grant did not extend above the Raccoon Fork, and that the act of the Secretary of the Interior in certifying lands to the State under it were void and conveyed no title.

In consequence of this decision Mr. Wilson, Commissioner of the General Land Office, caused the following notice, dated May 18, 1860, to be posted in the local land offices in Iowa:

“Notice is hereby given that the lands along the Des Moines river in Iowa and within the claimed limits of the Des Moines grant in that State above the mouth of the Raccoon Fork of said river, which have been

reserved from sale heretofore on account of the claim of the State thereto, will continue reserved for the time being from sale or from location by any species of scrip or warrant, notwithstanding the recent decision of the Supreme Court against the claim.

“This action is deemed necessary to afford time for Congress to consider upon memorial or otherwise the case of actual, *bona fide* settlers holding under titles from the State and to make such provision by confirmation or adjustment of the claims of such settlers as may appear to be right and proper.”

May 25, 1860, W. T. Steiger, agent for the Dubuque & Pacific Railroad Company, one of the beneficiaries of the railroad grant, addressed a letter to Mr. Wilson, Commissioner of the General Land Office, transmitting a list of selections “for and on account of the Dubuque & Pacific Railroad and branch under the act of March 15, 1856, of the *interfering* lands in the Fort Dodge district, Iowa, within the six and fifteen mile limits of said railroad grant heretofore held in suspension in our adjustment.”

Replying to which June 12, 1860, the Commissioner said:

“The tracts in said lists are above the Raccoon Fork and within the lands that have been selected under the Des Moines River Grant by act of 1846, and in view of the recent decision of the Supreme Court affecting the title to lands under the grant above the said Fork, the present lists are handed in by you. As the matter has been placed in train for congressional intervention, no action can be taken in the matter presented by you until Congress shall have time to consider and dispose of the subject.”

And on July 7, 1860, the Commissioner in a letter to the Secretary of the Interior, referring to the correspondence with Steiger, said:

“Without passing upon or in fact even considering the question as to the right of the State under the railroad grant to these lands which at the date of that grant had been withdrawn from sale or location, the fact that Congress has taken incipient action in the matter, of itself justifies us in not recommending further proceedings by the department until after the close of the next session of Congress.”

November 3, 1860, Secretary Thompson, in a letter to Governor Kirkwood, replying to a letter from the latter, requesting the postponement of advertised sales *as Public Lands*, of lands that had been improperly certified under the River Grant, among other things, said:

“The claim of the United States having been found by the decision of the Supreme Court of the United States, to be without sanction of law, is no longer an obstacle to the sale of the lands, and can no longer be cited as a reason or an excuse for withholding them from market after



they have been surveyed for many years. The present case is one wherein, after all cause of withholding public lands from sale has ceased, the continuation of a reservation of them is asked, and I do not, on the principles above indicated, find it to be consistent with my official duty to recommend the further postponement of the date at which the land in question shall be offered at public sale, and rendered liable to purchase by those who have a right to buy them. Such as are personally qualified to be *pre-emptors*, by filing their declaratory statements and proving actual residence and improvement, as contemplated by the *pre-emption laws*, can enter with the United States land offices, at any time prior to the public sale, a quarter section of land by legal subdivisions, to include their residences and improvements; and such as are not qualified can appear and purchase their lands at public sale, which will thus afford all the opportunity of acquiring a valid title to the tracts of which they are now in possession."

To avoid the hardships that must otherwise have resulted from the decision of the Supreme Court, Congress on March 2, 1861, passed the following joint resolution:

*"Resolved*, That all the title which the United States still retain in the tracts of land along the Des Moines River, above the mouth of the Raccoon Fork thereof, which have been certified to said State improperly by the Department of the Interior as a part of the grant by act of Congress approved August 8, 1846, and which are now held by *bona fide* purchasers under the State of Iowa, be, and the same is hereby relinquished to the State of Iowa."

April 10, 1862, Caleb B. Smith, then Secretary of the Interior, in a letter to the Commissioner of the General Land Office, referring to the status of the lands covered by the interference of the railroad and river grants as affected by the decision of the Supreme Court and the joint resolution of March 2, 1861, said:

*"The Supreme Court has decided in the case of the Dubuque & Pacific Railroad Co. vs. Litchfield, (23 How., 66), that the act of 8th August, 1846, did not cede any land to the State above the Raccoon Fork, and the before mentioned joint resolution declares that the lands above the Raccoon Fork were improperly certified as a portion of the grant of 8th August, 1846. It follows then that such of those lands as are embraced in the act making the railroad grant, approved May 15, 1856, are to be disposed of according to the terms of that act, and that without regard to the fact of their having been certified under the act of August 8, 1846. After completely satisfying the demands of the act, so much of the residue of the lands north of the mouth of the Raccoon Fork as were certified under the supposed grant of August 8, 1846, and which the State of Iowa had sold to bona fide purchasers prior to 2d March, 1861, will be also certified to the State of Iowa. The act of 15th March, 1856, granting lands for railroad purposes, excepts such lands as the right of pre-emption have attached thereto. This last grant is made because it affects the case of Crilley, and may be others claiming pre-emption on said lands."*

In the language of the Supreme Court of the United States in *Williams vs. Baker*, 17 Wall., "to show still further the intention of Congress to make good to the State as far as possible all that was claimed by her under the original grant," Congress passed an act approved July 12, 1862, in express terms extending the grant to the northern boundary of the State, and providing that such lands "be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines & Minnesota Railroad, in accordance with the provisions of the act of the General Assembly of the State of Iowa, approved March 22, 1858." And providing further, that:

"If any of said lands shall have been sold or otherwise disposed of by the United States before the passage of this act, excepting those released by the United States to the grantees of the State of Iowa, under the joint resolution of March 2, 1861, the Secretary of the Interior is hereby directed to set apart an equal amount of lands within said State to be certified in lieu thereof;"

And still further providing that:

"If the said State shall have sold and conveyed any portion of the lands lying within the limits of this grant, *the title to which has proved invalid*, any lands which shall be certified to said State in lieu thereof by virtue of the provisions of this act, shall enure to and be held as a trust fund for the benefit of the person or persons respectively whose titles shall have failed as aforesaid."

April 7, 1863, the lands covered by the interference of the two grants referred to, amounting to 233,453 acres, were certified to the State under the railroad grant, 88,010.66 acres to the Dubuque and Sioux City Railroad, 109,756.85 acres to the Iowa Central Air Line Railroad, and 35,685.49 acres to the Mississippi and Missouri Railroad.

April 25, 1863, the Commissioner of the General Land Office issued a special certificate which, after reciting the substance of the act of July 12, 1862, concluded as follows:

"Therefore this is to certify that upon the presentation of this paper to any of the land offices in the State of Iowa, accompanied by written authority from the Governor authorizing the party presenting the same as state agent to make indemnity selections under said act, it shall and may be lawful for the Register and Receiver to receive lists of such indemnity selections from such agent, the aggregate of such selections to

be restricted to 300,000 acres approximate to the actual quantity, to be reduced or increased according to the result of the final adjustment.”

During the summer following D. W. Kilbourne, as special agent for the State for that purpose, made the authorized selections to the amount of 297,603.74.

In May, 1866, the United States and the State of Iowa made the following adjustment of their land account:

DEBIT.		Acres.
The State of Iowa, with the quantity of indemnity land selected under special certificate dated April 25, 1863.....		297,603.74
The lands in place to be certified.....		167,109.02
The lands in place confirmed by joint resolution of March 2, 1861 .....		44,838.64
The quantity selected on the east fork of the Des Moines river, and certified to the State under the original law of August 8, 1846.....		11,661.80
The excess selected and approved to the State under the 500,000 grant of 1841.....		35,473.52
		556,686.74
Remaining indemnity to the State.....		1,317.32
		558,004.06
CREDIT.		
The State of Iowa, with the whole area of the grant above the Raccoon Fork .....		558,004.46
		558,004.06

After the decision in the Dubuque & Pacific Railroad Co. vs. Litchfield, holding that the grant did not extend above the Raccoon Fork, the interfering lands were claimed by the Railroad Companies, under the act of May 15, 1856; but in the case of Wolcott vs. The Des Moines Company, 5 Wall., 681, it was held that because of the *reservation* previously referred to, of March 2, 1849, under the River grant, the proviso in the act of 1856, “that any and all lands heretofore reserved to the United States by any act of Congress or in any other manner by competent authority for the purpose of aiding in any object of internal improvement or any other object whatsoever, be and the same are hereby reserved to the United States from the operation of this act,” had the effect of excepting from the grant the public lands within five miles of the Des

Moines river "between the Raccoon Fork so-called and the northern boundary of the State," and that the title to the same passed by the joint resolution of March 26, 1861, and the act of July 12, 1862.

June 29, 1867, Mr. Wilson, Commissioner of the General Land Office, replying to a letter from Mr. E. C. Litchfield as to the rights of "settlers" on the lands in question under the *pre-emption laws*, in view of the two decisions of the Supreme Court of the United States that have been referred to, said :

"I have come to a different conclusion from what you seem to have reached as to the extent of said decision. The main point ruled by the court was in relation to the specific tract of land within the five mile limit of what is known as the Des Moines River Grant above the Raccoon Fork, under the act of August 8, 1846, as against the railroad grant under act of 15th May, 1856, and recognized title under the first named grant. The question did not come up before the court as to what rights, if any, could have been acquired by actual settlers under the pre-emption law, subsequent to the rejection by said court in 1859, (23 How., 66) of the Demoine River claim above the Forks and prior to the passage of the joint resolution of Congress 2nd March, 1861, and act of 12th July, 1862, in favor of *bona fide* purchasers from Iowa. It is true that the court expressed an opinion that under the first named or river grant of 1846, the odd numbered sections within said limits above the forks were reserved and that title therefore could not pass under the second or railroad grant of 1856. However this may be, it is held by this office that, after the rejection by the Supreme Court in 1859 of the Des Moines grant as to lands above the Raccoon Fork, and before the pre-emption of said lands in favor of *bona fide* purchasers from the State, such reservation did not operate as a bar to the privileged class of persons known to our system as *actual settlers* under the *pre-emption law*; and it is not understood upon what ground a claim under the Des Moines grant can now be set up to the tracts covered by *actual settlement by pre-emption*, when in the *final adjustment* of that grant allowance for the benefit of said improvement claim has been fully given in other lands by way of *indemnity*, and accepted by the State accordingly. Your request, therefore, that all pre-emption claims to lands within the limits indicated be rejected unless they had their inception prior to the original grant of 8th August, 1846, is hereby declined."

March 31, 1868, the State of Iowa granted to the Des Moines Valley Company, successor to the Keokuk, Fort Des Moines & Minnesota Company, upon certain conditions not necessary to be mentioned, also with exceptions that need not be specified, all of the lands granted to the State by the act of July 12, 1862. By formal conveyances subsequently executed pursuant to this grant, there were conveyed by the

State to the Des Moines Valley Company, in round numbers, 363,000 acres, of which, also in round numbers, 297,000 acres were indemnity lands, certified as before stated, in lieu of lands that, as was then assumed, had been lost to the River grant by having passed to the State under the Railroad grant. It having been subsequently held that they were excepted from the Railroad grant by the proviso to which reference has just been made, the State, by the "adjustment," to which reference has also been made, had, as was then understood, at its disposal that much more land than it was entitled to. As was afterward held by the Supreme Court of the United States in *Homestead Co. vs. Valley Railroad*, 17 Wall., 153, the State acquired title to these indemnity lands by Act of Congress of March 3, 1871, and not by the "adjustment" of 1866.

May 9, 1868, Mr. Browning, then Secretary of the Interior, in a communication addressed to Commissioner Wilson, in what is known as the Herbert Battin case, claiming under the pre-emption law under which he had settled upon a tract of river land in October, 1857, held the claim good as against both the River and the Railroad grants; but in December of the same year, he ordered all pre-emption and homestead entries made against the lands claimed by the Navigation Company, cancelled.

If the narrative of facts contained in this and the preceding paper, simply as a narrative of facts, has been tedious and uninteresting, it will be less so in the light of the relation of the facts stated to the many important and interesting questions to which they gave rise, to the statement of which and when and how they were disposed of, the remainder of this paper will be given.

The earlier rulings of the land department that the River Grant did not extend above the Raccoon Fork, resulted in the filing, prior to the railroad grant of 1856, of numerous pre-emption claims on the land above that point. Among these rulings were that of Acting Commissioner Piper, October 17, 1846, already referred to, and the decision of Secretary Ewing, April 6, 1850, in addition to which the lands were pro-

claimed for sale by the President of the United States as public lands June 19, 1848. After the decision in *Dubuque & Pacific R. R. Co. vs. Litchfield*, that the grant only extended to the Raccoon Fork, patents were issued upon some of the pre-emption claims referred to, among others upon one made and proved by one Hannah Riley. In the case of *Wells vs. Riley*, involving this Hannah Riley claim, decided by Supreme Court of the United States at its December Term, 1869, not reported, it was held that the pre-emption entry and patent issued on it were void, the reasons for the decision being thus stated in the opinion of the court:

“The tract of land of which the lot in question was a part, had been withdrawn from sale and entry on account of the difference of opinion among the officers of the land department, as to the extent of the original grant by Congress of lands in aid of the improvement of the Des Moines River, from the year 1846 down to the resolution of Congress of March 2, 1861, and the act of July 12, 1862, which act we held (in the *Wolcott* case) confirmed the title in the Des Moines Company. As the husband of the plaintiff entered upon the lot in 1855 without right, and the possession was continued without right, the permission of the Register to prove up the possession and the improvements, and to make the entry under the pre-emption law, were acts in violation of law and void, as was also the issue of the patent.”

Upon the authority and reasoning of the same rulings as to the extent of the River Grant, the “interfering” lands were claimed under the railroad grant, but as already shown, the claim was denied in the *Wolcott* case, the express condition contained in that act as to *reserved* lands being held applicable to the reservation under the Walker decision of 1849. These decisions holding pre-emption claims and the claim under the railroad grant void, removed all question as to the title of the United States to the land being perfect at the time of the passage of the joint resolution of 1861, relinquishing to “*bona fide* purchasers under the State of Iowa,” and of the act of 1862 extending the original grant to the north boundary line of the State.

The State having before the decision in the *Dubuque & Pac. R. R. Co.* case, sold and conveyed about 272,000 acres of the lands above the Raccoon Fork on account of the improvement, about 213,000 acres to the Navigation Company, and

59,000 acres to individual purchasers, the next and the most important of all the questions was, who were the "*bona fide purchasers*" intended by the joint resolution?

In view of the popular belief that the Navigation Company and its grantees had acquired their title by fraud and substantially without consideration, it was insisted by all opposing claimants that they were not, and that only the individual purchasers were intended. But the popular belief has not been justified in either respect by any of the numerous adjudged cases. The Company obtained in all about 266,000 acres—213,000 acres above and 53,000 acres below the Raccoon Fork—something over 205,000 acres of which, as has already appeared, were certified to it at the contract price of \$1.25 per acre, and credited to the State in the adjustment of December 24, 1856, at \$256,861.50. The remaining 61,000 acres were paid for by the balance of \$40,369.04 still due the Company according to the adjustment, \$77,000 expended by the Company under its contract from December, 1856, to December, 1857, as shown by the report of Commissioner Manning of January 1, 1858, and \$20,000 paid on the final settlement with the State under the joint resolution of March 22, 1858; or at the rate of about \$2.25 per acre. The amounts stated were all conceded by the State, while the Company claimed to have paid a much larger aggregate amount.

Mr. Justice Nelson, delivering the opinion in *Wolcott vs. the Des Moines Company*, referring to the certificate of Governor Lowe, of April 28, 1858, said:

"It appears from the certificate of the Governor of Iowa, that the sum of \$332,644.04 has already been expended by these defendants, the Navigation Company and its grantees, under their contract."

In *Baker vs. Williams*, 17 Wall., 144, the court on page 448, referring to the decision in the *Dubuque & Pacific R. R. Co.* case, say:

"It left the State of Iowa, which had made arrangements on the faith of the land certified to it, in an embarrassing condition, and destroyed the title of the Navigation Company to lands of the value of *hundreds of thousands of dollars*, which it had received from the State for *money, labor and material actually expended and furnished.*"

Mr. Justice Miller, delivering the opinion in *Bullard vs. Des Moines & Ft. Dodge R. R. Co.*, 122 U. S., 167, referring to the same matter and to the justice of the relinquishment by Congress to the State by the joint resolution of March 2, 1861, of the title to these same lands for the benefit of the Navigation Company and its grantees, on page 171, says:

“The propriety of some action by Congress, and that the demand for it was pressing, is obvious when we consider that the Des Moines Navigation & Railroad Company, under the contract with the State, had spent large sums of money beyond what they had received from the State, and beyond the value of the land certified to the State by the Secretary.”

In the cases of *Welles vs. Riley*, *Crilley vs. Burrows*, involving substantially the same state of facts, *Homestead Co. vs. Des Moines Co. et al.*, and *Chapman vs. Woolsey*, 101 U. S., 755, Chapman claiming under the River grant and Woolsey under the School Land grant under the erroneous certification to which reference has been made, the question as to whether or not the Navigation Company and its grantees were *bona fide* purchasers was expressly put in issue by the pleadings and determined in their favor by the court.

In the last named case it was alleged by Woolsey in his answer that the Navigation Company falsely and fraudulently pretended and claimed to have kept and performed the conditions of its agreement with the State, and to have expended large sums of money upon the improvement; that the then Governor of Iowa, without authority, and induced thereto by the fraudulent representations of the Navigation Company, conveyed the lands in question to the Company; and further, that the Company, without having paid any consideration therefor, falsely and fraudulently claimed to have been a *bona fide* purchaser thereof within the meaning of the joint resolution of 1861. The State of Iowa desiring to have the question of title determined as between the conflicting or contesting River and School Land grants, under an act of the General Assembly, intervened in the suit and filed its answer denying that the Company was a *bona fide* purchaser. On the application of the Navigation Company, it was granted leave to intervene and file an argument in the case. It thus appears that



the issue was distinctly made by the pleadings, whether or not the Navigation Company and its grantees were *bona fide* purchasers, on express allegations of all of the particular facts that have ever been suggested even as impeaching the good faith of the Navigation Company and its grantees. The decree of the U. S. Circuit Court, establishing and quieting the title of Chapman, was affirmed by the Supreme Court at the October term, 1879; 101 U. S., 755. In the opinion, page 765, it is said:

“The original grant contemplated sales by the State in execution of the trust created, and the *bona fide* purchasers referred to must have been purchasers at such sales. This being so, the grant when finally made inured to the benefit of Chapman rather than Woolsey. Neither took title from the State at first, and as the final grant from the United States was in *legal effect* to Chapman, or his grantees, he has the right to have that fact declared by the judicial decision against Woolsey, who sets up his adverse claim.”

And further, page 771:

“After the passage of the joint resolution of March 2, 1861, the Commissioner of the General Land Office called on the Governor of the State for a list of the tracts of land “held by *bona fide* purchasers of the State of Iowa,” on that date. In response to this request the Governor and Land Commissioner of the State, on the 20th of November, 1862, furnished the list required, and among others included the tracts granted to the Navigation Company on the settlement made with that Company under the joint resolution of March 22, 1858. This list was filed in the General Land Office December 1, 1862.”

In *Litchfield vs. The County of Webster*, 101 U. S., 773, *Litchfield* being a grantee of the Navigation Company, the court say: “All the lands in this suit had been certified and *Litchfield* or those under whom he claims were *bona fide* purchasers from the State.”

Soon after the passage of the joint resolution of 1861, it became a question whether or not these lands thereby became subject to taxation as against the grantees of the Navigation Company, and in the case of *Stryker*—one of its grantees—vs. *Polk County*, 22 Iowa, 131, it was held that they did. Referring to the joint resolution it is said:

“If the plaintiff—*Stryker*—from that time did not have a taxable interest in this land, we do not well see how he could acquire it.”

And again:

“He held under a deed from the State; the State claimed under the original grant, a list being duly certified, he was a ‘*bona fide purchaser*,’

and the title still retained by the United States was relinquished to the State for his use. . . . The joint resolution was intended as a matter of justice and right to secure and quiet *bona fide* purchasers in their title, unsettled as they were by the decision of the Supreme Court."

This case was followed by the same court in Litchfield vs. County of Hamilton, 40 Iowa, 66.

In Goodnow vs. Welles, 67 Iowa, 664, in which Goodnow was held entitled to recover of Welles, a grantee of the Navigation Company, taxes that had been paid by Goodnow's assignor, claiming title under the railroad grant, for the years 1861-2-3, the court say:

"This resolution (joint resolution of 1861) confirmed the grant as to all lands above the Raccoon Fork which were held by *bona fide* purchasers under the State. The State conveyed the land to defendant's (Welles') grantor in 1858. Now it is plain that upon the passage and approval of the joint resolution, the title of the land passed from the federal government to the grantee of the State. The State had conveyed the land, though at the time it held no title; but the joint resolution, if it did not directly vest the title in the State's grantee, did vest it in the State, and that title inured to the benefit of the grantee, who therefore became clothed with title." [Citing *Wolcott vs. Des Moines Company, Supra.*]

This case of Goodnow vs. Welles is only one of not less than a dozen of a similar nature, in which the Supreme Court of Iowa within the last few years has held that the grantees of the Navigation Company were liable to the assignee of the Dubuque & Sioux City R. R. Co. and the Iowa Homestead Company, to the amount, in the aggregate, of many thousands of dollars, for taxes paid by his assignors on the lands in controversy, during the pendency of the long-continued contest between the respective claimants under the river and railroad grants, on the ground that having *afterward* been ascertained to be the *rightful owners of the land*, the law implied a promise of repayment by the successful to the unsuccessful claimant.

Other cases might be referred to but it is needless, as all are to the same effect.

The debates in Congress on the Joint Resolution have been appealed to on the one hand as showing that the Navigation Company and its grantees were, and on the other hand that they were not contemplated as of the *bona fide* purchasers provided for.

In the Senate, Mr. Polk of Missouri having suggested that the resolution as originally offered be so amended as that it should only apply to lands sold by the State to actual settlers, the following running debate occurred:

MR. GRIMES.—If the Senator will change it so that it shall apply to any purchaser, or any grantee of the State of Iowa, it will be entirely satisfactory.

MR. POLK.—The only objection to that is, that I do not like to give this Congressional bounty to land speculators.

MR. GREEN.—That is just what it is.

MR. POLK.—But to the actual settlers I am willing to give it.

MR. GRIMES.—It would cost a great deal of trouble for us to determine who happened to be actual settlers at any particular date or at the passage of this resolution, or whether it should apply to those who are actual settlers now, or those who were actual settlers at the time they purchased.

MR. GREEN.—All that can be guarded by saying, 'Any actual, *bona fide* settler, who, or whose grantor, actually settled on the land.'

MR. GRIMES.—The man who, by virtue of your own action, the action of your own officer, went there and obtained the land, if he be not an actual settler, is morally and politically, and in every way just as much entitled to receive justice at the hands of the Senate as the man who is an actual settler. He is a *bona fide* purchaser. If the Senator will insert the words, 'any *bona fide* purchaser from the State of Iowa,' I shall be satisfied.

MR. POLK.—The objection to that is, that it would not shut out the speculators.

MR. HARLAN.—So far as this land has been certified to the State, the State has accepted the land, and attempted to apply the proceeds of the grant in the improvement of the river. A part of this land has been sold by the State directly to actual settlers. A part of the grant has been sold to the gentlemen who were applying their money in putting in locks and dams, to which reference has been made, and they in turn have sold to other parties. Some of them, perhaps, are not improving the land; but many of them are actual settlers. The purpose of the amendment he proposes is to cut out all those who may have bought those lands of the Des Moines River Improvement Company. That would be unjust to the company and unjust to the purchasers from the company.

MR. POLK.—The view I take of it is this: There is no claim in law or in equity against the United States for the granting of this land; but I am willing the United States should relinquish the title where an actual settler has bought the land, and gone on it; but I am not willing to do that favor to persons who have bought as speculators. Where persons have bought for actual settlement, and have gone on the land, I am willing to vote to relinquish to them, and I am willing to vote for the bill with that amendment. I will offer the amendment, and take the sense of the Senate upon it, to insert the words, "and by the said State sold to actual settlers, and not interfering with public grants."

MR. CRITTENDEN.—I will suggest to gentlemen, as there is some difficulty about the provision in reference to actual settlement, to say 'all *bona fide* purchasers deriving title under the State'. It seems to me that would cover everything.

MR. GRIMES.—That will be entirely satisfactory to me. It seems to me to be just to all parties. I understand it is satisfactory to the Senator from Missouri.

MR. POLK.—I agree to it.

After some further not very material debate, the amendment offered by Mr. Crittenden was agreed to and a vote was taken upon the resolution as amended, with the following result: yeas 30, nays 7. Among the yeas were both Grimes and Polk, Green voting nay.

In view of the sharply opposing views expressed in the debate, and the comparative unanimity with which the resolution as amended was adopted, there can be no reasonable doubt that the Crittenden amendment was adopted as a compromise and was intended to leave the question as to who were *bona fide* purchasers, should it ever arise, open for determination by the courts.

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#### A FAITHFUL AND ZEALOUS PRIEST.

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The Rev. Father Wm. Emonds, formerly of the Davenport diocese, is now a resident of Tacoma, Washington. He must be quite an aged man, for he was the confidential friend and adviser of Rt. Rev. Matthias Loras, first Catholic bishop of Dubuque, forty years ago. Father Emonds was one of the first priests to visit Des Moines. He came here in 1854 and held services in a log cabin near the river. During the time he was in Iowa—1853-'90—he built some forty-four churches. He secured the first plat of ground in Omaha that was selected for a Catholic church. He went to Tacoma in 1890 on account of bad health, and has already built two churches on the shores of Puget Sound. Father Emonds never heralds his own praises, never blows his own horn; on the contrary, he is as modest and unpretentious as he is learned and accomplished. He has been a pillar of strength to his church, a wise and faithful friend to thousands of the poor and needy. Such are the men whom we may believe will receive the plaudit of "Welcome, good and faithful servant."—*Iowa State Register*.





Very kindest regards,  
John W. Chapman

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### THE GENESIS OF A NATIONAL LYRIC.

In the year 1861, immediately after the inauguration of Abraham Lincoln, Hon. John A. Kasson of Des Moines, was appointed First Assistant Postmaster General—the head of the Appointment Office, under the Hon. Montgomery Blair, Post Master General. How ably Mr. Kasson seconded his chief and served his country, long ago became matters of historical record. Into biographical details, however, we do not propose to enter at this time, but merely to relate a most interesting incident in the Washington life of Mr. Kasson, which will also be fully narrated in the forthcoming “Life and Letters of John G. Whittier.” Shortly after the great naval battle between the Monitor and Merrimac in Hampton Roads, Mr. Kasson, with a party of friends, steamed down the Potomac to the scene of that great conflict. As a result of what he saw, and of what he thought, he addressed letters identical in purpose, if not in words, both to Mr. Longfellow and Mr. Whittier. A copy of that to Mr. Whittier is in the possession of the Historical Department of Iowa, and the original is promised to the collection upon the publication of the Whittier book. This volume is in course of preparation by Mr. S. T. Pickard, a brother of Dr. J. L. Pickard, former President of the Iowa State University. We make no comment upon Mr. Kasson’s letter, as it fully explains itself:

[*Unofficial.* ]

POSTOFFICE DEPARTMENT, March 18, 1862.

*Dear Sir:*—Yesterday, with a Congressional party, I returned from Fortress Monroe, after visiting the “Monitor” and the wreck of the “Cumberland” and “Congress.”

After the iron-clad “Merrimac” had passed the “Cumberland,” and received her iron hail as so many peas from a popgun, she hailed her and demanded a surrender. Morris, her gallant commander, replied, “No, never!” The “Merrimac” gave her a broadside, tearing the timbers of the Cumberland with terrific force, and receiving a tremendous, but al-

most harmless fire in return. Again the enemy demanded a surrender. Morris again replied, "No, never!" The "Merrimac" then drew off and plunged into the broadside of the Cumberland with her iron prow, breaking her in two, and leaving her rapidly sinking. Still her gallant crew fired gun after gun, as the water rose upon them, and as the last gun was about to be covered—the men standing in the water—it was fired at the assailing monster just as our ship disappeared in the sea. Thus the Cumberland sank beneath the waves, with many wounded, many dead, many living, on board, and, thank God, with her flag still flying in the face of the foe.

Just one week after this victory of metallic impenetrability over magnificent gallantry, I visited the scene, and sailed around the Cumberland. Her three top-masts were above the water, and at the fore we saw, with intense emotion, the glorious flag still floating upon the wind, over a waste of waters, as if the hundred souls below, sea-buried, still challenged the dastard rebels to renew the combat, for that unconquered and unconquerable flag. To such valor genius owes a tribute. It demands from the poet an Epic, or a Lyric, which shall hereafter inspire the navy with the brilliant memory of this defense and the dead who made it.

I take the liberty to call your attention (as a poet) to this incident of a war full of gallant deeds for the Union.

With high respect, your obedient servant,

JOHN A. KASSON,  
*First Asst. P. M. General.*

JOHN G. WHITTIER, Esq.

MR. WHITTIER'S REPLY.

22nd of March, 1862.

HON. J. A. KASSON:

I thank thee for thy striking description of the fate of the Cumberland. I read it with deep emotion.

I presume my friend Dr. Holmes will make the event the theme of one of his stirring Lyrics. Very truly thy friend,

JOHN G. WHITTIER.

MR. LONGFELLOW'S REPLY.

CAMBRIDGE, March 26, 1862.

*Dear Sir:*—I have had the honor of receiving your letter, and am much obliged to you for the suggestion it contains.

That whole affair is so complete a poem in itself, that I am not sure it can be improved by rhyme.

But I thank you for the hint, and remain, Yours truly,

HENRY W. LONGFELLOW.

JOHN A. KASSON, Esq.

Not long after these dates Mr. Longfellow gave to the world his magnificent poem, "The Cumberland," inspired, as every reader will understand, by this graphic and stirring letter of



Mr. Kasson. The original letters of Longfellow and Whittier are now the property of the State, to which it is hoped that Mr. Kasson's letter to each of the poets may soon be added.

As a fitting conclusion to this article we copy Mr. Longfellow's familiar and very beautiful poem:

THE CUMBERLAND.

At anchor in Hampton Roads we lay,  
 On board of the Cumberland, sloop-of-war;  
 And at times from the fortress across the bay  
 The alarm of drums swept past,  
 Or a bugle blast  
 From the camp on the shore.

Then far away to the south uprose,  
 A little feather of snow-white smoke,  
 And we knew that the iron ship of our foes  
 Was steadily steering its course  
 To try the force  
 Of our ribs of oak.

Down upon us heavily runs,  
 Silent and sullen, the floating fort;  
 Then comes a puff of smoke from her guns,  
 And leaps the terrible death,  
 With fiery breath,  
 From each open port.

We are not idle, but send her straight  
 Defiance back in full broadside!  
 As hail rebounds from a roof of slate,  
 Rebounds our heavier hail  
 From each iron scale.  
 Of the monster's hide.

"Strike your flag!" the rebel cries,  
 In his arrogant old plantation strain.  
 "Never!" our gallant Morris replies;  
 "It is better to sink than to yield!"  
 And the whole air pealed  
 With the cheers of our men.

Then, like a kraken huge and black,  
 She crushed our ribs in her iron grasp!  
 Down went the Cumberland all a wrack,  
 With a sudden shudder of death,  
 And a cannon's breath  
 For her dying gasp.

Next morn, as the sun rose over the bay,  
 Still floated our flag at the main mast head;  
 Lord, how beautiful was thy day!  
 Every waft of the air  
 Was a whisper of prayer,  
 Or a dirge for the dead.

Ho! brave hearts that went down in the seas!  
Ye are at peace in the troubled stream;  
Ho! brave land with hearts like these,  
Thy flag, that is rent in twain,  
Shall be one again,  
And without a seam.

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### OUR PORTRAITS.

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The first which appears in this number of the ANNALS, while very good as a portrait, was from an old and inferior photograph, but we were unable to procure a better one. William Penn. Clarke is a name which will always be well known to the legal profession of this State, for the reason that he was Reporter of the Supreme Court from 1855 to 1860. His reports have always maintained a high rank. He was a journalist of State reputation, one of the foremost western writers in the great anti-slavery agitation which preceded the War for the Union, a member of the Convention of 1857, which framed the present Constitution of our State, and Major and Paymaster in the Union Army. He removed to Washington, D. C., many years ago, where he still resides. Mr. Clarke, some months ago, deposited his most valuable correspondence with public men of this and other States, from 1844 to 1866, in the Historical Department of Iowa. He is also well-known as a collector of books and paintings, and it is not improbable that he will ere long make valuable bequests to one or more of our State institutions.

Two portraits of John Chambers add interest to Mr. Clarke's very valuable article on our second Territorial Governor. The first is a steel engraving, evidently made about the time that Major Chambers was serving as Governor. Until impressions were secured for this number of THE ANNALS, from the steel plate, which is owned in New York City, this portrait was a very rare one in Iowa. In fact, we believe that very few copies had ever been seen in our State. It will no doubt be greatly prized by our readers. The other portrait represents Governor Chambers in his last years, when his appearance had greatly

changed. It is from Geo. H. Yewell's fine oil painting in the Capitol Building. It is seldom that two portraits of the same man show such great changes in his personal appearance.

We reproduce a good photograph of Gen. Ed Wright as Major of the 24th Iowa Infantry.

The portrait of Hon John A. Kasson is from one of his latest photographs, and is a very fine likeness of that distinguished statesman.

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### IOWA LIBRARY LEGISLATION OF 1894.

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The last General Assembly did some very good work for the public libraries of the State. To begin with, the standing committees, the duties of which had before been limited to the State Library, were made committees on public libraries generally, and the presiding officers of the two houses in appointing them evidently did so in view of the increased importance of the duties devolving upon them, as they were noticeably strong in their membership.

Acts were passed which will greatly stimulate the establishment of new libraries and promote the growth and usefulness of those already established. One of the acts referred to provides for the creation in all cities and incorporated towns, of boards of library trustees to consist of nine members, to be appointed by the mayor with the approval of the council; the first appointees to hold office, three for two years, three for four years and three for six years, from the first day of July, 1894, and their respective successors for the term of six years; males and females alike being eligible; services to be gratuitous; to have authority to employ a librarian and assistants, fix their compensation, to remove them for specified causes by a two-thirds vote and generally to control and have the management in all respects of their respective libraries, including the exclusive control of the expenditure of all taxes levied for the maintenance of the same and of all moneys belonging to the library fund; to fix the rate of appropriation for the maintenance of the library, not exceeding one mill on the dollar annually, and certify the same to the city council to be certified with other city taxes to the county auditor, together with such fur-

ther sum as may be deemed necessary to create a sinking fund to pay the interest under the provisions of Chapter 18, Acts 22d General Assembly, and acts amendatory thereof. The board is required each year to make report to the council for the year ending June 30 of the number of books in the library, the number circulated, the number not returned or lost, the amount of funds collected and of money expended in the maintenance of the library during the year, together with such other information as the board may deem important. Heretofore it has been left to the city council to determine within the limit of one mill on the dollar what amount should be appropriated for library purposes, and in many instances the appropriations were so meager as greatly to cripple and embarrass the libraries.

Another act confers upon all cities of the first class power to levy a tax of not exceeding three mills on the dollar to pay any existing indebtedness or that may hereafter be contracted for the purchase of real estate and the erection thereon of a public library building or buildings, and to create a sinking fund for the extinguishment of and paying the interest upon such indebtedness. Heretofore this authority had only been conferred upon cities of the first class, organized subsequently to 1885.

This most commendable legislation, which places it within the power of cities and incorporated towns to secure libraries, and manage and protect them, was largely due to the timely efforts of Col. C. H. Gatch, of Des Moines. His experience in connection with the Public Library of the Capital enabled him to determine what was needed in this direction. This legislation is a great step in advance of the mixed condition of things which it supercedes.

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#### AN IOWA DOCTOR "IN THE FIFTIES."

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The Historical Department has frequently been placed under great obligations by Dr. J. W. Shaffer, of Keokuk, for valuable contributions. This gentleman has himself been highly dis-

tinguished in this State, for, perhaps, forty years. He has occupied a seat in the State Senate, where he became very well known as one of its foremost men. Away back when the State Fairs were held at Clinton, he was Secretary of the State Agricultural Society, in which laborious capacity he added to his well-earned reputation as physician and senator. He is also a well-known writer, not only for medical periodicals, but for the general press, in which useful work he is always able, clear and incisive. He has given much attention to the natural history of Iowa, and is himself a skillful taxidermist. His collection of stuffed birds and small mammals is doubtless the largest ever made in our State. This, with rare liberality, he has presented to the Public Library at Fairfield, which enterprising little city was his first Iowa home. These collections are worth several thousand dollars. Dr. Shaffer is one of the men of Iowa who has left foot-prints upon its history which will endure for many generations. In addition to his other and various works, he has kept a daily journal during all the time he has been a medical practitioner. Possibly some future antiquary may unearth this interesting mass of manuscripts, and publish to distant times what will throw a flood of light upon the medical history of the last four decades of this century.

But it was not of Dr. Shaffer that we intended to speak more particularly in this article. Among the books which he has sent to the Historical Department is one containing two volumes of "The Western Medico Chirurgical Journal." This periodical was issued in Keokuk, the first number being dated September 1st, 1850. The first article related to the *post mortem* examination of a case of Rheumatic Carditis. This case was one which excited considerable interest in the locality of Croton, Iowa, in which it occurred. Samuel Reed, a laborer, aged 23, had died under circumstances which to the general mind, indicated malpractice. Considerable excitement had arisen in consequence. The deceased had been ailing some time and had been treated by a general practitioner. But he fell into the hands of a traveling quack who administered large

doses of lobelia. This resulted in severe vomiting, "followed by distressing hiccough, which harassed him until his death, an event which took place a few days afterwards." The quack contended that, "if he could obtain permission to make a *post mortem* examination, he could demonstrate to the citizens of Croton that mercury had occasioned his death by developing an inflammation of the intestinal canal." A *post mortem* examination, therefore, occurred about 12 hours after death. This easily settled the mystery as to the cause of death. It was found that the man's heart was enlarged to about twice the usual size. Of course, this removed all the mystery in the case, and justified the treatment of the man's regular physician, allaying the excitement which had most unjustly sprung up in the neighborhood. This case is written out with considerable minuteness, and appears as the leading article in the first number of this "Western Medico-Chirurgical Journal." The point of greatest interest to us, however, is the fact that it was written by John Forrest Dillon, M. D., of Farmington, Iowa. This young doctor soon, however, gave up the practice of medicine and studied law. Years afterward he was elected to the Supreme Bench of this State, serving at last as Chief Justice of Iowa. Those of our readers whose recollections run back 20 years or more will understand that we refer to Judge John F. Dillon, who at one time was one of the most prominent jurists in the West, the author of many useful volumes in the literature of the law, and now famous as the leading attorney of the Union Pacific Railway. He has attained a reputation which is almost world-wide in his profession as author, lawyer and jurist, results which would scarcely have been predicted at the time he wrote out this interesting case of Rheumatic Carditis. For many years he has also been one of the leading lecturers in Columbia College Law School, one of the most famous institutions on either side of the Atlantic. His great work on corporations is an accredited authority in England. We shall be greatly disappointed if this "quaint and curious volume of forgotten lore" fails to furnish topics for other articles quite as interesting as this has proven to the writer.

## NOTABLE DEATHS.

HON. NORMAN BOARDMAN, who recently died at his home in Lyons, Clinton county, was born at Morristown, Vermont, April 30, 1813. He first came west in the spring of 1837. This was long before the era of railroad building, and he had to hire a team at Detroit to carry him on to Chicago, which was then a frontier town of about five thousand inhabitants. After traveling through Illinois he crossed the Mississippi and took a school for the summer in one of the new towns of Missouri. In the fall he went down to St. Louis, and from there returned by river and canal to his home in Vermont. He studied law, was admitted to the bar, and a few years later elected States Attorney on the Democratic ticket. But visions of the great west again attracted him from his New England home. In 1852 he went to St. Paul and visited the chief towns of the upper Mississippi. He finally stopped at Lyons and entered several sections of Clinton county land. With other parties he laid out the town of Osage, in Mitchell county, and named it after Orin Sage. He also laid out a large addition to Lyons and finally settled there and made it his permanent home. He became a Republican upon the organization of that party, and in 1861 was elected to the State Senate from Clinton county. He was made chairman of the committee on schools, serving with marked ability. He secured important legislation to protect the school funds of the State. In 1869 he was appointed by President Grant Collector of Internal Revenue for the Second District. While holding this position he was instrumental in ferreting out extensive frauds practiced by some of the distilleries in his district, which resulted in the seizure and confiscation of several large establishments. The work for which Mr. Boardman will be longest remembered was the suggestion of the first Old Law-Makers' Reunion, resulting in a permanent organization known as the "Pioneer Law-Makers' Association," which meets biennially at the capital. It has been instrumental in adding large and valuable contributions to the historical material of the State. Mr. Boardman had three sons who have attained prominent positions in the State, Homer C. being Senator from Story county, William K. is State Dairy Commissioner, and Charles D. a Trustee of the State Agricultural College.

In the death of REV. S. S. HUNTING, of Des Moines, the Unitarian denomination loses one of its ablest ministers in the west. Dr. Hunting was born in New London, N. H., March 22, 1826, was educated at Harvard Divinity School, under the instruction of Dr. Noyes and other eminent educators, graduating in 1852. He entered the Unitarian ministry at Brookfield, Mass., soon after, remaining there six years. When the war of the Rebellion broke out he was preaching at Detroit and was selected as chaplain of the 27th Michigan Infantry, remaining in the service until the close of the war. He was untiring in devotion to the soldiers of his regiment, in the hospital and sanitary work. He was a radical abolitionist before the war, and associated in anti-slavery work for years with those great leaders, Wm. Lloyd Garrison, Wendell Phillips, Lucy Stone and Abby Kelly. When the war closed he accepted a call as pastor of the Unitarian church at Quincy, Illinois, where he remained

seven years until chosen Western Secretary of the American Unitarian Association. He was an officer of the National Prison Reform Association and an earnest worker in that humane cause to the end of his life. Dr. Hunting was pastor of the Unitarian church at Davenport for seven years and of the Des Moines church for five years. He was a superb organizer, laying the foundation for several of the prosperous Unitarian churches of Iowa. He was also leader in organizing the Iowa Unitarian Association and one of its most eminent ministers and members. His entire life was devoted to humane, reform, and religious work, in which his time, money, and great services were given freely and without regard to compensation. As a citizen, reformer and preacher, his whole life bore testimony to his nobility of character and unselfish devotion to great and good works.

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R. K. EASTMAN, one of the very earliest settlers of Wright county, died at his home in Clarion, on the 6th day of June. He was Treasurer and Recorder of that county, when those two offices were united in one, holding the position for several years, during which time he became widely known throughout northwestern Iowa. Some time after he settled in Webster City, where he was engaged several years in the mercantile business. He was originally from Western New York. It was related of him that he had failed in business in the State of New York, making some sort of a compromise with his creditors. After coming to Iowa, he was fairly prosperous, acquiring a competence. As soon as he was able, he paid every one of his New York debts with interest, obtaining a full and honorable discharge from every creditor. With excellent business abilities he was possessed of an exceedingly kind disposition, and died as he had lived, with many friends, and few, if any enemies.

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GEN. M. M. TRUMBULL, formerly a prominent citizen of Iowa, died at his home in Chicago, May 10th, at the age of 68. He was a native of England, but came to America when a young man and taught school some time in Vermont. But he soon came west settling in Butler county, Iowa. In 1857 he was elected to the Legislature from the district of Mitchell, Floyd and Butler counties, serving with distinction in the first General Assembly under the constitution of 1857, which was the first to meet in Des Moines after the removal of the Capital from Iowa City. At the beginning of the war Trumbull enlisted with the Third Iowa volunteers, and later raised the Ninth Iowa Cavalry, of which he was appointed Colonel. He was an intimate friend of General Grant and was by him appointed Collector of Internal Revenue for the Dubuque District, serving efficiently for twelve years. In 1882 he removed to Chicago where he became a well known writer for several journals. His book entitled "Free Trade in England" gave him a national reputation and is regarded as high authority in tariff literature. He distinguished himself in many battles, winning his brigadier's star through bravery and efficiency on the field. On returning from the service he was given a public reception by the Iowa House of Representatives of 1866. His fame as a writer had reached Europe and his death was noticed with regret by the London *Athenaeum*.



