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**THE IOWA JOURNAL OF HISTORY  
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IOWA JOURNAL  
OF  
HISTORY AND POLITICS

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**THE IOWA JOURNAL OF HISTORY AND POLITICS**  
**JANUARY NINETEEN HUNDRED ELEVEN**  
**VOLUME NINE NUMBER ONE**

**VOL. IX—1**



## THE CONTRIBUTIONS OF ALBERT MILLER LEA TO THE LITERATURE OF IOWA HISTORY<sup>1</sup>

[This essay was awarded the seventy-five dollar prize offered in 1909 by the Iowa Society of the Colonial Dames of America for the best essay in Iowa history. The essay has been revised for publication.—EDITOR.]

The contributions of Albert Miller Lea to the literature of Iowa history are neither voluminous nor critical. They consist chiefly of a small book of forty-five pages, two maps, and two reports; but, having been written during the formative period of beginnings, they have an historical importance which is out of proportion to their critical character. The little book gave the State its name; the reports were the bases of legislation and large appropriations by Congress; and the maps served as guides to settlers for a long period of years.

Albert Miller Lea was a Lieutenant in the United States Army and an accomplished civil engineer — a man of varied attainments and remarkable foresight. He was born in 1807 at Lea Springs — a place not far distant from Knoxville, Tennessee. His father was a merchant who at one time held the position of Register of the Land Office in the State of Franklin;<sup>2</sup> and his mother was one Clara Wisdom, who is described by her son Albert as a “wise and prudent” woman.

<sup>1</sup> The writer desires to express his thanks to Professor Benj. F. Shambaugh for the assistance and helpful suggestions given in the preparation of this essay, to Mr. A. N. Harbert of Cedar Rapids for the use of his materials relating to Albert M. Lea, and to Dr. Louis Pelzer and Mr. Kenneth Colgrove for kindly reading and criticising the essay.

<sup>2</sup> *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, p. 201.

Lea also describes his father as “positive, dictatorial, domineering, and sagacious.”

The early education of Lieutenant Lea was received in the common schools of Knoxville. Later he entered college, and was within one session of graduation when he was compelled to give up his studies on account of poor health. Within a year, however, he had regained his health and in 1827 received an appointment to the Military Academy at West Point.<sup>3</sup> Four years later, on July 1, 1831, Lieutenant Lea graduated from this institution (ranking fifth in a class of thirty-seven) and was assigned, after a short furlough, to the United States Army.<sup>4</sup>

The commission to the Military Academy proved to be the turning point in Lea's career; for instead of becoming a planter and land owner, as did many of his associates, he entered the army, came west, and directed several large engineering undertakings,<sup>5</sup> giving the best part of his life in the service of the Government. The three years following his graduation were spent in going from one part of the country to another on various topographical and scientific

<sup>3</sup> *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, pp. 201, 202.

Lea received this appointment from Senator H. L. White, who was a competitor of Martin Van Buren in 1836.

<sup>4</sup> Letter to Senator Wm. B. Allison from the Record and Pension Office, January 15, 1904.

"Albert Miller Lea was a cadet at the United States Military Academy from July 1, 1827, to July 1, 1831, when he was graduated and appointed brevet 2nd Lieutenant of Artillery. He was transferred to the 7th Infantry August 11, 1831, and was promoted 2nd Lieutenant March 4, 1833; was appointed 2nd Lieutenant, 1st Dragoons, July 1, 1834, to rank from March 4, 1833, and his resignation was accepted to take effect May 31, 1836."

Lea was on leave of absence from February 1, 1836, to the date of his resignation. This letter is in the collection of Mr. A. N. Harbert of Cedar Rapids, Iowa.

<sup>5</sup> Among the engineering services performed were the following:

- A. Drew plans for first locomotive ever constructed by the Baldwins.
- B. Famous survey of the B. & O. R. R. where a cut was constructed by the use of geologic bedding.
- C. Survey of the Tennessee River.

See *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, for a complete list.

duties.<sup>6</sup> This kind of work, which carried him from the Great Lakes to the Gulf and from Oklahoma to the mountains of Tennessee, gave him a vast amount of valuable information concerning the pioneers and the West. Finally, however, he was ordered for a second time to Fort Gibson,<sup>7</sup> there to attach himself to the First United States Dragoons — a regiment formed at the close of the Black Hawk War.

Upon his arrival at Fort Gibson in the autumn of 1834, Lea was ordered by Colonel Henry Dodge to a point near the present site of Bellevue, Nebraska, to pay the Indians a certain amount of merchandise which was due them.<sup>8</sup>

When he had completed this task he returned to Fort Gibson only to find that his company, with two others, was located at a new post<sup>9</sup> on the Upper Mississippi, hundreds of miles away. He immediately set out to join his command, taking the last boat of the season going north from St. Louis, and in a few days reached the town of Keokuk. The present prosperous city was then only "a substantial stone building, used as a trading station, the only house on the west bank for many miles below and three hundred miles above."<sup>10</sup> This was Lea's first view of the country to which, within two years, he was to give the name "Iowa". A few days later he reported at Fort Des Moines, near the present town of Montrose, where he took charge of his company.

On the 9th of March, 1835, orders<sup>11</sup> were received by

<sup>6</sup> *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, p. 202.

<sup>7</sup> Lieutenant Lea first reported at Fort Gibson in 1832.—See *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, pp. 200-205.

<sup>8</sup> For a full account, see an article entitled *Early Explorations in Iowa* in the *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 538.

<sup>9</sup> This new post was Fort Des Moines No. 1.—See *Annals of Iowa*, Third Series, Vol. III, Nos. 5-6, April-July, 1898, p. 351.

<sup>10</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 541.

<sup>11</sup> *Annals of Iowa*, Third Series, Vol. III, Nos. 5-6, April-July, 1898, p. 355.

Lieutenant Colonel Kearney to proceed with his command up the Des Moines River to a certain point near the Racoon Forks and from there in a northeasterly direction to the Mississippi. From the latter place the command was to march westward until the Des Moines River was again reached, when a return should be made to Fort Des Moines. Accordingly, on June 7, 1835, the troop, consisting of about 150 mounted men, started on the march for the purposes of exploration and of impressing the Indians with the power of the United States government.<sup>12</sup> It was on this expedition that Lieutenant Lea "voluntarily assumed the duties of topographer and chronicler";<sup>13</sup> and to this fact we owe many fine descriptions of the original condition of the Iowa prairies as well as the *Notes on Wisconsin Territory*.

The line of march followed as nearly as possible the divide between the Des Moines and Skunk rivers. Being in the springtime, the ground was still very wet and soft, owing to the excessive rainfall. The troop proceeded slowly, covering only from fifteen to twenty miles a day.<sup>14</sup> But with the single discomfort of excessive rainfall, it was an ideal time of the year to make the trip, as the weather in other respects was favorable to both men and horses. The scenery, too, was magnificent; and Lieutenant Lea wrote that "the grass and streams were beautiful and strawberries so abundant as to make the whole tract red for miles".<sup>15</sup> Game was also plentiful, and wild fowl was a part of nearly every meal. At a place near the present site of the city of Oskaloosa "a small herd of buffalo"<sup>16</sup> was encountered.

<sup>12</sup> *Annals of Iowa*, Third Series, Vol. III, Nos. 5-6, April-July, 1898, p. 355.

<sup>13</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 546

<sup>14</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 547.

<sup>15</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 547.

<sup>16</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 548.



Concerning this incident Lieutenant Lea wrote: "It was the first and only time I have seen the lordly beast in his home, and probably the last time he appeared in that region."<sup>17</sup> The various pests were in evidence then as now, for at one place Lea declares that "after my tent was pitched we killed four rattlesnakes within it, and the next day I had a bath in a pool, occupied by mosquitos so large that I pressed one in my journal, and carried for years as a specimen of the luxuriant growth of the plains."<sup>18</sup>

When the expedition had proceeded as far as the place where Boone is now located, the order was given to march in a northeasterly direction to the Mississippi,<sup>19</sup> where a steamboat with fresh supplies awaited their arrival. After a rest of a few days on the banks of the Mississippi near Lake Pepin in Minnesota, the march was again taken up, this time directly westward to the district of the lakes of Minnesota. One of these, Lake Albert Lea,<sup>20</sup> perpetuates the name of the Lieutenant. This region was one "of lakes and open groves of oak, beautiful as English parks"; and when writing of it in later years Lieutenant Lea de-

<sup>17</sup> This same incident is mentioned in a journal of this march in the following words:

"[Wednesday, June the Twenty-Fourth]

24 Marched 25 miles & encamped on the banks of the Iway a small stream 30 yards broad. This day for the first this season we saw Buffalo. Killed 5 or 6—many of our men are recruits from the North & never saw a Buffalo before & therefore to them a Buffalo chase was something remarkable. This day was spent in eating Buffalo beef & sleep."—THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VII, No. 3, July, 1909, p. 368.

<sup>18</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 548.

<sup>19</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 548.

Near the present site of Boone the troop camped "one night near a flint and gravel covered conical peak, sixty feet above the plain". This is easily found to-day, a short way south of Boone.

<sup>20</sup> This lake was named by Mr. J. N. Nicollet, a surveyor, and also a friend of Lea.—See *Executive Documents*, Document No. 52, 2nd Session, 28th Congress, Vol. II, p. 73. Also *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 549.

clared, that "Possibly, some day, I may again ride over that trail; and I might well wish that my freed spirit could leave this green earth with the impression made just fifty-five years ago, as I gazed and sketched, when halted for our noon rest on the shaded and grassy shore of Lake Albert Lea."<sup>21</sup> Finally, the Des Moines headwaters were reached and the march turned southward, entering the present State in the neighborhood of Swea City.<sup>22</sup>

By slow degrees the troop made its way to the Raccoon Forks,<sup>23</sup> near a place where the capital of Iowa is now located, but which at that time was simply "a grassy and spongy meadow with a bubbling spring in the midst."<sup>24</sup> At this place, too, Lieutenant Lea was ordered to descend the Des Moines River in a canoe,<sup>25</sup> to take soundings, and to report upon the practicability of navigating keel boats over its course. This proved to be a very arduous task; but Lieutenant Lea reached the Fort several days before the main body of troops, who returned leisurely by land in the latter part of August.<sup>26</sup>

After writing his report upon the Des Moines River, Lieutenant Lea resigned from the army and hastened to Baltimore where he published the *Notes on Wisconsin Territory*. Two years later, in 1838, he again came to the Iowa

<sup>21</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 549.

<sup>22</sup> The exact location can not be definitely stated. The route was on the west side of the river in this locality.

<sup>23</sup> A journal, kept during this campaign, may be found in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VII, No. 3, July, 1909, p. 331.

<sup>24</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 549.

<sup>25</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 550; *Annals of Iowa*, Third Series, Vol. III, p. 356, also an article by General Parrott on p. 374.

In a letter to Hon. T. S. Parvin, written April 4, 1890, Lieutenant Lea says: "I made a survey, in a canoe, of Des Moines river, from Rac[e]oon down, in 1835."

<sup>26</sup> See map in Lea's *Notes on Wisconsin Territory*.

country as the United States Commissioner to determine the boundary between the State of Missouri and the Territory of Iowa.<sup>27</sup> When this task was completed Lieutenant Lea entered the employ of large corporations in the capacity of chief engineer.<sup>28</sup> At the outbreak of the Civil War he followed his old friend Robert E. Lee into the Confederacy, where he completed four years of active service.<sup>29</sup> When peace was eventually declared, he was practically ruined financially; and in this condition he sought a new country, moving to Corsicana, Texas, where he lived until his death in 1890.

The contributions of Albert M. Lea to the literature of Iowa history are based upon his two trips to the Iowa country: (1) the march of the Dragoons in 1835; and (2) his work as a member of the boundary commission of 1838. Upon both occasions Lieutenant Lea left a report and a map; and these occupy a prominent place in the earliest literature of the Commonwealth.

#### THE REPORT ON THE DES MOINES RIVER

The first of Lea's contributions in point of time is the *Report on the Des Moines River* which was made in 1835. Upon arriving at Fort Des Moines after the campaign with the Dragoons, Lieutenant Lea made a comprehensive report which included, besides the general conclusions, all the soundings, measurements, and notes of important features

<sup>27</sup> *Executive Documents*, House Document No. 38, 3rd Session, 27th Congress. This document is also found in the *Iowa Historical Record*, Vol. II, No. 1, January, 1886, p. 193.

<sup>28</sup> Lieutenant Lea was for a number of years City Engineer of Knoxville, Tennessee, and later of Galveston, Texas.—See Lea's Autobiography in *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, p. 200.

<sup>29</sup> The best account of this period of Lieutenant Lea's life is found under the title of *Colonel Lea's Reminiscences*, a series of articles published in *The Freeborn County Standard*, of Albert Lea, Minnesota, from January to May, 1890.

from the Raccoon to the Mississippi. Unfortunately this report, which was written in 1835 (and which was the first contribution relating to Iowa penned by Lea) can not be found. It seems to have been used as a basis for legislation; for in speaking of the report its author says: "The manuscript was published by Congress in 1835-6 without the map, and the original is in Adjutant-General's office. It was the foundation of all the appropriations for Des Moines under the care of my classmate, Sam R. Curtis."<sup>30</sup> The evidence of the commanding officer also states that the report was actually transmitted; for in the order book of Lieutenant-Colonel Kearney we find this statement: "I send you his [Lea's] report."<sup>31</sup>

Despite this seemingly conclusive evidence of its existence, the document, which related to the Des Moines River, its characteristics, its commercial and economic value, has not been located either in the records of the War Department<sup>32</sup> or among the papers of the office of the Adjutant-General of the State of Iowa.<sup>33</sup> Its historical importance can not, therefore, be estimated.

It was in connection with this report that Lieutenant Lea drew a map which was used, with some changes, in his *Notes on Wisconsin Territory*. In speaking of the making of this

<sup>30</sup> Letter written on April 4, 1890, by Albert M. Lea to Honorable T. S. Parvin.

<sup>31</sup> Order of Lieutenant-Colonel Kearney.— Found in an article prepared by the War Department for *Annals of Iowa*, Third Series, Vol. III, p. 356.

<sup>32</sup> Letter from War Department, December 3, 1908.

"The report made by Lieutenant Albert M. Lea, of the 1st U. S. Dragoons, in 1835, relative to the Des Moines river is not found in the Department." Also a letter from the War Department to W. B. Allison on August 23, 1904: "An exhaustive examination of the records on file in this office has resulted in failure to find any report made by Albert M. Lea."

<sup>33</sup> Letter written to A. N. Harbert by Adjutant-General M. H. Byers on July 20, 1901: "There are no reports from him [A. M. Lea] on file and indeed his name is not found on any papers on file."

map Lieutenant Lea says: "Without delay, I mapped the river and wrote a report on its character and capabilities, which was forwarded to the Adjutant-General; and then it occurred to me that I could get an outline of the region between the Mississippi and Missouri, and by filling it in with my sketches, the whole route having been carefully meandered, as I did the river, I could make a map that would interest the public, gain me some reputation and perhaps a little money." When the map was finished, however, the post commander, Lieutenant Colonel Kearney, sent for it and even refused its maker a copy. The next year, after much difficulty, Lieutenant Lea obtained a copy of his map from the proper officials in Washington and had it lithographed for the *Notes on Wisconsin Territory*.<sup>34</sup>

#### NOTES ON WISCONSIN TERRITORY

The second and perhaps the most important of Lea's contributions to the literature of Iowa history is the *Notes on Wisconsin Territory* — a small book of forty-five pages. When in 1836 Lieutenant Lea returned to Baltimore from his campaign with the Dragoons so many inquiries for information concerning the western country were addressed to him<sup>35</sup> that he decided to write a concise and accurate account of the land to which so many immigrants were bound and over which the Dragoons had made their march.

Such a task was an easy undertaking for Lieutenant Lea, since he had secured much information of the West during his travels and his services with the army. The demand, too, for a book of this kind promised to be large, as hundreds of settlers were flocking to the western country. Accordingly, Lea wrote an account of the region which was

<sup>34</sup> *Early Explorations in Iowa* in the *Iowa Historical Record*, Vol. V, No. 4, October, 1890, p. 550.

<sup>35</sup> Lea's *Notes on Wisconsin Territory*, the preface.

then a part of the original Territory of Wisconsin and lying west of the Mississippi River.

When this was finished the author went to Washington, D. C., where, after much persuasion he managed to secure a copy of the map which has been described above and which had been made at the close of the march in the year 1835. The map and manuscript were then taken to Philadelphia where the book was published. Lea later described the publication of this valuable book in this manner:— “One thousand copies with the map were put up by my friend, H. S. Tanner, to whom I paid thirty-seven and a half cents per copy, and put them on sale at a dollar. Being quite ignorant of the book trade I assumed the sales myself, sent a few copies by mail, and five hundred in a trunk as freight to Arthur Bridgman of Burlington, an accomplished merchant. The last I heard of them was on a little steamboat stranded on a sandbank in the Ohio.”<sup>36</sup> The book indeed is quite rare, and less than a score of copies are known to be in existence.<sup>37</sup>

The book is small, three and a half by six inches, bound in pale blue board cover, and contains, besides a map of the country described, forty-five finely printed pages. The full title of this interesting little contribution is *Notes On The Wisconsin Territory; particularly with reference to the Iowa District or Black Hawk Purchase*. It was written, as the author declares in the preface, “to place within the reach of the public, correct information in regard to a very

<sup>36</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 552.

<sup>37</sup> A partial list of the owners of these books is the following: L. A. Brewer, Cedar Rapids; T. J. Fitzpatrick, Iowa City; Mr. Blair, Kossuth; The Masonic Library, Cedar Rapids; The Davenport Academy of Science, Davenport; Historical Department of Iowa, Des Moines; State Historical Society, Iowa City; and A. N. Harbert, Cedar Rapids.

Mr. Earl Swem, Assistant State Librarian of Richmond, Virginia, can furnish a complete list of the owners of copies of this book.

interesting portion of the Western Country".<sup>38</sup> The contents, too, are confined to subjects which would interest "the emigrant, the speculator, and the legislator."<sup>39</sup> A more complete work was planned, but the author never had the inclination nor the desire to finish it.<sup>40</sup>

The *Notes on Wisconsin Territory* consists of three general chapters or divisions. The first division gives a general description of the country; the second part explains the water courses, the local divisions, and the form of government; while in the last chapter the reader finds a description of the various towns, landings, and roads.

The country to which the author limited himself was a part of the original Territory of Wisconsin which he chose to call the "Iowa District"—a strip of land "about 190 miles in length, 50 miles wide near each end, and 40 miles wide near the middle opposite to Rock Island; and would make a parallelogram of 180 by 50 miles equivalent to 9000 square miles."<sup>41</sup> This strip of country had been practically unsettled before the year 1832, being alternately in the possession of various tribes of Indians, but chiefly of the Sacs and Foxes. At the close of the Black Hawk War in 1832 this country was obtained from the Indians and the date of the latter's removal placed at June 1, 1833. The treaty of cession was made at Davenport, General Scott being the chief negotiator on the part of the United States.<sup>42</sup> As a result the ceded area was popularly known as "Scott's Purchase" or, later, as the "Black Hawk Purchase".

The treaty was barely signed when several families and miners, who had been hovering on the east bank of the

<sup>38</sup> Lea's *Notes on Wisconsin Territory*, the preface.

<sup>39</sup> Lea's *Notes on Wisconsin Territory*, the preface.

<sup>40</sup> Lea's *Notes on Wisconsin Territory*, the preface.

<sup>41</sup> Lea's *Notes on Wisconsin Territory*, Chap. I, p. 8.

<sup>42</sup> Salter's *Iowa: The First Free State in the Louisiana Purchase*, p. 155.

Mississippi, crossed over and established themselves on the choicest parts of the District; but these people "were dispossessed by order of government".<sup>43</sup> Nevertheless many white families remained and some even went so far as to put in crops.<sup>44</sup>

The climate of the Iowa District is first described, the different seasons and their varying aspects beautifully pictured. The winds were of especial importance in the opinion of the author, being as fresh and bracing as the sea-breezes and very much less chilling. "The prevailing winds", he writes, "are from the southwest. I have known the wind at Rock Island, to remain constant in that quarter for three weeks successively".<sup>45</sup> The salubriousness of the climate was variable according to the locality. Lea thought that from the mouth of the Des Moines until the great bend of the Mississippi was reached there was liable to be much fever; but from Rock Island northward he knew of no healthier place in the world.

The descriptions of the various seasons furnish one of the most interesting parts of the book, and also an opportunity for comparison with the seasons of the present day. As a proof that winter is not changing to any appreciable extent, the description by Lieutenant Lea, written seventy-three years ago, may be cited. "*The Winter*", he declares, "is generally dry, cold, and bracing; the waters are all bridged with ice; the snow is frequently deep enough to afford good sleighing."<sup>46</sup>

Spring was the least desirable of any of the seasons, being "a succession of rains, blows, and chills." The same characteristics were in evidence then as now, for Lea writes

<sup>43</sup> Lea's *Notes on Wisconsin Territory*, p. 8.

<sup>44</sup> Shambaugh's *History of the Constitutions of Iowa*, p. 38.

<sup>45</sup> Lea's *Notes on Wisconsin Territory*, p. 8.

<sup>46</sup> Lea's *Notes on Wisconsin Territory*, p. 9.



that "We have no gradual gliding from cold to warm; it is snowy — then stormy — then balmy and delightful."<sup>47</sup>

Summer was a season in which all the conditions were favorable to a rapid growth of vegetation. The appearance of the country during this season was very beautiful, as all the grasses and flowers grew luxuriantly.

Autumn, however, was described by Lieutenant Lea as being "the most delightful of all the seasons of the year." His description of this season, written in 1836, would apply to-day with equal truthfulness. "The heat of the summer is over by the middle of August; and from that time till December, we have almost one continuous succession of bright clear delightful sunny days. Nothing can exceed the beauty of Summer and Autumn in this country, where, on one hand, we have the expansive prairie strewed with flowers still growing; and on the other, the forests which skirt it, presenting all the varieties of colour incident to the fading foliage of a thousand different trees."<sup>48</sup>

The soil and the character of the country are presented in detail, and the writer gives his opinions as to the best crops for the various soils. Indian corn, he believes, was "peculiarly adapted" to the low lands of this district.

"The general appearance of the country", declares Lea, "is one of great beauty. It may be represented as one grand rolling prairie, along one side of which flows the mightiest river in the world and through which numerous navigable streams pursue their devious way to the ocean".<sup>49</sup> In another place this same area is claimed by the author to be superior, all things considered, to any other part of the United States.<sup>50</sup>

<sup>47</sup> Lea's *Notes on Wisconsin Territory*, p. 9.

<sup>48</sup> Lea's *Notes on Wisconsin Territory*, p. 10.

<sup>49</sup> Lea's *Notes on Wisconsin Territory*, p. 11.

<sup>50</sup> Lea's *Notes on Wisconsin Territory*, p. 12.

The distribution of timber, water, and prairie was one of the unique features of this District. The beauty of the country seemed to have charmed Lieutenant Lea, for at the close of his description of its general appearance he writes:

Could I present to the mind of the reader that view of this country that is now before my eyes, he would not deem my assertion unfounded. He would see the broad Mississippi with its ten thousand islands, flowing gently and lingeringly along one entire side of this District, as if in regret at leaving so delightful a region; he would see half a dozen navigable rivers taking their sources in distant regions, and gradually accumulating their waters as they glide steadily along through this favoured region to pay their tribute to the great "Father of Waters"; he would see innumerable creeks and rivulets meandering through rich pasturages, where now the domestic ox has taken the place of the untamed bison; he would see here and there neat groves of oak, and elm, and walnut, half shading half concealing beautiful little lakes that mirror back their waiving branches; he would see neat looking prairies of two or three miles in extent, and apparently enclosed by woods on all sides, and along the borders of which are ranged the neat hewed log cabins of the emigrants with their fields stretching far into the prairies, where their herds are luxuriating on the native grass; he would see villages springing up, as by magic, along the banks of the rivers, and even far into the interior; and he would see the swift moving steam-boats, as they ply up and down the Mississippi, to supply the wants of the settlers, to take away their surplus produce, or to bring an accession to this growing population, anxious to participate in the enjoyment of nature's bounties, here so liberally dispensed.<sup>51</sup>

The mineral resources were described as abundant, comprising coal, lead, limestone, zinc, and clay. Lea believed these were the greatest assets of the country. The chief mineral wealth at that time, however, was in the lead industry which was in a thriving condition in and near Dubuque. "Here", writes Lea, "are capital, western enterprise, for-

<sup>51</sup> Lea's *Notes on Wisconsin Territory*, p. 12.

eign experience, and Yankee ingenuity combined; and they have brought to their assistance the powers of both water and steam. The smelting establishments have recently been much improved and are now conducted with scientific accuracy, yielding seventy or eighty per cent of lead from the native sulphuret."<sup>52</sup>

The larger game was rapidly beginning to disappear when this book was written, but the writer mentions deer, "some bear", and buffalo. The wild turkey, grouse and the wild duck were the most numerous of the wild fowls; and fish of all varieties were found in the numerous rivers. Spearing the fish in the rapids was a favorite sport and large strings of pike, pickerel, catfish, and trout were to be had.

Agricultural products, being least in importance at this time, are only briefly mentioned. The chief product then, as now, was corn or maize, of which the yellow varieties were considered the most certain and produced from forty to seventy-five bushels per acre. Wheat and oats were very easily grown, the latter usually yielding from "sixty to seventy-five bushels per acre."<sup>53</sup> Potatoes, too, were one of the most important crops of the period. The stock-raising industry was still unknown, and Lea predicted that "The growing of stock of various kinds will doubtless be extensively pursued, as few countries afford more facilities for such purposes"<sup>54</sup>— a prophecy which has been abundantly fulfilled.

Lea estimated that the population in 1835 was sixteen thousand, representing every State in the Union. No higher compliment could have been paid them than the one given in the *Notes on Wisconsin Territory*. "The char-

<sup>52</sup> Lea's *Notes on Wisconsin Territory*, p. 41.

<sup>53</sup> Lea's *Notes on Wisconsin Territory*, p. 13.

<sup>54</sup> Lea's *Notes on Wisconsin Territory*, p. 13.

acter of this population is such", says the author, "as is rarely found in our newly acquired Territories. With very few exceptions there is not a more orderly, industrious, active, painstaking population west of the Alleghanies, than is this in the Iowa District. . . . For intelligence, I boldly assert that they are not surpassed, as a body, by an equal number of citizens of any country in the world".<sup>55</sup> Even in the mining camps very little disorder was found, and "the District is forever free from slavery"<sup>56</sup>— a condition which was a blessing in the judgment of the author.

"The trade of the District", writes Lea, "is confined almost entirely to the grand thorough-fare of the Mississippi". There were ten or twelve steamboats which carried the lead and farm products to St. Louis, which was the only market of any importance. It took three or four days for one of these boats to run from St. Louis to the Lead Mines and as a consequence there was a boat each way daily. The railroad was several hundred miles from Iowa at this time but we are told that a railroad was being pushed westward from New York along "the southern shore of Lake Erie" to Chicago and thence to the Mississippi. "This work", writes Lea, "would place the center of the Iowa District within sixty hours of the city of New York; and if any of the 'down-easters' think this project chimerical, let them take a tour of a few weeks to the Upper Mississippi, and they will agree with me, that it is already demanded by the interests of the country."<sup>57</sup>

To the student of Iowa history the *Notes on Wisconsin Territory* is also interesting since it gives the first unofficial account of the organization of the District, which in 1835 was composed of the two counties of Dubuque and Demoine.

<sup>55</sup> Lea's *Notes on Wisconsin Territory*, p. 14.

<sup>56</sup> Lea's *Notes on Wisconsin Territory*, p. 14.

<sup>57</sup> Lea's *Notes on Wisconsin Territory*, p. 17.

At the time of the writing of the book the government of the District was in disorder. The Territory of Michigan had assumed the form of a State government; and the Territory of Wisconsin, to which the Iowa District was later attached, was not yet formed. The Claim Association, too,<sup>58</sup> which was an extra-legal institution, is described by the author as an organization made by the people of the District who "have entered into an agreement to support each other in their claims against any unjust action of the government or against any attempt at improper speculation by capitalists at a distance. And those who know the potency of such leagues will feel perfectly assured, that whatever is protected by this one, will be safe from molestation."<sup>59</sup>

Decidedly the most interesting part of the first chapter, as well as of the whole book, is the references made to the name "Iowa". It is now agreed that it was the publication of this book which brought the name "Iowa" into general use. One prominent writer precisely summarizes this opinion in the statement: "It cannot of course be said with absolute certainty that the name 'Iowa District' was used for the first time in this book. On the contrary it is altogether probable that this was not the case. But since the name was fixed and made generally prevalent through the publication of Lieutenant Lea's book and map, it is proper and accurate to say that Lieutenant Lea is the father of the expression 'Iowa District' ".<sup>60</sup>

The manner in which Lea came by the name "Iowa" is given in the book itself. The name was not taken, as some

<sup>58</sup> For a full account of the Claim Association see Shambaugh's *Claim Association of Johnson County*; and also Shambaugh's *History of the Constitutions of Iowa*.

<sup>59</sup> Lea's *Notes on Wisconsin Territory*, p. 18.

<sup>60</sup> See article by Benjamin F. Shambaugh in *Annals of Iowa*, Third Series, Vol. III, p. 641.

have claimed, from Iowa County in Wisconsin. On this point Lieutenant Lea tells us that "the District under review has been often called 'Scott's Purchase', and it is sometimes called the 'Black Hawk Purchase', but from the extent and beauty of the Iowa River which runs centrally through the District, and gives character to most of it, the name of that stream being both euphonious and appropriate has been given to the District itself".<sup>61</sup>

The name as applied to the river was spelled "Ioway"<sup>62</sup> and extends back a hundred years or more when the French spelled it "Aouway". In later years, after the State was formed, Lieutenant Lea tried to have the spelling changed to "Ioway", which as he declares "it ought to have been".<sup>63</sup>

His descriptions of the waterways furnish the student with much valuable information, as most of the streams have the same names as in 1835, very few having been changed since then. The Skunk River, however, bore at that time the more dignified name of Chicaqua,<sup>64</sup> and the Iowa was oftentimes known as the Bison or Buffalo.<sup>65</sup>

The Mississippi is given the most attention as that river was the great thoroughfare of the period. Next in importance is the Des Moines River and its tributaries, which are also described in detail. The various bends, rapids, and fording places are outlined, and any deposits of minerals or stone are also mentioned. The contiguous lands and their value for future settlement are described and estimated.

The Iowa River was the favorite of Lieutenant Lea and he

<sup>61</sup> Lea's *Notes on Wisconsin Territory*, p. 8.

<sup>62</sup> *Annals of Iowa*, Third Series, Vol. III, p. 641.

<sup>63</sup> Letter of A. M. Lea to Editor H. G. Day of Albert Lea, Minnesota, dated January 1, 1890.—In collection of Mr. A. N. Harbert of Cedar Rapids, Iowa.

<sup>64</sup> See the map in Lea's *Notes on Wisconsin Territory*.

<sup>65</sup> See the map in Lea's *Notes on Wisconsin Territory*.

never mentions it without becoming enthusiastic. He declares "it presents to the imagination the finest picture on earth." Other rivers which the writer describes are the "Pine", the "Wabesapinica", the "Great Mequoquetoia", the "Tetes des Morts", and the "Penaca or Turkey river". Other small creeks and sloughs are also mentioned, which had no importance except as landmarks.

Two tracts of land which were the subjects of much speculation are discussed by Lea. The first of these is the "Half-Breed Tract", a portion of land lying in the angle between the Des Moines and the Mississippi rivers. The history of this tract is related from the time of the treaty of 1824 with the Sauk and Fox Indians. Not only is the soil of this tract described, but the various small streams are mentioned, the conditions of its inhabitants explained, and the validity of the land titles discussed.

The second tract is that strip of land known as "The Indian Reserve", or "Keokuk's Reserve". This comprised a strip of land along the Iowa River containing four hundred square miles. At this time the Indians had removed in large numbers and the whites were eagerly awaiting a chance to seize upon some of the choicest parts of the District.

The descriptions of the towns are of exceeding interest, since the struggling little villages of that day are now in many instances thriving cities; while in other cases no remnant remains of what promised to be prosperous and wealthy communities. Keokuk was a town which derived its chief importance from the rapids in the Mississippi, for all boats were forced to stop and change their freight.<sup>66</sup> The town lots were held in common by the owners of the "Half-Breed Tract".

<sup>66</sup> Lea's *Notes on Wisconsin Territory*, p. 35.

Fort Des Moines, now no longer in existence, was then an important place.<sup>67</sup> A good landing was located here, and much fine farming country was close by. A legend claimed that this was the location of an old French settlement; and some remains of such a settlement were to be found.

Madison (Fort Madison) was located upon the site of old Fort Madison, which had been burned during the War of 1812. This town had been laid out in 1835 and gave great promise of growth.<sup>68</sup>

Burlington was a town of four hundred inhabitants and was beginning to boom. Lots were being bought and sold with remarkable briskness, and the town impressed one as a rich business center.<sup>69</sup>

Iowa,<sup>70</sup> "a town to be laid out", and located at the great bend of the Mississippi, between Davenport and Muscatine, is mentioned as the future metropolis of the District.<sup>71</sup> "Should the seat of Government of the future State of Iowa be located on the Mississippi, it would probably be fixed at Iowa. . . . And if it be located in the interior, it must be near the Iowa river". This proved to be the case, as the seat of government was located at Iowa City.<sup>72</sup>

Considerable attention is given to Davenport, "a town

<sup>67</sup> Lea's *Notes on Wisconsin Territory*, p. 35.

<sup>68</sup> Lea's *Notes on Wisconsin Territory*, p. 35.

<sup>69</sup> Lea's *Notes on Wisconsin Territory*, p. 36.

<sup>70</sup> Lea's *Notes on Wisconsin Territory*, p. 37.

Lieutenant Lea had bought a large strip of land at the mouth of the Pine River and had platted the District. Later he organized a ferry and immigration company, but lacked the necessary capital to carry his project through. A letter written by Lieutenant Lea's daughter, Lida L. Lea, on January 5, 1904, says: "He [A. M. Lea] had some 'wild lands' for which he refused \$30,000 and afterwards forgot—in other business enterprises,—and allowed to be sold for the taxes".—See *Acts of the Territorial Assembly of Iowa for 1840-1841 for the Articles of Incorporation*, Chapter 63.

<sup>71</sup> Lea's *Notes on Wisconsin Territory*, pp. 37, 38.

<sup>72</sup> This forecast is typical of those made by Lea and shows the accuracy and care usually exhibited in his writings.



just laid out on a reserve belonging to Antoine Leclaire".<sup>73</sup> The most interesting part of the description of this town has historical significance in regard to the location of the capital city. "The town", says Lea, "is laid out on a liberal scale, with a view to its becoming a large city. Three public squares have been reserved from sale, one of which, it is supposed by the proprietors, will be occupied by the public buildings of the future State of Iowa; for they confidently predict that the seat of Government of this forthcoming commonwealth will be no other than the city of Davenport itself. *Nous verrons*".<sup>74</sup>

Dubuque (or Du Buque as it was then spelled) was the most prosperous of any of these towns;<sup>75</sup> for besides a population of over 1200 it had twenty-five dry goods stores, numerous groceries, four taverns, a court house, a jail, and three churches. It was claimed that the art of mining was "more skilfully practised at these mines than in any other part of the world".<sup>76</sup>

Many other towns are mentioned which have long since ceased to exist. Among this class of towns was Catfish, a small town laid out in 1832 in the region of the mines south of Dubuque.

Riprow was another small town of which Lieutenant Lea declared "here are some of the finest smelting establishments in the world."

Kasey's, a town to be laid out by a gentleman bearing that name, was on the present site of the city of Muscatine. As this was close to the town of Iowa, in which Lea was interested, the town of Kasey's was not given a very alluring write-up.

<sup>73</sup> Lea's *Notes on Wisconsin Territory*, p. 39.

<sup>74</sup> Lea's *Notes on Wisconsin Territory*, p. 39.

<sup>75</sup> Lea's *Notes on Wisconsin Territory*, p. 41.

<sup>76</sup> Lea's *Notes on Wisconsin Territory*, p. 41.

## THE MAP OF THE IOWA DISTRICT

In connection with the *Notes on Wisconsin Territory* is a map of the District of which mention has already been made; and this was one of the two maps of the Iowa country drawn by Lieutenant Lea. It is "a Map of Wisconsin Territory, compiled from Tanner's map of United States, from surveys of public lands and Indian boundaries, from personal reconnoissance and from original information derived from explorers and traders".<sup>77</sup> Among the latter was Captain Nathan Boone, a son of the famous Daniel Boone and an intimate friend of Lieutenant Lea.<sup>78</sup> It was largely through Boone's aid that Lea secured the information concerning the river courses and the Indian lands which made the map one of the most accurate of the period.<sup>79</sup>

The map is interesting, in the first place, from a mechanical standpoint. It is small, about 16 by 22 inches, and very finely drawn. The coloring is excellently done in bright shades<sup>80</sup> and the engraving is perfect. Upon it we see some of the roads then in existence, all the towns, and a few of the winding Indian trails. We can also see the streams with their old-time spelling — although most of the rivers bear the same names as at present.

<sup>77</sup> Lea had not traveled over western Iowa, which at that time had never been explored, and it was necessary to use the information of trappers and traders.

<sup>78</sup> Nathan Boone was Captain of Company H of the First United States Dragoons. In 1832 he had surveyed the Neutral Strip, a tract of land forty miles wide which divided the Sioux and the Sac and Fox tribes of Indians.— *Annals of Iowa*, Third Series, Vol. VII, p. 436.

<sup>79</sup> Other maps of this District during this period are John Plumbe's and J. H. Colton's maps of 1839; J. H. Colton's and Jesse Williams' maps of 1840; Newhall's map of 1841; Willard Barrow's map of 1845.— See THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. I, p. 82.

<sup>80</sup> The coloring of the early maps was in very bright shades and their lasting qualities were very great.

One of the most interesting features of the map is the route taken by the Dragoons in 1835.<sup>81</sup> This is very clearly shown, with the camping places, the distances covered daily, and any peculiar geographical formations plainly marked. Among the latter is a high mound located a short distance below the present city of Boone.<sup>82</sup> A large part of the present States of Missouri, Illinois, Wisconsin, and Minnesota is also outlined. The completeness, the accuracy, and the simplicity of the map caused it to be generally used both by the government<sup>83</sup> and by individuals.

#### THE REPORT ON THE IOWA-MISSOURI BOUNDARY

Next in importance to the *Notes on Wisconsin Territory* as a contribution to the literature of Iowa history is the report made by Lieutenant Lea as United States Commissioner to locate the Iowa-Missouri boundary. When the Territory of Iowa was created by an act of Congress on June 12, 1838,<sup>84</sup> a controversy with the State of Missouri had already arisen concerning the boundaries of the two jurisdictions. Accordingly, on the 18th of June Congress passed an act which empowered the President of the United States to cause the southern boundary of Iowa to be ascertained and marked.<sup>85</sup> This act provided for the appointment of a commissioner who should work with a commissioner from the Territory of Iowa and one from the State of Missouri. Following the provisions of this law, President Van Buren appointed Lieutenant Lea as Commissioner for

<sup>81</sup> This route covered over 1100 miles.—See *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 535.

<sup>82</sup> See note 18 above.

<sup>83</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 550. cf. note 92.

<sup>84</sup> *United States Statutes at Large*, Vol. V, p. 235.

<sup>85</sup> *United States Statutes at Large*, Vol. V, p. 248.

the United States;<sup>86</sup> and Governor Lucas appointed Dr. James Davis.<sup>87</sup> But Governor Boggs of Missouri failed to appoint a man to represent his State.

As soon as Lieutenant Lea received his appointment he hastened to St. Louis, arriving there on September 1, 1838.<sup>88</sup> After securing the necessary amount of help and instruments he came north to Keokuk, and there he met the Iowa commissioner. These two spent most of the winter in examining and surveying the country, and in going over the various documents connected with the history of the controversy.<sup>89</sup> Finally, on the 19th of January, 1839, Lieutenant Lea submitted his report to the General Land Office. It was printed as an Executive Document and used extensively in the debates in Congress.<sup>90</sup>

This report is remarkable in many respects, and for some years was the most important and most widely known work of Lieutenant Lea. It is concise, gives a full and accurate history of the land in dispute, and states clearly the issues which Congress must decide.

After an introduction outlining the work done by the commissioners, a history of the tract in dispute is given.<sup>91</sup> It

<sup>86</sup> *Executive Documents*, House Document No. 38, Third Session, 27th Congress, p. 5; also Gue's *History of Iowa*, Vol. I, p. 175.

<sup>87</sup> Gue's *History of Iowa*, Vol. I, p. 175.

<sup>88</sup> *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, p. 204.

<sup>89</sup> Among these documents may be noted the following: Act creating State of Missouri; Act creating Territory of Missouri; several important letters; copies of a Spanish Land Grant. The latter is a copy of one of the four land grants made by the Spanish Government from territory now within the limits of the State of Iowa. It is signed by the Governor, Zenon Trudeau, and reads:

“St. Louis, le 30 Mars, 1799.

“Il est permis à Mr. Louis Honoré d s'établir au haut du rapide de la rivière Des Moines.”

<sup>90</sup> See files of the *Congressional Globe* for this period, 1838-1848.

<sup>91</sup> *Report on the Iowa-Missouri Boundary* in the *Iowa Historical Record*, Vol. II, No. 1, January, 1886, p. 193.

relates how in 1808 the Osage Indians ceded this land, comprising the northern part of Missouri, to the United States government. A few years later, in 1816, Colonel John C. Sullivan surveyed these lands and ran a line which was commonly considered the northern boundary of Missouri. This line started at the "Old Northwest Corner", a point one hundred miles due north of the mouth of the Kansas River, and was supposed to run due east to the "Des Moines Rapids". But owing to carelessness in correcting the needle, the line run by Colonel Sullivan was two and one-half degrees north of east when the Des Moines River was reached.<sup>92</sup>

Four years later, in 1820 when the people of Missouri formed a State, they used the words "to correspond with the Indian boundary line"<sup>93</sup> in their petition to Congress; and thus the dispute arose. Missouri claimed that the "Des Moines Rapids" were in the River Des Moines, while Iowa claimed that the phrase referred to those rapids above Keokuk in the Mississippi or "Les rapids de la rivière Des Moines" of the French period.

Four lines at once presented themselves for the consideration of the commissioners; and these were carefully examined. First, there was the old Indian boundary or Sullivan's line which extended west to the Missouri River. Second, there was the parallel of latitude passing through the Old Northwest Corner of the Indian boundary. Third, there was the parallel of latitude passing through the Des Moines rapids in the Mississippi. And fourth, there was the parallel of latitude passing through the rapids in the Des Moines River at the Great Bend, near the present site of Keosauqua.

<sup>92</sup> *Report on the Iowa-Missouri Boundary* in the *Iowa Historical Record*, Vol. II, No. 1, January, 1886, p. 194.

<sup>93</sup> *United States Statutes at Large*, Vol. III, p. 545.

The first line appeared to be the just one and the line commonly used; but it did not conform to the law, which called for a "parallel of latitude".<sup>94</sup> And though the other three lines were parallels of latitude, yet they failed to pass through the required rapids or the Old Northwest Corner. Lieutenant Lea concluded that the old Indian boundary, or Sullivan's line, "is the equitable and proper northern boundary of the State of Missouri; but that the terms of the law do not allow the Commissioner to adopt that line."<sup>95</sup>

This report on the Missouri-Iowa boundary caused much discussion in Congress. The committee to which it was referred was unable to settle the question, and for a period lasting over ten years it was a subject of much debate in both houses. Congress at last found itself unable to settle the question and the case was taken to the United States Supreme Court, where the opinions and sound judgment of Lea, as exhibited in the report, were affirmed by the decision<sup>96</sup> handed down by Mr. Justice Catron, who said in part: "This court doth therefore see proper to decree, and accordingly order, adjudge, and decree, that the true and northern boundary line of the State of Missouri and the true southern line of the State of Iowa, is the line run and marked in 1816 by John C. Sullivan".<sup>97</sup>

A map of the Iowa country accompanies the report and is the second drawn of this section by Lieutenant Lea.<sup>98</sup> It is large, about 24 by 36 inches in size, and shows northern Missouri and the lower one-third of Iowa. The most interesting features of the map are the different lines which

<sup>94</sup> *United States Statutes at Large*, Vol. III, p. 545.

<sup>95</sup> *Executive Documents*, House Document No. 38, 3rd Session, 27th Congress. Also *Iowa Historical Record*, Vol. II, No. 1, January, 1886, p. 193.

<sup>96</sup> Found in 7 *Howard* 660.

<sup>97</sup> 7 *Howard* 679.

<sup>98</sup> *Executive Documents*, House Document No. 38, 3rd Session, 27th Congress.

were in dispute. These lines are so drawn that the issues present themselves without a word of explanation. The map is decidedly superior to the one which is found in the *Notes on Wisconsin Territory* in that it is more accurately drawn, the rivers, too, having their permanent names by this time.

#### OTHER CONTRIBUTIONS

Those already mentioned comprise the most important contributions of Albert Miller Lea to the literature of Iowa history; but there are some other writings of lesser importance which should be noticed. Among these lesser contributions the most important is the autobiography of Lieutenant Lea<sup>99</sup> which was published in the *Iowa Historical Record*. This contribution explains some of the conditions which existed at the time of Lea's work in Iowa and gives a graphic account of Iowa pioneer life.<sup>100</sup> An article of nearly the same importance is also found in the same publication and is entitled *Early Explorations in Iowa*.<sup>101</sup> This gives in a conversational manner the story of the march of the Dragoons in 1835, and is considered by most students as the best account of the march ever written.<sup>102</sup>

<sup>99</sup> A longer autobiography was prepared by Lieutenant Lea for the Minnesota Historical Society and published by the Albert Lea, Minnesota, *Freeborn County Standard*, on March 13, 1879.

<sup>100</sup> *Iowa Historical Record*, Vol. VIII, No. 1, January, 1892, p. 200.

<sup>101</sup> *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 535.

<sup>102</sup> *A Journal*. An important and very valuable document came to light in the autumn of 1908 at Madrid, Iowa, where it was claimed that Albert M. Lea was the author. The title of the document was the "Journal of different Marches Made by the Dragoons in the years 1834 and 5 with some remarks". It was in a faded handwriting, signed "L—", and agreed so perfectly with the known facts that very few questioned its authorship by Lieutenant Lea. But upon close examination of the manuscript many features came to light which proved beyond a doubt that it was not written by the gifted Lieutenant. In the first place, the journal of 1834, which describes day by day the march of the Dragoons into the Pawnee country, could not possibly have been written

In 1890 Lieutenant Lea wrote a series of articles for a paper<sup>103</sup> published in Albert Lea, Minnesota, which deal not only with the early history of Iowa, but also relate to the Civil War and to incidents in the life of the author.<sup>104</sup> Some

by Lea for he did not join that regiment until its return to Fort Gibson in the autumn of 1834.

The Journal of 1835, moreover, was not written by Lieutenant Lea, for it gives a daily account of the marches from the Raccoon Forks to Fort Des Moines No. 1. Since Lieutenant Lea covered this distance in a canoe upon the Des Moines River, and was not with the troops over that portion of the march, it was an impossibility for him to keep such a record.

There are also other evidences in the body of the text to prove that it did not owe its authorship to Lieutenant Lea. Nor is external evidence lacking to prove this statement; for the handwriting, the rhetoric, the orders of the commanding officers, all go to show that Albert M. Lea did not write these journals.

However, the fact that they were written by an unknown man, who signed himself "L—" does not in the least lessen their value. They compare accurately with the known and reliable sources concerning the march, such as the map in the *Notes on Wisconsin Territory* and the account given by Lea in a magazine article. In fact they touch upon phases overlooked by Lieutenant Lea himself and must be considered as a valuable addition to the literature of the early history of Iowa.

*The Journal* has been edited by Louis Pelzer and published in full in the July, 1909, number of THE IOWA JOURNAL OF HISTORY AND POLITICS.

Lieutenant Lea has described his trip from the present site of Des Moines to Fort Des Moines No. 1, in the *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 550, in these words: "The next morning, a bright Sunday, I got orders to reconnoitre the Des Moines river, by descending it in a canoe, to ascertain the practicability of navigation with keel boats, with a view to the establishment of a military port. A goodly cottonwood was selected, my men set to work with a will, and at sunrise Tuesday I bade adieu to the camp, and aided by a soldier and an Indian, started on my toilsome task, sounding all shoals, taking courses with a pocket compass, estimating distances from bend to bend by the time and rate of motion, sketching every notable thing, occasionally landing to examine the geology of the rocks, and sleeping in the sand despite the gnats and mosquitoes. We made the trip without an accident, and leaving our canoe with Capt. White at the trading house, we footed it to the fort, where we arrived many days before the main body, who returned leisurely by land, and arrived in fine order, without the loss of a man, a horse, a tool, or a beef, which were fatter than at the starting, after a march of eleven hundred miles."

<sup>103</sup> *Freeborn County Standard*, Albert Lea, Minnesota, edited by H. G. Day.

<sup>104</sup> Lea was an intimate friend of President Jefferson Davis; and he claimed relationship to General Robert E. Lee. In the early part of the war, however,



of these articles are especially valuable as they give the Indian's side of the Black Hawk War,<sup>105</sup> just as Lieutenant Lea heard it from the lips of Black Hawk himself. In another of these same articles we are told of the formation of the United States Dragoons.<sup>106</sup> A cavalry regiment of five companies was formed at the close of the Black Hawk War, and this, declares Lea, "was the cause and nucleus of the First United States Dragoons".

The last of these lesser contributions<sup>107</sup> is a letter by Lieutenant Lea, which deserves special mention as it throws some light on the name "Iowa". It appears that the name was spelled "Ioway" by the earliest settlers; but in order to satisfy their desires for Latin endings, George W. Jones, the Territorial Delegate to Congress,<sup>108</sup> and Lieutenant Lea agreed to spell it "Iowa". Several years later, after the State had been formed, the original spelling seemed preferable; and in this letter the writer asks his friends to revert to the old spelling of "Ioway".

The contributions of Albert M. Lea<sup>109</sup> are not numerous,

Lieutenant Lea incurred the disfavor of Jefferson Davis and never rose higher than the rank of Major.

At the battle of Galveston, Albert M. Lea fought against his son, who was a Lieutenant on a Federal gunboat. The younger Lea was slain and the article telling of this battle is the most pathetic story ever written by Albert M. Lea.

<sup>105</sup> Lea, accompanied by General Parrott, visited the lodge of Black Hawk.

<sup>106</sup> Article published in the *Freeborn County Standard* on January 30, 1890.

<sup>107</sup> Letter written to H. G. Day of Albert Lea, Minnesota, on January 1, 1890, preserved in collection of Mr. A. N. Harbert.

<sup>108</sup> For a complete history of the Territorial Delegate see an article by Kenneth W. Colgrove entitled *The Iowa Territorial Delegates* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VII, No. 2, April, 1909, p. 230.

<sup>109</sup> Lieutenant Lea was a very careful writer and most of his writings agree perfectly with official records and documents. The map in the *Notes on Wisconsin Territory*, however, was based to a considerable extent upon data furnished by Capt. Nathan Boone; and a comparison of this map with the present map of the State shows its defects.—See *Iowa Historical Record*, Vol. VI, No. 4, October, 1890, p. 550.

neither are they in the best sense critical. The author did not realize the part they would play nor the influence they would exert. They are, however, remarkable in many respects. They give us real pictures of the virgin Iowa prairies, of the streams, and the homes of the pioneers. They were in most respects accurate and reliable, concise and clear. These contributions though few in number are prized by all students of Iowa history. They are, indeed, the most enduring monuments to the life and memory of Albert Miller Lea.

IOWA CITY, IOWA

CLIFFORD POWELL

## ANDERSONVILLE AND THE TRIAL OF HENRY WIRZ<sup>1</sup>

[In 1884 Ex-Lieutenant Governor Benj. F. Gue of Iowa visited the site of Andersonville Prison and compiled from the cemetery register the number of burials of Iowa soldiers in the cemetery. He found the names of two hundred Iowa men, representing twenty-eight regiments. The names of these men, with company and regiment, were published in the *Iowa State Register* of April 16, 1884. The list was republished, together with a description of the prison stockade, in the *Annals of Iowa*, Third Series, Vol. I, pp. 65-87.—  
EDITOR.]

I have been introduced to you as the sole survivor<sup>2</sup> of the Court that tried Captain Henry Wirz, the keeper of the Andersonville Prison, and I have been asked to tell you something of the prison and its management. Were it not for reasons herein given my preference would be to say nothing on the subject, not because I would shirk the responsibility of having participated in the trial of Wirz, but because for more than fifty days during his trial I sat and listened to the terrible story of the sufferings and death of our brave boys at Andersonville, and when the end was

<sup>1</sup> This paper was read by General John Howard Stibbs at Iowa City, Iowa, on May 30, 1910. The military record of General Stibbs as shown in Vol. I of the *Historical Register and Dictionary of the United States Army* is as follows: Mustered into the United States Service as Captain of Twelfth Iowa Infantry Volunteers, November 25, 1861; as Major, May 2, 1863; as Lieutenant Colonel, September 25, 1863; as Colonel, September 18, 1865; as Brevet Colonel United States Volunteers, March 13, 1865, for distinguished gallantry in the battles before Nashville, Tennessee; Brevet Brigadier General, United States Volunteers, March 13, 1865, for meritorious services during the war; and was honorably discharged, April 30, 1866. For a more detailed sketch of General Stibbs, see below under "Contributors".

<sup>2</sup> Since the preparation of this paper it has been learned that the Judge Advocate, General N. P. Chipman, who prosecuted the case against Captain Wirz, is still living as a resident of Sacramento, California.

reached I felt that I would like to banish the subject from my mind and forget, if I could, the details of the terrible crime committed there.

On innumerable occasions since the Civil War I have been urged, and at times tempted, to say or write something in relation to the trial of Wirz, but it has always seemed to me a matter of questionable propriety. The record of the trial had been published to the world; and on occasions when the action of the Court has been criticised, or condemned, I have felt that it was the duty of our friends to defend those who had served as members of the Court rather than that we should speak for ourselves. Then, too, I have been in doubt as to the extent of my obligation, taken when I was sworn as a member of the Court, and as a result I have remained silent on the subject for nearly forty-five years; but as time passed and one after another of those who served with me passed off the stage, leaving me the sole survivor of the Court, and after a monument was erected to perpetuate the memory of Wirz and he was proclaimed a martyr who had been unfairly tried and condemned, I concluded to lay aside all question of propriety and obligation and accede to the request of some of my Iowa friends who were urging me to prepare a paper. I will add that one of my chief reasons for yielding in this matter was that I wanted to describe the personnel of the Court; to tell who and what the men were who composed it; and to tell, as I alone could tell, of the unanimous action of the Court in its findings.

I will not attempt to describe fully the horrors of Andersonville, but will simply give you an outline description of the place and the conditions existing there. With that picture before you, your own imagination will supply the details.

In the fall of 1863 the rebel prisons in the vicinity of Richmond had become overcrowded, and a new prison was located with a view, as was claimed at the time, of making more room for our men and of placing them as far as possible from our lines, where they could be cared for by a comparatively small guard and where provisions were most accessible. But the evidence presented before the Wirz Commission satisfied the Court beyond a doubt that while this prison was being made ready, if not before, a conspiracy was entered into by certain persons, high in authority in the Confederate service, to destroy the lives of our men, or at least subject them to such hardships as would render them unfit for further military service.

Andersonville is situated on the Southwestern Railroad about sixty miles south from Macon, Georgia. In 1864 the place contained not more than a dozen houses. The country round about was covered with a heavy growth of pine timber, and in the midst of this timber, a short distance from the station, the prison was laid out. Planters in the neighborhood were called upon to send in their negro men; and with this force trenches were dug inclosing an area of eighteen acres, which subsequently was enlarged to about twenty-seven acres. The timber was cut down and the trees trimmed and set into the trenches, forming a stockade about eighteen feet high. Inside the stockade, about twenty feet from the wall, was established a dead-line, formed by driving small stakes in the ground and nailing on top of them a strip of board; and the orders were to shoot down without warning any prisoner who crossed this line. Every tree and shrub within the inclosure was cut down, and it contained no shelter of any kind. Colonel W. H. Persons, who was the first commandant, ordered a lot of lumber with which to build barracks for the men; but before any work

was done he was succeeded by Brigadier General John H. Winder, and the lumber was used for other purposes. Although there was a steam saw-mill within a quarter of a mile and four mills within a radius of twenty miles, no buildings or shelters of any kind were erected within the inclosure while our men remained there, save two barren sheds at the extreme north end of the stockade which were used for hospital purposes. On the outside of the stockade, and near its top, there were built a series of platforms and sentry boxes at intervals of about one hundred feet in which guards were continually posted. They were so close together that the guards could readily communicate with each other; and from where they were posted they had an unobstructed view of the interior of the prison. At a distance of sixty paces outside the main stockade, a second stockade, about twelve feet high, was built, and the intervening space was left unoccupied. This was designed as an additional safeguard against any attempt of the prisoners to escape. Surrounding the whole was a cordon of earthworks in which seventeen guns were placed and kept continually manned. The guard consisted of a force of from three to five thousand men, chiefly home guards, and they were encamped west of and near to the stockade. A creek having its source in a swamp or morass, less than half a mile from the stockade, ran from west to east through the place at about the center. The water in this creek was not wholesome at its source, and before it reached the stockade there was poured into it all the filth from the camp of the Confederate guard, the hospitals, and cook houses; and to this was added all the filth and excrement originating within the prison pen. For a time this creek was the only source from which our men obtained water; but in time the creek bed and fully an acre or more of land

bordering it became a putrid mass of corruption, into which the men waded knee-deep to secure water from the running stream. In this extremity many of the men set to work and with their knives and pieces of broken canteens they dug wells, some of them seventy feet deep, and thereafter such as were fortunate enough to have an interest in a well were supplied with wholesome water.

When the place was first occupied the ground was covered with the stumps of the trees that had been cut down; but there was such a scarcity of wood with which to cook their food and warm their numb fingers that our men went to work with their knives and the rude implements at hand and cut out the stumps, digging far into the ground to secure the roots, until not a vestige of a stump remained.

On February 15, 1864, the first lot of prisoners, 860 of them, were turned into the stockade. In April following, the number had increased to 9577; which number was doubled a month later; and in August, 1864, there were more than 33,000 men within the inclosure.

Think of it! Picture it if you can! A great barren field so filled with men that there was scarcely room enough for all of them to lie down at the same time — without a shelter of any kind to shield them from a southern sun or frequent rain; without a seat on which to rest their weary bodies when too tired to stand; without blankets, and in many instances without sufficient clothing to cover their nakedness; with scant rations of the coarsest food, many times uncooked; and with nothing to do but to stand around waiting for death, or a possible exchange. Is it a wonder that men became sick under such conditions? The wonder to me is that any one of them lived through it. Here the question is suggested, What means were provided for the care and treatment of our men when they became sick?