JUDGE THOMAS S. WILSON died at his home in Dubuque on the 16th of May, at the age of eighty. Judge Wilson was a native of Ohio, and was descended from a long line of notable ancestors on both sides. His great grandfather came over from England with William Penn and settled where Philadelphia now stands. His grandfather was an officer in the war of the American Revolution and held a commission signed by General George Washington, which is still preserved in the Wilson family. Judge Wilson studied law in Stubenville, Ohio, in the same office with Edwin M. Stanton, who became President Lincoln's great Secretary of War. He was admitted to the bar in 1835 and his certificate bears the name of Colonel Daniel McCook, father of the famous "fighting McCooks" of the war of the Rebellion. The day after his marriage to Miss Anna Hoge, the young couple took passage on a river steamer for Prairie du Chien. He soon after moved to the new town of Dubuque, landing there on the 13th day of October, 1836, two years before Iowa was organized as a Territory. Upon the organization of the new Territory in 1838, young Wilson was appointed by President Van Buren judge of the Supreme Court when but twenty-five years of age. In November of that year Judge Wilson presided over the first court ever convened in Iowa. The session was at Prairie La Porte, where the village of Gutenberg now stands. He served as judge until the State was admitted into the Union in 1846. Judge Wilson was a prominent candidate for the United States Senate at the first session of the State Legislature, and lacked but one vote of securing the nomination in the Democratic caucus, which would have insured his election. Upon retiring from the bench he resumed the practice of law in partnership with his brother, Colonel David S. Wilson, and Platt Smith—both of whom were prominent lawyers. In 1852 Judge Wilson was chosen District judge in which position he served with ability for ten years. In 1866, and again in 1868, he was a member of the General Assembly and took a leading part in the legislation of that period. He was a prominent and honored member of the Pioneer Law-Makers' Association and made valuable contributions to its historical papers. He was the oldest in service of the living judges of Iowa Courts. He was a fluent public speaker and a writer of more than ordinary ability. He has been a resident of Iowa for fifty-eight years, witnessing its entire history and development from the organization of the Territory, and did much as a public officer and private citizen to aid in its wonderful progress for more than half a century.

DR. WILLIAM G. HAMMOND, died at St. Louis, Mo., on the 18th of April. He was a native of New York, and came to Iowa in 1863, settling at Anamosa, where he began the practice of the law. He afterwards removed to Des Moines, and became identified with a local law school in 1867. When a law department was established at the State University he was chosen Chancellor, filling the position with great ability, until 1881, when he was elected Dean of the St. Louis Law School. He accepted the new position and removed to that city the same year. Dr. Hammond became one of the most eminent teachers in the United States, having made a special study of the Common Law. He was the editor of a standard edition of Blackstone's Commentaries and the author of several standard law books. He was everywhere recognized as a man of scholarly attainments and great learning in the literature of the law.

HON. J. W. STEWART, who recently died at Davenport, was a pioneer lawyer, and has been a prominent attorney and politician in Eastern Iowa for more than thirty years. He settled at Davenport in 1853. In 1856

he was elected prosecuting attorney for that district, and in 1866 was appointed Collector of Internal Revenue by President Johnson. Mr. Stewart was an active, influential and public-spirited citizen, highly esteemed by all who knew him.

J. P. FARLEY, of Dubuque, who died at his home in that city, in May, was one of the pioneer railroad builders of Iowa. He came to Dubuque as early as 1833, and engaged in the grocery business. As the little town grew in population and importance, Mr. Farley engaged in numerous business enterprises and soon became one of the leading citizens. In 1850 he established a steamboat line between St. Louis and St. Paul, which gave Dubuque excellent shipping facilities. In 1855 he was one of the organizers of the Dubuque and Pacific Railroad Company. He was its first president, and under his administration the road was built to Dyersville. In the re-organization of the company as the Dubuque and Sioux City, Mr. Farley was a prominent factor and an influential director. The town of Farley was named in honor of the man who did so much in early days to promote transportation by water and land, and thereby develop Dubuque into the chief city of Northern Iowa.

FRANK HATTON, for the past few years editor-in-chief of *The Washington* (D. C.) *Post*, died of paralysis at his home in that city, April 30, at the age of forty-eight. He was born at Cadiz, O., and was graduated from the country printing-office—which institution has been so aptly termed “the poor boy’s college”—of his father, who published a paper in that town. He entered the Union Army when scarcely old enough to be mustered as a soldier, serving as a private until the war closed. His father having removed to Mt. Pleasant, Henry county, Iowa, and become the owner of *The Journal*, Frank is understood to have worked for him until his death. He then acquired the property and conducted the paper with marked ability for several years. He became especially prominent in the famous United States Senatorial contest of 1872, between Senators Harlan and Allison, which resulted in the election of the latter. Soon after this Mr. Hatton acquired an interest in *The Hawkeye*, of Burlington, which he conducted some years with his usual success, serving meantime as post-master of that city. When President Garfield entered upon his administration Mr. Hatton was made First Assistant Postmaster General, and upon the retirement of Mr. Gresham, in 1884, he succeeded him as the head of that department at Washington. While more famous men have held that position at various times, few, if any, have ever demonstrated more special fitness for its varied and responsible duties, or initiated more practical changes and reforms in its administration. He secured the first really fast mails between the east and the west, and expedited and extended the postal service in all parts of the country. He made a most excellent record in this high office. Frank Hatton—and he comes back to the writer’s memory almost as a boy—was a large-hearted, open-handed, cordial, most excellent gentleman, steadfast and true to his friends—an opponent never to be despised, though he made few enemies for one so independent and active in the stirring politics of his times. His editorship of *The Washington Post* was marked by great brilliancy and crowned with enviable success. While Postmaster General, he took time to learn something of the incipient efforts to found a Historical Department in our new Capitol, rendering valued assistance in many directions. We hope to be able to present a more extended biography of Mr. Hatton at some future time, to be accompanied by a portrait.

see p 5-23

THIRD SERIES.

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OCTOBER, 1894.

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*James W. Barnes*

# ANNALS OF IOWA.

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VOL. I, No. 7.

DES MOINES, IOWA, OCTOBER, 1894.

THIRD SERIES.

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## JAMES W. GRIMES, GOVERNOR AND SENATOR.

BY EX-GOVERNOR CYRUS C. CARPENTER.

A key to the character of James W. Grimes is found in a single paragraph of his Inaugural Address on assuming the duties of Governor in 1854. Commenting on the repeal of the Missouri Compromise and the designs of the slave power, he says: "It has forced upon the country an issue between free labor, political equality and manhood on the one hand; and on the other slave labor, political degradation and wrong; and it becomes the people of the free states to meet that issue resolutely, calmly, and with a sense of the momentous consequences that will flow from its decision. To every elector, in view of that issue, might appropriately be applied the injunction anciently addressed to the Jewish King: 'Be strong and show thyself a man.'"

His childhood and youth had been spent in a rural home. It was a home in which industry and economy—the twin relics of old New England life—had become a second nature. His sinewy frame had been hardened by contact with the severe climate and penurious soil of his native New Hampshire hills. His alert and vigorous mind had been sharpened by the necessities of a self-reliant ambition. He had graduated in the course of study common to a New England public school; had spent three years as a student at Dartmouth College; when, after a few months' study in the office of a lawyer, he left New Hampshire for the West. Burlington, then a new

town in a Territory from which the Indian title had but recently been extinguished was chosen as his future home. In a letter to his sister he describes the town as follows: "Burlington is on the bank of the Mississippi, and is about as large as Nashua Village. The houses are not as large and splendid, for a good many are built of logs. But there are as many inhabitants taking out the factory-girls there. One street runs exactly up the bank facing the water. There is but one row of buildings on this street, not more than fifty feet from the water. My office is on Second street, right back of Water street and parallel with it. There are three stores on Second street, offices, etc. There are in the town six doctors, five lawyers with myself, sixteen stores, five or six groceries, or, in New England called grog-shops. No minister in town. We had one, but he died a few days ago." Such was the western home in which he began his distinguished career.

One of the ruling characteristics of his mind was the purpose to secure the independence which results from accumulation. He saw that the new country afforded opportunities for investment that would yield fair gains in addition to his earnings by the practice of his profession. He had an intuition for speculation, especially by investment in real estate. So we find that he early became a partner in the ownership of a tract of land near Burlington which he cultivated several years and from the sale of which he realized a comfortable addition to his growing estate.

In a letter written to his sister in these pioneer days, he says: "The hundred dollars I received from you I invested in town property in Bloomington in Muscatine County. I was this very day offered two hundred and fifty dollars for the lot and refused it. I will sell when I can get enough for it, and purchase you a farm. I should have been independently rich if I had had any money when I came to this place. It is now the Seat of Government for the Territory, and property is worth ten times as much as it was when I came." And again he writes to his parents in 1846: "I know not whether I told you about a speculation that I was trying to make while I was



East, in the purchase of lands. I do not like to talk about myself so much, nor to brag, but I know you want to hear all about me, and I will therefore say that I was fortunate in the operation and succeeded beyond my hopes even, in making money by it. Our law business is still good (himself and partner, Henry W. Starr) much the best of any lawyers in the Territory." He uniformly took an active interest in the welfare of the young men; and his advice to them was never to become active in politics until they had secured a competency. Later in life, when he had himself, by taking his own medicine, laid the foundation of a fortune he said to a young student: "Stick to your law until you can make a lawyer of yourself, and get a practice, and save money; then it will do to play with politics. You do not need much money. I commenced with fifty dollars' worth of law-books, and accumulated by degrees, until I had the best library in town. A determined, persistent industry will secure success anywhere, and without it no one can succeed. Learn to read and speak deliberately; you can do neither too slowly." Thus his entire correspondence and many of his public utterances show the bent of his mind in respect to the advantages and independence which come with a good bank account. But while he was fond of gain it never became, to the exclusion of everything else, the ruling passion of his mind, nor did it blunt the impulses of a naturally generous heart.

In all the years of his laborious and active career he preserved his love for domestic life, and the quiet of his home. In a letter to his wife, written from Washington, he says: "I cannot endure the practice of turning night into day. Eating dinner from four to six o'clock in the afternoon and going to bed at three or four in the morning; yet I am compelled to fall in, in some degree, with this method of living. As I have strolled about the city, you cannot imagine how often I have thanked God that I was not cursed with a fashionable wife." And again he writes Mrs. Grimes from Burlington during her absence in the East: "Tell E—— that I have the best crop of onions on her garden-plat that I ever raised, and beets ditto.

Tell her also that we have a genuine mocking bird in the garden, the noisest fellow I ever listened to. He is quite tame, and sits on the ground and on the grape stakes to sing, as well as on the trees. I have a nest of turtle doves in the fir tree, with two young doves in it, besides any number of thrushes and robins." At another time he writes: "I wish I were at home with you, wandering about the garden, as I should be at this hour."

It need hardly be said that a character in which the domestic impulse so predominated, and the love of nature in its simplest form was so thoroughly developed, would possess many of the higher moral and spiritual attributes. Thus in numerous letters to his wife, when absent from home, he writes respecting the sermons he has heard; sometimes even giving a synopsis of the discourse. On one occasion he writes her of a sermon by Dr. Hosmer, going into details as to the subject treated. During his Senatorial career Dr. Channing occupied the Unitarian pulpit at Washington several months. It was during the war. He must have been a constant attendant at this church. On one occasion he writes Mrs. Grimes that he had attended Channing's church that day (Sunday) and had intended going again in the evening, but was detained by company. He always speaks with enthusiastic admiration of Dr. Channing, and in one letter says: "He preached the best sermon this evening I ever heard." The ardent patriotism of Dr. Channing led him frequently to preach upon the inspiring themes which were uppermost in the public mind when armies were being marshaled and battles fought unparalleled in history. Of all these patriotic discourses he gave her the outlines with expressions of the highest admiration and the most genuine appreciation of the ability and character of Dr. Channing.

A busy, ambitious and studious man with a taste for the religious philosophy of Channing could not fail to possess many of the characteristics of the philanthropist, and to a large extent be governed by moral purposes in his political convictions and public activities. The early years of his life

were devoted to the business of his profession, and to the investment and management of his earnings. During these years he gave but little time to politics; and not until he felt himself secure in his fortune, did he permit himself to be drawn aside from the purposes to which he had devoted his youthful vigor. Prior to his election as Governor, notwithstanding he was a Whig in politics and Des Moines county was almost uniformly Democratic, he had been elected to the first Legislative Assembly of the Territory of Iowa, which convened at Burlington November 12, 1838; to the sixth, which convened at Iowa City, December 4, 1843; and to the fourth General Assembly of the State which convened at Iowa City December 6, 1852. Although he was in the minority politically, he was active and influential in each of these Assemblies, and by his industry and ability gave direction to legislative action upon many of the questions to which attention was given during this formative period in the Territory and in the State. At this early day in his political life he began to exhibit those traits of character which distinguished him as a frank, bold, intrepid and independent thinker and actor throughout his later career. He was a Whig; but never so much of a partisan as to follow the lead of his party friends in anything that did not command the approval of his judgment. He was an advocate of temperance legislation far in advance of the sentiment of his party or the country, at this time. He was an Anti-Slavery Whig, and opposed with speech and vote every attempt to stultify the public conscience of the North, or tarnish the good name of Iowa, with anything akin to the black-laws which constituted a hideous chapter in the history, and a dark page in the statute books of several Northern states. He opposed any attempt to limit the right to testify in courts of justice to white citizens. He was far in advance of the public sentiment of the period in relation to the rights and privileges of Women. The following is from a letter to his wife in 1855: "As one of the signs of advancement, a lady has just become associated with her brother in the editorial management of a newspaper in Cedar county. I have, of course, become a subscriber." He

was a radical in relation to all the moral issues of the day, but a conservative upon all the financial and economic issues of the times. As illustrating his loyalty to his convictions and his consistency of purpose, another extract from a letter to Mrs. Grimes must here be inserted: "You ask why I did not attend the supper at Burlington, and speak as desired. (Celebrating the completion of a railroad). In the first place I did not think it became me, occupying the position I do, as a temperance man, and a Governor who recommended and approved a prohibitory liquor law, to attend a supper where it was known that champagne was to be drank, and where I had reason to believe from past observation that some of the guests and hosts would be drunk."

We come now to recall the passages in his life which have made him one of the historic figures of the age in which he lived. The country was upon the threshold of the great events preceding the Rebellion. These events aroused the lion in his nature. Although during his eighteen years' residence in Iowa, he had not been indifferent to public affairs, still up to the issue made by slavery with modern civilization, he had been more of a business man than politician. His New England forethought and thrift had induced him to devote his earlier years to business and accumulation; but a great crisis had now arrived which led him to enlist all his energies of body, mind and heart in the public service.

In February, 1854, he was nominated by a convention of the Whig party for Governor of the State. In the following March his nomination was endorsed by a convention of Free-Soilers. He accepted these nominations. The public mind was thoroughly aroused in view of the determination of the Democratic party in Congress to repeal the Missouri Compromise and open the Territory of Kansas, which had been dedicated to freedom by that Compromise, to the blight of human slavery. He issued an address to the "people of Iowa," in which he discussed the issues before the country with great ability and candor. He entered upon the campaign with determined vigor; driving with his own conveyance from

county to county, and speaking at all the principal towns of the state. He rallied to his support the great majority of the Whigs—all, in fact, who were not absolutely pro-slavery in sentiment—all the original Free-Soilers, and a contingent of the so-called Democracy who were in revolt against the Pro-Slavery tendencies of their party. He swept over the State like a flame of fire. The writer—who, as a young man, had just come to the State—remembers well attending his meeting in Des Moines. The Des Moines river was greatly swollen by recent rains, and he remembers the aptness with which he used it to illustrate one of his points. He was commenting upon the declaration of Douglas that he did not care whether slavery was voted up or voted down in the Territories, and said: "I do care. The American people care. Mr. Douglas might as well attempt to dam the Des Moines river with prairie hay as to try to eradicate the aspirations for universal freedom from the soul of every American who appreciates his own liberty."

He was elected. With characteristic force and purpose he prepared for the ceremony of inauguration, and the assumption of the duties of the office. Never was the will of an intelligent and patriotic people more thoroughly incarnated in a representative head than was the awakened conscience of the people of Iowa, in their newly elected Governor. There was no half-heartedness in his Anti-Slavery convictions. On the 24th of June, 1855, he relates in a letter to his wife, then absent from Burlington, the story of the first, and probably the only arrest made under the Fugitive-Slave Law in Iowa. A Dr. James was arrested near Burlington with a negro in his carriage. Bowie knives and revolvers were drawn on him by the pursuers and he and the negro were forced into town. He says there was great excitement in town, and several personal collisions grew out of it. He declares his purpose to afford no aid to the man-stealers. You can plainly read between the lines that he was determined the fugitive should never be dragged back to slavery; as he quietly says that it was proposed that all legal means for release should be tried before

any other was resorted to. He then moralizes as to whether, being Governor, he should act as he would as a private individual. On the 27th he writes: "The negro is free, and is on his way to Canada. A great crowd yesterday in town. I sent on Monday to Davids, via Yellow Springs and Huron, and told my friends and the friends of the slave to be present at the trial. They were there *en masse*; Marion Hall was filled. \* \* \* \* Rorer and Crocker appeared for the Negro. When the decision was made, such a shout went up as was never heard in that hall before. Judge Lowe, was brought from Keokuk, Monday, in the night, and a writ of *habeas corpus* was ready to be served if the decision had been adverse to us. Writs were sued out against the Negro-Stealers for kidnapping, assault, etc; but unfortunately they escaped before service could be made upon them. I am satisfied that the Negro would never have been taken into slavery from Burlington. Our friends, Colonel Warren and Rev. W. F. Cowles, showed that there was some marrow in their spinal columns. \* \* \* \* \* The State, the town and the people, thank God, are saved from disgrace. How opinions change! Four years ago, Mr. Salter and myself, and not to exceed three others in town, were the only men who dared to express an opinion in opposition to the Fugitive-Slave Law; and because we did express such opinions, we were denounced like pick-pockets. Now three-fourths of the reading and reflecting people agree with me in my statements on the law. It is a blessed thing that there is no ebb to the principles and progress of freedom; it is always a flood-tide."

In the administration of his duties as Governor he was courageous and self-reliant. The years covering his term of office was the turbulent period portending the civil war. He never cowered in presence of the threats and violence of the times. The Border Ruffianism in Kansas—the invasion of the Territory by armed marauders—the plunder and murder of the Free State citizens—the seizure of the ballot-box and overthrow of free elections—the subserviency of the Pro-Slavery tribunals, called courts, all tended to arouse in the

public mind throughout the North intense feeling and resentment. The Governor not only shared this indignation of his countrymen, but he was not the man to remain a silent spectator of these outrages. He was not a stranger to President Pierce, the subservient tool of the frenzied South. They were from the same State, almost from the same neighborhood; had been students at the same college, but were widely separated in political views and in their judgment of the rights of man. We have no account of any correspondence between them until Grimes the Governor—after various outrages upon former Iowans who had chosen to attempt the establishment of homes in Kansas, and after these were known to have been killed; others driven from the Territory; whilst the roads entering its borders and fords of the rivers had been picketed by armed invaders for the purpose of keeping out free State citizens—wrote the President demanding the protection of former citizens of Iowa in that Territory. It was an able and timely letter. He followed it up by the suggestion of a like letter from Governor Chase in respect to outrages upon former citizens of Ohio; and by the further suggestion of a meeting of the Governors of Ohio, Illinois, Wisconsin, Michigan, and Iowa, at Chicago, to consult, and make a joint demand upon the President for the protection of peaceful citizens passing from these States into the Territory of Kansas. Although Democratic newspapers and orators at the time sought to evade the force of this letter by cheap criticism and dull attempts at satire, it proved to be one among the historic incidents of the era, quickening public apprehension and directing public thought to the dangers of the situation in Kansas; and in the end was influential in defeating the purposes of slave propagandists in that territory. His expression of intense feeling and fierce indignation at the crimes of slavery in Kansas were not confined to this letter; every message to the Legislature bristled with denunciations of these outrages upon the ballot-box and these crimes against free Government.

Whilst his soul was on fire with the purpose to do his part as a public officer to right these wrongs in another Territory,

he was not indifferent to the necessities and future welfare of his own State. During his administration the foundation of the Insane Hospital at Mount Pleasant was laid. He took a deep interest in all the details preparatory to locating and building this institution; visited and examined other institutions of a like character in other states, and thoroughly acquainted himself with the various requirements of well-equipped hospitals. In short, he was familiar with all the routine duties and minor details of the office.

At the close of his term, which was shortened by the adoption of the New Constitution for Iowa, his fellow-citizens transferred him to the United States Senate. Since the day he had obtained a foot-hold in public life it had been the opinion of those nearest him, and those most conversant with his character, that he was destined to play a conspicuous part in a broader field than had been afforded him in Iowa.

His early service in the United States Senate shows the peculiar bent of his mind. In a conversation with a friend near the close of his public life, he said to him: "When I entered the Senate I soon determined that I would not try to spread myself over all the business of Congress. I resolved to make myself thoroughly conversant with whatever business might be assigned to me particularly, and only keep informed of the general run of affairs in the Senate so far as to be prepared to vote upon all questions intelligently." Carrying into practice these preconceived purposes, he found himself early in his Congressional service assigned to the Committees on Pensions and Private Land Claims. To the business of these Committees he gave assiduous labor. His qualifications for business, however, were soon acknowledged by his fellow-Senators in his transfer to the Committees on Naval Affairs, and on the District of Columbia. His acquaintance with the business of these two Committees, and especially with every detail of the Naval service, was the marvel of his official career. His knowledge of the vessels and their armament and equipment; of the *personnel* of their officers; of the location and needs of the Navy yards; and the requirements of the Naval Academy,



became proverbial in the Senate. In the Great Rebellion, when the Navy stood only second in importance and in public interest to the Army, his information and his memory in committee room and debate upon the floor of the Senate were never at fault, down to the smallest detail of the service. During his career in the Senate he made very few set speeches; probably not more than three or four. He was, however, a ready and able debater, possessing a fund of information upon every question, on which he took sufficient interest to speak, that always gave him the attention of the Senate. His first speech in the Senate was in reply to Toombs of Georgia, who had arraigned the Free States for passing what were termed Personal Liberty laws. He probably did not occupy the attention of the Senate more than ten minutes in a defense of Iowa, but it gave him standing from that time forward as a bold, ready, and forcible debater. Toombs was no mean antagonist in an encounter of this kind, but he did not attempt to put aside the rejoinder of the new Iowa Senator with a sneer. He also spoke briefly during the first few months of his service upon the Homestead Bill. He was opposed to all extravagance, and in the running debates of the Senate on the appropriation bills frequently attacked what seemed to him to be extravagant expenditures. As indicating how indifferent he was to the purpose of gaining public approbation by securing local advantages for his own state, unless they seemed to him a national benefit, and how thoroughly he depended upon his own character and personal standing as a Senator to retain his hold upon his constituency, the following quotation from one of his speeches is in point: "There are many useless offices in my State which ought to be abolished. We have half-a-dozen—I speak without knowing the exact number—custom-houses in our State, fifteen, sixteen or eighteen hundred miles above tide-water, where we have Surveyors of Ports, to whom the Government is paying annual salaries of six to eight hundred dollars. We have many other offices which are useless. I have been waiting very patiently during the entire session in the hope that some of the gentlemen on the other side, who are so much

outraged at the profligate expenditures of the Republican party, would introduce a bill abolishing these offices. We have in the town in which I have the honor to reside, a Marine Hospital, built at considerable expense to the Government, which never had a patient, and in all probability never will have. It ought to be abolished."

He had given some attention to naval matters prior to his Congressional service. And after he became a Senator and had been appointed on the Naval Committee, especially after the mutterings of civil war began to awaken apprehension in every thinking mind, his interest in the Navy was greatly intensified and became with him almost a passion. As early as March, 1860, he spoke upon a proposition to regulate the pay of the officers of the Navy, moving an amendment looking to the assignment of all officers and men to active duty. In January, 1861, he moved a resolution directing the Secretary of the Navy to furnish estimates of the expense of building a steel or iron-clad gunboat, on which he briefly addressed the Senate; and in the following February he advocated the construction of a screw sloop of war. From this time on he worked and advocated with tongue and pen the enlargement and strengthening of the Navy. He began the agitation and fairly pounded and hounded the Senate upon the question of building iron clads. The Naval Academy, the Navy Yards, the Ericsson Monitor experiment, the flotilla on the Mississippi River and its tributaries, the brilliant achievements of Commodore Foote, its early commandant, the movements on the Atlantic Coast of Commodore DuPont, the victories of the matchless Farragut, the world renowned triumph of the Monitor over the Merrimac, and the laureled name of its Commandant, John L. Worden, the fleets of Commodore Porter and their achievements, were his constant themes of speech and eulogy during the stormy period of the war. He had foreseen more clearly than most of his cotemporaries the coming storm, and had made the knowledge which from natural taste he had acquired of the Navy available, to promote this most effective arm of the military service.

That he foresaw the gathering storm of the Rebellion is plainly apparent in his correspondence with friends and in his declarations upon the floor of the Senate. He, however, never wavered or weakened in his judgment and action upon the public questions with which he was called to deal. As the winter of 1860 and '61 was laden with one sensation after another, he stood at his post pursuing with unwearied rounds the daily duties of a Senator, and watching from his outlook the march of events which he foresaw must end in civil war. The people throughout the country were intensely anxious, and yet many were hopeful that through some interposition of a Divine inspiration, or by some returning wave of patriotism, war might be averted. He saw that the people at home did not fully comprehend the spirit and purpose of the Southern insurrectionists. Among other propositions which many well meaning persons hoped might solve the problem of peace, were the "Crittenden resolutions;" others hoped a peaceful solution might come from the so-called "Peace Conference." He knew the futility of these experiments, and in a letter to Governor Kirkwood, forewarned the people of Iowa, of the impossibility, of accepting any proposition coming from the South, without an utter sacrifice of manhood, and all the cherished principles of a free and liberty-loving people. The letter was long, most patriotic and convincing. There is space here for a single paragraph which is refreshing to read even to-day: "There are other provisions in the 'Crittenden resolutions' which to my mind are wholly inadmissible; but let them pass. My objection is to any compromise. I will never consent to compromise, or the imposition of terms upon me or the people I represent, under threats of breaking up the Government. I will not give reasons under compulsion. No surer or more effectual way could be devised for converting this into a revolutionary Government than the adoption of a compromise expedient at this time."

Finally, when the war came as he had foreseen it must come, he threw himself into the business of the special session of Con-

gress with all the force and fervor of an inspired patriotism. His sleepless ardor and passionate zeal did not flag or grow cold during the four terrible years of the war. As we have seen, the Navy was his special department of the service to which he devoted his ceaseless efforts and his most untiring energies. But he was awake and alert in respect to every measure of the Government and to every policy of the Administration in its dealings with the rebellion. He was a radical. There was no halfway house at which he could halt while armed foes of his country were in the saddle. He was constantly in advance of the President in advocacy of radical measures in respect to slavery. In view of his far-seeing sagacity there is one episode in his senatorial career that must surprise some of his friends. He fiercely criticised the President for his earlier policy in respect to slavery and escaped slaves. But it is plain to the student of history to-day that the great President had but one object in view in dealing with the slavery issue during the earlier months of the war. He knew that radical measures would in all human probability drive the Border States into the Rebellion; and to save these to the Union it was necessary he should be misunderstood and have his motives misconstrued. Senator Grimes was one who thus misconstrued his motives. In writing his wife in regard to the removal of Fremont from the command of the Department of Missouri he says: "Whatever may have been his acts, or omissions to act, however, there is no question in my mind that the real cause of his removal was the proclamation (freeing slaves of rebels) and which he failed to modify in accordance with the President's wishes. That is the great sin for which he was punished." In line with these opinions, on the 18th of June, 1862, he introduced into the Senate the following resolution: "Resolved (as the opinion of the Senate), That it is the right and duty of the Government to call all loyal persons within the rebellious States to its armed defense against the traitors who are seeking its overthrow." About this time he writes Mrs. Grimes: "You observe that Mr. Welles has issued

a circular, directing 'contrabands,' as he calls them, to be enlisted in the Naval Service. This must be finally followed up by an Army order, sooner or later, and then comes the end of slavery. I regard the employment of colored persons in the Army and Navy as of vastly more importance in putting an end to slavery than all of the confiscation acts that could be devised by the ingenuity of man." Again he writes: "The President has to-day rescinded Hunter's proclamation (annulling slavery in his department). The result will be a general row in the country. All the radical Republicans are indignant but me, and I am not, because I have expected it and was ready for it. They did not anticipate it, though I have told them all along that it was sure to come. But the end must come, protracted by the obstinacy and stupidity of rulers it may be, but come it will nevertheless." Notwithstanding these evidences of his extreme views respecting the policy of dealing with slavery under the war powers of the Government he doubtless in the end must have seen that the President was right and he was wrong. But then radical views at this early stage of the war were natural to a man of his uncompromising convictions and resolute directness. He was terribly in earnest, and from his natural make up there could be no dallying with the circumlocutions of policy. He therefore could not conceive a possibility of ever weakening the cause of the Government by striking the rebellion at every vulnerable point. He made one of his longest speeches, denouncing General Halleck's famous order No. 3 for the return of fugitives to their owners, declaring it not only inhuman but a surrender of the basic principle of military success.

He was a member of the Committee on the District of Columbia and became its Chairman. He became thoroughly interested in its duties and its opportunities for usefulness. Among other things the District Jail was an object of his investigation, in which he found abuses that aroused his intense resentment. His appeals to the President and speeches in the Senate in respect to these abuses, illustrate his interest in the helpless and oppressed. In this loathsome prison pen, which

he visited many times in person, he found a number of soldiers who had either straggled or deserted from their commands. He insisted that they should either be discharged or returned to their regiments to be dealt with under military laws. He also found a large number of negroes, who were imprisoned for various alleged reasons, some of whom had taken advantage of the unsettled condition of affairs in the country occupied by the Federal armies, to flee from their owners and take refuge in Washington. But followed by the pro-slavery spirit of the city, they had been imprisoned in these dungeons, awaiting the arrival of the reputed owner. In respect to these fugitives, he denounced the whole proceeding—the marshal and his subordinates; and in accordance with his radical views in respect to slavery, he did not cease his efforts until they were set at liberty. This was the golden opportunity of his Senatorial service, in which he was able to reach results in accordance with his opinions upon the slavery question.

Finally, the war closed, and with it terminated all his resentments. When there was nothing left of the Southern Confederacy but its legs and its leaders, he laid off his war paint. It is true he believed in securing the results of the war by constitutional amendments, and a reconstruction policy establishing forever the rights of the Unionists and colored people of the South. Beyond this he had no other feeling than that of good will and generous wishes for the future of the vanquished rebels. From this time forward until the close of his Senatorial services, although in failing health, he performed the routine duties which are ever demanding attention of the Senator, with the same fidelity that characterized all his relations to the public service throughout his official career.

There was one act, however, among the crowning duties of his public life which illustrated his real character, and brought upon him the severe criticism of a great many people who had been his personal and political friends. This was his course on the trial of President Johnson. Notwithstanding the harsh judgment of many Republicans, in the excitement





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of the hour, there is no doubt a great majority of those who felt that his course was a public grievance have revised their opinions both as to the propriety of his decision and the motives by which he was actuated. It was believed by some that he was influenced by personal regard for Andrew Johnson; by others that he was prejudiced against Senator Wade, who, under the law at that time, would become the acting President; and by others that Senator Fessenden, Chief Justice Chase, and Senator Grimes, who were known to be on very friendly relations with each other, and neither of whom were thought to be in sympathy with the impeachment proceedings, had a mutual purpose to do what they could to defeat conviction without regard to law or evidence. Thus the most unreasonable and improbable rumors were set afloat and were readily believed. The truth was that the public misunderstood his views of the relation which a Senator sustained to the case. There is no doubt that from the beginning he thought that it would be a political blunder. The opinion which he delivered, although almost exclusively devoted to the law and evidence in the case, revealed his judgment of its political impropriety. Still, it was not his belief that his views of the political aspect of the question should influence his decision in the trial. He regarded himself as standing in the relation of juror in a case being tried upon law and evidence. And such being his relation to the case he was not to know or consider anything that might be thought or said of Andrew Johnson outside the Senate chamber, and outside of the evidence introduced by the Committee of the House of Representatives conducting the trial. The writer remembers reading his opinion, and that of Senator Fessenden, who was regarded as having no superior in his power of clear, exact, and forcible statement; still the writer believed at the time, and upon re-reading these opinions in the cooler atmosphere which the lapse of twenty-six years has brought with it, he still thinks the opinion of Grimes is as clear and convincing as that of his great cotemporary. That he was not influenced by his regard for Johnson is shown by an extract from a letter

written to his wife soon after the assassination of President Lincoln; he says: "I am full of forebodings about Johnson. He is loyal enough, but he is a man of low instincts, vindictive, violent, and of bad habits. His course will depend much upon the hands he falls into at the outset. I hope he will be equal to the occasion, and prove a good President. The performance of the fourth of last March was not a very flattering augury of the future." Again he says in his opinion on the impeachment trial: "I have no apology to make for the President's speeches. Grant that they were indiscreet, indecorous, vulgar, shall we not, by his conviction on this article, violate the spirit of the Constitution which guarantees to him the freedom of speech?" But acting in a judicial capacity, uninfluenced by political considerations, he did not believe that the President had been guilty of an impeachable offense, and was not guilty of high crimes and misdemeanors. Upon the announcement of his decision there was a storm of indignation among his former party friends. Various things conspired to intensify and embitter the public judgment. The prejudices of the great war were still at white heat. The foolish speeches of the President were regarded as a public shame. His exercise of the pardoning power raised a question in many minds of his loyalty. And then, too, no doubt, some people were influenced by the selfish hope that in a new deal in the appointments to public offices, they might receive the consideration of the new administration. None of these things, however, moved Senator Grimes. That he was deeply grieved and was intensely sensitive to the criticisms of his party friends and of the public press he did not attempt to conceal. His health had not been strong for some months prior to these proceedings. He was advised by friends not to risk the chances of trying to occupy his seat in the Senate during the impeachment trial. But his feelings were thoroughly enlisted in what he regarded as the crisis of the Republic, and his convictions were so strong as to his duty, that acting upon the principles which had illustrated his life, he scorned the thought of counting consequences personal to himself. Two

days after he had delivered his opinion on the impeachment trial, while in his seat in the Senate, he was stricken with paralysis in the right side. For several weeks he was comparatively helpless, but finally so far recovered as to spend the summer of 1868 in traveling through the eastern states, returning to his Senatorial duties the following winter. In the spring of 1869, with his family, he visited Europe; was in London during the excitement caused by Senator Sumner's speech upon the Alabama Claims; and by a communication to *The London Times*, and an interview with John Bright was influential in correcting a misapprehension respecting American feeling and purposes. In Paris he had a second paralytic attack and soon after resigned his place in the Senate with the purpose of remaining abroad a year, or more, and trying the effect upon his health of new scenes and absolute rest from care and responsibility.

During his sojourn in Europe his correspondence with his near friends, especially with Senator Fessenden and his old Burlington neighbors, is highly characteristic and very interesting. He was greatly pleased with the German people. Their industry, order, neatness, cultivation of the beautiful and æsthetic, their schools and freedom from poverty and misery, their peaceful lives yet military prowess when war was on, were themes upon which he dwelt with special enthusiasm. He bought several hundred German books for the Library at Burlington which he had founded, in order to interest the German people in the Library. In a letter to Senator Fessenden he writes: "There is one thing we lack in America more than any one thing else, to make up an accurate history of our country, and that is memoirs of our public men. I am greatly struck with that fact here (Paris) where they have been so abundant. What kind of a history can any man coming after us make up of the last ten years from the newspapers? None at all. Now you have lived in the most eventful period of our country's history. You have had a leading part in public affairs for twenty-five years; you have a cool head, a retentive memory and a facile pen. I insist that you ought, in justice

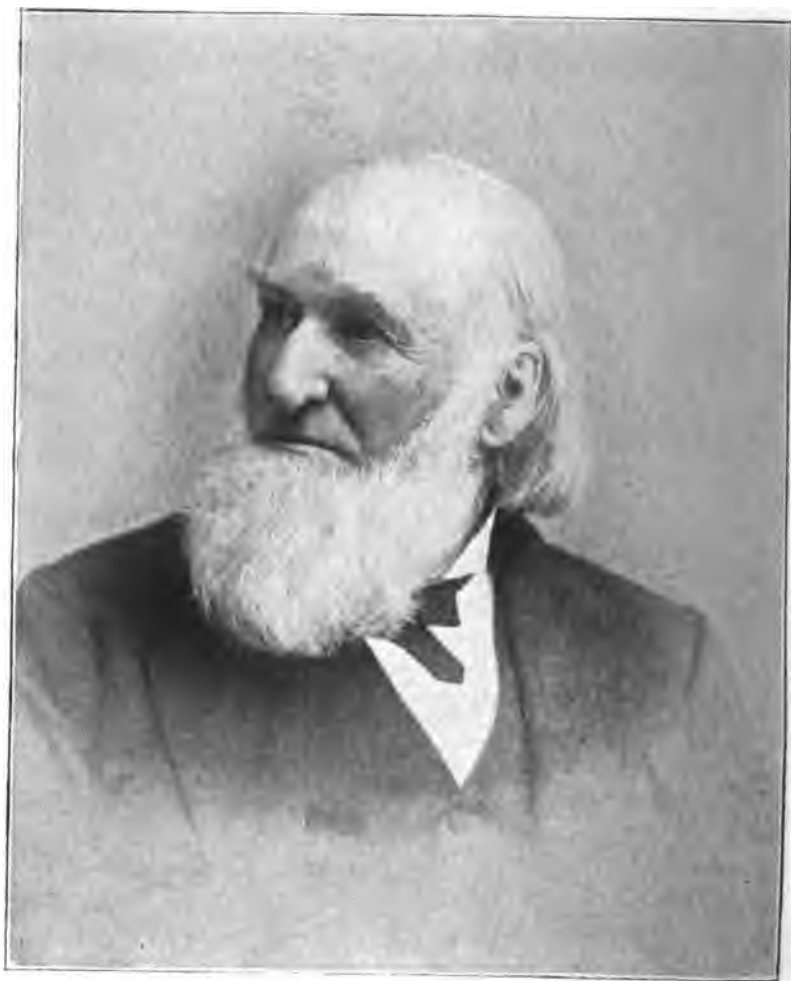
to the future, in behalf of your own memory, and for the common good, to spend a few leisure hours every day in preparing your memoirs. You need not necessarily take up subjects *seriatim*; begin with any one of the interesting topics, and after one is completed you will be more in a humor to begin another. If you do not choose to publish them in your own time, leave them to be published in some future time, in vindication of your memory and to promote the cause of truth."

A few months after writing this letter the news reached him that Senator Fessenden had died, September 8, 1869. He says in a letter to a friend, Mr. Lyman Cook, of Burlington: "I have never been afflicted by the death of any one as by the sudden decease of Mr. Fessenden." And he continues at some length, to pay a most feeling and pathetic tribute to his friend.

He was no exception to the rule that men are seldom satisfied with their achievements. Writing to his friend, Cook, he says: "Almost every American newspaper I see brings the news of the death of some old friend and associate; and I cannot help feeling that in the course of Nature my time will soon come, and when I ask myself, 'What have I done to make the world better for having lived in it?' I cannot help pronouncing the judgment that my life has been a failure. I do not mean to say that it has been a failure in what I have done for my State and mankind, in comparison with what has been done by other men, but in comparison with what I might and ought to have done." And again he writes to the same friend: "I have all my life thought of the happy time coming when I should be entirely free from all business, and care, and anxiety, and when nothing and nobody could in any way control or influence my conduct and movements. Well, I have reached that period in my existence, and I do not find what I expected. One cannot sever himself from the world; he cannot be free from care, and he must become perplexed about his own affairs and about the affairs of others. One's thoughts must be occupied, or else the discomfort following from mental laziness will soon kill him."

He was now contemplating an early departure from Europe





Heartily Yours  
Geo: F. Thayer.

for his home. He felt that his health was much improved and he was anxious once more to meet his American friends and look upon familiar scenes. He arrived at Burlington Sept. 22, 1871. Gratified at his reception, and that most of the friends who had disagreed with his course on the impeachment trial had revised their judgment, he was in good spirits and promising health. He soon found, however, that he was far from well. He spent the winter in comparative quiet with his family, friends and books. Finally, on the 7th of February, 1872, whilst talking with his friend, Cook, in his own house, he was seized with a sudden pain near the heart, and before a physician could be summoned the end had come. He died in the 56th year of his age mourned by the people of Iowa, by the associates with whom he had come in contact in public life, by his neighbors and by his family. He had gone, but his example remained. His industry, candor, probity, independence, patriotism and fidelity to duty, will constitute an unfailling heritage for the young men of Iowa so long as history shall be read and its lessons heeded.\*

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### THE "IOWA BAND" OF 1843.

BY THE REV. DR. GEO. F. MAGOUN,  
Lately President of Iowa College.

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As a rule the coming of preachers of Christ into new territories formed out of the fruitful old "Northwest," has been one by one. Some organization for ecclesiastical or "Home Missionary" purposes, being responsible for their very meagre support, as men willing to encounter the inevitable toil and hardship were found, they were sent out—mostly from New England.

But more than once a group or "band" of young found-

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\* I desire to acknowledge my indebtedness to the "Life of Grimes," by Rev. Dr. Salter, from which I have taken extracts from letters for this article.

ers of Christian institutions has been put under commission for the same wide and needy field at the same time by the Congregationalists,—with whom the Presbyterians acted in the first half of this century. Zeal for Christian labor where there was none, and for a learned ministry as a prime necessity in new society growing up in the wilderness prompted thereto. The same motives substantially made foreign missionaries. Of four such bands that went out from Andover Theological Seminary in the first quarter of the century, the American Board received notable aid in evangelizing heathen lands; and “the beginning of a national home missionary society is connected with one of these in 1825.”\* A few years later seven young students in Yale Theological Seminary formed another to go to Illinois, preach the gospel, and found a college. Two of these, Revs. Theron Baldwin, D. D., and J. M. Sturtevant, D. D., reached the young State of eleven years and something over 50,000 people, in the autumn of 1829. Another, Rev. Asa Turner, Jr., a man of strong and unique character, long known in Iowa as “Father Turner,” came in November of the next year to Quincy, a settlement of four years and a little more than four hundred souls. His brothers of the “Illinois Band,”\*\* known to themselves as the “Illinois Association,” occupied such points as seemed important, stretching southward to Vandalia, the first capital. His own evangelistic labors called him North to the Wisconsin line. Returning from Galena in 1834, by the river, he first saw the “Black Hawk Purchase.” In 1836, he explored it with another of the Association, Rev. William Kirby. In May, 1838, he had been invited with the late Dr. Julius A. Reed, then of Warsaw, Illinois, to organize a little church, (the first of New England Christians in this part of the Territory of Wisconsin), at the “Haystack” in Lee County, near a log cabin dubbed “Copenhagen,” where ere long the village of Denmark was gathered. It then consisted of three houses and

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\* “Asa Turner, a home missionary patriarch and his times,” p. 62.

\*\* Increased later to twelve to whom some add two others, one of whom Dr. Edward Beecher, now survives the others at over ninety years of age.



a school house. The new church called him as pastor; the next month (June 12) the Territory of Iowa was constituted; and in July, the patriarch came to Denmark. He was to live there as pastor more than thirty years and die at Oskaloosa in 1885, in the eighty-seventh year of his age, universally revered.

One of his first cares, after a settlement and a house for his family, was to draw other Christian ministers into the Purchase. Town sites were being selected. Villages were springing up. Numberless farms were being opened. He was unsleeping and indefatigable in making known the religious wants of Iowa. It was a fast-growing care, soon becoming a home missionary exploring and advising agency, taking half his time. The first man to join him was Rev. Reuben Gaylord, of Mt. Pleasant and Danville, seven years his junior at Yale, who was one of three to form the first Association in Iowa and afterward (1857) in Nebraska. The second was Rev. Julius A. Reed (D. D.), two years his junior at Yale, whom he had known there and in Illinois, who first preached at Fairfield, and then succeeded Mr. Turner as H. M. agent, filling energetically and wisely this office for nineteen years. The third was Oliver Emerson, Jr., from Waterville College and Lane Seminary, lame but tireless, "with one foot like one of Lord Byron's, and a heart like that of the Apostle Paul," a gospel ranger and explorer in Jackson County and neighboring Illinois and throughout Tama County (1840-1883). The next was Rev. John C. Holbrook, D. D., a layman and book publisher from Vermont and Boston, ("Richardson, Lord and Holbrook,") licensed in 1841, pastor at Dubuque twenty-two years, and a notable evangelist, then at the East, and now in a hale, alert and fruitful old age in California, past his eighty-sixth year. Two or three others also were in the Territory for a time, of whom Rev. A. B. Hitchcock was at Davenport, (1841-3), and twenty years thereafter a pastor in Illinois, opposite, at Moline.