As a prelude to my answer I will state that during the trial of Wirz one hundred and forty-six witnesses were sworn, and of this number nearly one hundred had been confined as prisoners in the stockade. One after another they told their experiences as prisoners and of the conditions existing in and about the stockade, until we had the picture complete from their standpoint; and had there been no other evidence in the case, the story told by their combined testimony might with some show of fairness have been discredited because of the fact that all had been sufferers and supposedly were prejudiced and biased. But we had other witnesses, two score or more of them, who had been in the Confederate service and were at the prison as guards, officers, surgeons, etc., and some of them had made official reports, telling of the horrible condition of the prison and its inmates. A number of these reports were found and introduced as evidence before the Court, and the parties who made them were called in to testify concerning what they had written. This evidence served to corroborate in the fullest particular all that had been testified to by those who had been prisoners concerning the general conditions in the prison. I feel that it will answer my purpose if I quote from their testimony alone in my efforts to place before you a comprehensive picture of Andersonville as it existed in the summer of 1864.

In August, 1864, Dr. Joseph Jones, an ex-surgeon of the Confederate army whom Jefferson Davis, in an article published in *Belford's Magazine* in January, 1890, referred to as being "eminent in his profession, and of great learning and probity", was sent to Andersonville to investigate and report his observations; and his official report made to Surgeon General Moore was very full and complete. In it he gave a minute description of the stockade, and the hospital



adjacent; of the number of prisoners and their crowded condition; of the lack of food, fuel, shelter, medical attendance, etc.; of the condition of the men in the stockade and in the hospital; of the deaths and death rate; and in fact, as I remember, he went over the entire ground. His report was introduced in evidence, and identified by him when called as a witness. He frankly admitted that he did not go to Andersonville with a view of ameliorating the sufferings of the prisoners, but purely in the interest of science for the "benefit of the medical department of the Confederate armies", and that his report was intended for the sole use of the Surgeon General. I will quote briefly from his report. On pages 4340 and 4341 of the *Record*, he says:

I visited two thousand sick within the stockade, lying under some long sheds which had been built at the northern portion for themselves. At this time only one medical officer was in attendance, whereas at least 20 medical officers should have been employed.<sup>3</sup>

Further on, after referring to the sheds in the stockade which were open on all sides, he says on page 4348 of the *Record*:

The sick lay upon the bare boards, or upon such ragged blankets as they possessed, without, as far as I observed, any bedding or even straw. Pits for the reception of feces were dug within a few feet of the lower floor, and they were almost never unoccupied by those suffering from diarrhoea. The haggard, distressed countenances of these miserable, complaining, dejected, living skeletons, crying for medical aid and food, . . . and the ghastly corpses, with their glazed eye balls staring up into vacant space, with the flies swarming down their open and grinning mouths, and over their ragged clothes, infested with numerous lice, as they lay amongst the sick and dying, formed a picture of helpless, hopeless misery which it would be impossible to portray by words or by the brush.<sup>4</sup>

<sup>3</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, pp. 623, 624.

<sup>4</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, p. 626.

Again, referring to the hospital inclosure of less than five acres he says on pages 4350, 4351, and 4354 of the *Record*:

The patients and attendants, near two thousand in number are crowded into this confined space and are but poorly supplied with old and ragged tents. Large numbers of them were without any bunks in the tents, and lay upon the ground, oftentimes without even a blanket. No beds or straw appeared to have been furnished. The tents extend to within a few yards of the small stream, the eastern portion of which . . . is used as a privy and is loaded with excrements; and I observed a large pile of corn bread, bones, and filth of all kinds, thirty feet in diameter and several feet in height, swarming with myriads of flies, in a vacant space near the pots used for cooking. Millions of flies swarmed over everything and covered the faces of the sleeping patients, and crawled down their open mouths, and deposited their maggots in the gangrenous wounds of the living, and the mouths of the dead. Mosquitoes in great numbers also infested the tents, and many of the patients were so stung by these pestiferous insects, that they resembled those suffering with a slight attack of the measles.

The police and hygiene of the hospital was defective in the extreme. . . . Many of the sick were literally encrusted with dirt and filth and covered with vermin. When a gangrenous wound needed washing, the limb was thrust out a little from the blanket, or board, or rags upon which the patient was lying, and water poured over it, and all the putrescent matter allowed to soak into the ground floor of the tent. . . . I saw the most filthy rags which had been applied several times, and imperfectly washed, used in dressing recent wounds. Where hospital gangrene was prevailing, it was impossible for any wound to escape contagion under these circumstances.<sup>5</sup>

These statements of Dr. Jones were fully corroborated by Doctors B. G. Head, W. A. Barnes, G. G. Roy, John C. Bates, Amos Thornburg, and other surgeons who were on duty at Andersonville. Dr. G. G. Roy when called on to describe the appearance and condition of the men sent from

<sup>5</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, pp. 626, 627.

the stockade to the hospital said on pages 485 and 486 of the *Record*:

They presented the most horrible spectacle of humanity that I ever saw in my life. A good many were suffering from scurvy and other diseases; a good many were naked . . . their condition generally was almost indescribable. I attributed that condition to long confinement and the want of the necessaries and comforts of life, and all those causes that are calculated to produce that condition of the system where there is just vitality enough to permit one to live. . . . The prisoners were too densely crowded. . . . There was no shelter, except such as they constructed themselves, which was very insufficient. A good many were in holes in the earth with their blankets thrown over them; a good many had a blanket or oil-cloth thrown over poles; some were in tents constructed by their own ingenuity, and with just such accommodations as their own ingenuity permitted them to contrive. There were, you may say, no accommodations made for them in the stockade.<sup>6</sup>

The death register kept at the prison during its occupancy, and still in existence at the Andersonville cemetery, gives, supposedly, the cause of death in the case of each man who died at the prison. I have found upon examination of six hundred names, taken haphazard, the cause of death was given as follows: Diarrhoea and Dysentery, 310, Scrobutus, 205; Anasarca, 20; and all other causes 65—total, 600.

I think it proper to say, however, that the Court, in deliberating on the evidence heard during the trial, were unanimous in the conclusion that the death register would better have represented the facts if in a very large percentage of cases the death cause had been shown by the one word STARVATION — the causes named being simply complications.

The evidence presented to the Court showed conclusively that the food furnished our men in the stockade, in quality

<sup>6</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, p. 82.

and quantity, was not sufficient to sustain life for an indefinite time. I will not attempt to show specifically the rations furnished the men in the stockade; but will give a couple of extracts from the testimony of Confederate surgeons, showing the kind and amount of food provided for the men in the hospital, and will leave you to draw your own conclusions.

Doctor John C. Bates, on page 125 of the *Record*, said:

The meat ration was cooked at a different part of the hospital; and when I would go up there, especially when I was medical officer of the day, the men would gather around me and ask me for a bone. . . . I would give them whatever I could find at my disposition without robbing others. I well knew that an appropriation of one ration took it from the general issue; that when I appropriated an extra ration to one man, some one else would fall minus. . . . I then fell back upon the distribution of bones. They did not presume to ask me for meat at all. . . . they could not be furnished with any clothing, except that the clothing of the dead was generally appropriated to the living. . . . there was a partial supply of fuel, but not sufficient to keep the men warm and prolong their existence. Shortly after I arrived there I was appointed officer of the day . . . it was my duty as such to go into the various wards and divisions of the hospital and rectify anything that needed to be cared for. . . . As a general thing, the patients were destitute; they were filthy and partly naked. . . . The clamor all the while was for something to eat.<sup>7</sup>

Doctor J. C. Pelot in an official report directed to the Chief of his Division, dated September 5, 1864, and filed as Exhibit No. 9 of the *Record*, said:

The tents are entirely destitute of either bunks, bedding or straw, the patients being compelled to lie on the bare ground. I would earnestly call attention to the article of diet. The corn bread received from the bakery being made up without sifting, is wholly

<sup>7</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, p. 28.

unfit for the use of the sick; and often (in the last twenty-four hours) upon examination, the inner portion is found to be perfectly raw. The meat (beef) received for the patients does not amount to over two ounces a day, and for the past three or four days no flour has been issued. The corn bread cannot be eaten by many, for to do so would be to increase the diseases of the bowels, from which a large majority are suffering, and it is therefore thrown away. All their rations received by way of sustenance is two ounces of boiled beef and half pint of rice soup per day. Under these circumstances, all the skill that can be brought to bear upon their cases by the medical officer will avail nothing.<sup>8</sup>

The foregoing I think is quite enough to convince you that our men were left to suffer all the horrors of the stockade, with practically no medical treatment or attention, until their condition became such that their removal to the hospital was only a stepping stone from the stockade to the cemetery.

Immediately after the place was occupied our men began to die. In April, 1864, as shown by the Confederate records, there were 592 deaths; and in August following 2992 of our brave boys passed to their final resting place. In one day, August 23rd, 127 of them answered the final call. Some of them in desperation deliberately crossed the deadline, and were shot down; while others who had become crazed and demented by their sufferings, blindly blundered across the fatal line, and they too were killed without a challenge. The records show that 149 died from gunshot wounds. We can only guess at the number of these who were killed on the deadline, but the evidence showed that deaths from that cause were of frequent occurrence. Only a part of these men were taken to the hospital for treatment; fully one-half died in the stockade without having

<sup>8</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, pp. 37, 38.

received medical aid, and their comrades carried them to the gate where they were thrown, one on top of another, on a wood rack, hauled out to the burying ground, and placed in trenches where, during the occupancy of the prison, more than 13,000 of our men were buried — more than twenty-eight per cent of the entire number of those confined in the stockade. This statement, appalling as it may appear, does not represent by any means the aggregate loss of life sustained by our men as a result of the cruel treatment imposed on them at Andersonville. Evidence presented before the Court showed conclusively that fully 2,000 of our men died after leaving the prison, and while on their way home; and we know as a natural result that hundreds, possessed of barely enough life and strength to enable them to endure the journey home, must have died within a few days, weeks, or months after reaching home.

This is only part of the horrible story, but it is enough. And now some one asks, could these horrors have been prevented or averted? I reply, yes — scarcely having patience to answer the question. This prison was located in one of the richest sections of the State of Georgia. Supplies were abundant, the prison was surrounded with a forest, and yet some of our men froze to death for lack of fuel, which they would gladly have gathered had they been permitted to do so. Among those confined in that stockade were men possessed of all the training and ability necessary to construct anything from a log cabin to a war-ship; and they would have considered it a privilege to have done all the work necessary to enlarge the stockade, build barracks, and provide a supply of pure water had they been provided with tools and materials and given the opportunity. I am convinced beyond a doubt, that the lives of more than three-fourths of those who died at Andersonville might have been

saved with proper care and treatment; and to this opinion I will add that of Acting Assistant Surgeon J. C. Bates, an educated gentleman who had been a medical practitioner since 1850 and who was on duty at Andersonville for a number of months. He was asked by the Judge Advocate to state from his observation of the condition and surroundings of our prisoners — their food, their drink, their exposure by day and by night, and all the circumstances which he had described — his professional opinion as to what proportion of deaths occurring there were the result of the circumstances and surroundings which he had narrated. And his reply was as follows:

I feel myself safe in saying, that 75 per cent of those who died, might have been saved, had those unfortunate men been properly cared for as to food, clothing, bedding, etc.<sup>9</sup>

In order to make the situation at Andersonville plain to you I will say that John H. Winder was a General who never was given command of troops in the field. He was the special and particular friend and protégé of Jefferson Davis, who early in the war made him a Brigadier General and assigned him to duty in Richmond, Virginia, as Provost Marshal and Superintendent of Military Prisons, in which capacity he made himself notorious by his harsh and brutal treatment of prisoners committed to his care. No words of mine would more fittingly describe this man's character than his own language used in his celebrated order, No. 13, about which much has been said and written. When General Kilpatrick's command moved in the direction of Andersonville, in July, 1864, and it was expected that in his raid he would reach the prison, the following order was issued:

<sup>9</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, p. 38.

## ORDER NO. 13

HEADQUARTERS, CONFEDERATE STATES, MILITARY PRISON  
ANDERSONVILLE, JULY 27, 1864

The Officer on duty and in charge of the Battery of Florida Artillery, at the time, will upon receiving notice that the enemy has approached within seven miles of this Post, open fire upon the stockade with grape shot, without reference to the situation beyond these lines of defense. It is better that the last Federal be exterminated than be permitted to burn and pillage the property of loyal citizens, as they will do if allowed to make their escape from the prison.

BY ORDER OF JOHN H. WINDER,  
BRIGADIER GENERAL.

W. S. WINDER,  
ASSISTANT ADJUTANT GENERAL.

General Winder had much to do with the location of the prison at Andersonville. First, his son, Captain W. S. Winder, was sent out to locate and construct the prison; and while so employed, as was shown by competent evidence, when it was suggested to him that he leave standing some of the trees in the stockade, he replied: "That is just what I am not going to do; I will make a pen here for the damned Yankees, where they will rot faster than they can be sent." He served as Assistant Adjutant General on his father's staff.

On March 27, 1864, Captain Henry Wirz, who was a member of General Winder's staff, was sent from Richmond with orders to assume command of the prison proper; and one of his first acts was to establish and construct the dead-line, which prior to that time had not existed. On April 10, 1864, General Winder made his first appearance at Andersonville and assumed command of the post and the county in which it was situated; and among his first formal published orders was one assigning Captain Henry Wirz to the superintendence, management, and custody of the prisoners at Andersonville.



When General Winder left Richmond to assume command at Andersonville the *Richmond Examiner* had this to say of him: "Thank God that Richmond is at last rid of old Winder; God have mercy upon those to whom he has been sent." This, I think, is enough to convince you that from the outset our men at Andersonville were at the mercy of one who by his cruelty and barbarism had already made himself obnoxious to the better element.

Now, in answer to the question whether it was clearly shown that the horrible conditions existing at Andersonville were made known to those high in authority in the Confederate government, I will say that the Court listened to a mass of evidence upon this point. The report of Doctor Jones was sent to the Surgeon General; and other reports, from time to time, had been made to those in authority, in which the horrors and needs of the prison were set forth. I will refer to only one other witness. After the capture of Richmond there was discovered a report made by Colonel D. T. Chandler, Assistant Adjutant General and Inspector General of the Confederate army, dated at Andersonville, August 5, 1864, in which he gave a very graphic description of the conditions existing at Andersonville and of the sufferings of our men; and he recommended immediate action to relieve the suffering of the prisoners, offering many practical suggestions. In closing his report he said:

My duty requires me respectfully to recommend a change in the officer in command of the Post, Brig. General John H. Winder, and the substitution in his place of some one who unites both energy and good judgment with some feeling of humanity and consideration for the welfare and comfort (so far as is consistent with their safe keeping) of the vast number of unfortunates placed under his control; some one who at least will not advocate deliberately and in cold blood the propriety of leaving them in their present con-

dition until their number has been sufficiently reduced by death to make the present arrangements suffice for their accommodation; who will not consider it a matter of self-laudation and boasting that he has never been inside of the stockade, a place the horrors of which it is difficult to describe, and which is a disgrace to civilization; the condition of which he might, by the exercise of a little energy and judgement, even with the limited means at his command, have considerably improved.<sup>10</sup>

On the back of this report was endorsed the following:

Adjutant and Inspector General's Office, August 18, 1864. Respectfully submitted to the Secretary of War. The condition of the prison at Andersonville is a reproach to us as a nation. The Engineer and Ordnance Departments were applied to, and authorized their issue, and I so telegraphed General Winder. Col. Chandler's recommendations are coincided in. By Order of General Cooper.

(Signed) R. H. CHILTON, A. A. & I. G.

Following this was another endorsement:

These reports show a condition of things at Andersonville, which call very loudly for the interposition of the Department, in order that a change be made.

(Signed) J. A. CAMPBELL,  
Assistant Secretary of War.

And finally there was endorsed: "Noted — File. J. A. S." The initials are those of James A. Seddon, Secretary of War.

This original report was introduced before our Court, and Colonel Chandler was brought there to testify concerning it. He was an officer who had been educated at West Point, a polished gentleman in manner and speech; and his testimony, given in a frank, straightforward way, made a deep impression on the Court. He swore that he wrote the report and that the statements embodied in it were true.

<sup>10</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, p. 227.

He told of his very minute inspection of the stockade, of his measurements and computations, showing the amount of space allowed each inmate, and of the horrors he encountered on every hand. The picture he drew of the place served to confirm the stories of the men who had been held there as prisoners. He told of calling on Winder and remonstrating with him regarding the care of the prison, and of Winder's infamous language in connection therewith. He said that when he mailed his report to the Secretary of War he confidently expected that General Winder would be removed from the command of the prisoners, and that he felt disgusted and outraged when he learned that instead of being removed Winder had been promoted to be Commissary General and Commander of all Military Prisons and prisoners throughout the Confederate States.

When Colonel Chandler was at Andersonville he was under orders to inspect all the prisons in the South and West, and considerable time elapsed before he got back to Richmond. He then made an investigation and found that his report, relating to Winder, had been received and considered by Seddon, the Secretary of War. He threatened to resign unless his report was taken up and acted upon; but at about that time Seddon was succeeded by Mr. Breckenridge as Secretary of War, and soon thereafter General Winder died. Then followed the closing days of the War and collapse of the Rebellion.

Now a word as to the personnel of the Court. I have examined a number of books purporting to give the truth concerning Andersonville and the trial of Captain Henry Wirz; and in all of them, as I remember, occurs the same error that General E. S. Bragg of Wisconsin is named as a member of the Court that tried and condemned Wirz. The truth is that while General Bragg was named in the orig-

inal detail for the Court, he was relieved from further service at an early stage of the trial and took no part in the deliberations and findings of the Court.<sup>11</sup>

The Court met first on August 21, 1865, pursuant to instructions in Special Order No. 449, and Wirz was arraigned and entered a plea of not guilty. Without further action the Court adjourned until the following day. On reassembling an order was received from the Secretary of War dissolving the Court, and a day later it was called to meet again under Special Order No. 453, dated August 23, 1865. In the meantime the charges and specifications had been materially changed and amended by striking from the list the names of several persons who had been charged with having conspired with Wirz to destroy the lives of our soldiers. Wirz was again arraigned and his plea of not guilty was entered; but at this juncture his counsel made a determined effort to secure his discharge on the ground that he had been placed in jeopardy during his first arraignment, and that under the Constitution he could not legally be placed on trial a second time. After a full hearing the Court decided that the action taken by the War Department was in conformity to the law and precedents, and so the trial proceeded.

In this connection I think it proper to state that the charges under which Wirz was first arraigned embraced the names, as co-conspirators, of Jefferson Davis, James A. Seddon, Howell Cobb, and Robert E. Lee. These names were stricken from the charges as amended; but when the Court made up its findings, being satisfied beyond question that a conspiracy had existed as charged, and believing it to be our duty to include in our verdict the names of any

<sup>11</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, p. 511.

of those prominent in the Confederate government who were shown to have been directly or indirectly connected with this conspiracy, we amended the specification to Charge No. 1, by adding the names of Davis, Seddon, and Cobb. We took it for granted that if our verdict was approved by the President the government would accept our finding as an indictment of the persons named, and that they would be brought to trial. I am pleased to say, however, that the Court found no evidence showing that General Lee was cognizant of, or was in any measure a party to, this conspiracy, and his name was not included in the verdict.

The Military Commission that met and tried Wirz held their sessions in the rooms of the Court of Claims in the Capitol Building at Washington, D. C. It was made up as follows (omitting the name of General Bragg for the reason stated):— At the head of the table sat Major General Lew Wallace, the President of the Court. He was at that time a man of mature years, a lawyer by profession, and of recognized ability. On his right at the table sat Major General G. Mott, who subsequently became Governor of New Jersey. He was a man then of forty-five or fifty years, a lawyer, and a man of excellent judgment and discretion. Opposite him sat Major General Lorenzo Thomas, the Adjutant General of the United States Army. He was then fully sixty-five years of age, had been for many years connected with the regular service, and was an acknowledged authority on military law and the rules and usages of war. On General Mott's right sat Major General J. W. Geary, who after his discharge from the military service was made Governor of the great State of Pennsylvania—a man aged fifty or more, and possessed of more than ordinary ability. Opposite him sat Brigadier General

Francis Fessenden of Maine, son of old Senator Fessenden, a man aged about thirty-five, a lawyer, and one who in every sense might have been called an educated gentleman. On General Geary's right sat Brevet Brigadier General John F. Ballier of Philadelphia, Pennsylvania, an educated German, aged fifty or more, who had commanded the Ninety-eighth Pennsylvania Infantry. On his right sat Brevet Colonel T. Allcock of New York, a man of forty or more, and a distinguished artillery officer, and finally on the opposite side of the table, was placed the boy member — your humble servant. Possibly it might have been truthfully said of me that I was too young and inexperienced to fill so important a position, since I was then only in my twenty-sixth year; but I had seen four years of actual warfare, had successfully commanded a regiment of Iowa men, and I thought then, as I think now, that I was a competent juror. The Judge Advocate of the Commission was Colonel N. P. Chipman, who early in the war served as Major of the Second Iowa Infantry. He was severely wounded at Fort Donnellson in February, 1862. When sufficiently recovered to return to duty he was promoted and became Chief of Staff for General S. R. Curtis, and later was placed on duty in Washington. He was a lawyer by profession, a man of superior education and refinement, and withal one of the most genial, kind-hearted, companionable men I have ever had the good fortune to meet.

The average level-headed citizen while considering the verdicts rendered in an ordinary criminal case is generally ready to say: "The jury are the best judges of the evidence, they heard it all as it was given, had an opportunity to judge of its value and estimate the credibility of the witnesses, and their judgment should be accepted as correct and final." It seems to me that the American people, and

especially the future historian, should be equally fair in dealing with the Wirz Commission. Indeed, I do not see how it would be possible for an intelligent, unprejudiced, fair-minded reviewer to conclude that such a Court could or would have rendered a verdict that was not in full accord with the evidence presented. I assure you that no attempt was made to dictate or influence our verdict; and furthermore, there was no power on earth that could have swerved us from the discharge of our sworn duty as we saw it. Our verdict was unanimous. There were no dissenting opinions. And for myself I can say that there has been no time during the forty-five years that have intervened since this trial was held when I have felt that I owed an apology to anyone, not even to the Almighty, for having voted to hang Henry Wirz by the neck until he was dead.

Wirz was tried on two charges. The first charge was that he had conspired with John H. Winder and others to injure the health and destroy the lives of our soldiers who were held as prisoners of war. And the second charge was "Murder in violation of the laws and customs of war". The Court found him guilty of both of the charges and of ten of the thirteen specifications. Throughout the trial the prisoner was treated with the utmost fairness, kindness, and consideration by the Court and the Judge Advocate. When our verdict was rendered and the record made complete it was submitted for review to General Joseph Holt, Judge Advocate General, a man noted for his high character, patriotism, and ability as a lawyer and a judge. I quote but a paragraph or two from his review. He said:

Language fails in an attempt to denounce, even in faint terms, the diabolical combination for the destruction and death, by cruel and fiendishly ingenious processes, of helpless prisoners of war who

might fall into their hands, which this record shows was plotted and deliberately entered upon, and, as far as time permitted, accomplished by the rebel authorities and their brutal underlings at Andersonville Prison.<sup>12</sup>

And in closing his review, after reference to the high character of the men composing the Court and of the fairness of the trial, he said:

The conclusion reached is one from which the overwhelming volume of testimony left no escape.

This paper does not demand nor will it admit of further reference to the vast mass of testimony listened to by the Court. In conclusion I will refer to a single incident of the trial. For weeks after the trial began the Judge Advocate presented only such testimony as went to show the general conditions existing at the prison and which tended to establish the charge of conspiracy, and he held back until near the close of the trial the evidence on which he depended to establish the fact that Wirz had by his own acts been guilty of willful murder. As a result Wirz evidently concluded that no such evidence had been found, and on repeated occasions he addressed the Court through his counsel, saying that he was ready to admit the truth of all evidence that had been presented, but that he was not personally responsible for the conditions shown to have existed in the prison; that he had simply acted in conformity to the orders of his superior officers, and should not be held responsible for them; and he therefore asked for an acquittal and discharge. These requests, one after another, were denied by the Court.

Early in the trial Wirz became sick, and a lounge was brought into the room on which he was permitted to re-

<sup>12</sup> Copied from the *Trial of Henry Wirz, Executive Documents*, 2nd Session, 40th Congress, No. 23, pp. 809, 814.



cline; and during many days of the trial he lay on the lounge with his handkerchief over his face, apparently oblivious to all that was taking place. Finally a witness was placed on the stand who told of his escape from the stockade in company with a comrade whose name he did not know, of their pursuit by the blood hounds, and of their recapture and return to the Confederate camp. He said that when brought to Wirz's tent and their escape and recapture was reported, Wirz became furious, and rushing from his tent he began cursing and damning them for having attempted to escape. The comrade, who was nearly dead from exposure and suffering, had staked his last effort on this attempt to regain his freedom, and the recapture had discouraged him completely and caused him to feel that death itself, was preferable to a return to the stockade. Like a caged animal he turned on Wirz and gave him curse for curse, challenged him to do his worst, and told him he would rather die than return to the hell hole from which he had escaped. This so enraged Wirz that he sprang at the man, knocked him down with his revolver, and then kicked and trampled him with his boot heels until he was dead. When the witness began this story Wirz became interested. First he removed the handkerchief from his face; then propped himself on one elbow; and as the story progressed he gradually rose up until he stood erect. His fists were clenched, his eyes were fairly bursting from their sockets, and his face presented a horrible appearance. As the witness finished his story Wirz fairly screamed at him: "You say I killed that man." "Yes sir", replied the witness. "You tramped him to death in my presence". At this Wirz threw up his hands and exclaimed, "Oh my Gott", and fell back in a faint on the lounge.

This was one of a number of stories that told of Wirz's personal acts of cruelty. In addition he was directly chargeable with the unwarranted punishments which he caused to be inflicted on men who attempted to escape or in other ways violated the rules of discipline which he had established. These punishments consisted of stopping of rations, establishment of a dead-line, use of the stocks, the chain-gang, use of hounds, bucking and gagging, tying up by the thumbs, flogging on the bare back, and chaining to posts, from all of which causes deaths were shown to have resulted.

"Mister Johnny Reb", as we called him in war time, the man who bared his bosom to our bullets and challenged us to come on, was a big-hearted, generous fellow whom I have always believed fought for the right as he saw it. I know by my experience that he was as brave a soldier as ever carried a gun; and prisoners who fell into his hands on the battle field were invariably treated with kindness and consideration. It was only men of the Wirz-Winder type, bushwhackers, and home guards, that presumed to offer insult and abuse to our men in captivity. I make this closing remark because of the fact that with the passing of years the bitter feeling that had existed between the North and the South has been practically wiped out and the remnants of the old fighting forces on both sides have been coming together and shaking hands as friends, and I would be sorry to know that in this address I have uttered a word that will serve to mar in the least the spirit of harmony existing between these old veterans.

JOHN HOWARD STIBBS

CHICAGO, ILLINOIS

## THE BACONIAN CLUB OF IOWA CITY

### HISTORICAL INTRODUCTION

At seven-thirty on the evening of November 20, 1885, a small group of men who were interested in Science met in the Chemical Laboratory of the State University of Iowa. They had assembled at the call of Dr. L. W. Andrews, at that time and for many years afterward Professor of Chemistry in the University. Dr. Andrews stated that the object which he had in mind in calling the meeting was the formation of a "Science Circle"; and with this announcement "the meeting proceeded to temporary organization by the election of Prof. Leonard as Chairman and E. L. Boerner as Sec'y."<sup>1</sup> Then a committee was appointed to draft a constitution and by-laws for a permanent organization. "After listening to an interesting informal lecture by Prof. Leonard on the probable course of the meteor, the meeting adjourned to 7 o'clock Saturday evening, Nov. 28th."<sup>2</sup>

The report by the committee on constitution and by-laws, which was made at the meeting on November 28th was referred back to the committee with instructions to make certain changes. At a meeting on the evening of December 11th, however, the constitution was unanimously adopted.<sup>3</sup>

Such, in brief, is the story of the organization of the Baconian Club of Iowa City. Professor N. R. Leonard was the first President of the Club, and Professor L. W. Andrews, to whom is due the credit for inaugurating the Club,

<sup>1</sup> *Baconian Club Record-Book*, Vol. I, p. 3.

<sup>2</sup> *Baconian Club Record-Book*, Vol. I, pp. 3, 4.

<sup>3</sup> *Baconian Club Record-Book*, Vol. I, p. 7.

was the first Secretary. The charter members were: N. B. Leonard, P. H. Philbrick, Samuel Calvin, T. H. Macbride, J. G. Gilchrist, L. W. Andrews, and Andrew A. Veblen<sup>4</sup>—all of whom were at the time professors in the State University of Iowa. Two of these charter members, Professor Macbride and Professor Calvin, have remained in the service of the University; and all but two, Professor Philbrick and Professor Gilchrist, are living at the present time. The Club thus organized has had a continuous and prosperous existence.

The passage of the years, however, has witnessed many changes in the character and membership of the Club. The largely attended meetings which are now held in an electric-lighted, steam-heated room, are in striking contrast to the meetings held twenty-five years ago, when the Club was in its infancy. Then a few men, seldom more than twenty and often less than half that number, gathered in the Chemical Laboratory in old North Hall and sat in a circle around the stove, the members taking turn in replenishing the fire. The reader of the evening sat in the circle with the other members, and there was an almost total lack of formality, the meeting assuming the nature of a friendly conference rather than having a set form of procedure. Indeed the meeting was often without a formal paper.

At each meeting a subject for discussion the following week was chosen by mutual consent and assigned to some member by the President. Frequently no paper was prepared, the member to whom the subject was assigned simply opening the discussion by speaking in an informal manner with or without notes. The discussion of topics was free and often animated, since the object of the Club was to give the members the benefit of each other's ideas. The

<sup>4</sup> *Constitution of the Baconian Club* (Edition of 1891), p. 8.

meetings were in no sense open to the public, and no record of the discussions was kept. Consequently the members were under no restraint in the expression of their views, but stated their beliefs freely and fully whether they met with the approval of other members or not. Besides the discussion of regularly assigned subjects, the policy was early established of permitting voluntary reports on any topic of interest to the Club — a custom which has been adhered to down to the present time.

The Constitution provides for three classes of members: ex officio members; full members, or "those engaged in active scientific work"; and associate members, or "those interested in scientific work". The President of the University is a member ex officio.<sup>5</sup> The actual working of this provision has had these results: full members have been persons on the faculty of the State University of Iowa; while the associates have been instructors in the University, fellows, scholars, or graduate students pursuing researches in scientific subjects.

In the beginning, as has been suggested, no publicity was given to the meetings of the Club. Occasionally a few guests were invited to be present, and later guests were permitted to participate in the discussions, but the tendency was to restrict the attendance to members and those vitally interested. In February, 1889, a standing resolution was adopted providing that "only full and associate members and those personally invited by members" should be admitted to the meetings of the Club, and that invitations might be issued "for any specified evening or for the whole or any portion of the club year".<sup>6</sup> This resolution, how-

<sup>5</sup> *Constitution of the Baconian Club* (Edition of 1900), p. 3.

In the Constitution as originally adopted there was no provision for ex officio members.

<sup>6</sup> *Baconian Club Record-Book*, Vol. I, p. 199.

ever, has not always been followed, and in fact at present a general invitation is given to the public to attend the meetings of the Club, and accounts of the papers and discussions often appear in the University publications or in the city newspapers.

The papers read before the Club have covered a broad range of subjects, as will be revealed by a reading of the list which is published herewith. The papers as a rule have been prepared with care and with only a few exceptions have been presented by the members themselves, little effort having been made to secure addresses by scientists of reputation from outside the University. Thus individual effort on the part of members of the Club has been encouraged and a spirit of mutual helpfulness has prevailed.

From the time the Constitution of the Club was adopted and signed in 1885 the number of members has increased until at present there are nearly fifty full members. In the meantime many have come and gone, and hence the membership has varied from year to year both in numbers and in personnel. Besides those already mentioned as charter members the following professors, still serving on the faculty of the State University of Iowa, were elected to full membership in the Club during the first five years of its existence: Laenas G. Weld, Charles C. Nutting, Elbert W. Rockwood, George T. W. Patrick, and Bohumil Shimek.

The records of the Baconian Club are unusually complete. The Secretary's *Record-Books* from the very beginning are still in existence, and in these books may be found the minutes of all the meetings, together with lists of officers and members. The purpose of the founders, the character of the meetings, the persons in attendance, and the topics which from year to year were of interest in the world of science are revealed in the pages of these *Record-Books*,

and hence in them may be found the best history of the Baconian Club.

The Baconian Club was the first organization of its kind in the University. During the early years, although the chief object of the Club was to discuss subjects in the natural and physical sciences, the membership included men from the faculties of all the colleges and departments in the University. But as the University grew the need of similar clubs in the various departments began to be felt. And so, as time went on members of the Baconian Club who were not primarily interested in the natural and physical sciences withdrew and formed the Political Science Club, the Philosophical Club, the Humanist Society, and other similar organizations, modelled after the Baconian Club which was the parent society. The result is that at the present time the membership of the Baconian Club is confined almost entirely to persons actively engaged in teaching or research work in the natural and physical sciences.

#### CONSTITUTION

##### ARTICLE I—NAME AND OBJECT

SECTION 1. This organization shall be known as the Baconian Club of Iowa City.

SECTION 2. Its object shall be, the mutual interchange of thought, and the discussion of such scientific topics as possess a general interest.

##### ARTICLE II—MEMBERSHIP

SECTION 1. Membership shall be of three classes, viz., ex-officio, full, and associate. The President of the University shall be a member, ex-officio.

[Revised April 15, 1898.]

SECTION 2. Members shall be those engaged in active scientific work.

SECTION 3. Associates shall be those interested in scientific work.

SECTION 4. Members and associates shall be elected by ballot of the members of the club, the names having been proposed at least one week previously. Three black balls shall cause the rejection of the candidate. In case of rejection a second ballot may be had, at a subsequent stated meeting. A second rejection shall render the candidate ineligible for the remainder of the club year.

[Amended October 25, 1889, by adding:]

SECTION 5. No person not a resident of Iowa City shall be a member of the club. Members who remove their residence permanently, or members who though residents of the city have not been in attendance on the meetings of the club for one year, shall thereby cease to be members, but may, by vote of the club, be carried on the rolls as associate members.

SECTION 6. A member who refuses to give a paper during any one year, or who fails to read a paper during any two consecutive years, unless such failure is due to illness or unavoidable absence from the city, shall have his name dropped from the roll of the club. In case the membership is too large to allow an assignment of topic during the year, one or more voluntary reports may be accepted as a substitute.

[Adopted April 15, 1898.]

SECTION 7. An associate who removes his residence permanently from the city shall thereby cease his membership in the club, provided, always, that any associate may continue his relations with the club by presenting, either personally or by written communication, at least one voluntary report each year. By a two-thirds vote of the club, any name may be retained permanently on the roll of associates.

[Adopted April 15, 1898.]



## ARTICLE III—OFFICERS

SECTION 1. The officers of the club shall be a President and a Secretary.

SECTION 2. The President shall be elected at the first meeting in September, of each year, from among the members, by a majority vote of all members present. He shall hold office until the next annual meeting, or until his successor is elected. He shall perform the duties usually appertaining to the office of President. In his absence his place shall be taken by a Chairman elected by the members present.

SECTION 3. The Secretary shall be elected at the same time, and in the same manner as is prescribed for the election of the President, and his term of office shall be the same. He shall perform the duties usually devolving upon a Secretary. Should he be absent from any meeting, a Secretary *pro tem.* shall be elected.

## ARTICLE IV—DUES AND FEES

There shall be no dues nor fees. Any expenses incurred by vote of the club, shall be met by a pro rata assessment, previously made, on all the members.

## ARTICLE V—MEETINGS

SECTION 1. The meetings shall be Annual, Regular, and Special.

SECTION 2. The Annual Meeting shall be in the last week in September. At this meeting the Order of Business shall be:

1. Report of President.
2. Report of Secretary.
3. Report of Committees.
4. Election of Officers.

SECTION 3. The Regular Meetings shall be held once a

week, from the last week in September to the last week in April, on such day, at such hour, and in such place as the club may from time to time direct. The Order of Business at these meetings shall be as hereinafter provided.

SECTION 4. Special Meetings may be held at any time, by vote of the club, on call of the President, or at the request of three members. At such meetings no other business than that for which the meeting has been called shall be transacted.

#### ARTICLE VI—ORDER OF BUSINESS

The Order of Business at all regular meetings shall be as follows:

1. Reading of Minutes.
2. Reading of Essay.
3. Colloquium.
4. Discussion.
5. Voluntary Reports.
6. Assignment of Topic.
7. Miscellaneous Business.
8. Adjournment.

#### ARTICLE VII—ESSAYS AND ESSAYISTS

SECTION 1. The appointed essayist, at each regular meeting, shall furnish the Secretary with an abstract of the paper, to be entered in the minutes.

SECTION 2. The essay shall remain the property of the writer, unless it shall be published in full by the club, with the consent of the author, in which case the copyright shall remain with the club.

#### ARTICLE VIII—BY-LAWS

The club may adopt Standing Resolutions, at any meeting, as circumstances may require, by a majority vote of all the members present. Such Standing Resolutions shall be re-

corded, and have all the authority of By-Laws until repealed.

#### ARTICLE IX—AMENDMENTS

The Constitution may be altered or amended at any regular meeting, by a two-thirds vote of all the members, written notice of the proposed amendment having been given at least one week previously. Absent members may vote by proxy on questions of amendment.

#### OFFICERS OF THE CLUB 1885-1910

*For the Year 1885-1886*—President, N. R. Leonard; Secretary, L. W. Andrews and A. A. Veblen.

*For the Year 1886-1887*—President, Samuel Calvin; Secretary, A. A. Veblen.

*For the Year 1887-1888*—President, Samuel Calvin; Secretary, A. A. Veblen.

*For the Year 1888-1889*—President, L. W. Andrews; Secretary, A. A. Veblen.

*For the Year 1889-1890*—President, A. A. Veblen; Secretary, C. C. Nutting.

*For the Year 1890-1891*—President, T. H. Macbride; Secretary, C. C. Nutting.

*For the Year 1891-1892*—President, J. G. Gilchrist; Secretary, L. G. Weld.

*For the Year 1892-1893*—President, C. C. Nutting; Secretary, A. L. Arner.

*For the Year 1893-1894*—President, L. G. Weld; Secretary, W. E. Barlow.

*For the Year 1894-1895*—President, G. T. W. Patrick; Secretary, A. G. Smith and Frank Russell.

*For the Year 1895-1896*—President, A. L. Arner; Secretary, A. G. Smith.

*For the Year 1896-1897*—President, E. W. Rockwood; Secretary, A. G. Smith.

*For the Year 1897-1898*—President, A. G. Smith; Secretary, G. L. Houser.

*For the Year 1898-1899*—President, W. L. Bierring; Secretary, G. L. Houser.

*For the Year 1899-1900*—President, B. Shimek; Secretary, W. E. Barlow.

*For the Year 1900-1901*—President, Samuel Calvin; Secretary, C. E. Seashore.

*For the Year 1901-1902*—President, A. V. Sims; Secretary, C. E. Seashore.

*For the Year 1902-1903*—President, C. E. Seashore; Secretary, C. L. Von Ende.

*For the Year 1903-1904*—President, W. J. Teeters; Secretary, C. L. Von Ende.

*For the Year 1904-1905*—President, A. A. Veblen; Secretary, J. J. Lambert.

*For the Year 1905-1906*—President, G. L. Houser; Secretary, C. L. Bryden.

*For the Year 1906-1907*—President, Karl E. Guthe; Secretary, F. A. Stromsten.

*For the Year 1907-1908*—President, W. G. Raymond; Secretary, A. G. Worthing.

*For the Year 1908-1909*—President, R. B. Wylie; Secretary, P. S. Biegler.

*For the Year 1909-1910*—President, G. F. Kay; Secretary, S. M. Woodward.

#### PAPERS AND REPORTS 1885-1910

FRANK STANTON ABY, 1888.—*Papers*: The Development of the Cerebro-Spinal Axis, 1889; Trichinae, 1891; The

Ultimate Distribution of the Blood, 1892; Recent Researches on the Physical Basis of Life and Heredity, 1893. *Reports*: Cultivation of Mushrooms, 1889; The Sweat Ducts and Blood Supply of the Skin, Discovery of the Hog-Cholera Microbe, 1891; Coloring Matter in Human Epidermis, 1892; The Estimation of the Weight of Haemoglobin in a Dried Human Blood Cell, A New Science "Cystology", Demonstration of Giant Cell of Sarconea, A Theory of Heat-producing Centers in the Brain, Partheno-genesis as Shown by the Worker Bee, 1893; Review of Article by W. D. Howells on "Nerve Degeneration and Regeneration" (given by Gilchrist and Aby), 1894.

HENRY ALBERT, 1904.—*Papers*: Insects, the Role They Play in the Transmission of Diseases, 1905; Bacteria and the Public Health, 1906; Animal Diseases Transmissible to the Human Being, 1907; Arterio-sclerosis — its Relation to the Pathology of Senility, 1908; The Pasteur Treatment of Rabies and Other Forms of Vaccine Therapy, 1909. *Reports*: The Preparation of Permanent Museum Specimens, 1903; Construction and Working of the Epidiascope, 1905; Filaria, Sulphur and Formaldehyde Fumigation, Light Producing Bacteria, 1906; Inhalation of Coal Dust, Appendicitis, 1907; Spirochaete Bacteria, Method of Isolating the Typhoid Bacillus from Others Found in Water, 1908; Making of Colored Slides by a New Process of Color Photography, Hook-worm and the Hook-worm Diseases, 1909; The Work of Cultivating Tissues and Organs of the Body outside of the Body, 1910.

EDWARD X. ANDERSON, 1909.—*Report*: The Nucleation of Pure and Mixed Vapors in Dust Free Air, 1910.

LAUNCELOT WINCHESTER ANDREWS, Charter.—*Papers*: Dead Matter, 1886; Historical Review of the Methods Em-

ployed for the Production of Extreme Cold and the Liquefaction of the Permanent Gases, 1886; Evolution of the State, 1886; The Flowing Wells at Belle Plaine (with Calvin), 1886; The Asymmetric Carbon Atom in Organic Compounds, 1886; The Evolution of the Telephone, 1887; Atomic Theories in the Light of Atomic Facts, 1887; What We Know about the Weight of Atoms, 1888; Electrical Storage Batteries, 1888; A Chapter from the History of Science, 1889; What Have the Material Sciences to Do with Education, 1889; The Absolute Size of Molecules, 1889; Osmosis and Allied Manifestations of Molecular Motion in Solutions, 1890; Aluminum — its Manufacture and Possible Industrial Value, 1890; A Symposium on the Nature of the Centre of the Earth (with Weld and Calvin), 1891; The Spectrum, 1891; Progress toward Aerodynamical Navigation, 1891; Modern Explosives, 1892; Paracelsus Bombastus and the Science of his Day, 1892; Some Principles of Evolution Illustrated in Chemical Processes, 1892; The Development of Chemistry from Alchemy, 1893; Recent Useful Applications of Electricity Other than Mechanical, 1893; Some Applications of Science to the Detection of Crime, 1894; Porcelain, 1896; Next to Nothing, 1896; An X Ray Soiree, 1896; Discovery Scientific and Otherwise, 1898; The Non-Chemical Elements, 1898; The Air We Breathe, 1899; Concerning the Scope of University Training, 1900; How the Weight of an Atom is Ascertained, 1901; The Water Supply and Purification System of Budapest, 1902; Some Relations of Mass to Chemical Action, 1903. *Reports*: Silicon in Iron and Steel, Fallacies Concerning Freezing of Water, Poison in Wall Paper, Determination of the Velocity of Meteors, The Linking Carbon Atom in Organic Compounds, Intelligence Displayed by Mice, Some Phenomena in Connection with Fracture of Glass, Edelmann's Calorimeter and von Beetz's

Lecture Galvanometer, Another Series of Experiments on Nitrification, A New Astatic Galvanometer with Spiral Needle, Survival of the Fittest in the Conflict of Molecules, 1886; Antisepsis and Sterilization by Electricity, The Function of Rain in Supplying Substances Important to Plant Life, Methods of Photometry, A Hydrostatic Balance and Testing Machine, Secretions of Insectivorous Plants, Free Fluorine, Comparison of the Sense of Smell with the Other Senses as Regards Delicacy, Electrification of Air, Viscosity of Liquids and a New Form of Viscosimeter, The Prediction and Discovery of the Element Germanium, The Symptoms of Hemlock Poisoning, 1887; Aluminum in Plants, Molecular Geometry, Influence of Light on Electric Leakage and Disruptive Discharge, Microscopic Perspective, The Kruess Vierordt Spectroscope, Singing Flames, The Formation of Waterspouts, The Cimento Academy of Florence, 1889; Recent Researches Concerning Solutions, The Element "X", The Action of Light in Producing Electrical Disturbances, A Pipette for Volumetric Work, Modifications in the Theory of Electrolysis, The Manufacture of Photographic Dry Plates and the Theory of Developing the Image, Discovery of Criteria for the Actuality of Truth, 1889; Photography of the Electric Spark, Herbert Spencer's Principles of Psychology, Vol. I, Ch. V, Last Line, The Sandwich Islands, Plasmodium Malariae (for Hagebeck), Christening of the "Myopyknometer", The Pasteur Filter, Hydrazic Acid, 1890; The Application of Electrolysis to Toxicology, The Electric Coal Cutter, A Bronze Microbe, Individuality of the Chemical Unit, Siemens's Regenerative Evaporator, 1891; Stas and his Work on the Determination of Atomic Weights, The Nature of the Interatomic Force Acting within the Molecule, Recent Experiments in the Sub-Divisions of Matter, The Asymmetric

Arrangement of Atoms, An Analysis of the Illuminating Gas of the Iowa City Gas Company, Prof. H. A. Rowland's New Map of the Solar Spectrum, A Chemical Paradox, Non-Existence of Chemical Action at Low Temperatures, 1892; A Supposed Meteorite by Analysis Shown to be only Hematite; Results of a Chemical Examination Bearing on the Oxygenation of the Water, An Experiment in Capillarity Showing Relative Rate of Movement of Water and the Substance Dissolved in it, The Longitudinal Conductivity of Quartz Crystals, The Use of Tools by Animals, Illustrations of the Structure of Molecules by Means of Models, Wolf's Electrolytic Apparatus for the Detection and Estimation of Small Quantities of Arsenic, 1893; The Optics of Photography, Photographic Inaccuracies, Use of Electricity in Bleaching Operations, Use of Electricity for the Disinfection of Sewage, Perception of Time, Viscosity and Diffusion, Lack of a Rhythmic Sense, Dangers from Kerosene Stoves, 1894; The Effect of Ammonia upon India Rubber, The Survival of the Fittest as Shown in the Overthrow of Past Civilizations, Myrotype, a New Photographic Printing Paper, Argon, Some Physiological Effects of Extreme Cold, The Phenomena of Electro-Thermometry, A Hot Air Motor, The Incombustibility of Sulphur in Dry Oxygen, Cycles of Lengthening and Shortening of the Swiss Glaciers (with Littig), Aluminum Bronze, Translation of a Paper by Ostwald on the Overthrow of Scientific Materialism, The Absence of Hydrogen from the Atmosphere, 1895; Calculating Machines, Experiments in Cathode Ray Photography, The Apparatus Used in the Discovery and Study of the Lenard Rays, Attempts to Obtain the X Ray without a Vacuum, Negatives Illustrating the Location of a Foreign Body by Means of the X Rays, 1896; Sciograph of a Femur Showing a Rifle Bullet Lodged in the Flesh, Curious Mark-



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OSCAR WILLIAM ANTHONY, 1889.—*Papers*: Thermo-Electricity, 1890; Vortex Rings with Special Reference to their Properties in a Non-viscous Medium, 1891; Some Achievements and Possibilities of Mathematics, 1892.

ALBERT LEVI ARNER, 1890.—*Papers*: Electro-Magnetism and the Methods of its Measurements, 1891; The Tendency of Modern Electrical Theory, 1891; Temperature and Precipitation, 1892; The Removal of Faults in Submarine Cables, 1894; Cloud Formation, 1894; The Principle of Interference and its Application to the Refraction of Light, 1896; Some Characteristics of Modern Physics, 1897. *Reports*: A Recent Electrical Installation in London, A Thompson Houston Watt-metre, Nature of the Charge and Discharge

of the Leyden Jar, 1891; Electrolytic Method of Refining Copper, High Electrical Resistance, Continuity of the Spectrum, Magnetic Hysteresis and its Manifestation in the Armature of the Dynamo, Certain Analogies between the Electric Current (so-called) and Flowing Water, A Contribution to the Theory of the Electrophorous, Experiment Confirming the "Kinetic Theory of Gases", 1892; The Theory of Induction, Comparative Economy of Heating by Coal and Electricity, 1893; A Fraunhofer Micrometer, Queen and Company's New Pyrometer, Meteoric Dust Shower of March 17, Isothermal Lines of Iowa, 1894; The Cold Pole in Northeast Siberia, Municipal Control of Electric Lighting Plants, 1895; Cathode Ray Photography, The Measurement of Magnetic Fields, The Distribution of Temperature in Iowa on April 16th, 1896, 1896.

FRED GEORGE BAENDER, 1906.—*Papers*: The Relation of the Mechanical Trades to Each Other, 1906; The Development of a Phonographic Record, 1908. *Reports*: Application of the Gyroscope in Automobile Practice, 1908; Installation of the White Steam Car, 1909.

RICHARD PHILIP BAKER, 1906.—*Papers*: Mathematical Concepts, 1907; Printer's Ink, 1908.

WILLIAM EDWARD BARLOW, 1892.—*Papers*: The Phosphatic Nodules of the Mesozoic Deposits of Cambridgeshire, England, 1893; Impure Air, 1894; Coffee and its Adulterants, 1897; The Reducing Properties of Aluminum, 1899; Corundum, Especially Rubies and Sapphires, 1900. *Report*: Recent Improved Methods of Gold Extraction, 1895.

EDWARD NEWTON BARRETT, 1888.—*Reports*: Some Psychological Phenomena, Cosmogony of the Pre-historic Race of Central America, 1891; Recent Archaeological Discoveries in the Orient, 1893; The Last of the Samaritans, 1894;

A Table Giving a Babylonian Account of the Deluge, The Principles of the Polychrome Bible, 1898; The Recent Discovery of a Royal Mummy Supposed to be that of the Pharaoh of Exodus, 1900.

GEORGE NEANDER BAUER, 1895.—*Papers*: The Nine-point Circle, 1897; The Principle of Duality, 1897.

H. HEATH BAWDEN, 1900.—*Papers*: The Psychological Theory of Organic Evolution, 1901. *Report*: A Review of Loeb's Physiology of the Brain, 1901.

ARTHUR BEAVIS, 1887.—*Papers*: The Passion Play and Some Deductions Therefrom, 1887; The Evolution of the Bicycle, 1888.

WILLIAM EDMUND BECK, 1902.—*Paper*: The Northern Constellations, 1904.

FREDERICK JACOB BECKER, 1902.—*Paper*: The Infusion of a Salt Solution, 1903.

RUSSELL BURNS HALDANE BEGG, 1899.—*Paper*: The Fatigue of Metals, 1900.

WILLIAM BONAR BELL, 1902.—*Report*: Results of Experiments at Woods Holl, 1903.

PHILIP SHERIDAN BIEGLER, 1906.—*Paper*: Electrification of Steam Railways, 1907.

WALTER LAWRENCE BIERRING, 1893.—*Papers*: Modern Methods of Bacteriological Research, 1894; The Sewers of Paris, 1895; Louis Pasteur the Scientist and the Fruits of his Labors, 1895; Animal Parasites in Disease, 1896; Formaldehyde the New Disinfectant, 1897; Some of the Benefits of Bacteria, 1899; Recent Developments in the Study of Pathological Processes, 1899; The Role of Insects in the Spreading of Disease, 1900; The Relation of Tuberculosis in Man to that in the Lower Animals, 1890; Smallpox Vac-

cine, its Preparation and Use, 1903; Why are We Becoming a Race of Dyspeptics, 1905. *Reports*: Bacilli of Tuberculosis of Leprosy and of Actinomycosis or Ray Fungus, 1893; Diphtheria, 1895; Loeffler's Blood Serum in Diphtheria Diagnosis, The Cause of Cancer, Odontoma, 1896; The Plague in India, A New Method of Cultivating Anaerobic Bacteria, The Discovery of Bacillus Icteroidis, the Microbe of Yellow Fever, 1897; A Method of Preparing the Eye for Demonstration, Leprosy, Demonstration of the Microbe of Yellow Fever, A Hair Ball from a Human Stomach, A Culture Medium of Human Blood Serum, 1898; Phototherapy, Comparison in Size of the Smallest Bacteria and the Molecules of Starch, 1899; A Case of Agoraphobia, Mosquito Inoculation for the Spreading of Malaria, 1901; Tetanus Resulting from the Use of Antitoxin, 1902.

WALTER MARTINUS BOEHM, 1903.—*Paper*: The Musical Scale, 1904. *Reports*: Making Zone Plates, 1901; Ether of Space, 1904; Electrical Conductivity of Various Liquids, 1906; Advance in Science in the Year 1907, 1907.

CHARLES HENRY BOWMAN, 1894.—*Papers*: Alternating Currents, 1896; The Wave Theory of Light, 1897; Thermodynamics, 1898; The Electromagnetic Theory, 1900. *Reports*: Modulus of Elasticity of Steel, 1894; A Demonstration of the Vibration of a Soap Film Due to Sound Waves, Experiments on the Interference of Light, 1897; The Phenomena of Interference in Light Waves, 1898; The Wehnelt Interrupter, Interference Phenomena in Circular Shadows, Some Experiments in Hydrodynamics, 1899; Surface Tension of Liquids, 1900.

WILLIAM J. BRADY, 1902.—*Papers*: Are the Teeth of Man Degenerating?, 1902; The Influence of Civilization on the Teeth, 1902; Why Teeth Decay, 1905.

FAY CLUFF BROWN, 1909.—*Paper*: Light Electric Properties of Light-Positive and Light-Negative Selenium, 1910. *Reports*: A New Form of Selenium Cell, 1909; Some Recent Facts Concerning Radio-Activity, 1910.

MAUD BROWN, 1903.—*Report*: Technique of Experiments in Psychological Laboratory, 1904.

CHARLES LAZARUS BRYDEN, 1904.—*Papers*: The History of a Piece of Coal, 1906; Extinguishing an Anthracite Mine Fire, 1906. *Reports*: Mineral Carborundum, Method of Eliminating Moisture from Air Used in Blast Furnaces, 1905; Mining of Anthracite and Bituminous Coal, 1906.

MOTIER A. BULLOCK, 1889, Associate.—*Reports*: Ancient Bread Found in Cliff Dwelling, 1890; The Utilization of Electricity in Horticulture and Floriculture, Employment of Monkeys in Siam for Detection of Spurious Coin, Bodily Levitation, 1891; Waterworks System of South Haven, Michigan, Use of Electric Light in Forcing Certain Plants, Hay Fever and Asthma, 1893; The Discovery of an Extinct Race in Egypt, 1895; A Case of Double Consciousness, 1897; The George Junior Republic, 1898; The Scientific View of the Doctrine of Immortality, 1899.

ALBERTUS JOSEPH BURGE, 1901.—*Papers*: Blood in Health and in Disease, 1902; Physics Applied in Medicine, 1904; Facts and Fancies about Appendicitis, 1907; The Doctor as an Economic Factor, 1908. *Report*: Foreign Substances Taken from the Body, 1907.

JOSEPH M. CALIFF, 1886.—*Papers*: The Contest between Heavy Guns and Heavy Armor Plating, 1886; The Dynamite Gun, 1887; Submarine Mines, 1888; The Development of the Modern Rifle, 1888; The Development of the Modern High Power Rifle, 1889. *Reports*: The Latest Results in Experiments on Slow Burning Powder, The New

Explosive Melanite and Other High Explosives, Experiments in the Use of Torpedo Netting in the Defense of Vessels, 1887; The Accuracy of Modern Rifled Cannon, 1888; Results of the Tests of the New Steel Guns, 1889; The Composition of Nickel-Steel Armor Plate, 1892.

SAMUEL CALVIN, Charter.—*Papers*: Living Matter, 1885; The Sources of Vital Energy (with Macbride), 1886; Geology in Iowa, 1886; Formation of Strata, 1886; The Flowing Wells at Belle Plaine, (with Andrews), 1886; Croll's Theory of Secular Changes in Climate, 1886; Spontaneous Generation, 1887; The Vorticellidae, 1887; The Deep Well at Washington, Iowa, 1887; Some Special Geological Problems in the Sierras, 1888; Some Points in the Physiology of the Nervous System, 1889; The Duration of Geological Time, 1889; Mountain Making, 1890; The Eccentricities of Rivers, 1890; A Symposium on the Nature of the Center of the Earth (with Weld and Andrews), 1891; The Elephant in Iowa and Elephant Dentition in General, 1891; The Niagara Limestone of Iowa, 1892; Some Mesozoic Reptiles and Birds, 1893; The Driftless Area in Northeastern Iowa, 1893; Conditions Attending the Deposition of the Cambrian and Silurian Strata of Iowa, 1894; The History and Genesis of the Soils of Northeastern Iowa, 1896; Pre-Paleozoic and Paleozoic Faunas, 1896; Pleistocene Iowa, 1897; The Mesozoic Faunas, 1897; Geological Walks about Iowa City, 1899; Land Forms in Iowa, 1899; The Geology and Scenery of the Pipestone Region, 1900; A Geological Trip through Colorado, 1901; A Trip to British Columbia, 1902; The Interglacial Deposits of Iowa, 1904; Vulcanism and Associated Phenomena, 1905; Some Points in the Geological History of the Mississippi River, 1907; Some Mammals now Extinct, that once Inhabited Iowa, 1907; Large Animals now Extinct which Lived in Iowa during the First

Inter-Glacial Interval, 1909. *Reports*: On Certain Insectivorous Plants, Geological Formations Penetrated in the Boring of the Belle Plaine Wells, 1886; Development of Certain Cells of the Cerebellum of Birds, Certain Phenomena in Connection with the Presence of Trichina, The Evening Grosbeak, The Influence which Training of Any Organ May Have upon Other Organs, Booetherium Cavi-frons, Some Laws Governing the Introduction of Species, The Walled Lakes of Iowa and Minnesota, On the Paleontology of Widder, Ontario, 1887; Conditions for the Presence of Natural Gas and Oil, Chlorophyl Bodies in the Cells of the Green Hydra, Evolution as Shown by Some Geological Forms, 1888; Phenomena Connected with the Transection of the Spinal Cord of Frogs, The Bad Lands near Glendive, Montana, 1889; Some Peculiarities in the Distribution of the Blood in the Brain, The Manner in which the Highly Organized Tissues are Nourished, Trichinae in a Rat, An Instrument for Demonstrating the Reduction in Bulk of Muscles during Contraction, The So-called Immortality of Microorganisms, Why are We Right Handed?, 1890; Presence of the Robin at Iowa City on January 16th, The Presence of Copper in the Blood of Invertebrates, Normal Faults as an Explanation of the Parallel Ranges of Mountains in the Basin Region, Some Additional Evidence of the Existence of Man in California before the Lava Flows, What Constitutes an Individual?, 1891; Certain Proposed Changes in Geological Nomenclature, The Geological Aspect of Croll's Theory of Climate and Time, The Action of the Pancreatic Fluid in the Digestion of Fats, Gypsum Beds at Fort Dodge and Methods Employed in Making Stucco There, 1892; The Geological Formations in the Vicinity of Sioux City, Recent Views Concerning the Antiquity of the Globe, 1893; The Secondary Formation of

Quartzite, Glaciers, Foraminiferal Origin of the Chalk of Iowa and Neighboring States, The Oscillatory Movement in Iowa during the Lower Carboniferous Period, The Effect of Geological Structure upon Topographical Form within the Driftless Areas of Northeastern Iowa, Some Probable Habits of Belemnites, 1894; Some Evidences of Movements in the Earth's Crust, *Sturnella Magna Neglecta*, *Sialia Sialis*, The Relation between Base Leveling and Organic Evolution, 1895; The Saint Peter Sandstone at Postville, The Pleistocene Deposits in Iowa, 1896; The Sea Mills in Cephalonia, Recent Improvements in Gold Mining, A Blowing Well, 1897; Topographic Features of Delaware County, 1898; The Crowding up of the Ice on Certain Shores of Lakes, 1899; A Specimen of Chalk from the Holy Land, 1900; The Geology of the Region about Brinkemoitt, Oregon, The Finding of Gold in Iowa, Overlap in Winneshiek and Adjacent Counties, 1901; A Human Skeleton Found near Lansing, Kansas, Lithographic Stone from Mitchell County, 1902; Peculiar Geologic Condition in Iowa Northeast of the Cedar River, Great Lava Fields about Shoshone, Idaho, 1903; Experience in Electrical Matters, Jackson County Carboniferous Outcrop, 1904; Ice Push, How Lamination is Produced in Rocks by Force and Pressure, Flowers Growing under Snow, The Comparison of the Production of Iowa Soil and Production of Gold of the World, 1905; Variations of Heat on the Earth's Surface without Regard to the Heat of the Snow, Earthquakes, Displacement Caused by Recent Earthquakes at San Francisco, 1906; The Mining of Lead and Zinc in the Neighborhood of Dubuque, 1907; Petrified Forests of Arizona, Bones of the Original American Horse, Experiments to Determine the Causes of Mine Explosions, 1908; The Discovery of Fossils in the Aftonian Gravels of Iowa, 1909.



WILLIAM B. COCHRANE, 1892.—*Papers*: Mineral and Thermal Springs, 1894; Modern Surgery of the Digestive Tract, 1895; Some Defects in Eye Refraction, 1895.

SAMUEL W. COLLETT, 1905.—*Paper*: Plant Breeding, 1906.

JACOB ELON CONNER, 1901.—*Report*: Some Features of the Tariff Schedule, 1903.

AMOS NOYES CURRIER, 1889. Associate.—*Reports*: Decline of Rural New England, 1890; Lately Found Constitution of Athens by Aristotle, What Should Precede the American University, 1891; The Cleanliness of the Ancient Romans, 1895.

ROBERT BURDETTE DALE, 1909.—*Report*: The Teredo Navalis, 1910.

LEE WALLACE DEAN, 1894.—*Papers*: The Plastic Compounds of Cellulose, 1895; Some Practical Points in Dietetics, 1898; The Hygiene of the Eye in the Public Schools, 1899; The Anomalies of Refraction, 1900; The Causes of Blindness in Children in Iowa, 1901; The Beating of the Heart, 1902; Taking Cold, 1903.

MRS. J. J. DIETZ, 1889. Associate.—*Report*: Some Thoughts from Emerson, 1904.

EDWARD LEWIS DODD, 1904.—*Paper*: The Interest on One Cent and Some Mathematical Curiosities, 1905.

ERIC DOOLITTLE, 1893.—*Papers*: The Determination of the Figure of the Earth by Pendulum Experiments, 1894; Some Unanswered Questions in Astronomy, 1894. *Reports*: The Fifth Satellite of Jupiter, Three Visual Illusions, 1895.

GILMAN ARTHUR DREW, 1888. Associate.—*Report*: The Sting of the Honey Bee, 1890.

FRANK MOSES DRYZER, 1908. Associate.—*Report*: Principle of Least Work, 1909.

CLARENCE WILLIS EASTMAN, 1898.—*Report*: Defects of the Verb "Must", 1901.

BURTON SCOTT EASTON, 1898.—*Paper*: Star Color under the Meteoric Hypothesis, 1899. *Reports*: The Discovery of the Ninth Satellite of Saturn, Dr. Morrison's Paper on Hebrew Sundials, 1899.

ANFIN EGDAHL, 1905.—*Paper*: Recent Work in Immunity, 1906. *Reports*: Malaria with Reference to the Tertian and Quarten Types, Case of Blastomycites Dermatitis, 1906; Recent Work Done on Animal Parasites, 1907.

HANSON EDWARD ELY, 1897.—*Report*: The Defense of Sea Coasts and Harbors, 1898.

CLARENCE ESTES, 1909.—*Report*: Radium Content of Hot Springs in the Yellowstone National Park, 1910.

J. M. FAUCETT, 1886.—*Report*: Relative Durability of Limestone and Sandstone in Engineering Structures, 1886.

BURTON PERCIVAL FLEMING, 1909.—*Paper*: Some Phases of Irrigation Engineering, 1910.

ARTHUR HILLYER FORD, 1905.—*Papers*: Electric Power Transmission, 1905; Illumination, 1906; Design of an Electric Power Station, 1907; Street Lighting, 1908; Recent Advances in Electric Lamps, 1909.

J. ALLEN GILBERT, 1895.—*Papers*: Some Effects of the Loss of Sleep, 1896; Researches upon the School Children of Iowa City, 1897. *Reports*: A Measurement of an Error of Judgment, 1895; An Instrument for Testing Hearing, The Spark Method of Measuring Time, 1897.

JAMES GRANT GILCHRIST, Charter.—*Papers*: Migration of Leucocytes, 1885; Abnormal Changes in Cell Structure

and Development, 1886; Light Houses and Buoys, 1886; Cognition Physiologically Considered, 1886; Mechanism and the Effects of Snake-Bite, 1887; The Anatomical and Physiological Reasons for Right-Handedness and Left-Handedness, 1887; Difference in Cellular Structure in Original and Reparative Organizations, 1887; Auxiliary Motive Power in Ships of War, 1888; The Genesis of Morbid Action, 1888; Development of the Pipe Organ, 1888; The Origin of the Blood, its Functions and the Mechanism of its Circulation, 1889; The Military Lessons of the Civil War, 1889; Modern Surgery, 1889; A National Reserve, 1890; Fractures and Methods of Repair, 1890; The Natural History of Disease, 1891; Surgical Anaesthesia, 1891; The Anatomy and Physiology of a Man of War, 1892; The Phenomena of Inflammation, 1892; Medical Education as a Function of the State, 1892; Vascular Traumatism, 1893; Reminiscences of Travel in Venezuela, 1893; Inflammation, 1894; Dislocations With Particular Reference to their Reduction, 1895; Gunshot Wounds, 1895; The Genesis and Classification of Tumors, 1896; *Vis Medicatrix Naturae*, 1896; Medical Jurisprudence, 1897; Physiological Compensations, 1898; Our Naval Successes and the Reasons for Them, 1898; Some Recent Considerations of the Surgery of the Great Cavities of the Body, 1899; Westminster Abbey, 1900; Gun Shot Wounds in the Great Cavities, 1901; How to Meet Modern Requirements for a Medical Education, 1902; College Amateur Athletics, 1903; The Problem in Medical Art, 1903; Aneurisms, 1904; The Evolution of the Gothic in English Architecture, 1905; The Genesis of Malignant Tumors and Factors Favoring their Recurrence, 1905. *Reports*: On the Migratory Cell, A Method of Emptying Bilge-water from Vessels, Visceral Evolution, Symptoms of Poisoning as Regards Judicial Toxicology,

1887; The Embryonic Origin of Tumors, On the Effects of Certain Operations for Cataract, Decoloration of Human Hair, Some Cases of Arrested Development of Organs, 1888; The Structure of Dentine, Cerebral Localization, Modern Surgery, A Postscript to a Paper on Modern Surgery, A Poisonous Spider in the West Indies, 1889; Fallacies of the Microscope, The Science of Heraldry, Heraldry, The Establishment of Collateral Circulation, The Ultimate Circulation of the Blood, The Behavior of Scars, Exclusion of Germicides in Operations, Ruptures of Blood Vessels, The Epitaph of Plasmodium, 1890; The Origin of Reports of Lizards Being Swallowed and Living in the Human Stomach, Peculiar Course of a Bullet in the Brain, The Decussation of Nerve Fibres in the Cord, The Musical Sense, Microcephalons, Results of Certain Experiments Relating to the Restoration of Functions in Divided Nerve Fibres, Some Recent Experiments Made with Nickel-Steel Armor Plates (on behalf of Califf), Whether there is Any Such Thing as Hydrophobia, 1891; Treatment of Necrosis, Gun Shot Injuries of Modern Fire-Arms, Hysteria, Voltage of Currents Used in Electrocution, Recent Experiments with the Sphygmograph on Anaesthesia Produced by Ether and Chloroform, Practical Application of Localization of Brain Function to Surgical Cases, Specific Character of Arsenical Poisons, 1892; Comma Bacillus, Intestinal Surgery, Is the Cancer Contagious?, Anaesthesia, 1893; Review of Article by W. D. Howells on "Nerve Degeneration and Regeneration" (jointly given by Gilchrist and Aby), Nerve Regeneration, Reunion of Divided Structures in the Animal Body, Some Anomalous Results in Cerebro-Localization, Modern Army Rifle Wounds, More Recent Experiments on Modern Army Rifle Wounds, The Functions of the Lupuscite, The Iodoform and Other

Methods of Treatment of Wounds, 1894; Intercranial Neurotomy, The Results of the Division of Nerves, The Difficulty of Determining the Nature of an Injury to the Spinal Column, Further Report on a Case of Neuropathology, 1895; Pterodactylism, Peculiarities Found in the Dissection of a Museum Specimen of United Twins, A Specimen of Dermoid Cyst, Dr. Tiffany's Report on the Restoration of Sensation after the Removal of Certain Sense Ganglia, 1897; Obstruction of the Oesophagus Due to Scalding, Materials Entering into a Chinese Medical Prescription, The Problems of Anaesthesia, Some Cases of Spontaneous Repair in Arrested Development, The Pointed Arch in English Cathedrals, A Peculiar Tumor, 1898; Suturing of Cut Blood Vessels, On the Change from Round to Pointed Arches in Mediaeval Structures, 1899; The Difference between Strategy and Tactics, Tubular Pneumatic Action in Modern Organs, The Use of a Vegetable Button in Intersecting, The Use of Local Anaesthetics, Which is the Last Musical Instrument?, 1900; Three Cases of Surgical Treatment in Epilepsy, Physiological Compensation in Certain Sensory Ganglia, Recent Study of Church Architecture, Cause of Anaesthesia, 1901; A Recent Case of Undue Activity on the Part of a Petty Official, Anomalous Distribution of the Nerve Foramina at the Base of the Human Skull, 1902; Prevailing Fads even in Surgical Science, New Teachings of Medical Authorities, 1903; Can Any Real Mark of Degeneracy be Pointed Out?, Medico-Legal Aspects of Surgery, Bridging of Several Nerve Trunks with a View of Restoring Lost Innervation, Relative Merits of Several Kinds of Motors Used in Pumping the Bellows of Pipe Organs, 1904; President Harper's: Surgical Case, Surgical Shock, Heart Suturing, Modern Pedagogic Methods, Lamination of Tissues by Pressure in

Formation of Capsules, Function of Suppuration in the Healing of a Wound, 1905.

RUSSELL D. GEORGE, 1900.—*Papers*: A Sketch of the Geology of Canada, 1900; A Sketch of Gold Mining and Milling in the United States, 1902; The Development of the Iron Industry in the United States, 1902. *Reports*: Recent Criticism of the Nebular Hypothesis, 1900; Marble Flows, 1901; Report of Mineral Output for 1901, The Possibility of Aluminum Replacing Copper, Solubility of Glass in Water at a High Pressure, 1902; Growing of Crystals, 1903.

HENRY MAX GOETTSCH, 1899.—*Papers*: Drinking Water and Typhoid Fever, 1900; The Pecuniary Economy of Food, 1901.

ETHEL GOLDEN, 1897.—*Report*: The Education of Linnie Hagewood, a Blind and Deaf Girl, 1898.

CHARLES EDWARD GORDON, 1907. Associate.—*Papers*: Underground Waters, 1908; Railroad Construction, 1909. *Report*: Work of the Reclamation Service, 1909.

SELSKAR MICHAEL GUNN, 1906.—*Report*: The Problem of Clean Milk, 1907.

KARL EUGEN GUTHE, 1905.—*Papers*: The Whistling and the Speaking Arc Light, 1906; What is Matter, 1906; Electrical Units, 1907. *Reports*: A New Tantalum Electric Incandescent Lamp, 1905; Two Kinds of Burners in Iowa City, Magnetic Properties of Different Materials Especially Manganese, Theory of Isostasy, 1906; Average Temperatures of the Winter Months during the Past Few Years, 1907; Application of the Gyroscope to the Steamship, 1908; Difference in Pressure in the Atmosphere by Small Changes in Height, Vibrations of Spring and Wires, Weather Conditions of the Past Fifty Years, 1909.

FREDERICK GOODSON HIGBEE, 1905.—*Papers*: Mechanical Drawing, 1906; Lumber Industry in the Pacific Northwest, 1909; Our Inland Seas, 1910.

JACK BRUNT HILL, 1909.—*Report*: The Heating Element of an Electric Flat Iron, 1909.

ALBERT S. HITCHCOCK, 1886.—*Papers*: Chlorophyl, 1886; The Future of Chemical Science Economically Considered, 1887; The Metallurgy of Silver, 1887; The Chemistry of the Plant Cell, 1888. *Reports*: Variations of Sucrose in Sorghum, On Manufacture of Gun-Cotton, Changes in the Spectrum of Chlorophyl on Standing in the Dark, Heating of Platinum by Condensation of Gases on its Surface, 1887; The Delicacy of Chemical Reactions, Certain Cases of Abnormal Flowers, On Two Species of Peronospora, Lines of Magnetic Force, Remarks on the Iowa Flora, Absorption Bands of the Chlorophyl Spectrum, 1888; Chlorophyl in Alcoholic Specimens of Silk-Worm, Two Specimens of Silicified Wood, 1889.

ARTHUR WARREN HIXON, 1908.—*Paper*: Iron Mining in the Lake Superior Region, 1909.

F. A. HOLTON, 1887.—*Paper*: Methods of Distinguishing between Butter and Butter Substitutes, 1887.

GILBERT LOGAN HOUSER, 1892.—*Papers*: Some Features of Paleozoic Corals, 1893; The Structural Elements of Connective Tissue, 1894; The Cleavage of the Egg, 1895; Segmentation of the Vertebrate Head, 1895; The Ear, 1896; The Degeneration of the Tunicate, 1898; The Data of Modern Neurology, 1899; The Physical Basis of Heredity, 1900; Recent Progress in Cellular Biology, 1901; The Results of Experimental Embryology, 1902; Vitalism and Mechanism as Explanations of Life, 1903; Phosphorescence, 1905;

Primary Causes of Animal Behavior, 1903; The Brain of the Vertebrate, 1906; Recent Progress in the Study of the Living Substance, 1908; Present Status of Darwinism in the Field of Zoology, 1909; Some Modern Viewpoints of Animal Life, 1909; Form Changes in the Animal Cell, 1910. *Reports*: The Nematocysts of the Fresh Water Hydra, 1893; Formaline, 1893; The Formation, Growth and Disappearance of a Water Spout, 1896; The Origin and Purpose of the Thyroid Gland, 1897; The Relation between the Auditory Nerve and the Hair Cells of the Ear, Changes in Nerve Cells due to Activity, 1898; Effect of Radiation of Radium on Animal Life, Achievements of Carl Gegenhaur, Experiments of the Japanese Hatai with Lecithin, 1903; Phosphorescence in Animals, The Stimulation of Protoplasm and the Deferring of Somatic Death, 1905; Cilia, The Distribution of the Physiological Metals in the Animal Cell, Oxidation in the Living Cell, 1906; Changes in Cellular Structure of Animals with Age, 1908.

MINNIE HOWE, 1888. Associate.—*Report*: The Flora of a Metamorphic Ledge in Luverne County, Minn., 1891.

ALFRED ONIAS HUNT, 1888.—*Papers*: Toothache, 1888; Methods of Tooth-Saving, 1889.

JAMES ELDER HUTCHINSON, 1909.—*Report*: Liquid Illuminating Gas in Switzerland, 1910.

WOODS HUTCHINSON, 1895.—*Paper*: Uses of Pain, 1895.

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FREDERICK WILLIAM SPANUTIUS, 1889.—*Papers*: Quicksilver, 1890; Dissociation, 1891; Glass and its Solubility in Water, 1892. *Reports*: Siliceous Oolite, Smoky Quartz from Branchville, Connecticut, 1890; Free Fluorine, 1891; Chemistry and Mineralogy of Garnet, 1892.

JOHN SPRINGER, 1896. Associate.—*Papers*: Type-Setting Machines, 1900; The Lost Art of Wood Engraving, 1901. *Reports*: Modern Processes of Color Printing, 1898; A Letter from Hon. John P. Irish on the Growing of Figs in Cal-

ifornia, Famous Printers' Errors, 1900; A Mammoth Camera, 1901; Oil Regions of Iowa, 1902; Experience in Producing Silhouette Photographs, 1904.

EDWIN DILLER STARBUCK, 1906.—*Papers*: The Idealist's Interpretation of Matter, 1907; A Comparison of the Mental Capacities of the Sexes, 1908; Pragmatism, 1909; Some Somological Phases of Adolescence, 1910. *Reports*: The Mental and Physical Differences in the Sexes, 1906; Orientation and Localization of Certain Birds, 1908.

DANIEL STARCH, 1906.—*Paper*: The Influence of Weather on Human Conduct, 1907. *Reports*: Results of Experiments Carried out in the Psychological Laboratory on Auditory Localization of Sound, 1904; Localization of Sound, Sound in Psychological Laboratory, 1905.

GEORGE WALTER STEWART, 1909.—*Report*: Report of President Pritchett Regarding Cost of College Instruction in Physics, 1910.

FRANK ALBERT STROMSTEN, 1900.—*Paper*: The Marine Biological Laboratory at Tortugas, 1908. *Reports*: Observations of Dr. Mathews on the Changes in the Gland Cells of the Pancreas of the Mud Puppy, 1903; Order of the Development of the Venous System, 1906; Palola Worm, 1907; The Lymphatic Development in Turtles, 1910.

HENRY WALDGRAVE STUART, 1901.—*Papers*: Choice and Knowledge, 1902; Ethics, its Nature and its Place among the Sciences, 1904.

WILBER JOHN TEETERS, 1897.—*Papers*: The Manufacture and Chemistry of Soap, 1899; Some Facts about Patent Medicines, 1899; The Prescription, 1902; The Synonyms of the Pharmacopoeia, 1903; Coal Tar, 1904; Cinchona and its Alkaloids, 1907; Some Results of the Pure Food and

Drug Law, 1909. *Reports*: Armour & Co., Dessicated Animal Substances, Sarsaparilla Container, An Original Packing Case for Ciort from Ochissima, 1901; Vanilla Bean as Cured and as it Comes on the Market, 1906; Importation of Aloes, 1907; Patent Medicines, Unsuccessful Attempts to Brand Cattle by Chemical Methods, 1908; Specimen from a Wine Cask, 1909.

FREDERICK CHARLES L. VAN STEENDEREN, 1894. Associate.—*Reports*: A Device for the Trisection of an Angle, 1894; The Influence of the Teutonic upon the Romance Languages, The Origin of Languages, 1895; A Sentence Containing a Key to the Quantity  $\pi$ , 1897; The Engineering Situation in Holland, 1898; The Place of French Literature in Literature, 1899; A Note on the General Laws Governing the Changes in the Meaning of Words, 1903.

ANDREW ANDERSON VEBLEN, Charter.—*Papers*: Modern Geometry, 1886; Electric Units and Measurements, 1886; Determination of the Length of Light Waves, 1887; The Theory of Dynamo-Electric Machines, 1888; Polarization of Light, 1889; Transmission of Electrical Oscillations, 1889; Some Points on Electric Lighting, 1890; The Light of Fire-Flies, 1890; Electro Motors, 1891; Electric Railways, 1891; The Finding of America by the Norsemen, 1892; The Practical Electrical Units and the Commercial Measurement of Electricity, 1893; Notes on Electricity at the World's Fair, 1894; Lighting, 1895; Some Elementary Facts in Acoustics and the Physical Theory of Music, 1896; The Characteristics, Classification and Uses of Fingerprints, 1897; Wireless Telegraphy, 1898; Ancient Scandinavian Ships, 1900; Photographic Optics, 1901; Fingerprints, 1902; Electrons, 1903; The University of Upsala, 1903. *Reports*: Rosenthal's Micro-Galvanometer, 1886; On

a Suggestion of a System of Local Survey, 1887; Snow Shoes, On the Grammar of Volapük, The Theory of Electric Potential, The Uses of the Battle Axe, A Torsion Balance, 1888; Electrical Measuring Instruments, Effect of Elevation upon Weight, 1889; A New Kind of Telephone, Welding by Electricity, Magneto-optic Production of Electricity, The Motion of Atoms in Electrical Discharge, 1890; Are We Approaching Another Ice Age?, 1891; The Spade Bayonet in the United States Army, A New Method of Detecting Oscillations of the Earth's Crust, Some Applications of the Hertz Experiments to Marine Signaling, The Corruption of Scandinavian Names in America, Late Advances in Electrical Science, Description and Model of Cable Switch Board Made by himself for Use in the Physical Laboratory, An Electrical Fire Damp Indicator, 1892; Breaking of the World's Skee-Jumping Records at Red Wing, Minnesota, The Long Distance Telephone, Gravitational Phenomena Viewed as Waves of Ether, Peculiarities of Trees Growing upon Hillsides, Rotary Steam Engines, Resistance Boxes, 1893; A New Style of Reciprocating Engine, Double Surfaces, The Instructive or Natural Use of Correct Gender in Danish Dialects, A New Form of Planimeter, Limit of Vision with Respect to the Eyes of Insects, The Effect of Electric Shocks, Experiments upon the Falling of Cats, 1894; Hearst's Spectrum Disks, Wireless Telegraphy, Measurements upon the Growth of Trees, A Machine for Compounding Harmonic Motion, Model of Circular and Transverse Wave Motion, 1895; Photographic Effects by Means of Electrical Radiation, The X or Roentgen-Ray, The Recent Nansen Expedition, 1896; The Use of Alternating Currents for Gaining Speed in Telegraphy, The Amount of Energy Imparted to the Receiver of the Telephone in Speaking, 1897; Tesla's Wireless Transmission of Energy, Immunity of the

Race from the Effects of Alcohol, A Comparison of the Welsbach Burner with the Ordinary Naked Burner, 1898; A New Camera Table for Photography for Scientific Purposes, The Polak-Virag Method of Rapid Telegraphy, 1899; The Curving Flight of a Rotating Ball, Loosely Piled Bricks as a Vibration-free Support for Delicate Instruments, Borchgrevinck's Antarctic Explorations, Recent Progress in Wireless Telegraphy, Existence of Nodes and Vibrations of the String, A New Copying Camera Table, 1900; Reason for Professor Rowland's Fame, Optical Illusion Visible in Mr. Boehm's Zone Plate, A Method of Changing the Density of Skyograph Negatives, 1901; Nature of Electric Discharge in Thunderstorms, 1902; Birksland Electromagnetic Gun for Throwing Dynamite, Recently Discovered Remains in Norway of Ancient Boats, 1903; A New Compact Projecting Lantern, Dr. Niels Finsen, 1904; Land Slide in Norway, Earthquake in the Scandinavian Peninsula, Sixty-four Science Charts Suitable for Elementary Nature Study, Experiments to Prove that a Body can not Sink in Quick Sand, 1905.

CHARLES B. VOGDES, 1893.—*Papers*: Historical Sketch of Infantry Tactics, 1895; The First Campaign of Napoleon, 1896.

CARL LEOPOLD VON ENDE, 1893.—*Papers*: Some Physical Methods in Chemistry, 1895; The Modern Theory of Solution, 1901; The Osmotic Theory of the Galvanic Cell, 1903; Catalysis, 1906. *Reports*: Vitreous Silicon or Quartz Glass. Purification of Water by Means of Copper Sulphate and also by Copper, 1905.

PERCY H. WALKER, 1892.—*Papers*: Iron, 1893; Alloys, 1895; Explosives, 1899. *Reports*: Utilization of Iron Ores Containing Titanium, A Peculiar Form of Calcite Found in the Neighborhood, 1893.

DUREN JAMES HUDSON WARD, 1906.—*Paper*: The Legitimate Field of Anthropology and Ethnology, 1906. *Report*: Prehistoric People of Iowa, 1906.

SAMUEL N. WATSON, 1886.—*Papers*: The Next Step in the Evolution Process, 1887; Biology and Ethics, 1887; An Inquiry into the Permanence of the Human Species, and Some Deductions Therefrom, 1888; Social Development, 1891; The Embryology of Personality, 1893; Sensation, 1894; Thermics, 1896. *Reports*: Evidence of Intelligence in the Lower Animals, On Some Statements in Professor Huxley's Book "Advance of Science in the Last Half Century", Electric Heating, 1888; The Bermuda Islands, 1890; Oligocythaemia, 1893.

GAILORD D. WEEKS, 1900.—*Paper*: Railway Construction, 1901.

LAENAS GIFFORD WELD, 1886.—*Papers*: Wave Motion, 1887; Vortex Motion, 1887; Determinants, 1888; The Transit of Venus in 1874, 1888; Double Stars, 1889; The Nebular Hypothesis of La Place, 1889; Some Instances of Recent Progress in Stellar Astronomy, 1890; The Tenets of Astrology, 1890; A Symposium on the Nature of the Center of the Earth (with Calvin and Andrews), 1891; The Stars as Timekeepers, 1891; Comets, 1892; The Sun, 1892; The Physiography of the Moon, 1893; Exhibition of Astronomical Lantern Slides, 1894; The Foundations of Geometry, 1894; Some Mathematical Illustrations of the Doctrine of Continuity, 1895; Numbers 1896; Torics, 1896; Pendulum Observations, 1897; Variable Stars, 1898; The Phenomenon of Periodicity, 1899; The Life History of a Star, 1900; The Mechanics of a Harp String, 1900; Are Other Worlds Inhabited, 1901; Some Applications of the Statistical Method to Stellar Astronomy, 1902; The Planet Jupiter, 1903; Star

Dust, 1905; How Did the Sun Become Hot and What Keeps it Hot, 1906; The Spiral Nebulae and their Significance, 1906; The Legends of the Stars, 1907; The Great Pyramids, 1910. *Reports*: Certain Experiments on Nitrification, 1886; Imaginary Cube Roots of Unity, 1887; The Hypergeometric Series, The Mathematical Laws Governing the Carrying Power of Streams, The Variable Star Algol, The Solar Eclipse of January 1, 1889, 1888; Arago's Helioscope, 1889; The Personal Equation, 1890; The Time of Rotation of the Planet Mercury, The Reciprocal Relations between the Pascalion and Brianchonian Hexagons, Recent Discovery of the Nature and Extent of the Variation of Latitude of Points on the Earth's Surface, 1891; The Magnitude of the Forces Interacting among the Celestial Bodies, Periodic and Secular Changes of Latitude, Recent Discovery of the Fifth Moon of Jupiter, The Zenith Telescope and its Use in Latitude Determinations, Infinity as a Mathematical Concept, 1892; Construction of a Conic Passing through Five Points, 1893; The Gegenschein, Advantages of the Trilinear System of Co-ordinates, The Present Opposition of the Planet Mars, 1894; The Recent Discovery of a Second Satellite of Neptune, 1895; The Planet Saturn and its System, A Mechanical Method of Trisecting an Angle, An Original Linkage Machine for Determining the Roots of Cubic Equations, Parheliac Circles, A Graphic Method for the Solution of the Equation  $x^2 - px - q^0 = 0$ , A Graphic Method of Solving Cubic Equations, On Ascertaining Properties of a Function Represented by Some Integral that can not be Integrated, 1897; Conditions Affecting the Limit of Capacity of Large Guns, 1898; The Recently Discovered Planet D. Q., 1899; A New Comet, 1902; Difference between Volcanic Activity on the Moon and on the Earth, 1903; A Particular Partial Differential Equation, Livasey Depression Range



Finder, Latest Discovery at Lick Observatory, 1904; Description of a Piece of Photometric Apparatus Seen in Standard Bureau at Washington, Astronomical Instrument for Eliminating the Personal Equation in Obtaining the Transit of a Star, 1905; Some Factors to be Considered in the Determination of Loss of Matter, 1906; Certain Methods of Sinking Wells Through Sandy Soils, 1907.

ROY TITUS WELLS, 1903.—*Papers*: Some Developments in Electric Railroading, 1904; The Reaction of a Conducting Core on a Solenoid, 1904. *Reports*: An Electrically Driven Pendulum, 1903; Regulating the Strength of a Field, 1904; Electric Traction, A New Electric Light Bulb, Methods of Measuring very Minute Alternating Currents, 1905.

JOHN VAN ETEN WESTFAL, 1899.—*Papers*: A Famous Old Problem in Geometry, 1900; The Game of Minor Fan Tan, 1902; The Fundamental Principles of Life Insurance and Annuities, 1902; A Proof of the Transcendency of  $e$  and  $\pi$ , 1903; Transcendental Numbers, 1904.

WILLIAM ROBERT WHITEIS, 1893.—*Papers*: Immunity, 1895; The Histology of the Tooth, 1897. *Reports*: A Solution for Staining Nerve Centers, A Large Microtome for Sectioning the Entire Brain, 1897.

HENRY FREDERICK WICKHAM, 1903.—*Papers*: Ants, 1903; Some Remarkable Habits of Spiders, 1904; Insect Life in the Great Basin, 1905; Arctic Colonies in the Rocky Mountains, 1905; Notes on a Trip to Mexico, 1908; Notes on the Mexican Trip of 1908, 1909; Variation of Color Pattern in the Genus *Cecindela*, 1910. *Reports*: The Simplest Form of Insects — Compodes *Staphylinus*, 1907; A Peculiar Bug *Emesa Longipes*, 1910.

WILLIAM CRAIG WILCOX, 1894.—*Report*: Trend of Modern Historic Research in this Country, 1904.

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FRANK ALONZO WILDER, 1903.—*Papers*: Yellowstone National Park, 1904; The Geological History of the Rhine Valley and its Relations to History and Science, 1905; The Geology of the Appalachian Mountains and its Bearings on American History, 1906. *Reports*: Recent Criticism of the Nebular Hypothesis, Coal-Testing Plant at St. Louis, 1904; Gas and Oil Fields of Kansas, 1904; Government Coal Testing at St. Louis Fair, Mining and Shipping of Iron Ore, Producer Gas, 1905.

MABEL CLARE WILLIAMS, 1903.—*Papers*: The Subconscious, 1903; How Many Senses Has Man, 1903; Memory in Animals, 1903; Rhythm, 1910. *Reports*: Result of Experiments in Area-Volume Illusion, 1901; Investigation by Motora, 1904.

HENRY SMITH WILLIAMS, 1886.—*Paper*: Brains, 1886.

EDWARD WOLESENSKY, 1909.—*Report*: A New Method of Preparing Diamonds, 1910.

SHERMAN MELVILLE WOODWARD, 1904.—*Papers*: A Mathematical Attempt to Mitigate the Severity of a Torrid Climate, 1905; The Principle of Least Work as Applied to Beams, 1909; English Gothic Cathedral Construction, 1909. *Reports*: A Freak Standpipe, 1905; Conditions Causing the Explosion of an Evaporator in a Factory, 1908; A Problem in Hydraulics, The Humphrey Gas Pump, 1909.

ARCHIE GARFIELD WORTHING, 1906.—*Papers*: The Application of the Electron Theory to Certain Physical Phenomena, 1908; Water Splashes, 1909. *Reports*: Atomic Weight of Nickel, Some Experiments of Sir Wm. Ramsey, 1907.

ROBERT BRADFORD WYLIE, 1906.—*Papers*: A Primary Factor in the Evolution of Plants, 1908; The Okoboji Lakeside Laboratory, 1909. *Reports*: Peculiar Characteristics

of the Red Algae, 1907; Method of Isolating Some Forms of Fungi, 1908.

The following papers were read by invitation of the members of the Club:

CAPT. BENNETT — Some Peculiarities of Whales, 1889.

PROF. W J MCGEE — A Visit to a Savage Tribe, 1899.

PROF. W. H. NORTON — Shore Forms, 1901; Artesian Wells in this Locality, 1908; Illustrated Account of the San Francisco Earthquake Disaster, 1908.

REGENT ALBERT W. SWALM — The Growth and Prosperity of the University, 1894.

DR. E. S. TALBOT — Degeneracy, its Causes, Signs and Results, 1904.

PROF. S. N. WILLIAMS — The Obligation of Science to Suffering Humanity, 1910.

MR. WHITE — The Great Storm at Samoa, 1890.

MALCOLM GLENN WYER — Book Binding, 1909.

MR. GEORGE P. DIECKMANN — The Modern Manufacture of Portland Cement from the Mechanical and Chemical Standpoints, 1910.

## SOME PUBLICATIONS

### AMERICANA

#### GENERAL AND MISCELLANEOUS

Percy L. Kaye is the compiler of a volume of *Readings in Civil Government*, which has been issued by the Century Company.

*Laws as Contracts and Legal Ethics* is the title of an address by Phiny F. Sexton, which has been published in pamphlet form.

Volume four, part two, of the *Anthropological Papers of the American Museum of Natural History* contains some *Notes Concerning New Collections*, edited by Robert H. Lowie.

In the August-September number of the *Proceedings of the American Philosophical Society* there is a paper by R. H. Matthews, entitled *Further Notes on Burial Customs, Australia*.

The September number of *The National Civic Federation Review* is devoted to discussions of the various phases of the movement for uniformity in Federal and State legislation.

A new edition of Alexander Johnston's valuable *History of American Politics*, revised and enlarged by W. M. Sloane and continued down to date by W. M. Daniels, has recently appeared.

Ernest R. Spedden is the author of a monograph on the subject of *The Trade Union Label*, which appears as a recent number of the *Johns Hopkins University Studies in Historical and Political Science*.

*The American Catholic Historical Researches* for October opens with some *Catholic Revolutionary Notes*. J. E. Dow contributes *Some Passages in the Life of Commodore John Barry*. An article of western interest is one by J. J. Holzknrecht on *Bishop Henni's Visitation of Wisconsin Indians*.

The *Report of the Sixteenth Annual Meeting of the Lake Mohonk Conference on International Arbitration* contains a good variety of addresses and reports dealing with different phases of the problem involved.

A complete edition of the *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States and Other Powers, 1776-1909*, has recently been issued from the Government Printing Office.

E. Clyde Robbins is the compiler of a volume containing *Selected Articles on a Central Bank of the United States* which appears in the *Debater's Handbook Series* published by the H. W. Wilson Company of Minneapolis.

*The New Netherland Register* is the title of a new periodical, the first number of which appeared in January, 1911. The most extended contribution in this number bears the heading, *Pioneers and Founders of New Netherland*.

Karl Singewald is the writer of a monograph on *The Doctrine of Non-Suability of the State in the United States*, which has been published as a number of the *Johns Hopkins University Studies in Historical and Political Science*.

*The Railway Library 1909*, compiled and edited by Slason Thompson, contains a number of papers and addresses dealing with the operation and progress of railroads, and their regulation by the State and National governments.

A valuable monograph from the standpoint of western history is that prepared by Robert T. Hill on *The Public Domain and Democracy*, and published in the *Columbia University Studies in History, Economics, and Public Law*.

The fourteenth volume of the *Review of Historical Publications Relating to Canada*, edited by George M. Wrong and H. H. Langton, has appeared as a number of the *University of Toronto Studies*. This volume contains over two hundred pages devoted to publications which came out during the year 1909.

*World Corporation* is the title of a volume by King Camp Gillette, which outlines a program of socialistic reform. The corporation, the purpose of which this volume explains, is organized under the laws of the Territory of Arizona.

The seventeenth and eighteenth volumes of the Library of Congress edition of the *Journals of the Continental Congress, 1774-1789*, edited by Gaillard Hunt, have appeared. These two volumes bring the proceedings of the Congress down to the close of the year 1780.

W. Max Reid is the author of a volume entitled *Lake George and Lake Champlain: the War Trail of the Mohawk and the Battleground of France and England in their Contest for the Control of North America*, which has come from the press of G. P. Putnam's Sons.

The October number of the *Bulletin of the Pan American Union* contains, among other things, an account of *Mexico's Centennial Celebrations*. It is to be noted that the name "The Pan American Union" has been substituted for "The International Bureau of the American Republics."

Max Schrabisch is the writer of an article on *The Indians of New Jersey* which appears in the September-October number of *Americana*. Other articles are: *Thomas Paine's Last Days in New York*, by William M. Van der Weyde; and a continuation of the *History of the Mormon Church*, by Brigham H. Roberts.

*The Religious Question in Spain* is discussed by Louis Garcia Guijarro in an article which appears in *The Yale Review* for November. *Economic Phases of the Railroad Rate Controversy* is the subject treated by A. M. Sokolski. Among the remaining contributions is one by Julius H. Parmalee on *The Statistical Work of the Federal Government*.

The January, April, and July numbers of the *Bulletin of the Virginia State Library* are combined into one volume which is devoted to a *Finding List of the Social Sciences, Political Science, Law, and Education*. This volume is in reality a condensed cata-

logue of the books coming under the headings indicated which are to be found in the Virginia State Library. It will serve as a useful guide, however, for research students.

Among the articles in the *Political Science Quarterly* for September are: *Judicial Views of the Restriction of Women's Hours of Labor*, by George Gorham Groat; *Reciprocal Legislation*, by Samuel McCune Lindsay; *Effect on Real Estate Values of the San Francisco Fire*, by Thomas Magee; and *The Opening of Korea by Commodore Schufeldt*, by Charles Oscar Paullin.

The November number of *The Quarterly Journal of Economics* opens with a discussion of *Railway Rate Theories of the Interstate Commerce Commission*, by M. B. Hammond. There is a third installment of O. M. W. Sprague's study of *Proposals for Strengthening the National Banking System*. Another article is one by William J. Cunningham on *Standardizing the Wages of Railroad Trainmen*.

Charles A. Ellwood is the writer of an article on *The Classification of Criminals* which appears in the November number of the *Journal of the American Institute of Criminal Law and Criminology*. Other articles are: *Nature and Limits of the Pardoning Power*, by William W. Smithers; and *The Relation of the Alien to the Administration of the Civil and Criminal Law*, by Gino C. Speranza.

William Garrott Brown discusses *The New Politics* in an article in *The North American Review* for October. He deals especially with the evidences of change which are to be seen in our political life of to-day. Other articles are: *The German Social Democracy*, by John W. Perrin; *The Changing Position of American Trade*, by Thomas A. Thacher; and *The Public and the Conservation Policy*, by James R. McKee.

*Senator Beveridge of Indiana*, by Lucius B. Swift; *Milwaukee's Socialist Government*, by George Allan England; *William James: Builder of American Ideals*, by Edwin Björkman; and *The Indian Land Troubles and How to Solve Them*, by Francis E. Leupp, are

articles in the October number of *The American Review of Reviews*. *Woodrow Wilson and the New Jersey Governorship* is an article in the November number.

*The First Historian of Cumberland*, by James Wilson, is an article which appears in the October number of *The Scottish Historical Review*. Charles J. Guthrie writes on *The History of Divorce in Scotland*. There are some *Letters from Francis Kennedy, Abbeyhill, to Baron Kennedy at Dalquharran, Mayboll, Relative to the Siege of Edinburg, 1745*. George Neilson tells of *Roderick Dhu: His Poetical Pedigree*.

*The Transition to an Objective Standard of Social Control*, by Luther Lee Bernard; and *A Contribution to the Sociology of Sects*, by John L. Gillin, are articles in the September number of *The American Journal of Sociology*. The first named article is continued in the November number, where may also be found a discussion of *The Influence of Newspaper Presentations upon the Growth of Crime*, by Frances Fenton.

*Location of the Towns and Cities of Central New York*, by Ralph S. Tarr; and *Geography and Some of its Present Needs*, by A. J. Herbertson, are articles of interest in the October number of the *Bulletin of the American Geographical Society*. In the November number Walter S. Tower writes on *Scientific Geography: the Relation of Its Content to Its Subdivisions*; and S. P. Verner discusses the *Effective Occupation of Undeveloped Lands*.

In the September number of the *Journal of the United States Cavalry Association* the principal article of historical interest is one on *The Geronimo Campaign of 1885-6*, by Charles P. Elliott. In the November number there is a discussion of *The Chancellorsville Campaign*, by John Bigelow. *Long Distance Rides and Raids*, by Ezra B. Fuller; and *Cavalry in the War of Independence*, by Charles Francis Adams, are articles in the January number.

The following are pamphlets published by the American Association for International Conciliation during September, October, and November, respectively: *Conciliation Through Commerce and In-*



*dustry in South America*, by Charles M. Pepper; *International Conciliation in the Far East*, which consists of a collection of papers on various topics by different writers; and *The Capture and Destruction of Commerce at Sea and Taxation and Armaments*, by F. W. Hirst.

Among the recent articles in *The Survey* are the following: an address on *Civic Responsibility*, by Theodore Roosevelt (September 17); an editorial on *Judicial Disregard of Law* (October 1); *Who Pays the Taxes in Growing Cities*, by John Martin (October 15); *The International Prison Congress at Washington*, by Paul U. Kellogg (November 5); and *From Cave Life to City Life*, by Lewis E. Palmer, and Tolstoi's "Resurrection", by A. S. Goldenweiser (December 3).

*The South Atlantic Quarterly* for October opens with an article on *The English Constitutional Crisis*, by William Thomas Laprade. *Judge Martin's Version of the Mecklenburg Declaration* is the title of an interesting discussion by Samuel A. Ashe. Other contributions are: *Three Studies of Southern Problems*, by William K. Boyd; *The Influence of Industrial and Educational Leaders on the Secession of Virginia*, by Henry G. Ellis; and *The Legislatures of the States*, by Bernard C. Steiner.

The November number of *The Annals of the American Academy of Political and Social Science* is devoted to *Banking Problems*. Among the articles dealing with the various problems are: *The Problem Before the National Monetary Commission*, by A. Piatt Andrew; *The Extension of American Banking in Foreign Countries*, by Samuel McRoberts; *The Canadian Banking System and its Operation Under Stress*, by Joseph French Johnson; and *State and Federal Control of Banks*, by Andrew J. Frame.

The opening contribution in the *Columbian Law Review* for November is a very interesting discussion of the *Violation by a State of the Conditions of Its Enabling Act*, by Julian C. Monnet. *Judicial Control over the Amendment of State Constitutions* is the subject of a pertinent article by W. F. Dodd. Contributions in the

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December number are: *The Supreme Court and the Anti-Trust Act*, by Victor Morawetz; and *The Place of English Legal History in the Education of English Lawyers*, by W. S. Holdsworth.

*An Educational Department Bulletin* published by the New York State Library in September contains a *Review of Legislation 1907-1908*. Clarence B. Lester is the editor of the volume; while various men have prepared the reviews of the different phases of legislation. The work covers the legislation enacted in all the States of the Union during the year indicated, and will prove very useful for reference purposes; although its helpfulness would have been enhanced had it appeared earlier.

Under the title, *Constitutional Law in 1909-1910*, Eugene Wambaugh presents an outline of Supreme Court decisions, in the November number of *The American Political Science Review*. Stephen Leacock discusses *The Union of South Africa*; while Hiram Bingham is the writer of an article on the *Causes of the Lack of Political Cohesion in Spanish America*. Two other contributions are: *The Extraordinary Session of the Philippine Legislature, and the Work of the Philippine Assembly*, by James Alexander Robertson; and *The Railroad Bill and the Court of Commerce*, by James Wallace Bryan.

*The Journal of American History*, volume four, number four, contains an article by Charles W. Eliot, entitled *America's Heritage—Pilgrim Foundation of American Civilization*, in which is traced the assimilation and development of the principles and doctrines of the Pilgrims into American character and American political institutions. Henry Cabot Lodge writes on *The Mayflower's Message to America*. Under the heading *Builders of the Great American West*, D. C. Allen writes a biographical sketch of Colonel Alexander W. Doniphan. An account of Henderson's Transylvania Colony is given by Mrs. James Halliday McCue in an article entitled *First Community of American-Born Freeman and Its Dominion*. Theodore G. Carter tells of *Early Migrations to the Middle West and Massacres on the Frontier*. Under the title, *Anniversary in the American West*, H. Gardner Cutler makes an appeal for the celebration of April thirtieth in memory of the Louisiana Purchase.

## WESTERN

A neat biographical pamphlet of western interest bears the title, *Quarter Centennial of Judson Titsworth as Minister in Plymouth Church, Milwaukee*.

W. A. Schaper is the editor of the volume of the *Papers and Proceedings* of the third annual meeting of the *Minnesota Academy of Social Sciences*, which has recently appeared.

The number of the *Ohio University Bulletin* published in October is devoted to an historical account of *Ohio University, the Historic College of the Old Northwest*, by Clement L. Martzoff.

Two *Bulletins* recently issued by the *Bureau of American Ethnology* are: *Antiquities of Central and Southeastern Missouri*, by Gerard Fowke; and *Chippewa Music*, by Frances Densmore.

*The Ohio Country Between the Years 1783 and 1815*, by Charles Elihu Slocum, is a volume published by G. P. Putnam's Sons. It deals chiefly with the Indian Wars of the period and with the War of 1812.

*The Chumash and Costanoan Languages* is the title of a brief monograph by A. L. Kroeber, published in November as a number of the *University of California Publications in American Archaeology and Ethnology*.

Robert W. Neal is the writer of *Some Personal Conclusions About Things Educational*, which appear in *The Graduate Magazine of the University of Kansas* for November. The writer finds much to criticize in the modern educational system.

The number of the *Ohio University Bulletin* published in July is devoted to the *Legal History of Ohio University*, compiled by William E. Peters, from legislative enactments, judicial decisions, proceedings of the trustees, and other sources.

From the pen of William Romaine Hodges there appears an attractive little biography of *Carl Weimar*, the well known painter of Indians and buffaloes, who did so much to preserve for posterity an accurate record of the wild life of the plains of the Middle West.

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David French Boyd is the writer of a brief sketch of *General W. T. Sherman as a College President*, which has been reprinted from *The American College*. The institution, which soon after its establishment became known as The Louisiana State University, was organized by General Sherman, who was its first executive.

The October number of the *University of California Chronicle* opens with an address on *Blackstone—The Lawyer and the Man*, by Charles S. Wheeler. *The Historical Spirit* is the subject of an address by Kendric C. Babcock. Other contributions are: *The Relations of Organized Labor and Technical Education*, by Alfred Roncovieri; and *Self-Directed High School Development*, by Alexis F. Lange.

Two volumes on the Indians which have recently appeared are: *The Indian and his Problem*, by Francis E. Leupp (Charles Scribner's Sons); and *My Friend the Indian*, by James McLaughlin (Houghton, Mifflin & Company). Both Mr. Leupp and Mr. McLaughlin have been intimately connected with the administration of Indian affairs and hence are well qualified to write upon the subjects they have chosen.

The country stretching westward from the western border of the Mississippi Valley to the Coast Range is the field covered by Harlan I. Smith in an article entitled *An Unknown Field in American Archaeology*, which appears in the July-September number of *The American Antiquarian*. Charles Hallock writes on *The Caves and Ruins of Arizona and Colorado*, setting forth their cause and origin and the people who occupied them. There is another installment of *Chippewa Legends*, by J. O. Kinnaman.

A new periodical, which gives promise of good things, has appeared in the Middle West. *The Quarterly Journal of the University of North Dakota* is the name of this new publication, and the initial number appeared in October. The opening contribution is an article on *The Office of the Appellate Judge*, by Andrew Alexander Bruce. Then follows an address entitled *Past and Present Sticking Points in Taxation*, by Frank L. McVey. James E. Boyle

contributes a chapter in a discussion of *Co-operation in North Dakota*; and John Morris Gillette writes on *City Trend of Population and Leadership*.

## IOWANA

In the October and November numbers of *Autumn Leaves* there are continuations of L. J. Hartman's *Memories of Childhood*.

*The State Banking Board* is the subject of an address by Silas R. Barton which is published in *The Northwestern Banker* for October.

*The Relations of the State Board of Education to the Public School System* are discussed by James H. Trewin in the *Midland Schools* for December.

In the July-September number of the *Iowa Library Quarterly* there is a discussion of *Library Growth and Library Laws*; and a biographical sketch of *Honorable C. J. A. Ericson*.

In the November number of *The Alumnus* published at Iowa State College there is to be found an article entitled *Impressions at I. S. C. 1880-1910*, by Malinda Cleaver Faville.

A welcome addition to the history of Iowa churches is to be found in a *History of the First Congregational Church of Council Bluffs, Iowa*, which was prepared by N. P. Dodge and G. G. Rice.

*The Fairfield Ledger* of October 12, 1910, contains an account of the thirty-second annual reunion of the Jefferson County Old Settler's Association, which was held at Fairfield on October 5, 1910.

*The Last of the Founders*, by James L. Hill, is an article in *The Grinnell Review* for October. In the November number there is a letter from M. M. Blackburn relating to *Opportunities in the Government Service*.

In the *Madrid Register-News* of December 8, 1910, there is an interesting article by C. L. Lucas on the *Days of the Riverland Troubles*. One week later in the same paper Mr. Lucas relates the *History of the Riverland Grant*.

*A Biography of Elder Joseph E. Burton*, by Emma B. Burton, opens the October number of the *Journal of History* published at Lamoni by the Reorganized Church of Jesus Christ of Latter Day Saints. There is a continuation of the *Biography of Sidney Rigdon*, by Heman C. Smith, as well as of a number of other biographical and autobiographical sketches. There is also an article on *Mormon Troubles in Missouri*.

*The Battle of Atlanta and Other Campaigns, Addresses, etc.*, is the title of an interesting volume from the pen of Grenville M. Dodge, who was Commander of the Department of Missouri in 1865. Among the contents are chapters on the southwestern campaign, the battle of Atlanta, the Indian campaigns in the last years of the war, the Army of the Tennessee, the western campaign, and General Grant. Numerous illustrations add interest to the volume.

*The Story of Greater Oskaloosa* is told by J. W. Johnson in the August-September double number of *The Midwestern*, and there is a foreword by the editor, Carolyn M. Ogilvie. *The Story of Des Moines* is also related in this number; Henry E. Sampson describes the *Working of the Des Moines Plan*; and E. G. Wylie discusses *Railroad Rate Legislation*. In the October number there is an article by Tacitus Hussey on *Early Settlers—Fathers and Sons*. The same writer has *A History of the Banks of Des Moines* in the January number.

*Municipal Ownership Under Commission Government*, by W. A. Miller; *Municipal Accounting*, by Charles M. Wallace; *Home Rule for Cities*, by Thomas Maloney; and a discussion of the *Unit Tax System*, are to be found in the October number of *Midland Municipalities*. Frank G. Pierce is the writer of an address on *Uniform Municipal Accounting* which appears in the December number. *The President's Annual Address, League of Nebraska Municipalities*, by Don L. Love, is the principal contribution in the January number.

#### SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Anderson, Melville Best,

*The Happy Teacher*. New York: Benjamin W. Huebsch. 1910.

- Bain, Harry Foster,  
*More Recent Cyanide Practice.* San Francisco: Mining and Scientific Press. 1910.
- Ball, James Moores,  
*Andreas Vesalius, the Reformer of Anatomy.* St. Louis: Medical Science Press. 1910.
- Bolton, Frederick Elmer,  
*Principles of Education.* New York: Charles Scribner's Sons. 1910.
- Brigham, Johnson,  
*The Banker in Literature.* New York: The Banking Publishing Co. 1910.
- Brown, Charles Reynolds,  
*The Cap and Gown.* Boston: Pilgrim Press. 1910.
- Bush, Bertha E.,  
*A Prairie Rose.* Boston: Little, Brown & Co. 1910.
- Dodge, Grenville M.,  
*The Battle of Atlanta and Other Campaigns, Addresses, etc.* Council Bluffs: Monarch Printing Company. 1910.
- Ficke, Arthur Davison,  
*The Breaking of Bonds: A Drama of the Social Unrest.* Boston: Sherman, French & Company. 1910.
- Garland, Hamlin,  
*Other Main-Traveled Roads.* New York: Harper Brothers. 1910.
- Gibson, Clarence B.,  
*Reflections of Nature with Affection Taught.* Panora: Published by the author. 1910.
- Holst, Bernhart Paul, (Joint editor),  
*Practical Home and School Methods of Study and Instruction in the Fundamental Elements of Education.* Chicago: Holst Publishing Co. 1910.
- Hough, Emerson,  
*The Purchase Price.* Indianapolis: The Bobbs-Merrill Company. 1910.

*The Singing Mouse Stories.* Indianapolis: The Bobbs-Merrill Company. 1910.

*The Sowing: A "Yankee's" View of England's Duty to Herself and to Canada.* Chicago: Vanderhoof-Gunn Co. 1910.

Huebinger, Melchoir,

*Map and Guide for River to River Road.* Des Moines: Iowa Publishing Co. 1910.

Hughes, Rupert,

*The Gift Wife.* New York: Moffat, Yard & Co. 1910.

*The Lakerim Cruise.* New York: Century Co. 1910.

Kaye, Percy Lewis,

*Readings in Civil Government.* New York: Century Co. 1910.

La Tourette, Clara, and Charles Foster McDaniel,

*Commercial Art Typewriting.* Cedar Rapids: C. F. McDaniel. 1910.

Lazell, Frederick J.,

*Isaiah as a Nature-Lover.* Cedar Rapids: The Torch Press. 1910.

Lillibridge, William Otis,

*Quercus Alba, the Veteran of the Ozarks.* Chicago: A. C. McClurg & Co. 1910.

MacMurray, Arthur,

*Practical Lessons in Public Speaking.* Ames: Published by the author. 1910.

Newton, Joseph Fort,

*Lincoln and Herndon.* Cedar Rapids: The Torch Press. 1910.

Pammel, Louis Hermann,

*A Manual of Poisonous Plants.* Cedar Rapids: The Torch Press. 1910.

Parrish, Randall,

*Don MacGrath: A Tale of the River.* Chicago: A. C. McClurg & Co. 1910.

Raymond, William Galt,

*Railroad Field Geometry.* New York: John Wiley and Sons. 1910.



- Robbins, E. Clyde,  
*Selected Articles on a Central Bank of the United States.*  
 Minneapolis: The H. W. Wilson Company. 1910.
- Rogers, Julia E.,  
*Earth and Sky Every Child Should Know.* New York:  
 Doubleday, Page & Co. 1910.
- Sedlasky, Ferdinand J.,  
*Defense of the Truth.* Fort Dodge: Published by the author.  
 1910.
- Sharpe, Gazelle Sterns,  
*A Little Patch of Blue.* Boston: Gorham Press. 1910.
- Steiner, Edward A.,  
*Against the Current.* New York and Chicago: Fleming H.  
 Revell Co. 1910.
- Walker, Margaret Coulson,  
*Tales Come True.* New York: Baker & Taylor Co. 1910.
- Weld, Laenas G.,  
*On the Way to Iowa.* Iowa City: The State Historical Society  
 of Iowa. 1910.
- White, Hamilton,  
*The New Theology.* New York: Broadway Publishing Co. 1910.
- Zollinger, Gulielma,  
*The Rout of the Foreigners.* Chicago: A. C. McClurg & Co.  
 1910.

## SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

*The Register and Leader*

- General Baker Might Have Been President, but he Came to Iowa,  
 by G. W. Crosley, September 25, 1910.
- Story of the Earliest Hanging in Iowa, by O. H. Mills, September  
 25, 1910.
- When Josiah T. Young was Secretary of State, by L. F. Andrews,  
 September 25, 1910.
- Sketch of Life of Sidney Anderson, October 2, 1910.
- Life Story of Henry Wallace, the New Head of Conservation, Oc-  
 tober 2, 1910.

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- Marvelous Story of a Treasure Mystery in Jefferson County, October 2, 1910.
- Indian Payments are Changed Again, October 2, 1910.
- John S. Runnells, One of Prominent Early Lawyers of Iowa, by L. F. Andrews, October 2, 1910.
- Sketch of Life of Thomas Updegraff, October 9, 1910.
- Sketch of Life of S. H. M. Byers, by L. F. Andrews, October 9, 1910.
- Sketch of Life of W. H. Ingersoll, who Came to Iowa in 1835, October 9, 1910.
- G. W. Kitterman, Oldest Native Son of Wapello County, October 9, 1910.
- Two Early Settlers in Van Buren County, October 9, 1910.
- Sketches of Life of Johnathan P. Dolliver, October 16, 1910.
- Robert C. Webb, an Early Settler of Polk County, October 16, 1910.
- Coincidence in Dolliver's Life, October 21, 1910.
- Sketch of Major Charles Mackenzie's Notable Military Service, by L. F. Andrews, October 23, 1910.
- Mr. Clarkson's Farewell Tribute to Dolliver, October 23, 1910.
- How an Indian Fled from Death in Early Iowa, by O. H. Mills, November 6, 1910.
- Sketch of Life of Lowell Chamberlain, by L. F. Andrews, November 6, 1910.
- Memory of Charlotte Bronte in Des Moines, by Mrs. Addie B. Billington, November 6, 1910.
- H. W. Macomber — A Boyhood Friend of Hiram Maxim, the Scientist, November 6, 1910.
- Lives Spent in Loyal Service for the Burlington Railroad Company, November 13, 1910.
- John Cooper, a Relative of Peter Cooper, November 13, 1910.
- Story of the Genesis of the First Railroad into Des Moines, November 13, 1910.
- Ackworth and Whittier, Typical Quaker Communities in Iowa, by Florence Armstrong, November 20, 1910.
- Origin of the Chautauqua Movement in Iowa, by Mrs. Addie B. Billington, November 20, 1910.

Origin of the Des Moines College, by L. F. Andrews, November 20, 1910.

Sketch of Life of C. T. Brookins, December 4, 1910.

Sketch of Life of Professor Leona Call, by Mrs. Addie B. Billington, December 4, 1910.

Winslow Casady Tompkins — Sole Survivor of Famous War Squad, December 4, 1910.

Sketch of Life of Alfred M. Lyon, One of Iowa's Bravest Soldiers, by L. F. Andrews, December 4, 1910.

Old Proclamation Found — Document Declaring Des Moines to be Capital of State, December 11, 1910.

Lester Perkins — Noted Pioneer of Des Moines, by L. F. Andrews, December 11, 1910.