Meantime to the Black Hawk Purchase of 1832, had been added other Indian lands in 1836-7, and the New Purchase of

1842. "Four weeks planted ten thousand souls on the New Purchase," and the increase in two years was twenty thousand. But Mr. Turner called in vain for more helpers till in 1843 a portion of the Senior class at Andover, who had been writing him letters of inquiry, formed an "Iowa Band." They are commonly said to have been twelve, and Father Turner one of them. Both are mistakes. He was five years ahead of them and eleven came. They were HARVEY ADAMS, Worcester, Vt., educated at the University of Vermont and Andover Seminary; EDWIN BELA TURNER, Monticello, Ills., educated at Illinois College and Andover; DANIEL LANE, Leeds, Maine, Bowdoin College and Andover; ERASTUS RIPLEY, Coventry, Conn., Union College and Andover; JAMES JEREMIAH HILL, Phippsburg, Maine, Bowdoin College, etc.; BENJAMIN ADAMS SPAULDING, Billerica, Mass., Yale and Harvard, etc.; ALDEN BURRILL ROBBINS, Salem, Amherst, etc.; HORACE HUTCHINSON, Sutton, Amherst, etc.; EPHRAIM ADAMS, New Ipswich, N. H., Dartmouth, etc.; EBENEZER ALDEN, Jr., Randolph, Mass., Amherst, etc.; WILLIAM SALTER, New York City, N. Y. University, etc. Their ages varied from twenty-two years to thirty-four. Average, twenty-seven years and a half, nearly.

Most memorable religiously to early Iowa was the day—has later Iowa seen one more so?—when seven of these young heralds of the cross, with two others not of their number, were ordained at Denmark, in the old primitive wooden structure that served both for church and academy. It was Sunday, November 5, 1843. The ordaining prayer was by Father Turner, who had met them with Denmark conveyances at Burlington; sermon by Julius A. Reed (from Acts 20, 28: "*Take heed unto yourselves and to all the flock,*" etc.) charge by Charles Burnham, ordained a few days before; right hand of fellowship, Reuben Gaylord. The two other licentiates were Charles Granger, from Randolph, Vt., who had also studied at Andover and William A. Thompson, Holland, Mass., educated at New York City University and Yale and Union Seminaries—nine in all. The candidates from the

"Band" were Turner, Lane, Spaulding, Hutchinson, Adams (E.) Alden and Salter. Mr. Robbins had been ordained at home, Salem, Mass., 20 Sept., and Harvey Adams at Franklin a week later. Mr. Ripley remained in Andover as "Abbott Resident," and Mr. Hill in Maine, sick, till May, 1844.

"This ordination," said an older Congregational minister, "settled the question of our denominational life, under God." It also helped to settle questions of broader moment to religion and civilization. It was conducted by the old, then newly formed, "Iowa Association." Though coming from Congregational churches and institutions, and though there had been influence to turn them to Presbyterianism, their pioneer says: "The Home Missionary Society, being a co-operative body [of both denominations] I feel it my duty to leave all to their choice." He was surprised—as were others—at their unanimous choice of ordination at Denmark, for he had told them at Burlington that the Iowa Presbytery would meet soon and ordain them, "if they wished to be Presbyterians." This unsectarian spirit they retained and the survivors retain still.

Some estimate of the after influence of these young men in subsequent years, in the Territory and the State, may be formed from the names of the towns and cities where they lived and labored. They are: Farmington, Council Bluffs, New Hampton, Fairfax, Bowen's Prairie, Cascade, Colesburg, Eddyville, Belle Plaine, Bentonsport, Garnavillo, Wapello, Indiantown, Green Mountain, Genoa Bluffs, Fayette, Ottumwa, Muscatine, Burlington, Mt. Pleasant, Davenport, Decorah, Eldora, Tipton, Maquoketa. Turner (E. B.), Lane, Spaulding, Adams (E.), labored in one place ten years or more; Adams (H.) twenty years; Salter now nearly half a century at Burlington, where he still holds pastoral relations; Robbins more than half a century at Muscatine, having never been resident preacher anywhere else. He is understood to be the oldest Protestant pastor of any denomination west of the Lakes, and for some distance east of them. I have not noted the work of these men in other States—Turner in Illinois, Missouri and New York; Hill in Minnesota; Spaulding in Wis-

consin; Alden in Massachusetts; or in other capacities, Turner Home Missionary Superintendent in Missouri twelve years; Lane, professor in Iowa College five years and soliciting agent; Ripley, professor twelve years; Hill, agent of American Missionary Association in Iowa, Kansas and Minnesota, three years; Adams (E.) Home Missionary Superintendent ten years and College agent three years; Lane and Ripley also teaching elsewhere. They aided Father Turner in fostering Denmark Academy and took part in founding others; they all had a share in founding Iowa College. They had thought of a college, as perhaps part of their work of missions, while yet in Andover, shortly after the patriarch's first suggestion of it in Iowa (1842). Five were original members of the board of Trustees, and one later. One, Robbins, was chairman of the board seventeen years, before there was a president, the constitution making the (future) president of the College chairman of both boards; another, E. Adams, was chairman three years after the first president resigned in 1884. Five of them received the honorary degree in divinity: Robbins, from his *alma mater*, Amherst; Salter from the State University of Iowa; H. Adams, Lane and E. Adams from Iowa College. The aggregate of the years of service of all now foots up over five hundred years.

It has been said—and doubtless on good grounds—that it is probable that no equal number of young ministers leaving a theological seminary together, ever founded so many churches in five or ten years afterwards, as these men. And no new State or Territory ever received an equal number from the same source and at the same time, but Iowa. It is fitting to add that their commission was probably influenced by the fact that a friend of Home Missions who had previously given the Society at New York \$1,000 for its appointees and churches in Wisconsin gave an equal sum that year to be expended in Iowa. The total of salaries secured that year to the "Band" was \$4,400, most of which came from the treasury of benevolence at New York. A wise expenditure, it will be judged, looking at the sum and variety of good results in fifty-one years of our history.

The "Band held its last meeting October, 1843, at Father Turner's study, when the place where each should go was agreed upon. Six of them are still living—Robbins, Salter, Harvey Adams and Ephraim Adams in this State; Turner at Owego, New York, and Alden at South Marshfield, Mass., the first two still in the active ministry with colleagues. Ripley died in Connecticut; Lane in Maine; Hutchinson, Spaulding and Hill in Iowa.\*

GRINNELL, Iowa, July 9, 1894.

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### PIKE'S EXPLORATIONS.

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A most romantic career was that of Zebulon M. Pike, who rose from the rank of ensign to that of brigadier-general in the regular army, and was killed in an attack upon York, (now Toronto) Upper Canada, April 27, 1813. While he was a brave soldier, freely giving his life in defense of his country, he is better known as an explorer, second only to Lewis and Clark in the amount of work he accomplished.

In 1893, Francis P. Harper, publisher, of New York City, brought out in superb style, under the very able editorship of Dr. Elliott Coues, "The History of the Lewis and Clark Expedition." While Dr. Coues has won world-wide fame as a naturalist, ornithologist, lexicographer, and scientific writer, he has rendered no greater service to his countrymen than that of placing before them this carefully edited work. By securing the original, unpublished journals of Lewis and Clark, he was able to add largely to the best edition that had previously appeared. He was himself an explorer and had spent much time in all the regions traversed by the expedition. His notes and annotations throughout the work, upon the natural history and topography, are of very great value, making it so complete that no other edition is ever likely to be called for. He has said the final word relative to Lewis and Clark. Some

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\* Other details with contemporary history may be found in the Life of Father Turner (named above), by the writer of this paper.

months ago Dr. Coues completed his editorial work, in like manner full and exhaustive, upon a new edition to be published the present autumn, by Mr. Harper, of the Expeditions of Lieutenant Zebulon M. Pike. To this perilous and responsible duty Pike was assigned by General James Wilkinson, Commander-in-Chief of the Army, on the 5th day of August, 1805, not long after Lewis and Clark started on their long journey to the Pacific Ocean. He was first directed to explore the Mississippi river from St. Louis to its sources, select sites for military posts, hold councils with the Indians, bring about peace between the Sioux and Chippewas, and look after United States interests in the fur trade, and in general to collect such information as he could concerning our new possessions. At that time Julien Dubuque was already established at his lead mines in Iowa; but there was scarcely a permanent American location beyond this point, and Prairie du Chien was the uttermost settlement, excepting, of course, the English trading-posts. Pike's first exploit of consequence was to secure from the Sioux the cession of land near the mouth of the Minnesota river, where was built Fort Snelling, and later, Minneapolis. Pike says, in a letter to Wilkinson, still extant, that he got this ground "for a song." Dr. Coues has found the original document, in Pike's hand writing, with the signs manual of ten Sioux chiefs, which shows that in fact Pike got it for nothing, the place of the price to be paid being left blank. This was filled in by Congress with the sum of \$2,000, or about two cents an acre. Pike proceeded to the rapids now known by his name, a little below the present site of Little Falls, Minnesota, and there erected a stockade on the right bank of the Mississippi, an eighth of a mile below the mouth of a stream he called Pine Creek, now known as Swan River. Housing a part of his command here, he proceeded to Lower Red Cedar and Sandy Lakes, at each of which there was an English trading post, and thence continued on his arduous sledge journey in the depth of winter to Leech Lake and Cass Lake, the latter then known as Upper Red Cedar Lake. This was the limit of his journey. He accepted the tradition of his

day, that Leech Lake was the "source of the Mississippi," and though his map shows continuous water beyond Cass Lake, this was in the direction of Turtle Lake, and there is no hint in his text, or trace on his map of the Itasca source, which had been first visited by William Morrison in 1804. Pike returned without special incident and reached St. Louis April 6, 1806, having been gone eight months and twenty-two days.

The able manner in which Pike had carried our flag in this quarter led to his immediate selection by General Wilkinson for a still more important and not less arduous enterprise. Our relations with Spain were at the time strained to the point of rupture. A gallant Spanish officer had made a spirited raid into our Louisiana, as far as the Pawnee village on the Republican Fork, by the Kansas River, and some counter demonstration was in order. Pike was sent ostensibly to treat with the Osages, Pawnees and Comanches, and discover the sources of the Arkansaw and Red River; his private instructions were of a diplomatic character, and have never been divulged. Wilkinson was later openly accused of relations with the Aaron Burr conspiracy; but Pike need not be supposed to have been anything else than a soldier under orders to explore certain parts of our new Territory, with military force enough to hold his own on the confines of the Spanish possessions. He left St. Louis, July 15, 1806; ascended the Missouri to the great Osage, and went up the latter to the Osage villages. Finishing his negotiations with these Indians, he cut clear across Kansas, overland, through the valley of the Neosho, passed the head of Vermilion (Verdigris) River, and struck the Smoky Hill River, a little above Salina; whence, crossing the Salina and Solomon Rivers, he arrived at the Pawnee village, on the Republican, nearly on the present boundary between Kansas and Nebraska. The Spaniards had just been there, and Pike found the Pawnees disaffected to the verge of actual hostility, but he patched up some sort of an understanding with them, and was glad to get away on his further exploration. He struck nearly due south, on the hot trail of the Spaniards, and reached the Arkansaw at the place

where is now the city of Great Bend. There he detached his lieutenant, Wilkinson (son of the General), to descend the Arkansaw with a few of the men, and started up the river with the rest. On the 15th of November, 1806, he first caught sight of the Rockies, and "gave three cheers to the Mexican Mountains." In a few days he was at the present site of Pueblo, Colorado, where he threw up a slight breast work, and started on a side trip toward the celebrated peak, which now bears his name. Two of the myths of history are, that Pike discovered Pike's Peak, and ascended it. He did neither of these. He was never nearer than some 15 or 20 miles of Pike's Peak, and this was already the most celebrated mountain top in "Louisiana," in Spanish annals—a sort of *Ultima Thule* to the Mexicans. The peak was first ascended by Dr. Edwin James, of Major Long's party, some years later, and so named James' Peak. Returning to his camp at Pueblo, from this excursion, Pike continued up the Arkansaw to the present site of Canon City, in the throat of the Royal Gorge, or Grand Canon of the Arkansaw. From this point his movements have always been regarded as problematical; but Dr. Coues has traced his exact route, mile by mile. Pike went up Oil Creek into South Park, Colorado, there discovering head waters of the South Platte River, (though not the actual sources of that river); he traversed the Park westerly and then southerly, and left it by the Pass, since called Trout Creek Pass. Here of course he stumbled upon the Arkansaw river again; he thought it was the Red river and went up it to within probably 12 or 15 miles of the present site of Leadville. Having found, as he supposed, the sources of Red River in these mountains, he turned to descend this river; he had a hard time of it, and his surprise may be imagined when he fetched up at his own former camp at Canon City! He built a stockade here, in which he left two or three of his men, and then pushed on to discover the Red River. It was the depth of winter; his men were half-clothed, and half-starved; their sufferings were fearful; it is almost incredible, that a man lived to tell the tale of the misery they endured. For, with more zeal than discre-



tion, Pike plunged southward through those fearful mountains, up the South or Pike's fork of the Arkansaw, now called Grape Creek. This fetched him through the Wet Mountain Valley, in the face of the great Sangre de Cristo range. He managed to drag a part of his command through the Sand Hill Pass of these mountains, leaving others strung along his disastrous route with frozen feet, and entered the San Luis valley, through which the uppermost Rio Grande flows. Here he thought surely he was on the long sought Red River; he went down it to the Rio Conejos, and built a stockade on the latter, four or five miles above its mouth.

Here he was surprised and in fact captured by a party of Spanish soldiers. The authorities had been fully informed of his movements from the start, through disaffected parties in St. Louis, and could catch him at their own convenience. Having been thus taken on the Rio Grande, he was actually captured in what certainly seemed to be an invasion of Spanish territory; and he was ordered forthwith to accompany his captors to Mexico, under the diplomatic guise of a polite invitation to visit the Governor of Chihuahua, who had heard with pain that he had lost his way and was anxious to show it to him. Pike saw he had been trapped, but accepted the situation with the best grace he could, and forthwith started with most of his command under the escort of the Spanish dragoons, February 26, 1807.

Thus began his third exploration—an involuntary one, which he styles a "tour through New Spain." He was ostensibly the guest of the authorities: he was actually a prisoner, if not of war, then of trespass, who had been arrested and brought to book as a suspicious character, who must be made to give an account of himself. He was brought before the authorities at Santa Fe, and subsequently at Chihuahua. He was deprived of all his papers; but otherwise was treated with forbearance, and in fact, with distinguished consideration. Under the escort provided for the purpose he was conducted from Chihuahua around the southern end of the Bolson de Mapimi, and northwest again to the Rio Grande, at the point

known as the Presidio del Norte. All of our Texas was then Spanish country; he was escorted through this, by way of San Antonio, along the old Spanish trail, to the town of Natchitoches, then our frontier post in that quarter, where he was once more a free American citizen, under the protection of the flag he loved so well.

Pike had been given up for lost by his friends, and was received back with acclamations only less resounding than those which had greeted Lewis and Clark the year before. The political aspect of affairs rendered everything relating to New Spain a matter of the utmost interest. Public curiosity was excited by the rumors of this El Dorado which the jealous temper of Spain sedulously strove to conceal. The history of his tour in that region was eagerly awaited. A friend had already (in 1807) published for Pike a short account of his Mississippi exploration, which had been well received, and Pike immediately set about the work which immortalized his name. This appeared as a short octavo volume in 1810, was soon reprinted as a quarto in London, and also republished in a French translation.

Pike was rapidly promoted to be colonel and brigadier-general, and with the latter rank he led the forces which made the assault on York (old Fort Toronto), April 27, 1813. Here he fell mortally wounded by the explosion of a magazine, and closed his gallant career a few hours afterwards.

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## THE DES MOINES RIVER LAND GRANT.

BY COL. C. H. GATCH.

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[THIRD PAPER.]

As to who were the intended beneficiaries of the joint resolution, and whether or not it was intended to exclude the Navigation Company and its grantees so far as such intention can

be gathered from the language of the resolution itself and the debates at the time of its passage, the Supreme Court of the United States in the last decision, *United States vs. Des Moines Navigation & Railway Company*, 142 U. S., 510, which is conceded to have finally closed the long protracted legal controversy, uses the following language in the opinion, page 530:

“If Congress had intended to distinguish between settlers and other purchasers, it would not have used language whose well-understood meaning included both. If anything can be drawn from the debates in Congress at the time of the passage of this resolution, it sustains this construction. As appears from the Senate proceedings, when the resolution was pending, the fact that a large portion of these lands had been conveyed to the Navigation Company for work done on the improvement, was stated, and an attempt was made to limit the relinquishment to lands ‘by the said State sold to actual settlers.’ Instead of that, the words now used were inserted, to-wit: ‘*bona fide* purchasers under the State of Iowa.’”

It having been a question from the beginning whether or not the grant extended above the Raccoon Fork, it was quite generally assumed by those holding that it did not, ignorant either of the fact or of the effect of the “reservation” to which reference has several times been made, that all of the lands above that point within the five-mile limit were public and open to pre-emption and homestead settlement. According to a report made to the Governor of Iowa July 25, 1875, by Norman H. Hart, Charles Aldrich and John A. Hull, commissioners—

“To report, showing the name of the claimant, a description of the lands claimed, the improvements thereon, their value, the value of each tract of land, the date of the homestead pre-emption or purchase, as the case may be, the loss sustained by each claimant, and such other facts as they shall deem important, of all persons who have made improvements upon what is known as Des Moines River Lands, and have sustained or will sustain loss by reason of the decisions of the courts in favor of the title of the Des Moines Navigation & Railroad Co. or their grantees”—

There were from 1846 to and including 1872, settlements made on something more than 109,000 acres, the first of which is shown by their report to have been made by William Holes-ton on the southwest of the southeast of 11-82-26, in May, 1847, and the last by John Archibald on the southwest of the northwest and lot 4 in 35-84-27, in April, 1872.

Under an act of Congress approved March 3, 1873, providing for the appointment of commissioners to—

“Ascertain the value thereof, exclusive of improvements, of all such lands lying north of Raccoon Fork on the Des Moines River, in the State of Iowa, as may now be held by the Des Moines Navigation & Railroad Company or persons claiming title under it adversely to persons holding said lands either by entry or under the pre-emption or homestead laws of the United States, and on what terms the adverse holders thereof will relinquish the same to the United States”—

O. P. Chubb of Minnesota, Chas. Aldrich of Iowa and Jas. S. Robinson of Ohio, were appointed such commissioners, and November 20, 1873, made their report to the Secretary of the Interior, showing 39,549 as the number of acres; \$10.22 per acre as the average value, making a total value of \$404,228; and \$14.25 as the average price asked by the owners, making the total price asked by the owners, \$563,416.

These lands it will be noticed were only such as were *then* claimed by the Navigation Company and its grantees adversely to the claims of the “settlers,” the greater portion of all originally “settled” or “squatted” upon, having either been previously abandoned or a title to them having been acquired by purchase from the Navigation Company or its grantees.

Robt. L. Berner, special agent of the Secretary of the Interior, under the act of congress of March 3, 1893—

“To enable the Secretary of the Interior, to ascertain what persons made entry of lands within the limits of the so-called Des Moines River land grant for the improvement of the navigation of the Des Moines River in Iowa, the date of such entry and the respective amounts paid to the United States and the date of such payments; also, the names of persons who received certificates of entry or patents from the United States and the date of such certificates or patents; also the sum or sums paid by the holders of such certificates or patents, their heirs or assigns, to purchase the paramount title as settled by the decisions of the courts, and also the value of such paramount title in cases where such purchase has not been made by any of the holders of such certificates or patents, and to ascertain such other facts as in his judgment are necessary to enable the United States to properly and equitably adjust the claims of persons who entered upon such lands, receiving from the proper officers written evidence of entry or settlement upon any of said lands”—

In his report to the Secretary, made May 7, 1894, gives the quantity of “contested entries,” covering “all the cases where the parties appeared and presented their claims,” including

the claims "both of those who have and those who have not been heretofore settled with by the Government," to be 35,904 acres. The discrepancy between the quantity shown by the first of these three lists and the greatly less quantity shown by each of the other two, is probably to be accounted for by the fact of that list having included "claims" of "squatters" in addition to those of homestead and pre-emption "settlers."

That the homestead and pre-emption "settlements" made prior to Secretary Browning's order of December, 1868, directing the cancellation of all such entries, were in the main *bona fide*, may be fairly assumed in view of the frequent rulings by different officers of the Land Department of the Government that they were public and subject to such settlement. In the case of *Litchfield vs. Johnson*, 4 Dillon, 551, U. S. Circuit Judge Dillon in sustaining a claim for improvements under the occupying claimant law of this State, used this language:

"There is nothing in the history of this grant, whether legislative, executive or judicial, which makes it impossible or even improbable that settlers upon these lands (river lands) prior at least to the final decree in *Welles vs. Riley* (1869) might not be such in good faith."

Willis Drummond, Commissioner of the General Land Office, in a communication addressed to the committee on public lands of the House of Representatives, March 16, 1874, favoring the passage of House Bill 1142, commonly known in Iowa as the Orr indemnity bill for the relief of the settlers, used this language:

"Thus the settlers are without remedy to save their homes which they have been *practically invited by the officers of the Government*, and acting in their official capacity, to rear upon these lands. . . . Considering the fact that these settlers have acted in good faith, relying upon the decisions of the government officers who were supposed to know the law, I think they are entitled to relief. . . . As the settlers in going upon the lands had a right to believe that their titles would be perfected in the ordinary manner, and have invested their labor and means in improvements which they cannot abandon without ruinous loss, an exception to the general rules and practice should be made in their favor."

That any *bona fide* settlements were made after the decision in the *Riley* case is very improbable, as it and the *Crilley* case, decided at the same term of court and in the same way, were

understood to be test cases as to the rights of homestead and pre-emption settlers on the lands in question, and the fact and effect of the decisions were well known, not only to the settlers but quite generally if not universally throughout the river land district.

The principal legal questions that from time to time arose out of the general controversy and that have not already been sufficiently referred to, were finally determined by the Supreme Court of the United States in numerous other cases, part only of which will or need be mentioned; and before referring to any of these some preliminary matters of interest, and leading up to them, may properly be first stated.

The act of July 12, 1862, extending the original grant, contained this provision:

“And if any of said lands shall have been sold or otherwise disposed of by the United States before the passage of this act, excepting those released by the United States to the grantees of the State of Iowa under the joint resolution of March 2, 1861, the Secretary of the Interior is hereby directed to set apart an equal amount of lands within said State to be certified in lieu thereof: Provided, that if the State shall have sold and conveyed any portion of the lands lying within the limits of this grant, the title of which has proved invalid, any lands which shall be certified to said State in lieu thereof by virtue of the provisions of this act shall enure to and be held as a trust fund for the benefit of the person or persons respectively whose titles shall have failed as aforesaid.”

On the assumption that a portion of the original river land grant had “been sold or otherwise disposed of by the United States” as contemplated by this provision, under a special certificate of the Commissioner of the General Land Office authorizing the entry of 300,000 acres of any public lands in the State as *indemnity* for the lands so disposed of, the State by its agent, D. W. Kilbourne, made selection of 297,603 acres. Some months prior to the decision in the Wolcott case there was an “adjustment,” commonly known as the “Harvey settlement,” between the State of Iowa and the United States of their land account “under the act of July 12, 1862, and the joint resolution of March 2, 1861.” in which the State was charged and the United States credited with 297,603 acres of land, being the lands selected as indemnity under the special

certificate just mentioned. On the assumption that the title to these indemnity lands had by virtue of their selection as stated, and their having been so treated in the adjustment, enured to the Navigation Company and its grantees in lieu of the lands assumed to have been lost by them from the original grant, it was claimed on behalf of homestead and pre-emption claimants that however the claim under the railroad grant to the lands in place might finally be disposed of, the acceptance of the indemnity lands by the Navigation Company and its grantees was an extinguishment of all claim thereto so far as they were concerned under the river grant. This was the view taken by Secretary of the Interior Browning in a communication to the Commissioner of the General Land Office dated May 9, 1868. Referring to the decision in the Wolcott case adverse to the claim under the railroad grant, he used this language:

“At the date of that decision the Des Moines River Land grant had been fully adjusted.

“The State had, as before remarked, received all the land to which she was entitled on account thereof, and she is thus estopped from setting up a claim. Although this fact does not appear in the record of the case, I have shown that it is incontrovertibly established by the records of your office. It is the duty of the Department in administering the acts of Congress to give full effect to the settlement, otherwise the State would first obtain, in lieu of lands which she alleged had been ‘otherwise disposed of’ an indemnity amounting to an equal quantity of such lands, and then, when her right to land selected by way of indemnity had been recognized and confirmed to her, she could assert her title to the lands she alleged had been disposed of. The effect of this would give her more than she originally claimed. The effect of that decision is, therefore, only to exclude from the railroad grant, lands lying north of the fork, and to restore them to the public domain, at least so far as to subject them to the operation of the pre-emption and homestead laws.”

May 9, 1868, Secretary Browning, as has been stated in a previous paper, allowed the pre-emption claim of Herbert Batin on part of a section of the lands in question, and June 10, 1868, the Commissioner of the General Land Office, on the authority of that ruling, allowed the claim of Jeremiah Elliott, pre-empting part of the same section. On the 7th day of July, 1868, in the United States Circuit Court, at Des Moines, in the suit of E. C. Litchfield vs. The Register and Receiver of

the Land Office, at Fort Dodge, a temporary injunction was granted by Justice Samuel F. Miller, of the Supreme Court, enjoining said officers from allowing further entries on any of the lands in question in Webster, Humboldt or Hamilton counties.

The following is the material part of the order granting the same:

“The clerk of the said court at Des Moines, will issue a writ as prayed for in said petition, restraining and enjoining the defendants from receiving, filing, hearing or in any way considering any applications for homesteads or pre-emptions on lands certified to the State of Iowa for the use of the Des Moines River Improvement grant in the counties of Webster, Humboldt and Hamilton.”

On final hearing the bill was dismissed and on appeal to the Supreme Court of the United States—December Term, 1869—the decree of dismissal was affirmed. August 28, 1868, under instructions from Secretary Browning, the Commissioner of the General Land Office wrote the Register and Receiver, instructing them “to proceed in the duties required by the decision in the Battin case, regardless of the injunction, and to receive and file declaratory statements from actual settlers in all cases strictly falling within the ruling made in the Battin case, . . . . simply filing in the Circuit Court an answer denying its power to control their official action and a motion to dissolve the injunction for the want of such power.” It was upon the theory thus indicated that the Supreme Court of the United States affirmed the decision of the Circuit Court dismissing the bill. At the December term, 1869, in the Hannah Riley and George Crilley cases, as has been already stated, it was finally determined that the lands were not subject to homestead or pre-emption entries. The material portion of the opinion in the Riley case, is contained in the paper preceding this.

February 27, 1869, Secretary Browning, in the case of the pre-emption claim of one Levi Hull to a quarter section of the lands in question, reversed the decision of the Commissioner of the General Land Office, holding the lands subject to pre-emption; and August 25, 1870, the then Secretary of



the Interior, Cox, in a communication to the Commissioner of the General Land Office, referring to that decision in connection with the decision of the Supreme Court in the Riley case, said:

“As the decision of my predecessor has thus been sanctioned by the Supreme Court, it is the duty of the department and of your office to execute it in all cases where it is applicable.”

September 13, 1869, Felix G. Clark, register of the Land Office, at Des Moines, in a communication to the Commissioner of the General Land Office, said:

“Hundreds of persons who have settled upon and claim lands situated within the Des Moines River grant, above the Raccoon Fork, are continually, daily, making inquiry at this office in relation to their claims, the probable result or final decision of your department, and they are growing very impatient and give me much trouble. There are quite a number of cases on my desk not disposed of, awaiting some action in your department. I write to inquire if anything has been done or is likely to be, soon, that will settle this long-pending controversy about the Des Moines River lands. It is a great curse to our State.”

In 1873, the cases of *Williams vs. Baker, and Cedar Rapids R. R. Co. vs. The Des Moines Navigation Co.*, 17 Wall., 144, and *Homestead Co. vs. Valley Railroad*, 17 Wall., 153, were decided. In the opinion in *United States vs. Des Moines, etc., Co.*, 142 U. S., before referred to, the court says of these cases:

“The first two cases were disposed of by one opinion. Both were suits to quiet title. One side claimed under the river grant and the other under the railroad grant of 1856. Decrees in favor of the river grant were sustained.”

“In the third case (*Homestead Co. vs. Valley Railroad*), which was also a contest between a claimant under the railroad grant and parties claiming under the river grant, the validity of the latter was affirmed and in this opinion the court said: ‘It is therefore no longer an open question that neither the State of Iowa nor the railroad companies for whose benefit the grant of 1856 was made, took any title by that act to the lands then claimed to belong to the Des Moines River grant of 1846; and that the joint resolution of 2d of March, 1861, and the act of 12th of July, 1862, transferred the title from the United States and vested it in the State of Iowa for the use of its grantees under the river grant.’”

In 1879 another phase of the legal controversy came before the same court in *Woolsey vs. Chapman*, 101 U. S., 755. The claim there adverse to the river grant originated as follows: July 20, 1850, the agent of the State having charge of the school lands, selected the particular tract in controversy as a

part of the 500,000-acre school land grant, and in 1853 a patent was issued thereon by the State to Woolsey. Under the school land grant no rights accrued to the State until the lands were selected by the agent of the State, and this particular tract was not selected until July 20, 1850, several months, as it will be observed, after the date of the reservation under the river land grant. The deed from the State to the Navigation Company under which Chapman claimed was subsequent to the patent from the State to Woolsey, and it was contended that Chapman could not question the title thus previously conveyed; but the court say in the opinion:

“Of this we entertain no doubt. If the State had no title when the patent issued to Woolsey, he took nothing by the grant. No question of estoppel by warranty arises, neither does the after acquired title enure to the benefit of Woolsey, because when the United States made the grant in 1861 (by the joint resolution) it was for the benefit of *bona fide* purchasers from the State, under the grant of 1846. . . . The original grant contemplated sales by the State in execution of the trust created, and the *bona fide* purchasers referred to (in the joint resolution) must have been purchasers at such sales. This being so, the grant when finally made enured to the benefit of Chapman rather than Woolsey.”

At the same term the case of *Litchfield vs. The County of Webster*, 101 U. S., 773, was decided, in which the question was at what time the title to these river lands passed from the United States and the lands therefore became subject to taxation. The question is disposed of in the opinion as follows:

“We think, however, that for the year 1862 and thereafter they were taxable. By the joint resolution Congress relinquished all the title the United States then retained to the lands which had before that time been certified by the Department of the Interior as part of the river grant and which were held by *bona fide* purchasers under the State. . . . This relinquishment enured at once to the benefit of the purchasers for whose use the relinquishment was made. All the lands involved in this suit had been certified, and *Litchfield*, claiming under the river grant, or those under whom he claims, were *bona fide* purchasers from the State.”

In 1883 the case of *Dubuque & Sioux City R. R. Co. vs. Des Moines Valley R. R. Co.*, 109 U. S., 329, on error to the Supreme Court of Iowa, which was an action to recover lands and quiet title, and in which the parties respectively claimed under the railroad grant of 1856 and the river grant, it was said in the opinion: “The following are no longer open ques-

tions in this court. . . . 3. That the act of July 12, 1862, c. 161, Stat., 543, 'transferred the title from the United States and vested it in the State of Iowa, for the use of its grantees under the river grant.' " Citing *Wolcott vs. Des Moines Co.*, *Williams vs. Baker*, *Homestead Co. vs. Valley Railroad* and *Woolsey vs. Chapman*.

In 1886 in the case of *Bullard vs. Des Moines & Ft. Dodge R. R. Co.*, 122 U. S., 167, on error to the Supreme Court of Iowa, the contention on behalf of the plaintiff in error was that the resolution of 1861 which relinquished to the State the title to the lands held by *bona fide* purchasers under it, operated to terminate the *reservation* from sale made by the land department for the benefit of the river grant, and thus to leave all lands above the Raccoon Fork, not held by *bona fide* purchasers, open to settlement up to the act of 1862, which in terms extended the grant to the northern limits of the State. The title of the plaintiff in error rested upon three settlements, two of which were made in May, 1862, a few days before the passage of the act of July in the same year, and one made after the passage of that act; but the court held that the reservation was not terminated by the joint resolution and that the lands were therefore subject to the reservation at the time the first two settlements were made, and that after the act of 1862 extending the grant, "no title could be initiated or established because the land department had no right to grant it."

In the reference previously made to the Goodnow tax cases, the conflict between the State and United States Supreme Court decisions, and how the former were made to prevail over, or rather evade the latter, not having been referred to, will be noticed here.

In the case of *Homestead Company vs. Valley Railroad*, the title having been held to have passed under the river grant, upon the alternative prayer of the Homestead Company to be re-imbursed in that event the amount of taxes paid by it, the court holding adversely to the claim said:

"It is true in accordance with our decision that the taxes on these lands were the debt of the defendants which they should have paid,

but their refusal or neglect to do this did not authorize a contestant of the title to make them its debtor by stepping in and paying the taxes for them without being requested so to do. Nor can a request be implied in the relation which the parties sustain to each other. There is nothing to take the case out of the well established rule as to voluntary payment. If the appellants, owing to their too great confidence in their title, have risked too much, it is their misfortune, but they are not on that account entitled to have a tax voluntarily paid refunded by the successful party in this suit."

In the case of *Goodnow vs. Moulton*, 67 Iowa, 555, prosecuted by Goodnow as assignee of the Homestead Company for the recovery of part of these same taxes, the defense of voluntary payment having been relied upon and the case of *Homestead Company vs. Valley Railroad* cited as authority, the Supreme Court of Iowa, overlooking the above quoted paragraph of the opinion in that case, say in their opinion:

"We have looked in vain for anything in the statement of the questions involved or the opinion of the court which tends to show with any degree of certainty that the right of the plaintiff to recover the taxes paid was in the case." And held the taxes paid by his assignor recoverable by Goodnow.

In the subsequent case of *Goodnow vs. Stryker*, the same court, though having in the mean time discovered its oversight in the *Moulton* case, refused to follow the decision in *Homestead Co. vs. Valley Railroad* saying:

"Since the decision in *Goodnow vs. Moulton* we cannot follow the decision in *Iowa Homestead Co. vs. Des Moines Navigation & Railroad Co.*"

This and a number of other cases decided by the Supreme Court of Iowa in the same way, were taken on error to the Supreme Court of the United States where, following the decisions of the State Supreme Court rather than its own previous decision in *Homestead Co. vs. Valley Railroad*, for the reason that the decision of the State Court did not depend upon a "Federal question," they were affirmed, except one or two of them in which the parties were the same as in the *Homestead Company* case, and the plea of former adjudication had been interposed, which were reversed.

While so entitled in the official report and nearly always referred to by that title, *Homestead Co. vs. Valley Railroad*, is misleading, the *Des Moines Navigation & Railroad Co.* and a

number of its grantees, including E. C. Litchfield, John Stryker and Wm. B. Welles, being the defendants, and not as the title imports, the Des Moines Valley *Railroad Company*, and it only.

After these repeated decisions affirming or collaterally recognizing the legal title of the Navigation Company and its grantees, the settlers abandoning any further contest in their own right, instead of joining forces and influence with the opposing claimants and making a more determined fight for indemnity, were unfortunately misled into the belief that the United States might, in a suit for that purpose, have the certification under the river grant, the settlement between the State and Navigation Company, and the conveyances to the Company, pursuant to the settlement, cancelled and set aside and the title to the lands quieted and confirmed in itself; and that when the title should thus be again at its disposal, it would quiet and confirm title in them to their homes. The absurdity of the Government being able to thus rehabilitate itself with the title which, as held by its own court of last resort in the numerous cases to which reference has been made, it had by the joint resolution of 1861, expressly "relinquished to the State of Iowa," for the use of its grantees, including the Navigation Company and its grantees, seemed not to occur to them, or, what is more surprising, to their better informed advisers. So determined, however, were they to further contend for the land by means of a Government suit, rather than for indemnity, that notwithstanding they were allowing hundreds of judgments for possession to be rendered against them without resistance, they refused to be dispossessed, and in one way or another were generally successful in either outwitting or intimidating the officers in their efforts to eject them. By means of a secret organization known as the "Settlers' Union" they were always able on very short notice to concentrate a sufficient force for that purpose wherever writs were to be executed. The plan usually adopted was to allow the officer, who generally came provided with teams and help for the purpose, to execute his writ by removing the oc-

cupant and his goods from the premises, and as soon as he was out of sight, with the help that had been summoned, to resume possession. Evidently such a condition of things could not long continue. Either the judgments and process of the courts must on the one hand be respected and obeyed, or, on the other, openly and forcibly set at defiance. The latter was the result.

In July, 1888, a writ of possession was issued on a judgment for possession obtained by Mr. Litchfield against one Grosenbacher and placed in the hands of Deputy United States Marshal Holbrook of Fort Dodge for execution. Grosenbacher submitted without resistance to removal, but as soon as Holbrook had gone, with the aid of some of his neighbors, moved back again. On returning a short time afterward to again evict him, Holbrook was several times shot at from ambush, one shot only taking effect, and though not seriously hurt, he deemed it wise to desist from further attempt to execute the writ. As the event created unusual excitement throughout the river land district, and but for an interference hereafter to be mentioned would almost certainly have led to serious and fatal collisions in more determined efforts to effect other numerous contemplated evictions, some particulars concerning it may be of interest. According to one report:

“Before Holbrook was hit he heard caps snap on a gun and saw the smoke from it. The report was loud enough to attract his attention and he said to Grosenbacher, ‘What was that?’ Grosenbacher, keeping away from him, said, ‘You will find out.’ Holbrook then thinking some one might be shooting at him said they had better not waste any ammunition and walked away from Grosenbacher toward his team that was standing near, when a loud report, as if from a shot gun, was heard and he was struck by two large shots, one in the hip and one in the arm. One of the horses was also hit by one shot and several struck the harness. The smoke came from north of the house in the edge of the corn field close to the willows. Holbrook is sure there was only one shot fired at the time he was hit. This is quite different from Grosenbacher’s statement, as he says three shots were fired at this time.”

The following is an account of the effect produced by the occurrence, given by a gentleman of intelligence and reliability, and who was specially interested in investigating the matter:

"After the shooting the settlers and the whole country were wild with excitement. All kinds of ridiculous stories were circulated, one of which was that the river land company was going to send soldiers here, and after dispossessing the settlers by force would destroy and devastate all their improvements. Another story was that all members of the Settlers' Union were to be arrested. The settlers evidently made up their minds that this was to be done, and that troops were to be brought to arrest the whole Settlers' Union. Acting under this belief, there is no doubt they have been making systematic preparations for war. I am told, although I do not know how reliable the information is, but it seems to be reliable, that they have purchased dynamite and fuse wire, and have been purchasing arms on a large scale. This was done with the belief, as above stated, that there were to be wholesale arrests."

Subsequently another writ was issued and placed in the hands of another Deputy for execution. Forewarned by the experience of Holbrook, he went with sufficient help and *equipment* for any emergency. The following is his report of the result. After stating the fact of his arrival at the farm he proceeds:

"I took a position between the house and the field where Grosenbacher was working, so as to keep him from getting to his house and getting any fire arms, as he is an excitable man and his ignorant son is foolish enough to shoot. Grosenbacher came on a run towards us, saying he would shoot the first man who would enter his house. I took out my revolver and told him to stay where he was, and if a shot was fired he would abide by the consequences. His son was behind him and motioned to the hired man to go to the hay stack. I told the hired man to fall in line, then told the men to clean out the house. I made the son take a seat and kept him until everything was moved off the place, and then talked with him about the shooting of Marshal Holbrook. He told me five shots were fired for the purpose of notifying the Marshal, and the sixth one was fired to hurt him, and then he went off lively. He said, 'You people may get it before long.' He then wanted to go to the house to get his coat, saying he was cold. I told him to remain where he was; a little freezing out would do him good."

The situation now became very critical. Numerous writs were in the hands of U. S. Marshal Desmond for execution and he was preparing to execute them at whatever hazard. On the other hand the settlers, as was generally believed, were well organized and prepared for armed resistance. At this threatening juncture U. S. District Judge Shiras of the Northern District of Iowa, where the writs were to be executed, knowing that a suit was about to be commenced by the Government of the character and with the object already indicated,

took the responsibility of directing the Marshal to return the writs without attempting their execution, thus averting what might have proved very serious and fatal collisions and the possible necessity of the calling out of troops in aid of the Marshal. The suit that was soon thereafter commenced and forever put an end to the long and vexatious legal controversy will be referred to at some length in a concluding paper.

Going back in time to the first suggestion of the proposed government suit: Deeming it best, if not necessary, that such a suit should be first authorized by act of Congress, the Forty-ninth Congress passed such an act, but it was vetoed by President Cleveland March 11, 1886. After giving his reasons for refusing his approval, he said in his message:

“Should there be meritorious cases of hardship and loss caused by an invitation on the part of the Government to settle upon lands apparently public, but to which no right nor lawful possession can be secured, it would be better, rather than to attempt a disturbance of titles already settled, to ascertain such losses and do equity by compensating the proper parties through an appropriation for that purpose.”

The General Assembly of Iowa, being in session at the time of the passage and veto of this act, two days after the veto message was delivered, adopted a preamble and concurrent resolutions introduced by Senator, now U. S. District Judge, Woolson, reciting in the preamble, among other things that citizens of the State “in good faith and under the invitation of the Government” had settled upon the lands in question and that the General Assembly had “at different sessions by memorials and joint resolutions expressed the urgent desire of the State that Congress should promptly pass a bill looking to proceedings quieting the title to such settlers and permitting them to own and continue to occupy the homes they had made on such lands,” and resolving as follows:

“*Be it resolved by the Senate of the Twenty-first General Assembly of Iowa, the House of Representatives concurring, That the Iowa delegation in Congress merit the thanks of this General Assembly, which are hereby tendered, for their efficient efforts in obtaining the passage of said bill.*

*Resolved further, That it is with deepest regret that this General Assembly has learned of the veto of said measure by the President, and that by this veto the President has disappointed the just expectations of the people of Iowa.”*



At the next session of the General Assembly, the writer of this sketch, then a member of the Senate, convinced that the only remedy possible was indemnity, introduced a concurrent resolution memorializing Congress to grant that form of relief, in the preamble to which it was recited, among other things, that the settlers located on the Des Moines River Lands had "entered upon the same in good faith with the intent to make pre-emption and homestead entries in accordance with decisions of the Department of the Interior that the same were public lands and subject to pre-emption and homestead entry," and that "by repeated decisions of the Supreme Court of the United States the lands so entered upon by such settlers" had been held not to have been subject to such entry, but to have passed to the State of Iowa under the joint resolution of March 2, 1861, for the benefit of *bona fide* purchasers thereof from the State. The resolution itself was as follows:

*"Be it resolved by the Senate of the State of Iowa, the House of Representatives concurring, That our Senators and Representatives in Congress be, and they are hereby requested, to use their best endeavors to secure the prompt enactment of a law whereby full and complete indemnity shall be provided for all persons who in good faith and with intent to obtain title thereto under the pre-emption or homestead laws of the United States, have entered upon any of said lands not subject to such entry for the reason that the same were reserved from entry and sale, as belonging to the Des Moines River Land Grant of August 8, 1846."*

A direct vote on the resolution was prevented by the adoption of the following substitute, offered by Senator Woolson:

*"Be it resolved by the Senate of Iowa, the House of Representatives concurring, That our Senators and Representatives in Congress are hereby requested to favor the immediate passage of the bill lately introduced in the Senate of the United States by Hon. James F. Wilson, and now pending in Congress, in so far as it has for its object to provide that the Attorney General of the United States do immediately commence proceedings, or cause such proceedings to be instituted by suit, either in law or in equity, or both, as may be necessary, and appear in the name of the United States so as to remove all clouds from the title to said lands in which suit any person or persons in possession of, or claiming title to any tract or tracts of lands under the United States involved in such suits may, at his or their expense, unite with the United States in the prosecution of such suits to the end that the title or titles of any person or persons claiming said lands may be forever settled."*

This was in February, 1888. At the succeeding session of

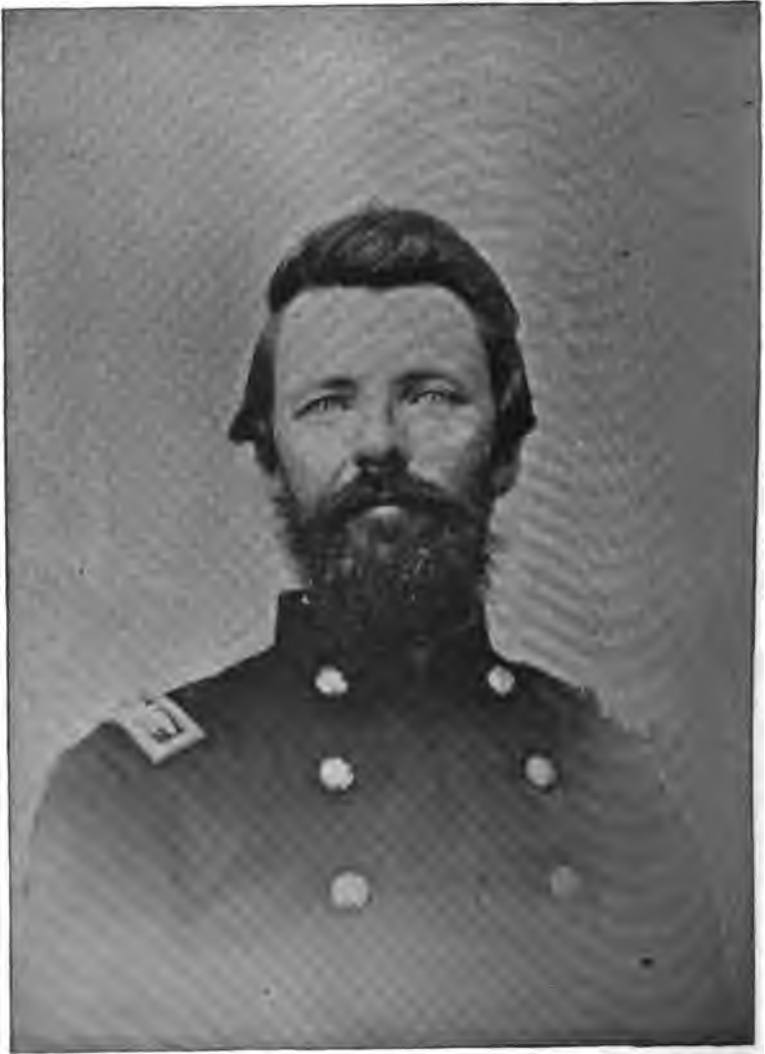
Congress a House bill substantially the same as that of Senator Wilson, referred to in Senator Woolson's substitute, and as that passed by the Forty-ninth Congress and vetoed by the President, passed both houses, but it also was vetoed by President Cleveland. When it was before the Senate Senator Evarts of New York offered as a substitute a bill for indemnity, and in the course of his remarks in favor of the substitute used this language:

"My own judgment, Mr. President, is that the settlers who are sought to be benefited by this act are ill advised or misconceive their resort. Perhaps indemnity would answer their wishes or their purposes as well as the maintenance of their footing on the land. Nor do I wish to disparage that sentiment and that adherence to what they may suppose their rights; but, in my judgment, this act will only introduce a new series of litigation, which must terminate in an utter disappointment of the plans and hopes of these settlers, and must finally bring us back, after a much protracted litigation and after their hopes are still longer deferred and still more bitterly disappointed, to the only proper remedy which, I submit with great respect to the Senate, is the remedy which is included in the bill I have proposed and have had read for information."