Forty-four Years of Street Railway Business in Des Moines, December 11, 1910.

Story of Mystery Which Puzzled Early Settlers, by O. H. Mills, December 18, 1910.

Isaac Nash of Springville, a Veteran of two Wars, December 18, 1910.

Sketch of Life of Augustus Washburn, by L. F. Andrews, December 18, 1910.

The Pilgrims of Iowa, December 25, 1910.

Sketch of Life of Roma Wheeler Woods, by Mrs. Addie B. Billington, December 25, 1910.

History of the Famous Second Regiment and Colonel N. W. Mills, by L. F. Andrews, December 25, 1910.

*The Burlington Hawk-Eye*

Twenty Years Ago. (In each Sunday Issue).

Description of a Pioneer Cabin, October 2, 1910.

Veterans of the 25th Iowa to Review War Experiences, October 2, 1910.

An Iowa Soldier on the Skirmish Line, by H. Heaton, October 2, 1910.

Sketch of Life of Jonathan P. Dolliver, October 16, 1910.

Thrilling Story of Indian Fighting in the West, by J. H. Dodds, October 16, 1910.

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- Campaigning Around Atlanta with Sherman in 1864, I, by J. W. Cheney, October 23, 1910.
- Sacajawea: The Romance of an Indian Girl Who Helped to Give Our Nation the Great Northwest Territory, October 23, 1910.
- Campaigning Around Atlanta with Sherman in 1864, II, by J. W. Cheney, October 30, 1910.
- Our Same Old Tent — A Reminiscence of War Times, by W. P. Elliot, November 6, 1910.
- Exercises at the Marking of the Site of Old Zion Church, November 13, 1910.
- The Memorial of a Forceful Man's Life — Charles Elliott Perkins, November 13, 1910.
- W. H. Ingersoll, an Old Pioneer of Des Moines County, November 13, 1910.
- The Story of How Burlington was Named, by E. H. Waring, November 27, 1910.
- Experiences During the Winter of 1880, by S. Hutchins, December 11, 1910.
- Memories of the Civil War, by W. P. Elliott, December 18, 1910.

### *Cedar Rapids Republican*

- How Iowa Received its Name, October 2, 1910.
- Story of Indian Fights, October 9, 1910.
- Sketch of Life of Senator Jonathan P. Dolliver, October 16, 1910.
- Ste. Genevieve — Old Missouri Town, October 16, 1910.
- Lincoln and Herndon, November 6, 1910.
- Mr. Clarkson's Farewell Tribute to Senator Dolliver, November 6, 1910.
- An Indian's Race for Life, by O. H. Mills, November 13, 1910.
- The First Directory Published in Cedar Rapids, November 27, 1910.

### *The Dubuque Telegraph-Herald*

- Sketch of Life of Senator Jonathan P. Dolliver, October 16, 1910.
- Story of Earliest Hanging in Iowa, by H. O. Mills, October 16, 1910.
- Careers of Old Time Printers, October 23, 1910.
- Jonathan P. Dolliver: A Statesman of the New School, by N. W. Waters, October 30, 1910.

## HISTORICAL SOCIETIES

### PUBLICATIONS

The Buffalo Historical Society has published a reprint containing a *Rough List of Manuscripts in the Library of the Buffalo Historical Society*.

A paper on *Stage-Coach Days in Medford*, by Eliza M. Gill, is the principal contribution to *The Medford Historical Register* for October. *An Old-Time Muster* is another item of interest.

A recent reprint from the *Annual Report of the American Historical Association*, for 1908, contains the *Proceedings of the Fifth Annual Conference of Historical Societies*, reported by St. George L. Sioussat.

The May-August number of the *German American Annals* is devoted entirely to the *Elfte Staats-Konvention des Deutsch-Amerikanischen Zentral-Bundes von Pennsylvanien*, the proceedings of which are printed in German.

In the September-October number of the *Records of the Past* Hjalmar Rued Holand discusses the question, *Are there English Words on the Kensington Runestone?* Leon Dominian tells of *The Pyramids of San Juan Teotihuacan*.

*John Heman Converse* is the subject of a biographical sketch which appears in the September number of the *Journal of the Presbyterian Historical Society*. Among the editorials are discussions of *Sycamore Shoals and its Monument*, and of *Endowing Church History*.

*Der deutsche Schulmeister in der Amerikanischen Geschichte*, by A. B. Faust, is the opening article in the October number of the *Deutsch-Amerikanische Geschichtsblätter*. Other articles are: *Die Deutschen in Illinois*, by Emil Mannhardt; and *Die Deutschen in Davenport und Scott County in Iowa*.

The portions of *The Randolph Manuscript* published in the October number of *The Virginia Magazine of History and Biography* cover the period from the latter part of the year 1682 to the middle of the year 1684. Continuations of documentary material take up practically the entire number.

Volume nine, number two of *The James Sprunt Historical Publications*, published under the direction of The North Carolina Historical Society, contains a study of *Federalism in North Carolina*, by Henry McGilbert Wagstaff; and a number of *Letters of William Barry Grove*, also edited by Mr. Wagstaff.

The proceedings attendant upon *The Formal Opening of the New Fireproof Building of the Historical Society of Pennsylvania, April 6-7, 1910*, are set forth in a pamphlet recently published by the Society. Several cuts showing the various homes of the Society and photographs of its Presidents, add interest to the pamphlet.

Henry A. M. Smith contributes a second chapter of his study of *The Baronies of South Carolina* to the October number of *The South Carolina Historical and Genealogical Magazine*. This time the Fairlawn Barony is discussed. The greater part of the *Magazine* is taken up with a genealogical account of the *Cantey Family*, by Joseph S. Ames.

Among the contents of volume fifteen of the *Collections of the Nova Scotia Historical Society* are the following papers: *The Fisheries of British North America and the United States Fishermen*, by Wallace Graham; *Memoir of Governor John Parr*, by James S. MacDonald; *Halifax and the Capture of St. Pierre in 1793*, by T. Watson Smith; and *Demonts Tercentenary at Annapolis, 1604-1904*, by Justice Longley.

The October number of the *Historical Collections of the Essex Institute* contains a continuation of the history of *The Houses and Buildings of Groveland, Massachusetts*, by Alfred Poore; a fourth chapter in Sidney Perley's discussion of *Marblehead in the Year 1700*; and other continuations. Another contribution is the *Revolutionary Orderly Book of Capt. Jeremiah Putnam of Danvers, Mass., in the Rhode Island Campaign*.

John F. Philips is the author of an article entitled *Hamilton Rowan Gamble and the Provisional Government of Missouri*, which is the opening contribution in the October number of the *Missouri Historical Review*. F. A. Sampson has compiled some interesting notes on *Washington Irving: Travels in Missouri and the South*. A list of *Old Newspaper Files* in the library of the State Historical Society of Missouri will be of service to investigators.

The *Proceedings of the American Antiquarian Society* at the semi-annual meeting held on April 20, 1910, contains the customary reports and three rather extended papers. The first is by Benjamin Thomas Hill, and describes *Life at Harvard a Century Ago*, as illustrated by the letters and papers of Stephen Salisbury of the class of 1817. *The Jumano Indians* is the subject discussed by Frederick Webb Hodge; and an article on *The Libraries of the Mathers* is written by Julius Herbert Tuttle.

The July number of *The Pennsylvania Magazine of History and Biography* is largely taken up with an account of *The Formal Opening of the New Fireproof Building of the Historical Society of Pennsylvania*. In the October number there is to be found some correspondence between Thomas Jefferson and William Wirt under the heading, *Jefferson's Recollections of Patrick Henry*, contributed by Stan. V. Henkels. *An Autobiographical Sketch of the Life of Gen. John Burrows, of Lycoming Co., Penna.*, written in 1837, is another contribution.

The forty-third volume of the *Proceedings of the Massachusetts Historical Society* covers the period from October, 1909, to June, 1910. Among the many papers contained in this volume the following may be mentioned: *The Oregon Trail*, by Horace Davis; *Bancroft Papers on the Mecklenburg Declaration of Independence*, contributed by Mark Antony De Wolfe Howe; *Hamilton's Report upon the Constitutionality of a National Bank*, contributed by Worthington C. Ford; *War Letters of Dr. Seth Rogers, 1862-63*, communicated by T. W. Higginson; *Letters, 1694-95, on the Defense of the Frontier*, communicated by Charles Pelham Greenough; and *Great Secession Winter of 1860-61*, by Henry Adams.

*Athens and Hellenism* is the topic discussed by William S. Ferguson in the October number of *The American Historical Review*. C. Raymond Beazley writes on *Prince Henry of Portugal and the African Crusade of the Fifteenth Century*; and Ralph C. N. Catterall is the author of a paper on *The Credibility of Marat*. Two articles on subjects in American history are: *The Mexican Recognition of Texas*, by Justin H. Smith; and *The Second Birth of the Republican Party*, by William A. Dunning. In the last named paper it is the object of the writer to show that the Republican party, as organized in 1854, did not have an unbroken existence. Under the heading of *Documents* there are presented some interesting *Letters of Toussaint Louverture and of Edward Stevens, 1798-1800*.

*Charles Dickens in Illinois* is the title of an interesting article by J. F. Snyder, which appears in the October *Journal of the Illinois State Historical Society*. Clarence Walworth Alvord is the editor of some letters and documents from the papers of *Edward Cole, Indian Commissioner in the Illinois Country*, which illustrate the conduct of Indian affairs in the West during the British period. In a letter entitled *Governor Coles' Autobiography* there are related some incidents in the early settlement of Illinois. Oliver R. Williamson discusses the very pertinent subject of *American History and the Immigrant*. Among other contributions are: *Honorable Lewis Steward*, by Avery N. Beebe; *The "Corner Stone" Resolution*, by Duane Mowry; and *A Letter from Illinois Written in 1836*, by Richard H. Beach.

Charles E. Brown is the writer of an account of *The Wisconsin Archaeological Society, State Field Assembly*, which appears in the *Ohio Archaeological and Historical Quarterly* for October. E. L. Taylor's article on *La Salle's Route Down the Ohio* is a contribution to the discussion of a puzzling period in the explorer's career. *The Ohio Declaration of Independence* is the subject of a sketch by Clement L. Martzloff, who also writes on *Ohio University — the Historic College of the Old Northwest*. It is to be noted that Oliver Perry Shiras, who for so many years was a Federal Judge



in Iowa, received his early education at Ohio University. An account of *Bowman's Expedition Against Chillicothe* is taken from the Draper manuscripts. The concluding article is one by Isaac J. Cox on the *Significance of Perry's Victory*.

*The State Finances of Texas During the Reconstruction* is the subject of an interesting article written by E. T. Miller, which is the opening contribution in *The Quarterly of the Texas State Historical Association* for October. In *The City of Austin from 1839 to 1865* Alex. W. Terrell tells how Austin came to be chosen as the seat of government six years before annexation, and traces the history of the capital city through the Civil War. *The Last Hope of the Confederacy* is the heading given to a memorial from John Tyler to the Governor and authorities of Texas, for which Charles W. Ramsdell has written an introduction. Two biographical sketches are: *General Volney Erskine Howard*, by Z. T. Fulmore; and *Albert Triplett Burnley*, by Martha A. Burnley. The concluding contribution is a letter from Peter W. Grayson to Mirabeau B. Lamar dealing with *The Release of Stephen F. Austin from Prison*.

The July and October numbers of the *Annals of Iowa* are combined in a double number which is filled with interesting and valuable material. The opening contribution is on *The Republican State Convention, Des Moines, January 18, 1860*, and is written by F. I. Herriott. The convention is described largely from the standpoint of the choice of delegates to the National Republican Convention at Chicago. Under the title, *Across the Plains in 1850*, there are published a journal and some letters written by Jerome Dutton while on an overland journey from Scott County, Iowa, to Sacramento County, California. *William Fletcher King*, who for a period of forty-four years was the president of Cornell College, is the subject of an appreciation by Rollo F. Hurlburt. *A Brief History of the French Family* is written by Mary Queal Beyer. Other articles are: *Judge Alexander Brown*, by Robert Sloan; *The Sword of Black Hawk*, by D. C. Beaman; and *Old Zion Church, Burlington, Iowa*, by Edmund H. Waring. Among the editorials may be found a brief sketch of *Justice Samuel F. Miller and his First Circuit Court*.

A third installment of F. G. Young's monograph on the *Financial History of the State of Oregon* may be found in the June number of *The Quarterly of the Oregon Historical Society*. This installment deals with the sale of public lands in Oregon. In the *Recollections of a Pioneer of 1859: Lawson Stockman*, B. F. Manring tells some interesting experiences of an early western settler. Lawson Stockman started from Iowa City, Iowa, in March, 1859, on the long journey westward to Oregon. *What I Know of Dr. McLaughlin and How I Know It* is the title given to some fascinating recollections by John Minto who made the journey from Missouri to Oregon in the year 1844. A continuation of *The Peter Skene Ogden Journals*, edited by T. C. Elliott; and *An Estimate of the Character and Services of Judge George H. Williams*, by Harvey W. Scott, may also be found. Judge Williams was a prominent character in Iowa during the early years of Statehood. It was in 1853 that he was appointed Chief Justice of the Territory of Oregon.

#### ACTIVITIES

The Arkansas Historical Association expects to distribute the third volume of its *Publications* some time in January.

The new librarian of the Rhode Island Historical Society is Professor Frank G. Bates, formerly of the University of Kansas.

The Pacific Coast Branch of the American Historical Association held its annual meeting at the University of California on November 18 and 19, 1910.

The Ohio Archaeological and Historical Society, under the direction of Mr. E. O. Randall, is editing the *Moravian Records* and preparing them for publication.

The Michigan Pioneer and Historical Society is performing a valuable service in the translation of Margry's *Documents*. Three volumes are now ready for the press.

Dr. A. C. Tilton, who for seven years has been chief of the manuscript department of the State Historical Society of Wisconsin, has accepted a similar position in the Connecticut State Library.

Mr. Purd B. Wright, for several years a Trustee of the State Historical Society of Missouri, has been elected Librarian of the Los Angeles Public Library, and hence has severed his connection with the Society.

On April 6 and 7, 1910, occurred the formal opening of the new building of the Historical Society of Pennsylvania. The building was erected at a cost of nearly three hundred and forty thousand dollars, half of which was appropriated by the State legislature.

The Illinois State Historical Library has in press a volume containing a list of Illinois newspapers down to 1840, and the second volume of the Governors' Letter-Books. The papers of George Rogers Clark are being prepared for publication by Professor James A. James.

The fifty-eighth annual meeting of the State Historical Society of Wisconsin was held at Madison on October 20, 1910. The crowded condition of the library was commented upon by the Secretary, Dr. Reuben Gold Thwaites in his report, and the urgent need for a new book-stack wing was pointed out. The library now numbers 331,567 titles. The most conspicuous addition to the manuscript collections of the Society during the past year are the papers of the late George H. Paul of Milwaukee. The principal address at the annual meeting was delivered by Professor Benjamin F. Shambaugh of the State University of Iowa on *The History of the West and the Pioneers*.

The report of the Secretary of the Kansas State Historical Society for the year ending December 6, 1910, reveals a substantial growth in the collections of the Society. Nearly eleven thousand books, pamphlets, and bound volumes of newspapers were added to the library. The most notable accessions are in the department of archives, where nearly twenty thousand documents were added during the year. The total collections of the Society now number in the vicinity of four hundred thousand items. Along the line of publication the Society has issued volume eleven of its *Collections*. It has been decided to suspend work on the Memorial and Historical

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Building, of which the foundation has been completed, until after the session of the legislature in 1911. It is sincerely to be hoped that the legislature will remedy the unfortunate situation which now exists, and the building will receive the generous appropriation which it deserves.

### OHIO VALLEY HISTORICAL ASSOCIATION

The fourth annual meeting of the Ohio Valley Historical Association was held at Indianapolis, Indiana, on December 27, 1910. At 12:30 p. m. there was a luncheon at the University Club, followed by a program at which the proposed Pittsburg Centennial of steamboat navigation on western waters was the first topic of discussion. Preliminary bibliographic reports on steamboating on the Ohio River were presented, and the session closed with a discussion of the proposed consolidation of the Ohio Valley and the Mississippi Valley Historical Associations. It was decided, however, that final decision upon the matter of consolidation should be left to the Executive Committees of the two Associations, with power to act. At four o'clock there was a Conference on Historical Publication work in the Ohio Valley, at which time an address was delivered by J. Franklin Jameson, and brief reports were presented by representatives of historical societies in the Ohio Valley. In the evening a joint session was held with the other associations meeting at Indianapolis.

### THE MISSISSIPPI VALLEY HISTORICAL ASSOCIATION

The mid-year meeting of the Mississippi Valley Historical Association was held at Indianapolis on Tuesday, December 27, 1910. The afternoon was taken up with meetings of the Executive Committee and the various standing committees of the Association. In the evening at eight o'clock there was a joint session with the Ohio Valley Historical Association and the American Historical Association at which Professor Benjamin F. Shambaugh presided. The following program was presented at this time:

Paper—*New Light on the Explorations of the Verendrye*—Orin G. Libby, Professor in the University of North Dakota. Discussion by Clarence W. Alvord, Associate Professor in the University of Illinois.

Paper—*The American Intervention in West Florida*—Isaac Joslin Cox, Professor in the University of Cincinnati. Discussion by Frederick A. Ogg, Professor in Simmons College; and Dunbar Rowland, Director of the Department of Archives and History of the State of Mississippi.

Paper—*A Century of Steamboat Navigation on the Ohio*—Archer B. Hulburt, Professor in Marietta College. Discussion by R. B. Way, Professor in Indiana University; and John Wlison Townsend, Business Manager of the Kentucky State Historical Society.

Paper—*The Beginnings of the Free-Trade Movement in the Canadian Northwest*—P. E. Gunn, of Winnipeg, Canada. (Mr. Gunn was not present.)

Paper—*Early Forts on the Upper Mississippi*—Dan E. Clark, Assistant Editor in The State Historical Society of Iowa.

The proceedings and papers at the mid-year meeting will be included in the volume containing the proceedings of the next annual meeting, which will be held at Evanston, Illinois, in May or June.

#### THE AMERICAN HISTORICAL ASSOCIATION

The twenty-sixth annual meeting of the American Historical Association was held at Indianapolis, Indiana, on December 27-30, 1910. The sessions, which for the most part were held in the Claypool Hotel, were quite largely attended.

The session on Tuesday evening was devoted to topics in western history, and was a joint session with the other associations meeting at the same place. On Wednesday morning there was a program under the auspices of the North Central History Teachers' Association at which there was a free and helpful discussion of the problems connected with the teaching of History and Civics. The afternoon on Wednesday was given over to conferences on Ancient History, Modern European History, American Diplomatic History with Special Reference to Latin America, and a Conference of State and Local Historical Societies. At the last named conference the reports of the widest interest were Mr. Dunbar Rowland's account

of the progress of the work of calendaring the manuscripts in French archives relating to the Mississippi Valley, and Professor Clarence W. Alvord's very practical discussion of the methods of restoring and preserving manuscripts.

The presidential address by Professor Frederick J. Turner on Wednesday evening dealt in a profound and interesting manner with the social aspects of American history. The address was followed by a reception at the John Herron Art Institute.

Thursday and Friday mornings were devoted to sessions commemorating the fiftieth anniversary of secession. The papers on Thursday morning clustered about the conditions and events in the North in 1860; while the general subject of discussion on Friday morning was the South in 1860. Especial interest was manifested in these two sessions.

A Conference on Medieval History, a Conference of Archivists, and a Conference of Teachers of History in Teachers' Colleges and Normal Schools, were held on Thursday afternoon. An interesting feature of the Conference of Archivists was the report by Mr. A. J. F. Van Laer on the work of the International Conference of Archivists and Librarians held at Brussels, August 28-31, 1910. The session on Thursday evening was a session on European History, the paper which excited the greatest comment being one by H. Morse Stevens, of the University of California. After this program there was a smoker at the University Club.

A luncheon, followed by informal speaking, was given at the Claypool Hotel Friday noon. The subject of discussion at the final session on Friday evening was *The Relation of History to the Newer Sciences of Mankind*.

#### THE STATE HISTORICAL SOCIETY OF IOWA

The two-volume *History of Taxation in Iowa*, by Professor John E. Brindley, will be distributed in February.

The Secretary, Dr. Frank E. Horack, read a paper on *The Iowa Primary and Its Workings* at the meeting of the American Political Science Association at St. Louis during the holidays.

Professor Laenas G. Weld's address entitled *On the Way to Iowa*, has been published and distributed to members.

The manuscript of Dr. Louis Pelzer's biography of Henry Dodge has been accepted by the Board of Curators and will be put to press in the near future.

The Society has just issued a new and revised edition of the booklet entitled *Some Information*, which describes the work of the Society, and contains a list of members.

The Superintendent delivered the principal address at the annual meeting of the State Historical Society of Wisconsin on October 20, 1910. He also addressed the State Historical Society of Nebraska at Lincoln on January 10, 1911.

Mr. Joseph W. Rich, a Curator of the Society, has been elected President of the Political Science Club of the State University of Iowa for the ensuing year. Dr. Dan E. Clark, the Assistant Editor, was chosen Secretary of the same club.

Owing to the great demand for copies of Mr. Joseph W. Rich's monograph on *The Battle of Shiloh*, which was first published in THE IOWA JOURNAL OF HISTORY AND POLITICS in October, 1909, it will be reprinted in book form in the near future.

The *Twenty-Eighth Biennial Report of the Board of Curators of the State Historical Society of Iowa* has been printed. It contains a detailed account of the activities of the Society during the two years ending July 1, 1910, a list of members, and recommendations for increased support.

Dr. Benjamin F. Shambaugh and Dr. Dan E. Clark represented the Society at the meetings of the Mississippi Valley Historical Association and the American Historical Association at Indianapolis, December 27-30. Dr. Shambaugh is President of the Mississippi Valley Historical Association. Dr. Clark read a paper on *Early Forts on the Upper Mississippi*, and made a report on the Public Archives of Iowa.

The following persons have recently been elected to membership

in the Society; Mr. C. Ray Aurner, Iowa City, Iowa; Lieutenant Morton C. Mumma, Iowa City, Iowa; Mrs. F. S. McGee, Riverside, Iowa; Miss Helen E. Ruser, Davenport, Iowa; Mr. D. E. Voris, Marion, Iowa; Mr. John L. Etzel, Clear Lake, Iowa; Mr. R. W. Birdsall, Dows, Iowa; Mr. P. O. Bjorenson, Milford, Iowa; Mr. W. E. Crum, Bedford, Iowa; Mr. Brode B. Davis, Chicago, Illinois; Mr. Nathan P. Dodge, Jr., Omaha, Nebraska; Mr. D. G. Edmundson, Des Moines, Iowa; Mr. John M. Galvin, Council Bluffs, Iowa; Dr. J. W. Hanna, Winfield, Iowa; Mr. Chas. L. Hays, Eldora, Iowa; Mr. J. W. Hill, Des Moines, Iowa; Mr. H. R. Howell, Des Moines, Iowa; Mr. Finis Idleman, Des Moines, Iowa; Mr. Jesse W. Lee, Webster City, Iowa; Mr. E. E. Manhard, Waterloo, Iowa; Mr. R. S. Sinclair, Cedar Rapids, Iowa; Mr. Jacob Springer, Marengo, Iowa; Mr. B. Van Stienberg, Preston, Iowa; Mr. L. O. Worley, Blainstown, Iowa; Mr. Geo. Wright, Eagle Grove, Iowa; Mr. John A. Young, Washington, Iowa; Mr. Samuel Hayes, Iowa City, Iowa; Mr. W. W. Baldwin, Burlington, Iowa; Mrs. Mary Queal Beyer, Des Moines, Iowa; Mr. James B. Bruff, Atlantic, Iowa; Mr. T. J. Bryant, Griswold, Iowa; Mr. Henry S. Ely, Cedar Rapids, Iowa; Mr. C. O. Harrington, Vinton, Iowa; Mr. L. S. Hill, Des Moines, Iowa; Mr. Charles N. Kinney, Des Moines, Iowa; Mr. V. R. McGinnis, Leon, Iowa; Mr. C. F. Mauss, Milford, Iowa; Mr. F. S. Merriau, Waterloo, Iowa; Mr. Arthur Poe, Cedar Rapids, Iowa; Mr. J. B. Rockafellow, Atlantic, Iowa; Mrs. Agnes W. Smith, Waterloo, Iowa; Mr. Thos. H. Smith, Harlan, Iowa; and Mr. Edward S. White, Harlan, Iowa.

#### THE RESIGNATION OF MR. PETER A. DEY

Because of advancing years Mr. Peter A. Dey, who for many years has been President of the Society and a member of the Board of Curators, has retired from the Board. The following resolution appreciative of his services was passed by the Board of Curators on October 5, 1910:

“Be it resolved by the Board of Curators of The State Historical Society of Iowa that it is with deep regret that we accept the resignation of Mr. Peter A. Dey as a member of this Board, since we feel that the Board of Curators suffers a great loss in being deprived of



his wise counsel and advice. Mr. Dey has served as a member of the Board of Curators for twenty-four years, from 1886 to 1910. From September 8, 1900, to July 7, 1909, he held the office of President of the Board and of the Society. For the marked growth and development of the Society during these years Mr. Dey deserves a large measure of credit. He was wise in his judgment and always faithful and punctual in the performance of his duties."

## NOTES AND COMMENT

The North Central History Teachers' Association held a meeting at Indianapolis on December 28, 1910.

The twenty-first annual meeting of the Iowa Library Association was held at Davenport, October 11-13, 1910.

Dr. W. F. Dodd, formerly of Johns Hopkins University, is now a member of the faculty of the University of Illinois.

The second annual meeting of the American Institute of Criminal Law and Criminology was held at Washington, D. C., on September 30 and October 1, 1910.

The newly appointed General Secretary of the Archaeological Institute of America is Professor Mitchell Carroll, who has been connected with the Institute for several years.

July 26 to 29, 1911, are the dates set for an International Congress dealing with the problems arising in the relations between the West and the East. London will be the place of meeting.

Professor Herbert E. Bolton, formerly of the University of Texas and now of Stanford University, has accepted the professorship of American History in the University of California, to take effect July 1, 1911.

The sum of twenty thousand dollars has been presented to Harvard University, with the stipulation that the income shall be applied to research work in historical archives. It is preferred that these researches shall be along the line of American history, and especially that the work shall be carried on in the Spanish archives.

The seventh annual meeting of the American Political Science Association was held at St. Louis, Missouri, from December 27, to 30, 1910. Besides the general sessions on national and international problems, there were programs and conferences devoted to such subjects as judicial organization and procedure, primary elections,

municipal government, taxation, and political theory. The American Association for Labor Legislation, and the American Statistical Society held their meetings at the same time and place and there were a number of joint sessions.

It has been announced by Mr. Dunbar Rowland, Director of the Department of History and Archives of the State of Mississippi, that the calendar of manuscripts in the French archives relating to the Mississippi Valley is nearly ready for publication. The work of preparing the calendar has been done by Mr. Waldo G. Leland. The various historical agencies in the Mississippi Valley are acting in coöperation in supporting this work.

The Manuscripts Division of the Library of Congress has recently acquired the Madison papers and the Polk papers, including the Polk diary, which have heretofore been in the possession of the Chicago Historical Society. La Harpe's valuable journal dealing with the establishment of the French in Louisiana has also been secured; and the Pickett papers containing the official correspondence and records of the Confederate government have been transferred from the Treasury Department.

NATHAN PHILLIPS DODGE

Mr. Nathan P. Dodge, a member of The State Historical Society of Iowa, died at his home at Council Bluffs on January 12, 1911. Mr. Dodge was born at South Danvers (now Peabody), Massachusetts, on August 20, 1837. In 1854 he came to Iowa City, where he joined his brother, Grenville M. Dodge, who was at that time directing the survey for the Rock Island Railroad across Iowa. During the following spring he took up land on the Elkhorn River in Nebraska, but on account of Indian troubles he soon moved to Omaha and later to Council Bluffs, where he spent the remainder of his life, devoting himself to banking and real estate business.

Mr. Dodge took a keen interest in western history, and was especially well informed on the local history of Council Bluffs. He wrote numerous valuable historical articles which were published in the local newspapers, the last one being on the subject of

*Woman's Aid and Sanitary Commissions During the Civil War.* He was beloved by all who knew him, and his death will long be deeply mourned.

## JONATHAN P. DOLLIVER

Johnathan Prentiss Dolliver was born near Kingwood, Preston County, Virginia (now West Virginia), on February 6, 1858. He graduated from the University of West Virginia in 1875, and taught school for two years at Sandwich, Illinois, at the same time studying law. In 1878, in company with his brother, he removed to Fort Dodge, Iowa, and opened a law office. His political career may be said to have begun with his speech as temporary chairman of the Republican State Convention in 1884. From that time until the date of his death his abilities as a public speaker made him a powerful factor in political campaigns, National as well as State.

In 1888 Mr. Dolliver was elected Congressman from the Tenth District, which position he held by successive terms until 1900. In July of that year the death of Senator John H. Gear left a vacancy in the United States Senate, and Governor Shaw appointed Jonathan P. Dolliver. In this capacity he was retained, through elections by the legislature, until the date of his death, which occurred at Fort Dodge on October 15, 1910.

Senator Dolliver was recognized as a leader in the Senate. His long experience in Congress, his habit of making a careful study of all legislative problems, and his eloquent and convincing powers of debate, gave him an influence which was felt throughout the Nation.

## JOHN A. KASSON

John A. Kasson was born at Charlotte, Vermont, on January 11, 1822, and died in Washington, D. C., May 19, 1910. After graduating from the University of Vermont in 1842 he studied law and in 1845 was admitted to the bar in Massachusetts. Soon afterward he removed to St. Louis, Missouri, where he practiced his profession until 1857 when he came to Iowa and located at Des Moines. From the beginning he took a prominent part in politics as a Republican.

During his long public career he served as a member of the General Assembly of Iowa, as a Representative from Iowa in several sessions of Congress, and as Minister to Austria and Minister to Germany. He represented the United States in a number of international conferences, and performed various other diplomatic services for his country. He was a member of several learned and scientific societies and was prominent as a writer on political subjects.

#### HARVEY REID

At a regular meeting of the Iowa Soldiers' Roster Board, held in Des Moines, on the 20th day of December, 1910, the following preamble and resolutions were unanimously adopted:

WHEREAS: Soon after the organization of this Board, and its adoption of the plans submitted for the prosecution of the work, upon the recommendation of Honorable Charles Aldrich, Curator of the Historical Department of Iowa, Harvey Reid of Maquoketa, Iowa, was authorized by the Board to prepare that portion of the work pertaining to the early military history of the State, and,

WHEREAS: The work thus committed to the hands of Mr. Reid involves much careful and painstaking research, and has been prosecuted to successful completion by him, notwithstanding he was in such feeble health during a considerable portion of the time he was engaged upon it, as might well have discouraged one possessed of less fortitude and courage, and,

WHEREAS: Only a few weeks after completing and delivering his manuscript into the hands of Adjutant General Logan, Mr. Reid was stricken by the hand of death, therefore, be it

RESOLVED: That in the death of Harvey Reid, we recognize the passing from earth of another of the brave defenders of the Republic, who went forth in the vigor of his young manhood, to serve his country in her hour of greatest need.

RESOLVED: That we hereby express our high appreciation of the faithful and capable manner in which he performed his part of the great work of preserving the history and records of Iowa Soldiers. In his death the State has lost one of its most intelligent and useful

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citizens. To his bereaved widow and family, we extend our sincere condolence.

The Secretary is hereby instructed to spread the foregoing resolutions upon the minutes of this meeting, and to transmit a copy of the same to Mrs. Harvey Reid, to the Superintendent of the State Historical Society, and to the Curator of the Historical Department of Iowa.

## CONTRIBUTORS

**CLIFFORD POWELL**, Member of The State Historical Society of Iowa. Won the Colonial Dames Prize for the best essay on a subject in Iowa History in 1909. Born at Elliott, Iowa, on December 14, 1887. Graduated from the Red Oak High School in 1906. Graduated from the State University of Iowa in 1910.

**JOHN HOWARD STIBBS** was born at Wooster, Wayne County, Ohio, March 1, 1840. In 1861 he was in business for himself at Cedar Rapids, Linn County, Iowa. The news of the firing on Sumter was received there on Sunday morning following the bombardment, and within thirty minutes after the receipt of this news, Mr. Stibbs was parading the street, carrying a banner, and calling for recruits to save the Union. During the week following he organized a company, which became Company K, First Iowa Infantry Volunteers. He declined a commission in the Company, and was made Orderly Sergeant. On May 9, 1861, he was mustered into the United States Service, and was honorably discharged by reason of the expiration of his term of service on August 20, 1861. His service was with General Lyon in Missouri, and he participated with him in the Battle of Wilson Creek, Missouri, on August 10, 1861. For his service on that day he received honorable mention.

On his return to his home, Mr. Stibbs was authorized to recruit a company for the three years service. He organized Company D, Twelfth Iowa Infantry Volunteers, and was mustered into the United States Service as its Captain on October 26, 1861. The regiment was sent to St. Louis, Missouri; thence to join General Grant's forces at Paducah, Kentucky; participated in the capture of Forts Henry and Donelson; and at Pittsburg Landing he fought in the "Hornets' Nest" as a member of Tuttle's Brigade of General Wm. H. L. Wallace's Division. At 5:30 P. M. on Sunday, April 6th, the remnant of the regiment remaining on the field was captured, and

Mr. Stibbs was held a prisoner for more than six months. He was paroled at Richmond, Virginia, on October 13, 1862, and exchanged five weeks later. When the regiment was reorganized in the winter of 1862-1863, a very large majority of the line officers joined in a petition for his promotion to Major, and he was commissioned as such on March 23, 1863, and was mustered July 30, 1863. In April, 1863, his regiment joined General Grant's army at Duckport, Louisiana, and participated in the Vicksburg Campaign and subsequent movements of the Army in that vicinity.

On August 5, 1863, Mr. Stibbs was commissioned Lieutenant Colonel, and mustered as such on September 5, 1863; and from that time until January, 1865, he was almost continually in command of the regiment.

In November, 1863, Colonel Stibbs's regiment was sent up the river to Memphis, and thence to Chewalla, Tennessee, where it remained until the last of January, 1864. While there a very large majority of the regiment reënlisted as veterans.

In February, 1864, he went with General Sherman back to Vicksburg, and in March following was sent home on veteran furlough. He returned to duty at Memphis, Tennessee, on May 2, 1864, and two weeks later was sent with six companies to establish a post at the mouth of the White River, Arkansas, where he remained four weeks. When General A. J. Smith returned from the Red River Expedition on June 10, 1864, Colonel Stibbs's regiment was assigned to its old place in the Third Brigade, First Division, 16th A. C., and was with him in all the subsequent movements of his command. At Tupelo, Mississippi, on July 14, 1864, Colonel Stibbs's regiment bore the brunt of the fight. On December 1, 1864, at Nashville, Tennessee, all commissioned officers of his regiment, except five, were mustered out, and when he went into the battle there two weeks later, his companies were all commanded by non-commissioned officers. However, the work of his men proved so satisfactory that he was brevetted Colonel United States Volunteers, to rank from March 13, 1865. His commission dated April 5, 1865, and reads "for distinguished gallantry in the battles before Nashville, Tenn."



On February 11, 1865, he was commissioned Colonel of his regiment, but as it had fallen below the minimum, he could not be mustered until November 11, 1865. The War Department, in response to a special request of the Governor of Iowa, issued special order No. 594, ordering his muster as Colonel to date September 11, 1865.

While at Eastport, Mississippi, early in January, 1865, General Stibbs was ordered to Iowa and thence to Washington, D. C., on official business, and while in Washington was assigned to special duty and retained there until his final muster out, April 30, 1866, on which day his commission as Brevet Brigadier General was issued, to take effect from March 13, 1865, for "meritorious services during the war".

From the middle of April, 1861, to the first of May, 1866, his entire time was devoted to the service, either in service or in raising and organizing companies. He was actually in the service for a period of four years, nine months, and fifteen days.

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## THE ESTABLISHMENT AND ORGANIZATION OF TOWNSHIPS IN JOHNSON COUNTY

By an act of the Legislative Assembly of the original Territory of Wisconsin, approved December 21, 1837, Johnson County was established;<sup>1</sup> but provision for the organization of the government of this county was not made until 1838. In the meantime it was temporarily "attached to and considered in all respects a part of Cedar County."<sup>2</sup> By the act of the Legislative Assembly of the Territory of Iowa, approved June 22, 1838, provision was made for the organization of the county "from and after the fourth day of July". This act also provided for the holding of two terms of the district court annually; and the town of Napoleon was designated as the first seat of justice.<sup>3</sup>

According to the provisions of the act of December 21, 1837, Johnson County included twenty congressional townships. This, however, was but a temporary arrangement, since by the act (of January 25, 1839) of the Legislative Assembly of the Territory of Iowa, locating the boundaries of the County of Washington, three townships were taken from the southern tier of Johnson County and added to Washington County. (See Map I.)<sup>4</sup> Again, in 1845 the Legislative Assembly of the Territory of Iowa detached that portion of township seventy-seven, north, range six west, which lies east of the Iowa River, from Washington

<sup>1</sup> *Laws of the Territory of Wisconsin*, 1837, p. 135.

<sup>2</sup> *Laws of the Territory of Wisconsin*, 1837, p. 136.

<sup>3</sup> *Laws of the Territory of Wisconsin*, 1838, p. 543. The town of Napoleon has long been extinct.

<sup>4</sup> *Laws of the Territory of Iowa*, 1838, p. 100.

County and added it to Johnson County, thus making the Iowa River the western boundary of that portion of the county. (See Map II.)<sup>5</sup>

Previous to the formation of civil townships the county was divided into precincts for election purposes. Although few in number these precincts may be regarded as the historical precursors of the civil townships. At first it appears that the entire county was divided into two electoral precincts — a division that was authorized by the County Commissioners on March 6, 1840. The southern part of the county was designated as precinct number one and the northern part as precinct number two. The line separating these two precincts was not defined at this meeting of the Board, although the places of election are named as Iowa City and the house of Warren Stiles respectively.<sup>6</sup> That no division line was named at the March session appears to have been an oversight on the part of the Commissioners, for it appears that they established the line at the regular session in the following July. As defined on July 8, 1840, the line of division commenced at the northeast corner of section twenty-four, township eighty north, range five west, and followed the line between sections thirteen and twenty-four westward to the Iowa River, and from this point up the river to the county line.<sup>7</sup> (See Map III.)

On April 8, 1841, that part of the county lying west of the Iowa River was declared to constitute "an electoral precinct and to be known as precinct number three"; and the elections in this precinct were to be held at the house of John Hawkins.<sup>8</sup> (See Map IV.) At this same session,

<sup>5</sup> *Laws of the Territory of Iowa*, 1845, p. 66.

<sup>6</sup> *Records of the County Commissioners*, Book I, p. 15.

<sup>7</sup> *Records of the County Commissioners*, Book I, pp. 24, 25.

<sup>8</sup> *Records of the County Commissioners*, Book I, p. 77.

the place of elections in the second precinct was changed from the house of Warren Stiles to that of Abner Arrowsmith.

A further division of the county was made in 1842, at the January session of the Commissioners, by dividing the third precinct by a line beginning on the Iowa River and running due west between sections twenty-two and twenty-seven, township seventy-nine north. All the territory south of this line was designated precinct number four, and the place of holding elections was located at the house of Jacob Fry. At the same session of the Board precinct number five was created by dividing the second precinct by a line running north and south one mile east of the township line dividing ranges six and seven. The house of M. P. McAllister was named by the Commissioners as the polling place.<sup>9</sup> (See Map V.) One finds on the records for this session a change in the place of election in the second precinct from the house of Hamilton H. Kerr to the town of Solon; but no mention is made of the time when the house of Abner Arrowsmith was abandoned, as the place for elections, for the house of Kerr.

Proper names were assigned to some of these precincts in 1843, since election judges are named by the Commissioners for Iowa City precinct, for Big Grove precinct, and for Monroe precinct. The other two were known by numbers until July 3, 1844, when according to the records all of the five are referred to by names instead of numbers. Thus precinct number one was called Iowa City; precinct number two, Big Grove; precinct number three, Clear Creek; precinct number four, Old Man's Creek; and precinct number five, Monroe.<sup>10</sup>

No provision was made for the establishment of civil

<sup>9</sup> *Records of the County Commissioners*, Book I, p. 153.

<sup>10</sup> *Records of the County Commissioners*, Book II, pp. 24, 25, 85, 111.

townships in Johnson County until petitions came before the Board of County Commissioners at the January session in the year 1844. On this occasion three separate petitions for the establishment of townships west of the Iowa River were presented for their consideration. Owing to the confusion of overlapping boundaries, as requested in the petitions, no action was taken on the subject by the Commissioners at this session.<sup>11</sup> In April of the same year (1844) another petition came up "from sundry citizens" of Clear Creek voting precinct, requesting the establishment of a civil township in that vicinity. The record breaks off suddenly, which seems to indicate a want of information or a postponement of consideration for the session. The words "commencing at the southeast corner of township eighty", being all that is found in this connection, suggests that the civil township under consideration was number eighty north, range seven west.<sup>12</sup>

It was not until April, 1845, that any civil township was established in Johnson County. Then the Commissioners took the initiative, so far as can be learned, and decided upon the name of "Big Grove" for township eighty-one north, range six west. The first election for the local officers of the township was held at the Big Grove school house on the first Monday in April, 1846 — which was the regular election day for township officers throughout the

<sup>11</sup> *Records of the County Commissioners*, Book II, p. 70.

"On the 1st and 2nd days of this session three Petitions were presented to this Board for the Organization of Townships of a portion of this County west of the Iowa River, and the Board having duly considered sd Petitions, find that the bounds as proposed, interfere with each other, and therefore — It is considered that no action shall be had on either of said petitions at this Term".

<sup>12</sup> *Records of the County Commissioners*, Book II, p. 81.

On the petition of sundry citizens of Clear Creek Precinct for the organization of a township with the following bounds: "Commencing at the South-East Corner of Township 80".



Territory.<sup>13</sup> (See Map VI.) Moreover, early in the year 1846 there appears to have been a general demand for the establishment of civil townships throughout the county, which, with but a single exception, resulted in the preliminary definition of boundaries for all the territory of the county in the form of civil townships.

The first petition in 1846 came from the settlers in township eighty-one north, range five west; and it will be noticed that this territory lies just east of Big Grove township which was established in the fall of 1845. The petition was heard and favorably considered by the Commissioners. The name "Cedar" was given to the new township; and the first election was called at the house of Philo Haynes. (See Map VII.) No date being mentioned, one must conclude that the election was held on the same day as that of the other townships, namely, the first Monday in April, 1846.<sup>14</sup>

Moreover, it appears that the first townships established coincided with the congressional lines according to the petitions of the citizens who occupied the territory. This was also true of Iowa City township, for the establishment of which no petition was presented from the inhabitants. In this instance the record of the Commissioners reads that "township seventy-nine north, range six west, shall be known as Iowa City township, and the first election shall be held at the court house in Iowa City".<sup>15</sup> (See Map VII.)

At an extra session of the Board of Commissioners which was held in February, 1846, the chief business was that of

<sup>13</sup> *Records of the County Commissioners*, Book II, p. 159; *Laws of the Territory of Iowa*, 1845, p. 27.

<sup>14</sup> *Records of the County Commissioners*, Book II, p. 207.

<sup>15</sup> *Records of the County Commissioners*, Book II, pp. 207, 217.

The court house in which this election was held stood on the southeast corner at the intersection of Clinton and Harrison streets.

establishing and naming civil townships. At this time it was customary for the people of a certain neighborhood to fix upon the boundaries, which were then usually specified in the petition asking for the establishment of the township. The Commissioners as a rule followed the lines as described in the petition. This method as a matter of fact frequently resulted in the division of congressional townships in the formation of civil townships, which led to many readjustments in township boundaries in the subsequent history of the county. All of the first elections in the townships established at this extra session of the Board took place on the first Monday in April, 1846.

According to the records Scott township was to include all the territory of congressional township seventy-nine north, range five west. This is definite and simple, the thirty-six square miles needing no other description. (See Map VII.) The first election was to be held at the school house near the home of Matthew Tenicke,

Pleasant Valley township was to be composed of all that part of Johnson County south of township seventy-nine north, ranges five and six west, lying east of the Iowa River. It included congressional townships seventy-seven and seventy-eight north, range five west, and the fractions of the same townships in range six, lying east of the Iowa River. (See Map VII.) The first election was to be held at the house of Robert Walker.<sup>16</sup>

Monroe township is described as formed from the part of Johnson County which lies in congressional townships numbered eighty-one north in ranges seven and eight west, and north of the Iowa River. (See Map VII.) Here the first election was to be held at the home of William Dupont.<sup>17</sup>

<sup>16</sup> *Records of the County Commissioners*, Book II, p. 217.

<sup>17</sup> *Records of the County Commissioners*, Book II, p. 218.

Penn township requires a more detailed description which, as found in the records, reads: "Commencing at the middle of the main Channel of the Iowa River, where the north line of township number seventy-nine range six crosses the same, then west along this township line to the northwest corner of the same township, then north on the range line two miles, then west one mile, then north one mile, then west to the west line of township eighty north, range seven west, then on the range line to the Iowa River, and then with the river to the place of beginning." (See Map VII.) The first election in this township was to be held at the school house near Chapman's.<sup>18</sup>

In the description of Penn township no mention is made of the change in the boundaries of Big Grove township as established in 1845. As a matter of fact the portion of township eighty-one north, range six west, lying south of the Iowa River now became a part of Penn township. (Compare Maps VI and VII.) This change made little difference, however, in the affairs of the township of Big Grove, since elections had not yet been held in any of the townships.

One of the larger divisions of the county made at this time for civil purposes was the township of Clear Creek, which was composed of fractions of several congressional townships. Commencing at the northwest corner of congressional township seventy-nine north, range six west, the boundary line of this civil township follows the southern and western boundary of Penn township until it reaches the north-west corner of township eighty north, range seven west; then it runs west on the township line until the west line of the county is reached; then down the county line until it reaches the middle of township seventy-nine, range eight west; then east along this line to the west line of

<sup>18</sup> *Records of the County Commissioners*, Book II, p. 218.

township seventy-nine, range six west; then north to the place of beginning. (See Map VII.) The first election was called at the house of Bryan Dennis, who was a citizen of the district described.

It is noticeable that the boundaries of Clear Creek township leave the fractional part of township eighty-one, range eight west, lying south of the Iowa River, without any organization, since it was left out of Monroe at the time of its organization and is not now included in Clear Creek.<sup>19</sup> (See Map VII.)

Newport township in its original form included all of congressional township eighty north, range five west, and all of the same township in range six, lying east of the Iowa River. (See Map VII.) It will be remembered that Penn township was, in part, composed of the remainder of congressional township eighty north, range six west, which lay west of the river. The first election was called at the house of Cornelius Lancaster.

Liberty township was at first composed of a part of that portion of the county which lies along the southern boundary of the county and may be best described in the language of the order by which it was established. It includes all that part of Johnson County "Commencing at the south line of the County on the west bank of the Iowa River, then up the river to the south line of township seventy-nine, range six west, then west to the south west corner of said township, then north on the range line to the center of the west line of the same township, then west to the center of township seventy-nine, range seven west, then south to the county line; then east to the place of beginning". (See Map VII.) In this township the first election was ordered to be held at the house of John Smith.<sup>20</sup>

<sup>19</sup> *Records of the County Commissioners*, Book II, p. 219.

<sup>20</sup> *Records of the County Commissioners*, Book II, p. 219.

The last of the orders of the Commissioners in fixing the preliminary boundary lines for civil townships in the year of 1846 relates to the township of Washington, which lies in the southwest corner of the county. In the beginning this township included more than twice its present area. The lines limiting it were the western boundary of the township of Liberty, commencing in the middle of the south line of township seventy-eight, range seven west, then running north to the middle of township seventy-nine, range seven west, then west to the county line, then south to the corner of the county, and finally east to the place of beginning. (See Map VII.) The first election was to occur at the home of William Fry.<sup>21</sup>

This completes the original division of the territory of Johnson County into civil townships — with the exception of the small fraction of township eighty-one north, range eight west, lying south of the Iowa River. This first districting of the county into civil districts was accomplished by the Board in 1845 and 1846 and is fully illustrated by Maps VI and VII.

In April, 1847, a petition was presented from seventeen citizens of Scott township asking to have that township attached to Iowa City township for civil purposes. The Commissioners took the petition under consideration and finally agreed to place it on file until their next session, which would occur in July.<sup>22</sup> Careful examination of the records of the July meeting reveals no record of any further action on the subject. Not, indeed, until the October session of the Board was any change made in the boundaries of this township. Then the boundaries were altered so that sections thirty-four, thirty-five, and thirty-six and the south half of sections twenty-seven, twenty-six, and

<sup>21</sup> *Records of the County Commissioners*, Book II, p. 220.

<sup>22</sup> *Records of the County Commissioners*, Book II, p. 280.

twenty-five of township eighty north, range five west, were attached to Scott township "for all civil and judicial purposes". It will be observed that these sections and fractions of sections were taken from Newport township, thus altering the boundaries of that township as described in 1846. (See Map VIII.)

During this same October, 1847, session of the Commissioners, and without petition or suggestion so far as the records show, the lines of other civil townships were changed, indicating the uncertainty of what was thought best to be done with the scattered settlements of the time. Washington township was enlarged by taking the north half of congressional township seventy-nine, range eight west, from Clear Creek and giving it to Washington. This left Clear Creek in a very unsatisfactory shape for a civil township, as will be observed by a study of Map VIII.<sup>23</sup> Moreover, it is interesting to notice the next move of the citizens of township seventy-nine north, range seven west, which, however, did not occur until five years had passed, or until 1852.

At the August, 1852, session the County Court was petitioned to make a new township out of congressional township seventy-nine north, range seven west. County Commissioners were no longer sitting in judgment on these petitions, since by this time they had been succeeded in authority by the County Judge. The petition in question came from citizens of three civil townships as then established, namely, Clear Creek, Washington, and Liberty. They declared in their petition that they were put to great inconvenience in attending elections and public meetings in the townships as then established, pointing out that the new arrangement would be much better for all concerned. Judge Lee heard the request, which was signed by John

<sup>23</sup> *Records of the County Commissioners*, Book II, p. 297.

D. Abel, Edward Tudor, and thirty-three other citizens. After due consideration it was ordered by the Judge that the boundaries of the new township, called Union, be fixed as "prayed for", which meant that it would include the whole of congressional township seventy-nine north, range seven west. Thus Union township was made up of territory taken from three civil townships previously organized. (See Map IX.) The first election was to be held at the house of James Seahorn on the first Monday in April, 1853.<sup>24</sup>

In March, 1854, Ebenezer Bivins, P. P. Cardwell, William A. Howard, and thirty-seven others petitioned the County Judge to divide Monroe township on the range line between ranges seven and eight so that it would retain all of township eighty-one north, range eight west, lying north of the Iowa River; while a new township, to be called Jefferson, was to be established including the remainder of Monroe as first established and organized, or all of township eighty-one north, range seven west, lying north of the Iowa River. (See Map X.) The request was granted; and the first election was ordered to be held as usual on the regular day for the election of officers of civil townships, at the house of Walter F. Lloyd.<sup>25</sup>

Union township was also modified at this time, although one might suppose its boundaries were as near perfect as they could be made. A German citizen, Gotleb Rossler (probably Gottlieb Rössler), presented his individual petition for a change that is rather peculiar. He wished to have sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of township seventy-eight north, range seven west, *except the south-west one-fourth of section seven*, added to Union township. The Judge appears to have taken a favorable

<sup>24</sup> *Records of the County Judge*, Book III, p. 163.

<sup>25</sup> *Records of the County Judge*, Book III, p. 349.

view of this request — although one can not see why the exception should be made in the case of section seven. Accordingly, the changes were ordered as requested and the boundaries re-formed by giving detailed outlines. No systematic order of beginning is observed in the description, but the aim seems to have been to find a point that could be located without error. In this case the description of the boundary line begins at the northeast corner of township seventy-nine north, range seven west, runs south on the range line to the southeast corner of section twelve, township seventy-eight north, range seven west, then west on the section line to the southwest corner of the southeast quarter of section seven of the last-mentioned township, then north to the center of section seven, then west to the west line of the congressional township, then north on the range line to the northwest corner of township seventy-nine north, range seven west, and then east to the place of beginning.<sup>26</sup> (See Map X.)

The large territory included in Clear Creek township as originally established was gradually reduced by the formation of other townships. Union had been taken largely from it; and now in 1856 a petition comes for a second township to be formed from congressional township eighty north, range eight west, and the fractional part of township eighty-one, range eight, *lying south of the Iowa River*. (See Map XI.) The petition was signed by W. H. Cotter, Luther Doty, Hiram B. McMicken, and forty-one others. The township name selected by the petitioners was "Oxford".<sup>27</sup> This was ten years after the establishment of Monroe township, the fractional part of the congressional township of which Monroe was a part not having been provided for until this time. (See Map VII.) The first elec-

<sup>26</sup> *Records of the County Judge*, Book III, p. 350.

<sup>27</sup> *Records of the County Judge*, Book III, pp. 589, 590.



tion for Oxford township was ordered to be held at the house of John L. Hartwell.

Graham township dates its establishment from 1857 when Judge Lee described the boundaries in these words: "Commencing at the southeast corner of township eighty north, range five west, north on the county line to the northeast corner of the same township, west to the northwest corner of section five, south on the section line to the southwest corner of section thirty-two, then east to the place of beginning." (See Map XII.) This was in fact a division of Newport township as established in 1846. The first election was ordered to be held at the house of Miles K. Lewis.<sup>28</sup>

The first official mention of Fremont township is in the returns of an election on the question of issuing bonds for the construction of a railroad. This occurred in April, 1857. For services at this election in Fremont township Daniel S. Ball was allowed one dollar and fifty cents.<sup>29</sup> As organized in 1846 Pleasant Valley included the territory now in Fremont. In 1870, the township of Lincoln did not embrace that portion of the county which is today included in Fremont township. The conclusion follows then, from other data mentioned above, that the township was organized in the early part of 1857. (See Map XII.) The county records, however, throw no light on this subject beyond the item mentioned, and inquiry fails to produce any further information.

The establishment of Oxford township left Clear Creek township with a small territory. This seems to have led several citizens to petition for a change in boundaries by which some of the territory of Union would be added to Clear Creek. According to the changes ordered by Judge Lee in July, 1857, the boundaries of Clear Creek were

<sup>28</sup> *Records of the County Judge*, Book IV, p. 71.

<sup>29</sup> *Records of the County Judge*, Book IV, p. 117.

brought to their present description on the south. The northern line was not changed. The south boundary began at the southeast corner of section one, township seventy-nine north, range seven west, and followed the section line west to the range line. This change took six sections from Union township.<sup>30</sup> (See Map XII.)

Hardin township was very simple in its establishment and organization. It appears that William Hardin and others presented a petition to Judge McCleary early in 1858 for a change in the boundaries of the township called Washington by giving a separate organization to congressional township seventy-nine north, range eight west, which was to be called "Hardin".<sup>31</sup> (See Map XIII.) But the civil township thus erected on the basis of congressional township seventy-nine did not remain long with these boundaries as will be seen in another petition. The first election in Hardin township was held at the school house in the village of Windham, which was located on section thirty-four.

On the petition of George T. Davis and others Judge McCleary ordered another civil township to be formed out of congressional township seventy-eight north, range seven west. This was done in the year 1858. Before this time congressional township seventy-eight was included in the civil townships of Liberty and Washington—the west half being in Washington and the east half in Liberty. This, indeed, had been its situation from 1846 to 1858. (See Map VII.)

The change made in the lines of Union township in 1852, by which the two tiers of sections on the northern boundary of township seventy-eight north, range seven west, excepting one quarter section, were added to Union (See Map X.),

<sup>30</sup> *Records of the County Judge*, Book IV, p. 147.

<sup>31</sup> *Records of the County Judge*, Book IV, p. 244.

was now (in 1858) restored, making the new township of Sharon a full congressional township as it remains at the present time.<sup>32</sup> (See Map XIII.)

A slight modification of the boundaries of three townships was made by Judge McCleary in 1858 on petition of citizens of the different communities. A. H. Humphreys presented the request as one of the number. The change asked for as given in the records reads: "Commencing at the south-east corner of township seventy-nine, range eight, then west three-fourths of one mile, then north three miles, east three-fourths of one mile, then south to the place of beginning". The territory thus described was to be added to Union township. Again, the north half of the north half of section one, township seventy-eight north, range eight west, was also to be added to Union. This petition, moreover, came from citizens of three different civil townships. Against this proposed change A. D. Packard and others filed a remonstrance protesting against the inclusion of the territory taken from Hardin township. The matter was continued from the session of the County Court in which it was presented until the January session in 1859 by agreement of the parties in the case.<sup>33</sup> At the meeting of the Court in January no mention is made of the matter, and it is probable that the remonstrance was withdrawn. At any rate the petition was granted and the additional territory given to Union township. It will be noticed that this took a fourth of one section from Washington township, a condition which, if records are complete, is found to exist at the present day. (See Map XIII.)

In the meantime, that is between the offering of the petition last above mentioned and its determination, a change

<sup>32</sup> *Records of the County Judge*, Book IV, p. 256.

<sup>33</sup> *Records of the County Judge*, Book IV, pp. 403, 420. See Plat Book and Tax List of Union Township for 1910, Tax List, pp. 16, 3, 12, 22.

was made in the boundaries of Iowa City and Newport townships by the taking that part of sections thirty-three and thirty-four in township eighty north, range six west, which lies east of the Iowa River from Newport and placing it under the jurisdiction of Iowa City township. This came about through the petition of Sylvanus Johnson and other citizens of these sections.<sup>34</sup> (See Map XIII.)

The official act of the County Judge in reference to the establishment of Madison township can not be found, since the county records for 1860 are wanting. There is a record furnished by the clerk of that township, William Shrimp, who filled that office some years ago, probably about 1880. He gives the date of establishment as 1860. George McCleary was judge at that time and it is for the last year of his term that the record is not available. But it is not difficult, however, to surmise the description of the portion of Penn township (See Map VII.) which was to be included in the new township. It will be remembered that in 1846 the Iowa River formed the boundary of Penn township for many miles on its northern border. The new plan reduced the size of the latter materially, as will be seen by comparing the two Maps VII and XIV. Details of the lines which describe Madison are as follows: Commencing at the southeast corner of section fourteen, township eighty north, range seven west, the boundary line follows the section line north until it intersects the Iowa River. From this point it follows the river until the range line between ranges seven and eight west is crossed; then it follows this range line until the southwest corner of section eighteen, township eighty north, range seven west, is reached; and from this point it proceeds eastward to the place of beginning. Thus, Madison township includes the fractional parts of two congressional townships. If a petition was presented

<sup>34</sup> *Records of the County Judge*, Book IV, p. 419.

at the time, which can not now be determined, it contained probably the suggestion of the boundaries described if not the exact wording thereof. Furthermore, the township may have been named by the citizens in their petition.<sup>35</sup> (See Map XIV.) The first election of officers was to be held at the log school house near Swan Lake.