President Cleveland in his message vetoing this bill said:

"I am not unmindful of the fact that there may be persons who have suffered, or who are threatened with loss, through a reliance upon the erroneous decisions of Government officials as to the extent of the original grant from the United States to the Territory of Iowa. I believe cases of this kind should be treated in accordance with the broadest sentiments of equity, and that where loss is apparent arising from a real or fairly supposed invitation of the Government to settle upon the lands mentioned in the bill under consideration, such loss should be made good. But I do not believe the condition of these settlers will be aided by encouraging them in such further litigation as the terms of this bill invite, nor do I believe that in attempting to right the wrongs of which they complain legislation should be sanctioned mischievous in principle, and in its practical operation doing injustice to others as innocent as they and as much entitled to consideration."





*John L. Wilds*

## THE TWENTY-FOURTH IOWA VOLUNTEERS.

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FROM WINCHESTER TO DAVENPORT.

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BY CHAS. L. LONGLEY.

(Continued from July Number.)

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## II—CEDAR CREEK AND CAMP RUSSELL.

The first paper of the three, to which this sketch of the last year's service of the Twenty-fourth Iowa is restricted, left that regiment on October 10, 1864, encamped with the Army of the Shenandoah on the east, or northeast, bank of Cedar Creek, just where it unites with the North Fork of the Shenandoah. Massanutten, or Three-top, Mountain stretches for several miles along the opposite bank of the river, rising to a considerable height and pushing, at many points, bluffly and seemingly impassable battlements clear to the river's bank. The general course of the Shenandoah here is to the northeast, and Cedar Creek, with many convolutions, runs to the southeast—the two streams making a broadly open Y at their junction. The Winchester Pike crosses the left arm of this Y something like a mile, in a direct line, from the junction. Crooks's eighth corps was encamped between the pike and the river, with an entrenched line near the creek and pickets on the river, while his main camp was some little distance back on higher ground. The nineteenth corps was entrenched along the creek, west, or northwest of the Pike; and the sixth corps was encamped to the right and partly in rear of the nineteenth. The fourth brigade, second division—to which the 24th Iowa belonged—held the left of the nineteenth army corps; and consequently but a single regiment—the 28th Iowa—interposed between the 24th and the Winchester Pike, which lay along the summit of a ridge some hundred yards from the position of the regiment.

On October 12th, the sixth corps started toward Washington,

for the purpose of being transferred to Grant's army at Petersburg, but was recalled the next day on account of the arrival of Early's infantry at Fisher's Hill, some three miles up the valley from the Federal position. On this same day General Sheridan was called by telegraph to Washington to consult with the Secretary of War; but being under the impression that the sixth corps was no longer there, Mr. Early, in the vernacular, "got gay" and attacked a reconnoitering column, pushing Thoburn's infantry brigade back a little, but getting decidedly the worst of it from Custer. This delayed Sheridan until the 15; and, after getting started, he was overtaken by a letter from General Wright, whom he left in command, inclosing a message, translated by our signal officers from the Confederate flags, which was signed by Longstreet, and said: "Be ready to move as soon as my forces join you and we will crush Sheridan." This afterward turned out to be a hoax, gotten up by some smart Confederate expressly to fool the Yankees; but it only had the effect to cause all the cavalry—a large part of which was just starting on a long scout—to be ordered back to General Wright; with which, and a letter of caution, General Sheridan left him and proceeded to Washington as planned.

During this time events in camp were a trifle monotonous. Almost every morning a brigade or more would be started before daylight on a reconnoitering trip, while a good part of the rest of the army would be required to stand to arms. This over, there was little doing except the oft-repeated incidents of camp life. The weather was delightful, at least during the day-time; but already the nights were growing rather cool for out-door sleeping. The 24th Iowa had, on the 30th of September, 17 commissioned officers and 353 enlisted men present for duty, with 2 officers and 4 men on detached duty and 1 officer and 11 men sick—making a total present of 388. This would be about the effective strength of the regiment at the time now under consideration. The general health of the men was excellent; but as no clothing had been issued since the beginning of the campaign, there were no

active dudes on the list. Indeed, Major Wright says in his report for October, 1864, that, "Many of the men were nearly barefooted, but well supplied with arms—Springfield rifle-muskets, in excellent condition." On the 14th, however, a full supply of clothing was issued to the brigade—beginning at 10 P. M. and taking the entire night, eliciting the frequent inquiry as to why in *sheol* this could not have been attended to in day time, when there was absolutely nothing else to do.

On the evening of October 18, Lieutenant Colonel Wilds, in command of the 24th, in common with other regimental commanders in the brigade, received orders for the regiment to fall in at 5:30 next morning and stand to arms in the entrenchments along the creek, taking the place of the second brigade, which was ordered out upon a reconnoissance. Everything seemed quiet and peaceful in that beautiful valley. A force sent out during the day reported that Early had fallen back from the advanced position recently taken, and the impression prevailed generally that he knew when he had enough and would not attempt the offensive again at present. The autumn sun made an unusually grand descent behind the North Mountains, flooding the western sky with purple and gold. The bugle calls of the cavalry regiments (something no participant in that campaign will ever forget) came floating down from the outposts on the foothills with tones so clear and sweet as seemed only possible to use in again proclaiming "Peace on earth and good will toward men." So the night fell and the Army of the Shenandoah, surrounded by its cordon of guards, was steeped in unsuspecting slumber.

In that other army, less than five miles distant, very different conditions prevailed. One of Early's divisions was commanded by General John B. Gordon—the same man whose voice recently rang out in the chamber of the United States Senate with the declaration that those who in years gone by wore the gray were now and at all times ready to stand beside those who wore the blue to protect the flag of our common country from anarchistic foes within, as well as from foes without. General Gordon was a man of thought, as well as of ac-

tion. The result of his cogitations was this night put on the boards with himself in the title *role*. For with three divisions of infantry he forded the Shenandoah some five miles below the mouth of Cedar Creek, and, with canteens, bayonets and everything likely to rattle either thrown off or tied down, took to the mountain side and spent the night threading its rugged paths, about 2:30 A. M. reaching a point just above the mouth of the creek. Here the pickets were quietly captured and the river re-crossed at two fords a thousand yards apart; and there you have fourteen thousand men deployed to the left rear of the eighth corps, completely on its flank and only a short half mile away. In the meantime the two remaining divisions of Early's army, commanded by Wharton and Kershaw respectively, starting later in the night, had advanced along the pike to the hamlet of Strasburg, where the latter deflected to the right and marched to a ford near the mouth of Cedar Creek and directly in front of the eighth corps entrenchments, then occupied by Thoburn's division only. Wharton, for his part, followed the pike, halting a little over a mile from where it crossed the creek, which placed him on the left front of the nineteenth corps.

Such was the general situation in the early morning of October 19, 1864. And while these details may not seem apropos in connection with a paper whose purpose is a brief sketch of the comparatively small part taken by a single regiment, they nevertheless enforce themselves upon our attention. For not only is it impossible to intelligently comprehend never so small a part of any battle without some idea of the whole, but it is also true that Cedar Creek was the most striking and romantic of all the battles during the war of the rebellion; and that often as its story may have been told, it will still be found worth telling. It was under the circumstances and conditions thus imperfectly set forth, that Major Wright rose about five o'clock, according to the arrangement with Lieutenant Colonel Wilds, and went quietly down the line arousing the company officers in order that the men might be ready for the duty assigned. And it was some half hour later,



while the command was slowly resolving itself into the condition of a military machine, that all were alike startled and surprised by a ringing volley of musketry, much too close at hand to be easily explained. This was followed by scattering shots that seemed further away—but by nothing tending to solve the mystery. The reader will readily apprehend what had happened; that the first volley was fired when Kershaw rushed over Thoburn's breastworks, and the scattering shots came when the divisions with Gordon advanced into the unprotected camps of the remainder of the eighth corps. In both cases the Union men were as completely surprised as is possible—the "Yanks" making an undignified exit from one end of the "dog tent" just as "Johnny Reb" stuck his head into the other end to say, "good morning." But all this was as yet wholly unknown and unsuspected by the remainder of the army. Major Wright rode up to brigade headquarters, but although he found the officers outside standing about the fire, no information could be gained, and back he went to the regiment, which, under command of Colonel Wilds, had fallen in along the color line, but now began getting breakfast. Few, if any, of the coffee pots had boiled, however, when orders came to again fall in, move by the left, and form along the pike. It was now between 6.30 and 7.00 o'clock, but a fog so dense hung over the valley, that, to quote Colonel Wright, "A stand of colors could not be distinguished twenty yards away." And it was from out of this darkness, made blacker by a near background of foliage, that this advance was met, just as it reached the pike, with a withering volley of musketry. And as the command, still moving and only partially in line along the new front, sought to reply, they saw, away up the pike to our left and rear, silhouetted against the eastern sky, file after file of men crossing in serried array. And this was not all: Wharton, who halted at 5:30, little more than a mile west of where the pike crosses the creek, has advanced, captured the battery guarding the crossing and is now pressing forward on our right. The men were falling rapidly and the capture of the entire brigade imminent, when the order

was given to fall back. Those who still could go, stood not upon the style of the movement. It was a race—not to the rear, so far as the original position of our line was concerned, but through the ravines and over the ridges up and along the creek. And although a number were hurt later in the day, it was here that the principal loss of the regiment occurred, including all the prisoners. It was here that Captain Pound, of Company C, was struck by a minie, fairly on the heel of his army brogan, just as the foot was raised in the act of stepping. The impact hurled him to the ground, under the confirmed impression that his leg was gone; but a quick “try” with both hands proved the contrary and he was glad to scramble up and again join the procession. Here, and very early in the retreat, a musket ball passed through Major Wright’s left arm, close to the elbow, striking but not breaking the bone. The immediate result was extreme nausea. Colonel Wilds was riding near him, carrying the colors of an Indiana regiment whose bearer had fallen in the melee. Being told of Major Wright’s sickness, the latter was advised to lean over the horse and put his arms about his neck; which he did, thus saving himself from falling until he was able to dismount. And it was very soon after this, about the time the retreat passed over Meadow Brook, that the gallant Wilds was himself struck from his horse by a musket ball that shattered his arm above the elbow, and it was with difficulty that he was assisted from the field to a place of safety. And here it was that Weeks, a bright Corporal of B, Channell, a fine young Sergeant in D, Nichols, Carney and others, were stricken with sudden death, while many more fell with cruel wounds.

The scene of this retreat was indeed a wild one. The flying Federals heard in the hideous uproar the moans of starving comrades in Andersonville and redoubled their efforts. Officers and men were falling every instant, while close behind, and beside as well, pressed the exultant rebels, firing constantly and yelling like demons. But the sixth corps had been on the move; and now, after a retreat of nearly two miles, the 24th, as well as the rest of the nineteenth corps, found an op-

portunity to reform on the right and rear of that command. At its first contact with the enemy the 6th corps was badly overlapped on its left, and in retiring slowly and in perfect order, making sharp resistance at every available point, and again falling back before getting involved, this body of troops performed superb service and made a most magnificent exhibition of bravery and skill. During Major Wright's sickness, which lasted nearly an hour, the 24th was commanded by Captain L. Clark, who had long before been commissioned Major, but not properly mustered. But just after taking position on the right of the 6th, Major Wright again assumed command and held it throughout the day.

The dash and vigor of the enemy's attack began gradually to wane as the resistance grew more effective; and by the time the tactics of the sixth corps (in which the nineteenth corps participated after its arrival) had cleared the left flank, its final position some three miles to the rear of the Cedar Creek line was held with no difficulty. Much time was consumed in re-arranging the Confederate troops to meet the new disposition of the Federal Army, and Early himself complains bitterly of the way in which his divisions were weakened by the many who stopped to gather the rich booty offered to straggling plunderers in the Union camps. With no new element, the contest would undoubtedly have ended here—the rebels falling back shorn of complete victory, but carrying with them substantial proofs of great success in the shape of 24 pieces of captured artillery and many small arms, as well as some hundreds of prisoners. But about this time, namely eleven o'clock A. M., a new element *did* appear on the scene in the person of "Little Phil" himself, after the ride from "Winchester, twenty miles away," so celebrated in song and story. And song and story has seldom found so literal a basis for so dramatic an episode. For Sheridan's magnificent black horse *did* bring him toward the sounds of battle like a whirlwind; dispirited stragglers along the road *did* turn as he passed and with renewed courage again seek the front; and Sheridan, finally arriving there alone, *did* "dash down the

line 'mid a storm of huzzas," assuring the men that they were "not licked by a blankety blank blanked sight, but would be back in their old camps before night." And so they were. It was almost four o'clock before the dispositions were made exactly to the General's liking; but when the advance was finally ordered, it swept down over the plateau like a tidal wave. The desperate efforts of Early and his lieutenants to resist were futile. Custer led a cavalry charge on the right and Lowell on the left, and the entire Confederate army was in a panic-stricken flight, resulting in the loss to them not only of fourteen hundred prisoners, but also of all their own artillery as well as that captured from us earlier in the day, and in fact, of everything on wheels which had been brought over the creek.

When the nineteenth corps took its place on the right of the sixth corps, the 24th Iowa was on the left of the former and next to the latter; but about noon Major Wright received orders to move to the extreme right and protect the flank, which he did, throwing out a heavy skirmish line. When the final advance was ordered, such brief notice was given the regiment that it became necessary to double-quick a mile to regain its place in the line—the enemy's shells coming over and exploding in the rear, making this an especially interesting performance. And when the continuing advance finally brought them where they could see over the field, clear to Cedar Creek, the Major says the pursuit was being pushed so close that you "absolutely couldn't tell where the rebels left off and our fellows began." By six o'clock the regiment was back in its old camp sure enough, and halted there to make coffee. Here, also, were found quite a number of our wounded. Most of these had been left because they were unable to march, but Captain Knott, of Company H, had succeeded in escaping by making himself look so much like the dirty crevice into which he had crept that the Johnnies went away and never saw him. In their hasty departure "they were unable to tell which was dirt and which was Knott." Everything of value had been taken from the camp, leaving the men without shelter tents or blankets; and when they were pushed on be-

yond Cedar Creek and bivouaced on a bleak northern hillside without fires, it was to spend about as uncomfortable a night as fell to their lot during the service.

It was here that Major Wright for the first time was able to have his arm dressed, by this time so swollen that the coat-sleeve could with difficulty be removed. He had also received a severe and troublesome bruise on the hip, caused no doubt by a passing fragment of shell, as the skin was not broken, although the clothing was torn away. Here also came the evening roll-call and the sad attempt to account for those who failed to answer, as killed, wounded or missing. The actual casualties of the battle, not so large as on some previous occasions, were nevertheless quite sufficient, amounting to one officer and 10 enlisted men killed or mortally wounded, five officers and 36 men wounded, and two officers and 39 men captured; total, 93. Those killed or who died of wounds were as follows: Lieutenant-Colonel John Q. Wilds, Joseph Conway, Corporal Carlos F. Weeks, Sergeant Chester F. Channel, Corporal A. C. McCoy, Morris Mink, William Franks, Sergeant McB. Nichols, George S. Smith, Peter Carney, Sidney B. Diamond.

Colonel John Q. Wilds, although brave to a fault, was an exceptionally tender-hearted man, and was most highly regarded, personally, by those under his command. The wound received by him should not have cost him his life, but under the circumstances and conditions such was the unfortunate result. Just the day before the battle of Winchester, one month earlier, Colonel Wilds learned of the death of his wife, to whom he was devotedly attached. She left him two beautiful little daughters, and on the very day before the battle of Cedar Creek, came to him the tidings that one of these had gone to join her mother, while the other was dangerously ill. This left him very despondent, and he not only appeared to abandon hope from the moment of his injury, but positively refused to permit the amputation of his arm. Blood-poisoning resulted, from which, at Winchester, on the 18th of November, 1864, he died. If anything need be added to this sad story

concerning Colonel Wilds and his family, it is found in the further fact that the death of his remaining daughter took place at so nearly the same moment as his own that although the disposal of his quite considerable estate depended alone upon which one of them lived longest, the court, after the fullest possible hearing, was unable to determine, and the property was by consent divided equally between the relatives of the Colonel and those of his wife. A brother of Colonel Wilds came from Pennsylvania to Winchester where he lay wounded, and took his remains to Mt. Vernon, Iowa, where in the quiet little cemetery the family were reunited. The Colonel was a native of Pennsylvania, where he was born in 1825. He had been a merchant much of his adult life, was a man of more than average intelligence, of refinement and of the most intense patriotism. He was a kind friend, a brave soldier and a loyal soul. May he rest well.

Among the wounded and captured officers, mention has already been made of the escape of Captain A. R. Knott, by hiding while under guard, during the battle. Lieutenant C. H. Kurtz, being severely wounded in the foot, was also left on the field. Captain W. W. Smith of Co. G and Lieutenant Charles Davis of Co. A, both taken in the early morning, went into a long and tedious captivity, from which Lieutenant Davis finally escaped at Danville, Va., the next February, reaching our lines after great privation and danger. Captains A. M. Loomis and E. H. Pound were both slightly wounded. Of the 36 wounded men, many were severely hurt and never again rejoined their companies; while the fortune of those who were taken prisoners was, if possible, still more trying and unhappy.

As one of the incidents of the battle it might be mentioned that Colonel Wilds' horse escaped when his rider was shot and was unheard of for several weeks. He had, it transpired, received three wounds during the battle, one of which totally paralyzed his fly-disturber; and when finally discovered at Winchester in another command, there was some uncertainty in regard to his identity. This, however, was set at rest by procuring an interview between "Old Charley," the horse, and

“Old John,” the colored brother who had taken care of him. The recognition was mutual and so obvious as to set at rest any doubt that might have existed. Major Wright’s horse also received three bullets, but although one of them passed clear through her neck, she carried her master throughout the day. The neck wound, by the way, proved an entire cure for a case of “moon eyes” of long standing, and Colonel Wright is now prepared to recommend shooting through the neck as a panacea for that ailment.

The news of the victory at Cedar Creek was received with great rejoicing throughout the country, and like that at Winchester was signalized by General Grant with a salute of one hundred shotted guns, fired into Petersburg. The President sent General Sheridan an autograph letter of warm congratulation, which was read to every regiment on the evening of Oct. 24, and received with most enthusiastic applause—the cheers that rose from one command after another re-echoing from the environing mountains as a fantastic requiem to the many voiceless comrades who lay in shallow graves along the line of the old camps, to which the several regiments had returned three days previously. The weather was unusually cold directly after the battle, especially at night, and no little suffering resulted; but this was largely mitigated by an issue of clothing and blankets on the 21st, the day the regiment returned to its former camp. Upon the 25th the regiment, in common with the entire brigade, received four months’ pay—the entire payment being made, for some inscrutable reason, between five o’clock in the evening and daylight the next morning. Very soon after this the regiment was sent to Martinsburg as a train guard, thus giving the boys an excellent and well improved opportunity to invest their newly acquired wealth in unaccustomed luxuries.

The succeeding three weeks were devoted to the not exceedingly desirable duty of guarding trains over the twenty odd miles of road subject to Mosby’s raids, with alternate rests of from one to three days at the front and Martinsburg. The notable incident during this time was *election*, which was held Nov. 8, near Martinsburg. Mr. John Mahin, of Muscatine,

was the commissioner to take the votes of the three Iowa regiments in that army, and set up the ballot box for the 24th on the warm side of a huge boulder, where the writer had the privilege of casting his first vote for the great emancipator for President. No challenging was done; "old enough to fight, old enough to vote," seemed to be accepted, although there were those who acknowledged themselves minors and did not attempt voting. These could not have been many, however, as 303 votes were cast, out of which Lincoln received 285 and McClellan 18, more than half of the latter being cast by a single company.

Snow had already fallen and all became unpleasantly aware of a colder climate than had been before experienced during two years, when, on November 17, the order to prepare winter quarters was received with great enthusiasm. The camp was at once alive with busy workers, and on the 21st the pocket diary before referred to says: "The work of building winter quarters is practically done. The rows of neatly built and comfortable huts seem miracles considering the means at command. A hatchet and spade were all the tools used by the most favored; and with a few logs, slabs and boards, and dog tents for roofs, they made pretty good houses." General Sheridan, in orders, named this Camp Russell, after the brave cavalry officer killed in the final charge at Cedar Creek; and it was the home of the regiment for the remainder of the year, and practically of its sojourn in the valley. Not much of interest attaches to this period. One of the mornings showed a snow-fall of fifteen inches, and it was quite refreshing to hear the cursory remarks with which the boys delved into it to find wood enough to boil coffee. Another day brought an exciting panorama, when a number of men from our own and adjoining infantry regiments went into a deserted cavalry camp less than a mile in our front and were caught there by a squad of Mosby's guerrillas. The chase, as seen from camp, was both serious and amusing. Two members of the 24th were captured; but after being robbed and actually stripped of their clothing, were permitted to return, which they did quickly and gladly, but in a very destitute and demoralized condition.



On December 30th, Grover's division was taken out of the comfortable quarters at Camp Russell and sent to the terminus of the military railway, now in operation to within two or three miles of Winchester. The 24th Iowa, however, was excepted, being sent to the town itself for special duty at Post headquarters. This was considered quite an honor; and as Lieutenant-Colonel Wright (now properly mustered as such, with Captain Clark, of Company E, as Major) was told at Sheridan's headquarters that this arrangement was permanent, the men went cheerfully at work to again construct winter quarters. In four or five days better ones than ever had sprung into existence—one "mess" with two or three brick-layers actually indulging in brick walls.

January 4, four fortunate officers of the regiment and 15 lucky men received the leaves and furloughs which authorized them to make the trip to Iowa; and it was with hungry, but by no means unfriendly eyes that the rest of us stood about and saw them start. Next day, at 7:00 P. M., came orders to be ready to take the cars early on the morning of the 6th. And while the men of the 24th are busy securing the prescribed three days' rations, mourning over the sudden end of the dreams of easy life in winter quarters and speculating as to the possibilities of their unknown destination, we leave them for the present.

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KE-O-KUCK.—A sale of lots in this village, and a portion of the farming lands within the surveyed part of the Half-Breed Lands, will take place on Wednesday next. This place is situated on the west bank of the Mississippi, about 200 miles above St. Louis, immediately at the foot of the lower rapids, where, during the low stages of water, the steamboats land, and lighten their boats in order to pass over. The landing is inferior to none on the river—the back country is represented as being beautiful, well watered, and, as soon as the lands are divided and sold must become settled by hardy and industrious farmers.—*Iowa News, (Dubuque,) June 10, 1837.*

## FIFTY-TWO YEARS IN IOWA.

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BY PROF. W. P. HOWE.

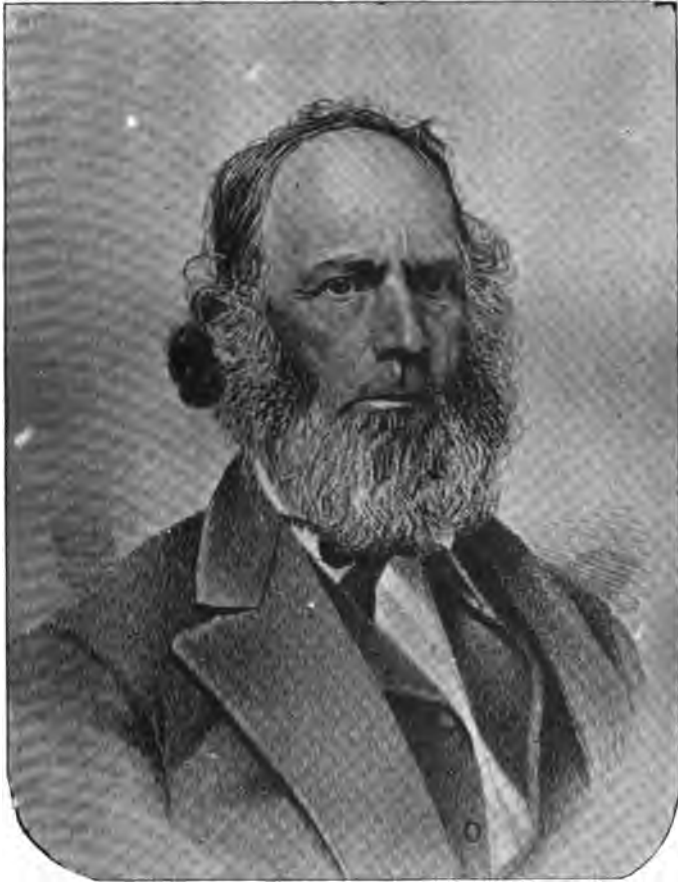
Late Member of Faculty of Mt. Pleasant, Iowa, High School and Female Seminary.

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My father's first visit to the beautiful country lying west of the Mississippi was in 1839, at which time he crossed that river at Flint Hills (now Burlington), and made a very thorough examination of the territory. He was so delighted with the country that soon after the election of General Harrison to the presidency in 1840 he removed his family from Ohio to Iowa, and located in Henry County, near Mt. Pleasant. He was well situated in Ohio; had established a flourishing and successful High School and Academy at Lancaster in that State, in which he had very thoroughly trained for active life the future General Sherman, and his eminent brother Hon. John Sherman, the distinguished Senator from Ohio, as well as a multitude of other ambitious young men who afterward filled honorable and illustrious careers; but he could not resist the fascinations presented by the new Eden beyond the great Father of Waters, and so at a great loss financially, and putting aside the most flattering prospects, he turned his face toward the western world.

My father was a very ardent Whig, and my last recollection of Ohio was that he took me with him to a monster Whig mass meeting at Newark, the county seat of Licking County, held in honor of General William Henry Harrison. I distinctly remember to this day the quaint log cabin, drawn by a long procession of oxen, the barrels of hard cider, the savory barbecue, the festive coon, the flags, banners and music, the eloquent speeches and the great tumultuous, enthusiastic multitudes present on the scene in honor of their illustrious leader.

We made the removal from Ohio in two-horse wagons filled with the usual household furniture and utensils. Brother Hayward, at present and for fifteen years past the successful



*Your Father Samuel L. Howe*



principal of the Carson City, Nevada, High Schools, was at that time the baby, and there was generally plenty of music at the head of the column. I distinctly remember the horrible corduroy roads across the Indiana swamps. Neither language nor imagination can do them justice, but, like the darkey doctor's medicine, they would either kill or cure.

The journey was some six or seven hundred miles, and occupied several weeks. Late in November, 1841, we located on the boundless prairie near Mt. Pleasant. Our first home in Iowa was on the Burlington trail, along which parties of Indians were continually passing to and from Flint Hills (now Burlington), either for their government annuities, food supplies, ammunition, trinkets, or "fire water." Our cabin was very small, situated in a sea of luxuriant prairie grass that rolled its green billows up to the very door. Its one little room was at once parlor, pantry, bedroom and kitchen, and a boisterous crowd of happy little children slept in a trundle-bed under the bed. A hole in the ground about seven feet deep, unwallled and without a sign of a curb, was the only well. All the other domestic conveniences were equally limited and inadequate.

Such was the situation that confronted my mother, who had been accustomed all her life to all the comforts and enjoyments, and even luxuries and refinements of a highly civilized and long settled state. But she faced the new life with brave and patient heroism, and although she had many a quiet and sad shedding of tears over the desolation with which she was surrounded, and the separation from loved relatives and life-long friends in the East, yet the invincible spirit that animated the Spartan mothers hushed every heart-ache—put away every tear—overcame every obstacle. And this is true of every pioneer mother of Iowa to-day. May their memory ever be kept green and sacred in the hearts of their countrymen, and the tributes of deep and loving gratitude be perennial and eternal.

For over two years all our cooking was done by an open fire-place. Such a thing as a stove was unheard of. Corn bread and pork, with rye coffee, formed the prairie bill of fare, with an occasional dish of mustard greens. But there

was an abundance of wild game—deer, wild turkeys, prairie chickens, quails, pheasants, etc., which afforded a very pleasant and delightful change. Indeed, the choicest beef of the present day couldn't begin to compare with the tender young venison of that early period,—so plentiful and tame that the young deer often browsed up to the very door.

In the summer time the snakes were so numerous that they passed to and fro through the house at all hours, and in due time one of the children was bitten by a rattlesnake, but fortunately recovered. This was Oscar, the oldest, now for more than thirty-five years honorably and successfully connected with the New York City Schools.

In the winter of 1841-2, my revered and honored father, the late Professor Samuel L. Howe, resumed school teaching in a log cabin set apart on his farm for that purpose. From this little prairie academy were graduated two men who afterwards filled important stations in human life. One of them, Hon. Thos. Spearman, was sheriff of Henry county continuously for seventeen years, and the other one, Jas. Spearman, his brother, a gallant Captain in the Union army, was desperately wounded in one of the many battles around Vicksburg, and finally died of his wounds,—one of those priceless offerings on the altar of patriotism with which Iowa's brow is gemmed with a glory brighter than burnished gold.

In 1843 father removed his school to Mt. Pleasant, then a village of log cabins, "few and far between." There being no other accommodations, it was located in the upper room of the old log jail. Hell leered through the grated openings below—Heaven looked with smiles of love and welcome through the barred windows above. Never before perhaps in human life was jail so dignified—so utterly transformed—so glorified. This jail deserves commemoration in history side by side with the famous Bedford street jail where the immortal Bunyan wrote the inspired allegory of the Pilgrim's Progress. Here to this little college jail room in Mt. Pleasant, Iowa, came the bright, ambitious lads and lassies of the "village of the plain." Wholesome in mind and body, and every whit as smart and spirited as the peerless Iowa children of to-day. I remember

that there were several boys from the country in attendance, and that they generally stood at the head of their classes, though some of them lived three or four miles away. Nearly every day father would give the school a brief lecture, and always wound up with the forcible expression, "What! are you always going to let these country boys beat you? And they with so much work at home, and then coming so far to school? You ought to be ashamed of yourselves!" But, philosophize as we may country boys have always led the procession. The foremost names in history, in every department, belong to that illustrious array of mighty spirits who began their human destiny on the farm.

From this school in the old jail was graduated one of the foremost merchants of Mt. Pleasant to-day,—a man estimated to be worth over one hundred thousand dollars, and one of our leading and most public-spirited citizens. Also another noble youth left this jail academy who afterwards became Governor of Nebraska and a member of the United States Senate.

In 1844 the school was temporarily removed to the Cumberland Presbyterian Church, now the residence of Dr. Wellington Bird, and toward the close of 1845 it was transferred into the Academy Building specially erected for its permanent home, where it has ever since remained, having an unbroken record of over fifty years of continuous existence, making it unquestionably the oldest continuously operating institution of learning in the State. During this long eventful period this noble institution has sent out to bless the world thousands of whole-souled, earnest young men and women into all departments of human life. The present principal, Professor Seward Curtis Howe, ever since he took charge, has gradually maintained the reputation of the school and kept it fully abreast of the demands of modern times.

In this connection it is only just and proper to say that some of Iowa's most distinguished citizens laid strong and solid foundations for useful life work in this school, among whom the late Judges Tracy and Browning of Burlington, Judge Sampson, Judge L. G. Palmer, Judge W. I. Babb, Hon. Jno. S. Woolson, U. S. Circuit Judge, Hon. B. J. Hall, Hon. John

Van Valkenburg, Judge A. H. Bereman, Major Thos. A. Bereman, Hon. Edwin Vancise, Hon. Alvin Saunders, ex-Governor and ex-U. S. Senator of Nebraska, and a long array of other equally distinguished names. Judge J. C. Hall and Judge David Rorer of Burlington, life-long supporters of the school, were among my father's warmest personal friends, though their politics were as wide apart as the poles.

After the destruction of the Whig party my father became a free soiler, though in Henry County he was quite alone in that grand and noble advocacy of "free soil, free speech, free labor and free men." At a very early period his house was a station on the "underground railroad" (the first one north of Salem), and many a poor colored man, woman and child did he help on their way from slavery to freedom,—bidding them God speed, not with loving and encouraging words alone, but also with transportation, money, food and clothing. But as a free-soiler and abolitionist he was bitterly hated, and had to endure the wickedest persecution. But he was every whit a hero,—a hero fit to be named with classic martyrs of the past. His property was destroyed, his stock stolen, emissaries were sent to take his life, and finally he was brutally mobbed by the pro-slavery ruffians in the streets of Mt. Pleasant. I have heard my venerable mother, now 84 years old, often say that she expected to see him brought home dead almost any day,—a victim to the deadly malice of the pro-slavery men. But my father was a man of the most heroic and fearless courage— one of God's grand, great-hearted noblemen. He defied persecution, hatred, loss of property, social ostracism and even dared death itself in defense of those immortal principles that afterwards became the chief corner-stone of the great National Republican Party.

In 1848 he became a stockholder in the only abolition, free-soil paper then published in the Northwest. The paper was called *The Iowa Freeman*, and was published by Alanson St. Clair at Ft. Madison. D. M. Kelsey was its first editor. In 1849 the paper was removed to Mt. Pleasant, Henry County, this State, where my father finally bought it and published it, under different names, for more than ten years. During the



exciting presidential campaign of 1856 it was one of the most powerful and influential advocates of the principles of Republicanism in the State, and even now national distinction in the great political battlefield of the Union. My father lost nearly ten thousand dollars in this heroic newspaper work, as he had already sacrificed thousands of dollars before; but he never regretted all this marvellous self-sacrifice and toil, for he lived to see his life-long principles at last triumphant and crystallized in the platform of the grandest and greatest political organization of modern times.

I presume that no man—no newspaper—did more effective work for the election of Governor Grimes, Iowa's first Republican Governor, than did my father,—for not only did his newspaper exercise a powerful influence in every portion of the State, but he also made a personal canvass of the same, and delivered ringing and eloquent Republican speeches in every large city and town.

In the momentous conflict in Kansas between the Free State men and the Border Ruffians, covering the period from 1855 to 1859, two of my father's sons, at the most critical period of the contest, stood side by side with the heroic John Brown in the great preliminary struggle between freedom and slavery just preceding the civil war, and the old hero of Osawatomie and Hickory Point never had more devoted defenders.

When the civil war broke out, my father sent three sons and two sons-in-law to the Union armies, and from the 15th day of April, 1861, to the 21st day of July, 1865, there was always a member of the Howe family in the service maintaining the honor of the old flag and the integrity of the nation. To the day of my father's death this fact sweetened every hour of the beloved hero's existence, and invested his life with a halo of happiness.

But I must bring these reminiscences to an end, leaving untold very many interesting events for lack of room. My mother, now in her eighty-fourth year, and myself, are the only two members of the family who have lived in Iowa over fifty-two years. We feel very proud that, under God, we have

been permitted this great honor. It is certainly an experience well calculated to fill any honest heart with just pride and satisfaction.

As I draw to a close suffer me to say that no imagination can form an adequate idea of the beauty and grandeur of the Iowa Eden as it existed in the early territorial settlement. It was one vast ocean of billowy plain, gorgeous with flowery beauty—vocal with harmonies of life and landscape almost divine. The soul gazed in wonder on a scene more brilliant than the Field of the Cloth of Gold,—more beautiful than the vales of Valambrosa,—more enchanting than dreams of Araby the Blest. The warble of bird—the hum of bee—swelled the sweet chorus of the great hymn of nature. Beautiful groves here and there dotted the emerald landscape with the glory of God's first temples. Everywhere, all around, in limitless and unequalled grandeur and loveliness, swept away one vast, magnificent pastoral. Here, amidst this wealth of beauty and glory, might have been written the Odes of Horace—the Georgics of Virgil—the tender lyrics of Burns—the majestic measures of Scott. Herds of deer fearlessly roamed the vast verdant plains, and the wild turkey, the pheasant and the whistling quail swarmed in countless numbers in its secluded woodlands or along its pellucid streams, and the call of the pinnated grouse from the flower-crowned prairies fell on the ear with a melody pure, joyous and never to be forgotten. The picturesque Indian, solitary and reserved, still lined its romantic rivers with his wigwams, and chanted his legendary hymns from the bosom of its peaceful vales.

All this has passed away forever. Fifty years have wrought a wondrous and a mighty transformation. Iowa is the miracle of the ages. From her primeval wilderness has been carved out the most wonderful commonwealth of the Union,—the brightest star in our proud galaxy of States. Truly a peerless empire,—Christian, enlightened, progressive. All honor to that noble band of pioneers who dared the dangers and privations of the wilderness that they might build for future generations this mighty State. Many are dead,—have passed

away to "that silent bourne from whence no traveler returns." But few remain. All too soon shall we see these venerable heroes no more forever. May they ever be crowned with the love and honor of a grateful people. To have been a pioneer in the upbuilding of such a peerless and majestic State as ours—representative of all that is noblest and best in modern civilization—is a crown of honor to any man or any woman, and may well entitle every venerated old settler of Iowa to the love and gratitude of mankind.

God bless those dauntless heroes,  
 The West's brave pioneers—  
 All honor to their courage,  
 To their memory our tears.  
 They bore the toil and hardship,  
 They gave their noblest powers  
 To build in matchless beauty  
 This glorious State of ours.

God help us guard the treasures  
 Committed to our trust,  
 And may angels keep their vigil  
 Above their sacred dust;  
 High on the roll of glory  
 Will their peerless names be seen,  
 And love,—in song and story,—  
 Will keep their memory green.

*Mt. Pleasant, Iowa, October 18, 1894.*

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### GRIMES—CARPENTER.

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The leading article of this number of *THE ANNALS* is a very able, carefully-written study of the character and life-work of James W. Grimes—a man to whom history will assign a place in the front rank of American Statesmen—from the pen of Cyrus C. Carpenter, one of his successors as Governor of Iowa, who knew him intimately and well for many years. Gov. Carpenter writes with full knowledge of the subject, and in sincere appreciation of the man who was in a large sense his mentor, at his own entrance into public life. The article is a valuable one. It is a rare thing in the history of States, that any man has such a hold upon the masses of the people as Gov. Grimes possessed in the winter of 1857-8. The great issue raised by the slave power was before the country and he had fought it to the death so far as Iowa was concerned—in some of the most memorable and remarkable canvasses that ever took place west of the Mississippi. Mr. Carpenter had been chosen to the Iowa House of Representatives in the autumn of 1857, by a district composed of 19 counties in the northwestern corner of our State. This was the beginning of his long and honored public career. The writer at that time published the only paper in that great district which supported Carpenter—his competitor being John F. Duncombe, who has since risen to distinction as a leader in the Democratic party. This pioneer contest was conducted with energy and determination on both sides. It resulted in Carpenter's election by the small majority of not far from 125. The names before the voters for United States Senator were those of Gov. James W. Grimes, and Gen. Geo. W. Jones,



Yours very truly  
Raymond C. Carpenter



the then incumbent of the position. The newspaper referred to—*THE FREEMAN*, of Webster City—supported Grimes.

Prior to the last session of the State Legislature in Iowa City, which made the division, Webster County included the present county of Hamilton within its borders, as is shown by the old maps. At a previous election Webster County had voted to issue \$100,000 in bonds to aid in building a railroad, and it was reported that an effort would be made at the session of 1858 to apportion this sum between the two counties—a proposition peculiarly distasteful to the people of Hamilton.

The writer called the attention of Gov. Grimes to this matter, asking his aid in defeating the measure. The Governor replied in the following hitherto unpublished letter, which possesses much interest when read in connection with Gov. Carpenter's article:

DES MOINES, JAN. 29, 1858.

*My Dear Sir:*

Your favor of the 15th inst. came duly to hand.

I have thus far watched the proceedings of the Genl. Assembly, but up to this time no bill to legalize the issue of bonds by either Webster or Hamilton Counties has been introduced. No such bill even if enacted into a law would be of any avail. If the issue would be illegal without the law, it would be illegal with it. This question has just been decided by the Supreme Court in a case brought up from Lee County. By reference to the acts of last session you will see that a law was passed to legalize the issue of bonds by Lee and Davis Counties. I believed the law valueless and refused to sign it, but allowed it to take effect by retaining it in my hands three days. The question came up upon the validity of this legalizing act and it was held by the full bench to be wholly worthless.

I shall put some of our friends on their guard against such a measure if presented, though if passed, it cannot result to your disadvantage.

I suppose you have learned the result of the Senatorial election. I wish to thank you most sincerely for the kind expressions contained in your letter, and in the "*Freeman*," in relation to me personally, and I trust an opportunity at no distant day will be presented when I can in some degree reciprocate your kindness.

I am pleased to be able to say that your representative, Mr. Carpenter, occupies a very high position in the House and is an honor to his constituents. I am, very truly, your friend,

JAMES W. GRIMES.

*Charles Aldrich, Esq., Webster City, Iowa.*

## REMOVING THE BATTLE FLAGS.

Most of the States—even those of the South—long ago placed the flags borne by their military organizations, during the war for the Union, in safe and permanent quarters. But those of Iowa had hung in the old Adjutant-General's office, in Des Moines, with very slight protection, subject to the influences of decay and gradually dropping to pieces. This neglect was occasionally mentioned, but no movement for their protection was ever initiated until the winter of 1892, when Hon. A. J. Chantry, of Mills County, introduced "Senate File No. 374, a bill for an act for the better protection of the colors, standards and battle-flags, carried by Iowa regiments and batteries in the war of the rebellion." This bill, which became a law, referred the matter to the Adjutant-General and Curator of Historical Collections, and appropriated the sum of \$3,000 to defray the expense of procuring the necessary cases and arranging the flags. There were many delays, owing to the illness and absence of Adjutant General Greene, who had the matter principally in charge; but after he was able to visit several other States and study the disposition which had been made of their flags, plans were prepared which met the approval of the Executive Council, resulting in the construction of two compact and most beautiful cases—one on each side of the entrance to the State Library. Upon the completion of this work, there seemed to be a unanimous feeling among the surviving soldiers of this State in favor of making the transfer of flags to the capitol building an affair of ceremony, in which all who marched under them should be invited to participate. This feeling was also universal among our people generally. In deference to this unmistakable public sentiment Gov. Frank D. Jackson on the 28th of June issued his proclamation naming the 10th day of August, 1894, "as an appropriate day for the transfer of the battle-flags from the State Arsenal to the capitol building," recommending that this day "be known and referred to as Battle Flag Day, and that it be observed as a public holiday consecrated to the memory of the



patriotism and valor of Iowa's soldiers, living and dead."

The matter was then taken in hand by the committee of arrangements, who issued an "official announcement for Battle Flag Day."

The details of the parade and exercises are too lengthy to be reproduced in these pages, but may be found in the newspapers of the 10th and 11th days of August. We also understand that there is a probability that the proceedings of the day with all its incidents before and afterwards, will be officially published in a neat memorial volume accessible to all. The Adjutant General of the State estimated that there were 3500 to 4000 Iowa Soldiers of 1861-65 in the city, all of whom who were able to walk were eager to join in this last march in honor of these precious old flags under which so many of their comrades had died. The day was very hot, and some vexatious delays occurred in the formation of the parade, but the occasion as a whole was a magnificent success, only surpassed, perhaps, in interest and importance by the great gathering of 20,000 Iowa soldiers at Des Moines in 1870.