After 1860 the changes in township boundaries become less frequent and are of a minor nature. The large divisions had been practically agreed upon. Moreover, it is noticeable that in all the modifications that have thus far occurred no objection was raised on the part of the county authorities to the arrangements proposed by the petitioners. At least the records indicate no such opposition. Only one remonstrance is recorded in any case and that came from a body of citizens.

The Board of Supervisors came into office and began their duties in January, 1861. Their first official act with reference to township organization was to divide Pleasant Valley township by a line commencing at the northern boundary of township seventy-eight north, range five west, on the half section line of section five and following this half section line to the south line of the township named, dividing sections five, eight, seventeen, twenty, twenty-nine, and thirty-two. The territory west of this line retained the name of Pleasant Valley while that east of the line was called Lincoln township. The question of election this time was referred to the committee of the Board on township organization. It appears from the minutes that the movement resulting in this division was begun by Supervisor Dilatush, and the date of the order was June 8, 1870.

Later in the same month it was ordered by the Board that the officers of Pleasant Valley should exercise the same

<sup>35</sup> *Johnson County History*, 1883, p. 732.

authority over Lincoln township that they did over their own township until an election should be held, the same as if no division had occurred.<sup>36</sup> The cause of the delay in holding the election in Lincoln township was the opposition of certain citizens to the change. They presented petitions of protest, and the question was not finally determined until April, 1871, when the parties appeared before the Board of Supervisors to argue the case. After the arguments were heard the Supervisors took some time for consideration.<sup>37</sup> Later at the same session it was decided, by a vote of two to one in committee, to change the line of division as described on the half section line to the section line between sections four and five and then to the south boundary. This, it will be seen, moved the line of division one half mile to the east. (See Map XV.) The first committee on this matter were S. H. Hemsted, Christopher Fuhrmeister, and Wm. T. Buck. The second committee included Supervisors Samuel Spurrier, M. J. Morsman, and L. R. Wolf.

In 1873 citizens of Iowa City township asked to have an organization separate from that of the city so far as township government was concerned, and they offered a petition in support of this request. After investigation a special committee of the Board of Supervisors reported on the matter in January, 1873. According to their report the census of 1869 gave the population of Iowa City as exceeding four thousand, or 6,548. The signers of the petition living outside of the city, according to the poll books which were examined, constituted the required number, of a majority. The committee reported that all the conditions of the law had been complied with. The official act establishing the township of Lucas followed this report. All the

<sup>36</sup> *Minutes of the County Supervisors*, Book II, pp. 485, 501, 523, 524.

<sup>37</sup> *Minutes of the County Supervisors*, Book III, p. 35.

territory outside of the corporate limits of Iowa City was to form one township to be called Lucas, while the city area was to retain the name of Iowa City township. (See Map XV.) Polling places for the coming general election were fixed at the court house for the people of Iowa City township and the fair grounds for the people of Lucas township.<sup>38</sup> (See Map XV.)

The first change in the boundaries of Iowa City township, after the formation of Lucas from the territory outside of the corporation, was due to the changes in school districts. Some discussion arose between the independent district of Iowa City and the school township of Lucas, and as a result it became desirable to rearrange the lines of Iowa City township. The changes then (April 7, 1879) included the small portion of territory added to the independent district. It began on the left bank of the Iowa River at the southwest corner of lot three as surveyed by the United States government, in section fifteen. From this point the boundary extended eastward to the southeast corner of the northwest quarter of the southwest quarter of section fourteen; then north to the northeast corner of the west one-half of the southwest quarter of section two; then west to the northwest corner of the east half of the southeast quarter of section three; and then south to the north line of section ten. This, together with the original territory of Iowa City township, became the new township of Iowa City.<sup>39</sup> (See Map XV.)

<sup>38</sup> *Minutes of the County Supervisors*, Book III, pp. 158, 159. Also Section three, Chapter Fifty-two, *Acts of the Fourteenth General Assembly*, 1872, p. 60.

Returns of assessor for the year 1872 showed that there were 472 legal voters outside the city corporation. Of these 284 signed the petition, that is, a majority as required by the law. Samuel Spurrier was the special committee appointed by the Board of Supervisors to investigate and report.

<sup>39</sup> *Minutes of the County Supervisors*, Book IV, p. 31. See Lucas township School Board Minutes, August 26, 1876, and April 13, 1878. See township plats as compared with original surveys by F. H. Lee.

Originally the boundaries of Lucas township corresponded to the congressional township of Iowa City as established in 1846 — if the change in the line of West Lucas can be accounted for. Somewhere between the years 1858 and 1870 the west three-fourths of sections nineteen, thirty, and thirty-one of what was Iowa City township, or congressional township seventy-nine north, range six west, was added to Union township; but no record can be found to show when or how this change was made. It happens that the portion of the township mentioned is the exact counterpart of that on the west line of Union which was added by petition in 1858. It may have been added then as a matter of accommodation; but this is merely an inference, there being no specific authority in the records for such a conclusion. The natural division of Lucas township into two parts by the river led to the establishment of two election precincts on June 2, 1874; and in the returns of elections the divisions came to be called West Lucas and East Lucas without the term "precinct" thereto attached. Hence it was quite natural to speak or write of West Lucas township; and as a matter of fact in the minutes of the County Board of Supervisors this term does appear before its use is warranted by any authority other than custom.<sup>40</sup> The same term is again used in the minutes for 1891 — probably after a petition was offered but before any authority was given for such use.<sup>41</sup> The actual division into East Lucas and West Lucas was ordered on April 8, 1891. Since a change in the boundaries of these townships is given below in full it is not necessary to repeat here the outside boundaries of the townships. The only change that took place since the establishment of the first boundaries of Iowa City town-

<sup>40</sup> *Minutes of the County Supervisors*, Book IV, p. 323.

<sup>41</sup> *Minutes of the County Supervisors*, Book V, pp. 476, 481.



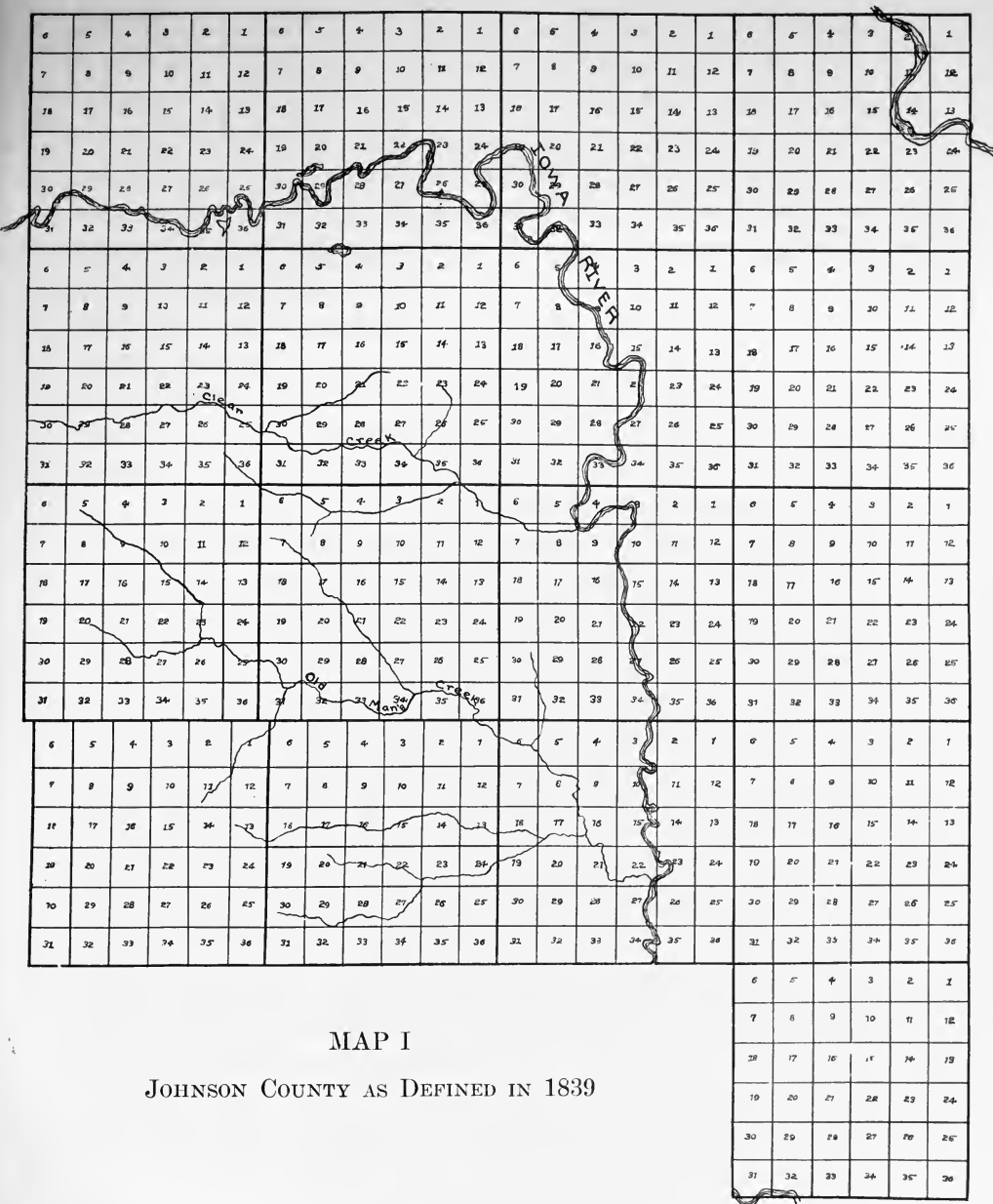
ship has been mentioned above in connection with the Union township boundary.

The last change in boundaries, the description of which contains the outlines of East Lucas and West Lucas and the boundaries of Iowa City townships, was as recent as September, 1910. The minutes of the Board of Supervisors relative to these boundaries are exact and, indeed, were drafted to correspond with the drawing prepared by the city officers. To describe West Lucas it is necessary to follow the lines very closely to make the change clear either in language or on the map. Commencing at the township line between congressional townships seventy-eight and seventy-nine north, range six west, on the west bank of the Iowa River, the boundary follows this side of the river to the limits of Iowa City; then it runs west to the southwest corner of the northwest quarter of the southeast quarter of section sixteen, township seventy-nine; then it proceeds north along the east line of the west half of sections sixteen and nine to the north side of the State Road to Newton and follows the north side of this road to the west line of section nine; thence it runs north to the west bank of the river; then follows the river to the northeast until the north line of section nine is reached; then runs east to the northwest corner of section ten; and thence north to the west bank of the river. At this point there is a confusing problem that compels one to retrace his steps, following the west bank of the river in a southwesterly and finally northerly direction around the bend until the north line of section four, township seventy-nine north, range six west, is reached. The description from this point is the same as for West Lucas township in 1891, namely; west from the river on the township line between townships seventy-nine and eighty to the range line between ranges six and seven; then south to the southwest corner of section eighteen; then

east to the northeast corner of the northwest quarter of the northeast quarter of section nineteen; then south on the east line of the west half of the east half of sections nineteen, thirty, and thirty-one to the township line; and then east to the starting point on the river. (See Map XVI.)

The East Lucas boundary commences at the southeast corner of section thirty-six and follows the township line between townships seventy-eight and seventy-nine to the river. Then it runs north to the city limits and east to the right of way of the main line of the Rock Island Railroad. It follows this right of way in a southeasterly direction until the east line of section fourteen is reached, then it runs north along the east line of this section to the northeast corner of the same, then west along the north line of section fourteen, to the northwest corner of the northeast quarter of section fourteen, then north along the east line of the west half of sections eleven and two of township seventy-nine north, range six west, to the south side of the Dubuque road in section two, then in a westerly direction along the Dubuque road, on the south side to the southeast corner of the northwest quarter of the northwest quarter of section two, then west to the southwest corner of the northwest quarter of the northwest quarter of section three, then south on the west line of section three to the east bank of the river. It follows the east bank of the river until the north line of section thirty-four, township eighty north, range six west, is reached, then runs east to the northeast corner of the same section thirty-four, then south to the southeast corner of the same section, then east to the northeast corner of section one in township seventy-nine north, range six west (the original Iowa City township), and finally runs south on the range line between ranges five and six to the place of beginning.<sup>42</sup> (See Map XVI.)

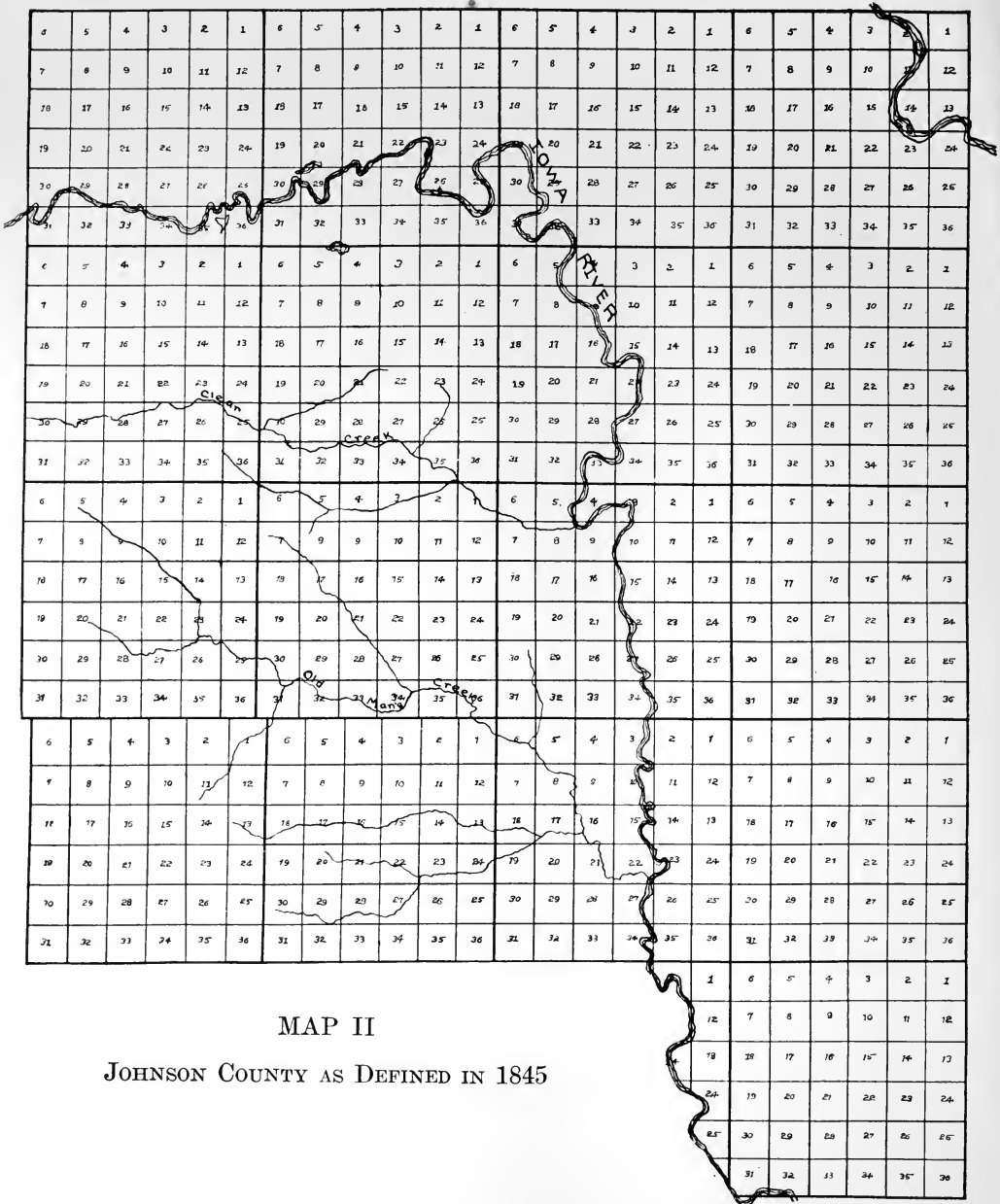
<sup>42</sup> *Minutes of the County Supervisors*, Book VIII, p. 38.



MAP I

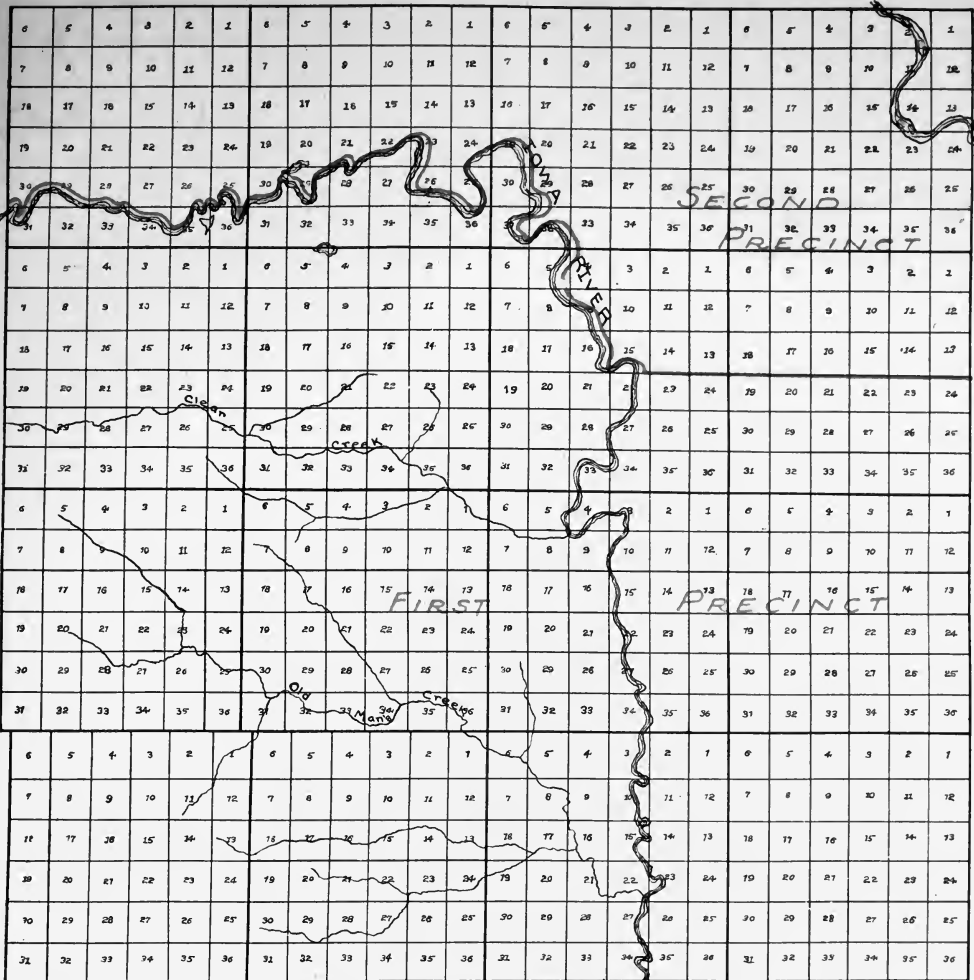
JOHNSON COUNTY AS DEFINED IN 1839

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MAP II

JOHNSON COUNTY AS DEFINED IN 1845

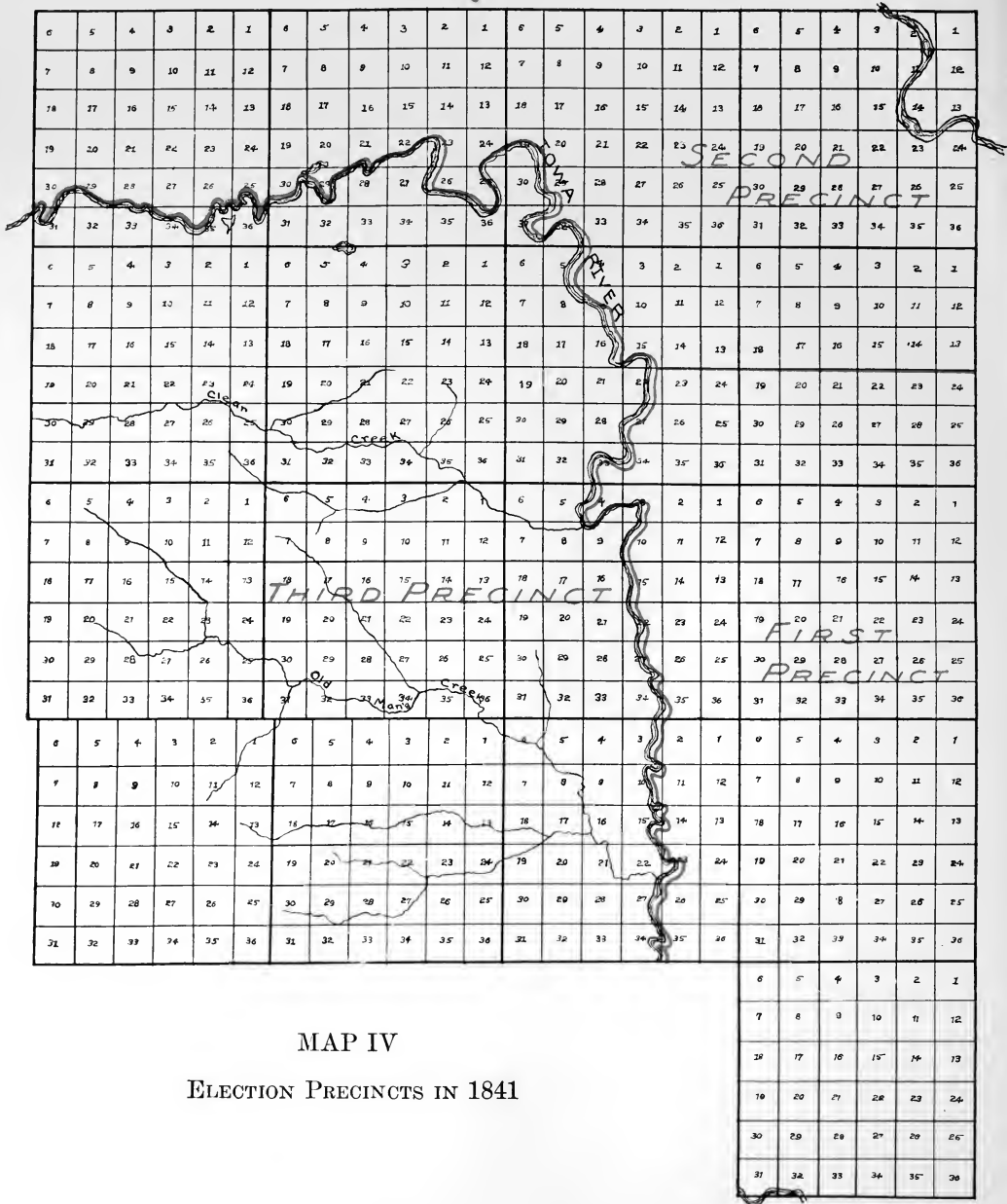


MAP III

ELECTION PRECINCTS IN 1840

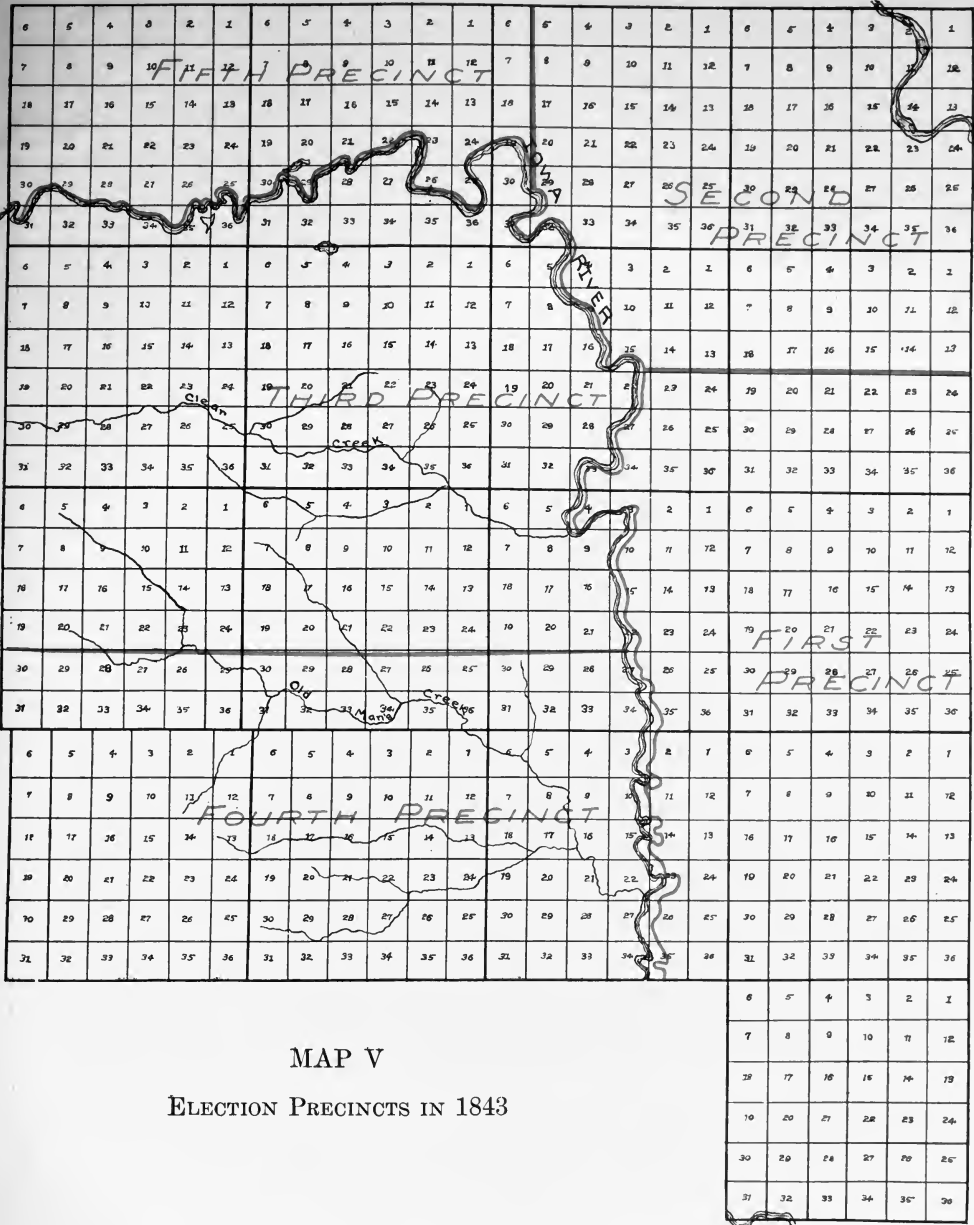
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13	14	15	16	17	18
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31	32	33	34	35	36

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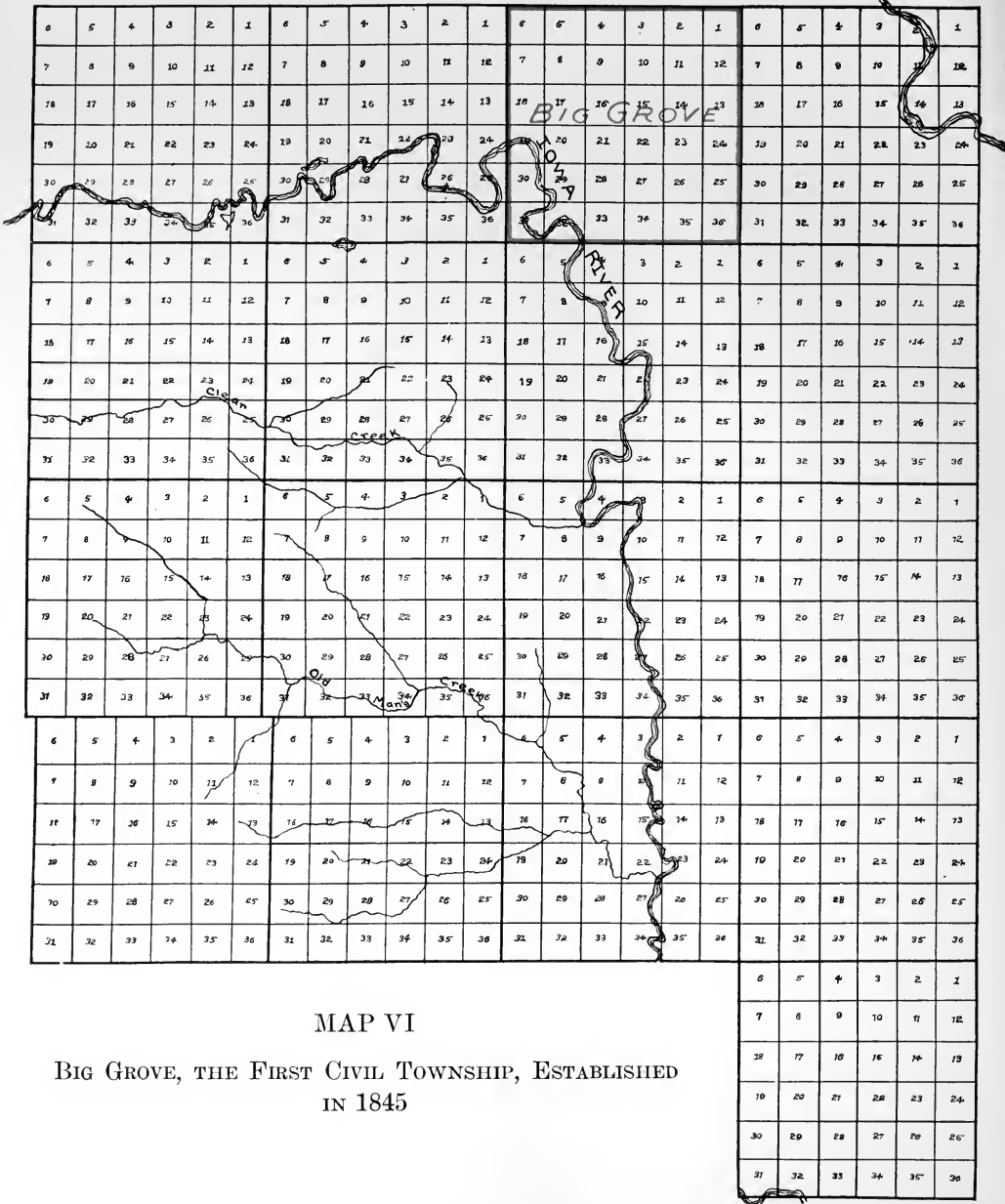
MAP IV

ELECTION PRECINCTS IN 1841



MAP V  
ELECTION PRECINCTS IN 1843

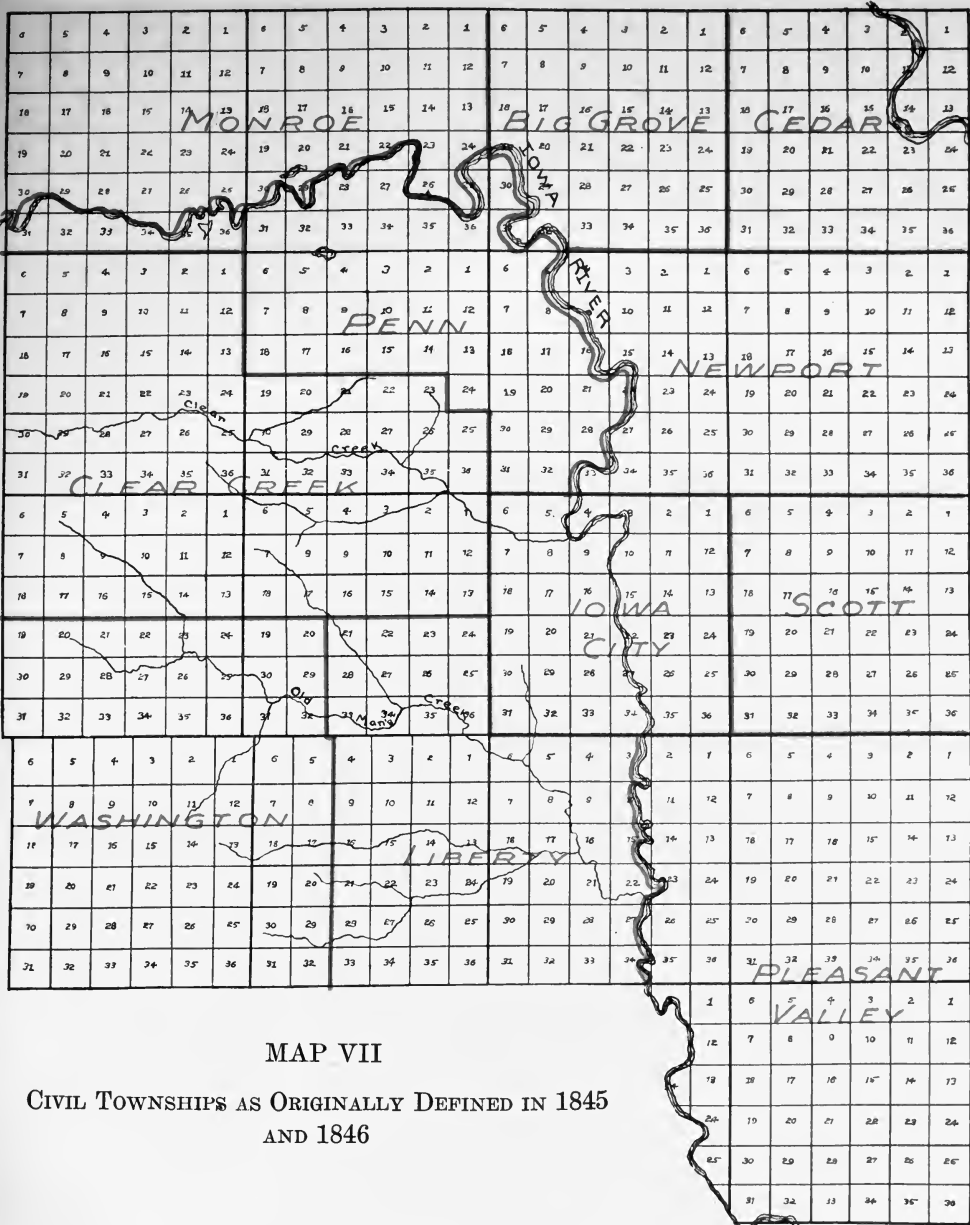
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MAP VI

BIG GROVE, THE FIRST CIVIL TOWNSHIP, ESTABLISHED  
IN 1845

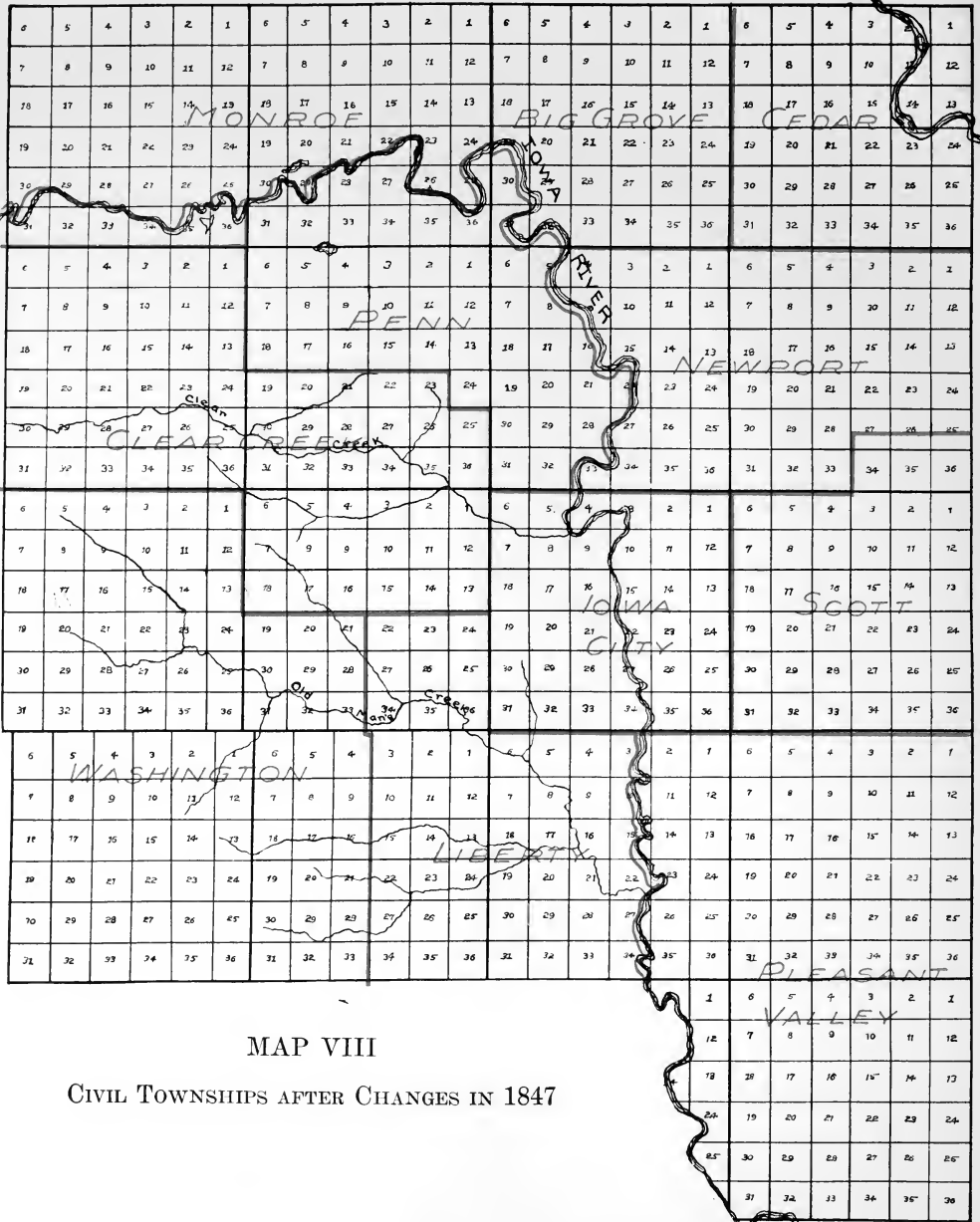




MAP VII

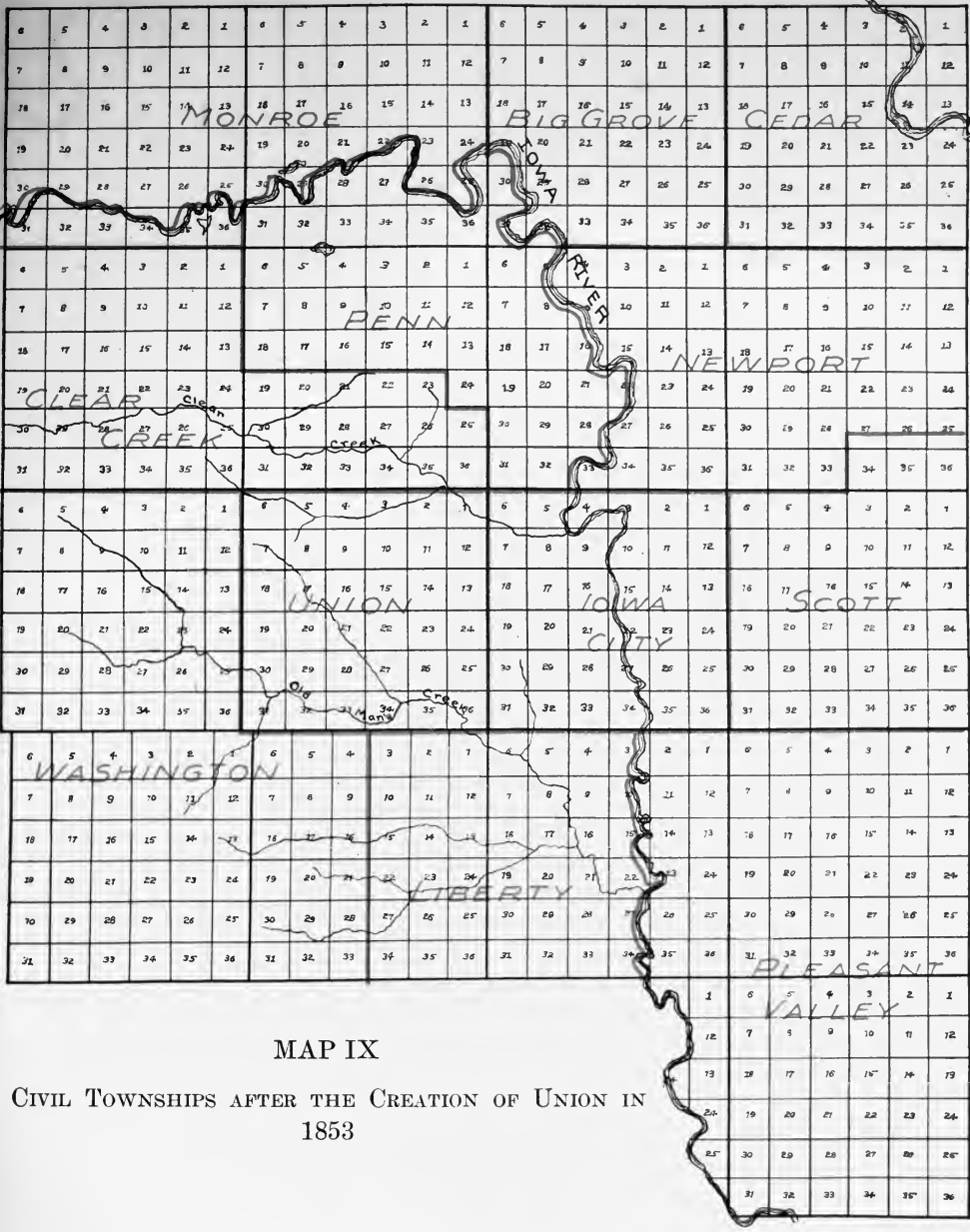
CIVIL TOWNSHIPS AS ORIGINALLY DEFINED IN 1845 AND 1846

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MAP VIII

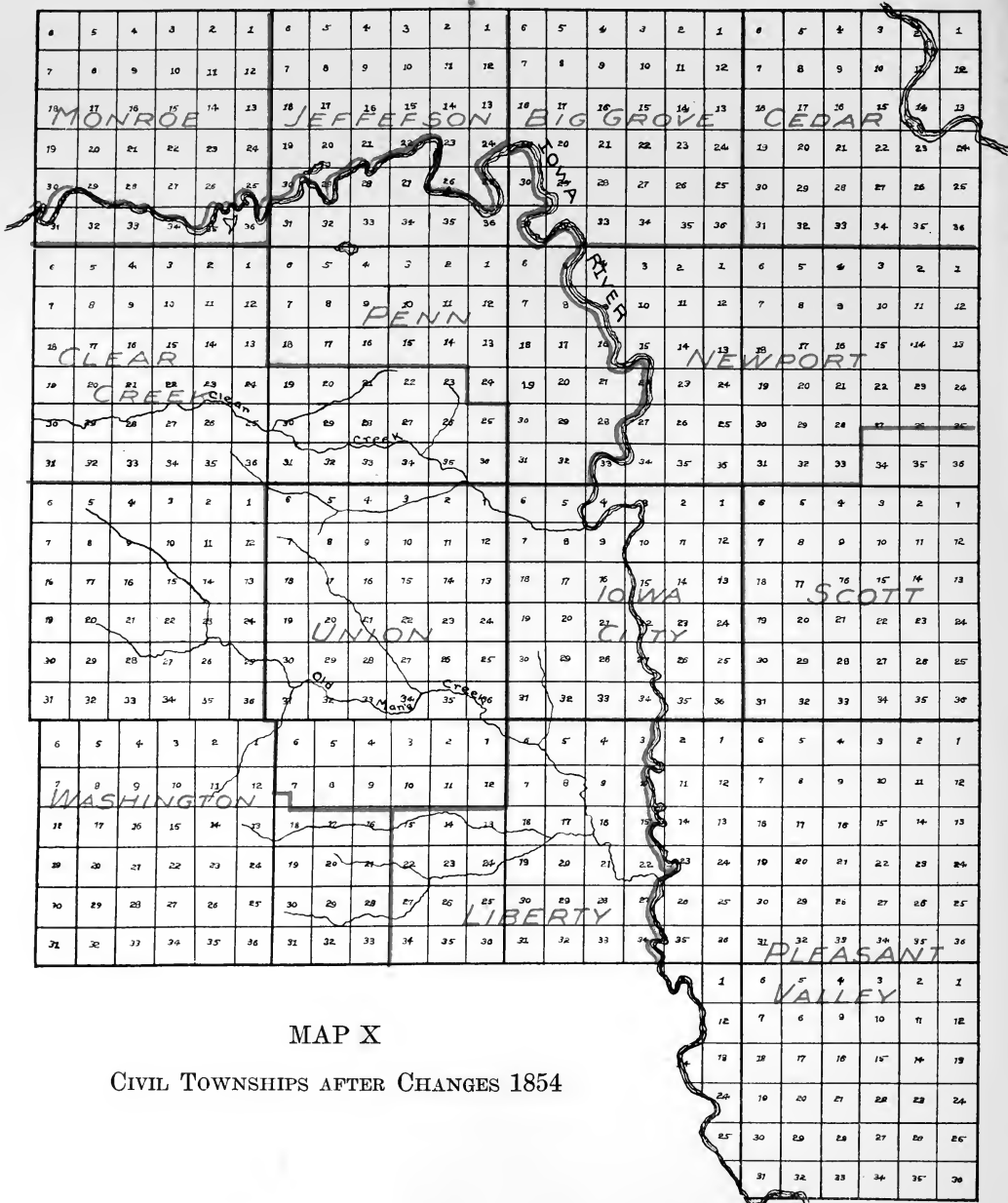
CIVIL TOWNSHIPS AFTER CHANGES IN 1847



MAP IX

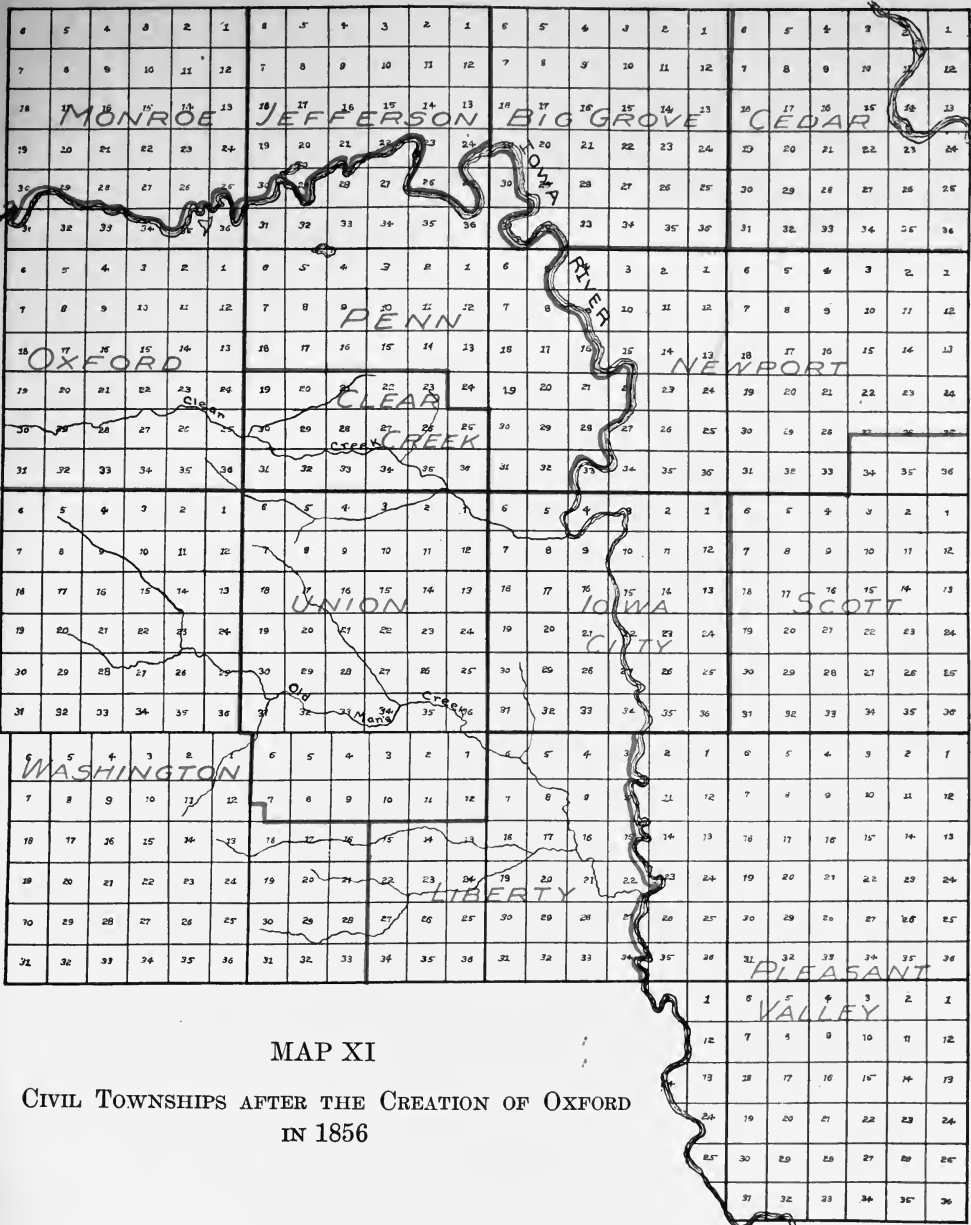
CIVIL TOWNSHIPS AFTER THE CREATION OF UNION IN 1853

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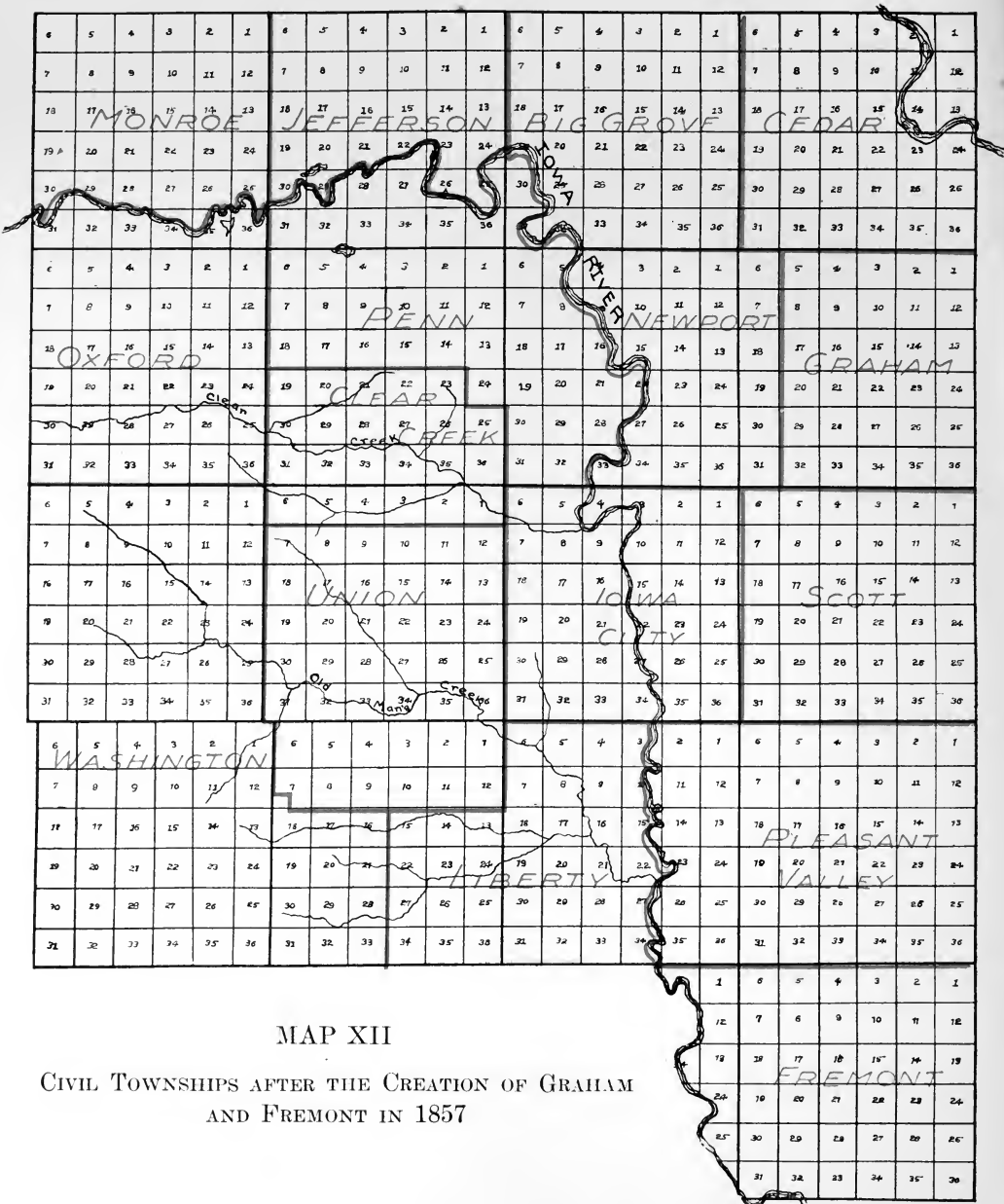
MAP X

CIVIL TOWNSHIPS AFTER CHANGES 1854



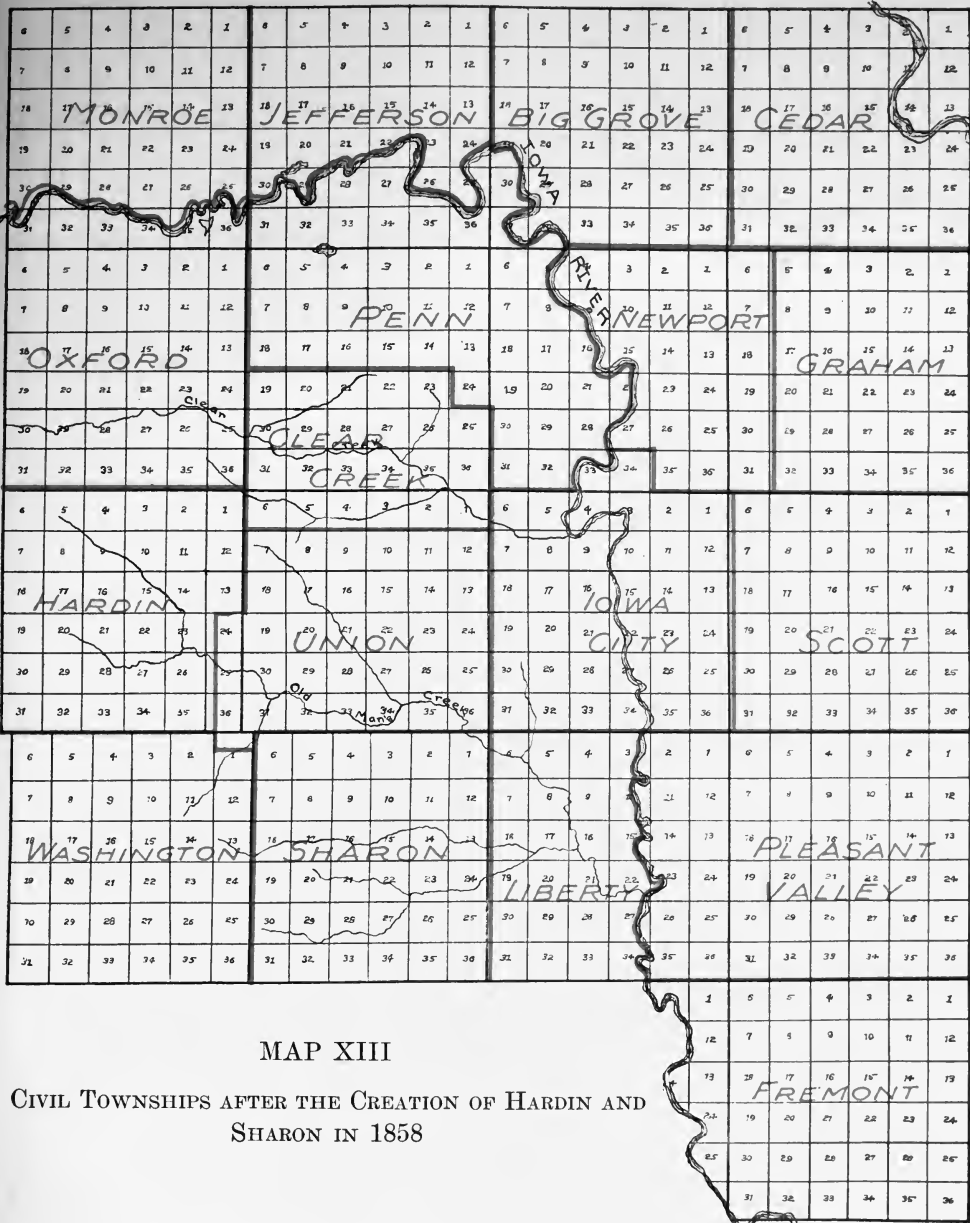
MAP XI

CIVIL TOWNSHIPS AFTER THE CREATION OF OXFORD  
IN 1856

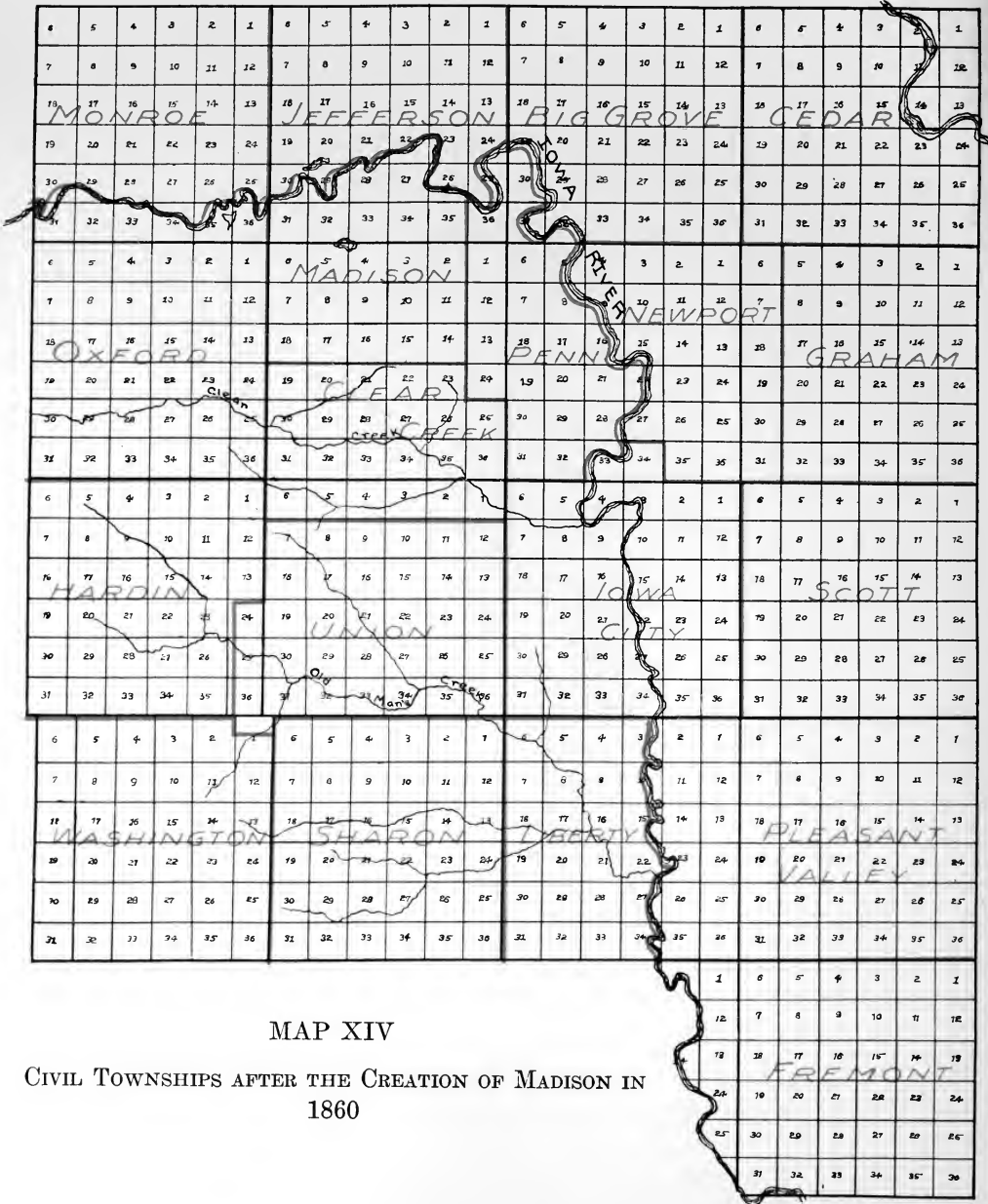


MAP XII

CIVIL TOWNSHIPS AFTER THE CREATION OF GRAHAM  
AND FREMONT IN 1857



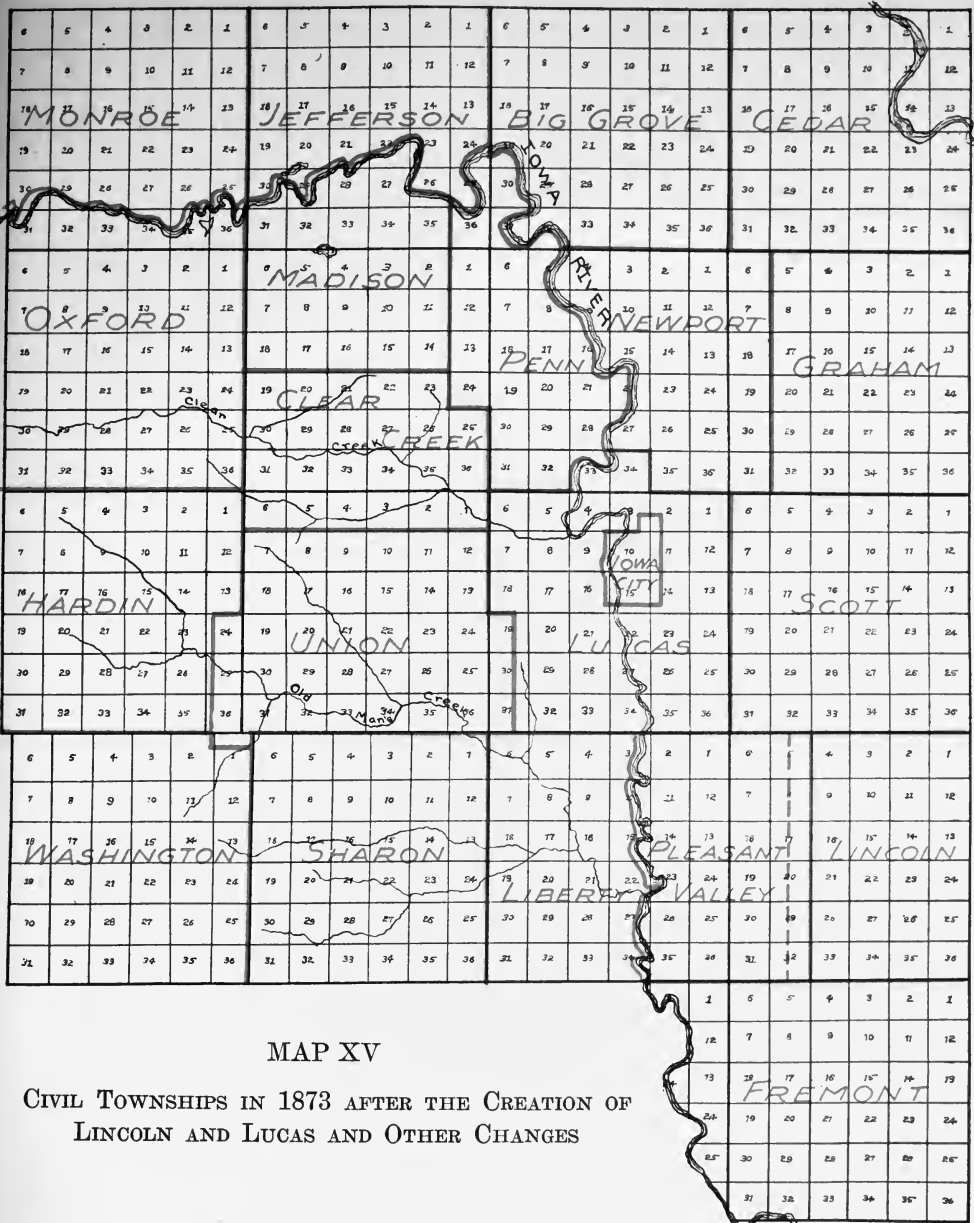
190 IOWA JOURNAL OF HISTORY AND POLITICS