The flags having been delivered to the representatives of the various regiments by Lt. Gov. W. S. Dungan, the procession marched to the Capitol, where the exercises were as follows:

1. Call to order by Gen. J. W. Noble, late Sec'y of the Interior, presiding officer.
2. Music, by the Des Moines Union Band.
3. Invocation, Rev. A. V. Kendrick.
4. Original Poem, Major S. H. M. Byers.
5. Address, "Returning the Flags to the State," Major John F. Lacey.
6. Response by Governor Frank D. Jackson.
7. Martial Music, Carper's Drum Corps.
8. Song, "Star Spangled Banner," Mrs. Jessie Cheek.

The following is an official list of the flags carried by Iowa Regiments during the War of the Rebellion, and borne by the old soldiers to the Capitol building:

ARM OF SERVICE.	National.	Banners.	Guidons.
CAVALRY.			
First regiment .....	1		
Second regiment .....			4
Third regiment .....	2		2

Fourth regiment .....	1		2
Fifth regiment .....			2
Seventh regiment .....		1	
Eighth regiment .....		1	2

## ARTILLERY.

First battery .....		2	
Second battery .....	1		
Fourth battery .....	1	1	

## INFANTRY.

First regiment .....	1		
Second regiment .....	4	2	
Third regiment .....	3		
Fourth regiment .....		2	
Fifth regiment .....	1	2	
Sixth regiment .....	2	1	
Seventh regiment .....	2	1	
Eighth regiment .....	2	2	
Ninth regiment .....	2	2	
Tenth regiment .....		2	
Eleventh regiment .....	2	1	
Twelfth regiment .....	1	2	
Thirteenth regiment .....	1		
Fourteenth regiment .....	1	1	
Fifteenth regiment .....	4	3	
Sixteenth regiment .....	2	2	
Seventeenth regiment .....	3	2	
Eighteenth regiment .....	1	2	
Nineteenth regiment .....	1	2	
Twentieth regiment .....	1	2	
Twenty-first regiment .....	1	1	
Twenty-second regiment .....	2	2	
Twenty-third regiment .....	1	1	
Twenty-fourth regiment .....	1		
Twenty-fifth regiment .....	2	3	
Twenty-sixth regiment .....	2	1	
Twenty-seventh regiment .....	1	2	
Twenty-eighth regiment .....	2	2	
Twenty-ninth regiment .....		1	
Thirtieth regiment .....	2		
Thirty-first regiment .....	2	2	
Thirty-second regiment .....	1		
Thirty-third regiment .....	1	1	
Thirty-fourth regiment .....	2	1	
Thirty-fifth regiment .....	2	2	
Thirty-sixth regiment .....		2	
Thirty-eighth regiment .....	1		
Thirty-ninth regiment .....	2	1	
Fortieth regiment .....	1		
Unknown .....		1	

## COLORED TROOPS.

First infantry (60 U. S. Vol. A. D.) .....	1		
Total .....	67	59	12

## THE WASTE IN PRIVATE HANDS.

Since the organization of the Historical Department we have often had occasion to learn how soon and how sadly the most precious books, documents and other memoranda, are lost or destroyed, when retained in private hands. True, there are private collectors, and occasionally other private persons, who carefully preserve whatever comes into their possession; but these are only exceptions to the general rule. Losses occur from accident, neglect, fires—in fact, in numerous ways. The most of these objects are within very short periods, utterly wiped out. This is really the order of nature. Thoreau, the poet-naturalist of New England, deemed it a wholesome thing that houses should be burned with their contents, once about every so many years, in order that there should not be too great accumulations of what he considered mere rubbish! And looking to periods somewhat longer than we have in contemplation at this time, Dr. Holmes sets forth in "The One-Hoss Shay," that:

"Little of all we value here  
Wakes on the morn of its hundredth year."

What has most annoyed the writer of this item is simply this: That it has become so very difficult to procure certain early Iowa documents, implements, utensils in use fifty years ago, or even specimens of fire-arms with which our early settlers destroyed game and drove back the Indians. Up to this time we have not been able to secure one of the guns carried in the Spirit Lake Expedition of 1857. We can easily recall the days when flint-lock muskets, which came down from the Revolutionary War, or the War of 1812, were quite plenty in almost every neighborhood. They were always certain to be brought out in western New York at the Company and "General Trainings" of the "barefoot militia." But they are now only to be met with in museums. So of scores of articles which would at this time be veritable *curios*, as showing the customs and handicrafts of our fathers. One of our old-time

Iowa physicians—Hon. S. G. Matson, of Linn County, who still happily survives, and to some extent practices his profession—has sent to the Historical Department, not only a great deal in the way of precious early literature, but the antiquated “pill-bags,” surgical instruments and portmanteaus, which he used half a century ago. But where an individual is thus careful to preserve such objects, one might search the whole State over and not find another.

The plain deduction from all this is, that if the reader happens to own valuable books, documents, autograph letters, manuscripts, or other objects of historical or archæological value, the best disposition that can be made of them is to place them in some public collection where the building is fire-proof, and where systematic care will be taken of its contents. In our efforts to obtain early Iowa newspapers we often hear that such and such files have been lost in fires. Several Iowa journalists have freely presented their files to the Historical Department, because of this constant danger of fires. In our beautiful capitol all such objects are not only well cared for, in no danger from dampness, the ravages of insects or fires, but are always accessible to the public. If one does not feel like surrendering the ownership of such articles, they may be loaned to the State. It is a well-known fact that some of the finest museums in the country are largely made up of loan collections. Even the great National Museum at Washington, exhibits and cares for hundreds of objects thus loaned to it. The best thought upon this topic is doubtless this: That as a general rule these loans are seldom called for. The practice, however, is an excellent one, for the people are benefited, the objects are always preserved and may be repossessed if necessary.

## NOTABLE DEATHS.

EX-GOVERNOR SAMUEL J. KIRKWOOD died at his home in Iowa City, on the 1st day of September. He was close upon 81 years of age, and nearly half of his life was a citizen of Iowa. He was a native of Maryland, was educated in the city of Washington, and for several years was a clerk in a drug store at the National Capital. He taught school in York County, Pennsylvania, for some time, and in 1835 accompanied his father and family to Richland County, Ohio, and assisted in clearing up a farm in the heavy woods which then covered a large portion of that State. Tiring of the hard labor and privations of farm life in a new country, he decided in 1841 to study law, entering the office of Judge Bartley, at Mansfield. He was admitted to the bar in 1843, and in 1845 was elected on the Democratic ticket, Prosecuting Attorney for the county, in which position he served with ability for four years. In 1850 he was chosen a delegate to the convention which framed the present Constitution of Ohio, and took an active part in its deliberations. In 1855 he removed to this State, and settled on a farm near Iowa City, where he acquired an interest in a large flouring-mill on the Iowa River. But he did not remain long in private life. The great uprising of the American people against the extension of human slavery into our new Territories was then at its height, and a breaking off from former party affiliations was alarming the old leaders of the Whigs and Democrats. The Republican party was in process of formation, made up of men who were determined to resist the aggressions of slavery. A call had been issued on the 3rd of January, 1856, for a State Convention to meet at Iowa City, on the 22d of February, to organize a Republican party in Iowa. Samuel J. Kirkwood was chosen a delegate from Johnson County to that convention. In the evening after its work had been accomplished, an enthusiastic session was held, in which several stirring speeches were made by delegates who afterwards became famous in State and National history. Among these was Mr. Kirkwood. His was among the most impressive speeches of that historic gathering, and from that day he became one of the trusted leaders and counselors of the new party. At the next election he was chosen State Senator from Johnson County, serving four years with marked ability. He was one of the authors of the State banking law enacted by the first session of the Legislature after the adoption of the Constitution of 1857, which first authorized banking in Iowa. At the close of his term he was nominated by the Republicans for Governor and elected over Gen. A. C. Dodge, his Democratic opponent, by 3,200 majority. His administration of the State Government for four years has never been equaled, and he has passed into history as Iowa's "Great War Governor." It was under his administration that the forty-nine regiments of Iowa volunteer soldiers were raised, officered and equipped which did such honor to the State in the War of the Rebellion. Before the expiration of his term as Governor, Mr. Kirkwood was appointed by President Lincoln, Minister to Denmark, but declined the position. In 1866 he was chosen United States Senator to succeed James Harlan, who had accepted a seat in the Cabinet. In 1875 he was again elected Governor and before the expiration of his term, was chosen United States Senator for six years. Before this term expired, he was invited into Garfield's Cabinet as Secretary of the Interior, where he remained until after the tragic death of the President. He was now well advanced in years and retired to his pleasant home at Iowa City, where for the last ten years of his life he enjoyed freedom from public responsibilities and the profound respect of his fellow citizens. His private life was pure, plain and unostentatious, as his whole public career was patriotic and un-

selfish. He was actuated by the single inspiration of the public good. In the whole galaxy of Iowa's eminent public men, it is truth to say, that none ever held a warmer place in the affections of her people, or stood higher in their confidence and admiration. It is our hope, in some future number of *THE ANNALS*, to present a more elaborate study of his life and public services, with several illustrations.

HON. THOMAS MITCHELL died at his home, in Mitchellville, on the 15th of July, 1894. He was born in Claremont, New Hampshire, March 3, 1816. His father died when he was but 16 years of age, and being left without a home, he hired out as a farm laborer. His education was limited to very moderate attendance at the country district schools. He came West in the fall of 1839, working awhile upon a farm near St. Charles, Missouri. In March, 1840, he came to Iowa, stopping at Keosauqua, where he again went to work. During that year he bought a "claim," in Jefferson county. In 1841 he was united in marriage with Elmira Swift, of Thedford, Vermont. In 1844 Mr. Mitchell removed to Polk County, and built a log cabin near Camp Creek, in which he entertained travelers. This was the first house built in the county outside of Fort Des Moines. In 1846 he entered 1,080 acres of land in what is now Beaver township. Mr. Mitchell was present when the treaty was made with the Indians occupying this part of the country, by which they sold their lands to the General Government. In 1846 he was elected Sheriff of the county. In 1857 he was elected Representative in the Legislature, serving in the first General Assembly in Des Moines, where the new capital had been established and a State House erected the year before. In 1867 Mr. Mitchell founded the town of Mitchellville, and as long as he lived no saloon was ever permitted to exist in that thriving village. In 1873 he was elected to the State Senate, serving four years. He was largely instrumental in procuring the establishment of the "Girls' Industrial School" at Mitchellville. He was a prominent and influential member of the Universalist denomination during his whole mature life. Major E. H. Conger said of Thomas Mitchell that "for fifty years he had been the counselor of the leading men of the State. He had all this time a voice in the affairs of the State, for his advice was always sought. His influence over men was wonderful, and it was great because he never betrayed it. He gave to all good purposes; his life was one continuous charity, one continuous effort to do good. The poor were never sent away, and the weak never asked in vain from him." Prof. C. C. Cory said of him: "Poor in lands and money, but in all other respects the richest man that ever died in Iowa. In all that makes true riches, he was most rich. He bore a good name and won the respect and love of his fellow-men."

THOMAS S. WRIGHT, eldest son of Hon. George G. Wright, died in New York, from fracture of his skull by a fall, on the 26th of July. He was born in Keosauqua in 1845, and spent his boyhood in Van Buren County, finishing his school education at the State University. He enlisted in the Third Iowa Cavalry in March, 1864, and in November was promoted to Adjutant. In December of the same year he was made a prisoner near Memphis, and sent to Andersonville, where he suffered all the horrors of that infamous pen until the next spring. He never recovered from the effects of the inhuman treatment to which he was subjected, and to the end of his life patiently endured the broken health which so many of the survivors of that den of horrors must carry to their graves. After the war he took the law course in the State University. He entered upon the practice of his profession in Des Moines, as a partner of the late T. F. Withrow. He became an eminent lawyer, and upon

the death of Mr. Withrow was appointed general counsel for the Rock Island Railroad Company, removing to Chicago, where he resided at the time of his lamented death. He made a brilliant record as a soldier, he was a profound lawyer, but he was most prized, by those who knew him best, for his fine personal and social qualities.

**THOMAS LYMAN**, who resided in an early day at Maquoketa, Jackson County, Iowa, died at his residence in Downer's Grove, Illinois, on the 6th day of July, at the age of 70 years. He was born in Vernon, Oneida County, N. Y., March 10, 1824, the son of Rev. Orange Lyman, who came West in 1839, and settled upon government land near Downer's Grove. When the family arrived at Chicago the total number of houses was but 450. In the winter of 1838-39 Thomas attended school at Fort Dearborn, returning in the spring to his father's farm where he remained until 1843. He then went to Grandville, Mich., where he worked as a clerk in a store until 1847. On Dec. 3 of that year he was married to Miss Percie A. Clark, of Andover, O., who survives him. He and his brother, Stephen D. Lyman, were engaged for two or three years in merchandising at Rockton, Ill. In 1851 he settled in Maquoketa, where he started a general store, continuing in business until 1857, when he returned to Chicago. Ten years later he settled in the beautiful village of Downer's Grove, which was his home until his death. He was largely engaged in the real estate business, and was almost continuously a land owner in Iowa. One of the most interesting episodes in Mr. Lyman's life was meeting with old John Brown while the latter was aiding slaves to escape from Southern bondage. Brown had several closely covered wagons, each of which contained fugitive slaves on their way to the land of freedom. Mr. Lyman was on horseback and overtook the strange cavalcade several miles west of Des Moines. He saw at a glance that the members of the party were well armed, and ready any moment to defend themselves. A conversation at once sprang up between him and Brown, from which the latter soon learned that he had nothing to fear from Mr. Lyman who was a strong anti-slavery man. Four or five miles west of the city Brown turned off southward, crossing the Raccoon and Des Moines rivers at fords where there was less likelihood of meeting spies or U. S. Marshals than on the direct route. An account of this affair was published in the *Des Moines Register* several years ago. Mr. Lyman was a born sportsman, and in the old days when birds were plenty, came every year to Iowa during the shooting season. He was an able, far-seeing business man, a most genial, estimable gentleman, highly intelligent, and a lover of books and works of art. He was a noted breeder of Jersey cattle, and had kept a fine herd of these beautiful animals many years. He had made for himself an ideal home at Downer's Grove, distinguished for refinement, old-fashioned courtesy and generous hospitality.

**DR. CHARLES L. CHAMBERS** died at his home, in Cedar Rapids, on the 5th day of August, at the age of 76. He was born in Staunton, Virginia, in 1818. He was educated as a physician and settled at Muscatine, Iowa, in 1847. He practiced his profession in Tipton, Cedar County, for about thirty years, attaining high rank as a physician and surgeon. Upon the organization of the 35th Iowa Infantry, of which Judge Rothrock was Lieutenant Colonel, Dr. Chambers was commissioned Surgeon. He remained in the service until after the surrender of Vicksburg, when impaired health compelled him to resign. He spent the last twelve years of his life at Cedar Rapids. He was highly esteemed by a wide circle of friends and acquaintances in eastern Iowa.

**EDWARD M. CROW**, who died in Linn County, on the 28th of July, was the first white settler in that county. He was born in Orange County, Indiana, in 1816. He came to Iowa in 1837, and made a claim near where the village of Viola now stands. Nov. 14, 1839, he married Miss Elizabeth Bennett, who was the first school teacher in Linn county. Mr. Crow was a good citizen and a prominent and very successful farmer. He endured all the privations and hardships inseparable from pioneer life, and made of his old homestead one of the most attractive places in that county.

**DR. WILLIAM R. SMITH**, of Sioux City, died at his home on the 1st of July. He was born in Ocean County, N. J., December 30, 1828. He studied medicine and attended lectures in New York City, at the old College of Physicians and Surgeons, and first began practice at Macom, Mich. In 1856 he came to Iowa, settling at Sioux City, where he practiced medicine for eleven years. In 1861, when there were Indian troubles on the frontier, a volunteer company of mounted riflemen was raised to protect the settlers, of which Dr. Smith was chosen First Lieutenant. In 1862, when the terrible Sioux massacres desolated western Minnesota, Dr. Smith was chosen chairman of a vigilance committee organized to protect Sioux City and vicinity. In the winter of 1863, he was commissioned by Governor Kirkwood to visit the Iowa soldiers in the field and hospitals and inspect their sanitary condition. He visited those in Grant's army at Vicksburg, and was instrumental in doing much for their comfort. In 1863 he was appointed Surgeon of the Board of Enrollment, serving in that capacity during the draft of 1864. In 1865 he was appointed Receiver of the U. S. Land Office for the Sioux City district, and served with fidelity until the office was removed to Des Moines, in 1878. He was one of the incorporators of the First National Bank of Sioux City, and also of the Sioux City & Pembina Railroad Company. In 1878 he was appointed by Governor Gear one of the Commissioners to the Paris Exposition, and while absent made a tour of Europe. Dr. Smith was a prominent Unitarian, helped to organize and build Unity church at Sioux City, and was for many years president of the board of trustees. Few men in northwestern Iowa were as widely known, and none more highly esteemed by all classes of citizens. For nearly forty years he had been prominent in all good works for the development of that part of the State, and the building up of the flourishing city where he spent his days.

**COLONEL RICHARD K. MILLER** died at his home in Des Moines on the 27th day of August. He was born in Indiana in 1838, and came to Iowa in 1860, settling in Polk county. He first enlisted in the State service in 1861, in an expedition fitted out to protect the frontier. In March, 1862, he joined Company I, 14th Infantry, serving until he was disabled by an injury to his eyes, when he returned to his old home in Indiana. There he was appointed Captain of Company I, of the 128th Indiana Volunteers. He afterwards served as Colonel of his regiment. At the close of the war he returned to Des Moines and was elected Treasurer of Polk County, serving two terms with ability and fidelity. Marching with the old soldiers on "Battle Flag Day," he was prostrated by the terrible heat, from the effects of which he died a few days later. He was widely known and universally esteemed.

**DR. MYRON UNDERWOOD**, of Hardin County, died suddenly of heart disease, at his home in Eldora, on the 12th of August. He was born at Montville, Ohio, August 7, 1833, and was a graduate of Rush Medical College. He came to Iowa in 1854, settling at Steamboat Rock. The next year he removed to Eldora, where he practiced his profession up to the time of his death. He was Assistant Surgeon of the 12th Iowa Infantry during the War of the Rebellion. In 1886 he was elected to the State Senate, ably representing the district which comprised the counties of Hardin and Grundy. He was a public-spirited citizen, whose life had been eminently useful, and his name will long be borne in kindly remembrance.

**JAMES BROWNLIE**, who recently died at his home in Long Grove, Scott county, was one of the early pioneers of that part of Iowa. He was born in Scotland, in 1807, and in 1838 came to Iowa which had just been organized as a Territory. He selected a claim at Long Grove where he made a pleasant home which he occupied to the day of his death. It was at his place that the notable picnic was held July 4, 1845, at which nearly everybody in that county had assembled to celebrate the day, when Col. Davenport was murdered at his house on Rock Island by the Fox and Hodges gang of desperadoes. Mr. Brownlie was known by all of the old residents of that section of the State and highly esteemed.



THIRD SERIES.

VOL. I. NO. 8.

JANUARY, 1895.

# ANNALS OF IOWA.

A HISTORICAL QUARTERLY.



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DES MOINES, IOWA.

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George W. Peckham

Very truly yours  
H. Price

# ANNALS OF IOWA.

VOL. I, No. 8.      DES MOINES, IOWA, JANUARY, 1885.

## THE PUBLIC SERVICES OF HIRAM PRICE.

BY B. F. GEE.

Hiram Price was born in Washington county, Iowa, January 10, 1814. His father removed to a farm lying on the banks of the Junction River, in Washington county, about a mile below the little village of Junction. When Hiram was six years old he was sent to a district school which was kept in the neighborhood of the farm as a evening school. This was long before the common school system was established, and what schools there were were private enterprises, supported and kept up by the old-fashioned farmers. The teachers, who were then mostly men, had a few old kinds of books, magazines, and newspapers, and were paid by any means plenty in those days. I have seen many of them among the libraries that few were able to read, in recalling the memory of the old days. I still have a vivid recollection of the first day of coming home from the night school, and of the many rights and the heavily wooded hillsides, and the gloomy, malking a lonesome way, and of the winter days at noon, small as I was, and of the first time of going a canoe along the river near the shore, and of the first place in the shade of some great tree, and of the first day boat with a rope attached to a large stone, and of the first hour alone - angling for the sun-fish.



Very truly Yours  
A. Price

# ANNALS OF IOWA.

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VOL. I, No. 8.

DES MOINES, IOWA, JANUARY, 1895.

3D SERIES.

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## THE PUBLIC SERVICES OF HIRAM PRICE.

BY B. F. GUE.

Hiram Price was born in Washington County, Pennsylvania, January 10, 1814. His father removed to and lived on a farm lying on the banks of the Juniata River, in Mifflin County, about a mile below the little village of Waynesburg. When Hiram was six years old he was sent to a small private school which was kept in the neighborhood as both a day and evening school. This was long before the public school system was established, and what schools there were in the country settlements were private enterprises, sustained by private subscription and kept by the old-fashioned traveling country school teachers, who were then mostly men. School books, as well as all kinds of books, magazines, and even newspapers, were not by any means plenty in those days in farm houses, and were among the luxuries that few were able to secure. Mr. Price, in recalling the memory of his earliest school days, says: "I still have a vivid recollection when a little boy of seven of coming home from the night-school alone, the river on my right and the heavily wooded hills on my left, dark and gloomy, making a lonesome walk for a small boy. On Saturday afternoons, small as I was, I well remember paddling a canoe along the river near the shore to a favorite fishing place in the shade of some great trees, where I anchored my boat with a rope attached to a large stone and spent many an hour alone—angling for the sun-fish." The school days

lasted but from two to three months of the year, and boys were brought up to make themselves useful at farm work as soon as they were large enough to help at any kind of labor. Young Hiram had a taste for reading from the time he was eight years old, and on one of his horse-back rides to the distant mill with a bag of wheat thrown over the back of the animal, he made the acquaintance of an old man who was willing to lend him some books to read: He thus got "Plutarch's Lives," "Rollin's Ancient History," and other books, which he read evenings after the day's work was done, by the light of a tallow candle. In this way the farmer's boy got his first knowledge of the great world outside and began to acquire a thirst for knowledge that a few years later took him from the farm. When he was sixteen years old he got a position in a country store at a salary of twenty-five dollars a year, and board. At the end of eighteen months he had mastered the art of book-keeping by single entry, and his salary was raised to \$200 a year. Brought up to habits of industry and the most rigid economy, the young man had the courage to marry the girl of his choice, Miss Susan Betts, when he was twenty, and getting a salary of but \$300 a year. But he knew he could live somehow and keep his expenses within his earnings, which he did, never running in debt. Years afterward when he had won fame and fortune in the West he wrote to young men: "The world owes no man a living until he has earned it. Industry and economy are worth more in the battle of life than genius or wealth, or influential friends or relations. The industry and economy become a part of the individual, and cannot be taken from him without his consent. The others may all leave him whether he consents or not."

The following extract from a private letter reveals the condition financially of the young man when he ventured to take the most important step in his life: "I was twenty years old when we were married and our combined capital was \$145. So that the contract for life between us had no mercenary tinge to mar its harmony or engender strife. For over fifty years we were one in purpose, one in effort, one in hope. We took



counsel of each other on all subjects relating to our affairs; our efforts and aims were one. Our comforts and our cares were joint stock and common property."

After several years of hard work and rigid economy they had accumulated a capital of \$2,000, which was invested in a piece of real estate. But the title proved defective and the hard earnings were lost. Undismayed by this misfortune, they decided to move to the far West and begin again in a new country. In 1844 they moved to the Territory of Iowa and settled at the little village of Davenport, which then had about 800 inhabitants. When Mr. Price decided to open a little store in the frontier village where he expected to make his future home he had only about a hundred dollars in money. A historian of early times in Davenport writes of him at this time as follows: "His small pecuniary resources were supplemented by a valuable capital of another kind. What he lacked in money was made up in other possessions of greater value—he had youth, energy, perseverance, business tact, stern integrity, was rigidly temperate and conscientious in all his transactions." Could a young man have a better equipment for success in life, starting at the foot of the ladder? Such a man was sure to succeed, and in a few years he had established an excellent business reputation and won the confidence and esteem of the community in which he lived. In 1847 he was elected first School Fund Commissioner of the county under the State organization, which had been established the year before. The next year he was elected Recorder and Treasurer for Scott County, and was continued in this responsible position for eight years, serving with the utmost fidelity until he declined a re-election.

Mr. Price has always been a radical and determined opponent of the use and sale of intoxicating liquors, freely giving his time and money to promote temperance movements and organizations. As early as 1847 he was instrumental in establishing a Division of the Sons of Temperance in Davenport. In February of the next year he was the most influential leader in organizing a Grand Division of the Sons of

Temperance for the State. He was for many years at the head of that organization, and for a long period was annually chosen to represent it in the National Division of North America. In 1854 a movement was made by the temperance workers of Iowa for the establishment of a "Maine Law League," the object of which was to arouse and influence the people of the State to demand the prohibition by law of the sale of intoxicating liquors. Neal Dow, the distinguished temperance apostle of Maine, had in 1851 secured the enactment of such a law in his State, and it had wrought a great reform from the evils of intemperance, and the temperance people of many of the Northern States had organized for the purpose of securing similar legislation. When the "State Alliance" was organized in Iowa, Hiram Price was by common consent made its first President, for he had by this time become recognized by the temperance workers of Iowa as an untiring, uncompromising and fearless leader in the cause. It was determined to urge the enactment of a prohibitory law at the approaching session of the Legislature and bring all possible influence to bear to secure a law that would be effective. Hiram Price, David S. True and John L. Davies, of Davenport, were the three men selected to draft a bill to be presented to the Legislature. They met at Mr. Price's office and there devised and put in legal form the bill which was afterwards enacted into the first Iowa Prohibitory Liquor Law. Dr. Amos Witter, a Democratic Representative from Scott County, was selected to take charge of the bill, and he introduced it promptly in the House on the 13th of December, 1854. It met with most determined opposition at every stage of progress, but finally passed both houses and received the approval of Governor Grimes. The only important change in the bill as drafted by Messrs. True, Price and Davies, was that which submitted the act to a vote of the electors of the State at the April election, for approval or rejection. The friends of prohibition opened an active campaign and secured the adoption of the Prohibitory Law by a majority of nearly 3,000.

A determined organized effort was at once made by the

liquor interest in many of the larger towns of the State to defeat the enforcement of the new law, and the Grand Division of the Sons of Temperance decided to establish a paper in the interest of enforcement. The new paper was established at Davenport and called "The Temperance Organ." Hiram Price was the leading spirit in the enterprise and upon him devolved its editorial management.

That it was courageous, aggressive and able under his direction, it is hardly necessary to state. The first number, which is before me, is a handsomely printed seven-column paper having for its motto, "Be Just, and Fear Not." The leading editorial article thus announces the mission of the new paper: "The money and influence of the brotherhood of liquor dealers and their sympathizers are at work for the repeal of the law. The press—that mighty engine for good or evil—has in many instances been subsidized to aid in the accomplishment of this object; and while this has been the case, not one paper in the whole State of Iowa was found to breast the torrent, except incidentally. This state of affairs called loudly for an organ through which the temperance people of Iowa can be heard—a paper whose great object should be to defend our Prohibitory Liquor Law against its enemies, and to refute the slanders and false charges made against it. We shall ask but one question in all matters pertaining to subjects discussed in this paper, and that is, *is it right?* And if satisfied of this, if persuaded that the cause of justice and humanity will be subserved by it, we shall go ahead without reference to consequences or policy. We will assist to the best of our ability to place demagogues where they belong, and to sweep from existence grog-shops of every size and shape, until the face of this green earth shall know them only as things that were. We are not rich enough to disregard the known wants and wishes of the people, nor are we poor enough to be bought by place and power."

With such a pure and noble purpose did this new paper start out.

In writing of this enterprise thirty years later, Mr. Price

says: "The music made by that 'organ' may not have been very artistic, but no one could fail to understand the character of the tunes. It was published a year and a half, when my money gave out, and the music so far as that organ was concerned ceased. In return for the time and money I expended, I obtained a large addition to my stock of experience. Among the large chunks of knowledge that I acquired in this newspaper enterprise was the fact that it is not always the men who make the loudest professions and longest prayers who are the best Christians. Thousands of people are willing to talk and even *pray* for temperance, but comparatively few are willing to *pay* for it."

The prohibitory law was to go into effect on the 4th of July after its enactment, and the saloon men had made threats of violence against any one who attempted to enforce it in Davenport. Mr. Price and other leaders of the temperance societies had often received letters threatening their property and lives if they undertook to close the saloons. Under the lead of Hiram Price preparations were quietly made to reinforce the officers executing the law in a manner that would be most effective with law-breakers.

Application was made to the military authorities for arms, which resulted in securing a brass six-pounder and fifty-four muskets with bayonets and cartridges. It soon became known that arms had been secured and the saloon keepers and their friends threatened to capture them. They secretly organized a crowd in Davenport which was strongly reinforced by their friends in Rock Island. At the hour agreed upon they came together on the 4th of July with the avowed purpose of capturing the arms, and directed their line of march towards the place where the cannon was kept. Many of the temperance guard were absent attending celebrations, but Hiram Price happened to be down town and heard the threats of the gathering mob. Hastily securing some powder and bullets he hurried to where the cannon was kept, warning out such of his friends as he met on the streets. Thirteen determined men were soon at the rendezvous and had barely time to get their

field piece loaded and in position before the mob was seen advancing upon them about 200 strong. It was a moment of intense excitement. The cannon was in position to sweep the street upon which the mob was advancing, and supported by thirteen cool, determined men with loaded muskets and fixed bayonets. Mr. Price was in command, and as the mob advanced he gave his orders to his little band to make no movement until he discharged his revolver—then to fire the cannon, and immediately re-load and fire again, then use the bayonets. Price then slowly walked out towards the advancing crowd, presented his revolver, and ordered the howling mob to halt! To his surprise they stopped. Pointing towards his little command, he addressed the crowd in the following words: "That cannon is loaded with bullets to kill. When I fire this pistol that cannon will be fired." Marking a line across the street, he continued: "If you cross this line I shall fire this pistol! You have fair warning—if you disregard it you must take the consequences."

The mob hesitated, the front rank began to fall back, and in a few minutes they retired to a safe distance. While there was no man living more cordially hated by them than Hiram Price, they knew that *he always kept his promises*. That ended the attempt to disarm the prohibitionists, but it by no means terminated the contest between the opposing forces.

To the day that Mr. Price removed from the State he never ceased to use his influence and contribute of his means to sustain the law he was so largely instrumental in placing upon the statute books of Iowa.

He has never wavered in his lifelong warfare on saloons, has never hesitated to strike hard and heavy blows at crimes against law and society, and has never withheld the expression of his earnest convictions from considerations of policy or fear of consequences, personally or politically.

When others became lukewarm or discouraged, he remained firm; when party policy dictated compromise with the saloon interest, he raised his voice and wielded his pen with the old-time vigor of youth in protest. When the history of Prohibi-

tion is written for Iowa, no name will rank higher among the leaders and unflinching advocates of the cause than Hiram Price.

In 1853 a railroad was projected from Chicago westward to some point on the Mississippi River. Work had been begun upon the eastern end of it, and the citizens of Davenport held a conference for the purpose of inducing the company to locate its line through Rock Island, Davenport, across Iowa westward to Council Bluffs. Mr. Price was chosen to visit the chief towns along the proposed route and get them interested in the project. This was the initial movement which resulted later in building the great Rock Island Railroad through Iowa, and on westward toward the Pacific Ocean.

In 1869 a railroad was projected from Davenport northward, and Mr. Price was chosen President of the company. He put \$10,000 of his own money and all of his unsurpassed energy into the enterprise, and built the road to Maquoketa and equipped it. He also built a portion of the branch running northward via Wheatland. It is a notable fact that there were no jobs for friends or favorites in the construction and equipment of these roads. Everything was done on principles of the strictest integrity and in the interest of the stockholders who had furnished the money to build the road. No combination of influential parties was able to swerve the President from the faithful execution of the trust placed in his charge. While the road was beneficial to Davenport and the country it passed through, it was not a profitable investment to the men who furnished the money to build it and Mr. Price never realized a dollar from the enterprise.

Mr. Price had been a Democrat all the early years of his life and after he settled in Iowa was an active member of that party. He was the Democratic candidate for the first offices he held in this State. But the position his party had gradually been taking for several years in defense of the encroachments of slavery in the new Territories had alienated him from it. He was not in harmony with a majority of its members on the license of the sale of intoxicating liquors, and with thousands

of other Democrats in the Northern States was ready and anxious to ally himself with a party whose principles accorded more nearly with his own convictions of right and wrong.

On the 22d of February, 1856, there assembled at Iowa City a notable body of representative men of the State in response to a call for the organization of a Republican party. Former members of the Whig, Democratic and Anti-Slavery parties came together to make common cause against the aggressions of the slave power. Old party ties were severed, and a union of all opposed to the extension of slavery was the object of the convention.

The advocates of the Prohibitory Liquor Law under the lead of Hiram Price made a vigorous effort to secure in the platform to be adopted a recognition of their cause. The German voters, who were numerous in several of the river counties, were almost a unit in opposition to slavery and were ready to leave the Democratic party and unite with a new organization making common cause against the extension of slavery into the new Territories. But they were also opposed to the Prohibitory Liquor Law.

It was contended by those who were opposed to an indorsement of prohibition, that the paramount issue was opposition to the extension of slavery, and that this convention was called for the purpose of organizing all who held views in common on that subject into a political body to co-operate with the then rising Republican party in the Northern States in resisting the demands of the slave power. That no other issue of a local character ought to be permitted to divide the anti-slavery people or alienate a portion of them from the new party. That with union and harmony the new party could control the State and secure anti-slavery representatives in Congress, but by introducing other issues fatal divisions would ensue, leading to defeat. The advocates of prohibition met these objections and arguments with powerful appeals to the delegates *to do right*, and trust to the fidelity of the voters to give them victory.

Hiram Price was chairman of the Scott County delegation,

the largest in the convention, and was the leader of the Prohibitionists. Under his inspiration an able and vigorous contest was made for the incorporation of prohibition into the platform of the new party. But a majority of the delegates were of the opinion that the only issue should be made on slavery extension, where all could agree and work in harmony.

The Prohibitionists acquiesced in the decision of the majority, and a new party was organized which was destined to rule the State and Nation for a third of a century.

During his residence in Iowa Mr. Price had been successful in his business enterprises, and in the official positions he had held, and had acquired the reputation of an able financier. When the act of the Legislature of 1858 providing for a system of State banks took effect, he represented one of the branches, and after the first year was chosen President of the State Bank, which office he held until that system was superseded by the National banks in 1865. No better State bank system has ever been devised than this Iowa law brought into existence. Many of the features of the National banking system were suggested by the Iowa law and had here been found by the experience of seven years of successful trial to be well adapted to the exigencies of the business. The men who had organized the Iowa banks and supervised their business during the period of their successful career, retired with the reputation of able and trustworthy financiers.

When the great Rebellion suddenly came upon the country, the Northern States were entirely unprepared for war. They were generally destitute of efficient military laws to meet such an emergency, and no money was available to provide for the extraordinary expenses that must be incurred in furnishing troops in response to the calls of the National Government. While Governor Kirkwood was waiting for funds from the sale of State bonds authorized by an extra session of the Legislature, two Iowa regiments had hastened into the service. The young men composing these regiments had left their homes on short notice and generally with very little money to supply their wants. The State undertook to pay the sol-



diers, until they were mustered into the United States service but no money had yet been realized from the bonds. Hiram Price had learned of the destitution of the boys and wrote to Governor Kirkwood: "Governor: Cannot something be done immediately to furnish these men some money? If taken sick many of them have not money to buy an orange." To this the Governor replied: "You are right, Mr. Price, but what can we do? We have no money." In reply Mr. Price wrote: "I can raise a few thousand dollars and I feel that something ought to be done at once, if it is ever so little, to show these men that they are not forgotten."

This correspondence brought about a conference which resulted in the speedy raising of \$33,000. Of this sum Hiram Price raised \$22,000 and Ezekiel Clark of Iowa City raised \$11,000, becoming personally responsible for these amounts.

Governor Kirkwood gratefully accepted the money tendered by these two patriotic citizens and promptly commissioned them to proceed to Missouri where the regiments were engaged in active service and make the first payment to the soldiers. It was a hazardous mission that Price and Clark undertook as the portions of the State where the Iowa regiments were stationed were infested with Confederate recruits hastening to join General Sterling Price's rebel army.

The 2d Iowa regiment was found guarding bridges on the Hannibal & St. Jo. Railroad, and \$11,000 was paid to them. Soon after, Mr. Clark, who was acting Quartermaster General, was called away on urgent business, and Mr. Price proceeded alone to find the 1st Iowa regiment, which was in Central Missouri, in General Lyon's command. It was just before the battle of Wilson's Creek. The whole State was at this time in a condition of anarchy. Many of its public officials and leading citizens were actively engaged in enlisting soldiers for the Confederate service, obstructing railroads and organizing guerrilla bands to destroy Government property, and cut off recruits and supplies for the Union armies. Hiram Price now began his journey to find the regiment. When he approached Jefferson City a section of the railroad was found to be in the

hands of the rebels, and a portion of his journey was made on foot through the enemy's country. But he succeeded in reaching Booneville in safety and there found and paid \$11,000 to the 1st Iowa Infantry, a few days before the battle of Wilson's Creek. Returning to Keokuk he paid the 3d Infantry \$11,000 before it left for the South.

When the first arms were sent to Burlington by the General Government to aid the Governor of Iowa in expelling the rebel bands from Missouri who were plundering the people of the border counties, the express company held them for \$900 charges which the Governor had no money to pay. When the first bales of blankets for Iowa soldiers were sent to Davenport, they were held for \$500 charges for transportation. In these and other financial emergencies Hiram Price came promptly forward and raised the money upon his own personal credit, and loyally stood by Governor Kirkwood in those perilous and critical times. He never hesitated from prudential considerations, as so many thousands of monied men did, but freely risked his fortune as well as his life whenever emergencies required it. Few citizens of Iowa, of the present generation, will ever know how loyally such men as Hiram Price, Ezekiel Clark, J. K. Graves, W. T. Smith, W. F. Coolbaugh, and a few other able financiers came to the aid of our State Government in those trying times. Young men were plenty in those days who were willing to risk their lives for their country, but capitalists who were as ready to risk their fortunes in behalf of the same good cause were not numerous.

During the darkest days of the rebellion, when the first draft had been ordered to reinforce the Union armies, Henry Clay Dean held a meeting in Davenport. The hall was crowded with disloyal people who were known as "Copperheads." Dean's speech was undoubtedly the vilest denunciation of Lincoln's administration ever uttered in Iowa. A little group of Republicans occupied a seat in an obscure corner of the room, among whom was Hiram Price. I remember one part of Dean's terrific assault upon the Government was substantially in these words: "There is a singular resemblance

between Claudius Nero and Abraham Lincoln. Nero put Christians to death under false pretenses to gratify the worshippers of the Pantheon. Lincoln corrupted one part of the church to engage in warfare with the other part, and burned twelve hundred houses of worship; mutilated graveyards; dragged ministers from their knees in the very act of worship; tied them up by their thumbs; had their daughters stripped naked by negro soldiers, under command of white officers."

When Dean had finished his venomous speech Hiram Price sprang up on a bench, every fiber of his loyal heart quivering with indignation, as his clear voice rang out: "Mr. President, may I be permitted to reply to Mr. Dean?" "No," shouted Dean, "we want none of your black abolition speeches here. The meeting is adjourned—boys, let's go," and he started for the door, followed by his friends. Hiram Price shook his hand at the retreating crowd and exclaimed in a voice that rang out like a bugle blast: "Henry Clay Dean, I will give you ten dollars if you and your gang will hear me ten minutes in reply to your infamous harangue." But nothing could stop the stampede. They knew Hiram Price too well to permit him to pour the hot shot upon their heads. Dean, without replying, led the wild flight into the street out of reach of the impending excoriation.

All through the anxious years of the war Mr. Price was one of the pillars of strength to our State Government in the herculean work it had to do. His time, money, services and counsel were always freely given, with a promptness which inspired confidence and strengthened the timid and wavering. It was during this period that he was first called upon to represent the Second District in Congress. In the dark days of 1862 he was nominated by the Republicans, and at the close of a vigorous and aggressive campaign was elected by a majority of over 3,500. As a member of Congress Mr. Price was an earnest supporter of the most energetic war measures, as well as of all legislation required to strengthen the credit of the National Government.

In 1864 he made an able speech in support of the bill to establish The Freedmens' Bureau.

At the Republican State Convention held in Des Moines in June, 1865, Edward Russell, a delegate from Scott County, and editor of *The Davenport Gazette*, offered an amendment to the platform reported by the committee on resolutions, which aroused a warm discussion. The amendment was as follows: "Therefore, we are in favor of amending the Constitution of our State by striking out the word *white* from the article on suffrage."

The purpose of the amendment was to remove the last remnant of race discrimination from the laws of Iowa. Many of the timid delegates were alarmed and made strong efforts to persuade Mr. Russell to withdraw his resolution. But he refused, and made a vigorous defense of his measure. So radical an anti-slavery man as J. B. Grinnell feared that its adoption, which meant negro suffrage, would defeat the Republican ticket. Hiram Price took the floor after several delegates had opposed the amendment as impolitic, and made one of the great speeches of his life.

"The Republican party," said he, "is strong enough to dare to do *right*, and cannot afford now, or at any other time, to shirk a duty. The colored men, North and South, were loyal and true to the Government in the days of its great peril. There was not a rebel or traitor to be found among them. They ask the privilege of citizenship now that slavery has been forever banished from our country. Why should the great freedom-loving State of Iowa longer deny them this right? Not one reason can be given that has not been used to bolster up slavery for the past hundred years. The war just closed has swept that relic of barbarism from our land; let the Republican party have the courage to do justice. I have no fear of the result in a contest of this kind. We shall carry the election and have the satisfaction of wiping out the last vestige of the black code that has long been a disgrace to our State." After the lapse of nearly thirty years it is impossible to give anything like a graphic report of this speech—for it

was entirely impromptu, and never reported or published. But those who heard it will never forget the fervid eloquence, the sledge-hammer logic, or the powerful and irresistible appeal poured forth in a torrent of righteous indignation that has seldom been surpassed. The timid delegates were shamed into silence by the eloquence of the fearless leader, and right prevailed over policy. The Russell amendment was adopted and carried into effect by the required legislation, thus wiping off from the statute books of Iowa the last remnant of race discrimination.

Mr. Price was one of the founders of the Soldiers' Orphans' Home at Davenport, which cared for the children of soldiers who gave their lives for their country in war times, and has always remained one of its most influential supporters.

He remained in Congress for three terms, giving loyal support to the measures of reconstruction as enacted by the Republican majority following the suppression of the great rebellion. At the close of his third term he declined a reelection. In 1876 he was again sent to Congress from his old district, remaining there two terms.

On November 7, 1877, Mr. Price made a speech in the House strongly advocating the resumption of specie payment. On the 15th of the next January he made an able speech in favor of remonetizing silver and making it a legal tender in payment of debts. In the course of his argument he said: "No nation attempts to demonetize silver and adopt the gold standard *while she is a debtor nation*. But when a nation becomes a creditor nation, her interest may be to have gold alone as the standard, and the dearer they can make the gold the better for them. The effect is to make money dear and labor cheap, and no amount of special pleading or sophistry can avoid this stubborn fact. We who advocate the restoration of silver as it was prior to 1873 are not repudiators. We seek to avoid no contracts or obligations; we want no silver dollar that is not as good as any gold dollar. The acts of 1873-74 took from our people what for long years and under all circumstances had been a sound, reliable and current coin

of the nation, and now in the name of the oppressed and suffering industries of the country we demand the restoration of what was wrongfully taken from us. We are not speaking of legislation for bullion, either gold or silver. We are legislating for gold and silver coined, and made the legal-tender money of the nation as contemplated by the Constitution of the United States. We are laboring to get back the dollar that has been tried in every condition, and under every variety of circumstances, in this country, and never found wanting."

Iowa has been unusually fortunate and influential in its representatives at Washington for more than a quarter of a century. But it never had a stronger array of genuine statesmen than during the closing years of the great rebellion. James Harlan, James W. Grimes, James F. Wilson, Hiram Price, William B. Allison, Josiah B. Grinnell, John A. Kasson and Asahel W. Hubbard made an array of talent and influence that has never been surpassed by any State in its Congressional delegation.

A paper published at his old home says of Mr. Price's religious associations: "A life-long Methodist, he has been an active supporter and liberal contributor to the church of his choice. In early days when the members were few in number, and all were pretty close to the foot of fortune's financial ladder, Mr. Price agreed to do all the sexton's work for one year, on condition that no collections should be taken up for incidental expenses. He swept out the frontier mud and cleaned the smoky oil lamps with the same vigor and thoroughness that have since characterized his work as a banker, railroad president, congressman, Indian commissioner and philanthropist." At the fiftieth anniversary of the church, in 1889, he said: "During my fifty-seven years as a member of this church I have been sexton, steward, trustee, class-leader, Sunday-school superintendent, delegate to two General Conferences, and am just as proud of having been sexton as of the other positions."