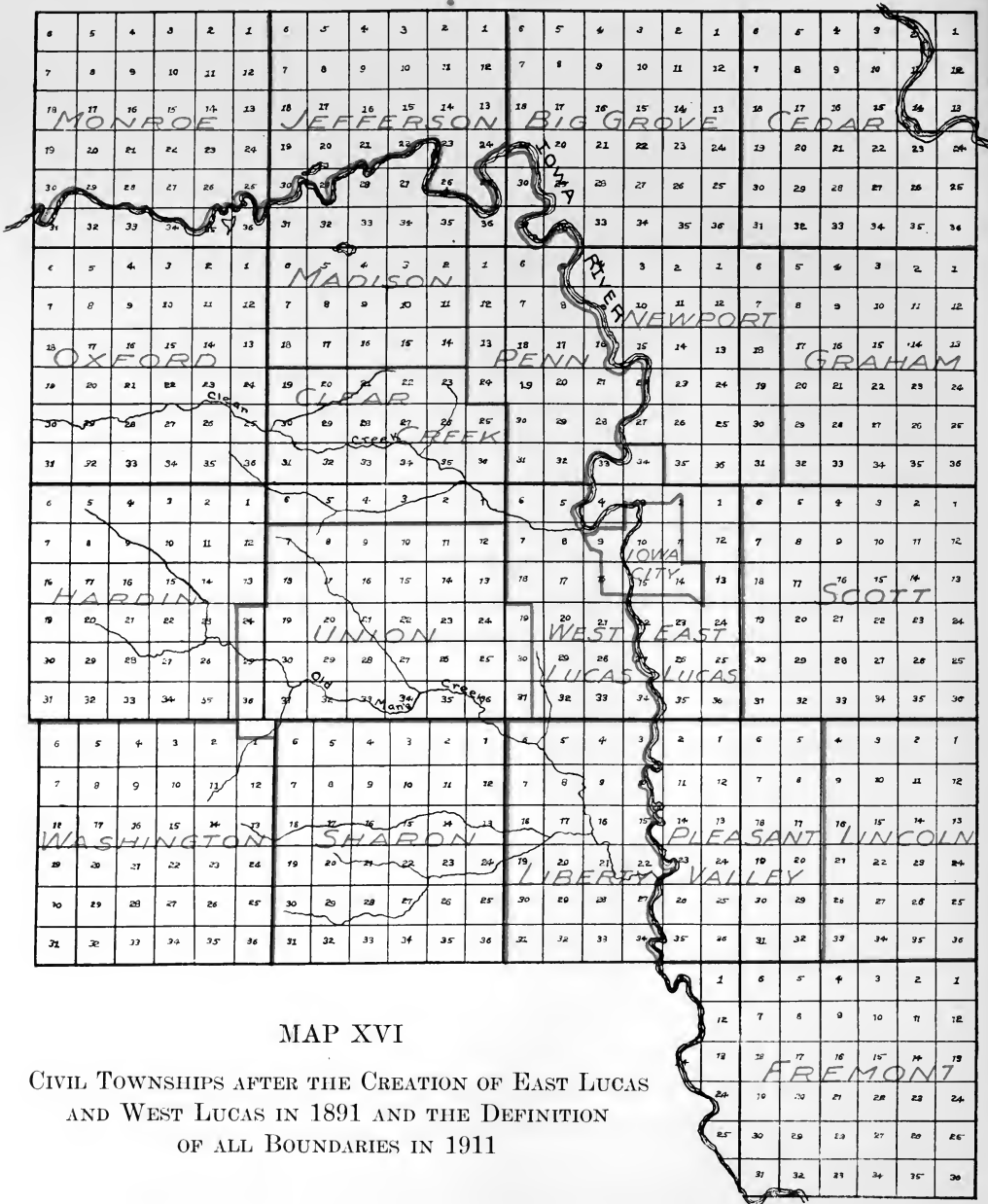


MAP XIV

CIVIL TOWNSHIPS AFTER THE CREATION OF MADISON IN 1860







MAP XVI

CIVIL TOWNSHIPS AFTER THE CREATION OF EAST LUCAS  
AND WEST LUCAS IN 1891 AND THE DEFINITION  
OF ALL BOUNDARIES IN 1911

## SUMMARY

*Big Grove*:— Established by order of the Board of Commissioners under date of April 9, 1845; first election held on first Monday in April, 1846; subsequent changes in boundaries occur in 1846.

*Cedar*:— Established by order of the Board of Commissioners under date of January 7, 1846; first election held on the first Monday in April, 1846; no subsequent changes occur in boundaries.

*Clear Creek*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in October, 1847, August, 1852, March, 1856, and July, 1857.

*Fremont*:— Established by order of the Judge of the County Court in the early part of 1857; mention of the township made in connection with special election for railroad tax held on April 6, 1857; no subsequent changes occur in boundaries.

*Graham*:— Established by order of the Judge of the County Court under date of January 5, 1857; first election held on April 6, 1857; no subsequent changes occur in boundaries.

*Hardin*:— Established by order of the Judge of the County Court under date of January 4, 1858; first election held on April 5, 1858; subsequent changes in boundaries occur in February, 1858.

*Iowa City*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in January, 1859, January, 1873, and September, 1910.

*Jefferson*:— Established by order of the Judge of the

County Court under date of March 6, 1854; first election held on April 3, 1854; no subsequent changes occur in boundaries.

*Liberty*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in March, 1854, and February, 1858.

*Lincoln*:— Established by order of the Board of Supervisors under date of June 8, 1870; first election held on second Tuesday in October, 1870; subsequent changes in boundaries occur in April, 1871.

*Lucas*:— Established by order of the Board of Supervisors under date of January 15, 1873; first election held on second Tuesday in October, 1873; subsequent changes in boundaries occur in April, 1891.

*Lucas, East*:— Established by order of the Board of Supervisors under date of April 8, 1891; mention of the township made in connection with the general election of 1891; subsequent changes in boundaries occur in September, 1910.

*Lucas, West*:— Established by order of the Board of Supervisors under date of April 8, 1891; mention of the township in connection with the general election of 1891; subsequent changes in boundaries occur in September, 1910.

*Madison*:— Established by order of the Board of Supervisors in 1860; first election probably held on the second Tuesday in October, 1860; no subsequent changes occur in boundaries.

*Monroe*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in March, 1854.

*Newport*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election

held on the first Monday in April, 1846; subsequent changes in boundaries occur in October, 1847, January, 1857, and January, 1859.

*Oxford*:— Established by order of the Judge of the County Court under date of March 3, 1856; first election held on April 7, 1856; no subsequent changes occur in boundaries.

*Penn*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in October, 1860.

*Pleasant Valley*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in June, 1870.

*Scott*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in October, 1847.

*Sharon*:— Established by order of the Judge of the County Court under date of February 1, 1858; first election held on the first Monday in April, 1858; no subsequent changes occur in boundaries.

*Union*:— Established by order of the Judge of the County Court under date of August 30, 1852; first election held on April 4, 1853; subsequent changes in boundaries occur in March, 1854, July, 1857, February, 1858, and some time between 1858 and 1870.

*Washington*:— Established by order of the Board of Commissioners under date of February 10, 1846; first election held on the first Monday in April, 1846; subsequent changes in boundaries occur in October, 1847, August, 1852, March, 1854, January, 1858, and February, 1858.

CLARENCE RAY AURNER

# THE ATTITUDE OF CONGRESS TOWARD THE PIONEERS OF THE WEST

1820-1850

## I

### RELATIONS BETWEEN THE PIONEERS AND THE INDIANS

#### THE FRONTIER IN 1820

In the year 1820 a line of outposts extending from the Lakes to the mouth of the Mississippi marked the military frontier in the West. At the northern end of this line stood the island town and fort of Michilimackinack in the straits of Lakes Michigan and Huron. Thence southward lay Fort Howard on Green Bay and Prairie du Chien at the mouth of the Wisconsin River. Two regiments of infantry were encamped along the Missouri River; while in the South, the Sabine River was guarded by a small detachment. Thence eastward several small posts completed the border defenses through Louisiana to New Orleans.<sup>1</sup>

A glance at the census map of 1820 will show that there existed a gap between this far-spreading military line and the established settlements.<sup>2</sup> In the South the pioneers had advanced beyond the Mississippi into Missouri and Arkansas; and parts of western Louisiana had long been occupied. But north and west of the Missouri settlements the Missis-

<sup>1</sup> *Niles' Weekly Register*, Vol. XIX, p. 251; *American State Papers, Military Affairs*, Vol. II, p. 37. For a picture of army life on this frontier, see Colonel Cooke's *Adventures in the Army* (Philadelphia, 1859).

<sup>2</sup> Map facing page xxii, *Eleventh Census, Population*, Vol. I, Part 1. See also Turner's *Colonization of the West* in the *American Historical Review*, Vol. XI, p. 307. For a comparison of the "farmer's frontier" and the military frontier, see Turner's *Significance of the Frontier in American History* in the *Annual Report of the American Historical Association*, 1893, p. 211.

Mississippi Valley was unbroken Indian country. On the eastern side of the river, the body of settlements had hardly advanced further northward than a line drawn from the mouth of the Missouri River to Detroit in Michigan.

Eastward, also, within the interior lay large districts barren of legal habitation, because the Indian title had not been extinguished. Along the old Spanish border of Florida, the army had but recently been employed in subduing the Seminoles and their allies. Again, in the States of Indiana and Illinois and in the Territory of Michigan there were extensive wildernesses where the Chippewas, Ottawas, Potawatomes, Winnebagos, Menomonees, Miamis, and Sac and Fox Indians still retained their possessory rights to the soil and sullenly resisted the encroachment of settlers. Even as far east as the State of Georgia the Cherokees and the Creeks stubbornly clung to their native land, as did the Choctaws and Chickasaws in Mississippi and Alabama. White settlements encroached upon these Indian lands from all directions, so that some tribes like the Cherokees and the Creeks were almost surrounded by citizen pioneers. Thus conflicts between the two races were inevitable. Frontiersmen, impatient at the Government's delay in acquiring the Indian title to these rich valleys, frequently staked out their little claims within the Indian territory and thereby brought down upon themselves the resentment of the original claimants who retaliated by pilfering corn and stealing cattle. The Indians on their part, after ceding their lands to the United States and agreeing to retire to other possessions, were often loath to leave and hung about the new settlements much to the annoyance of the settlers.<sup>3</sup>

The relations between the pioneers and the aborigines were theoretically prescribed by Federal laws. These "trade

<sup>3</sup> The *American State Papers, Indian Affairs*, contain a mass of evidence concerning the relations of the backwoodsmen and the Indians.

and intercourse acts," as they were called — the first one being passed as early as 1796 — provided severe penalties not only for attempting to settle upon any lands, the Indian title to which had not yet been extinguished, but they even imposed a penalty for going into the Indian country without a passport. The military force of the United States might be used to expel such intruders.<sup>4</sup> But in spite of these Federal enactments, there always existed on the frontier more or less irritation and tension. Pioneers impatient for land eluded the scattered dragoons of the small western army and encroached upon the Indian country. The Iowa country was thus invaded by a few bold settlers who crossed the Mississippi at Dubuque in 1830.<sup>5</sup> The majority of the frontier pioneers were content to wait until the Government had bought the Indian title to the western lands. But even after this title had been secured troubles sometimes arose — due to the failure of some Indians to comprehend the papers which they had signed or on account of their simple and savage unwillingness to perform their obligations.<sup>6</sup>

To this state of things the plan to remove all tribes from the east to the west of the Mississippi owes its origin in the early years of the nineteenth century. Jefferson was the first to elaborate the idea. Colonization in Upper Louisiana was the plan that occurred to him in the year 1803.<sup>7</sup> Al-

<sup>4</sup> *United States Statutes at Large*, Vol. I, pp. 470, 745; Vol. II, p. 139; Vol. III, p. 332.

<sup>5</sup> Parish's *The Langworthys of Early Dubuque and Their Contributions to Local History* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VIII, No. 3, p. 317.

<sup>6</sup> The Indians' side of the story is well told in the *Life of Black Hawk* (Boston, 1834). *Mrs. Gratiot's Narrative* in the *Wisconsin Historical Collections*, Vol. X, p. 261, is a good type of the pioneer accounts.

<sup>7</sup> Ford's *The Writings of Thomas Jefferson*, Vol. VIII, pp. 241-243. Jefferson's first proposal of such a plan to any tribe was his address to the Chickasaws in 1805.—Washington's *Writings of Thomas Jefferson*, Vol. VIII, p. 199.



though he made no definite recommendations thereon to Congress his views were widely known by correspondence and personal conversations; and through such means it was that the sixteenth section of the Louisiana Territorial Act of 1804 was written, empowering the President to exchange Indian lands east of the Mississippi for lands on the west side. Attempts to secure removal during Jefferson's administration were neither energetic nor successful, although the application of this remedy to the Indian problem was urged by the Governor of the Territory of Indiana, William Henry Harrison, and was occasionally advocated in Congress.<sup>8</sup>

The idea of westward removal appealed most strikingly to Southerners. Four great tribes — the Cherokees and Creeks and the Chickasaws and Choctaws — were coming to be a most serious menace to the progress of the southwestern frontier. These tribes still retained their possessive rights to large tracts of most fertile land in Tennessee, Georgia, and the Territory of Mississippi, and thus their presence threatened seriously to retard industrial development. In the Northwest the need of removal beyond the Mississippi was not so ardently demanded until after the War of 1812 because the over-strenuous administrations of General Anthony Wayne and Governor Harrison acquired from the Indians vast sections of land years in advance of

The origin of the removal policy is exhaustively discussed by Dr. Abel in *Indian Consolidation West of the Mississippi* in the *Annual Report of the American Historical Association*, 1906, Vol. I, p. 235 *et seq.* Dr. Abel describes the Indian removal chiefly from the side of the Executive Department, while Phillips in *Georgia and State Rights* describes the episode of the Creek and Cherokee removals from the viewpoint of the States concerned.—*Annual Report of the American Historical Association*, 1901, Vol. II. On the other hand, the removal of Indians across the Mississippi is portrayed from the Indians' side in the monograph by Royce entitled *The Cherokee Nation of Indians* in the *Fifth Annual Report of the Bureau of Ethnology*, p. 129.

<sup>8</sup> *Annals of Congress*, 1st Session, 8th Congress, pp. 41, 440. Senator James Jackson of Georgia and John Randolph of Virginia casually mention the plan.

the actual economic need of that section of the country; and, moreover, the Indians themselves retreated westward more rapidly than did their southern brothers before the stream of eastern emigration. Perhaps the first serious proposal to exchange the lands of the northern Indians for lands beyond the Mississippi occurred in 1817, when Lewis Cass, Governor of Michigan Territory, was instructed by Monroe's Secretary of War to propose to the Indians of the Ohio that they exchange their lands for equal tracts beyond the Mississippi — reserving, however, a certain number of acres in the ceded territory to each head of a family who wished to remain.<sup>9</sup> A year later the first treaty whereby a northern tribe — in this case the Delawares — ceded their lands in Indiana for a tract beyond the Mississippi was negotiated by Lewis Cass and two other commissioners.<sup>10</sup> In 1819 a similar treaty was negotiated with the Kickapoos of Illinois.<sup>11</sup> Then the score of years following was marked with similar zealous and successful efforts to evict the Indians from the Old Northwest under the guise of solemnly negotiated treaties.

In July of the year when removal was inaugurated in the Indian affairs of the North, Andrew Jackson secured with much effort a treaty with a southern tribe, the Cherokees, providing for the removal of such individuals of that tribe as were willing to make the change.<sup>12</sup> The question of the removal of these Indians and the Creeks soon became involved in the fierce controversy between these nations and the State of Georgia. Thereupon the whole affair was several times reviewed in Congress as will be further noted.

These then were the beginnings of the removal policy.

<sup>9</sup> *American State Papers, Indian Affairs*, Vol. II, p. 136.

<sup>10</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 170.

<sup>11</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 182.

<sup>12</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 140.

Its origin was executive, not congressional. Indeed, we shall see that the stimulus for a national plan of removal came almost entirely from the Executive Department, although local interests never ceased to memorialize Congress for the removal of individual tribes whose presence annoyed particular States. Before the third decade of the century the plan was little dreamed of; but what the attitude of Congress would be when it should seriously consider the subject was already forecasted. Commiseration for the retreating Indians, whether maudlin or philanthropic, was to be put aside. The story of Clay's futile eloquence on behalf of the Seminoles has already been told.<sup>13</sup> On all points was Jackson's decisive conduct with the Florida Indians sustained, not only in the Fifteenth Congress but as well in the first session of the Sixteenth Congress.<sup>14</sup>

#### BEGINNINGS OF THE GEORGIA INDIAN CONTROVERSY

Of the thirteen original States, Georgia was the only one possessing in 1820 a considerable frontier.<sup>15</sup> In the North, the Indian frontier had passed westward beyond Ohio, although a few isolated tribes and individuals still remained in New York and in New England. From Virginia the border difficulties in the back country which filled the correspondence of Governor Patrick Henry were now long vanished. Even Kentucky — the first of the admitted States in the West — was quite free from aboriginal inhabitants. Prosperous plantations covered these once famous hunting grounds.

<sup>13</sup> THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VIII, No. 1, pp. 109-114.

<sup>14</sup> *Annals of Congress*, 1st Session, 16th Congress, p. 1542.

<sup>15</sup> No less a historian than Frederick J. Turner has included the back country of Georgia, during the years following 1820, as a part of the western frontier.— *Rise of the New West*, p. 57. The settlers who were encroaching upon the Cherokee and Creek lands west of the Ocmulgee River had much in common with the settlers who were crossing the Mississippi at the same time.

But Georgia presents another story. One-third of the State, in fact all of the lands north and west of the Ocmulgee River, was still held by the Creeks and Cherokees.<sup>16</sup> The Cherokees were semi-civilized but annoying. The Creeks were more war-like. Divided in their councils, a part had struck the Government in the War of 1812, while the other part had been actively loyal. The danger of their presence was ever a source of worry; and this the Georgia delegation often told Congress.<sup>17</sup> "The unprotected situation of the frontiers invited aggression and the predatory and sanguinary depredations of a dark and insidious enemy, whose track was to be traced by blood and desolation, cried aloud for vengeance", declared one Georgian Representative.<sup>18</sup> This utterance was made when Georgia was advocating her Militia Claims. The debates upon these claims, although referring to conditions at the close of the eighteenth century, reflect much of the contemporary attitude of the Georgia delegation. As an example of the hundreds of similar claims presented to Congress by western members almost every year they may beg the attention of the reader for a moment. The Georgia Militia Claims originated in the border outbreaks of 1792, when the State had employed her militia in suppressing the Indians. Some years later Georgia demanded recompense therefor, although these claims were said to have been liquidated in the transactions of 1802 when Georgia ceded her lands to the United States.<sup>19</sup> For a score of years thereafter the impassioned speeches of the Georgians presented Congress

<sup>16</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 465.

<sup>17</sup> Gilmer's *Sketches of the Settlers of Upper Georgia*, p. 504 et seq.

<sup>18</sup> *Annals of Congress*, 2nd Session, 17th Congress, p. 163.

<sup>19</sup> The argument for these claims is given at length in Senator Elliott's report of 1822.—*Annals of Congress*, 1st Session, 17th Congress, p. 383. *Annals of Congress*, 2nd Session, 7th Congress, p. 461. For the argument against the claims, see pp. 523, 535.

with a vivid picture of the State's border position. That eastern members could never appreciate the horrors of Georgia's exposed condition nor comprehend the service that she was rendering to the nation by standing as a bulwark against the Indians was the burden of these harangues. Heart-thrilling accounts of the "midnight character of Indian hostility" depicted in rather lively colors this frontier and idealized the settlers who ventured with their families so close to the aborigines.<sup>20</sup> Persistence in these addresses finally won an appropriation from Congress in the year 1827, in spite of the bar to the claims.<sup>21</sup>

Meanwhile Georgia had carried to Congress the most obstinate of all frontier problems. Should the Creeks and Cherokees continue to hold wildernesses in a civilized State and bar the progress of American settlement? True, the Cherokees were of all American tribes the most civilized; both they and the Creeks had made progress in agriculture and were becoming attached to the land they occupied by stronger bonds than those which bound the roving Indians of the Northwest to their hunting grounds.<sup>22</sup> But the economic interests of Georgia were ready for expansion upon

<sup>20</sup> Mr. Wiley Thompson of Georgia exclaimed that Georgia had been "deluged by the blood of her citizens, slaughtered in defending the United States; and still justice . . . is withheld from them."—*Register of Debates*, 2nd Session, 18th Congress, p. 81.

Indian troubles were unavoidable, Thompson contended. Eastern States seemed not to appreciate Georgia's position—how she stood as "a bulwark between the Indians and the interior States, while she received the death stroke of the Indian tomahawk in her own bosom".—*Register of Debates*, 2nd Session, 19th Congress, p. 1245.

John Forsyth charged that the claims had been rejected simply because the State operations against the Creeks and Cherokees had taken a direction offensive to the Administration.—*Register of Debates*, 2nd Session, 18th Congress, p. 581.

<sup>21</sup> *Register of Debates*, 2nd Session, 19th Congress, pp. 1266, 488.

<sup>22</sup> Royce's *The Cherokee Nation of Indians* in the *Fifth Annual Report of the Bureau of Ethnology*, p. 231.

the Indian lands; the aggressive settlers demanded portions of the unused districts still held by the Creeks and Cherokees; but demand as they might, these tribes began stubbornly to refuse any further cessions of their remaining domain.<sup>23</sup>

Such a condition boded trouble indeed. One third of a Commonwealth in the hands of some thirty thousand persistent aborigines was a fact which naturally provoked the citizens, who were nearly two hundred thousand in number and rapidly increasing.<sup>24</sup>

The problem would have been quickly solved had the State controlled the lands in question. But in 1802 Georgia had ceded her public lands to the United States. In the compact, however, the Federal Government stipulated that the title to Indian lands lying within the State should be extinguished as early as could be peaceably done upon reasonable terms.<sup>25</sup> This the Federal Government proceeded to accomplish, and by treaties with the Creeks and Cherokees secured for both Georgia and Alabama prior to the year 1824 some fifteen million acres of land.<sup>26</sup> Ten million still remained in the possession of the two tribes when they manifested their determination to cede no more.

Since 1802 the Executive Department had been sincerely willing to fulfil its promises, although ever insisting upon treating the Indians with diplomatic courtesy. And Congress as well had voted generous appropriations to conduct treaties of cession. Now, however, it was apparent that if the diplomatic attitude of the Executive continued no more

<sup>23</sup> For a comparative map of Indian land cessions in Georgia, see the *Eighth Annual Report of the Bureau of Ethnology*, Part 2, Plate XV.

<sup>24</sup> For population of Creeks and Cherokees, see *American State Papers, Indian Affairs*, Vol. II, p. 546.

<sup>25</sup> *American State Papers, Public Lands*, Vol. I, p. 125.

<sup>26</sup> Report of Secretary of War.—*Annals of Congress*, 1st Session, 18th Congress, p. 465.

cessions could be obtained. A commanding attitude was necessary to make these Indians retreat; and the Georgians were disappointed and provoked because such a course of action was not vigorously followed by Monroe and Madison.<sup>27</sup> The Governor and legislature frankly told the Government so at different times with increasing irritation.<sup>28</sup>

That the Federal Executive was disinclined to coerce the Cherokees and Creeks was evident in Monroe's message of March 30, 1824. "I have no hesitation", wrote the President, "to declare it as my opinion, that the Indian title was not affected in the slightest circumstance by the compact with Georgia, and that there is no obligation on the United States to remove the Indians by force." But he added: "My impression is equally strong that it would promote essentially the security and happiness of the tribes within our limits, if they could be prevailed on to retire west and north of our States and Territories, on lands to be procured for them by the United States, in exchange for those on which they now reside."<sup>29</sup>

<sup>27</sup> Calhoun when Secretary of War under Monroe disapproved the policy of treating with the Indian tribes as with States or nations.—*American State Papers, Indian Affairs*, Vol. II, p. 276.

The attitude of Monroe and Adams in this respect is open to just criticism. The Georgia delegation pronounced formal treaty-making to be a farce. Why should the Government act as if the Indians were foreign powers? asked Forsyth. The question seems never to have been satisfactorily answered.—*Register of Debates*, 1st Session, 19th Congress, p. 2614.

For an army officer's opinion in later days, see *Centennial of the United States Military Academy at West Point* (Washington, 1904), p. 527.

<sup>28</sup> Phillips's *Georgia and State Rights* in the *Annual Report of the American Historical Association*, 1901, Vol. II, p. 52 *et seq.* The attitude of Georgia was nicely expressed in the memorial addressed by the legislature to the President of the United States in 1819. "The State of Georgia", read this protest, "claims a right to the jurisdiction and soil of the territory within her limits. . . . She admits however, that the right is inchoate—remaining to be perfected by the United States, in the extinction of the Indian title; the United States *pro hac vice* as their agents."—See *Worcester vs. State of Georgia*, 6 Peters 585.

<sup>29</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 463. The Message and

Monroe admitted that the question had developed beyond executive control; and he therefore submitted to the consideration of Congress, trusting that the Indians as well as the people of Georgia would receive equal justice. If Monroe hoped by this message to throw the responsibility for action upon Congress he was doomed to disappointment. The solution which he tentatively proposed was to peaceably incline the Cherokees toward accepting the removal plan. But Congress was not ready to assume the responsibility. The President possessed the treaty powers under the Constitution. Why should he not continue to treat and the Senate to ratify?

While Congress hesitated to touch the affair, the Georgia delegation were loud in their attempts to secure decision. "If the Cherokees are unwilling to remove," they said, "the causes of that unwillingness are to be traced to the United States. If a peaceable purchase cannot be made in the ordinary mode, nothing remains to be done but to order their removal to a designated territory beyond the limits of Georgia".<sup>30</sup> It is needless to say that their efforts were in vain. The Senate Committee on Indian Affairs passed over the matter without reporting.<sup>31</sup> The House Committee, being headed by John Forsyth, naturally reported that immediate removal was wise, but the measure was lost in the House.<sup>32</sup> The times were premature for drastic solution, although the issue had become well defined. If the Georgia Indians refused to emigrate should their possessive rights

accompanying documents were printed in *Senate Documents*, 1st Session, 18th Congress, No. 63.

<sup>30</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 471.

<sup>31</sup> The Senate referred the Georgia Indian controversy to its Committee on Indian Affairs, of which Benton was chairman.—*Annals of Congress*, 1st Session, 18th Congress, p. 474. The *Journal of the Senate* does not indicate that the Committee reported during the session.—*Journal of the Senate*, 1st Session, 18th Congress, p. 28.

<sup>32</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 2348.



to soil in Georgia's jurisdiction be maintained by Federal authority? Or, should the stubborn Indians be forced to emigrate? The first horn of this dilemma was intolerable to the State of Georgia and to her sympathizers; while neither eastern Congressmen nor the President would seize the latter.

#### MONROE AND THE REMOVAL POLICY

The Georgia delegation little realized that their persistent demands in Georgia's behalf would gradually force Congress and the Executive to the adoption of some general plan for disposing of the Indians. But that event was to be in the future and at present was little contemplated by members of Congress, although signs of the disastrous policy, then being pursued, were not lacking even in the halls of Congress. In December, 1823, a most egregious blunder had been exposed, concerning the assignment of lands to the Choctaws and Cherokees west of the Mississippi. It appears that the most fertile of the lands ceded to these tribes during the years 1817 to 1820, in exchange for their eastern possessions, lay within the Territory of Arkansas and were already occupied in part by white "squatters". In the case of the Cherokee tribe the United States agreed by treaty to remove all intruders upon the ceded lands; while the Choctaws relied upon the promise of General Jackson, who was acting as commissioner on the part of the United States, that "the arm of the Government was strong, and that the settlers should be removed."<sup>33</sup>

Their reliance upon the Government was disastrous to themselves, for within a few years local interests caused even the national legislature to undermine their rights.

<sup>33</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 142; *American State Papers, Indian Affairs*, Vol. II, p. 549. For a map of the cessions, see Royce's *Indian Land Cessions in the Eighteenth Annual Report of the Bureau of Ethnology*, Plate VI.

The occasion was an angry remonstrance from the Territorial legislature of Arkansas against the action of Congress in establishing the western boundary of the Territory.<sup>34</sup> This line, the citizens complained, cut off from the Territory large numbers of "most respectable inhabitants" who had intruded upon the public domain. Henry Conway, the Delegate from Arkansas, loudly maintained the alleged rights of the intruders. "I can never consent", he wrote to the Secretary of War, "to any measure which is calculated to check the prosperity of my Territory, or to destroy the interests of any portion of its inhabitants."<sup>35</sup>

In the Senate the memorial from Arkansas was presented by Benton and it was referred to a select committee consisting of Benton, King of Alabama, and Lowrie of Pennsylvania.<sup>36</sup> This occurred in December, 1823. In March the committee reported a document of surprising ingenuity.<sup>37</sup> There were three questions comprising the solution of the case, the committee began to explain. Should the inhabitants cut off by the line of 1823 be left as they were without law to govern them? Or, should they be compelled to come within the present limits of the Territory? Or, should the western boundary be extended to include them?

The first method the committee rejected, for reasons "too obvious to require specification." The second was also rejected with a confusing number of objections. And so, by elimination, what was left but the third plan? Accordingly, the committee reported a bill for the extension of the western boundary. How the adjustment of the Choctaw and Cherokee boundary lines with this new Territorial line

<sup>34</sup> *American State Papers, Indian Affairs*, Vol. II, p. 556; *United States Statutes at Large*, Vol. III, p. 750.

<sup>35</sup> *American State Papers, Indian Affairs*, Vol. II, p. 556.

<sup>36</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 47.

<sup>37</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 420.

might be accomplished the committee did not venture to prophesy, save merely to express a hint that the Executive would find such conflicts occasions for further treaties with the Indians.

The bill as later amended in the Senate directed the President to treat with the Choctaws for a modification of the Treaty of 1820.<sup>38</sup> In this form it passed both houses and became law in May, 1824. Thus the Executive Department was forced into the position of breaking public faith with the western Choctaws. The consequence was what might have been expected: the Choctaws were compelled, in 1825, to retire west of the Arkansas line, leaving their promised lands in the hands of the irrepressible pioneers.<sup>39</sup> The Cherokees on the lands to the north of them soon met the same fate.<sup>40</sup>

That such miserable procedures were the inevitable outcome of the haphazard and sporadic attempts in solving the Indian problem, Monroe was more than ever convinced. The last years of his administration were enough to show him that sectional bickerings and extravagant expense would ever be attendant upon a continuation of the present unsystematic Indian policy. With the opening of the second session of the Eighteenth Congress barely three months of legislative sittings were left to his administration; yet he did not evade the bold presentation of the problem in its larger scope. He recommended to Congress the advisability of adopting "some well digested plan" of establishing

<sup>38</sup> *Annals of Congress*, 1st Session, 18th Congress, p. 778; *United States Statutes at Large*, Vol. IV, p. 40.

The Executive Department apparently disregarded that part of the act which extended the boundaries of the Territory of Arkansas west of the southwest corner of Missouri.—Note the *United States Statutes at Large*, Vol. VII, p. 311; Vol. V, p. 50; *Congressional Globe*, 2nd Session, 26th Congress, p. 54.

<sup>39</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 211.

<sup>40</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 288.

an Indian district "between the limits of our present States and territories, and the Rocky Mountain[s]", where the Government should carefully supervise their progress in civilization.<sup>41</sup>

Having announced his attitude, the President left the elaboration of his ideas to his Secretary of War, John C. Calhoun. Calhoun developed a plan — one unusual compared with those hitherto proposed. It was communicated to Congress on the 27th of January, 1825.<sup>42</sup> It contemplated the establishment of a permanent Indian Territory west of the settlements with a government uniting all tribes in one organization. To this end the Secretary recommended that Congress provide for a convention of the leaders of all eastern tribes in order to explain to them the views and promises of the government.

Already the committees on Indian affairs in both houses were considering the first suggestions of Monroe in his message at the opening of Congress. Benton, the chairman of the Senate committee, approved a definite national plan of relieving the western States from their undesirable Indian population. The bill which this committee reported came from the pen of Calhoun and gave legal form to the "well digested" plan which Monroe had suggested. Its title announced it as an act for the preservation and civilization of the Indians. On February 23rd it passed the Senate.<sup>43</sup>

In the lower chamber the bill was referred to the standing committee of which John Cocke of Tennessee was chairman. The records do not indicate that it was ever considered in the Committee of the Whole House — perhaps because of the press of other matters. A bill of similar nature, con-

<sup>41</sup> *Register of Debates*, 2nd Session, 18th Congress, Appendix, p. 7.

<sup>42</sup> *Register of Debates*, 2nd Session, 18th Congress, Appendix, p. 57; *Senate Documents*, No. 21; *Niles' Weekly Register*, Vol. XXVII, p. 404.

<sup>43</sup> *Journal of the Senate of the United States*, 2nd Session, 18th Congress, p. 187.

coeted by the House committee itself, met the same fate. To the proposals of the President little further attention was given, save by the easily frightened Delegate from the Territory of Arkansas, who demanded that no lands of his constituency be granted to the emigrating Indians.<sup>44</sup>

Such apathy on the part of western Congressmen, when Illinois, Indiana, Michigan Territory, Missouri, Mississippi, Alabama, and Georgia were looking with restless glances at the Indians within their borders, can only be explained by the supposition that sectional interests had not yet been combined into one great national plan. While Elliott of Georgia supported Calhoun's bill in the Senate,<sup>45</sup> the remainder of the Georgia delegation appeared strangely silent in the House, except in respect to their own grievances with the Creeks and the Cherokees. Headed by Forsyth they called for the vengeance of Congress to descend upon these stiff-necked Indians. Their vexation — fanned into a passionate rage by the inertia of Congress — adopted the method of blocking all proposals to extend any act of courtesy or justice to these Indians, even when such acts would not interfere with the rights of Georgia.<sup>46</sup>

<sup>44</sup> *Niles' Weekly Register*, Vol. XXVII, p. 271.

<sup>45</sup> *Register of Debates*, 2nd Session, 18th Congress, p. 639.

<sup>46</sup> The Cherokee claim in regard to the Wafford Settlement gave one occasion for this ungenerous display on Georgia's part. Among the items of the military bill, the Committee on Ways and Means had included an appropriation to cancel the obligation of the long neglected treaty ceding the lands in question. — *Register of Debates*, 2nd Session, 18th Congress, p. 536.

The gist of the matter was that the Government had undertaken in the year 1804 to protect certain settlers who had invaded the Indian lands in violation of the Federal laws and treaties, but had failed to recompense the Cherokees for the land thus illegally seized. — Royce's *The Cherokee Nation of Indians in the Fifth Annual Report of the Bureau of Ethnology*, p. 186.

John Forsyth and his colleagues protested against this appropriation. They were outvoted. — *Register of Debates*, 2nd Session, 18th Congress, p. 546.

The episode is an illustration of Congress condoning illegal settlements. "The Cherokees", said McLane of Delaware during the debate, "were in possession of this land within the limits of Georgia, in 1804. Their lands were in-

## THE END OF THE CREEK CONTROVERSY

Before the last session of his administration had closed Monroe was able to submit to the Senate tangible results of his efforts to continue the policy of treaty-making with the Creeks in Georgia. At Indian Springs on the 12th of February the commissioners of the Government had succeeded in persuading certain chiefs of the Creek nation to sign a treaty ceding all their lands lying within the State of Georgia.<sup>47</sup> Without inquiring too closely into the history of the negotiations Monroe transmitted it, late in February and only a few days before the end of his administration, to the Senate. This body, on the third of March, hastily advised and consented to ratification,<sup>48</sup> although the fact had become officially known that the Alabama chiefs of the Creek nation had never agreed to the cession.<sup>49</sup> On March

truded on by citizens either of that state or some other; and an application was, in consequence, made by the Cherokees to the United States to dispossess the intruders. The Government of the United States felt that it was their duty to do so. Orders were issued accordingly, and, military force sent to put them into execution. When the troops arrived on the spot, they found that the settlers, for the most part, had crops then growing, and not gathered; and the officers interceded with the Cherokees to delay the removal of the intruders until their crops could be gathered in, and finally succeeded in persuading them to sell the land to the United States. The Government accordingly issued a commission to Messrs. Meigs and Smith, to negotiate for the purchase. A treaty was held, in which the Indians agreed to sell, and the commissioners to buy their land. . . . As soon as this treaty was made, the Indians abandoned their land, and the settlers were suffered to remain, and others to enter. The Indians executed the treaty in good faith, and the only question that we ought to have any difficulty in deciding, would be, not whether they are entitled to receive the arrearages of the annuity, but whether we ought not to allow them interest for the whole time it has not been paid.—*Register of Debates*, 2nd Session, 18th Congress, p. 539.

<sup>47</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 214.

<sup>48</sup> *Executive Journal of the Senate* (1828), Vol. III, p. 424.

<sup>49</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 12. The correspondence transmitted to the Senate along with the treaty, must have appeared to a careful peruser strangely suspicious.—*American State Papers, Indian Affairs*, Vol. II, p. 579.

7th John Quincy Adams, respecting the acts of his predecessor, proclaimed the treaty without ado.<sup>50</sup>

To the Georgians, who coveted the Creek lands like the vineyard of Naboth, the treaty was most gratifying. It promised to end their long contention with the Creeks and undoubtedly would have ended the affair had the treaty been genuine. But the scandalous conduct of the commissioners, although legalized by the Senate, was not to stand unrepudiated by either the President or the Senate itself. Before the next session of Congress the ugly rumors and hints of the early part of the year were fully confirmed in Washington. It became well known that an impotent and discredited faction of the Creeks had signed the treaty in direct opposition to the will of the whole nation. Acting upon this light Adams directed the Secretary of War to negotiate a new treaty with the accredited chiefs of the Creeks who had journeyed to the capital protesting the affair of Indian Springs.<sup>51</sup>

By his action the President found himself immediately attacked by Governor Troup and the Georgia delegation in Congress.<sup>52</sup> While Governor Troup directed the quarrel with so much vehemence that his name was ever after known for angry defiance to the Federal Executive, the Georgia delegation in Congress were none the less extreme.<sup>53</sup> On January 7, 1826, they declared to the Secretary of War that Georgia would never admit the invalidity of the treaty of Indian Springs. Their method of proving its genuineness was an *argumentum ad ignorantiam*. The citizens of

<sup>50</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 12. Compare with the message to the Senate, January 31, 1826.—Richardson's *Messages and Papers of the Presidents*, Vol. II, p. 324.

<sup>51</sup> *Memoirs of John Quincy Adams*, Vol. VII, pp. 74, 108.

<sup>52</sup> Phillips's *Georgia and State Rights in the Annual Report of the American Historical Association*, 1901, Vol. II, p. 59.

<sup>53</sup> *American State Papers, Indian Affairs*, Vol. II, p. 747.

Georgia, they maintained, being "resident near the scene of this controversy, and deeply interested in its result . . . have been attentive observers of the process by which it has been conducted"—evidently meaning to imply that the Georgians were better judges than the Federal Government.

The President did not surrender to the demands of Georgia, although his position was rendered the more perplexing by the Creeks who, while willing to legally cede part of their lands, refused to cede any west of the Chattahoochee.<sup>54</sup>

In his annual message on December 6th, Adams had promised to submit the whole tangled affair to the consideration of Congress.<sup>55</sup> If the President hoped thereby to secure congressional coöperation in solving the problem as Monroe had hoped in the preceding year he evidently changed his mind, for the special message was never transmitted. Webster undoubtedly helped him to this decision by his sound advice that nothing would be gained, since Congress would do nothing. He even explained to the President the various motives by which different members would be actuated to do nothing, leaving the Administration to pursue its way alone.<sup>56</sup> Adams was so impressed with the fear of provoking a damaging controversy in Congress that he submitted none of the papers concerning the Georgia question when at last he sent to the Senate the new treaty which Barbour had negotiated with the Creek delegation in Washington as a substitute for the Treaty of Indian Springs.<sup>57</sup>

Barbour's treaty did not provide for the cession of the entire Creek country in Georgia.<sup>58</sup> So its reception by the

<sup>54</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 66.

<sup>55</sup> *Register of Debates*, 1st Session, 19th Congress, Appendix, p. 4.

<sup>56</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 73.

<sup>57</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 110.

<sup>58</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 264.



Senate Committee on Indian Affairs might easily be fore-known, since Benton was chairman and Cobb of Georgia a leading member. The committee reported on March 17, 1826, that the Senate should not advise and consent to the ratification.<sup>59</sup> Two weeks later Adams was able to submit a supplementary article by which the Creeks conceded the Senate's point and ceded what was then supposed to be all their remaining lands in Georgia.<sup>60</sup> Benton's committee of course accepted this concession, and reported back to the House the article without amendment.<sup>61</sup> In the Committee of the Whole a stubborn but unsuccessful effort was made by Berrien of Georgia to alter the first article so as to annul the treaty of Indian Springs without reflecting upon the nature of its negotiation.<sup>62</sup> Upon the final question of advising and consenting the vote stood thirty yeas and seven nays.<sup>63</sup> The negative vote was headed by the two Georgia Senators. The five Senators who voted with them probably based their objection to the treaty on constitutional considerations.<sup>64</sup>

Realizing that the Indians would be loath to emigrate even from the ceded lands, Berrien immediately introduced resolutions looking toward the Government's assisting and encouraging such emigration.<sup>65</sup> With that purpose in view a bill appropriating sixty thousand dollars passed both houses.<sup>66</sup>

<sup>59</sup> *Executive Journal of the Senate* (1828), Vol. III, p. 521.

<sup>60</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 267.

<sup>61</sup> *Executive Journal of the Senate* (1828), Vol. III, p. 526.

<sup>62</sup> *Executive Journal of the Senate* (1828), Vol. III, p. 531.

<sup>63</sup> *Executive Journal of the Senate* (1828), Vol. III, p. 533.

<sup>64</sup> This at least was the supposition of contemporaries.—See *Niles' Weekly Register*, Vol. XXX, p. 297.

<sup>65</sup> *Executive Journal of the Senate* (1828), Vol. III, pp. 527, 532; *Register of Debates*, 1st Session, 19th Congress, p. 620.

<sup>66</sup> *Register of Debates*, 1st Session, 19th Congress, p. 2623; *United States Statutes at Large*, Vol. IV, p. 187.

Within a week of the ratification of the Washington Treaty the Committee on Appropriations in the House introduced a bill to carry into effect its provisions. The discussion thereon was almost entirely by the Georgia delegation, who protested against the late action of the Senate and criticised the whole policy of Federal control of Indian Affairs as an abridgment of State sovereignty.<sup>67</sup> Their speeches did not, however, long delay the roll call on the bill which passed with 167 affirmative votes. All but one of the Georgia delegation voted in the negative.<sup>68</sup> Again returning to the Senate we find Senator Benton self-righteously assuming the task of amending the bill so as to prevent the "corrupt distribution" of the purchase money "among a few chiefs" instead of to the whole nation.<sup>69</sup>

The ratification of Barbour's Treaty would have practically ended the Creek Indian contention with Georgia had not Governor Troup insisted upon surveying the boundary between Georgia and Alabama before the date set for the relinquishment of the Indian lands — and, moreover, the line which he sought to establish passed through lands not ceded by the treaty.<sup>70</sup> This action of surveying territory where the Indian title had not been extinguished was a palpable violation of the treaty and of the Federal trade and intercourse law of 1802.<sup>71</sup> Adams ordered Governor Troup to desist;<sup>72</sup> but the Governor supported by his legislature

<sup>67</sup> *Register of Debates*, 1st Session, 19th Congress, pp. 2606 *et seq.* Adams was also criticised by the opposition for not fulfilling his promises concerning submitting the whole Georgia transactions to Congress.— *Register of Debates*, 1st Session, 19th Congress, p. 2607.

<sup>68</sup> *Register of Debates*, 1st Session, 19th Congress, p. 2626.

<sup>69</sup> Benton's *Twenty Years' View*, Vol. I, p. 60.

<sup>70</sup> Phillips's *Georgia and State Rights* in the *Annual Report of the American Historical Association*, 1901, Vol. II, p. 60 *et seq.*

<sup>71</sup> *United States Statutes at Large*, Vol. II, p. 141.— See Section 5.

<sup>72</sup> *American State Papers, Indian Affairs*, Vol. II, p. 744.

again violently defied the Federal authority.<sup>73</sup> The United States Attorney for the District of Georgia refused to obey the President's order to prosecute the surveyors.<sup>74</sup>

On February 5, 1827, Adams appealed to Congress. He sent "the most momentous message he had yet written".<sup>75</sup> In both houses it was referred to select committees; of the one Senator Benton was chairman, and over the other Representative Edward Everett of Massachusetts presided. The report of Benton's committee on March 1st upheld the claims of Georgia; while the House report maintained that the Treaty of Washington should be executed by "all necessary constitutional and legal means".<sup>76</sup> Both advised the Executive to continue his exertions to obtain a cession of the remaining Creek lands in Georgia as the only possible alleviation of the embarrassment. This, indeed, was what Adams had already undertaken.<sup>77</sup> Late in the year the hundred and ninety thousand acres of pine barrens still held by the Creeks in Georgia were relinquished by treaty.<sup>78</sup> Thus Georgia's contention with these Indians was brought to an end. But this was not the end of all Indian quarrels. Ten thousand Cherokees still remained on Georgian soil, promising troubles of their own; while the attitude of the State of Alabama toward the Creeks still within her borders promised a repetition of the strife so lately consummated in the sister State.<sup>79</sup>

<sup>73</sup> *American State Papers, Indian Affairs*, Vol. II, p. 149 *et seq.*; *Niles' Weekly Register*, Vol. XXXII, p. 16.

<sup>74</sup> Phillips's *Georgia and State Rights* in the *Annual Report of the American Historical Association*, 1901, Vol. II, p. 62.

<sup>75</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 221.

<sup>76</sup> *Register of Debates*, 2nd Session, 19th Congress, pp. 498, 1534. The Senate report is in *Senate Documents*, 2nd Session, 19th Congress, No. 69.

<sup>77</sup> *House Documents*, 1st Session, 20th Congress, No. 238, p. 7. Secretary Barbour to Colonel Crowell, January 31, 1827.

<sup>78</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 284.

<sup>79</sup> *American State Papers, Indian Affairs*, Vol. II, p. 644.

## AGITATIONS FOR A GENERAL REMOVAL POLICY

Meanwhile the movement for westward colonization of the Indians was gaining ground. The story of the Senate bill of 1825 for "the preservation and civilization" of the Indians — how it failed in the House — has already been told. The next congressional attempt at a general plan originated in the House, and likewise received inspiration and direction from the Executive Department, particularly from the new Secretary of War, James Barbour. In the early months of his administration Barbour tentatively nursed a plan for incorporating the Indians in the body politic of the several States.<sup>80</sup> By the time, however, that the House Committee on Indian Affairs applied to him for advice in January of the year 1826 he had completely revised his first opinions.<sup>81</sup>

The project of a bill which the Secretary prepared for the House committee aimed to establish an Indian Territory to be maintained by the United States and quite similar in details to the first grade of territorial government.<sup>82</sup> This Indian government he proposed to locate west of the existing States and Territories and entirely west of the Mississippi, save that it was to include a part of the Michigan and Wisconsin country. That the bill proposed an Indian reservation so close to the settlements in the Northwest would have been an object of protest had it received much attention in Congress. Despite this mistake Barbour's intentions were evidently, as he himself said, the result of a "desire to comply with the requests of the People of the United States residing in the neighborhood of Indian settlements." As it

<sup>80</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 89.

<sup>81</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 113. The Committee on Indian Affairs had considered reporting to the House Calhoun's bill of the preceding session.—*Register of Debates*, 2nd Session, 24th Congress, Appendix, p. 55.

<sup>82</sup> *Register of Debates*, 1st Session, 19th Congress, Appendix, p. 40.

was Chairman Cocke of the House committee reported a bill comprising the essential features of Barbour's plans on February 21st;<sup>83</sup> but the records indicate that the Committee of the Whole House never reported progress thereon. There can be no doubt of Cocke's earnestness in the matter of removal and that he really did view with regret, as he said he did, the condition of the aborigines.<sup>84</sup>

In the next session the opinion of the Secretary of War was again sought, this time by a resolution of the House requesting information upon the obstacles in the way of removal beyond the Mississippi.<sup>85</sup> The mover of the resolution was John McLean of Ohio. Another Representative, Haile of Mississippi, presented a resolution exhibiting a different side of the removal question.<sup>86</sup> It has already been noted that settlers were intruding upon lands in Arkansas granted to the Choctaws who had migrated from Mississippi and Alabama.<sup>87</sup> Haile now demanded an investigation. Such breaches of the public faith, he explained, were causing suspicions among the remaining Indians in the State of Mississippi and increasing their opposition to emigrate. "If these encroachments are permitted," he said, "the Indians will be fastened upon us without the hope of removal."

The Delegate from Arkansas, who two years before had so energetically defended these pioneer intruders in the western boundary episode, moved an amendment to the resolution, the real purport of which was to exonerate the citizens upon the lands in question. The House readily agreed

<sup>83</sup> *Journal of the House*, 1st Session, 19th Congress, p. 276. The title of this bill copied that of the year 1824, namely: "A bill for the preservation and civilization of the Indian tribes within the United States."

<sup>84</sup> *American State Papers, Indian Affairs*, Vol. II, p. 667.

<sup>85</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 538.

<sup>86</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 544.

<sup>87</sup> See above p. 207.

to the amendment.<sup>88</sup> The question was too trifling for debate, but a world of prophecy lay hidden therein and portended the fate of the wanderers. Was the tragedy of the eastern portion of the Mississippi Valley to be repeated on the western side? Were local interests to hamper and clog the already weak policy of Indian preservation? Were these tribes to be cast from territory to territory as soon as their lands were desired by settlers, all for the lack of a definite national system of removal and colonization?

Congress had been advised for years that some system should be adopted. Jefferson, the Reverend Jedidiah Morse, the Reverend Isaac McCoy, Monroe, Calhoun, and Barbour had outlined plans and formulated projects for bills, but to no purpose. Local communities easily prevailed upon Congress to effect local removals; but a national plan to colonize the removed went begging.

While Haile in the House was attempting to interest the Government in the removal of the Mississippi Indians, Senator Reed of the same State was calling upon the Administration for the causes of the failure of the late negotiations with the Choctaw and Chickasaw Indians.<sup>89</sup> Personally he attributed the failure to the interference of certain whites living among these Indians, and hinted that missionaries to these tribes were also not above suspicion. The wretchedness and misery of the Indians is so great, he said, that they "are desirous of seeking a new abode on our Western borders", but are prevailed upon to remain by the intrigues of "a few interested individuals, white men, and mixed-blooded Indians". Continuing Reed said:

It is well understood, that a great many white men, fleeing from their crimes, and from debt, have sought refuge from the consequences of both, upon the Territories occupied by the Indian tribes

<sup>88</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 546.

<sup>89</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 71.

within the State of Mississippi. They are there contrary to the laws of the United States to the great detriment of the Southern country; and provision ought, long since, to have been made for their removal. Those are the People, many of them more savage than the Indians themselves, who instigate the tribes, for their own purposes, to decline every overture made for their removal, and for a cession of their Territory.<sup>90</sup>

In the House it appears that John Cocke of Tennessee, chairman of the Committee on Indian Affairs, also held that removal was retarded by the "influence of a number of profligate white men, who had fled from their debts or from justice, and had a personal interest in preventing the removal of the Indians."<sup>91</sup> And when John Woods of Ohio expostulated at the coercive language used by the late commissioners who had attempted to negotiate a treaty with the Choctaws and Chickasaws, Haile in reply thanked "the gentleman from Ohio for the sympathy he had manifested towards the Indians of Mississippi. The Indians are removed beyond the limits of the State of Ohio, and they no longer annoy the gentleman. His sympathy manifests itself at a late period."<sup>92</sup> James K. Polk of Tennessee also defended the commissioners against the charge of using coercive language,<sup>93</sup> as did John Forsyth of Georgia, who could not well refuse aid to a sister State in the same predicament that Georgia had faced from the beginning of the national epoch.<sup>94</sup>

The session passed with no more serious accomplishment than calling upon the Executive Department for information concerning the obstacles to removal. The reports which Barbour and his Commissioner of Indian Affairs,

<sup>90</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 73.

<sup>91</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 838.

<sup>92</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 839.

<sup>93</sup> *Register of Debates*, 2nd Session, 19th Congress, pp. 842, 843.

<sup>94</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 847.

Thomas McKenney, prepared gave encouraging signs that a well directed continental plan of colonization would meet the disposition of the Indian tribes and succeed in practice.<sup>95</sup> But Congress responded with no law.

When Congress again convened on December 3, 1827, there was a brighter prospect for the adoption of some scheme of removal. In the summer of 1827 Thomas McKenney had made a tour of the southern States in the interests of removal and had returned confident that at least three of the principal nations in the South were disposed to emigrate.<sup>96</sup> The results of his investigation were summed up by the Secretary of War and transmitted to Congress in the President's annual message.<sup>97</sup> Another stimulus to action was found in the person of Isaac McCoy, a Baptist missionary to the Pottawatomies who had become convinced that removal and colonization was the only hopeful solution of the Indian problem and who arrived in Washington to lobby for that purpose.<sup>98</sup>

Early in the session the House Committee on Indian Affairs took into consideration a plan for the gradual removal and establishment of a Territorial government for all the Indians.<sup>99</sup> But distracting sectional jealousy robbed the plan of its national scope and allowed it to develop into an undignified scramble of the several States to insure their individual accommodations. The Georgia delegation knowing that Georgia's legislature contemplated extending the State jurisdiction over the remaining Cherokee lands in that State refused to consider any plan which did not have

<sup>95</sup> *House Documents*, 2nd Session, 19th Congress, No. 28.