In 1881, at the close of his last term in Congress, Mr. Price was appointed by the President Commissioner of Indian

Affairs. He entered upon the work of his new position with his usual zeal and energy, and for four years labored to better the condition of the Indians, and reform some of the methods of dealing with them by the Government. He was now nearly seventy years of age, and had since boyhood led an active life, toiling early and late, in both private and public affairs. Whatever business claimed his attention was prosecuted with untiring vigor and generally led to success. For more than thirty years he had been a leader in reform, financial and political affairs in the State. From youthful poverty he had won a competence; in the temperance movement he was conceded the highest rank; in financial enterprises he had achieved great success; in official life his record was above suspicion, and his influence was second to none in the State.

As a public speaker Mr. Price never resorted to the artifices of the professional orator. He did not care to amuse his audience with a stock of anecdotes sandwiched in at regular intervals to raise a laugh or win applause. He never "posed" for effect, nor did he ever seek occasions to make speeches for the purpose of advertising himself. When he spoke in public it was certain that he had something to say, and he went at it in the most direct and straightforward manner. There was no policy, no honeyed phrases to please the ear and conceal an opinion. He used the plainest English, looking his audience squarely in the eyes; he held their closest attention and aroused the highest degree of enthusiasm by his fearless and earnest utterances. No one could mistake his position. It was always taken and maintained with a positiveness that left no room for doubt. He never waited to catch the drift of the popular breeze, but always led off, prompted only by his convictions of right and wrong. He was never a compromiser, but on the contrary was one of the most vigorous fighters of the times. When overborne by the majority he acquiesced gracefully, not because he was convinced that the decision was right, but because he was loyal to the fundamental principle of our republican government—that the majority should rule. He made bitter enemies in his life-long war against evil-doers,

but intense as was their hatred, they secretly entertained a profound respect for a foe so valiant and sincere.

Mr. Price was often urged to become a candidate for Governor, by friends who recognized his superb executive ability, but he did not care to enter into a contest for that exalted position, and is content to live a quiet life as old age approaches. One of his last kindly remembrances of his old Davenport home was a recent gift to the public library of that city. He set aside an amount of money, the interest of which is used to furnish a free reading room with thirty of the best magazines, weekly and daily papers. He also furnished and fitted up a commodious room where the people have free access to the best current literature of the times.

And now past eighty years of age, his mental vigor unimpaired, he is living a quiet life in his Washington home. Our Iowa people remember and honor him for his noble life work in behalf of our great State, and his name will be for all time associated with the stirring events of the brightest pages of its history.

The steel portrait which appears with this article was engraved from a photograph of Mr. Price taken in 1878.

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## FORT ARMSTRONG.

BY MRS. MARIA PECK.

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Upon the large and beautifully wooded island in the Mississippi now occupied by the splendid piles of solid masonry comprising Rock Island Arsenal, picturesque and solitary, Fort Armstrong once stood.

To ascertain the initial facts underlying the history of the establishment of this military post in 1816, it is necessary to go back to the earlier years of the century and review the most important incidents upon which was based the claim of



the United States to an immense and valuable tract of country then in the possession of the Indians.

In the year 1700, as nearly as the date can be determined, the federated tribes of Sacs and Foxes—or Sauks and Reynolds—came from the vicinity of Green Bay and established themselves on the eastern bank of the Mississippi near the mouth of Rock River.

According to their own traditions, both tribes originally came from Canada. The date of their migration to the upper lake region is not definitely known, though Father Hennepin speaks of the Foxes as residents on Green Bay in 1680, and another writer of the existence of a Sac village on Fox River in 1689. There is very good authority for the supposition that they both descended from the great Chippewa nation. It is known that the Foxes found and fought their way to their new home first, and when joined some years later by the Sacs, were in such a weakened condition from an encounter with the allied forces of the French and Indians, followed by frequent attacks of other hostile tribes, that they were unable to maintain themselves longer as an independent nation.

The Sacs in their wanderings had fared better though they had suffered from a war with the Iroquois. So, in addition to an affinity of kinship, the stronger bond of mutual protection induced the formation of a union—a relation which was sustained uninterruptedly for upwards of a century. The confederacy was governed by two sets of chiefs, the civil and military; each had separate and distinct powers conferred upon it, though in all matters involving the sale of lands, the making of important treaties or declaration of war, the two ruling powers, to make such transaction valid, must act conjunctively. When they finally settled in the surpassingly beautiful and fertile Rock River region, the principal Sac village—the one of historic fame—was located on the isthmus or point of land formed by the junction of Rock River with the Mississippi, about four miles below Rock Island. This village became in time one of the largest, most populous, and prosperous of the Indian villages on the continent.

Having secured by conquest a footing, these enterprising and indomitable people were not content until they had subjugated their southern neighbors and added to their possessions rich and extensive hunting grounds, where in a more genial climate they could spend the winter months. After gaining the supremacy they sustained themselves as masters of the country, not only against their ancient and implacable enemies, the Sioux, and other warlike nations, but against a powerful federation. Nevertheless these Indians, of whom it has been said, that they had more courage in battle than wisdom in council, in the year 1804 ceded to the United States all of their possessions east of the Mississippi river for a most insignificant compensation.

The complications and disagreements that followed the consummation of this treaty caused all the serious difficulties that subsequently arose between the Government and the Indians down to and including the final struggle that resulted in their expulsion from the country east of the river, and almost the extinction of one of the bravest tribes that ever wielded a tomahawk or followed a trail in the Mississippi valley.

In the first article of the famous treaty, the Sac and Fox Indians were received, with much show of interest, into the friendship of the United States and full protection guaranteed them. For and in consideration of these valuable assets, including two thousand two hundred and thirty-four dollars and fifty cents in goods delivered at the time, and a promised annual stipend amounting in value to one thousand dollars in goods, the United States acquired a title to twenty millions of acres of land. Article VII of the treaty contains its redeeming feature. It reads as follows: "As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribe shall enjoy the privilege of living and hunting upon them." The treaty was negotiated at Saint Louis, November, 1804. William Henry Harrison, Superintendent of Indian Affairs for Indiana Territory and the District of Louisiana, acted for the government

and five representatives of the united Sac and Fox nation in behalf of the Indians.

Many of the most prominent chiefs afterward repudiated the treaty, saying that it was unauthorized, fraudulently obtained, and therefore invalid. Black Hawk in his autobiography gives an explicit account of the incidents which led to its execution. It had its origin according to his story in this way: one of their number had killed a white man and was arrested and imprisoned at Saint Louis for the offense. A council was called at the Sac village on Rock River (Black Hawk's village) to consider the best means of obtaining his release. It was decided that a deputation consisting of four men be sent to confer with the Indian authorities at Saint Louis with instructions to offer money and horses, after their own way of dealing in such matters, as a ransom. While there on this business it was claimed that these delegates were made drunk and in that condition induced to sign the objectionable treaty. When they returned, after a protracted absence, it was observed that they acted strangely, were dressed in fine clothes and wore medals, but could give no very satisfactory account of the mission with which they had been charged. They reported that the agents wanted some of their land and that they had agreed to give it to them but the full import of the transaction was not understood until some time later. After a critical examination of all of the available evidence General D. W. Flagler, in his History of Rock Island Arsenal, says: "Other facts of history and the treaty itself seem to prove that this story, or at least its application, was without good foundation." Still, judging of this matter from whatever bias modern historians may choose to give it, the conscientious student of history will hardly be able to divest himself of the conviction that there was something unfair about the treaty and irregular, if not intentionally dishonorable in the way that it was obtained. The persistent efforts of the Government in after years to secure its confirmation may be construed into an admission of its weakness.

Through the artful machinations of the English, and on account of the bad faith of the Americans in not fulfilling their pledges to furnish the Indians with supplies upon the same favorable terms given by the English, Black Hawk and two hundred warriors were persuaded to join the British army in the war of 1812. This contingent under the leadership of "General Black Hawk" was ever afterward known as the "British Band." The participation of this party in the war furnished a pretext for inviting all the chiefs of the two nations to a general peace conference held at Portage des Sioux some time after its conclusion. The Fox chiefs and warriors responded and joined in a treaty of peace in which was incorporated a ratification of the one of 1804. Black Hawk and his followers refused to attend the meeting, though a short time after a treaty of similar import was effected with a party of Sacs.

It has been alleged that Black Hawk signed the latter, but he strenuously affirmed that he did not, and from the fact that another invitation to the Sac chiefs to attend a meeting at Saint Louis was issued the following year, it would appear that his statement must be accepted as the more reasonable. This conference was called for the avowed purpose of concluding a new treaty that would bind the war faction of the Sac nation to the provisions of the old ones. Twenty-one chiefs, including Black Hawk, attended, and on the 13th of May, 1816, a new document was executed and signed by all the chiefs present. But this did not terminate the troubles, for afterward Black Hawk complained bitterly that he was deceived and did not know when he touched the goose quill to the treaty that he was consenting to give away his village.

A general feeling of uneasiness caused by the continued unfriendly attitude of the Sacs and Foxes, and their evident disposition to contest the claim of the Government to their lands resulted in a regiment of infantry under Col. R. C. Nichols being started from Saint Louis for Rock Island to establish a fort in September, 1815. The troops with necessary supplies were transported in keel-boats, but before their destination was

reached the river was so obstructed by ice that they were compelled to abandon the expedition until the following spring.

The troops under General Smith finally landed upon Rock Island in May, 1816. The construction of the Fort was immediately begun, and in honor of the Secretary of War was called Fort Armstrong. After a temporary stay on Rock Island, General Smith left the work in charge of Colonel Lawrence and passed on up the river to Prairie du Chien to establish another post.

It was estimated that the united Sac and Fox nations numbered at that time 11,800 persons, all living in villages on both sides of the Mississippi near Rock Island.

The day following the arrival of the troops on the Island General Smith sent messengers to all of the villages with an invitation to their chiefs to meet him in council, but no attention was paid to the request. The Indians at first looked with unfriendly eyes upon the project, for they knew only too well the significance of a garrisoned fort in their immediate neighborhood. The island itself had long been used by them as a sort of pleasure park; it was held in special veneration because it was believed to be under the supervision of a good spirit, whose habitation was in a cave in the rocks near the site of the fort. No forcible resistance, however, was made to its erection, though it appears that an unsuccessful attempt was made which probably, if it had not been frustrated, would have resulted in a surprise and massacre of the encampment.

One day, while a large party of soldiers was engaged some distance away in cutting timber, a party of warriors approached the island on the north side in canoes and after landing danced up to the encampment and wanted to enter the commander's tent. At the same time another large party headed by Keokuk was discovered coming over a ridge on the south side. The sound of the bugle quickly recalled the soldiers to their post, and in a very short space of time 600 men were under arms with the cannon ready for action in front of the encampment. The warriors immediately dispersed and the contemplated attack was averted.

The following description of the completed fortress is taken from General Flagler's History of Rock Island Arsenal:

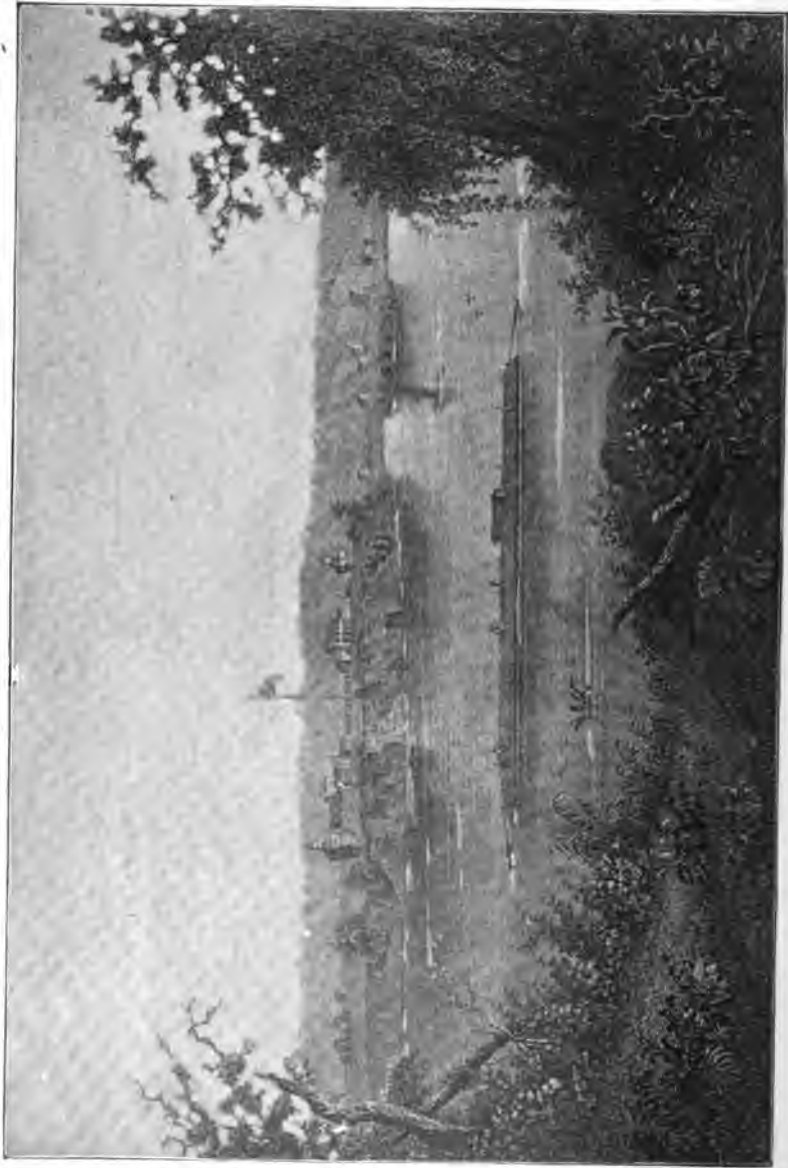
"The interior of the fort was 400 feet square. The lower half of the walls was of stone and the upper half of hewn timber. At the three angles, the northwest, southwest and southeast, block houses were built and these were provided with cannon. One side of the square was occupied by barracks and other buildings. These were built of hewn timber with roofs sloping inward as a protection against their being fired by the Indians, and that they might not furnish a safe lodging place for the enemy in an attack. The fort was placed at the extreme angle of the island. Its northwest corner was about 200 feet from the present location of the island end of the bridge."

The unrivalled beauty and peculiar charm of scenery attaching to the island and surroundings, when found as mother nature finished it, has been the theme which has inspired many of the most exquisite word pictures ever drawn by pen. Lieutenant Pike in 1805 was captivated by its wondrous loveliness, and James Hall, author of the History of the North American Indians, in 1829 paid the varied scenic attractions of this historic region a long and beautifully worded tribute.

Governor Ford, in his History of Illinois, gives a splendid description of Fort Armstrong and the "romantic wilderness" in which it was set, as it appeared to him when he first saw it in 1831. He compares "the white-washed walls and tower of the fort perched upon a high cliff, as seen from a distance, to one of those enchanted castles in an uninhabited desert, so graphically described in the Arabian Nights."

After the completion of Fort Armstrong nothing occurred to disturb the peaceful and friendly relations early established between the occupants and the Indians until the trouble arose which culminated in the Black Hawk war. The Indians continued going south in winter on hunting expeditions and while absent their villages were left unprotected. In the winter of 1828, a number of lawless individuals, called at that time squatters, took possession of Black Hawk's village and





FORT ARMSTRONG.



on his return contended with him for its occupancy. Ordinarily the Indians would have been equal to an emergency of this kind, but either from motives of policy or a sincere desire to avoid trouble with their white neighbors, no attempt was made to avenge their wrongs by a resort to violence. The aggressors, emboldened by the seeming good nature of the Indians, continued to annoy them until retaliatory measures were at last provoked. Black Hawk, especially, resented the introduction of whisky among his people, and to prevent it, resorted to some vigorous and effective prohibition methods. Thereupon the intruders appealed to the authorities for protection, and without regard for the merits or justice of the case, this flimsy pretext was used as an excuse for selling, prematurely, a few sections of land on Rock River, including the one occupied by the Sac village. As has been seen by one of the provisions of the treaty of 1804, the Indians were not tenants at will, but retained the right to live upon their lands until they were sold. It is perfectly apparent that the expedient of disposing of a small portion was resorted to for the sole purpose of dispossessing them of this right. The transaction furnishes another exemplification of the political creed of might as well as a strange inconsistency, for at the same time that the Government was insisting upon the fulfillment of the letter of a compact on one hand it was openly violating its spirit on the other.

A peremptory order for the removal of all Sac and Fox Indians to the west side of the Mississippi quickly followed the sale. Keokuk, a popular and rising young war chief listened to the council of his friends at the fort and with a large party of followers settled on Iowa River. Black Hawk was not so complacent, and persistently refused to give up the home to which he was so deeply attached. Meanwhile matters between the trespassers and the remaining Indians grew more and more aggravating, until a second appeal was made for protection. This brought General Gaines with a regiment of soldiers from Jefferson Barracks, and Governor Reynolds of Illinois with 1,600 mounted militiamen to the scene. General

Gaines, wishing to accomplish the ejection of the Indian tenants, peaceably if possible, called a general council at Fort Armstrong, and might have gained his object sooner if he had better understood the spirit and temper of the people with whom he was dealing. He began with a speech which was admirably calculated to kindle the hostility of those whom he desired to conciliate. Among other things he called for the reading of the treaty of 1804. This brought Black Hawk to his feet with some very forcible and convincing arguments concerning its invalidity. The General then asked: "Who is Black Hawk? Is he a chief? By what right does he appear in council?" The old chief, highly indignant, wrapped his blanket about him and stalked out of the room.

The following day, after resuming his seat, he arose and said: "My father, you inquired yesterday, who is Black Hawk? Why does he sit among the chiefs? I will tell you who I am. I am a Sac, my father was a Sac; I am a warrior and so was my father. Ask those young men who have followed me to battle and they will tell you who Black Hawk is. Provoke our people to war and you will learn who Black Hawk is."

Because of this rupture the conference resulted in the refusal of the Indians to vacate their village. A more dispassionate view of the situation was arrived at later, and in a few days the Indians quietly withdrew from their village, crossed over to the west bank of the Mississippi and encamped under the protection of a white flag. On the 30th of June, 1831, a council was again summoned at the fort, a treaty of peace concluded, the memorable treaty of 1804 again ratified, and an additional pledge exacted from Black Hawk that he would not recross the river, duly incorporated. The motives which led to the violation of this stipulation the following year have been variously interpreted. The reappearance of the old chieftain, accompanied by a few hundred of his faithful adherents, was construed at the time into a hostile intention to re-occupy his old village, whereas, it would seem now that, whatever ulterior designs he may have entertained, the rash act was undertaken with nothing more serious in view than the acceptance of an

invitation from his old friends and neighbors, the Winnebagoes, on the upper part of Rock River to pay them a visit and raise a crop of corn on their lands.

The note of alarm was immediately sounded; an order issued by General Atkinson for their return was ignored, and decisive measures were at once instituted to compel obedience. The Black Hawk war followed—a useless conflict in which in addition to the sacrifice of many lives both the national honor and treasury suffered. A few thousands of dollars in connection with a spirit of sincere good will would have at almost any time secured the territory in dispute, and the peaceful removal of the Indians to their lands west of the Mississippi.

It is a fact worthy of mention that only a short time prior to the events which precipitated the final contest, six thousand dollars paid to the disaffected fragments of the Sacs and Foxes would have effected the substantial results achieved by the war, and quieted all complaints. The Government refused to compromise, and waged a war of extermination during which the flag of truce, held sacred by all the civilized nations of the world, was twice fired upon. The war cost two million dollars. The treaty made by General Scott with the Indians at the conclusion of the war terminated at last the difficulties and also added six million acres west of the Mississippi (afterwards comprised in the State of Iowa) known as the "Black Hawk Purchase," to the territory of the United States. Owing to the fact that an epidemic of cholera was raging among General Scott's troops detained at Fort Armstrong, all the deliberations connected with this important treaty were conducted in a tent on the west bank of the river. The ground occupied was the site upon which was afterward built the first house erected in the city of Davenport. Black Hawk and a few of his adherents were held as hostages, and with a view of impressing them with the vastness of the country, the numerical strength and greatness of the people, they were taken to Washington and from there through many of the large cities of the East.

Probably no more pathetic, affecting, and in some respects more ludicrous scene was ever enacted at Fort Armstrong than

the closing one in the long series that formally severed all connection of the Sacs and Foxes with their old homes, and also achieved by the intervention of the Government the humiliating subjugation of the broken, but true-hearted son of the wilderness, Black Hawk, and the official recognition of his powerful and hated rival, Keokuk, as the leader of his nation. Upon the arrival of Major Garland with his captives at the fort, a grand council was convened so that the liberation of the prisoners might be attended with the most impressive and imposing ceremonies. "The princely Keokuk," who was expecting the party, was encamped in the vicinity, and came up to the island in a style that befitted his newly acquired rank and the occasion. In two canoes lashed together side by side, fantastically decorated and covered by a canopy, the stars and stripes floating from above, sat Keokuk and his three wives. His approach was announced by the sound of Indian drums and the wild shouts and songs of his followers; next came a fleet consisting of twenty canoes in which were seated the chiefs and one hundred warriors. The most careful attention had been bestowed upon their toilets, and the spectacle as they moved slowly up to the island is said to have been exceedingly brilliant and novel. The commodious council room at the fort had been fitted up for the occasion with more than usual barbaric splendor. Major Garland acted as chief speaker for the Government. The delicate business, however, of announcing to the assembled chiefs and warriors that the deposed chieftain must henceforth conform to the councils and authority of Keokuk was indiscreetly managed, and the fiery spirit that once animated the illustrious warrior was again manifested. Serious difficulty was averted by the timely and pacific words of the eloquent, talented and politic Keokuk and the friendly advice of Colonel George Davenport, to whom Black Hawk was sincerely attached.

The pomp and magnificence of Keokuk and his party, the discordant surroundings and ostentatious ceremonies, little accorded with the melancholy mood of the fallen hero, and in his mind added an unnecessary drop to the bitter cup that had

been forced upon him; yet with the exception of the episode referred to, he maintained throughout the conference a dignified but respectful silence.

When the banishment of the last remnant of the Sacs and Foxes from their villages, for which they entertained, says General Flagler, "an affection like that of the Jews for the city of Jerusalem," was effected, the ultimate object for which Fort Armstrong was established was attained, and it was soon after abandoned, never to be re-garrisoned.

About these Indians it may be said that those of the early settlers who knew them best have given them the best character for honesty and sobriety.

*Davenport, Iowa.*

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## LETTERS OF WILLIAM CLARK AND NATHANIEL PRYOR.

BY ELLIOTT COUES.

When Captains Lewis and Clark were returning from their expedition, and had reached the Mandan villages, in August, 1806, they then and there took with them, for a visit to President Jefferson, a Mandan chief known by the names of Shahaka, Gros Blanc and Big White. For this chief, see the 1893 edition of Lewis and Clark, pp. xxxix, ciii, 182, 185, 192, 209, 236, 242, 247, 1184, 1185, 1186, 1191, 1212.

The attempt to send Shahaka safe home again, and its frustration by a sharp collision with hostile Indians, in the vicinity of Bismarck, S. D., in September, 1807, form the main subject of the four letters now first published. The originals, in the handwritings of Captain Clark and Ensign Pryor, respectively, are on file in the archives of the War Department at Washington, where I have examined and copied them, word for word, letter for letter and point for point. General Clark's three letters are in official correspondence with General Henry Dearborn, Secretary at War, in his capacity as Indian Agent

for Louisiana; one of them covers and transmits Ensign Pryor's official report to him, narrating the interesting incident, no sufficient account of which has hitherto appeared in print.

We know very little of Nathaniel Pryor, beyond the main fact that he was one of four sergeants of Lewis and Clark's expedition (the others being Charles Floyd, who died early in the expedition; Patrick Gass; and John Ordway), and afterward commissioned in the army. It appears from Heitman's Register of the United States Army that Nathaniel Pryor, of Kentucky, was appointed an ensign in the First Infantry, Feb. 27, 1807; promoted to be second lieutenant, May 3, 1808; resigned, April 1, 1810; was made first lieutenant in the Forty-fourth Infantry, August 30, 1813; promoted to be captain October 1, 1814; and honorably discharged, June 15, 1815.

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SAINT LOUIS June 1st 1807.

SIR

In my letter to you of the 16th ulto: I informed you that a deputation from several bands of the Sieoux Nation had arrived at this place with Wm. Dorion, &c. Those Indians set out on their return a few days past highly pleased with the presents & treatment which they have received. Colonel [Thomas] Hunt furnished a Lieut. seven men and a boat to escort those people to their Country in safety. By the request of the Mandan Chief [Shahaka, Gros Blanc or Big White] I have suffered him to delay and go in Company with the Sieoux. The party accompanying those Indians consists of 1 Lieut. 1 Ensign. 1 Sergt. 1 Corpl. 18 privates, 1 hunter and 3 hired boatmen. Young Chouteau (late an Officer) has a boat and perogue and 32 men (for the Mandan Trade) Young Dorion has a boat and 10 men (for the Sieoux Trade) those together with the 2 interpreters makes a total of 70 men; exclusive of the 18 Indian Men and woman and 6 children. After Lieut. Kimble's [Joseph Kimball's] return which will be from the Sieoux Country, Ensign Pryors Party will consist of 48 men which will be fully sufficient to pass any hostile band which he may probably meet with. I am informed that the Ricaras have moved moved [bis] to the Mandans for fear of being cut off by the Sieoux of the North; I think it probable that the report is correct, and a measure which I advised them to as I decended last fall from a knowledge of their dependence on the Sieoux.

Mr. Bolvar [Nicholas Boilvin] has returned from the Saukees without the Indian who murdered the Frenchman near the mouth of the Missouri. He informs me that he has every promise from the Chiefs of that Nation that the Murderer will be delivered up. Bolvar will return to that Nation in a few days. Much has been said respecting the conduct of Mr. Youin

{Ewing\*} the Farmer [farmer] for the Saukees, but nothing which can authorise me to make any change in his situation. Mr. Bolvar the Sub Agent has lately sent off from the Nation a young man by the name of O'Bannon, whom as I am informed, has shown some bad examples to those Indians. The Saukees wish to be furnished with a Blacksmith, one has offered to go to the Nation who is a farmer in this neighbourhood with a large family.

The Militia (where Organized) are so scattered that they will afford but a feeble defense to extensive frontiers of this Territory against the Indians. Their numbers I believe to be about Two Thousand four hundred men.

To prevent the probability of an Indian [outbreak] which can only be effected by *Spanish* or *British* influence and intreaque it will in my opinion be necessary to have some establishments of troops in the Indian Country; as well as to watch the emissarys of those Nations, as to enforce the laws regulating the intercourse with the Indian Tribes, &c.

Wintering traders from the Panias [Pawnees] and several other Nations of Indians up the Missouri, confirm the report of several parties of Spaniards, amounting in all to about 350 men having visited the Panias country last fall, and are to return about August next. I fear their intentions are hostile, to the United States. They have given medals and flags and influenced the Indians very much in their favour. No certain accounts of Mr. Pike, some Indians have said they left him two days from the settlements of Santa Fee. No reliance can be placed on this information [which was in fact erroneous]. I enclose you the speeches of the Sieoux and my answer, &c.

It is probably necessary for me to go to Washington to settle my public accounts for moneys expended at this place, of which you have been advised in my last letter of the 18th ulto. On this subject I must request that you inform me.

With every sentiment of respect & esteem, I have the honor to be  
Your Most Obedent Servt.

WM CLARK

Genl. Dearborn

{Endorsed rec'd July 7, 1807.]

ST LOUIS Oct 16. 1807

SIR

The escort under my command for the reconveyance of the Mandane Chief [Shahaka] to his nation has been compelled to return to St Louis without accomplishing that object.—You will expect to be informed of the untoward circumstances which have contributed to this failure.

We arrived at the lower villages of the Ricaras at 9 O'Clock, on the morning of the 9th September.

These people, as soon as we came opposite their village, fired several guns, the shot of which came very near us. The sub Agent Dorion, enquired

\*William Ewing, in charge of the United States Agricultural Establishment, on the site of present Nauvoo, Ill., opposite Montrose, Iowa. For this person, see letters of General James Wilkinson and of General Clark, in my new edition of Z. M. Pike's Expedition, 1895, p. 15 and p. 292.—E. C.

in the Sioux language 'What they meant' They replied 'put to shore we will supply you with corn and oil'.—From the hospitalities to our party on a former occasion, I thought it prudent to shew a confidence in their friendly professions, and ordered the Boats to land at the village

Several of the Sioux, the upper bands of which associated with the Ricaras in this affair, immediately came to the Beach. From them we learned, that the Ricaras and Mandanes still carried on war with each other, and that two of the former had been lately killed at the River Bullet [*i. e.*, Cannonball River].

In a very short time the bank was crowded with about six hundred and fifty Indians, all of whom were armed with guns, and many of them with additional warlike weapons.—A Mandane woman, who had been a captive for several years, came on board, from whom I obtained information, which could probably have been derived from no other quarter.

She informed me that Manuel Lisa, a St. Louis trader had passed up some time before: That he had given the Ricaras, through *compulsion* I conjecture, a number of guns and a considerable quantity of powder and ball.—This man you recollect obtained a Licence from Mr. (Frederick) Bates before your arrival and before the plan which the Government had adopted with respect to the Mandane was known at St. Louis. He was however, still at St. Charles and it is not forgotten that Mr. Bates having occasion to visit that village informed him of the change of arrangement in the upper country, and desired him to remain until my Boats should be equipped that he might accompany the expedition.

*This*, we understood he had consented to do—and his failure in those engagements, has probably obliged him to divert the storm which threatened *his own boat*, by diverting the attention of the Ricaras to *ours*

He told them; as we learn from this woman, that two boats might be very soon expected; that we had the Mandane Chief on board; and that we were to remain, for the purposes of trade at their villages.—On this, they pillaged him of about half of his goods, and suffered him to pass on, determining in their councils at the same time, to kill him on his return, and to lose no time in preparing to murder the Mandane and his escort as soon as we should arrive.—Being thus completely apprized of their sanguinary purposes, as respected the Mandane in particular, I directed him to secure himself in the cabin, by building in front a breast work of trunks and boxes.—My men were prepared for action, and the Indians about the picketed villages and breast works, appeared to be putting themselves in readiness to commence it.—They were observed chewing their bullets and driving away their women and children.

The Chief to whom you desired me to present a Medal, at length approached my boat. I had no doubt of his wish to serve us; and as he was known to possess influence with his nation, I felt desirous of conciliating him.—He presented me a letter from Courtney, who had previously to the arrival of Lisa, been cruelly treated by these barbarians, and informed us that he alone had been friendly to that unfortunate Trader, who owed his safety and ultimate release to his friendly offices.

This chief discovered much uneasiness while conversing with us, and after



professing his regard for the Mandane and myself, rejoined his blood thirsty companions by whom his advices were in the sequel overruled.—My interpreter was in the meantime, employed in persuading the chiefs to meet in council, and at length succeeded in collecting all of them except the chief of the upper village.

I should have made a farther effort to procure the attendance of this refractory man; but found that if we consumed the day in fruitless conferences, we would, as soon as it was dark, fall a more easy sacrifice. I therefore determined to meet them and proceed to the upper villages as expeditiously as possible.—My Interpreter was an old Spaniard whom you probably may not have forgotten. To employ a mediator in whom we have no confidence in such emergencies as this, was especially embarrassing; but I was obliged to make use of him on this occasion from the absolute improbability of obtaining another.

I addressed them somewhat in this manner: “Your Great American Father has sent me with a few of his soldiers to conduct the Mandane Chief to his nation.—In our long and laborious journey, we have met with many nations of Red people, by all of whom we have been treated with hospitality and kindness.—I have repeated to them the talk of their Great Father, whose counsels they will in future pursue.—We were not strangers to you: On a former occasion you extended to Louis [sic] and Clark the hand of friendship:—We feasted in your villages and exchanged mutual benefits.—As a proof of the confidence of your Great Father in a continuance of your pacific dispositions, and as an evidence of your pacific dispositions, and as an evidence of his personal friendship for your chief, he sends him a large Medal the devices of which may continually remind you of the amicable intercourse which ought always to subsist between his People and yours.”—I then suspended the Medal to the neck of Grey Eyes [an Arikara chief: see L. and C., ed. 1893, p. 1189] as is usual on such occasions.—

To this address they made no reply—and in fact from a variety of suspicious circumstances I scarcely calculated on a friendly answer.

We separated, it being understood that we would stop at the *upper* [Arikara] village to pay our respects to the Chief, who perhaps from motives of etiquette, had refused to attend the council below.—

Our Boats proceeded on—Dorion and the Interpreter [Rene] Jesseaume went by land—the Indians followed in a body, using threats and menaces—

On our arrival about 4 OClock in the afternoon all the Indians were collected on the Beach. They appeared in violent rage. It was necessary as I conceived, to see the chief.—It was besides my duty to take on board Dorion and Jesseaume—My men were kept prepared for an attack, and it was doubtless, as prudent to meet it on the beach, as to be followed into a river filled with irregular sand-Bars.—We put to shore and were directed by the Indians to proceed up a narrow channel near the Beach. Their views on *this*, could not be mistaken and we declined a compliance.

We were then told that we should proceed no further: we should stay and trade with them.—Lisa had told them, it was our *intention* to remain &c. &c. together with various other things expressive of their determination to detain us.—

They first seized the cabel of Chouteau's Barge—as *his* contained merchandize and had no Soldiers to defend it, with whom they were, no doubt unwilling to provoke a contest until they should have the other completely in their power—Waving their hands there, the moment they attacked the Barge, they made signals that I might go on—Chouteau 'hoped he was not to be abandoned in so dangerous a situation'—I replied 'make them an offer' He and a number of his men had previously gone on the Beach, in order to shew an advance of confidence, but these unconscionable Rascals appeared to rise in their demands in proportion as they found their victims within their reach. He at length *did* make them an offer, which, had they not been determined on plunder and blood, ought to have satisfied them. He proposed to leave the half of his goods with a man to trade them—

The Chief of the upper village who had refused to attend the council below, now came on board, and desired by gestures which were readily understood that the Mandane might go on shore with him. On my peremptory refusal to suffer this, he retired as hastily as he had entered.—

Mr. Chouteau and several of his men were still on the Beach—Dorion continued in conference—a demand was instantly made of all the arms and ammunition;—The Chief to whom I had given the Medal, threw it on the ground, and one of the men was struck down with the butt end of a gun. The Indians now raised a general Whoop, and as they retired to the willows fired on the men, on the Beach, as well as on both Boats in the same instant.—I had reserved my fire, and was so fortunate as to reach them, with a well directed volley of swivels, blunderbusses and small arms, before they sheltered themselves behind a young growth of Willows at the distance of about sixty yards.—

*Here*, they were rather concealed than defended; and as it would have been madness to leave the Boats of which the savages would have taken the immediate possession, we continued the fight for about a quarter of an hour when, finding that they were too greatly superior in numbers, I ordered a retreat.—My Boat was put off with greater ease than Chouteau's—He stuck on a sand Bar; thro' which his men were obliged to drag the barge while exposed to the continual fire of the enemy.

To my unexpressible satisfaction, he at length surmounted Difficulties which had nearly proven fatal to the whole party.—

We again floated in a narrow rapid current, and continued a retreating combat from both sides of the river for about one hour.—

It was sunset, and the pursuit was at length checked by the death of one their Sieux Leaders.

He had been in my Boat, and was afterwards known by a white bandage which he wore about his head.—With about 40 men he was endeavouring to meet us at a point projecting into the stream when he received a Ball which was aimed particularly at him, and appeared to expire in a moment on the Beach.—His Partizans gathered about him and we saw no more of them.

During the rapid succession of these events I had no leisure to inquire into the situation of my men.

As soon as we imagined ourselves free from pursuit, we lashed our Boats together and examined their wounds.—

of my own men none were killed—My Hunter's leg was broken—One of the Soldiers had a ball thro' the fleshy part of his leg—and a second was wounded in the hip and the arm.

Mr. Chouteau was far less fortunate:—He had one man killed on the Beach; one in a Perogue which accompanied his Barge; One on board the Barge and one mortally wounded who died nine days afterwards.—Six others of his men were badly wounded but have since recovered.—

This miscarriage is a most unhappy affair.—The Maudane is now at the camp, and will be supplied with whatever he may reasonably want until the orders of the Government shall be known with respect to him.—

Altho' Jesseaume the Mandane Interpreter was of my party, he had quarrelled with his chief and was on board Chouteau's Boat.

I am sorry to say that he has been badly wounded in the thigh and shoulder. Mr. Bates has ordered him medical attendance in St. Louis, as the Surgeon of the garrison has been of late too ill to attend to his duties.

After our retreat, I felt so sensibly the necessity of obeying the orders of the government with respect to this expedition, that I proposed to the Mandane that he should accompany me through by land. The distance was only about three days march, and by leaving the River, and pursuing an unfrequented route, through the Praires, I hoped to reach the Mandane-Lodges, undiscovered by the Ricaras.—

The Chief declined this project, alledging the impossibility of accomplishing it with his wounded Interpreter together with the incumbrance of their wives and children.

If my opinion were asked 'what number of men would be necessary to escort this unhappy Chief to his nation,' I would be compelled to say, from my own knowledge of the association of the upper band of the Sieux with the Ricaras that a force of less than 400 men ought not to attempt such an enterprize—and surely it is possible that even One Thousand men might fail in the attempt

I have the honor to be  
very respectfully  
your obdt Servant

NATHL PRYOR

Genl. Clark }  
Ind Agent }

LOUISVILLE October 24th 1807

DEAR SIR

I this moment received a letter from Ensign Pryor dated St Louis Octr. 16th. 1807 in which he mentions the failure of his expedition with the Mandan Chief to his Nation, after passing all the lower Bands of Sieoux unmolested, he was on the 9th. of Sept. at the village of the Ricaras, attacked by that Nation, and after an obstinate resistance for more than an hour, he was compelled to fall back (down the stream) with the loss of three men killed and several badly wounded.

The Mandan Chief with his interpreter who is badly wounded is with the party a Coal Water Camp [sic—at Cold Water Camp]. Young Mr. Chouteau behaved very well on this occasion. from some communications which

I have received by this mail from different quarters the Conduct of the British trader in the N W is such as cannot be put up with by our Government. I will send you by the next post some letters on the subject of Indian affairs, and Ensign Prior's report, the post is now waiting.

I have the honor to be with every sentiment of respect

Your Mt. Ob Ser

WM. CLARK

[Postwritten Louisville, Ky 25 Octo Free  
Marked Recd Nov. 13, 1807]

NEAR LOUISVILLE 30th. Octr. 1807

DEAR SIR

I have the honor to enclose you Ensign Pryor's report, one letter from Captain Dunim [Josiah Dunham] and one from Mr John Cam[p]bell a merchant at Prarie de-chein; Ensigns Pryors report will inform you of his progress and misfortune on the Missouri.—I am a little gratified to find that all those Bands of Scioux who had a deputation at St: Louis last spring were friendly disposed to Pryors party and, only that Band of Scioux with whom we have had no intercourse has attached themselves to the Ricaras (no doubt under the influence of the British Traders) to prevent all parties from assending the Missouri.—You will observe by the letters of Captain Dunim and Mr. Cambell the Conduct of the British Traders in the vicinity of Michillimakinak their plans of avoiding the duties and Laws of the United States.—

Mr Campbell will wait on you early in December and will inform you of the views and probable intention of the formidable Maiana Company of whom I have given you a relation of. I am not acquainted with Mr Campbell and can say nothing more of him than of his possessing some influence with the Indians about Prarie-De-Chein. I am told he is a Magistrate under Govr Harrison.

I have the honor to be

Sir &c

WM. CLARK

THE DES MOINES PIONEER CLUB.—The organization of "The Des Moines Pioneer Club" at Mr. J. C. Savery's New Year's dinner party was a long delayed step in the right direction, and if the annual fees and contributions can be made sufficiently large to print the speeches made at the regular New Year's dinners, much of the valuable early history of this city, county and State can be saved that will otherwise be forever lost. Among those present at Mr. Savery's dinner were men who have gained both State and National renown, who know more about Iowa history than any other living persons.—*Des Moines Register, Jan. 3, 1895.*





Yours Truly  
W. J. Smith

## THE SAD WAR EXPERIENCES OF TWO IOWA BROTHERS.

BY CAPT. H. I. SMITH, OF MASON CITY, IOWA.

There were only two of us, Peter and I. Notwithstanding that we were the only sons of a widowed mother, with two younger sisters, living on a farm in Cerro Gordo, then a frontier county in the State, we had both enlisted early in the war, and were among the first who started for the front. I had gone first, early in 1861, with mother's consent and blessing, with the understanding that my brother should remain at home and work the farm. He staid, apparently contented, until the following winter, when I returned on a furlough from Mound City hospital, where I had been for treatment for a severe gun-shot wound in the right shoulder, received at the battle of Belmont, Mo., November 7, 1861.

They laid me on mother's bed when I was brought home. My brother was away at the time and did not return until evening. When he came home, mother told him to go into her bedroom and see who was there. The first intimation he had that I had returned was when he saw me there. I never shall forget his looks at that time. I was very much emaciated from the effects of my wound and the exposure and neglect following, having been left on the battlefield in the hands of the Rebels and receiving no medical attendance until over twenty-four hours after the battle. He was very much affected at seeing me in that condition. He was then about nineteen years of age, with a form and physique the perfection of manhood and health; well rounded out by a life of toil and privation on the frontier of Iowa. His face at first flushed; then every drop of blood seemed to leave it and it was blanched and grew hard, and the bloodless lips set in straight, cruel lines. It was some time before he could control his feelings so he dared attempt to speak. He finally calmed down and

talked to me about the war, asked where my regiment was, and a few particulars about my route home, when he said: "I shall have revenge for this. I have been chafing to get away to the front ever since you went to the war, and I can stand it no longer." He said: "Say nothing to mother and sisters about it at present," and he was gone.

He went straight to the front, joined my regiment, the 7th Iowa Infantry, in time to take an active part in the dangerous and arduous campaign with General Grant, in the siege and capture of Forts Henry and Donelson, being assigned to Lauman's Brigade which led the charge in the capture of Fort Donelson. He endured all the privations of the rain, mud and snow, away from tents and supplies, in the most inclement season of the year, incident to that campaign; from there he went to Shiloh, where he was wounded in the shoulder by a fragment of a shell, the first day of the battle, being in that portion of the field designated by the Rebels as the "Hornet's nest," on account of the stubborn resistance encountered at that part of our line—they having been unable to break through at that point. Notwithstanding he was wounded and nearly disabled, he refused to go to the rear, but staid with his company and fought all through both days of the battle.

By this time I had sufficiently recovered from my wound so as to be able for light duty, and had returned to my regiment. During the night, between the two days' fight, our regiment was ordered not to move from their tracks, and not a man left the ranks. At dark the battle gradually subsided from a continuous roar of artillery and musketry to a desultory firing here and there along the line, and the men were allowed to lie down on their arms and take a much-needed rest. My brother's place in the ranks came in a road, which had been used through the day by the troops, artillery, ammunition wagons and ambulances, passing back and forth, and, being wet, had been churned into a perfect pudding of mud, on which he spread his blanket and laid down. The night set in dark and rainy, and no fires were allowed in the front. Its stillness was



broken by occasional musket shots and the regular firing of nine-inch shells every fifteen minutes from the gun-boats, Lexington and Tyler, in the river, which went screeching overhead and bursting among the enemy in the woods beyond, and the moaning of the wounded as they were carried through the lines to the hospital tents in the rear. All night long the tramp of the ambulance corps with the stretchers and suffering loads of humanity could be heard, and the pitiless rain poured down incessantly, making both wounded and well uncomfortable. In the morning my brother got up out of his mud wallow, soaking wet, and so stiff and sore he could scarcely move, leaving his blanket where it laid, but could not be induced to go to the hospital or to the rear. He staid with the company and participated in the battle until the Rebels were routed and driven from the field. Sunday morning when the battle began our regiment was away from our camp on inspection, and was ordered from there to the left of the army without going back to quarters. On our return to our tents after the battle, we found they had been occupied by the enemy. They had gone so suddenly that they had left many of their wounded in our camp. From my tent they had taken everything they could carry, including my violin, and left one of their wounded, a mere youth, whom we tenderly nursed and cared for several days, until he was taken to the field hospital.