<sup>96</sup> *Niles' Weekly Register*, Vol. XXXIII, p. 274.

<sup>97</sup> *Register of Debates*, 1st Session, 20th Congress, p. 2789.

<sup>98</sup> *Register of Debates*, 1st Session, 20th Congress, p. 661; *Memoirs of John Quincy Adams*, Vol. VII, p. 410; McCoy's *History of Indian Affairs*, p. 321; *Remarks on the Practicability of Indian Reform* (Boston, 1827), p. 25.

<sup>99</sup> *Register of Debates*, 1st Session, 20th Congress, pp. 819, 823.



peculiar reference to Georgia. The Mississippi delegation blocked all proposed legislation which did not conform to their peculiar needs.<sup>100</sup> And two Representatives of Ohio in the House, Woods and Vinton, intentionally embarrassed the proposition — the former because he opposed any plan of inducing the Cherokees to emigrate from Georgia, and the latter because he was seized by a fear that the proposed Indian Territory might be so placed as to impede the expansion of Free-soil territory.<sup>101</sup> The Delegate from Arkansas did not fail to denounce all proposals for removing the Indians in the direction of his Territory.<sup>102</sup> And an unexpected opposition was found in a New York Representative — Henry R. Storrs — who opposed removal to the West as placing “an insuperable bar to the progress of emigration, in that direction, by the Whites”. A sparse and uncivilized Indian population, he contended, should never hold these lands in the face of industrious white citizens who would turn the wilderness into fruitful fields.<sup>103</sup>

There were not lacking, however, signs that the day for the adoption of a concerted policy was about to come. In June, 1828, Barbour was sent on the mission to England. He was succeeded in the portfolio of War by Peter B. Porter of western New York. The Indian policy of the new Secretary forecasted what might be expected when would begin the inevitable administration of the Tennessean whose four years of waiting were now nearly at an end. Porter believed that the missionaries and teachers among the Indian tribes were defeating the efforts of the Government agents to further the project of emigration. He rec-

<sup>100</sup> Note the wrangle over the Indian Appropriation Bill.— *Register of Debates*, 1st Session, 20th Congress, p. 1533 *et seq.*

<sup>101</sup> *Register of Debates*, 1st Session, 20th Congress, pp. 1539, 1566, 1568-1584.

<sup>102</sup> *Register of Debates*, 1st Session, 20th Congress, p. 2494.

<sup>103</sup> *Register of Debates*, 1st Session, 20th Congress, p. 2482.

commended that Federal aid to the cause of civilizing the Indians be withdrawn from all tribes east of the Mississippi and be expended solely upon those in the far West.<sup>104</sup> A similar opinion had been held by Cocke who was chairman of the House Committee on Indian Affairs in the eighteenth and nineteenth Congresses and who once reported to the House that the failure of the removal policy was due to the obstinacy of the Indians arising from their partial civilization.<sup>105</sup>

But despite these manifestations the removal policy had not gained sufficient momentum to call for a definite committal on the part of Congress. It is a curious commentary on American legislation to note that the western States did not attempt to conceal their true motive for expelling the Indians. No veil was thrown over the thoughts which rose uppermost in the minds of Congressmen from the frontier. The demands of western communities were hid under no shabby coats of hypocrisy. It was seldom if ever denied that the settlers coveted the lands of "the children of the forest". White of Florida referred to the Seminoles as the Indians "which are the annoyance of my constituents", and Lumpkin of Georgia declared that the Cherokees should learn the destiny of their race, namely, to flee before the face of civilization.<sup>106</sup> An Alabama Representative frankly pronounced the Indians a "curse upon the newer States".<sup>107</sup> Nor were there lacking Eastern members to sympathize

<sup>104</sup> *Register of Debates*, 2nd Session, 20th Congress, Appendix, p. 10.

<sup>105</sup> It is interesting to note that Indian Commissioner McKenney reported to Barbour, in 1827, that all teachers of Indian schools were believed to be, with a single exception, in favor of emigration westward. Concerning the effects of becoming civilized in prejudicing the Indians against removal Cocke was right. Witness for instance the tenacity with which the most civilized tribe, the Cherokees, clung to their Georgian lands.

<sup>106</sup> *Register of Debates*, 1st Session, 20th Congress, pp. 1537, 1587. See also 1st Session, 24th Congress, p. 1463.

<sup>107</sup> *Register of Debates*, 2nd Session, 19th Congress, p. 838.

with the West. A Maryland Representative declared that he had seen the Indian half-breed, whose hand he declared was against every man and every man's hand against him; and for his own part he would rather have him "a little farther off".<sup>108</sup> M'Duffie of South Carolina held it to be "the settled opinion of a large majority of the House, that the Indians within the limits of our settled States must either be induced to emigrate, or must infallibly sink into a state of indescribable and irretrievable wretchedness." He considered "the idea of civilizing and educating them as wholly delusive. The experiment had been tried, and the result had proved, that, while surrounded by the whites, the Indians acquired all the vices of a civilized People, and none of their virtues."<sup>109</sup>

Strangely enough it remained for a western Representative to suggest at this time that the pioneers were responsible for the sufferings and degradation of the Indians. In a most sarcastic speech Vinton of Ohio declared that it would ever be impossible to place the Indians beyond the pale of corruption.

If it were so much as known to what district the Indians were to remove, no matter how distant the country . . . the pioneers would be there in advance of them; men of the most abandoned and desperate character, who hang upon the Indians to defraud them. You cannot run away from these men nor shut them out from access to Indians, scattered over the wilderness; for, with the pioneers, the law is a jest, and the woods their element; the farther you go with the Indians, with just so much more impunity will they set your laws at defiance.<sup>110</sup>

Harshly stigmatizing the plan of colonization as "a high handed outrage upon humanity", he maintained that the Indians were fully capable of civilization, and proposed as

<sup>108</sup> *Register of Debates*, 1st Session, 20th Congress, p. 1566.

<sup>109</sup> *Register of Debates*, 1st Session, 20th Congress, p. 1540.

<sup>110</sup> *Register of Debates*, 1st Session, 20th Congress, p. 1579.

an absolute solution of the whole matter that they should be granted farms in fee simple like the settlers.

Before sectional jealousies and diversity of opinion the project of colonization crumbled again with the adjournment of the first session of the Twentieth Congress. Four sessions had now opened and adjourned since Monroe first asked for some well-digested plan for relieving the western States of their Indian encumbrance and preserving the Indians from the inevitable and destructive pressure of western settlements. Many plans had been suggested but none crystallized into law. It was indeed with a melancholy but an altogether true reflection that Adams referred to the subject in his last annual message. "We have been far more successful", he said, "in the acquisition of their lands than in imparting to them the principles, or inspiring them with the spirit, of civilization."<sup>111</sup>

#### JACKSON AND THE REMOVAL POLICY

President Adams, although deeply interested in the welfare of the Indians, lacked the confidence of Congress to inspire any far-reaching solution of the problem; nor is it certain that he had any definite solution in mind. It remained to the President of the eleventh administration, filled with the spirit of the West, to grip the discordant clamors of sectional interests into a nation-wide scheme: and that scheme was of course westward removal.

Jackson understood the Indian problem. He was a Tennessee pioneer, educated in the life of the woods, the prairies, and militia camps. His military prestige rested as well upon his exploits as an Indian fighter as upon his defense of New Orleans against Pakenham. In three pitched skirmishes he had vanquished the Creeks, and the episodes of his Seminole campaign were household stories.

<sup>111</sup> *Register of Debates*, 2nd Session, 20th Congress, Appendix, p. 5.

As an Indian commissioner he had been the guardian of many tribes. Four important treaties with Creeks, Cherokees, and Chickasaws he had negotiated in person. There was scarcely an Indian community in the South but had endured his chastisement or listened to his talks. Those who had accepted his advice had seldom regretted it; those who had repulsed him had learned to rue their mistake. But withal Jackson had attained a reputation for justice. In some peculiar way he impressed the minds of his savage wards with respect, trust, and confidence. His election as President was actually hailed by the Cherokees with rejoicing.

The first year of the new administration sufficed to show how utterly useless were their hopes. The Cherokees had attempted to establish a national government upon their lands within the State of Georgia. The President's attitude toward this anomalous Indian organization was instantly hostile, and the first annual message in December, 1829, minced no words in declaring that all attempts on the part of the Indians to erect independent governments within States would be rigidly suppressed. "It is too late to inquire", read the message, "whether it was just in the United States to include them and their territory within the bounds of new States. . . . That step cannot be retraced. A State cannot be dismembered by Congress, or restricted in the exercise of her constitutional power."<sup>112</sup> But in order to render a tardy justice to this long neglected race, Jackson resurrected the old plan of an Indian district west of the Mississippi.

Despite the air of justice which pervaded the message there was one sentence which to Adams men wore the veil of hypocrisy. These words were: "This emigration should be voluntary: for it would be as cruel as unjust to compel

<sup>112</sup> *Register of Debates*, 1st Session, 21st Congress, Appendix, pp. 15, 16.

the aborigines to abandon the graves of their fathers, and seek a home in a distant land." From any charge of inconsistency, however, Jackson saved himself at this point by the admission that if the Indians chose to remain within the limits of the States they might so remain providing they be subject to State laws. And in return for their obedience they would without doubt, thought Jackson, be protected in the enjoyment of those "possessions which they have improved by their industry." These fair words could hardly have deceived anyone into believing that Jackson's policy was any other than a force policy. Could anyone doubt the true meaning of the closing sentence which read: "It seems to me visionary to suppose that . . . . claims can be allowed on tracts of country on which they [the Indians] have neither dwelt nor made improvements, merely because they have seen them from the mountain, or passed them in the chase".

A month later the President's attitude was tersely interpreted by Governor Cass of Michigan Territory. The President offers them a country beyond the Mississippi, wrote the frontier governor in the *North American Review*, but those who refuse to migrate must submit to the jurisdiction of the States.<sup>113</sup> Congress and the country needed no further elucidation of the Presidential program.

The new Congress received the dictation of the White House with a willingness that boded a speedy conclusion to the whole matter. The Committee on Indian Affairs in both houses immediately took the matter into consideration. Their reports might easily have been predicted by a perusal of their membership. Of the Senate Committee, Hugh L. White of Tennessee was chairman, and his four colleagues

<sup>113</sup> *North American Review*, January, 1830, Vol. XXX, p. 86. This article provoked various controversial replies among which may be noted the semi-religious appeal in the *American Monthly Magazine* (Boston: 1829-1831) Vol. I, p. 701.

were Troup of Georgia, Hendricks of Indiana, Benton of Missouri, and Dudley of New York.<sup>114</sup> The House Committee was also headed by a Tennessee member, John Bell; and his colleagues were Gaither of Kentucky, Lewis of Alabama, Storrs of Connecticut, and Hubbard of New Hampshire.<sup>115</sup>

On February 22, 1830, the Senate Committee reported an elaborate argument in favor of removal, and a bill "to provide for an exchange of lands".<sup>116</sup> Two days later the House Committee made its report accompanied by a bill "to provide for the removal of the Indian tribes".<sup>117</sup> The two bills were practically the same; and since the Senate bill was passed first the Committee of the Whole in the lower house substituted it for the original House bill.<sup>118</sup> The fact could not long be concealed from the Whigs that the leaders of the Democrats were making the bill a party measure and that the friends of the Administration were pledged to support it.<sup>119</sup> Jackson had issued his *pronunciamiento*: the Indians must be removed. That fact was reason enough for the Jacksonian Democrats to vote aye. And the votes of most States Rights Democrats might certainly be relied upon in this affair.

The crux of the subject was contained in the second section of the bill. It empowered the President to exchange any lands occupied by Indian nations within the boundaries of a State or Territory for lands beyond the Mississippi.<sup>120</sup>

<sup>114</sup> *Journal of Senate*, 1st Session, 21st Congress, p. 23.

<sup>115</sup> *Journal of the House of Representatives*, 1st Session, 21st Congress, p. 30.

<sup>116</sup> *Register of Debates*, 1st Session, 21st Congress, Appendix, p. 91. *Senate Documents*, No. 61.

<sup>117</sup> *Register of Debates*, 1st Session, 21st Congress, p. 581.

<sup>118</sup> *Journal of the House*, 1st Session, 21st Congress, pp. 570, 648. The House asked the President for estimates of the expense of removing and supporting the Indians west of the Mississippi.—*House Documents*, No. 91.

<sup>119</sup> *Niles' Weekly Register*, Vol. XXXVIII, p. 402.

<sup>120</sup> *Niles' Weekly Register*, Vol. XXXVIII, p. 234.

Not one word of coercion was employed. To all outward appearances the act called for voluntary removal. But the friends of the Indian read between the lines and found there extortion, force, and heartlessness.<sup>121</sup> For if the bill became law, would not its executor be the hero of the Seminole Indian War?

The philanthropists of the East were now fully aware that the crisis in Indians affairs was reached and about to be passed. The rise or fall of the Administration's Indian policy was to be determined by the vote on Senator White's bill. And if at first there was any doubt as to what this policy was, that doubt had entirely vanished on the appearance of the bill. Churches and benevolent societies, colleges and villages began to frame protesting petitions by the score.<sup>122</sup> The "friends of the Indians" had studied the able articles of Jeremiah Evarts appearing in the *National Intelligencer* under the name of William Penn. "Cursed be he, that removeth his neighbor's landmark. . . . Cursed be he that maketh the blind to wander out of the way", exclaimed this devoted idealist; and the New England people said "Amen".<sup>123</sup>

As the Opposition were convinced that the inherent evil of the bill lay more in the drastic manner with which the pioneer President would certainly enforce it than in its contents, so the delegations from Georgia, Alabama, and Mississippi and from the northwestern States saw the Indians within their borders disappear before the iron hand of the President when he should come to apply the second section. Especially did the Georgia delegation rejoice that at last legal means for disgorging the Cherokees were in

<sup>121</sup> Compare *Niles' Weekly Register*, Vol. XXXVIII, p. 67.

<sup>122</sup> *Senate Documents*, 1st Session, 21st Congress, Nos. 56, 66, 73, 74, 76, 77, et cetera; *House Documents*, Nos. 253, 254, et cetera.

<sup>123</sup> *Essays on the Present Crisis in the Condition of the American Indians* (Boston: 1829), p. 100.



sight and they thereupon lost no opportunity to maintain the proposition of States Rights in the debate.<sup>124</sup> The case for Georgia was strong. Who was there but would admit that such a condition as the erection of an independent Indian government within the borders of a State and not under the jurisdiction of the State was not only intolerable but unconstitutional? Constitutionally there could not be an *imperium in imperio*. But what if the Indians resisted the jurisdiction of civilization? Could there then be a better solution to the whole problem than to remove them to the far West — gently if possible, harshly if necessary? In the Senate the case for removal was tersely stated by Forsyth of Georgia, White of Tennessee, and McKinley of Alabama.<sup>125</sup>

Not only did these advocates base their argument upon State Sovereignty, but they also flung wide the doctrine that removal was in the best interests of the "ill-fated Indians." Their position had been well canvassed in the committee report itself. How can Georgia have a republican form of government, read this document, unless a majority of the citizens subscribe to the rules to which all must conform? The Indians must either submit to State law or they must remove. The committee apprehended no reason that any of the States contemplated forcing them to abandon the country in which they dwelt, should they subject themselves to the laws of these States. But obstinacy on the part of the Indians would, the committee admitted, result only in further distress.<sup>126</sup>

Frelinghuysen of New Jersey replied for the Opposition, and he was ably supported by Sprague of Maine and Rob-

<sup>124</sup> *Register of Debates*, 1st Session, 21st Congress, p. 325 *et seq.*

<sup>125</sup> *Register of Debates*, 1st Session, 21st Congress, pp. 305, 324, 325, 377, 381.

<sup>126</sup> *Register of Debates*, 1st Session, 21st Congress, Appendix, pp. 91-98.

bins of Rhode Island.<sup>127</sup> Their speeches, while maintaining a dignified reserve, were nevertheless scathing criticisms of both the doctrine of State Sovereignty and of Georgia's attempt to oust the Indians from their lands. That the claim of the Cherokees outdated the Constitution was their principal contention.

In the end the bill passed the Senate.<sup>128</sup> Webster and Clayton were among the nineteen who voted in the negative, although neither spoke at length against the bill. From the beginning of the session the result had been evident although the Opposition, small as it was, had been so persistent as to cause much anxiety to Judge White. On April 28th, the Chairman expressed his relief in writing to a friend in these words:

The Bill to provide for a removal of the Indians west of the Mississippi has finally passed the Senate by a vote of 28 to 19. This has taken off my mind a burthen which has been oppressive from the commencement of the session. I hope it may pass the other House.

Cold as the notice taken of our exertions in the Telegraph is, no Georgian nor Tennessean will ever be mortified by hearing the debate spoken of, if truth be told. We had, I think, in the estimation of all intelligent men, at least as much ascendancy in the argument as we had in the vote. As good fortune would have it, Judge Overton, Collingsworth, district attorney of West Tennessee, Major Armstrong, and many others from different quarters, were present, and know that our side was sustained in a style which gratified our friends, and mortified our enemies.<sup>129</sup>

While congratulating himself upon the ascendancy of the Administration's argument, Judge White rejoiced that his bill had escaped the lime-light of the Webster-Hayne de-

<sup>127</sup> *Register of Debates*, 1st Session, 21st Congress, pp. 305, 343, 374.

<sup>128</sup> *Journal of the Senate*, 1st Session, 21st Congress, p. 268.

<sup>129</sup> *Scott's Memoir of Hugh Lawson White*, p. 270. The newspaper referred to, the *Telegraph*, was the organ published by Duff Green in the interests of Calhoun.

bate. In the lower house, on the other hand, he had more to fear. Here the opposition was to be more intense. The sharp discussion was such as might be expected from a party measure. On May 13th the debate began in the Committee of the Whole.<sup>130</sup> Bell of Tennessee, Lumpkin, Wayne, and Wilde of Georgia contended with Bates of Massachusetts, Edward Everett of Massachusetts, Storrs and Judge Spencer of New York, and Evans of Maine. Storrs in a logical speech pointed out the usurpation of the President when he refused protection to the Cherokee nation from the Georgia laws of 1828.<sup>131</sup> By this action, Storrs maintained, the President had (without consulting Congress) not only admitted the sovereignty of the State of Georgia, but also virtually nullified the Federal intercourse laws and denied the validity of Indian treaties solemnly ratified by the Senate. The Executive has no power, declared Storrs, to abrogate treaties "by an order in council", or to "give the force of law to an executive proclamation."

Everett adroitly confronted the argument that removal would improve the condition of Georgia Indians by an embarrassing question. What benefit would accrue to the already civilized Cherokees to be driven from "their houses, their farms, their schools and churches" to lead a wandering and savage life in the wilderness?<sup>132</sup> He produced evidence to show the advanced stage of civilization attained by the Cherokees, and attempted to prove that the Choctaws and Chickasaws were not far behind them. Wilde of Georgia answered Everett with an argument similar to that displayed in the report of the Senate committee. He maintained that Georgia would not object to permitting the

<sup>130</sup> *Register of Debates*, 1st Session, 21st Congress, p. 988.

<sup>131</sup> *Register of Debates*, 1st Session, 21st Congress, p. 1000.

<sup>132</sup> *Register of Debates*, 1st Session, 21st Congress, p. 1069.

Cherokees to remain and occupy such land as they could cultivate, provided they submitted "in obedience to our laws, like other citizens."<sup>133</sup> But what right had the Cherokees under the present conditions to impede progress by refusing their lands for settlement? If five-sixths of the Cherokee lands in Georgia were ceded there would yet remain one thousand acres to every Indian family. Foster of Georgia further expanded the idea of the Indian obstruction to the progress of civilization.<sup>134</sup> They possessed, he maintained, no national sovereignty: their title to lands was based strictly on occupancy. So far he did not exceed the opinion of the Supreme Court delivered by Justice Marshall in the case of *Johnson vs. McIntosh*.<sup>135</sup> But since that court declined to "enter into the controversy, whether agriculturists, merchants, and manufacturers, have a right, on abstract principles, to expel hunters from the territory they possessed, or to contract their limits" it was necessary for the Georgia Representative to outdistance the Federal Judiciary when he proceeded to the last conclusions of his argument, namely: the Indians had no rightful claim upon the vacant lands surrounding them. And to the support of this conclusion Foster called no less an authority than the late President himself. Three decades before Adams, in an oration delivered at the Anniversary of the Landing of the Pilgrims, had given the clearest expressions on this moral question, when he said:

The Indian right of possession itself stands with regard to the greatest part of the country, upon a questionable foundation. Their cultivated fields; their constructed habitations; a space of ample sufficiency for their subsistence, and whatever they had annexed to themselves by personal labor, was undoubtedly by the laws of

<sup>133</sup> *Register of Debates*, 1st Session, 21st Congress, p. 1095.

<sup>134</sup> *Register of Debates*, 1st Session, 21st Congress, p. 1030 *et seq.*

<sup>135</sup> 8 Wheaton 543.

nature theirs. But what is the right of a huntsman to the forest of a thousand miles over which he has accidentally ranged in quest of prey? Shall the liberal bounties of Providence to the race of man be monopolized by one of ten thousand for whom they were created? Shall the exuberant bosom of the common mother, amply adequate to the nourishment of millions, be claimed exclusively by a few hundreds of her offspring? Shall the lordly savage not only disdain the virtues and enjoyments of civilization himself, but shall he controul the civilization of a world? Shall he forbid the wilderness to blossom like the rose? . . . No, generous philanthropists! Heaven has not been thus inconsistent in the works of its hands! Heaven has not thus placed at irreconcilable strife, its moral laws with its physical creation.<sup>136</sup>

All the debates for the last score of years had never exhibited a more beautiful argument for Indian expulsion. Was the contempt of Georgia for the Cherokees better expressed than by the words, "lordly savages"? Should the "liberal bounties of Providence"—one-third of the fair Georgia—be conferred upon a meagre Indian population, while civilization chafed in constrained limits? And should philanthropists forbid the wilderness to blossom like the rose? No, generous philanthropists!

Throwing sarcasm to the winds Foster's speech discussed the question from the broadest view-point. No matter how much his opponents might yearn to prove that "the superior title of civilization" could never override the original claims of the natives, few were so bold as to attempt this impossible argument. Evans, however, did declare that civilization should never demand that savages give space until its borders were full to overflowing—which certainly was not the case in Georgia nor in the Middle West.<sup>137</sup>

But the fate of the bill was to be decided by party votes and not by argument. On the 18th of May the Committee of

<sup>136</sup> *An Oration Delivered at Plymouth, December 22, 1802* (Boston: 1802), p. 23; *Register of Debates*, 1st Session, 21st Congress, p. 1031.

<sup>137</sup> *Register of Debates*, 1st Session, 21st Congress, p. 1043.

the Whole House reported the Senate bill with amendments. These were accepted, and on the 26th the bill passed by a vote of 103 to 97 and returned to the Senate.<sup>138</sup> For the minority, defeated by six votes, there was nothing left but to "record the exposure of perfidy and tyranny of which the Indians are to be made the victims, and to leave the punishment of it to Heaven", Adams furiously wrote in his diary.<sup>139</sup>

On the same day the amendments from the House were considered in the Senate. In the upper chamber the attitude was plainly intolerant of further discussion. Prompt concurrence in the relatively unimportant amendments was the ruling sentiment. But Frelinghuysen seized this last opportunity to move an amendment providing that all tribes should be protected from State encroachment until they chose to remove.<sup>140</sup> It was voted down. Another amendment by Sprague to the effect that all existing treaties should be executed according to the original intent was promptly rejected. Likewise was Clayton's proposal that the act extend only to the Georgia Indians.<sup>141</sup> The Senate thereupon concurred in the House amendments. The President attached his signature on the 28th of May, and the bill facilitating Executive expulsion of Indians from the South and Middle West became a law.<sup>142</sup>

Such was the victory of the removal scheme under the leadership of Jackson. The project long entertained by Jefferson, Monroe, Calhoun, and Barbour was at last consummated by a short act of eight briefly worded sections. As a measure to relieve the frontier of its encumbering Indian

<sup>138</sup> *Register of Debates*, 1st Session, 21st Congress, p. 1135.

<sup>139</sup> *Memoirs of John Quincy Adams*, Vol. VIII, p. 206. The speeches in this debate were collected into book form and published at Boston in 1830.

<sup>140</sup> *Journal of the Senate*, 1st Session, 21st Congress, p. 328.

<sup>141</sup> *Journal of the Senate*, 1st Session, 21st Congress, p. 329.

<sup>142</sup> *United States Statutes at Large*, Vol. IV, p. 411.

population it was all that might be asked; for it granted *carte blanche* to an energetic President — himself a man of the frontier. And no one doubted how he would use his newly granted power.<sup>143</sup> But as a measure to promote the civilization of the removed aborigines it was an engine of destruction. The Indian Territory of Monroe, Calhoun, and Barbour had crumbled into dust.

In despair the Cherokee delegation at Washington came to Webster and Freylinghuysen for personal advice: they were counselled to expect no relief from the legislature. Their last resource, said their counsellors and friends, lay in petitioning the Supreme Court. And this advice they accepted.<sup>144</sup>

With the appeal of the Cherokees to the judicial department the problem concerning the removal of this nation passed for a time from legislative consideration. The Cherokee question, indeed the question of removal of all tribes, as far as Congress was concerned, was settled by the act of May 28, 1830. Whether the Judicial Department would decide against the removal of the Cherokees and whether the Executive would enforce any such decision if it were rendered were questions outside of legislative competence.

#### AN INDIAN TERRITORY IN THE WEST

The inadequacy of the Act of 1830 in disposing of the Indians after they had emigrated beyond the Mississippi was

<sup>143</sup> In 1836 John Ross, the principal chief of the Cherokees, in a memorial to Congress, said concerning the act of May, 1830: "That law, though not so designed by Congress, has been the source from which much of the Cherokee sufferings have come."—*Executive Documents*, 1st Session, 24th Congress, No. 266, p. 9.

For an account of how Jackson used his power, see Abel's *Indian Consolidation* in the *Annual Report of the American Historical Association*, 1906, Vol. I, p. 381 *et seq.*

<sup>144</sup> Kennedy's *Memoirs of the Life of William Wirt*, Vol. II, p. 254.

apparent to even the uninterested. The friends of the Indians confidently expected more congressional action, and the several years following were full of proposals of all sorts.<sup>145</sup> Even before the birth of the act of 1830 Secretary Eaton had recommended the establishment of an Indian Territory in his first report of December, 1829.<sup>146</sup> But the emphasis of the Executive had been so emphatically upon removal that the complete program of the Government had been overlooked.

By 1832 the confusion of Indian affairs in the West could scarcely be further overlooked. Congress resorted to the expedient of providing a commission to examine the apportioning of tribes to lands in the West and to arrange the quarrels among the various tribes. To these duties was also added that of preparing a plan for Indian improvement and government.<sup>147</sup> In short the commission was to devise a solution of the whole matter.

By this time had occurred the resignation of Jackson's first cabinet. Lewis Cass who had interpreted the President's Indian policy in 1830 now succeeded Eaton as Secretary of War. Cass already had his solution in mind. Eighteen years of governing both the settlers and Indians of Michigan Territory had convinced him that the visions of Calhoun and Barbour of an Indian State were as vain as the tower of Babel.<sup>148</sup> In his first report as Secretary he

<sup>145</sup> The Reverend Isaac McCoy, a Baptist missionary to the western Indians, commenced in 1835 the publication of an *Annual Register of Indian Affairs* as an organ for advocating reform. McCoy's plan embraced the establishment of an Indian Territory.

Among other plans from different sources, should be noticed that proposing the assignment in severalty of lands belonging to the emigrating tribes.—*Senate Documents*, 2nd Session, 25th Congress, No. 425.

<sup>146</sup> *Register of Debates*, 1st Session, 21st Congress, Appendix, p. 28.

<sup>147</sup> *United States Statutes at Large*, Vol. IV, p. 595.

<sup>148</sup> For eighteen years, 1813-1831, Cass was Governor of Michigan Territory. The Governor was also Superintendent of Indian Affairs for the Territory. In



summed up his conclusions in regard to the proper regulation of the Indians who had emigrated.<sup>149</sup> Laying down as his first proposals the platitudes that the reservations in the West should be permanent, that whiskey should never be sold within the reservations, and that military forces should preserve peace on the borders, he proceeded to establish the proposition that the ownership in severalty of property and the pursuit of agriculture should be encouraged, although the peculiar tribal relations and institutions of the Indians should not be disturbed. These practical considerations of Indian conditions quite discredited any idea of an Indian State as idealistic and visionary. Coming as they did from one so well versed in frontier affairs as was Secretary Cass they carried more than ordinary conviction. In spite of many plans of the next few years they remained substantially the policy of the Government for almost half a century.

The proposals made by the Commissioners of 1832 deserve, on the other hand, some attention. Their long awaited report was ready in the first session of the Twenty-third Congress. The remedy proposed therein was a Territorial government for the Indians.<sup>150</sup> On May 20, 1834, these proposals took concrete form when Horace Everett of Vermont, from the House Committee on Indian Affairs, reported three bills — the work of the Commission. One bill assayed to reorganize the whole Department of Indian Affairs; one to regulate trade and intercourse with the Indians;

this office the success of Cass as guardian of the Indians is highly praised.—McLaughlin's *Lewis Cass*, p. 131.

<sup>149</sup> *Register of Debates*, 1st Session, 22nd Congress, Appendix, p. 14. In 1838, Hugh L. White, who from the year 1828 to 1840 was chairman of the Senate Committee on Indian Affairs reported to the Senate that the assignment of Indian lands in severalty was unwise.—*Senate Documents*, 2nd Session, 25th Congress, No. 425.

<sup>150</sup> *Register of Debates*, 1st Session, 23rd Congress, Appendix, p. 10.

and the third to establish a Western Territory for the Indians.<sup>151</sup>

The Trade and Intercourse Bill defined the "Indian country" as that part of the United States west of the Mississippi and not within the States of Missouri and Louisiana, or the Territory of Arkansas, and also all lands east of the Mississippi to which the Indian title had not been extinguished. Over this country it extended regulations similar to the Trade and Intercourse Law of 1802 providing that traders should be licensed, that intruders and settlers should be removed by military force, and that the country west of the Mississippi for legal purposes should be attached, part to the Territory of Arkansas and part to the judicial district of Missouri. The first two bills passed both houses, although late in the session, and were presented to the President upon the last day.<sup>152</sup>

The third bill — the only really new feature of the Commissioners' work — met instant opposition in the House and was tabled.<sup>153</sup> It proposed to establish a Western Territory for the Indians (who should be organized into a confederation of tribes) which should enjoy the right of a Delegate to Congress. Ultimate admission as a State might be the logical outcome of this arrangement. Congress was not ready for any such solution nor were the western members willing to block the expansion of the West by a permanent Indian Territory such as the bill proposed. The excuse for tabling, and undoubtedly the chief reason for the moment, was lack of time for discussion.<sup>154</sup>

<sup>151</sup> *Register of Debates*, 1st Session, 23rd Congress, p. 4200. Everett accompanied the bills by a scholarly report of his own composition.— See *Reports of Committees*, Vol. IV, No. 474.

<sup>152</sup> *Journal of the House*, 1st Session, 23rd Congress, pp. 852, 911, 912, 915, 916; *United States Statutes at Large*, Vol. IV, pp. 729, 735.

<sup>153</sup> *Journal of the House of Representatives*, 1st Session, 23rd Congress, p. 834; *Register of Debates*, p. 4779.

<sup>154</sup> Note Archer's speech.— *Register of Debates*, 1st Session, 23rd Congress, p. 4775. *Niles' Weekly Register*, Vol. XLVI, p. 317.

For several sessions following this first attempt Everett and Senator John Tipton of Indiana introduced bills for an Indian Territory. All failed to become law, although Tipton's bill actually passed the Senate in two succeeding sessions.<sup>155</sup>

The Executive stimulus to removal having been so effective, what now were the Executive plans in regard to civilization of the Indians in their new homes? Naturally one turns to Jackson. In the annual message of 1829 which preceded the train of debates leading up to the act of May, 1830, Jackson distinctly suggested the plan of separate tribal governments on allotted lands in the West, with enough supervision on the part of the United States to preserve peace and to protect the Indians from intruders.<sup>156</sup> Jackson evidently gave no favor to the Utopian proposals for a united Indian State, although his message of December 3, 1833, indicates a disposition open to conviction on this subject since he tells Congress that he awaits the report

<sup>155</sup> In February, 1835, Everett's bill was taken from the table, half-heartedly debated, and then dropped.—*Register of Debates*, 2nd Session, 23rd Congress, pp. 1445, 1462. On February 19, 1836, Everett reported for the second time a bill.—*Journal of the House of Representatives*, 1st Session, 24th Congress, p. 369. Again in 1837 he reported a third bill.—*Journal of the House of Representatives*, 2nd Session, 24th Congress, p. 325. His fourth bill was introduced in the year 1838.—*Journal of the House of Representatives*, 2nd Session, 25th Congress, p. 330.

In the session of 1835-1836, Tipton introduced a bill supplementary to the removal act of May, 1830. This bill omitted many details contained in the House bill, outlining a more general plan. An amiable report accompanied it.—*Senate Documents*, No. 246; *Annual Register of Indian Affairs*, 1837, p. 71. The bill failed.—*Journal of the Senate*, 1st Session, 24th Congress, p. 220. In the next session Tipton's bill was again introduced.—*Journal of the Senate*, 2nd Session, 24th Congress, p. 31.

Again in 1838 Tipton introduced another bill.—*Journal of the Senate*, 2nd Session, 25th Congress, pp. 367, 385. This bill passed the Senate, but failed in the House. Again, being introduced in the next session, the Senate passed the bill, but it never came to a vote in the House.—*Journal of the Senate*, 3rd Session, 25th Congress, pp. 35, 272.

<sup>156</sup> *Register of Debates*, 1st Session, 21st Congress, Appendix, p. 16.

and recommendations of the Commissioners then examining western affairs.<sup>157</sup> It is difficult to see how this Commission could much enlighten the President. His detailed knowledge of Indian affairs and Indian nature has ever been a matter of fame. Be that as it may, the President desired some definite system of government. As to what this should be the awkward phrases of his message of December 7, 1835, indicate some vagueness on his part.<sup>158</sup> To regulate the Indian affairs of the far West from Washington was a difficult matter. But the real need of the emigrant Indians was undoubtedly protection and competent supervision by honest government agents resident among the tribes rather than any scheme of united Territorial government. If all Indian Agents in the West had been men of Jackson's type order would have been created out of chaos and the bitter criticisms of Calhoun would have been unfounded.<sup>159</sup>

While the Government was faltering in the choice of an Indian policy, projects from all sides were never lacking. Horace Everett in the House desired a western Territory and perhaps its future admission as a State. Similar but less definite views were championed in the Senate by Tipton of Indiana. The Reverend Mr. McCoy was ever urging a definite system of colonization and intertribal government; while Forsyth of Georgia presented a plan by which all Indians should become citizens in the year 1900.<sup>160</sup> But the problem was so baffling, the previous efforts at civilization so often discouraging, that Senator Robbins might well exclaim: "Ill fated Indians! barbarism and attempts at civi-

<sup>157</sup> *Register of Debates*, 1st Session, 23rd Congress, Appendix, p. 6.

<sup>158</sup> *Register of Debates*, 1st Session, 24th Congress, Appendix, p. 10.

<sup>159</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1459.

<sup>160</sup> *Annual Register of Indian Affairs*, 1838; *Executive Documents*, 2nd Session, 25th Congress, pp. 566, 579; *Register of Debates*, 1st Session, 21st Congress, p. 327.

lization are alike fatal to your rights; but attempts at civilization the more fatal of the two."<sup>161</sup>

The administration of Van Buren was a wet blanket to all proposals for an Indian government. Not that the President was hostile to an Indian Territory, for he continually reminded Congress of the need therefor.<sup>162</sup> But neither Van Buren nor his immediate advisers were interested to the extent of making definite recommendations. Tacitly the bills of Everett and Tipton had the Administration support; but curiously enough they were opposed by Benton as well as by Calhoun, while Clay never loaned his eloquence to their cause. Why should the most talented champions of Indian rights hold themselves aloof? The probable conjecture is that both Clay and Calhoun considered the project futile.

The year 1839 was not the end of proposals for an Indian government. Individual schemes were often projected, but never again did any bill similar to Tipton's or to Everett's pass either branch of Congress.<sup>163</sup>

#### INDIAN WARS OF THE DECADE 1830-1840

It was soon after the termination of the Seminole Indian War that Congress reduced the army of the United States to six thousand men. This was during the session of 1820-1821. Clay, who was ever an advocate of the employment of militia in preference to a standing army, led the sentiment in favor of reduction.<sup>164</sup> A desire on the part of Democratic members to retrench public expenditures induced

<sup>161</sup> *Register of Debates*, 1st Session, 21st Congress, p. 377.

<sup>162</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 7; also 3rd Session, 25th Congress, p. 7.

<sup>163</sup> For the later history of these efforts, see Abel's *Proposals for an Indian State in the Annual Report of the American Historical Association*, 1907, Vol. I, p. 99 *et seq.*

<sup>164</sup> *Annals of Congress*, 1st Session, 16th Congress, p. 2233.

them to follow Clay. The proposal was quite unopposed. Floyd of Virginia, who for two sessions had been advocating the military occupation of Oregon, spoke for the reduction bill.<sup>165</sup> Even western members declared that a small army was sufficient for the protection of the frontier if supported by the local militia.

Trimble of Kentucky went into an elaborate discussion to show that the line of forts from Michilimackinack to New Orleans formed a "cordon" of sufficient strength for the pioneers and was far superior to the protection of the frontier in the year 1802. He claimed that the pioneer settlements now were stronger than those in the early days of the century, and that the Indians of the West had become less numerous and less warlike.<sup>166</sup> Cannon of Tennessee could not refrain from delivering a eulogium upon the superiority of militia organized from the "hardy sons of the West".<sup>167</sup> Such argument cannot but raise the suspicion that westerners were better pleased to execute the Indian trade and intercourse laws with their own hands than to submit to the more impartial supervision of regular army officers. As it was the bill passed both houses with large majorities.<sup>168</sup>

As if to further relax the Government's control on the frontier, the factory system was abolished the next year. This department had been established in 1796 upon the recommendation of Washington. Its object was to counteract the influence of Canadian fur traders and to control and protect the Indians by maintaining trading posts where the Indians might exchange their furs for goods at cost.<sup>169</sup>

<sup>165</sup> *Annals of Congress*, 2nd Session, 16th Congress, p. 891.

<sup>166</sup> *Annals of Congress*, 2nd Session, 16th Congress, p. 879.

<sup>167</sup> *Annals of Congress*, 2nd Session, 16th Congress, p. 136.

<sup>168</sup> *Annals of Congress*, 2nd Session, 16th Congress, pp. 936, 379; *Niles' Weekly Register*, Vol. XXII, p. 75.

<sup>169</sup> Richardson's *Messages and Papers of the Presidents*, Vol. I, p. 185. Benton's *Thirty Years' View*, Vol. I, p. 21.

The move against the department was by Benton. He accused the factors of "scandalous abuse", and characterized the system as a means "to make the West purchase from the East". Benton proposed that the trade be left entirely in private hands.<sup>170</sup> His bill passed both houses, provoking debate in neither, save a most violent speech by a Kentucky representative who proposed to repeal all acts attempting to civilize the Indians.<sup>171</sup>

In Congress little attention was thereafter given to defenses of the northwestern frontier. Nor was there any great need of such defenses since peaceful conditions on the whole prevailed until the breaking out of the episode known as the Black Hawk War.<sup>172</sup> Hostilities began in the summer of 1831. In the following session of Congress the condition of the Northwest received consideration and was the occasion of several eulogiums on behalf of the western people by western Congressmen. Senator Tipton of Indiana declared that the pioneers could not be blamed if they exterminated all the Indians from Tippecanoe to the Mississippi, unless the Government more energetically undertook the defense of the frontier. He said:

It is our duty, in self-defence, to do this [i. e. exterminate the Indians]; and, after it is done, let me not be told, you Western people are savages; you murdered the poor Indians. Do gentlemen expect us to beg the lives of our families upon our knees? . . . Congress will adjourn in a few days; and when we return to our people, and tell them that we have done all in our power to procure men for their defence, and have failed, then, sir, our constituents know what to do, and upon you, not upon us, be the charge of what follows; for these wars will be brought to a close in the shortest possible way.<sup>173</sup>

<sup>170</sup> *Annals of Congress*, 1st Session, 17th Congress, p. 317 *et seq.*

<sup>171</sup> *Annals of Congress*, 1st Session, 17th Congress, p. 1801.

<sup>172</sup> For an account of the war, see Stevens's *The Black Hawk War*.

<sup>173</sup> *Register of Debates*, 1st Session, 22nd Congress, p. 1075. This was the same Senator Tipton who later advocated a Western Territory for the Indians.

Again Senator Tipton declared:

We must sweep these people [the Indians] from existence, or keep them peaceable. . . . No one can imagine the distress that an alarm on the frontier produces, without witnessing it. Those who are at the point of attack, flee with their families; those next in the rear, though more secure, are not safe. No man can leave his own family to help his neighbor; and the consequence is, that they break up and desert their homes, taking little with them, and leave their property to be pillaged by the dishonest whites, as well as the Indians.<sup>174</sup>

Senator Alexander Buckner of Missouri expressed "a deep feeling for the people of Illinois", which was natural, for like Benton and Tipton he himself had fought in Indian wars.<sup>175</sup>

On June 15, 1832, the bill to raise six hundred volunteers was passed — too late, however, to aid even in the closing campaign of the Black Hawk War.<sup>176</sup> The whole affair was reviewed by Jackson in his annual message to Congress in the following December, wherein he urged a more perfect organization of the militia for the protection of the western country.<sup>177</sup> After praising the militia of Illinois and the government troops under Generals Scott and Atkinson, Jackson did not let pass the opportunity of pointing out the moral to be learned by the savages from the defeat of Black Hawk. "Severe as is the lesson to the Indians," he said, "it was rendered necessary by their unprovoked aggressions, and it is to be hoped that its impression will be permanent and salutary." That the Indians in fact were learning this lesson of civilization might be inferred from another part of the message, where Jackson was happy to inform Congress "that the wise and humane

<sup>174</sup> *Register of Debates*, 1st Session, 22nd Congress, p. 1083.

<sup>175</sup> *Register of Debates*, 1st Session, 22nd Congress, p. 1087.

<sup>176</sup> *United States Statutes at Large*, Vol. IV, p. 533.

<sup>177</sup> *Register of Debates*, 2nd Session, 22nd Congress, Appendix, p. 6.



policy of transferring from the eastern to the western side of the Mississippi the remnants of our aboriginal tribes, with their own consent and upon just terms, has been steadily pursued, and is approaching, I trust, its consummation.”

The Black Hawk War was suppressed without any augmentation of the standing army. But the harrowing scenes of this episode were frequently pictured during the debates when Benton in the year 1836 proposed an increase of the army, avowedly for western defense.

In the meantime attention was directed to the South. Hardly had three years passed after peace in the Northwest, when there broke out one of the most perplexing of Indian hostilities — the Florida Indian War. For seven years this conflict continued. The tangled everglades and swampy wastes of Florida and the persistence of the Indians long baffled and delayed the generals and troops of the United States; and withal some thirty millions of dollars were expended before the Seminoles were subdued. To an observer from afar the conduct of the war appeared bunglesome, its cause unjust, and its ultimate purpose simply the oppression and the extermination of a gallant band of exiled Indians. So the opposition to the Administration became loud in condemning the war and its management.<sup>178</sup>

Besides the early discussions upon the Florida War in the session of 1835-1836 other questions of similar nature were brought before Congress, which gave occasion for a review of all phases and problems of the question of southern frontier protection. Among these were the demand of Alabama for the removal of the Creek Indians,<sup>179</sup> the

<sup>178</sup> Benton's *Thirty Years' View*, Vol. II, p. 70.

<sup>179</sup> *Journal of the Senate*, 1st Session, 24th Congress, p. 146; *Senate Documents*, No. 132.

threatened hostilities of the Creeks,<sup>180</sup> the memorials praying the recognition of the independency of Texas,<sup>181</sup> as well as the demand from the West for an increase in army protection.<sup>182</sup>

In regard to the Seminole Indian War it appears that Congress took prompt action. No matter whether the cause was just or unjust, no delay occurred in providing for the immediate protection of the pioneers from the fury of the Indians. The first act of the session was an appropriation for suppressing the hostilities of the Seminoles and was hurriedly passed on January 14, 1836.<sup>183</sup> Two weeks later the second act of the session was passed, making a still larger appropriation.<sup>184</sup> Three days later a resolution was passed authorizing the President to furnish rations from the public stores to the frontiersmen in Florida who had been driven from their homes by the depredations of the Indians.<sup>185</sup> All of these measures were adopted without extended debate — only when the second appropriation was proposed Clay asked the cause of this war which was raging with such “rancorous violence within our borders”.<sup>186</sup> No one could adequately reply. Webster, the chairman of the finance committee who reported the bill, avowed that he could not give any answer to the Senator from Kentucky; but he added impressively: “The war rages, the enemy is in force, and the accounts of their ravages are disastrous. The Executive Government has

<sup>180</sup> *Register of Debates*, 1st Session, 24th Congress, p. 2556; *Niles' Weekly Register*, Vol. L, pp. 205, 219, 257, 321.

<sup>181</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 1286, 1414, 1759, 1762, 1877.

<sup>182</sup> *Register of Debates*, 1st Session, 24th Congress, p. 3493.

<sup>183</sup> *United States Statutes at Large*, Vol. V, p. 1.

<sup>184</sup> *United States Statutes at Large*, Vol. V, p. 1.

<sup>185</sup> *United States Statutes at Large*, Vol. V, p. 131.

<sup>186</sup> *Register of Debates*, 1st Session, 24th Congress, p. 290.

asked for the means of suppressing these hostilities", and he conceived it necessary to provide for the immediate protection of Florida. Even the loquacious Benton, despite the fact that he was in the confidence of the Administration, confessed his entire ignorance concerning the causes of the war.<sup>187</sup>

Nevertheless, after continued appropriations were demanded by the Executive, and a bill to increase the army was vigorously advocated by its friends, the Opposition began to inquire earnestly into the cause of this commotion. "One would have supposed", remarked Clay, "that all at once a gallant nation of some millions had been suddenly precipitated on our frontier, instead of a few miserable Indians."<sup>188</sup> Yet all the bills providing for the suppression of the Seminole hostilities which Jackson's government asked for were promptly passed.<sup>189</sup> So also was the bill to provide for ten thousand volunteers, Calhoun himself being the manager of the bill on the part of the Senate in the conferences between the two houses.<sup>190</sup> But Benton's proposal to increase the standing army met disagreement as shall be related below.

To the opponents of the Government's Indian policy the cause of the Seminole hostilities was clear enough. Some blamed the pioneers, some the speculators, but all blamed the Government. Calhoun, for instance, exonerated the pioneers but denounced the frauds of the Indian Bureau.<sup>191</sup> He regretted that the speculators in Indian lands were not the persons to suffer, instead of the frontier inhabitants. Indeed, he said, it made his "heart

<sup>187</sup> *Register of Debates*, 1st Session, 24th Congress, p. 291.

<sup>188</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1756.

<sup>189</sup> *United States Statutes at Large*, Vol. V, pp. 1, 8, 17, 33, 65, 131, 135, 152.

<sup>190</sup> *Journal of the Senate*, 1st Session, 24th Congress, p. 366.

<sup>191</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 1459, 1460.

bled to think of the sufferings of the innocent frontier settlers." All these evils were the result of mismanagement. The Indian agents had generally been incapable or unfaithful. Calhoun continued:

The Government ought to have appointed men of intelligence, of firmness, and of honor, who would have faithfully fulfilled their obligations to the United States and to the Indians. Instead of that, men were sent out to make fortunes for themselves, and to oppress the Indians. . . . If they would appoint honest, faithful, intelligent men, to transact their business with the Indians, instead of broken down politicians, men sent out to be rewarded for party services, these Indian disturbances would soon cease; but unless that was done, it was apparent that there would be continual disturbances, creating causes for wars, to be followed by a large increase of the standing army.

In the House Mr. Vinton of Ohio expostulated in these words:

When the cry is sent up here that the people of the frontier are assailed by Indian hostility, we raise the means of making war upon them without a moment's delay; we crush them by our superior power. But we never inquire, while the war is going on, or after it is ended, into its causes; we make no investigation to learn who were the instigators of the war, or who was to blame. . . . I told the House there were those on the frontier who had an interest in exciting Indian wars; that there were those who disregarded the rights of the Indians, and were disposed to encroach upon them; that if we omitted to investigate the causes of these disturbances, and thus induce those who have an interest in exciting them to think they can involve us without scrutiny and without exposure, we should have other Indian wars, in all probability, before the end of the session. . . . If we suffer ourselves to go on in this way, in three years' time every Indian will be driven by force from every State and Territory of the Union. In the States and Territories, wherever they are, they are regarded as an incumbrance, and there is a strong desire to get them out of the way; and if we will furnish the means without inquiry, they will be disposed of. Sir, our frontier inhabitants know our strength and their weakness; and if

we are to stand armed behind them, and let them have their way, we must expect they will overbear and encroach upon them. The Indians with whom we are in contact know full well their weakness and our power; and it is hardly credible that they will open a war upon us except from a strong sense of injury. . . . We ought to send the immediate means of defending our frontier inhabitants from massacre and pillage; and it is, in my opinion, our further duty to set on foot immediately an investigation into the cause of these disturbances; and if we are in the wrong, we ought instantly to send commissioners to offer them reparation and do them justice. When we look at the contrast, and see how weak and defenceless they are, and how strong and mighty we are, the character of the House, the honor of the country, and the feelings of the world, call upon us to pursue this course toward them.<sup>192</sup>

Edward Everett summed up the causes of the Florida War to be the efforts of the whites to capture negro slaves among the Seminoles and to wrest from these Indians their lands *per fas aut nefas*.<sup>193</sup> But of all the speeches the most widely noted denunciation of the war was made by Everett's colleague, Adams the ex-President.<sup>194</sup> The immediate occasion for Adams's speech was a joint resolution from the Senate authorizing the President to distribute rations to the suffering frontiersmen in Alabama and Georgia as had been done to the sufferers in Florida.<sup>195</sup> Although stating that he should vote for the resolution because of his sympathy for the sufferers, Adams maintained that "mere commiseration, though one of the most amiable impulses of our nature, gives us no power to drain the Treasury of the people for the relief of the suffering".<sup>196</sup> After an irrelevant discourse in which the

<sup>192</sup> *Register of Debates*, 1st Session, 24th Congress, p. 3767.

<sup>193</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4158.

<sup>194</sup> *Niles' Weekly Register*, Vol. L, p. 276; *Memoirs of John Quincy Adams*, Vol. IX, pp. 290, 298.

<sup>195</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4032.

<sup>196</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4037.

venerable statesman detected the curse of slavery in frontier disturbances, he concluded his discourse by charging the cause of the Seminole War to the injustice of the present Administration. All preceding Administrations, he claimed, had sought to civilize the Indians and attach them to the soil upon which they lived. But this humane policy was now abandoned.

Instead of it you have adopted that of expelling by force or by compact all the Indian tribes from their own territories and dwellings to a region beyond the Mississippi, beyond the Missouri, beyond the Arkansas, bordering upon Mexico; and there you have deluded them with the hope that they will find a permanent abode — a final resting-place from your never-ending rapacity and persecution. . . . In the process of this violent and heartless operation you have met with all the resistance which men in so helpless a condition as that of the Indian tribes could make. Of the immediate causes of the war we are not yet fully informed; but I fear you will find them, like the remoter causes, all attributable to yourselves.<sup>197</sup>

Toward the end of the session a surprising memorial was presented to Congress from citizens resident at the seat of the Creek and Seminole hostilities, i. e. Eastern Alabama and Georgia.<sup>198</sup> These memorialists represented that the Indian disturbances were “caused by individuals jointly associated under the name of land companies, whose proceedings and contracts were of the most nefarious character.” The memorialists prayed that an investigation be instituted, and intimated that it would be found that “the press of that country is entirely under the control of these heartless agitators, and that, through bribery and corruption, all channels of information to the public and to the Government on this subject are closed.”

Lewis of Alabama moved that the investigation be placed in the hands of the President with power to prose-

<sup>197</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4049.

<sup>198</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4578.

cute the guilty persons if any might be apprehended. Wise of Virginia, Adams of Massachusetts, and Peyton of Tennessee sprang to the opposition. The Virginian moved to amend by selecting a committee of the House to investigate. Executive officers, he claimed, were implicated in the charges and to refer the matter to the President would "have the effect to cover up these frauds, instead of exposing them."<sup>199</sup> After a hot debate, in which Peyton likened Andrew Jackson to Warren Hastings and dubbed all Indian agents as "petty tyrants" engaged in plundering the savages and "then aiding and encouraging them to make war upon your defenseless frontier", the amendment proposed by Wise was rejected and the motion of Lewis passed by so many ayes that the noes were not even counted.<sup>200</sup>

The last annual message of Jackson in December, 1836, called for further appropriations to subdue the Seminoles and Creeks and urged an increase of the regular army as well as a reorganization of the militia.<sup>201</sup> The appropriations were supplied by Congress, but not the increase in the standing army.<sup>202</sup> In the following December his successor, perforce, repeated similar recommendations not only for the increase of the regular army but also to continue suppressing the Seminole hostilities.<sup>203</sup> Already the members of Congress who had voted for the early appropriations merely in the hope that immediate aid would quiet the disturbances on the frontier were much provoked because of the never-ending campaigns. Webster mildly advised more deliberation in expendi-

<sup>199</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4583.

<sup>200</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 4597, 4604.

<sup>201</sup> *Register of Debates*, 2nd Session, 24th Congress, Appendix, p. 8.

<sup>202</sup> *United States Statutes at Large*, Vol. V, pp. 135, 152.

<sup>203</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 6. Also Appendix, p. 3.

tures.<sup>204</sup> Twenty million dollars had been expended, he said, and little accomplished. Before greater appropriations were voted the whole matter should receive a thorough investigation. Preston of South Carolina also demanded an investigation.<sup>205</sup> And Senator Southard of New Jersey brought serious charges to the door of the Administration by maintaining that "a fraud was committed upon the Florida Indians in the treaty negotiated with them for their removal to the West; that the war which has ensued was the consequence of this fraud; and that our Government was responsible to the moral sense of the community, and of the world, for all the blood that has been shed, and for all the money that has been expended, in the prosecution of this war."<sup>206</sup>

These pleas for investigation called down a torrent of abuse and wrath. Benton replied to Southard in a trenchant speech, the burden of which was a condemnation of "the mawkish sentimentality of the day . . . a sentimentality which goes moping and sorrowing about in behalf of imaginary wrongs to Indians and negroes, while the whites themselves are the subject of murder, robbery and defamation."<sup>207</sup> Clay of Alabama replied to Webster and Preston in a harangue quivering with invective heaped upon philanthropists who assayed "to take care of the national honor!"<sup>208</sup> Other arguments followed depicting the depraved condition of the Indians, and therefore their lack of rights. Indeed, almost all of the arguments in the entire Seminole War debates consisted largely of vivid defenses of pioneer character, and

<sup>204</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 373.

<sup>205</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 373.

<sup>206</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 353.

<sup>207</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 354.

<sup>208</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 376.



philippics against the American aborigines, enlivened with bloody descriptions of the scalping knife and tomahawk.

The following words from the remarks of Towns of Georgia well illustrate the tone of these debates :

Every mail from Georgia tells me the story of death ; butcheries the most revolting are perpetrated every day in the borders of Alabama, and on the frontiers of Georgia. . . . One scene of widespread desolation alone is to be seen in that quarter, where but a short time since there was peace, quiet, and prosperity. And such, sir, has been the unparalleled devastation of property and life, that there is scarcely a human being to be seen in all that country, unless it be the merciless foe, or some unfortunate settler flying from the tomahawk and scalping-knife. So sudden has been this war, when the Indian was ready to deal out death in all its horrors, few, if any, were prepared to give the slightest resistance ; unprotected with arms or ammunition, the honest settler of the country felt it to be his first duty to yield to the entreaties of wife and children, to fly for safety ; and the melancholy story but too often reaches us, when thus flying, that many of them have fallen victims to the most cruel of all deaths, the scalping-knife and tomahawk.<sup>209</sup>

Alford of Georgia declared that when he heard appeals for justice to the Seminole Indians his mind “reverted to his own people, who deserved the sympathy of the House more than the savage Indian.”<sup>210</sup> Richard M. Johnson of Kentucky pictured southern rivers as deluged “with the blood of innocence”, and that Florida lay bleeding “under the hand of savage barbarity.”<sup>211</sup> Mr. Jonathan Cilley of Maine declaimed as follows :

My blood thrills in my veins to hear the conduct of faithless and murderous Indians lauded to the skies, and our sympathies invoked in their behalf, while in the same breath our own government and its most distinguished citizens are traduced and villified to the low-

<sup>209</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4034.

<sup>210</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 1559.

<sup>211</sup> *Register of Debates*, 1st Session, 24th Congress, p. 2725.

est degree. . . . I hope gentlemen, whose sensibilities are now so much enlisted in the conditions of the Seminoles and Cherokees, now in Florida and Georgia, will not forget how their own fore fathers . . . . when they were a frontier people . . . . dealt with similar enemies.<sup>212</sup>

In a fiery harangue Mr. Bynum of North Carolina asked:

What are our obligations to protect the exposed inhabitants of that Territory [Florida]? Surely all that is sacred . . . . should prompt us to a speedy and determined resolution not only to defend, but reserve that Territory at every hazard . . . . from the blood-stained hands of these unrelenting *savages*. Gentlemen surely could not be in earnest to talk of peace, until these bloody, perfidious, treacherous devils were whipped.<sup>213</sup>

Peyton of Tennessee, replying to Adams of Massachusetts, said: "That gentleman does not know, living, as he does, far from such scenes, the vivid feeling of Southern and Western men, when they see hostile savages hovering around their villages, and lying in ambush, to murder the old and the young".<sup>214</sup>

Thus, figuratively speaking, with brandishing of tomahawk and scalping knife bill after bill appropriating money for the suppression of Seminole hostilities was passed.

The reactions of Jackson's Indian policy fell upon his successor. Throughout the whole of Van Buren's term, the Seminole hostilities raged in Florida, and the conduct of the warfare was constantly used by the Opposition in Congress as a weak point for attacking the Administration. At last Benton in 1839, after consultation with his Administration friends, proposed a plan for the ultimate

<sup>212</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, pp. 78, 79.

<sup>213</sup> *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 75.

<sup>214</sup> *Register of Debates*, 1st Session, 24th Congress, p. 3520.