My brother had a perfect horror of going to the hospital, and insisted on staying in camp when it was apparent that he was failing every day. He staid with the company until the army was ready to move on the campaign to Corinth, and insisted that he was able to march with the regiment. He fell in with the company with his knapsack, gun and accoutrements, and started on the march, only to fall behind the first mile. I dropped back with him and encouraged him by first carrying his gun; he went on a little farther and gave out again. After resting awhile I took his knapsack and accoutrements and he went a little farther and gave out again. We sat down beside the road until darkness began to overtake us, when an orderly came along, piloting our regimental teams,

and told us that the regiment had gone into camp about two miles beyond, pointing the direction they were. The teamster took my brother's gun and knapsack, but refused to let him ride, as he had such a load, and had strict orders not to let any one ride. We started through the woods to camp in the direction indicated by the orderly, leaving the traveled road. We were not yet off the battlefield, when darkness overtook us; it began to rain and we got lost, stumbled and wandered around until finally we could see the camp fires, toward which we started. My brother fell into a shallow trench or grave where some of those killed in battle had been buried. The bodies had been entombed just long enough to become decomposed and there being scarcely any earth over them, he got nearly up to his knees in putrified humanity. I pulled him out amid such a horrible stench that I could scarcely stand it, and we made our way to camp where we arrived about twelve o'clock at night. He smelled so badly that the boys could not stay in the tent with him in that condition, so we stripped him of all his clothing, rolled him up in a blanket and laid him in the tent, as he did not have a change of clothing, and I took his clothes to a creek and washed them out and hung them by the camp fire to dry. He had a burning fever all through the night and was not able to sit up the next morning, so the regimental surgeon sent him back to the hospital in an ambulance.

Until after the battle of Shiloh, the discipline in camp and field had been somewhat lax, and the experience of carelessness and surprise at that time had led the officers to see the necessity of being more strict and watchful for a wary foe, until they had gone almost to the other extreme of strictness and discipline, as they saw the stern fact of a long and pitiless war upon us.

We continued our march and approach to Corinth, skirmishing, fighting, entrenching and advancing every day, and I heard nothing from my brother until about the 10th of May, when word came to me from the rear that he was on the hospital steamer City of Memphis at Pittsburg Landing, dying,

and wanted to see me. I went to my Colonel, E. W. Rice, and asked him for a two days' leave of absence to go to him. He said he would be willing to grant my request, only that he was afraid I might get captured by the Rebel cavalry, or guerrillas if I went alone, and suggested that I might get detailed as one of the guards to the wagon trains that were hauling supplies from our base on the Tennessee River. I told him I would undertake to do so if he would give me permission and a pass; he did so, and had it approved by General Davies, our division commander. I looked around among the wagon-masters of the different divisions to find one going to the landing, but could not find any going that day, so I made up my mind to go alone and take the night for it. I made my way to the rear of the army and waited for darkness. As soon as it became dusk I started, skirting the roads so as to avoid meeting or being overtaken by guerrillas or bushwhackers. I heard squads of horsemen several times during the night, when I would skulk in the brush or slide behind trees and wait until they passed. It was too dark for me to discern whether they were friends or foes.

I arrived at the outposts at the landing at daylight, having marched over twenty miles by the road, the latter part of the journey being over the battle ground of Shiloh, where I had to pick my way through fallen trees, skeletons of horses, unknown graves and the general debris of the late strife. I encountered a few pickets near the landing, who allowed me to pass.

The gunboats Lexington and Tyler I could dimly see in the dusky fog, anchored in mid-stream, with their black hulls and big guns looking angrily out of the port-holes, guarding the supplies on the bluffs, and the hospital steamer whose bow was stuck in the mud of the bank, with her stern swung out in the stream. It was just getting daylight and there was no stir on board as yet. I stepped upon the gang-plank to go on board, when I was confronted by two guards with fixed bayonets, and cold unfeeling looks, who refused to let me pass. I explained my mission and begged them to allow me to go on

board, which they refused to do, saying they had positive orders not to pass any one. I asked to see the surgeon or officer in charge, but they said he had not yet got up, so I sat down on the bank and waited. The first officer I saw was a young doctor who came out of the cabin, and began fishing over the stern of the steamer. I hailed him and explained to him my errand and asked him to be allowed to go aboard and see my brother. He said he could not allow me to do so, giving as a reason that men had got on the boats upon one pretext or another, and had gone north on French furlough or deserted—that the orders were not to allow any soldiers on board but the guards, nurses and wounded. I told him I would pledge my word as a soldier and gentleman that if he would grant me an interview with my brother, I would go ashore and return to my regiment at the front at once. I held my pass in my hand and asked him to come and read it for himself, stating that it was given by Colonel Rice and approved by General Davies, but he was inexorable and relentless, and no amount of persuasion would induce him to change or modify his decision; so I sat down sorrowfully on the bank to devise some way to circumvent the orders, or, Micawber-like, “wait for something to turn up.”

I realized that whatever was done must be done soon, as my leave of absence would expire on the morrow, and my regiment was over twenty miles away, and advancing. I was tired, hungry and footsore from my all night's march. As I sat there eating hard-tack and raw bacon, and watching the doctor fishing, he would occasionally look at me, and I fancied he was uneasy and that his heart was softening. He finally hailed me and asked me if I could find him some angle-worms for bait. I told him pleasantly I would do my best to do so. I thought if I could find them he would allow me to go on board and see my brother. I dug around the bank with my bayonet, but was unsuccessful, so I went back about half a mile to a field and was fortunate in finding some, and returned and called to him that I had them. He told me to come on board and bring them to him, which I very gladly hastened to do. I

went again to the gang-plank, and was again stopped by the same guards. I again went and called the doctor, and he ordered them to let me pass. I passed to the stern, handed the bait to the doctor and hurried up the after gang-way to the cabin. It was a very large steamer, the state-rooms were full of sick and wounded, and there was a long row of cots full, on each side of the cabin. I searched for some time among the mass of suffering humanity before I found my brother, and when I did I scarcely knew him, he was so emaciated, weak and low, as to be hardly able to speak. He was entirely overcome when he saw me; we clasped hands, and I waited for him to grow calm and get strength enough to talk, which seemed a long time. I was so overcome with grief that I dared not trust myself to speak, and we did nothing for some time but look tearfully into each other's eyes. I could see plainly that I should see him no more after this interview, for the mark of death was plainly upon his brow.

We finally got calm and talked a little; with tearful eyes, and a weak and nervous convulsive motion of his lips, he told me he was aware he had not long to live and was so glad I had come to see him. He was about delivering a message for me to send to mother and the folks at home, when an officer and a detail of soldiers came down the aisle and with a braggart's important air, which broke so harshly on our feelings of grief and affection, absolutely drove me from the boat at the point of their bayonets, in the face of my dying brother's pleading and imploring helplessness and my begging to allow him to finish his last message and to bid me good bye; but it was of no avail; I was mercilessly thrust ashore and I never saw him again.

I saw over four years of service in the war, two and a half in the ranks and the remainder of the time as a commissioned officer, always in the very front, but this was the hardest thing I ever have had to bear, either in war or peace.

I realize that after the surprise, the confusion and demoralization during the battle of Shiloh, it was necessary to have strict orders and thorough discipline, but in the face of all this,

conceding everything, as time has softened many things and explained others, I still think, and always expect to, that for a cowardly, cold-hearted piece of meanness, that capped the climax; and I shall always think that nobody but cowardly officers and soldiers who skulked and sought duty in the rear, would ever be guilty of such acts. They certainly might have discriminated in their orders enough to allow my dying brother to finish his message to our widowed mother.

He died on the 12th of May, 1862, among strangers, without a friend to comfort him, on the hospital steamer *City of Memphis*, on his way to Keokuk hospital, and was buried on the banks of the *Mississippi River*, below Quincy.

Could he have only survived to reach home, and laid his suffering and weary head on the mother's bosom that had nourished him to strength and manhood, to go forth to do battle for his country, he would have died satisfied; and what a comfort it would have been to her through all these long years, to have had the privilege of ministering unto him in his last moments!

To this day I have never had the courage to tell our mother the circumstances of his death, and I hope she may never know them.

The recollections of that time, and the circumstances, come back fresh to me over the lapse of a third of a century, with a vividness as though it were but yesterday—and they were my saddest experiences of the war.

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THERE is no doubt that electric cars can easily be made to go a hundred miles an hour, and that inside of ten years more the people of Des Moines will be able to ride to Chicago on an electric car in three hours in the morning, do their shopping, and come home in the evening.—*Prof. J. K. Macomber, in Des Moines Register, Oct. 27, 1894.*





Yours truly,  
C. N. Hitch



## THE DES MOINES RIVER LAND GRANT.

BY COLONEL C. H. GATCH.

[Concluding Paper.]

While the settlers were endeavoring to get relief either through the confirmation of their title by direct Congressional action, or through the proposed suit by the Government for their benefit, the Navigation Company and its grantees, possibly with more regard for their own interests than for those of the settlers, favored and were willing to aid in procuring for the latter indemnity in lieu of the lands, thereby hoping to put an end to a most annoying and expensive controversy, involving apparently endless litigation. By a joint effort of the opposing interests for indemnity in place of the fruitless contest about the title, the settlers might have obtained more ample justice years ago than they are now likely ever to obtain; many of them, indeed, becoming discouraged by successive defeats, both in Congress and in the courts, have long since either abandoned their claims altogether or little better than given them away, and can therefore never have even scant justice done them.

At its session in 1870 the General Assembly of Iowa adopted a joint resolution asking Congress for a grant of lands to the State,

“To be used by said State to indemnify such persons as have purchased of the United States or pre-empted any of the odd sections lying along the Des Moines River, whose titles have since been held invalid on account of the grants by Congress to the State of Iowa, August 8, 1846, and the acts in extension thereof.”

March 3, 1871, Congress passed an act ratifying the “adjustment” and confirming to the State and its grantees title to the 297,603 acres of indemnity lands. This act was held by the Supreme Court of the United States in *Homestead Company vs. Valley Railroad Company* to be in effect an original grant, the previous acts of selection, adjustment and

certification being held not to have had that effect. The court say in the opinion:

"Whatever may have caused the adjustment, it is quite apparent as the lands were erroneously certified under the act of July, 1862, that something more was needed than the action of the Land Commissioner, fortified as it was by the approval of the Secretary of the Interior, to pass a valid title to the State and its grantees."

The General Assembly of Iowa having previously by the act of March 31, 1868, ratified the adjustment and directed a conveyance of the lands thereby contemplated and intended as "indemnity lands" to the Des Moines Valley Railroad Company, the joint effect of the two acts was to vest in the Railroad Company the title to lands that should have been used "to indemnify settlers upon the Des Moines River lands," as contemplated by the legislative joint resolution just referred to.

Referring to this adjustment, Commissioner Drummond in the communication from which an extract has in a previous paper been taken, says:

"In 1866 the whole matter was opened for final settlement and adjustment between the State and the General Government through an arrangement by which an account was stated by the Commissioner of this office allowing the certifications to stand in favor of the railroad grants and giving the State indemnity for the same on account of the river grant. The State accepted this settlement and the matter was considered adjusted."

The commissioners appointed by the President under the act of March 3, 1873, referred to in the last preceding paper, having reported the number of acres to which the Navigation Company and its grantees claimed title adversely to persons claiming the same "either by entry or under the pre-emption or homestead laws of the United States," and the terms on which the "adverse holders thereof" would "relinquish the same to the United States," the Hon. Jackson Orr then representing the congressional district in which the river lands were located, at the first session of the 43d Congress introduced an indemnity bill making an appropriation of \$404,288, "to be used by the Secretary of the Interior for the purpose of securing a relinquishment of the title to the lands lying north of

the Raccoon fork of the Des Moines River in the State of Iowa, which may be held by the Des Moines Navigation & Railroad Company, or persons claiming title under it, adversely to persons holding said lands, either by entry or under the pre-emption or homestead laws of the United States, in accordance with the report of the commissioners appointed by the President of the United States under the act of March 3, 1873." But to be so used subject to the conditions that claimants under the act should "furnish proof of the character of their claim or title to the land," and that when this should be done to the satisfaction of the Secretary of the Interior, and the claimants should so far as in their power to do so, comply "with the terms and regulations for the acquisition of lands of the public domain" and should thereunder "in the absence of any conflicting claim be entitled to receive an absolute title thereto," that officer should cause to be paid to the owners of such lands an amount not exceeding the appraised value thereof for the relinquishment of their title thereto to the United States, and if such relinquishment could not be obtained for such appraised value should pay the amount or amounts of such appraisement to the person or persons making such proof, provided, however, that a patent from the United States should render other proof unnecessary, and with the further proviso that when the government price had not been paid by a purchaser at the time of or subsequent to his entry, the amount of such unpaid price should be deducted from the appraised value."

The bill passed the House by a large majority, went to the Senate and was referred to the committee on public lands. The committee reported adversely and it does not appear from the journal of the Senate that the report was ever acted upon. After referring to the history of the grant at some length, making mention of the numerous and conflicting opinions of government officials as to the location and extent of the grant, the decision by the Supreme Court of the United States that it did not extend above the Raccoon Fork, and the de-

cision in the Walcott case as to the effect of the Walker reservation, it is said in the report:

"The Walcott decision seems to have been misunderstood by the Secretary of the Interior. He treated the lands in question as restored by force of that decision to the public domain and subject to the pre-emption and homestead laws, and hence the Commissioner of the General Land Office, by an order made May 20, 1868, opened the lands to entry under the pre-emption and homestead laws. In point of fact they belonged to the Des Moines Navigation and Railroad Company, under the contract and conveyance above specified. But between these dates, October 30, 1851, and May 20, 1868, 27,852 acres of the lands in question were occupied by settlers, claiming title under the pre-emption and homestead laws, notwithstanding that during all this interval the order withdrawing them from market was in force.

"Under such circumstances we hold that no legal or equitable title can be set up by the settlers; they were bound to know as a matter of law that the certification of the lists by the Secretary was a valid act, and the lands were no longer liable to entry."

Continuing, reference is made to the suit of which mention has been made in a previous paper, against the Register and Receiver at Ft. Dodge, as follows:

"As to the lands entered subsequently to the letter of Mr. Browning of May 9, 1868, and the order of the Commissioner, it appears that the company immediately took steps to enjoin the officers of the local land offices from allowing entries to be made, and accordingly injunctions were issued by the United States Circuit Court for the District of Iowa. These injunctions the registers and receivers of the land offices at Ft. Dodge and Des Moines were ordered by the Commissioner to disregard. The conflict of opinions resulted in a suit, and called for another decision of the Supreme Court at the December term, 1869, (*Hannah Riley vs. William B. Welles*), when it was definitely ruled that the settlers entered upon the lands without right, and their possession was continued without right, and that the permission of the register to prove up the possession and improvements, and to make the entries under the pre-emption laws, were acts in violation of law, and void, as was also the issuing of patents."

In a previous part of the report, referring to the amount proposed to be appropriated and the actual cost of the lands to the settlers, it is said:

"The present bill proposes to relieve such persons in accordance with that report by purchasing the outstanding superior titles, and, if that cannot be done, by indemnifying them for losses by failure of their titles.

"There are 344 beneficiaries under this bill; the total number of acres for which they claim compensation on account of failure of title is 39,540; and averaging the valuations put upon the lands by the commissioners at

\$10.22 per acre, the sum to be appropriated to pay them is \$404,228.49. They do not claim for improvements. It is probable that they are entitled to the value of these under the occupying claimant laws of Iowa.

"All of these lands were entered as part of the public domain under the pre-emption and homestead laws—the greater number under the former. When they settled upon these lands does not appear; but the dates of filing their applications for entries are given.

"The earliest date of filing is 1862, and the latest in November, 1868. In a portion of the cases patents have been issued. As to the lands taken under the pre-emption laws, the settlers have paid the United States \$1.25 per acre, in a few cases \$2.50; for those taken under the homestead laws, they have paid the fees and commissions only, varying from \$7 to \$18 a tract, according to the number of acres entered. Supposing all had been taken up under the pre-emption laws at \$1.25 per acre, the United States would have received for these lands \$49,440, a little in excess of one-tenth the sum demanded by this bill, as indemnity for failure of title."

And the report concludes as follows:

"Notwithstanding the opening of the land office in 1868 by direction of the Secretary, to the entry of these lands as government lands, it seems to the committee that the settlers were put upon their guard, not only by the decision in the Walcott case, but by the injunctions granted by the Circuit Court, that there was a question as to their right to enter the lands. They chose to take the risk, and the ultimate decision proves they acquired no title. From the very start there was a cloud of doubt. They cannot, in face of these facts, be regarded as innocent purchasers. The intrinsic value of the lands at the time when they made their filings and entries was probably nearly as great as now, aside from the improvements. But the committee understand the fact to be that the lands in controversy were all settled upon while the order was in force withdrawing them from sale, although many applications for entering at the land office appear to have been made since.

"The conclusion of the committee is, that the settlers show no valid claim to relief by Congress, the general law making ample provision for a return to them of the purchase money paid to the United States."

It was rather cold, not to say heartless, thus to hold the settlers to an even higher degree of intelligence and legal knowledge than that of Secretary Browning and other high government officials, some of them very able lawyers, who both before and after the Walcott decision were of the opinion that the lands, after having been held not to have passed under the original grant of 1846, were subject to pre-emption. Neither the Navigation Company nor its grantees have ever questioned the justice of the claim of many of the settlers to indemnity. Their contention has been that the Government should not

indemnify them by confiscation and donation for that purpose of lands of which they themselves claimed to be the owners.

After the veto by President Cleveland of the bill passed by the Fiftieth Congress and referred to in the last preceding paper, to quiet the title of the settlers, and authorizing suit to be commenced by the United States for that purpose, by direction of United States Attorney General Miller, without the authority intended to be conferred by that act, a suit by the United States of the character indicated was commenced in the United States Circuit Court for the Northern District of Iowa, entitled "United States of America vs. Des Moines Navigation & Railroad Company, et al.," the other defendants being Edward H. Litchfield, Edward H. Litchfield as trustee for Henry P. Litchfield, Grace D. Litchfield, Frances I. Turnbull, Thomas H. Stryker, Grace Stryker, Frances Elizabeth Stryker, Phebe H. Stryker, Harriet Pierson Stryker, Mary M. Martindale, Woolsey Welles, A.K. Welles and Wm. B. Welles, as trustees for Wm. B. Welles, deceased. The case was tried before Hon. O. P. Shiras, District Judge, at Fort Dodge, the Attorney General of Iowa, Hon. John Y. Stone, Col. Whiting S. Clark and Hon. D. C. Chase appearing for the Government, the late Hon. Benton J. Hall for the Navigation Company, and the firm of Gatch, Connor & Weaver for the other defendants. The bill was dismissed and the Government appealed.

To all who are interested in the general river land controversy, whatever pertains to this final suit, ending as it did more than a quarter of a century of varied, expensive and in every way harassing litigation, it is presumed will be of interest, and as many have not access to the published reports pretty liberal quotations both from the opinion of Judge Shiras and that of the Supreme Court of the United States, delivered by Mr. Justice Brewer, will be both interesting and instructive to such as have had only the popular impressions that have generally prevailed with respect to this more than ordinarily interesting episode in the history of the State. The full report of the former can be found in 43d Federal Reports, page 1, and of the latter in 142 U. S. Sup. Ct. Reports, page 510.

The theory and purpose of the suit can be best stated in the following extract from the opinion of Judge Shiras, pp. 6-7:

"It may be said that the bill proceeds upon two theories, the one being that the lands granted to the State were so granted for a specific purpose, to-wit, to aid in the improvement of the navigation of the Des Moines River, in the carrying out of which the United States had an interest; that the lands passed to the State clothed with a trust, the State receiving them in trust for the purpose named; that all persons taking title under such grant to the State were charged with notice of this trust; that there was a failure on the part of the State and of the Navigation Company to carry on the work of improving the navigation of the river; that the company abandoned all purpose of doing the work it had contracted to do, and that under these circumstances the settlement made between the State and the Navigation Company, whereby it was in effect agreed that the company should no longer be required to prosecute the work on the river, and yet should receive the lands remaining unsold, was in violation of the terms and purposes of the trust under which the grant had been made to the State, and that the United States is entitled to repudiate such agreement, and all conveyances based thereon, and recover back the lands so wrongfully attempted to be conveyed to the Navigation Company, and through it to the other defendants hereto. The second theory of the bill is that the lands passing to the State under the grant in question could only be disposed of by the State for the purpose of the grant, and in the quantities provided for therein; that the contract of June 9, 1854, and the supplementary contracts based thereon, between the State and the Navigation Company were and are void on their face because they lacked the approval of the Governor; that in the settlement of 1858 the State could not bind or affect the lands above the Raccoon Fork, as the State had not title or interest therein; that the settlement resolutions of 1858 are limited only to the land actually granted and passing under the act of August 8, 1846; that the deeds or patents of May 3, 1858, were without effect, as the Governor of the State had no authority to execute the same; that all of the contracts, agreements, deeds and settlements between the State and the Navigation Company made prior to the year 1861 were wholly void and nugatory so far as the lands north of the Raccoon Fork are concerned; that the subsequent grant in 1862 was made subject to the purposes and limitations contained in the original act of 1846; and that the principle of the inuring of a subsequently acquired title to the benefit of a prior grantee cannot apply."

As further showing the obscurity and consequent conflicting opinions as to the true construction of the grant to which reference has before been made, the following from Judge Shiras' opinion will be of interest, pp. 4-5:

"The Commissioner of the General Land Office, the Secretary of the Treasury and the Secretary of the Interior, and the Attorney General, had at different times held different views as to the extent of the grant made by

the act of 1846; and, when the view prevailed that the grant terminated at the Raccoon Fork, the officers of the Land Department had opened the lands above the fork to pre-emption entry, and many persons had entered into actual occupancy of the lands, had improved the same, had paid the requisite price in cash, or by location of military bounty warrants had obtained the usual certificates as evidence of their supposed rights, and had in many instances procured patents from the United States."

Touching the obligation of the Government to provide indemnity for the settlers, it is said in the opinion, p. 10:

"With this announcement of the conclusion reached, the duty of the court in this cause is fulfilled, and it may be wholly out of place to make any suggestions in the premises; and yet in view of the facts known to the court, and in view of the fact that by the institution of this proceeding the United States has evinced a disposition to try to remedy the injustice and wrong that has been caused to the settlers in actual occupancy of these lands, resulting from the mistaken actions and judgments of the officials of the United States, I cannot refrain, in concluding this opinion, from urging upon the Congress of the United States the claim of these settlers for some relief. The question is not as to the legal title to these lands as between the Navigation Company and its grantees and the settlers, but as to the duty and obligations resting upon the United States to remedy the wrong done to its grantees, and resulting from the acts of its own officials."

And further, pp. 11-12:

"But one course can be pursued that will meet the present exigency, and that is for the United States to purchase the lands in question from the defendants, and having thus acquired the title thereto, Congress can deal with the settlers upon equitable principles. It is not within the power of the courts, by any possible construction of the existing acts, to meet the difficulties of the situation. Taking into account the equities and claims on behalf of the State, the Navigation Companies and their grantees, Congress in 1861 and 1862, to meet the same, extended the grant of 1846 from the Raccoon Fork to the north boundary of the State, but in so doing failed to protect the settlers then actually occupying portions of the lands thus granted. Should the court, in the effort to protect the settlers, now hold them entitled to their homes, a manifest wrong would be done to the grantees of the Navigation Company, who for many years have paid the taxes on these lands, and have sold and conveyed the same, in many instances, to parties paying full value therefor. If the courts, disregarding the many decisions heretofore made, should find some ground for holding that the United States might, at this late day, make a decree adjudging the title to be in the Government for the benefit of the settler, Paul might be thereby paid, but Peter would be robbed."

The ability and evident impartiality of the opinion were such as to command for it the respect of both parties, and



there probably would not have been an appeal but for the general desire participated in by the settlers and their friends that the controversy might be more certainly ended by the authoritative decision of the court of highest and final resort, and the way thus opened for greater assurance of indemnity. The case was tried in both courts as to the Navigation Company on demurrer to the bill, and as to the other defendants on their merits, their answer denying all allegations of fraud and want of consideration in the purchase from the State, and alleging full payment of the contract price in money and labor expended on the improvement. In the Supreme Court it was argued, in print, for the Government, by United States Attorney General Miller, Attorney General Stone and Hon. D. C. Chase; for the Navigation Company by Mr. Hall and Mr. Frank T. Brown; and for the other defendants by the writer and Mr. Wm. Connor, and orally, by Messrs. Miller, Stone, Hall and the writer. The prior adjudications in that court are summed up as follows in the first head note to the opinion, p. 510:

“The title of the Des Moines Navigation and Railroad Company to lands granted to the Territory of Iowa for the purpose of aiding in the improvement of the Navigation of the Des Moines river by the act of August 8, 1846, 9 Stat. 77, c. 103, and to the State of Iowa for a like purpose by the joint resolution of March 2, 1861, 12 Stat. 251, and by the act of July 12, 1862, 12 Stat. 543, c. 161, having been sustained by this court in eight litigations between private parties, to-wit: In *Dubuque & Pacific Railroad vs. Litchfield*, 23 How. 66; *Wolcott vs. Des Moines Company*, 5 Wall. 681; *Williams vs. Baker*, 17 Wall. 144; *Homestead Company vs. Valley Railroad*, 17 Wall. 153; *Wolsey vs. Chapman*, 101 U. S. 755; *Litchfield vs. Webster County*, 101 U. S. 773; *Dubuque and Sioux City Railroad Company vs. Des Moines Valley Railroad Company*, 109 U. S. 329, and *Bullard vs. Des Moines & Ft. Dodge Railway*, 122 U. S. 167, is now held to be good against the United States, as a grant *in presenti*.”

And after, in the body of the opinion, reviewing the adjudications referred to, it is said, p. 536:

“Such have been the decisions of the court in respect to this grant and titles, decisions running through twenty-five years, all affirming the same thing, and all without dissent. It would seem, if the decisions of this court amount to anything, that the title of the Navigation Company to these lands was impregnable. Indeed, the emphatic language more than once used, as quoted above, appears like a protest against any further assault upon that title.”

Referring to the good faith of the transaction between the State and the Navigation Company, it is said, pp. 543-4:

"If we examine the testimony there is nothing in it worthy of mention tending to impeach the *bona fides* of the transaction between the State and the Navigation Company. Only one witness was offered by the plaintiff to prove the amount of work done by the Navigation Company, and the influences by which the action of the Legislature was induced, and his testimony carries on its face abundant evidences of its own unworthiness. In the face of the deliberate proceedings of the Legislature and executive officers of the State, in respect to a matter of public interest, open to inspection and of common knowledge, something more than the extravagant and improbable statements of one witness, made thirty years after the event, is necessary to overthrow the settlement."

And further, p. 545:

"But if no lack of good faith can be imputed to the State, the party making the offer of settlement, does it not follow necessarily that none can be imputed to the Navigation Company, the party accepting the offer; for how can fraud be imputed to one who simply accepts terms of settlement voluntarily offered by another? And if this settlement was made in good faith and without fraud, is it not clear that the Navigation Company taking the lands which the State offered in payment for the work which it had done, took those lands as a *bona fide* purchaser, and, therefore, comes within the letter and spirit of the resolution of 1861? And here the significance of the resolution is evident. It was passed by Congress after the settlement, proposed by the Iowa Legislature in 1858, had been accepted by the Navigation Company, and deeds had passed in accordance therewith. Its passage imports full knowledge of antecedent facts upon which it is based."

Upon the question as to whether the State was imposed upon or any advantage was taken of it by the Navigation Company in the matter of the consideration paid on the lands and the *bona fides* of the company, it is said, p. 530:

"There can be no doubt that a party doing work under a contract with the State, making a settlement and receiving a conveyance of these lands in payment for that work, is a *bona fide* purchaser. If so, this cause of action fails, and the bill must be dismissed."

And further, pp. 542-3:

"All that the act provided for was, that the State should appropriate the lands to the improvement of the river; that it should make no sales at less than \$1.25 per acre; and that its sales should not anticipate its expenditures by more than \$30,000. Now, it is not pretended that the State appropriated the lands to any other purpose, or that the price at which it was sold, was less than \$1.25 per acre. The contract between it and the Navigation Company provided for conveyances only as the work pro-

gressed, and money was expended by the company; and the settlement proposed by the Legislature and accepted by the company, and the certificate made by the Governor to the President, showed that the Navigation Company had expended money enough to justify the conveyance of all the lands which were in fact conveyed. On the face of the transaction, therefore, the duties imposed by the trust were exactly and properly performed, and the title of the Navigation Company passed to it in strict compliance with the very letter of the statute. But it is earnestly contended that the Navigation Company was not a *bona fide* purchaser; that while it claimed to have expended \$330,000 on the improvement, in truth it had not expended half that amount; that by means of its false representations, and by threats of bringing suit against the State and obtaining damages against it, it induced the Legislature to pass the resolution of 1858, offering terms of settlement."

And, pertinent to this specific charge of bad faith, p 545:

"The work done by the Navigation Company is open to inspection. It was done along the line of the principal river in the State. It was in fact made a matter of examination and report; and, while the amount expended by the Navigation Company might not have been known to the exact dollar, yet, in a general way, the cost of what had been done could easily have been ascertained, and must have been known."

And still again, p. 546:

"If we narrow the inquiry to the mere language of the bill, in view of all the facts disclosed therein, and of those legislative and judicial proceedings which are matters of common knowledge and need not be averred, it is evident that the Government has not made out its case. And, if we broaden the inquiry to all the facts disclosed by the testimony, it is clear beyond doubt that the Navigation Company was a *bona fide* purchaser within the meaning of the resolution of 1861, and intended as a beneficiary thereunder." (546).

This decision having been accepted by all parties as the end of litigation, upon the facts as ascertained and reported by Mr. Berner, special agent appointed by the Secretary of the Interior under act of Congress of March 3, 1893, of which mention has before been made, the 53d Congress appropriated \$200,000 with which "to adjust the claims of the settlers on the so called Des Moines River lands in the State of Iowa."

The following are the material provisions as to the manner of its expenditure:

The Secretary of the Interior is required to appoint a special commissioner to "investigate, hear and determine the claims of all settlers, their heirs and assigns, who being duly qualified thereunto have under the homestead, pre-emption or other

public land laws entered or filed upon lands included in the grant" made by the original granting act of August 8, 1846, and by the joint resolution of March 2, 1861. The commissioner is required to find the reasonable sums due if anything to the respective claimants, the measure of whose damages shall be the amounts "heretofore" expended by them respectively "to purchase the paramount title" to the lands, or in case they have not "heretofore" purchased such title, the reasonable value of such title, if they are still in possession, or in case of eviction, the reasonable value of the same at the time of such eviction. He is further required to find and determine,

"First. The amount of the just claims of persons, their heirs or assigns, holding patents or other written evidences of title from the United States who are now or who have been in continuous possession thereunder.

"Second. The claims of persons, their heirs or assigns, holding written evidences of title from the United States who have been evicted from said lands by process of court at the suit of the Des Moines River Navigation Company or its assigns.

"Third. The claims of persons, their heirs or assigns, for a valuable consideration, whose chain of title runs back to the person making the original entry of said lands and who have heretofore purchased the paramount title."

With the proviso that if the amount appropriated is not sufficient to settle all of the claims included in "Schedule E," of the special report of Special Agent Berner, before referred to, (said Exhibit containing the "entries where the entry men or their grantees appeared and presented their claims" to said special agent), "those remaining unpaid shall be submitted to Congress by the Secretary of the Interior, giving the amount of each claim," and payments made, and "shall not include any claim of any pre-emptor or homesteader who had actual notice of the adverse claim of the Des Moines River Navigation Company at the time of making such pre-emption or homestead claim, and only paid the necessary fees to the land officers, and who made no valuable improvements on the





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land so pre-empted or homesteaded." "All such claims" (meaning such pre-emption and homestead claims as had just been described) and all the facts in regard thereto "shall be reported to Congress; provided further, that said claims, except those hereinbefore indicated" (meaning the same pre-emption and homestead claims last referred to) "shall be paid in the order of their approval by the Secretary of the Interior, and no money shall be paid thereunder, in any case, until the findings of the commissioner in such case, are approved by the Secretary of the Interior, who shall have full authority to control all proceedings authorized by this paragraph."

I cannot better conclude these papers than in the words of Justice Brewer when he had concluded the reading of the opinion of the Supreme Court—"Requiescat in pace."

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## THE SOUTHERN BOUNDARY OF IOWA.

BY FRANK E. LANDERS.

An Iowan looking on the map of his State is always pleased with its figure, and to him it is more than most pictures created by the skill and imagination of the artist. From her position with sister States, and her great resources, she has been rightfully termed the "Central Kingdom." Her limits to the north, an overland straight line, and the rivers on her eastern and western borders, winding their way southward, form a pleasing outline; but on the south some mistake seems to have been made. The line is broken about two-thirds of the way to the westward, the eastern part running from there north of east, cutting diagonally the townships and sections of the Government land surveys. The question is often asked—"Why the land survey lines and the boundary are not parallel throughout the entire line?"

It is the object of this article to present in as simple a manner as possible, the principal data that can be gathered from the acts of Congress, and the General Assemblies of Iowa and Missouri, treaties with the Indians, reports of the Supreme

Court of the United States, together with other reports and papers relating to the southern boundary.

The real cause of the line not conforming to the land surveys is, that the former is a perpetuation of an old Indian boundary, while the latter is made from a series of parallels of latitude. In order to locate the Indian boundary, and define its bearing on the final establishment of the boundary line between Iowa and Missouri, it is necessary to trace its history through many acts of Congress and Indian treaties to the final decree of the Supreme Court of the United States.

On the 10th day of November, 1808, a treaty was concluded at Fort Clark, on the Missouri River, between Peter Chouteau, agent of the Osages, commissioned by Meriwether Lewis, Governor of the Territory of Louisiana and Superintendent of Indian Affairs, and the chiefs and warriors of the Great and Little Osage. The Indians agreed and covenanted with the United States that the boundary line between the two nations and the United States should be as follows:

“Beginning at Fort Clark, on the Missouri five miles above Fire Prairie, and running thence a due south course to the Arkansas, and down the same to the Mississippi; thereby ceding and relinquishing forever to the United States, all the lands which lie east of the said line, and north of the south-westerly bank of the Arkansas, and all lands situated northwardly of the Missouri, and it was mutually agreed by the contracting parties, that the boundary line thereby established, should be run and marked at the expense of the United States as soon as circumstances and their convenience would permit.”

It was further agreed that the Osage Nation should send two Indians to accompany the surveyors, the better to designate the bounds of the country they stipulated to cede. The treaty was ratified by the United States April 28, 1810. A renewal of the treaty was made in 1815.

July 23, 1816, John C. Sullivan was appointed principal deputy by the Surveyor General of the United States and sent with instructions to run the Osage boundary line north of the Missouri River. He commenced the survey on the east bank of the Missouri opposite the mouth of the Kansas River and ran a due north course one hundred miles and established a corner. From that corner he ran eastwardly to the Des Moines



River, a distance of about one hundred and fifty miles. The line was marked as well as could be done with the limited means at hand, by wooden stakes and blazes on the trees of the forests. Sullivan completed the survey September 30, 1816, at the Des Moines River.

Missouri was admitted as a State August 10, 1821, from a part of the Territory of Missouri, which had formerly been established from a part of the Territory of Louisiana. The boundaries of the new State, as given in its constitution, provided that its south line should run west

“to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas River where the same empties into the Missouri River, thence from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the River Des Moines, making the said line to correspond with the Indian boundary line; thence east from this point of intersection last aforesaid, along the said parallel of latitude to the middle of the channel of the main fork of said River Des Moines,  
\* \* \*.”

The western boundary of the State was made contingent on the old Osage Indian boundary line which had been run in 1816; the northern on the northwest corner of the Indian boundary and the “rapids of the River of Des Moines,” which two points were indicated as lying in the same parallel of latitude. The exact location of the northern line was not called in question for many years after the admission of Missouri, the territory beyond being under the control of the Indian tribes and without any form of civil government except their own.

August 4, 1824, a treaty was concluded at Washington between William Clark, Superintendent of Indian Affairs, and the chiefs and head men of the Sac and Fox Nations of Indians. According to the terms of the treaty the said Indians ceded to the United States all claims which they had in the State of Missouri, the limits of which were described in part as

“a line running from the Missouri at the entrance of the Kansas River, north one hundred miles to the north west corner of Missouri and from thence east to the Mississippi; reserving for the use of the half-breeds be-

longing to the Sock and Fox nations, the tract between the Des Moines and Mississippi, and the section of above line between the Mississippi and Des Moines."

The Sac and Fox Nations had claimed ownership of the land in Missouri north of the Missouri River and west of the boundary line fixed by the treaty of November 3, 1804, running from the Missouri "opposite the mouth of the Gasconade in a direct course so as to strike the River Jeffreon, at a distance of thirty miles from its mouth," the same being a part of the lands ceded to the United States by the Osages in 1808. The United States in this last treaty with the Sac and Fox Nations, defined the northern boundary differently from that given in the constitution of the State, by not designating any fixed point of intersection with the Des Moines River.

The boundaries of Michigan Territory were by act of Congress of June 23, 1834, extended westward to the Missouri River and southwest to the State of Missouri. The southern boundary of the annexed portion of the territory as defined in the act was, "on the south by the State of Missouri, and a line drawn due west from the northwest corner of the State of Missouri to the Missouri River." July 3, 1836, Wisconsin Territory was established from the western part of Michigan Territory. Its boundary on Missouri and westward was defined similar to that of Michigan Territory.

On the 7th of June, 1836, Congress passed an act which provided

"That when the Indian title to all the lands lying between the State of Missouri and the Missouri River should be extinguished, the jurisdiction of said lands should be ceded to the State of Missouri, and the western boundary of said State should extend to the Missouri River."

The State of Missouri assented to the act of Congress December 16, 1836, and the territory was annexed by proclamation of the President March 28, 1837, the Indians having by several treaties previously ceded the lands in question to the United States.

The State of Missouri, after the extension of its limits, took immediate steps to locate the northern boundary of both the original State and the newly acquired territory, and by an act

of the General Assembly approved December 21, 1836, authorized the Governor, with the advice and consent of the Senate, to nominate and appoint "three commissioners to ascertain, survey and establish the north boundary of the State, and ascertain the point of commencement and termination thereof," as the same was "fixed and described by the constitution of the State and the act of Congress on the sixth day of March, 1820, and the act of Congress approved the seventh of June, 1836." The commissioners were to determine the latitude and longitude of the eastern point of termination "in the rapids of the River Des Moines and thence passing west on that parallel of latitude, to where the same strikes the Missouri River." The Governor was also "authorized to open communication with the President of the United States, and with the Governor of the Territory of Wisconsin," and to request the appointment of like commissioners. The act further provided that in case the United States and the Territory of Wisconsin did not appoint commissioners "within the space of six months" the commissioners of Missouri were to be directed to proceed with the survey. Both the United States and the Territory of Wisconsin failing to comply with the request within the prescribed six months, Joseph C. Brown was appointed by the State of Missouri to survey the boundary. He commenced work in July, 1837. After traversing the Des Moines River for several miles to ascertain the principal rapids he selected as the "eastern point of terminal" a point on the right bank of the Des Moines River at the "Big Bend," being some ten miles north of the Sullivan line of 1816, and from that point ran a due west course to the Missouri River. On the 11th of February, 1839, the General Assembly passed an act declaring the line run and marked by Brown to be the northern boundary line of the State.

The State of Iowa was admitted by act of Congress of December 28, 1846. The State constitution had been adopted by a vote of the people August 3, and on the day following, Congress passed an act repealing former acts, and defining

the boundaries of the State the same as they were in the constitution, as follows:

“Beginning in the middle of the main channel of the Mississippi River, at a point due east of the middle of the mouth of the main channel of the Des Moines River; thence up the middle of the main channel of the said Des Moines River, to a point on said river where the northern boundary line of the State of Missouri—as established by the constitution of that State, adopted June 12, 1820—crosses the middle of the main channel of the said Des Moines River; thence westerly along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersects the middle of the main channel of the Missouri River, \* \*.”

The act of Congress of July 3, 1838, establishing Iowa Territory, made no mention of the southern boundary. The first session of the General Assembly convened November 30, 1846, nearly a month previous to the passage of the act of admission. One of its first acts—December 7—was a passage of a resolution by the Senate requesting Governor Briggs to furnish that body with such information as might be in his possession relative to the southern boundary of the State. Three days afterward the Governor, in response to the resolution, sent a communication to the Senate, accompanied by one from Governor Clarke, of Missouri, in which he recommended the enactment of a law “by which an agreed case might be made with the State of Missouri for the adjustment of the whole matter by the Supreme Court of the United States,” and urged its speedy enactment, particularly on the ground of its importance and that the establishment of the line would depend to a great extent on the testimony of individuals who might die or not be found when wanted. On the 16th of January following the General Assembly passed an act—Chap. 3, 1. G. A.—by which the Governor was “authorized and empowered to agree with the State of Missouri for the commencement and speedy termination of such suit as might be necessary to procure a final decision by the Supreme Court of the United States upon a true location of the southern boundary of the State,” the General Assembly of Missouri having passed an almost identical act March 25, 1845. The sum of one thousand dollars was appropriated toward carrying out the provisions of the act.

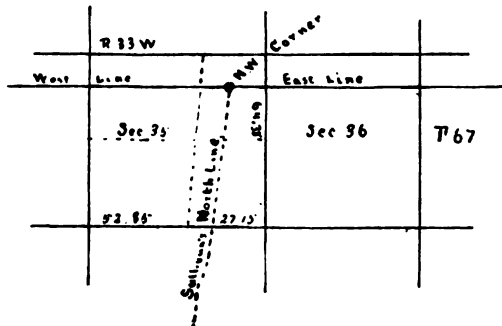
In February, 1847, Governor Briggs appointed Hon. Charles Mason, of Burlington, counsel on behalf of the State of Iowa, who met with the counsel of the State of Missouri at St. Louis in June, when an agreement was made to institute a suit in the Supreme Court of the United States. The State of Missouri filed the original bill December 10, and the State of Iowa filed a cross bill. The case was presented by Mr. Gamble and Mr. Green for Missouri, and by Mr. Ewing and Mr. Mason for Iowa. The counsel for the State of Missouri claimed "that the parallel of latitude passing through the Rapids of the River Des Moines at the big bend in latitude  $40^{\circ}, 44', 06''$  north would precisely and accurately satisfy the descriptive call of the constitution and was the true northern boundary of the State of Missouri, as established by her constitution." The counsel for the State of Iowa claimed that the lower rapids of the Mississippi, a few miles above the mouth of the Des Moines, were the only ones that in 1820 bore the name used in the constitution of Missouri as "the rapids of the River Des Moines," and that the parallel of latitude passing through the center of these was the true northern boundary of Missouri.

The Supreme Court at its December term, 1848, decided that neither of the parallels claimed as the boundary was the true one, and so rejected the claims of both States and entered a decree that the proper northern boundary of Missouri and the true southern boundary of Iowa was the line run and marked in 1816 by John C. Sullivan as the Indian boundary from the northwest corner made by Sullivan extending eastwardly as he ran and marked the said line to the middle of the Des Moines River, and that a due west line from said northwest corner to the middle of the Missouri River was the proper dividing line between said States west of the aforesaid corner; and that the States of Missouri and Iowa were bound to conform their jurisdictions up to said line on their respective sides thereof, from the River Des Moines to the River Missouri. The State of Missouri was perpetually enjoined and restrained from exercising jurisdiction north, and the State of Iowa south of said dividing boundary. The court appointed Joseph C.

Brown of Missouri and Henry B. Hendershott of Iowa, commissioners to find and mark the line run by Sullivan in 1816, from the old northwest corner to the Des Moines River, and to run a new line from said corner west to the Missouri River.

The commissioners met by agreement April 28, 1850, at the supposed site of Sullivan's northwest corner, the point where they were to commence their survey. No precise trace of the "old North West Corner" remained, "yet from the running of many experimental lines, diligently examining the evidences before them, together with the reports of the surveyors, they became satisfied of its proper position, and accordingly established it," in what was supposed by them to be the northeast quarter of Section 35, Township 67, Range 23, latitude  $40^{\circ}$ ,  $34'$ ,  $40.3''$  north; longitude  $94^{\circ}$ ,  $30'$  west.

The following diagram shows the supposed situation of the corner:



At the northwest corner they planted a solid cast-iron pillar weighing nearly 1,600 pounds, four feet, six inches long, and twelve inches square at its base, and eight inches at the top. The word "Missouri" was cast in its south side and "Iowa" in its north side, with "State Line" on the east. From this monument a line was run due west to the Missouri River, where a monument was planted similar to the one at the northwest corner. Another line was run from the same point of beginning eastwardly at a variation of from  $8^{\circ}$ ,  $45'$  to  $10^{\circ}$  east along the Sullivan line to the Des Moines River, where another monument was planted. Iron pillars were set every tenth

mile on both lines. Besides the iron pillars, wooden posts were set every mile between, on the east line for the reason that the "public surveys of the lands of the United States were to be governed and closed on said line as run by the commissioners, and therefore the private titles would be established on both sides, the state line being the dividing boundary of such private rights."

At the December, 1850, term of the court, the commissioners made their report, and on the 3d day of January, 1851, a final decree was entered establishing the line as surveyed and marked, being a distance of 60 miles and 61 links due west from the northwest corner as established by them, through the iron pillars to the Missouri River, and eastwardly through the iron pillars and wooden posts to the Des Moines River, a distance of 150 miles, 51 chains and 80 links.

In running the east line, deviations frequently occurred of from one to three degrees, so that a corrected line would bear about two degrees north of east from the "old north west" corner, to its terminal point at the Des Moines River.

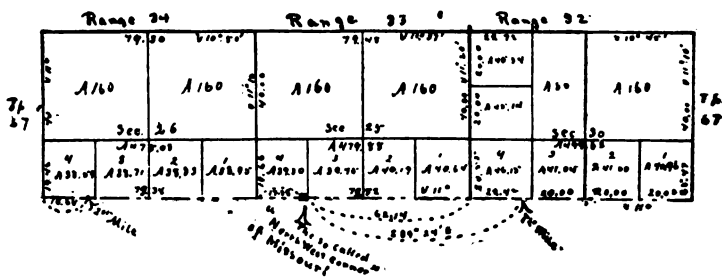
The conclusion of the labors of the commission, and final decree of the Supreme Court, settled a dispute that had been fraught with many scenes of border strife, and which was sure to continue, the State of Missouri being slave and the new State of Iowa free territory, and Missouri claiming according to her survey of 1837 jurisdiction over a strip of country of from ten to thirteen miles in width north of the settled boundary, the rights of which the free settlers of Iowa were ever ready to contest.

The total net expenses of the survey was \$11,029.53, of which \$3,514.76½ was taxed to Iowa, \$2,000.00 having been previously paid from money borrowed by the Governor from the school fund on his own note and bond.

The surveys of the public lands in Iowa and Missouri were made from the 5th Principal Meridian and from the Base Line running through the mouth of the St. Francis River, Arkansas. Parallels or township lines, were run east and west six miles apart, and the townships, or strips of country between,

were numbered from the base line north. The southern boundary line of Iowa between the Des Moines and Missouri Rivers, lies in Township 67 north, running from the old northwest corner, due west to the Missouri, and from said corner about two degrees north of east to the Des Moines River, so that a distance north has been gained at the eastern terminal of about three miles. The township lines were run without regard to the Missouri and Iowa boundary. The subdivisions of Township 67 were made by running from the north and east lines south and west, closing on the south on the Sullivan line of 1816 and the Commissioners' boundary line of 1850, terminating in fractional sections and other fractional subdivisions.

The following diagram shows a section of the land surveys on the south line of Iowa, at the "Old North West Corner":



The "North West Corner" was designated in the boundary survey as being in the northwest quarter of section thirty-five. The lines of the land surveys bore about one-half mile further west and south than was apparently expected by the boundary commission, so that the corner is now shown to be in the southwest quarter of section twenty-five, Township sixty-seven, Range thirty-three.

In the foregoing pages I have merely attempted to trace the official history of the commencement, progress and termination of the "matter of difference" between Iowa and Missouri upon the question of boundary between them, and to account for its variation from the straight line one would reasonably expect to see in a region mapped by Government surveyors.







*Yours. Alfred H. Eband*

How the question led to a political imbroglio, which at one time threatened to result in open war between these States, I have not attempted to explain. This question of hostilities I leave to other pens.

*Webster City, Iowa, Nov. 15, 1894.*

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## THE BORDER WAR BETWEEN IOWA AND MISSOURI, ON THE BOUNDARY QUESTION.

BY HON. ALFRED HEBARD.

In our Territorial days there was little that marked any of the three administrations of the three Governors appointed to rule over us, except the Indian treaty negotiated by Governor Chambers\* and the threatened Missouri border war, a sensational incident that occurred during the administration of Governor Lucas. Of the latter, I am not aware of any specific record now existing. As I understand it, the boundary between Iowa and Missouri was described as a line running due west from the Des Moines Rapids to the Missouri River. But the Des Moines Rapids in the Mississippi were twelve miles long, extending from Keokuk to Montrose, and a line drawn from any point in them due west would fulfill the conditions. No matter how it happened, there was a serious disagreement about the boundary, and as counties were organized on the opposite sides, there would inevitably grow up a conflict of authority. Iowa settlers tried, of course, to shove the line south. The Missourians tried to crowd it north. Sheriffs were chasing criminals back and forth, and sometimes were themselves arrested when serving civil processes, because they were beyond some supposed boundary. A state of confusion of course followed such a condition. The population along this disputed line was very sparse, scattered from grove to grove, most of whom on the Missouri side had drifted up from

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\*See page 397 *Annals of Iowa*, July, 1894.

below and had not yet advanced far enough in civilization to entitle them to the rank of "squatter sovereigns." Nomadic in character, living mostly by hunting, like their Indian *confreres* who still lingered among them, fit antecedents of those who in later days became bushwhackers and "border ruffians." On the other hand I cannot at this day entertain a very high opinion of those Iowa people who sought homes in a locality where the moral element at the time had few attractions for well disposed people. These rude rambler were unimportant in themselves, but, as it often happens, they were smart enough to make trouble, while to do good they had neither purpose nor understanding. As a consequence, loud were the reports of the border troubles in the southwest. Those naughty Missourians were invading Iowa soil and defeating the ends of justice. These reports undoubtedly gained too willing an ear on the part of our worthy Governor and his advisers. Prompt action by force, in support of law and order, was at once resolved upon. Then, as now, there were men ready to identify themselves with any unusual event that would give notoriety if not renown.

Governor Lucas was reported to have had a successful experience in a similar border trouble between Ohio and Michigan, known historically as the "Wolverine war." This may have affected his present action. I do not impugn his motives. A show of prompt action is sometimes effectual without anything further. The rank and file among us knew only the letter of our orders. Any latent purpose on the part of those in authority was a sealed book to us. Ours was to obey, not to suggest or advise. But more than a few of us, in our ignorance, perhaps, believed the order for military service in severe winter weather to be without adequate cause.

I give my own experience in this border war army, because it will tell the story better than any attempt at a general statement. In the month of February, of the year 1840 (I think), I found, on reaching my cabin on Saturday, an unexpected document, nothing less than a commission from the Commander-in-Chief, appointing me captain of a military company to

be raised within a certain defined beat, also naming Warren Dee and Thomas R. Davis, as my lieutenants, with orders to organize and report for duty. Recovering from a momentary amazement, I rode over to see and consult with my lieutenants. No matter what we thought, we agreed at once to drum up our beat. Couriers were dispatched to sound the tocsin in the remotest corners, proclaim the imminence of war, and call upon all able-bodied men to appear on the following Monday at Billy Moore's blacksmith shop on Long Creek, ten miles west of Burlington. Also, to bring with them or report all war machinery within their reach. Sunday passed and Monday came. There had been talking, thinking, and some writing, for a paper appeared, nailed to the shop door in open view. It discussed the situation in a decided manner and came to a decided conclusion. It was very generally read and seemed to meet with a hearty response. At the appointed hour, the Captain, with an old dragoon sword strapped to his side, made a brief speech, saying that all understood the situation as well as he did, but owing to the great difficulty of providing supplies, equipments and transportation at such an inclement season it was necessary to know first what our force would be. He knew that some could not go, others were disinclined and might risk disobeying orders. To test the matter he scratched a line in the slight snow on the ground, and requested all who would go to come forward and "toe the mark." For several minutes no one moved. Presently, however, two sons of Erin, who had probably found something somewhere to stir their courage, shoved the toes of their boots up to the line. The infection spread, another and another slowly ventured up, till finally a large majority were on the line, brave and hilarious. The Captain, *nolens volens*, was "in for it" now. The only thing to be done was to make ready and report as soon as possible. We agreed to meet the next Wednesday and see how near we could get to a starting point. Wednesday came and we straggled together again, but not in a very hilarious mood this time. Many had been painting what they were to leave behind. They fancied a lone cabin,

in the edge of a grove, with its early smoke rising straight to the clouds; the wood-pile at the door, consisting of a few saplings, half covered with snow, a dull ax leaning against it, waiting to be used; an old cow, with roached back, in the angle of a fence that enclosed the hay, waiting for attention. But where was the man whose duties were thus suggested? He was a hero now, marching to the Missouri line, one hundred miles away, to reconstruct the disorderly, while the wife, children and the cow took care of themselves in a temperature below zero.

While we were discussing and arranging our preparations, tidings came and we were all eager listeners. The border trouble had been settled, and the order for military service revoked, signed by A. C. Dodge, a sympathetic man, who thus gained a warm place in our hearts.

Some other localities were ahead of us. A company from Muscatine was already in Burlington. Another had been formed at Davenport, but had not left. We were greatly relieved, cruel exposures were avoided, the war was over and our honor was bright. Whatever we may have thought, no act of disloyalty was chargeable to any one. Had the end not come when it did, it might have been otherwise. Many I fear would have found excuses for returning, and would have exercised their rights as squatter sovereigns without asking leave. But thanks to General Dodge for his agency, we were our own again, at liberty to return to our homes with a prolific theme for neighborhood and fireside conversation.

But the real end was not yet; an afterpart occurred. By and by rumors were in the air, that a "month's pay was possible for those who promptly obeyed the call." As the Long Creek officers did not lose an hour before sounding the tocsin of war and drumming up their beat, it was thought the chances of their company would be number one. Before anything could be done, however, something definite must be known of our number, the time and nature of our service. To this end a review was ordered. An officer of the United States Army was detailed by the War Department to inspect

the material of the Border War Army and make a report. Notice was given of a day appointed in the early spring, after our supposed winter campaign. No imperative order for our appearance was needed this time. If we could bag a month's pay for a parade of a day, we were more than willing. When the day arrived the sovereigns appeared. The streets of Burlington were thronged and conspicuous among them was Colonel Temple, our commanding officer. He enjoyed his distinction but a brief moment, though, before he might have been seen brushing the dust from his handsome suit, while a lively nag with empty saddle and flowing rein was capering up the street. With a little aid he was mounted again and ordered the parade on the north hill; thither we all straggled. Our energetic Colonel worked hard to put us in order, for we were green and raw. We were told how to act and how to look—that it was military to look stern and defiant. While the Colonel and his men were thus engaged, the reviewing party had taken their stand. It consisted of the Governor and his two Aids and a Lieutenant of the United States Army, all mounted. Our worthy Governor, if intensely democratic in his feelings, was none the less in the simplicity of his dress. Strong, serviceable boots met or enclosed the legs of his pantaloons. A blue jeans coat "all buttoned down before" encased his form and a hat that once was new crowned his head. His right-hand Aid, General Morgan, neither robust in person nor erect in figure, though a lively, incisive editor, made no striking military appearance. Colonel Jesse Williams in citizen's attire was on the left flank, being like his chief. "tall as a mast, straight as a bolt." They both sat their steeds with becoming dignity. In striking contrast with our plain Governor in appearance, was Lieutenant Ruggles, our reviewing officer. He was anchored some ten or fifteen feet directly in front of Governor Lucas, and "sat his horse" with ease. Military boots with high buff-tops, with short clothes matching in color, encased his nether limbs. A coat of regulation blue, richly adorned with lace and gilt buttons, fitting tightly to the throat, showed his manly form. Dazzling epaulettes

adorned his shoulders, and a military chapeau surmounted by two long waving plumes adorned his head. I know that all this was in accord with military custom, but at that day it was a novel sight to us, being accustomed more to the simple garb our Governor wore, and to head-gear often fashioned from the skins of the rabbit and coon. Arrangements being finally completed, the Colonel set his troops in motion. The tap of the drum gave the step for the march. On we moved in platoons of six or eight abreast. Alignment was important, but difficult to maintain on a field covered with hazel brush and scattered with limbs of trees whose trunks had been removed. Some of us tripped occasionally and the alignments were now and then somewhat demoralized, and a few hasty words might have been heard, impolite in good society, but admissible among soldiers. On reaching the crucial point an order was given to "Present arms!" Every gun, and everything representing a gun, jumped about a foot ahead of its bearer, in honor of, or compliment to the reviewing party. A few rods further on, another order was given to "Shoulder arms!" and every gun jumped back to its normal place at the shoulder. Our success in these brilliant maneuvers was not quite perfect for lack of proper alignment, and from the further fact that we were more engaged in inspecting that gay Lieutenant than he was in inspecting us! After all was over our Colonel made us a modest little speech, saying we had done fairly well and that he was rather hopeful, and closed by saying, "The Review is over and you are dismissed!" Three hearty cheers were then given, one for the Colonel, one for the reviewing officer, and one for the Governor, and all broke at once for their tents.

Days and weeks passed by—and what of our month's pay? Listening ears had heard nothing. Anxious souls had learned nothing. At last it flashed upon our minds, that, perhaps the reviewing officer regarded our parade very much in the same light as we did ourselves, and so visions of pay, and pensions and glory, passed away, and we were soon busy again in the humdrum round of commonplace life.







*Sincerely yours,  
Wm. S. Moore*

All this was fifty-five years ago. Since then the world has moved far along. Midway between then and now, our country had an experience that was no military farce, but a terrible reality, a very death-struggle for existence.

Since then the untamed field on the North Hill where we met has become a charming part of a beautiful city. Mansions of wealth and homes of comfort cover its entire extent. But they are not the homes of those who, buoyant with life, and health, and strength, then and there tried to march proudly, keeping step with the "stirring drum." The Governor and his aids, the Colonel and his staff, and all the rank and file, save possibly a very few last remaining leaves upon the tree, have heard their last tattoo upon earth, and now sleep quietly, where no reveille shall ever again disturb their rest.

*Red Oak, Iowa, Dec. 1, 1894.*

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## THE RUSH TO ARMS IN 1861.

BY W. S. MOORE.

The majority of the people of the present generation have no conception of the grandeur of the spectacle presented to the world in April, 1861, in the alacrity with which the patriotic young men of the Nation flew to arms. The knowledge of the events which marked that heroic epoch in our national history possessed by those who have been born within the last thirty-five years is necessarily limited. Time is a great condenser of history, and years hence a brief paragraph may tell the story of the great war between the northern and southern sections of the United States. To those of us who were contemporaneous with that time and took part in the stirring scenes of 1861 to 1865, the lapse of one-third of a century has not even made misty the memory of the rush to arms and the spirit that animated the volunteer.

In 1861 I was a resident of Fairfield, the beautiful county seat of Jefferson county. Stepping into a law office about 8

o'clock on the evening of April 12, I found seated a group of young men discussing the event of the firing on Fort Sumter and the call of the president for 75,000 men to put down the rebellion. Three of them were law students, one was principal of the public school, and all were of high standing in the society of the town. One regiment was the contribution asked from Iowa, and these young men resolved at once to have their names on the roster of that regiment. A roll was then started, and all present signed it, towards the formation of a company of one hundred men, and in twenty-four hours the roll was complete.

But these men were not alone in their promptness in responding to the call. At the same moment that this roll was started a similar movement was inaugurated in every town and city in the State, and the captain of almost every militia company had already tendered the services of his command to the governor. It soon became evident, therefore, that the Fairfield company would not be a factor in the make-up of the 75,000 volunteers for three months. Closely following this call, however, came one for volunteers for three years or during the war. This staggered some of the men for a time. Three years seemed long. Some of them had wives and children to leave behind; others had just married, and felt that they ought not to go; and many of the young men would be compelled to tear themselves away from their sweethearts. But they were not to be thus baffled. An occasional man may have dropped his name from the roll, but memory recalls not one. At all events, in an incredibly short space of time one hundred men were enrolled for three years, officers were elected, and they were ready for departure to the field of conflict. After a few days of training in the manual of arms they were off for Keokuk, to become distinguished as a part of the subsequently illustrious Second Iowa Infantry.

The scene at the depot the morning the company departed for rendezvous at the Gate City had its exact counterpart at many railroad stations all over the country, and will not be forgotten while a witness to it survives. But though vividly

and ineffaceably photographed upon my mind, an attempt at accurate description would necessarily fail. It was a great emotional drama, in which the entire population, covering acres of ground, were actors. The spectacle of one hundred men and mere boys of various ages, from eighteen to forty-two years, inured to the pleasures of home and devoted to the society of family and friends, taking their lives in their hands, leaving behind them all that was dear and sacred, and departing for the tented field, was awe-inspiring and incomprehensible. Stout-hearted men, gentle maidens, lovely women and tender children, were there. All were in tears. The weeping was infectious if not contagious; but the tears were not tears of sorrow—they were the spontaneous outburst of patriotic emotion, sympathy and admiration for the heroic spirit of the departing volunteers.

The fortunes of war dealt kindly with a goodly number of these brave men, harshly with some, and cruelly with others. Several died of wounds, some were killed in battle, and many died of diseases incident to camp life, a mere fragment of them returning to their homes at the close of the war. Of the group of young men referred to as forming the nucleus of the company, the first man to put his name on the roll (Lieutenant George Strong) died at St. Joseph, Mo., in less than two months after being mustered in, his death being the second to occur in the regiment and the first in the company. He was an exceptionally promising young man. At the time of his enlistment he was principal of the Fairfield public school, and was studying law. The Grand Army post at Fairfield perpetuates his name.

The Second Iowa Infantry embraced in its membership all classes and conditions of men in the every day walks of life, and in this regard was similar to any other regiment of volunteers; yet it is perhaps safe to assume that the men in its ranks were more thoroughly representative of the impulsive patriotism developed on the first call to arms than those contributing to the make-up of regiments subsequently enlisted. It was the first regiment that left the State, and was composed

principally of young men, the average age being but twenty-two years. The spirit with which they were endued and the sentiment that received unanimous endorsement by the rank and file, was tersely expressed by General John A. Dix, as follows: "If any man attempts to haul down the American flag, shoot him on the spot." Few men in the regiment thought of position in the service higher than that of private soldier, though there were men in every company competent to fill any station in the military or civil service of the country. There was no scramble for office and in the company to which I belonged the offices sought the men who received commissions as the first officers. The oldest man in the company was elected captain, and the first lieutenant enjoyed the distinction of having been the first man to enroll his name. There may have been men in other companies who aspired to official positions in line or field, but in this respect the men of Company E seemed utterly unambitious. President Lincoln was credited with the statement that there were men in the ranks of every regiment fit to be president of the United States, and recent history records the fact that a Second Iowa man was twice nominated for president and made the country vocal with his fiery eloquence.

The only man in the regiment specially known to fame at the time of its organization was its colonel—SAMUEL R. CURTIS—who resigned a seat in Congress to accept the colonelcy of the regiment. Colonel Curtis was a graduate of West Point, and had distinguished himself as an officer in the war with Mexico. He was eminent as a civil engineer, an advocate at the bar, and an orator and statesman. He was too valuable a man to remain long as colonel of a regiment, early rose to the rank of major general, and became one of the most illustrious men in the war. He was a massive man in every sense, and one of the finest appearing military officers I ever saw in the saddle.

*Des Moines, Iowa.*

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### THE ORIGIN OF A FAMOUS INSCRIPTION.

When Hon. John F. Lacey, M. C., made his speech from the east front of our Capitol on Battle Flag Day, August 10, 1894, he quoted the motto chiseled on the stone contributed by Iowa to the Washington Monument. Hon. George G. Wright, of Des Moines, who had something to do with the inception of this inscription, was of the impression that it was in some respect different from the version in Mr. Lacey's speech, and accordingly wrote that gentleman in regard to it. The following is Mr. Lacey's reply:

HOUSE OF REPRESENTATIVES, U. S., }  
WASHINGTON, D. C., August 16, 1894. }

DEAR FRIEND: Your letter in regard to the inscription on the Washington Monument is at hand. I went to the monument this morning and copied the inscription. It is as follows:

"Iowa.

Her affections, like the rivers of her borders, flow to an inseparable Union."

This is more compact than my quotation:

"Iowa.

The affections of her people, like the rivers of her borders, flow on to an inseparable Union."

I quoted it from memory and it was so strongly impressed on my boyish memory at the time that I first saw it, at the time of its adoption, that it never occurred to me that I might not remember it with strict accuracy. I am in doubt which one I would choose, if I were now selecting it for the stone cutter. There is also a Masonic stone cut out of a dark granite boulder with the following inscription:

"Grand Lodge of  
Iowa,  
A. F. & A. M.  
1876."

With my kindest regards,

Yours truly,

JOHN F. LACEY.

Hon. George G. Wright.

We have been used to seeing this motto quoted as Con-

gressman Lacey gave it in his speech, but everybody must stand corrected now that he has seen and copied it from the Iowa stone.

By reference to the Senate Journal of the Third General Assembly of this State, pages 23 and 24, we learn that Mr. Josiah H. Bonney reported as follows to Governor Ansel Briggs:

IOWA CITY, Nov. 30, 1850.

*To His Excellency, Ansel Briggs, Governor of Iowa:*

The undersigned, appointed by your Excellency an agent to procure a suitable block of marble or other stone, to be furnished by the State of Iowa, for the Washington Monument, would respectfully report: That after having examined all the quarries in the State now worked, from which it was supposed such stone could be obtained, succeeded in procuring a block of the proper dimensions from the quarry of Moses B. Root, of Van Buren County.

The stone is now at the shop of Mr. Root, in Keosauqua, blocked out of the proper size and shape, ready to be finished in such manner and with such inscription thereon, as the General Assembly may direct.

Mr. Root looks to the liberality of the General Assembly for such compensation for his services as they may think him entitled.

I have the honor to be

Your Excellency's ob't serv't,

JOSIAH H. BONNEY.

This letter was transmitted to the Senate with the Governor's message. On the 14th of December Senator George G. Wright moved,

"That so much of the Governor's message, and accompanying documents, as relate to the procuring of a block of marble, for the Washington Monument, be referred to a committee of three, to act with a similar committee to be appointed on the part of the House."

This motion was agreed to, and Senators Wright, Shields and Espy, were appointed as such committee.

On the 20th of December we find the following final reference to this stone and its inscription:

Mr. Wright, from the select committee to whom was referred that portion of the Governor's message relating to the block of marble for the Washington Monument, made the following report:

That they have been informed and understand that nothing is wanting to the completion of the marble block but a suitable inscription to be placed thereon, and that the workman has been waiting directions upon this subject. To select one that would appropriately designate our locality and unchangeable fidelity to the Union, has been our great object.



Your committee, after a careful examination, would recommend the following:

"IOWA.

Her affections, like the rivers of her borders, flow to an inseparable Union."

Your committee further recommend the adoption of the following resolution:

*Resolved.* That the Secretary of the Senate and the Chief Clerk of the House, jointly forward a copy of this report to M. B. Root, Keosauqua, Iowa, with instructions to place the inscription above recommended upon the block of marble by him prepared for the Washington Monument.

All of which is submitted.

On motion of Mr. Lewis, the senate concurred in the report of the committee.

Judge Wright informs us that while this matter was pending in the hands of the committee, he invited several gentlemen to suggest inscriptions for the Iowa stone, and that a large number were in consequence received and considered. Among others, the late Lieutenant Governor Enoch W. Eastman furnished three or four, including the one which was finally adopted. Judge Wright, however, is of the impression that the inscription as furnished by Governor Eastman was identical, or nearly so, with the quotation made by Mr. Lacey, but, owing to the requirements of space the wording was cut down as it now stands. For some time after the newspapers attributed the inscription to Judge Wright, an impression which he took every opportunity to counteract. The credit, and the sole credit as he informs us, of the thought embodied in this inscription, is due to Lieutenant Governor Eastman. Such facts are very apt to be forgotten in the lapse of years, where the history of a great State has not been written, and it is well to revert to original sources for correct information, as we have done in this instance.

### WHY WE PRIZED THE OTTOMAN.

When the writer settled in Webster City, the bright and vigorous capital of Hamilton County, away back in 1857, the furniture dealer had not made his advent into that then altogether primitive region. Whatever was needed in the way of furniture had to be made in a rough sort of way, or "wag-

oned in" from Dubuque or Iowa City. Out among the farmers, home-made bedsteads, chairs with seats made of a bit of board, were very common objects and by no means uncomfortable. There were not more than two hundred people where now there are several thousand. Among these was a very companionable and pleasant young man by the name of Edward F. Cutting, a carpenter, and something of a musician. Mr. Cutting became one of our favorite callers, and we esteemed him very highly. One day the little mistress of our home asked him to make the frame for an ottoman. The best he could do was to construct a box, from fragments of other boxes, about 18 inches square and 9 inches high. Around this a piece of our 3-ply woolen carpet was neatly fitted, the top being raised and padded to form a cushion. Of course, this was a very plain small job, "less noted for beauty than strength." It was sometimes used as a footstool, and sometimes to sit upon. It is still in our home and as good as the day it was made, thirty-seven years ago. But the man who made it was one of the first volunteers from Webster City—going out as a private in Company D, of the 16th Iowa Infantry. He was soon appointed 4th Corporal. This command fought at Shiloh and suffered severely. At one time, when the enemy's fire was the hottest, the brave young Colonel Chambers ordered his men to lie flat upon the ground. Cutting, with the whole line in which he stood, obeyed the command. Presently the order came to rise; but it was noticed by those near him that Corporal Cutting did not stir. A comrade touched him and saw that he was quite dead. A rebel bullet had entered the top of his head, ranging downward into the body. He had not moved—the fatal missile had so instantly killed him! His head lay in a little depression which was filled with his blood, and "his face was white as chalk," said the comrade. He was buried on the field. The writer made an effort to secure the removal of the remains to Webster City, but it did not succeed. In that little community, where everybody knew everybody, the news of his death caused a profound sensation. He

was so excellent a man, so bright and genial, so kindly in his intercourse with those around him, so upright and pure in character, so installed in the confidence of people who knew him, that his loss came home to all as a personal one. Every good wish had gone with him at his enlistment, though he had no relatives in the county. He was a New England boy, raised with good habits, prudent, industrious and praiseworthy. Even yet he must be remembered in great kindness by the old settlers. We believe he was the first man killed from that county—certainly the first from Webster City.

We have always taken good care of that useful little piece of plain, home-made furniture, and seeing it brings to mind the handsome young pioneer who constructed it. We prize it for his sake, and some day we may search for his grave near the spot where he fell.

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## THE BOUNDARY BETWEEN IOWA AND MISSOURI.

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This subject having been under discussion of late, with only a partial disclosure of its history, we have secured from Mr. Frank E. Landers, author of the Historical-Geographical Atlas heretofore mentioned in *THE ANNALS*, an article wherein he lucidly sets forth the various official acts which resulted in the establishment of our southern boundary. This, we believe, presents for the first time the full history of its establishment, and is therefore of permanent value as a historical document.

On the other hand, Ex-Senator Alfred Hebard, of Red Oak, Montgomery County, gives the reader his own personal recollections of "the bloody war" which at one time seemed imminent between Iowa and Missouri over this question. He had the honor of being commissioned Captain, by Governor Robert Lucas, with orders to raise a company of men for this "service on the border." Happily, however, the controversy was settled amicably without an appeal to arms. These articles are valuable as throwing light upon interesting epi-

sodes in the early history of our State which are now almost forgotten. Beyond the fact of the irregularity of this boundary, and that it was for a time a serious bone of contention between Iowa and Missouri, little definite knowledge has been accessible to the general reader. It has been necessary to dig this information out of musty old documents, the acts of Congress and the Legislatures of Iowa and Missouri, and decisions of the Supreme Court of the United States. We also have the promise of another article, in which the question will be treated from quite a different standpoint.

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#### JUSTICE TO EDWARD RUSSELL.

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In Mr. Gue's interesting sketch of the life and public services of Hiram Price, he pays a deserved tribute to that distinguished gentleman for his aid in "striking out the word *white*" from the constitution of our State. But while mentioning the author of the movement—Mr. Edward Russell, of *The Davenport Gazette*—we hardly think he renders full justice to him as its originator and defender. The writer was in that convention and believes that he remembers the circumstances very clearly. There had been more or less discussion of the subject of impartial suffrage in the general press and throughout the country, but it was one of those vexed questions upon which there was far from being unanimity of feeling, even amongst those who fought against the rebellion. In the Republican State Convention of 1865, Edward Russell was a member of the committee on resolutions, and during its deliberations offered a proposition to "strike out the word *white*." The committee rejected his proposition and reported the following as its recommendation on the suffrage question:

"That with proper safeguards to the purity of the ballot box, the elective franchise should be based upon loyalty to the Constitution and the Union, recognizing and affirming the equality of all men before the law."

But when the resolutions were reported to the convention Mr. Russell moved his famous amendment, as follows:

"Therefore, we are in favor of amending the Constitution of our State by striking out the word *white* in the article on suffrage."

A motion was made to lay the amendment upon the table, but as this would carry the resolution there also, it did not prevail and the convention was brought squarely to a vote upon the proposition. A vigorous debate ensued, in which Mr. Russell led, followed by Hiram Price, Enoch W. Eastman and Henry O'Connor, in support of the proposition, while it was opposed by several able and eloquent gentlemen. When a vote was at last taken it resulted as follows: For the Russell amendment, 513½; against it, 242½. In this contest we are quite as certain that Edward Russell was the real leader, making one of the most determined fights that we ever saw in a convention, as that odium was visited upon his head—temporarily—by those opposed to impartial suffrage.

“In the process of the suns” the Constitution of our State, as a result of this contest, was amended in the year 1868, by striking out the word “white.” except that it was carelessly left in Section 4 of Article III, which defines the qualifications of Members of the House of Representatives. This was finally stricken out in 1880, and from that time forward suffrage and the rights of all men have been equal before the law in Iowa. These results were no doubt inevitable and certain to come in time, but the fullest credit for initiating and leading the determined effort of that day is due to Edward Russell.

Mr. Russell retired from *The Gazette* several years ago, removing to Minneapolis, Minn., where he engaged in other business. He died there in 1891.

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### THE MIDLAND MONTHLY.

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The very fine portrait of Dr. Geo. F. Magoun, which appeared in *THE ANNALS* for October, was copied by the kind permission of the Editor, from *The Midland Monthly*, in which it originally appeared; but through some inadvertence the proper credit was not given for the loan of the engraving. While now making amends for this omission, we desire to record our opinion of this excellent periodical—the founding

of which we cannot but regard as the most important event that has ever occurred in the literary history of our State. When Mr. Brigham announced his purpose, something more than a year ago, in the midst of the hard times, and when the business outlook was most forbidding, of starting a literary magazine in Des Moines, the wisest journalists shook their heads. The enterprise certainly seemed to be "extra hazardous." But the result has more than justified his wise forecast of the situation. He saw literary resources in Iowa and the Middle West, and a promise of liberal patronage, which were certainly hidden from the vision of everybody else. His announcement made, he addressed himself to the great task he had undertaken with a degree of ability, energy, courage and perseverance, which entitle him to a high place among the praiseworthy innovators of his time. His surpassing ability as an editor is visible to any one who even casually turns the pages of a copy of his magazine—but he has accomplished the more perplexing and difficult end of making it a business success. As an editor he has been able to secure the services and the hearty good will of many writers of more than national reputation, as well as to discover and call out a wide diversity of home talent, latent and undeveloped before. While strong in its general features, he has given it a high character as an *Iowa* magazine—typical and representative of this great Midland country. Such a success in one brief year is rarely won, even through the hardest work and the most lavish expenditure of money. We are glad to know that the publication enters upon its second year under auspices so very encouraging. Congratulating its brave and accomplished editor upon his good work already done, we commend *The Midland Monthly* to the especial favor of the people of Iowa.

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#### OUR ARTICLES AND ENGRAVINGS.

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The frontispiece of this number of THE ANNALS—a fine steel portrait of Hon. Hiram Price—was engraved expressly



Wm. Horace Greeley  
New-York

Executive Mansion  
Washington, July 15. 1864

I suppose you received my letter  
of the 9<sup>th</sup> I have just received yours of the 13<sup>th</sup>  
and am disappointed by it. I was not expecting you  
to send me a letter, but to bring me a man, or  
man. Mr. May goes to you with my answer to you  
of the 13<sup>th</sup>.

A. Lincoln



for our pages. It is an excellent likeness of that distinguished gentleman during the second period of his Congressional service, and from a photograph taken in 1878. It appropriately accompanies Mr. Gue's valuable historical sketch of the public services of Mr. Price.

"Old Fort Armstrong" is frequently mentioned in the early history of Iowa and Illinois, and especially in connection with the Black Hawk war; but engravings of that famous frontier post are scarce and very seldom met with. To Mrs. Maria Peck, of Davenport, we are indebted for a very interesting account of its construction and its mission, with which she sent a photograph of an old engraving, which we have reproduced.

Dr. Elliott Coues, of Washington, D. C., contributes four original letters from the files of the War Department, by Governor William Clark (of the Lewis and Clark Expedition) and Sergeant Nathaniel Pryor. They possess much historical value and are published here for the first time.

Captain H. I. Smith, of Mason City, narrates bitter experiences showing the rough side of war and how hard-hearted men "dressed in a little brief authority" sometimes become. His portrait is from a war-time photograph.

Colonel C. H. Gatch concludes his history of the Des Moines River land troubles, a subject which he has treated with his well known ability, fairly and impartially. With the article we include his portrait from a recent photograph.

Mr. Frank E. Landers presents a synopsis of the official history of our southern boundary difficulty; and Hon. Alfred Hebard his recollections of the preparations for the "border war" between Iowa and Missouri, which wiser counsels nipped in the bud, apparently at the last moment to prevent bloodshed. We are glad to be able to print portraits of the authors.

Mr. W. S. Moore writes of the stirring times in our State at the outbreak of the war for the Union, recalling scenes still vivid in the memories of those who participated in them. A good portrait of the old printer soldier accompanies his article.

We print from a plate engraved for *The Midland Monthly* a

*fac simile* of probably the most valuable single piece of manuscript in Iowa—one of the historical telegrams of Abraham Lincoln. The original may be seen at the State Historical Rooms.

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## NEW PUBLICATIONS.

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During the past autumn a beautiful little book was issued under the auspices of the Historical Department of Iowa, Des Moines, with the following title: "John Brown among the Quakers, and Other Sketches. By Irving B. Richman, Consul General of the United States to Switzerland." In addition to the sketch which gives title to the work, it contains others as follows: "Mascoutin: A Reminiscence of the Nation of Fire;" "Black Hawk, Keokuk, and Their Village;" "Nauvoo and the Prophet;" "The First Meeting with the Dakotahs;" "The Tragedy at Minnewaukon."

This book has not only been most cordially welcomed by the press of our own State, but has received highly complimentary notices in several of the leading papers and periodicals of the East. Some of the sketches had been published before, but three of them are here printed for the first time. Together, they make a readable and highly valuable work upon important episodes in Iowa history. The edition is but a limited one, however, and it will soon be exhausted. Mr. L. B. Abdill, bookseller, Des Moines, is Mr. Richman's agent for the sale and distribution of this book.

The State Historical Society at Iowa City has just issued a neat pamphlet of 136 pages, under the following title: "Historical Lectures upon Early Leaders in the Professions, in the Territory of Iowa, Delivered at Iowa City, 1894." The contents are as follows: "Early Medical Practitioners, by Dr. William Watson, Dubuque;" "Early Teachers, by Prof. Leonard F. Parker, Grinnell;" "Early Members of the Bar, by Hon. Theodore S. Parvin, Cedar Rapids;" "Early Clergy—Compilation by J. L. Pickard, Iowa City."

This pamphlet comes out under the able and judicious editorship of Dr. J. L. Pickard, a guarantee that everything about it is well done. In addition to his task as promoter and editor, he has compiled and for the most part re-written the data relating to "The Early Clergy of Iowa." We regard this work as one of great value. It is certain to become an authority in Iowa history; and to be largely referred to in the future. Our only regret in regard to it is, that the limits of our space will not admit of quoting liberally from pages so replete with precious historical information. No doubt the edition is a limited one, and hence every public library should secure and carefully preserve it.

"Higher Education in Iowa," is the title of a work of 190 pages, by Leonard F. Parker, Professor of History in Iowa College, Grinnell. It was published by the National Bureau of Education, Washington, D. C., and comes to us in the simple paper covers of a public document. It is, however, one of those carefully prepared and exhaustive monographs which possess not

only current interest, but permanent historical value. In no other work that has yet appeared is there such a complete survey of the origin and development of the higher educational facilities of our State. Prof. W. T. Harris, Chief of the Bureau of Education, in transmitting it to Gen. John W. Noble, Secretary of the Interior, commended it as a work "which is instructive to all students and observers of educational progress." It contains many fine illustrations of the leading institutions of our State. It is a work which will be highly valued by every intelligent person into whose hands it may come. As it is a public document, we presume copies may be had by writing any Member of Congress or the Chief of the Bureau of Education, Washington, D. C.

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The State Historical Society a few months ago also published a pamphlet of 196 pages, under the following title: "Constitution and Records of the Claim Club of Johnson County, Iowa. With Introduction and Notes. By Benjamin F. Shambaugh, A. M." While it is for the most part a simple compilation, its contents were dug out of musty old documents, the only wonder concerning which is, that they were not long ago destroyed. Before the Government offered lands for sale in many regions, settlers had come in who needed some means by which to protect themselves in the possession of their rights to the soil. Organizations were formed for this purpose and records kept of every claim. The Claim Club was therefore a sort of government to protect the pioneers for the time being. This is fully shown in Mr. Shambaugh's pamphlet. He is also writing a monograph to be entitled, "Early Government in Iowa."

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## NOTABLE DEATHS.

HUGH W. MAXWELL died in Des Moines, on the 6th of December, at the age of 67. He was born in Illinois in 1827, and removed to Iowa in 1852, settling at Indianola. In 1856 he was elected county clerk, and being an able lawyer, was chosen in 1866 prosecuting attorney for the Seventh Judicial District. Upon the resignation of Judge Nourse, Mr. Maxwell was appointed to fill the vacancy in the office of district Judge. He served about nine years in that capacity, and won universal esteem. During the war Judge Maxwell did good service in the commissary department. Several years ago he moved to Carthage, Mo., and afterwards spent some time in Arizona on account of failing health. About two years ago he returned to Des Moines, where his last days were spent. Judge Maxwell had a wide circle of friends in central Iowa who honor his memory as an irreproachable citizen, an able lawyer and a just judge.

JOSEPH BURTON, who died at Waukon, on the first day of December, was one of the pioneer settlers in Allamakee County. He was a native of Rhode Island, coming west in 1854 and settling on a farm lying on the Makee ridge in Allamakee County. In 1861 Mr. Burton was elected to the lower house of the Ninth General Assembly, serving through the regular and extra sessions of 1862. He was 77 years of age at the time of his death. He was an excellent and useful citizen, widely known and highly esteemed in north-eastern Iowa.

**HON. HIRAM Y. SMITH** died suddenly at his home in Des Moines, on the 4th of November. He was born in Piqua, Ohio, March 22, 1843, coming to Iowa in 1854. He graduated at the Albany, (N. Y.) Law School in 1866, and settled down in Des Moines to practice his profession. In 1875 he was elected District Attorney, which position he held four years. In 1881 he was elected to the State Senate from Polk County, serving with ability four years. In 1884 he was elected to Congress to fill a vacancy occasioned by the resignation of Hon. John A. Kasson. He was the founder and always the staunch friend of the city library of Des Moines. Mr. Smith had a large acquaintance in the State, and was highly esteemed as a useful and influential citizen.

**THOMAS WATTS**, who died at Deep Creek, in Clinton County, on the 3d of December, was one of the earliest settlers in that part of the State. He was born in Vermont in 1816, coming to Iowa in 1838. The Territory had been organized that year. Iowa consisted at that time of a vast region of wild prairie, interspersed with creeks, rivers and lakes, bordered by fringes of woods, and groves, which served as guides to hunters, trappers and emigrants traversing the great plains. Mr. Watts was charmed with the beauty and fertility of the new country, and took a claim in the Deep Creek Valley. Here he made a fine farm home upon which he spent fifty-six years of his life. It was to this home he took his bride fifty years ago. All of their children were born and reared to manhood and womanhood on the old homestead, where their father died at the age of 78. Mr. Watts held many township and county offices, and was an influential member of the Legislature of 1858.

**WALDO M. POTTER**, who died at Castleton, North Dakota, November 24, was for many years a prominent Iowa editor and politician. He was a native of New York, where he attained considerable prominence as an editor, and was active in the organization of the Republican party. He came west about the year 1873, and purchased an interest in *The Omaha Republican*, but did not remain there long. The next year he bought an interest in *The Davenport Gazette* and became its editor. In 1875 he moved to Clinton and purchased *The Herald*, which he conducted until 1881, when he removed to Fargo, in Dakota. Here he engaged largely in wheat raising, on a fine farm which he purchased in the Red River valley. But his old love for journalism never died out, and he again became associated with the press of North Dakota. Mr. Potter was a strong man intellectually, a vigorous writer, and one who wielded marked influence wherever he lived. He was appointed by President Harrison Register of the United States Land Office, at Fargo, which position he held four years.

**CAPTAIN WILLIAM HILLHOUSE**, who died at Burlington on the last day of the year, was one of the most notable of early Iowa settlers. We hope to be able to secure his portrait and an extended record of his pioneer achievements for a future number of **THE ANNALS**.

**DAVID D. SKINNER**, who died at San Jose, California, on the 6th of December, was one of the earliest pioneers in Iowa. He was born in Ohio, in 1823, and in 1834 came with his father's family to Iowa. They settled at Montrose, Lee County, soon after the Indian title was extinguished. Mr. Skinner lived in Iowa under four different governments: Michigan, Wisconsin and Iowa, Territorial, and the Iowa State government. With his brother, W. W. Skinner, he established a plow factory at Davenport in early days, and in 1855 they removed their establishment to Des Moines where for a quarter of a century it was successfully carried on. D. D. Skinner has been a member of the City Council of Des Moines, and was one of the founders of the Central Church of Christ. He was well known and highly esteemed by all of the old residents of the Capital City where he lived so long.

**DYER USHER**, who died at Covington, in Linn County, on the 11th of December, was one of the earliest pioneers in the Cedar Valley. He emigrated from New York in an early day, first settling in Ohio, when that was a new country. About the year 1836 he moved to the then far west, and took up a claim near Moscow, in what is now Muscatine County. In 1839 Mr. Usher moved up the Cedar Valley, six miles north of Cedar Rapids, where he established "Usher's Ferry" across the river. He lived on good terms with the Musquakie Indians, with whom he often hunted, and carried on a large trade for many years. They called him *Nisheshin Schomokoman*, which signifies "good white man." He was a fine specimen of the early settler, tall, straight and well proportioned. He possessed an iron constitution, and dressed in the garb of the hunters of that period. He might have been the model for the bronze figure of the pioneer in the group which stands at the west entrance of the Capitol grounds. He was as expert with the old muzzle-loading, flint-lock rifle as Daniel Boone or David Crockett, and was proud of his skill with that weapon which especially belonged to his era of American frontier life.

**CAPTAIN W. F. VERMILION**, of Centerville, died at his home, December 28, after a brief illness. He was an early settler in Appanoose County, having located at Iconium in 1857. He was commissioned Captain of Company F, in the 36th Regiment of Iowa Infantry Volunteers, early in 1862, and served gallantly through the rebellion. At the close of the war he entered upon the practice of the law at Centerville, and in 1869 was elected to the State Senate. He was an intelligent and useful legislator and acquired a wide acquaintance in the State during his term of four years.

**AMELIA JENKS BLOOMER**, who died at her home in Council Bluffs, December 30, acquired world-wide fame as a dress-reformer nearly half a century ago. She was born in Cortland County, New York, in 1818, and when a girl of nineteen, became interested in the pioneer movement then being organized to secure an enlargement of the rights of women. In this work she became associated with Elizabeth Cady Stanton, Susan B. Anthony, Abby Kelley, and other leaders of the movement. In 1840 Amelia Jenks married D. C. Bloomer, a lawyer residing at Seneca Falls, and soon after began to write for the press in advocacy of women's rights. In 1849 she established a semi-monthly paper, "The Lilly," devoted to temperance and the rights of women. It was ably conducted and soon reached a circulation of over 4,000. Mrs. Bloomer was a good public speaker and for many years lectured upon the two reforms in which she was so deeply interested. She was for several years associate editor of *The Western Home Journal*, a literary weekly. About the year 1851 a friend of hers, Elizabeth Smith Miller, (a daughter of Gerrit Smith) appeared in public dressed in a costume of her own invention, consisting of skirts reaching but little below the knee and wide Turkish trousers gathered at the ankle. Mrs. Bloomer soon after adopted the new costume and advocated it as a needed sanitary reform in women's dress. The public named the new costume "The Bloomer." For several years the dress reform found many advocates and patrons among women, but it was neither graceful nor becoming, and ridicule and fashion were weapons too powerful for it. "The Bloomers" gradually disappeared and the woman who was not the inventor found her name inseparably attached to the costume which she discarded many years before. Mrs. Bloomer was one of the organizers of the Iowa Woman's Suffrage Association, and its president for some time. When she began her work in 1845 for the rights of women, but three occupations were open to them, viz., housework, sewing and teaching. She lived to see them admitted into almost any occupation they may choose, elected to various public offices, and wholly or partially enfranchised in a large number of States and nations. Mr. and Mrs. Bloomer lived forty-one years in the beautiful home they selected in early days on the bluff overlooking the great Missouri valley and city of Omaha. There they celebrated a happy golden wedding forty years ago, honored and respected by all who knew them.



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