These speeches may be compared with such current pamphlets as the *Narrative of the Massacre, by the Savages, of the Wife and Children of Thomas Baldwin* (New York: 1836).

suppression of these long-drawn-out hostilities.<sup>215</sup> Federal encouragement to the pioneers was the basis of Benton's scheme. Settlers were to be emboldened to brave the dangers of Florida settlement by free grants of land, and ammunition, and provisions for one year. Into the defense of this measure Benton flung himself with his characteristic vigor, calling upon the North not to begrudge generous treatment to Southern pioneers since it was by armed occupation only that the treacherous lands of Florida might ever be settled.<sup>216</sup>

That the pioneers should possess the wilderness was Benton's pet axiom. "Every inch of territory on this continent, now occupied by white people," he exclaimed, "was taken from the Indians by armed settlers and pre-emptions and donations of land have forever rewarded the bold settlers who rendered this service to the civilization of the world. . . . The blockhouse, the stockade, the rifle, have taken the country, and held it, from the shores of the Atlantic to the far West; and in every instance grants of land have rewarded the courage and enterprise of the bold pioneer."<sup>217</sup> Armed settlement was ever the true course of pioneer progress in America. "Cultivation and defense then goes hand in hand. The heart of the Indian sickens when he hears the crowing of the cock, the barking of the dog, the sound of the axe, and the crack of the rifle. These are the true evidences of the dominion of the white man; these are the proof that the owner has come, and means to stay; and then they feel it to be time for them to go."<sup>218</sup> The story of the recession

<sup>215</sup> *Niles' Weekly Register*, Vol. LV, p. 314; Benton's *Thirty Years' View*, Vol. II, p. 167, *et seq.*; *Congressional Globe*, 3rd Session, 25th Congress, p. 89.

<sup>216</sup> *Congressional Globe*, 3rd Session, 25th Congress, Appendix, p. 165.

<sup>217</sup> *Congressional Globe*, 3rd Session, 25th Congress, Appendix, p. 163.

<sup>218</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 73.

of the Indians before the pioneers as told by Benton (himself a pioneer) thrills with a shuddering coldness; but its truth can not be gainsaid.

Both Clay and Webster, as might be expected, opposed Benton's bill for armed occupation and free grants — but unsuccessfully in the Senate.<sup>219</sup> In the lower house the bill was lost.<sup>220</sup>

Among those who voted against the bill in the House was Joshua R. Giddings, who later leaped into prominence by his vehement speech in opposition to a bill proposed by Thompson of South Carolina. Thompson's bill provided for the removal of the Seminoles to the West.<sup>221</sup> Giddings chose the subject of the Seminole War not so much to defend the Indians as to attack the institution of slavery, and in his speech of February 8, 1841, he assigned as the causes of the Florida War the attempts of slave-hunters to capture fugitive negroes who had taken refuge with the Seminoles and intermarried with them. All the public treasure spent to suppress the hostilities, all the blood of the defenseless pioneers, women and children murdered by the Indians, and the disgrace to the American army he attributed to the attempts of the Georgia slaveholders seeking to recover their runaway slaves and to the "unlawful interference by the people of Florida with the Indian negroes".<sup>222</sup> The replies which Giddings received were bitter and offensive, and, as might be expected, concerned slavery more than they did the war.

In the chaos of the Florida discussion Benton alone appeared with a clear-cut and consistent remedy for the exas-

<sup>219</sup> *Congressional Globe*, 3rd Session, 25th Congress, p. 194.

<sup>220</sup> *Congressional Globe*, 3rd Session, 25th Congress, p. 235.

<sup>221</sup> *Congressional Globe*, 2nd Session, 26th Congress, Appendix, p. 346; *Memoirs of John Quincy Adams*, Vol. X, p. 416.

<sup>222</sup> *Congressional Globe*, 2nd Session, 26th Congress, Appendix, p. 349.

perating condition in that Territory. His bill for armed occupation — the same which was rejected by the House in 1839 — was the embodiment of his program. With his usual tenacity Benton introduced this bill in the following sessions, and spoke on the subject, as he himself said, whenever no other Senator manifested a desire to speak.<sup>223</sup> The scheme was ably supported in the Senate by Benton's colleague, Lewis F. Linn,<sup>224</sup> by Clay of Alabama,<sup>225</sup> and by Tappan of Ohio;<sup>226</sup> and in the House support came from Butler of Kentucky — the latter sighing for the days of primitive simplicity when it was thought no disgrace to kill an Indian enemy.<sup>227</sup> John Robertson of Virginia,<sup>228</sup> Crittenden of Kentucky,<sup>229</sup> and Preston of South Carolina<sup>230</sup> were opposed.

“The inducements which you hold forth for settlers”, declared Crittenden, “are such as will address themselves most strongly to the most idle and worthless classes of our citizens.” And again he said that “these garrison citizens” would in no respect resemble, nor could they accomplish the achievements of, the “hardy and resolute pioneers of the West.”<sup>231</sup> Senator Preston prophesied that the settlers under the proposed act would not be such as the “daring, resolute men” who settled the Northwest frontier, but instead “speculators, men expecting a bounty rather than desiring

<sup>223</sup> *Congressional Globe*, 1st Session, 26th Congress, p. 20; 2nd Session, 27th Congress, p. 503.

<sup>224</sup> *Congressional Globe*, 3rd Session, 25th Congress, Appendix, p. 165; 2nd Session, 27th Congress, p. 623.

<sup>225</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 47.

<sup>226</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 74.

<sup>227</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 669.

<sup>228</sup> *Congressional Globe*, 3rd Session, 25th Congress, p. 202.

<sup>229</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 80.

<sup>230</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, pp. 74, 84.

<sup>231</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, pp. 80, 81.

to make permanent settlements''.<sup>232</sup> Tappan of Ohio saw the matter in the same light when he said: "The men you will probably obtain under this law, will be the idle and worthless population of our large cities''.<sup>233</sup>

Benton's persistence in the end won the day. The bill, despite dire predictions, was passed by both houses and signed by the President on August 4, 1842.<sup>234</sup> Benton, as he tells the story in his *Thirty Years' View* implies that the enacting of this law marked the close of the Seminole Indian War.<sup>235</sup> There continued, however, a smouldering resistance from the wretched remnants of Florida tribes, who were not transplanted West, long after the announcement by the commanding officer of the army in August, 1843, to the effect that hostilities in Florida had ceased. Indeed, as late as 1858 Giddings, writing in his *Exiles of Florida* maintained that the United States was still in open war with these forlorn people.<sup>236</sup>

As far as general interest was concerned, this session did mark the end of the discussion of the Florida War, save for the intermittent speeches of Abolitionists who used the subject as a handle for attacks upon slavery.<sup>237</sup>

<sup>232</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 75.

<sup>233</sup> *Congressional Globe*, 1st Session, 26th Congress, Appendix, p. 74.

<sup>234</sup> *United States Statutes at Large*, Vol. V, p. 502.

<sup>235</sup> Benton's *Thirty Years' View*, Vol. II, p. 70.

<sup>236</sup> Giddings's *The Exiles of Florida*, p. 316.

<sup>237</sup> The efforts of this Abolitionist in behalf of Seminole-Negro people are not to be cast aside. His exertions for justice to them continued after the greater part of them had been transported to their new homes in the Cherokee lands of the West. Here he sought in Congress to protect the Seminole-Negroes from the Creeks, who claimed them as slaves, and from slave-hunters from the States. During his last term in Congress, 1857-1859, Giddings published a remarkably inspiring account of the exiles of Florida. The object of this book, he frankly stated, was to disabuse the public mind of the opinion that the Seminole Wars were caused by the depredations of the Indians upon the white settlements, but rather by the persecutions of the Southerners and of a government subservient to the institution of slavery. Giddings closed his tragic

## PLANS FOR THE DEFENSE OF THE WESTERN FRONTIER

The war panic in the fall of 1835 stimulated an interest in national defense which ultimately accrued to the advantage of the frontier. The President's annual message of December, 1835, had vigorously reviewed the diplomatic friction over the Spoliation payments from France, and his message of January, 1836, definitely called for naval and coast defenses.<sup>238</sup> Some months later the elaborate report of Secretary Cass upon the land and naval defenses was sent to the Senate.<sup>239</sup> But the war sensation was soon ended. For scarcely a month later the delayed installments were in the hands of the United States.<sup>240</sup> Meanwhile had occurred both the desultory debate upon Benton's resolution to appropriate the surplus revenues for the purposes of national defense and the debate upon the elaborate provisions of the Fortification Bill reported by the Senate Military Committee.<sup>241</sup>

In this hubbub Benton and Linn contrived to bring some actual advantage to the fortification question. Western men were coming to consider the lack of adequate frontier defense as a matter of acute danger. For some time Benton and Secretary Cass had consulted with each other. Both were impressed with the danger of Indian uprisings in the Northwest (the region where the Black Hawk War was not soon to be forgotten) and both were of the opinion that the Seminole hostilities might stimulate the prairie Indians to like bold attacks. Reports from western army officers con-

story with a relation of the fate of the exiles whom the United States had transported to the West. He pictured this band of miserable people, still harassed by slave-hunters, finally attempting to flee toward Mexico.

<sup>238</sup> *Register of Debates*, 1st Session, 24th Congress, p. 167, Appendix, p. 3.

<sup>239</sup> *Register of Debates*, 1st Session, 24th Congress, Appendix, p. 81.

<sup>240</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1426; *Niles' Weekly Register*, Vol. L, p. 185.

<sup>241</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 130, 591.

firmed their fears.<sup>242</sup> These military advices were to the effect that the force on the frontier was inadequate both to protect the settlements and to command respect from the warlike tribes. This condition was exhibited to the Senate in a letter from the War Department early in March.<sup>243</sup> Secretary Cass called attention to the necessity of advancing the troops and posts westward, simultaneously with the receding Indian country. As a basis for the development of the fortification of the new frontier he proposed new military roads and posts west of Missouri and Arkansas, as well as an increase of the army. These plans were substantially repeated in his report on the military and naval defenses made in April.<sup>244</sup> Benton had already reported from the Military Committee a bill for the construction of a military road in the West, and now he reported a bill to increase the army of the United States in accordance with the recommendation of the Secretary of War.<sup>245</sup>

In the House, Johnson of Kentucky had reported from the Military Committee a bill authorizing the President to raise ten thousand volunteers, and a bill for a military road and forts in the western country.<sup>246</sup> The bill for the volunteers had special reference to the Florida War.

In support of these measures Benton presented the Senate with a mass of pertinent and detailed information. Using the estimates of Cass, Benton claimed the number of Indians upon the western and northwestern border to be 253,000 souls, of whom 50,000 were warriors.<sup>247</sup> To protect

<sup>242</sup> *American State Papers, Military Affairs*, Vol. VI, p. 153; *Register of Debates*, 1st Session, 24th Congress, Appendix, p. 100.

<sup>243</sup> *Register of Debates*, 1st Session, 24th Congress, Appendix, p. 96.

<sup>244</sup> *Register of Debates*, 1st Session, 24th Congress, Appendix, p. 81.

<sup>245</sup> *Congressional Globe*, 1st Session, 24th Congress, Appendix, p. 126; *Journal of the Senate*, p. 244.

<sup>246</sup> *Journal of the House of Representatives*, 1st Session, 24th Congress, pp. 253, 454, 3593.

<sup>247</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1746.



the people of the West and Northwest from the incessant danger of such a vast array of savages only a small part of the small United States army was employed. The six thousand soldiers of the United States were distributed along the lake, maritime, gulf, and western frontiers — a circuit of some twelve thousand miles. The fortifications upon the maritime and gulf coast required a great part of the force; and of that allotted to the West a part had to be kept not on the frontier but at a convenient position for mobilization. The greater division of the western troops were now on the Red River, watching the progress of events on the Texas frontier. The result was that the Middle West and Northwest, always insufficiently guarded, were nearly stripped of defense — and this at a time when the Indian wars in the South were exciting the Indians in all quarters. The Eastern States, moreover, owed a moral obligation to protect the Western States from the hordes of Indians which had been and were still being removed westward in order to relieve the old States from a dangerous and useless population.

In his dramatic manner Benton appealed to the Senators “in the name of that constitution which had for its first object the common defense of the whole Union” to prevent a repetition in the Northwest of the scenes of “fire and blood, of burnt houses, devastated fields, slaughtered inhabitants, unburied dead, food for beasts and vultures, which now disfigure the soil of Alabama, Florida, and Georgia”.<sup>248</sup> Benton’s fascinating arguments were reinforced by the earnest appeals of his colleague, Lewis F. Linn, and of Alexander Porter of Louisiana. The former maintained that the present frontier population of Missouri was “very different from those hardy and warlike adventurers who conquered the valley of the Mississippi. They were generally per-

<sup>248</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1750.

sons in easy circumstances, who had emigrated from the East for the purpose of acquiring land for their growing families, and were more fitted for the pursuits of peace and industry than the hardships and dangers of Indian warfare." To such it was all-important to pursue their usual vocations without the constant dread of savage depredations. There was no doubt but that they could conquer the Indians, but it would only be after "many fair fields had been made desolate, and many a widow would be weeping over her fatherless children."<sup>249</sup> Linn also referred to the consequences of the removal policy. The Government was, he asserted, peculiarly responsible for the protection of the frontier States, after "throwing large masses of Indians on them, contrary to the wishes of the frontier States, and in defiance of the solemn protest of one of them."<sup>250</sup>

The unprotected condition of the Texan frontier was another argument for military augmentation. Besides Linn, Preston of South Carolina, Porter of Louisiana, Buchanan of Pennsylvania, and Walker of Mississippi in the Senate prophesied much trouble from this direction and urged a more careful patrol of the southwestern border line.<sup>251</sup>

Of the various army bills under consideration, the Senate passed Benton's for the increase of the standing army, but passed it too late in the session to get action in the House.<sup>252</sup> On the other hand the House passed Johnson's bill for the

<sup>249</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1852.

<sup>250</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1386. See also p. 1304.

<sup>251</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 1386, 1391, 1394, 1417, 1755. Linn, however, denied that he urged the bill with a view toward the state of affairs in Texas.—See p. 1395.

In the issue of the *National Intelligencer*, December 24, 1835, Rice Garland, a Representative from Louisiana published a statement declaring that the Government had acquired too much land by extinguishing Indian titles and locating the Indians on the southwestern border.

<sup>252</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1854.

ten thousand volunteers and his bill for a military road and posts in the West, and the Senate concurred therein.<sup>253</sup>

Benton was determined, however, to increase the standing army. In the next session he introduced another bill. The Senate was willing to pass it, with a majority of thirteen, but the House deferred.<sup>254</sup> The next regular session (1837-1838), however, saw the triumph of the bill. The irritating hostilities in Florida as well as the universal feeling of insecurity for the western frontier militated against further postponement. Even the sensation caused by the Caroline affair on the Canadian border contributed to the merits of the discussion.<sup>255</sup> But the basic argument was that of defense for the West. Benton spoke in these words:

The whole Indian population of the United States are now accumulated on the weakest frontier of the Union—the Western, and Southwestern, and Northwestern frontier—and they are not only accumulated there, but sent there smarting with the lash of recent chastisement, burning with revenge for recent defeats, completely armed by the United States, and placed in communication with the wild Indians of the West, the numerous and fierce tribes towards Mexico, the Rocky Mountains, and the Northwest, who have never felt our arms, and who will be ready to join in any inroad upon our frontiers.<sup>256</sup>

A Senator from the new State of Arkansas made a plea for his people. The Indians with whom our forefathers contended, he argued, were “wholly undisciplined, and armed only with war clubs and bows and arrows”; they were remote from each other and at war with each other. But the Indians who face the Arkansas frontier are better armed than even our citizens. These western Indians were

<sup>253</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 3375, 3756, 1523, 1930.

<sup>254</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 840; *Journal of the House of Representatives*, p. 600.

<sup>255</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 484.

<sup>256</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 813.

located "thousands of miles from this Capitol, and hundreds of miles distant from the nearest points from which relief to the frontier settlements could be brought in the event of war. They have been taken from . . . Georgia, Alabama, Indiana, Illinois, Ohio, and the Carolinas, and located together upon the borders of the weakest and most remote States in the Union."<sup>257</sup>

Linn replied to the charge made against the Missouri people of having plundered and oppressed the Indians on her borders :

There was not a man in either Missouri or Wisconsin who did not possess too much sense to attempt to plunder Indians. They all knew that at that game they were very sure to come off losers: for the Indians could beat all the white men on the face of the earth at stealing. No; the people of Missouri had never robbed or trampled on these natives of the forest. All the injuries in the case had been perpetrated by Indians upon the peaceable white settlers and their families. The Indians had been represented as a poor, spiritless, down-trodden race, ignorant of their own rights, and continually imposed upon by the whites. Nothing could be more opposite to the truth. A deal of trash of this kind had been uttered in the course of this debate, by those who ought to know better. No people on the face of the earth were keener sighted, or more fully awake to their rights and interests, than the North American Indians. . . . Never had they been more fierce, never more bent on war.<sup>258</sup>

Such speeches exhibited much solicitude on the part of western members; but their statements were so sweeping and so generalizing that the suspicion of exaggeration might well arise. Calhoun, Clay, and Crittenden of Kentucky called in question this warlike panic. "What had created so great a dread of those 70,000 Indians," exclaimed the latter, "composed of the fragments, the broken

<sup>257</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 835.

<sup>258</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 837.

fragments, of a poor, disheartened, dispirited, down-trodden people? It was in vain to effect a terror of this now fallen race, trampled in the dust, and broken in spirit, as an argument for the increase of the standing army."<sup>259</sup> The pioneers of Kentucky and Tennessee, Crittenden told the Senate, had conquered their wilderness without the aid of Federal troops. Why should not the pioneers of the far West do the same in their region?

Concerning the influence that annuities might have in preserving peace with the Indians, the opinions of Calhoun and Linn directly opposed each other. Calhoun believed that the Cherokees, Creeks, Choctaws, and Chickasaws, all of whom were friendly to the United States and received large annuities from the Government, would never forfeit these bounties by a hostile act.<sup>260</sup> Linn replied:

The great tribes, to whom large annual payments in money had been guaranteed, would not go to open war with this Government, lest their annuities should be forfeited; but there were some smaller

<sup>259</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 829.

The technical objection to Benton's bill which pertained to a point of military economy was that of replenishing the file of the regiments or of increasing the regiments. In other words that of increasing or not the proportion of privates to the officers. Calhoun, who it will be recalled was Secretary of War under President Monroe, held that the staff of the army should be increased, and not the file. Clay disavored a considerable standing army and advocated reliance on the militia.—*Register of Debates*, 1st Session, 24th Congress, p. 1852; *Congressional Globe*, 2nd Session, 25th Congress, p. 133.

It is interesting to note some of the other objections to increasing the standing army. For instance, Everett of Vermont objected because any increase in the army must be made up chiefly from an enlistment of foreigners, and he hoped never to "see that day when Irishmen, Englishmen, and other aliens should be organized and armed to keep the citizens of his State in order."—*Congressional Globe*, 2nd Session, 25th Congress, p. 484.

<sup>260</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 808.

Calhoun's position on this point is self-explanatory. As told by the congressional reporter, Calhoun said in part:—"The bill proposed to increase our existing military establishment. . . . by the addition of 5,500 men, . . . and augmenting the expense of its maintenance by a million and a half or two millions of dollars. Was this necessary? He contended that it was

tribes not so restrained; these were not unlikely to commence a hostile movement; and, the moment they should do so, there were multitudes of the young warriors from the larger tribes ready and eager to join them.<sup>261</sup>

not. . . . Abroad we were at peace with all the world; and as to Mexico, he believed no gentleman seriously contemplated that we were to go to war with her. Never had there been a time when so little force was necessary to put our Indian relations upon the safest footing. Our Indian frontier had, within a few years, been contracted to one half its former dimensions. It had formerly reached from Detroit all the way round to the mouth of the St. Mary's, in Georgia; whereas, at present, its utmost extent was from St. Peter's to the Red river. To guard this frontier, the Government had nine regiments of artillery, seven of infantry, and two of dragoons. He would submit to every one to say whether such a line could not be amply defended by such a force. Supposing one regiment to be stationed at St. Louis, and another at Baton Rouge, there still remained seven regiments to be extended from St. Peter's to Red river. Supposing one of them to be stationed at St. Peter's, one upon the Missouri, one in Arkansas, and one upon the Red river, there were still three left at the disposal of the Government. He contended that this force was not only sufficient, but ample. He should be told that there was a very large Indian force upon this frontier. That was very true. But the larger that force was, the more secure did it render our position; provided the Government appointed among them faithful Indian agents, who enjoyed their confidence, and who would be sustained by the Government in measures for their benefit. Of what did this vast Indian force consist? In the first place, there were the Choctaws, who had removed beyond the Mississippi with their own consent; a people always friendly to this Government, and whose boast it was that they had never shed, in a hostile manner, one drop of the white man's blood. Their friendship was moreover secured by heavy annuities, which must at once be forfeited by any hostile movement. Whenever this was the case, the Government possessed complete control, by the strong consideration of interest. Next came the friendly Creeks, who had all gone voluntarily to the west bank of the river. Then came the friendly Cherokees, who had done the same thing; and next the Chickasaws, whom we also held by heavy annuities. All this vast body of Indians were friendly toward the United States, save a little branch of the Creeks; and it would be easy for any prudent administration, by selecting proper agents, and sustaining them in wise measures, to keep the whole of these people peaceable and in friendship with this Government, and they would prove an effectual barrier against the incursions of the wild Indians in the prairies beyond. But to increase largely our military force would be the most certain means of provoking a war, especially if improper agents were sent among them — political partisans and selfish land speculators. Men of this cast would be the more bold in their measures, the more troops were ready to sustain them''. Note also a further speech on p. 826. Compare *Niles' Weekly Register*, Vol. LII, p. 99.

<sup>261</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 838.

Throughout the debate there appeared vague accusations against Clay and Calhoun. Were Clay and Calhoun hostile to adequate frontier defense? No one can read the speeches on the Army Bill without perceiving that more than a few individuals considered them so to be. But such sentiments were without foundation. Clay's attitude had been expressed on this very question time and time again for a score of years. It was always the same. Clay disliked a standing army; he would have the western country rely upon an efficient militia.<sup>262</sup>

As to Calhoun, if he were seeking an alliance between South Carolina and the West, as his correspondence during this period might lead one to suppose, then there existed a powerful political motive to prohibit his taking an attitude in any way unfriendly to Benton's Army Bill.<sup>263</sup> But as a matter of fact, Calhoun was ever zealous for western defense. His administration of the War Department under Monroe exhibited in that respect a record which he could point to with pride.<sup>264</sup> Like Clay he opposed a large standing army. While disapproving Benton's broad plan of military establishment, Calhoun nevertheless voted for the Army Bill in 1836;<sup>265</sup> and during the same session he was manager of the Volunteer Bill in the conferences between the two houses.<sup>266</sup>

<sup>262</sup> Clay's opposition to the Army Bill may have contributed to his unpopularity in some sections of the West in the same way that his Land Bill did.—Pelzer's *The Early Democratic Party of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VI, p. 30.

<sup>263</sup> *Calhoun Correspondence, Annual Report of the American Historical Association*, 1899, Vol. II, pp. 349, 353, 366.

<sup>264</sup> *Register of Debates*, 2nd Session, 24th Congress, p. 826.

<sup>265</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1853. For Calhoun's votes against the bills of 1837 and 1838, see *Register of Debates*, 2nd Session, 24th Congress, p. 840; *Journal of the Senate*, 2nd Session, 25th Congress, p. 170.

<sup>266</sup> *Journal of the Senate*, 1st Session, 24th Congress, p. 366; *Register of Debates*, p. 1503.

More truth, however, lies in the assertion that Benton pressed his Army Bills upon Congress with an eye single to his elaborate scheme of national defense. Benton was almost vindictively opposed to the Surplus Revenue Distribution Bill. So the more surplus of the treasury diverted to the army, the less there would be for distribution to the States.<sup>267</sup> The frontier scare was a convenient argument.

As a matter of fact the Indian outcry of the day was somewhat exaggerated.<sup>268</sup> Even Benton admitted that the

<sup>267</sup> Compare with Meigs' *Benton*, p. 171, and with Linn and Sargent's *Life and Public Services of Dr. Linn*, p. 280. Many charges were made that the Fortification Bill of 1835, as well as the bill for the increase of the army, was a political maneuver. For instance, see *Register of Debates*, 1st Session, 24th Congress, pp. 2390, 2436.

<sup>268</sup> The following letters from the southwestern frontier show an ulterior motive in spreading rumors of Indian hostilities. One letter dated August 28, 1836, at Natchitoches, Louisiana, says: "One of the ostensible causes of this permanent military occupation of Texas is the *reported* disaffected state of a number of tribes or fragments of tribes, of Texian Indians, and some that *once* lived in the United States. The Texans are pleased by the presence of our troops as giving their cause countenance, and with that policy they raise and spread rumors of threatened attacks."—*Niles' Weekly Register*, Vol. LI, p. 87. Another letter from Camp Sabine declares: "This frontier is perfectly quiet. No Indian disturbances, and none likely to take place. The Indians are few in number, quietly pursuing their avocations, and in my opinion dare not molest the frontier settlements of Louisiana; and it is believed that they have never entertained an idea of the kind. A thousand stories have been circulated to the prejudice of the Indians, which have proved false. On this frontier, a man would be considered very credulous, who should regard the reports that daily come from Texas."—*Niles' Weekly Register*, Vol. LI, p. 162. A letter from Camp Nacogdoches, dated September 21st, says: "There is something singular in our occupation of Nacogdoches. There *never has been*, nor is there likely to be, any difficulties with the Indians.—They are as peaceable as could be expected, urging the necessity of keeping white men out of their country."—*Niles' Weekly Register*, Vol. LI, p. 162.

The maneuvers of General Gaines upon the Texan boundary in the summer of 1836 raised a storm of protest from those in the United States opposed to annexation, and the denials of possible Indian hostilities were quite likely exaggerated. However, these were undoubtedly false rumors about Indian dangers. Further opinions of the time may be found in Benjamin Lundy's *The War in Texas* (Philadelphia: 1837), pp. 44-51; William Kennedy's *Texas* (London: 1841), Vol. II, p. 291; and Mrs. Mary Austin Holley's *Texas* (Lexington, Kentucky: 1836), p. 161.



western people had their just proportion of the American army.<sup>269</sup> It required no elaborate fortifications of stone and mounted cannon to repulse such an enemy as the aborigines. Crudely constructed posts and a few mounted dragoons were enough.<sup>270</sup> Such defenses were already on the frontier. But if adventurers advanced beyond the outposts and into the Indian country, did they deserve any further protection from the Government? It was a western Representative, Bell of Tennessee, who turned the question by suggesting that an army was needed on the border as much "to coerce our own settlers to an obedience of the laws" as to awe the Indians.<sup>271</sup>

The War Department was interested in the enlargement of the army, and recommendations of the nature of Poinsett's report in 1837 carried much weight<sup>272</sup>—so also did the mass of reports from regular army officers.<sup>273</sup> The Department outlined for congressional consideration an elaborate system of fortifications in the West; and in 1838 Benton introduced a bill to put it into effect, but the bill was lost in the press of other matters.<sup>274</sup> Congressional attention, however, had been definitely called to the need of the West, and the appropriation bills for fortifications during

<sup>269</sup> *Register of Debates*, 1st Session, 24th Congress, p. 1746.

<sup>270</sup> This is the opinion of Secretary Cass.—*Register of Debates*, 1st Session, 24th Congress, Appendix, p. 81.

<sup>271</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 483.

<sup>272</sup> *Senate Documents*, 2nd Session, 25th Congress, No. 1, p. 171.

<sup>273</sup> *Senate Documents*, 2nd Session, 25th Congress, No. 1, p. 204; *Executive Documents*, No. 276.

<sup>274</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 265.

In the following session Senator Linn's plan of fortifications to extend from the Sabine River to Fort Snelling deserves attention. For several sessions also, Senator Fulton of Arkansas introduced a bill for setting apart a belt of land on the western borders of Missouri and Arkansas as bounty lands, to be granted to settlers for a term of years in defense of the frontier. His argument therefor may be found in *Congressional Globe*, 2nd Session, 25th Congress, Appendix, p. 412.

the following years contained items for carrying out the War Department's plan, especially for establishing posts along the Arkansas and Missouri.<sup>275</sup>

#### THE END OF THE CHEROKEE CONTROVERSY

The question as to the Cherokees again came to Congress. This tribe had failed to obtain relief by their appeal to the Supreme Court; and from the Executive Department they received only admonitions to sell their lands and depart westward.<sup>276</sup> Now they renewed their earnest but utterly vain petition to Congress. Clayton of Delaware presented their memorial to the Senate on May 20, 1834.<sup>277</sup> Forsyth immediately objected to its reception, but was outvoted — three nays to thirty yeas.<sup>278</sup> The Senate would not ruthlessly deny these Indians a courteous hearing, nor refuse them the right of petition. But little more than this could the Cherokees expect from either house. Complete extinction of the Georgia Indian title had become a tenet of the Government's policy. All further stubbornness on the part of the Indians made the business only the more puttering and unpleasant. The Senate had learned a lesson, however, from the unfortunate episode of Indian Springs. No more minority treaties would be consented to. So when in the latter part of the session the President transmitted a treaty (negotiated by John H. Eaton as commissioner on the part of the United States) which surrendered the Cherokee lands in Georgia, the Senate investigated the negoti-

<sup>275</sup> *United States Statutes at Large*, Vol. V, pp. 582, 609, 660.

<sup>276</sup> *Cherokee Nation vs. State of Georgia*, 5 Peters 1. *Worcester vs. State of Georgia*, 6 Peters 515. *Niles' Weekly Register*, Vol. XXXVI, p. 257.

Note also Jackson's supposed remark in regard to leaving Chief Justice Marshall to enforce his decision in regard to the Cherokees.—Greeley's *The American Conflict*, Vol. I, p. 106.

<sup>277</sup> *Register of Debates*, 1st Session, 23rd Congress, p. 1772.

<sup>278</sup> *Register of Debates*, 1st Session, 23rd Congress, p. 1780.

ations.<sup>279</sup> Hugh L. White of Tennessee, much to the irritation of Jackson, conducted the inquiry; and he found that this treaty like the one of Indian Springs was signed by only a minority representation. The Senate was advised of the situation, and without ado refused ratification.<sup>280</sup>

If the Cherokees saw in this rejection of the Government's treaty any signs to encourage their persistence, they deluded themselves. Both houses were impatient of granting any more consideration to the Cherokees until they should acquiesce in the demands of the Georgians and in the advice of the Executive. The few speeches of philanthropic New Englanders and Ohioans could never change this sentiment. The Georgia members and the delegations from the central and western States were omnipresent and in the majority. And, indeed, when it came to debate it behooved the champions of the aborigines to explain the sins of their own forefathers. Their perorations invited cynical reflections when the Georgia delegation demanded to know what had become of the hordes of Indians who once occupied the soil of New England. Surely small-pox alone had not swept from the woods all of "those pernicious creatures to make room for a sounder growth", as Cotton Mather wrote of the Plymouth fields! The colonists had pushed back the natives. Why should not the Georgians follow their example? Did not the oration of John Quincy Adams in 1802 on the anniversary of the landing of the Pil-

<sup>279</sup> *Executive Journal of the Senate* (1887), Vol. IV, pp. 445, 446. Senator White was Chairman of the Committee on Indian Affairs and reported from that committee the resolution that the Senate do not advise and consent to the ratification.

<sup>280</sup> In a letter to J. A. Whiteside, September 17, 1835, White defended his action against the charge that he was hostile to the Administration's Indian policy. Speaking of the treaty of 1834, he said: "I could find no principle or precedent which would justify me in calling that a treaty, which not only had not the assent of the Indians, but was made against their express wishes; therefore I held myself bound not to recommend its ratification."—*Scott's Memoir of Hugh Lawson White*, p. 169.

grims apply as well to Georgia as to New England? "Shall the lordly savage", declared the then youthful Adams, "not only disdain the virtues and enjoyments of civilization . . . . but shall he control the civilization of a world? Shall he forbid the wilderness to blossom like the rose? . . . . No, generous philanthropists!"<sup>281</sup> Adams, now in the role of philanthropist himself, was compelled to listen to the sarcasm of the Georgians:

Could the principle which regulated the colonies from their earliest day of strength, and beyond which Georgia has never gone, have been more forcibly expressed, or eloquently illustrated [than by this same Adams] . . . . Can it be that in such wide-sweeping assertion of colonial right, the mind of the orator had narrowed its vision to the horizon of New England, and the defense of his own puritan ancestors? Who, that has heard the announcement of such a principle, could for a moment imagine that the mind which had adopted, and the tongue which expressed it with such eloquence and force, should now utter unmeasured denunciation against Georgia for having acted short of the extent of his own principle?<sup>282</sup>

No, the Cherokees could never ask for further attention from Congress unless they quitted their dourness and accepted the generous grants in the western country — lands indeed desirable, broad in extent and fertile.<sup>283</sup> The advice

<sup>281</sup> *An Oration Delivered at Plymouth, December 22, 1802* (Boston 1802), p. 23.

A modern defense of the New England Indian policy may be found in Channing's *History of the United States*, Vol. I, pp. 338-341, 402, 403, Vol. II, pp. 76-79.

<sup>282</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4505.

<sup>283</sup> For descriptions of the Cherokee country, see *Executive Documents*, 1st Session, 26th Congress, No. 2, p. 466; 2nd Session, 26th Congress, No. 2, p. 310.

During the debates on the bill for the armed occupation of Florida, Benton elicited information from the War Department which he made the basis for a defense — one of the most able ever made — of the United States' Indian policy. — *Senate Documents*, 1st Session, 26th Congress, No. 616. The purpose of his contention was to answer De Tocqueville's rather flippant but withal very picturesque account of the American mode for ejecting the Indian peoples from their lands. — Benton's *Thirty Years' View*, Vol. I, p. 691, *et seq.*

of Webster was as prophetic as that of Jackson was authoritative. They were contending against the inevitable. The reception in the Senate of Clay's proposal of February, 1835, exhibited this fact in a pronounced manner. When Clay brought forward a plan whereby the Cherokees who did not choose to emigrate westward should receive the protection of the courts in confirming their titles to small parcels of land, his proposal was contemptuously brushed aside by Cuthbert of Georgia and by Benton, while Hugh L. White of Tennessee was provoked into delivering a long eulogy upon the now sacred policy of removal whose origin he traced to the great Jefferson.<sup>284</sup>

Clay might well reflect that his efforts in behalf of the Indians, beginning with his appeal for the Seminoles in 1819, had ended in much the same manner. We might ask, what motive could this Kentuckian harbor which moved him to persist in pleading the Indian cause like Webster and Everett, Calhoun and Vinton. Unlike Vinton, Clay did not harbor any prejudice in his heart against the men and women who left the East to find homes on the frontier.<sup>285</sup> Clay was one of them himself. Indeed, this pioneer trait in his own life accounts for his cheerless attitude toward the des-

Reeve's Translation of De Tocqueville's *Democracy in America* (Cambridge: 1863), Vol. I, p. 436, *et seq.*

Benton showed that between the years 1789 and 1840, ninety million dollars had been paid to the Indians by the Government for their land. This was a sum nearly six times as much as the whole of Louisiana cost and three times as much as all three of the great foreign purchases of Louisiana, Florida, and California. To the Cherokees, alone, for eleven millions of acres, was paid about fifteen millions of dollars, the exact price of Louisiana or of California. Benton reviewed the patient efforts of the United States to civilize the Indians, and the careful mode of treating with them for land cessions. Logicians will indeed concede that he proved the trivialness of De Tocqueville's criticism.

<sup>284</sup> *Register of Debates*, 2nd Session, 23rd Congress, p. 300, *et seq.* For a description of Clay's eloquence on this occasion, see Mallory's *Life and Speeches of Henry Clay*, Vol. I, p. 177.

<sup>285</sup> See above p. 225.

tiny of the Indian race. The *Diary* of John Quincy Adams reveals a light on this phase of Clay's *entente*, although that light is somewhat highly colored.<sup>286</sup> Adams records that when Barbour proposed in the Cabinet meeting of December 22, 1825, to incorporate the Indians as citizens of the States, Clay declared himself as utterly opposed to granting the Indians any such privilege. It was impossible to civilize them, said Clay; they were destined to extinction; and although he would never use or countenance inhumanity towards them, he did not think them as a race worth preserving. Their disappearance from the human family would in fact, he asserted, be no great loss to the world.

Such expressions indicate a distinctly pioneer conception of the Indian problem — for pioneers never idealized the American aborigines. Their judgment was Teutonic and harsh. Throughout all of Clay's impassioned appeals in behalf of these benighted people there is seldom a glimmer of hope for their advancement as a race. His eloquent pleadings for justice were but the promptings of a humane heart who pitied their condition, read their destiny, and saw how hopeless and cheerless it was. But, withal, there is a delicate distinction to be noted in Clay's opinion. It was the race — namely, the tribal relations, and barbarous customs, and separatism — that Clay believed to be unworthy of preservation. The civilization of individual members was another matter. Indeed, the ethnology of these peoples might seem to prove that Clay was not far in the wrong.

The Twenty-third Congress adjourned unheeding the Cherokee petition. The day was now at hand when the chapter of Cherokee struggles in Georgia would be closed. In December, 1835, the tribe gave way and at New Echota signed the treaty exchanging all their lands east of the Mississippi for five million dollars and lands in the West;

<sup>286</sup> *Memoirs of John Quincy Adams*, Vol. VII, p. 90.

and they promised to remove within the space of two years.<sup>287</sup> A stubborn faction, headed by the venerable chief, John Ross, still protested against this decision and denied the validity of the treaty; but they protested and denied in vain.<sup>288</sup> Senator White, chairman of the Indian Committee who in the preceding year had defeated the Eaton Treaty, found nothing in the negotiations to invalidate Jackson's new treaty. On April 19th, he reported in favor of ratifying.<sup>289</sup> A month later the ratification was considered in executive session, and the champions of the Indians then gave the last battle for Indian rights.<sup>290</sup> Clay, Webster, and Calhoun in turn argued for the rejection of the treaty. What they said has not been accurately preserved. But the Administration triumphed on May 18th, when one vote more than the necessary two-thirds was cast for ratification.<sup>291</sup> A small number of anti-administrationists in the lower house witnessed the defeat attending the efforts of Clay, Webster, and Calhoun in the Senate and prepared to make a resistance to the appropriation necessary to carry the treaty into effect. The Committee on Ways and Means did not long delay the little conflict. In the annual bill making appropriations for Indian treaties, which was soon after reported to the House, an item for the New Echota Treaty was found.<sup>292</sup> Adams, supported by Wise of Virginia, moved to strike out.<sup>293</sup> They were answered by Haynes of Georgia, who confused the Opposition with

<sup>287</sup> Kappler's *Indian Affairs: Laws and Treaties*, Vol. II, p. 439.

<sup>288</sup> *Executive Documents*, 1st Session, 24th Congress, No. 286. John Quincy Adams presented the John Ross memorial in the House of Representatives.—*Congressional Globe*, 1st Session, 24th Congress, p. 576.

<sup>289</sup> *Executive Journal of the Senate* (1887), Vol. IV, p. 532.

<sup>290</sup> Benton's *Thirty Years' View*, Vol. I, p. 624, *et seq.*

<sup>291</sup> *Executive Journal of the Senate* (1887), Vol. IV, p. 546.

<sup>292</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4501.

<sup>293</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4502, *et seq.*; *Memoirs of John Quincy Adams*, Vol. IX, p. 299.

Adams's own rhetoric on the "lordly savages".<sup>294</sup> Jackson's administration was then energetically defended by Haynes as follows:

When that administration came into power, seven years ago, it found a partial system of Indian colonization west of the Mississippi in operation. . . . Within the last six or seven years, the policy of removing and colonizing the Indians in the States east of the Mississippi, to the westward of that river, in a region remote from the habitation of the white man, has been among the topics of universal and bitter discussion from one end of the Union to the other. Nor on any other subject has the course of General Jackson's administration been more violently or unjustly assailed. And here I take leave to say, that so far from Indian hostilities having been provoked, either by the negligence or injustice of that administration, they may, with much greater justice, be ascribed to the political philanthropy, so loudly and pharisaically displayed by its political opponents; and I will further say, that should war arise on the part of the Cherokees, the sin of it lies not at the door of this administration, or its supporters.

Bouldin of Virginia in an attempt to be sarcastic, almost raved when he declared:

What is the policy, the design, of the United States, in regard to the Indians? . . . . Whence did they derive the title to all the wide domain of which they are the proud owner? Did they not derive it, or rather wrest it, from the possession of the natives — the Indians? and has it not been the uniform and persevering policy of the United States, hitherto, to drive them off, or exterminate them? What means this change of policy? Have they relented, or repented, and do they mean to change their policy? Let them, then, give up all the lands they have, by the tomahawk and scalping-knife, or the rifle, taken from that gallant but unfortunate race, and I will believe in their pity and their repentance. If they do not mean this, what do they mean? Do they mean, after having driven these unfortunate beings from the North and East to the South and Southwest, by treaties and cruelties far worse than have been lately practiced, to use the whole power of the confederacy, thus acquired,

<sup>294</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4505.



to compel the people of Georgia and their neighbors to submit to the scalping-knife and the tomahawk? Do they mean that an independent savage nation shall remain forever in the heart of a civilized sovereign State? . . . . Do they mean that these savages shall remain there, scalping and tomahawking, under the protection of the Federal Court or the Federal Government, until they have taken their vengeance on these helpless, defenceless women and children, and obtained as much money for their land as they may think proper to demand?<sup>295</sup>

Grantland, another Georgia Representative, warned the House against "misplaced philanthropy".<sup>296</sup> But no warning was necessary. The amendment offered by Adams was rejected without even a division; and Benton was able to congratulate the country that the North and the South had united, notwithstanding the opposition of Calhoun, in expelling the Indians from the South.<sup>297</sup>

Jackson's administration was drawing to a close. Much had been accomplished for the policy of a general removal since the President's inauguration in 1829; and Jackson did not forget to congratulate the nation upon the success of the removal policy in his last annual message of December, 1836. He considered this success consummated by the late treaty of New Echota.<sup>298</sup> To the Opposition these felicitations appeared, perhaps, premature, for the Cherokees under the terms of their treaty had still a year of grace before quitting their lands.

The end of the first year of Van Buren's administration witnessed an increased public interest in the Cherokee question. The details of Jackson's treaty had become well known, and Webster could truly say in the Senate that there was a "growing feeling in the country that great wrong had

<sup>295</sup> *Register of Debates*, 1st Session, 24th Congress, pp. 4526, 4550.

<sup>296</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4554.

<sup>297</sup> *Register of Debates*, 1st Session, 24th Congress, p. 4565; Benton's *Thirty Years' View*, Vol. I, p. 626.

<sup>298</sup> *Register of Debates*, 2nd Session, 24th Congress, Appendix, p. 9.

been done to the Cherokees by the treaty of New Echota".<sup>299</sup> Multitudes of petitions adverse to the removal of the Cherokees came to the House, only to be tabled at the motion of the Georgia delegation.<sup>300</sup> Lumpkin denounced the "slanders" cast by these memorials with the evil purpose of disparaging the State of Georgia. He condemned "the idle, silly, and false sympathy set forth" as coming from a distant people "who are obviously ignorant of the merits of the subject with which they are impertinently intermeddling."<sup>301</sup> Clay of Alabama charged the northern Senators with an evident desire to "loose the tomahawk and scalping knife" upon the Alabama frontiersmen.<sup>302</sup> King of Alabama declared that the continued discussion of the subject in Congress created false hopes in the minds of the Cherokees and would result in dangerous disturbances. And his colleague, Senator Clay, said that the recent scenes in Florida ought to admonish all of the "danger of tampering with a subject of such fearful importance, and that firmness and energy, with a rigid adherence to the terms of the treaty, was the only course to prevent war and bloodshed."<sup>303</sup>

When Webster ventured to say that "many excellent and worthy men had it in their consciences on their pillows, that some great wrong had been done to the Cherokees in the treaty of Echota", the proverbial reply was made by Alfred Cuthbert of Georgia. "Where were the Indian tribes which once covered the territory of Massachusetts?", he said, using phrases almost stereotyped by repeated expression. "Where slumbered the consciences of the people of Massa-

<sup>299</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 403.

<sup>300</sup> Many petitions came from Massachusetts.—*Journal of the House of Representatives*, 2nd Session, 25th Congress, pp. 726, 776, 778, 911, 986, 1020, 1127; *Memoirs of John Quincy Adams*, Vol. IX, p. 518.

<sup>301</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 376.

<sup>302</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 263.

<sup>303</sup> *Congressional Globe*, 2nd Session, 25th Congress, pp. 263, 402.

chusetts when these tribes were exterminated by them? Yes, sir, butchered!"

Further discussions were vain. "The treaty must be executed", thundered the Georgia delegation on all occasions. No bill was passed for Cherokee relief.<sup>304</sup> And at last, close following upon the adjournment of Congress, the problem was put forever beyond the pale of Congressional reconsideration when the treaty was enforced in the Cherokee country by an officer of the army — General Winfield Scott. "The full moon of May is already on the wane," read his proclamation to the Cherokee people, "and before another shall have passed away, every Cherokee, man, woman, and child . . . must be in motion to join their brethren in the far west." When the last remnants of these people passed the Mississippi their petitions against removal ceased to annoy Congress.<sup>305</sup>

#### DEFENSE OF THE OREGON COUNTRY

The census map of 1840 presents a different picture of the frontier line than does the map of 1820.<sup>306</sup> In Louisiana, Arkansas, and Missouri the settlements had been extended westward to Texas and to the edge of the Indian country. The country on the right bank of the Mississippi River was covered with farms as far north as Prairie du Chien, and straggling claims were found even further to the north and west. On the east side of the Mississippi the northern frontier had been pushed well into the interior of Wisconsin and Michigan. And the great inland frontiers which appear on the map of 1820 were fast disappearing;

<sup>304</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 404. The slogan of the Georgian delegation is illustrated by Lumpkin's speech, p. 403.

<sup>305</sup> *Niles' Weekly Register*, Vol. LIV, p. 210.

<sup>306</sup> *Eleventh Census, Population*, Vol. I, Part 1, Map facing p. xxiv. For the military frontier, see *Executive Documents*, 2nd Session, 27th Congress, No. 2, p. 80, pl. D; and *American State Papers, Military Affairs*, Vol. VII, Map facing p. 780.

for the land titles of the Cherokees, Creeks, Choctaws, Chickasaws, and of the northern tribes (with a few exceptions like the Miamis and the Menominees) had been extinguished and their lands surveyed and sold to the pioneers and southern planters. The two decades which had passed since the year 1820 had witnessed the consummation of the policy for Indian removal from the eastern half of the Mississippi Valley, and the scene of Indian affairs was now shifted across the Mississippi to the further West.

Benton had long kept before Congress the necessity of patrolling the southwestern frontier bordering upon Mexico, which was peculiarly exposed to the attacks of the nomadic Comanches and Apaches. In the year 1825 he called upon Congress to protect from the depredation of these Indians the overland trade between Missouri, Santa Fé, Chihuahua, and Sonora.<sup>307</sup> Five years previously the traders of the prairies had established the Santa Fé Trail over the desert prairie between the town of Independence on the Missouri River and the capital of New Mexico; and, said Benton in 1825, it seemed like a romance to hear of caravans of trade traversing in season the vast plain between the Missouri and the Rio del Norte. The bill Benton introduced for improving the Trail and pacifying the Indians en route was passed by both houses.<sup>308</sup>

Starting from the same Missourian *locale* another and longer trail traversed the plains and mountains of the Northwest. This was the trail to Oregon. Like the Santa Fé Trail its congressional guardians were the Missouri Senators, Benton and Linn. At an early day they urged Congress to protect the emigrants to Oregon. While the story of the struggle for Oregon belongs to another chapter of western history, there are parts of the story which too

<sup>307</sup> *Register of Debates*, 2nd Session, 18th Congress, p. 341.

<sup>308</sup> *United States Statutes at Large*, Vol. IV, p. 100.

intimately concern the defense of American settlers on the frontier to be excluded from this narration. A discussion of one particular phase — defense of the Oregon pioneers — tangled as it is in a question of greater importance, will nevertheless throw a new light on the Oregon question.

Since Benton and Linn are the heroes of the tale it is well to begin with their earliest exertions. Benton in his first term as Senator from the newly created State of Missouri ably supported Floyd's bill of 1822 for the armed occupation of the Columbia River, which bill also contemplated grants of land to settlers and supervision of the Indians. He **had also introduced** resolutions on his own initiative looking towards the retention of the Oregon country.<sup>309</sup> Sixteen years later, February 7, 1838, Lewis F. Linn introduced the first of his series of bills for the establishment of an Oregon Territory;<sup>310</sup> and from that day until his death, he became the special advocate for Oregon.

To what extent Benton and Linn fostered these bills as an open defiance to England and a part of the game in the Oregon diplomacy and to what extent they favored them simply as a means to protect and give the emigrants a government can not be exactly measured; nor would it be profitable to elaborately essay any such measurement. The latter motive is not to be entirely overlooked, although it is probably the lesser, in the case of Benton. It should be remembered, however, that Benton was a western man; and of western problems he studied the real conditions, not merely the theories. Unlike the ex-President who debated the same question in the House, and who had played a part in the early diplomacy of the case, Benton saw not only the *raison d'état* but he also saw the great bare plains of the Northwest through which ran the Oregon Trail to the South

<sup>309</sup> *Annals of Congress*, 2nd Session, 17th Congress, p. 246.

<sup>310</sup> *Congressional Globe*, 2nd Session, 25th Congress, p. 168.

Pass, and the thousand slow moving caravans of daring men and pioneer women travelling toward the West to make their homes in the romantic land of the joint-occupancy. The hopes and the fears of these emigrants he understood. And being himself of kindred spirit he championed their cause. Nor was Benton alone among western members. He typified the sentiment of western expansion. Linn and Douglas were of his mold.

On February 6, 1840, Linn gave a new feature to the Oregon question by moving resolutions calling upon the Secretary of War for his opinion concerning establishing forts along the Oregon Trail for the purpose of encouraging and protecting the American fur traders and caravans to the new country.<sup>311</sup> Poinsett's report in reply was agreeable to such a scheme and proposed locations for three posts along the Trail.<sup>312</sup> Linn, however, did not include this item in his plan of Columbian colonization, although upon the 28th of April he introduced a bill to extend jurisdiction over Oregon. Later, in May, he agreed not to urge the Oregon question in any phase, pending the delicate state of affairs in the Northeastern boundary negotiations.<sup>313</sup>

As to the Tyler administration, both the President and his Secretary of War, Spencer, were of the opinion that forts should be established on the Oregon Trail. Indeed, in his annual report of December, 1841, Spencer asked for a chain of posts from Council Bluffs to the mouth of the Columbia, and Tyler added his recommendation in the annual message.<sup>314</sup> Both, forsooth, cautiously limited their reasons to one, and that was protection of fur traders from the Indians. Nine days following the President's message

<sup>311</sup> *Congressional Globe*, 1st Session, 26th Congress, p. 166.

<sup>312</sup> *Senate Documents*, 1st Session, 26th Congress, No. 231.

<sup>313</sup> *Congressional Globe*, 1st Session, 26th Congress, p. 363.

<sup>314</sup> *Congressional Globe*, 2nd Session, 27th Congress, Appendix, pp. 4, 12.

Linn introduced his Oregon bill revised up to date.<sup>315</sup> It contained a section providing for forts along a trail leading from the Missouri into "the best pass for entering the valley of the Oregon".<sup>316</sup> Before it was discussed at length Lord Ashburton arrived in Washington, and again congressional discussion of the Oregon question was postponed because of the international negotiations.<sup>317</sup>

The treaty with Ashburton was concluded in August of 1842, and when Congress convened in December the persistent and patient Linn again introduced his bill.<sup>318</sup> In regard to Indian affairs it provided for two agencies to superintend all tribes of the westernmost West.<sup>319</sup> The omission of any compromise on the Oregon boundary in the Webster-Ashburton Treaty made the time ripe for acute discussion of such a bill. The opposition was decided. First Calhoun,<sup>320</sup> then M'Duffie,<sup>321</sup> Choate,<sup>322</sup> Crittenden,<sup>323</sup> Berrien,<sup>324</sup> and Archer<sup>325</sup> spoke against it. Calhoun interpreted the measure as an act of hostility toward England, and upon this premise he argued for the rejection of the bill. The country was unprepared for war if England resented the action, was the burden of his thesis.<sup>326</sup> The section do-

<sup>315</sup> *Congressional Globe*, 2nd Session, 27th Congress, p. 22.

<sup>316</sup> For details of bill, see *Niles' Weekly Register*, Vol. LIX, p. 338; *Congressional Globe*, 3rd Session, 27th Congress, p. 112.

<sup>317</sup> Linn and Sargent's *Life and Public Services of Dr. Linn*, p. 239.

<sup>318</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 61.

<sup>319</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 112.

<sup>320</sup> *Congressional Globe*, 3rd Session, 27th Congress, pp. 133, 227; Appendix, p. 138.

<sup>321</sup> *Congressional Globe*, 3rd Session, 27th Congress, pp. 198, 240.

<sup>322</sup> *Congressional Globe*, 3rd Session, 27th Congress, pp. 171, 239; Appendix, p. 222.

<sup>323</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 105.

<sup>324</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 212.

<sup>325</sup> *Congressional Globe*, 3rd Session, 27th Congress, pp. 104, 220, 244; Appendix, p. 130.

<sup>326</sup> *Congressional Globe*, 3rd Session, 27th Congress, Appendix, p. 139.

nating lands to settlers he pointedly disapproved as a violation of treaty rights.<sup>327</sup> Calhoun believed the tide of American emigration would soon reach the Rocky Mountains of its own accord and be ready to pour into the Oregon country. Such a theory would seem to preclude the idea that military posts should not precede actual settlement. Be that as it may, Calhoun closed his speech with a long defense of his conduct as Secretary of War when, perceiving the resources of the Northwestern fur trade, he had advanced the military stations high up the Mississippi and Missouri.<sup>328</sup>

Choate disapproved of the section making donations to settlers as a contravention of the Convention of 1827.<sup>329</sup> And he further explained at length how Oregon had been exploited by Massachusetts enterprise. Might not the East, therefore, be the rightful judge of the disposition to be made of the country of the Northwest?

So far as to the bill being an act of hostility to Great Britain it is difficult to conceive such a nature therein, save in the section making the donation of land. The other features gave the settlers the protection which Great Britain had already given her own Oregon citizens by act of Parliament in the year 1821.<sup>330</sup> But the proposed land grants were a questionable matter. Calhoun sought the reference of the bill to the Committee on the Judiciary in order to strike out this objectionable feature, but the friends of the bill would permit no such emasculation.<sup>331</sup> On the other hand Calhoun was equally stubborn. When Bayard proposed an amendment to the effect that the proposed dona-

<sup>327</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 134.

<sup>328</sup> *Congressional Globe*, 3rd Session, 27th Congress, Appendix, p. 141.

<sup>329</sup> *Congressional Globe*, 3rd Session, 27th Congress, Appendix, p. 222.

<sup>330</sup> 1 and 2 George IV, cap. LXVI.

<sup>331</sup> *Congressional Globe*, 3rd Session, 27th Congress, pp. 134, 239.



tions should be altered to mere claims against the United States, an arrangement which would be in no wise hostile to England, Calhoun objected.<sup>332</sup>

On February 3rd, by a vote of 24 to 22 the bill passed the Senate; but it failed in the House.<sup>333</sup> Before the next session of Congress death had come to Senator Linn, leaving to his colleagues the legacy of his Oregon bill.<sup>334</sup>

In the two sessions following Linn's death several different Oregon bills were considered, but all failed to pass both houses.<sup>335</sup> The discussions thereon were of course a part of the extensive Oregon debate and may be noticed here only because of references to the question of protection from the Indians, which was ever but a side issue. Benton continued to point out, as in earlier speeches, the dangers which would ensue if the agents of the Hudson Bay Company should instigate the natives to war upon the emigrants.<sup>336</sup> Buchanan,<sup>337</sup> Hannegan of Indiana,<sup>338</sup> Douglas<sup>339</sup>—soon to be appointed chairman of the House Committee on Territories—and Duncan of Ohio<sup>340</sup> also pointed out this danger.

Arguing from the same fact, namely, the hostilities of the Indians, Senator Dayton of New Jersey came to different

<sup>332</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 134.

<sup>333</sup> *Congressional Globe*, 3rd Session, 27th Congress, p. 240. For Linn's bill, see Appendix, p. 154. Adams from the House Committee on Foreign Relations to whom the Senate bill was referred reported that the House do not concur therein.—*Journal of the House*, p. 382.

<sup>334</sup> Benton's *Thirty Years' View*, Vol. II, p. 486.

<sup>335</sup> *Congressional Globe*, 1st Session, 28th Congress, pp. 56, 77, 104, 366; 2nd Session, 28th Congress, pp. 36, 38, 63.

<sup>336</sup> *Congressional Globe*, 1st Session, 28th Congress, p. 637.

<sup>337</sup> *Congressional Globe*, 1st Session, 28th Congress, Appendix, p. 346.

<sup>338</sup> *Congressional Globe*, 1st Session, 28th Congress, Appendix, p. 245.

<sup>339</sup> *Congressional Globe*, 2nd Session, 28th Congress, p. 226.

<sup>340</sup> *Congressional Globe*, 2nd Session, 28th Congress, p. 216; Appendix, p. 181.

conclusions. He declared that the United States could never wisely make "Oregon a State of this Union . . . [or] a separate government, the effect of which would be to pen up 342,000 Indians between it and our western frontier. It would either be the cause of exterminating the Indians, or making them a horde of depredators, or both."<sup>341</sup> Senator Choate of Massachusetts, one of the most persistent opponents to the retention of Oregon, sought to prove that the Northwestern danger was overrated by western congressmen;<sup>342</sup> and Adams in the House implied that "the enterprising, and warlike young men" of Oregon should be able to protect themselves.<sup>343</sup>

In December, 1845, Benton made a sensible move in the Oregon question — a move, indeed, which it is a matter of wonder was not made long before. He separated the proposition of immediate protection to the Oregon emigrants and the vital issue of the Oregon question. This was done by a bill which he reported from the Military Committee, providing for a regiment of mounted riflemen and several outposts with the object of guarding the Oregon Trail.<sup>344</sup> Such a bill was one that could consistently be supported by Calhoun and Crittenden, although the latter considered it of little real importance.<sup>345</sup> The Senate passed it on January 8, 1846, but the House delayed its becoming law until almost a month after the adoption of the joint resolution to abrogate the Oregon Convention.<sup>346</sup> The credit for this bill is not entirely to be laid to Benton. President Polk's bold message at the convening of Congress had practically rec-

<sup>341</sup> *Congressional Globe*, 1st Session, 28th Congress, p. 315.

<sup>342</sup> *Congressional Globe*, 1st Session, 28th Congress, p. 407; Appendix p. 587.

<sup>343</sup> *Congressional Globe*, 2nd Session, 28th Congress, p. 228.

<sup>344</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 108.

<sup>345</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 162.

<sup>346</sup> *Congressional Globe*, 1st Session, 29th Congress, pp. 162, 830.

commended that the question of providing defenses for the pioneers be separated from the question of the acquisition of Oregon. In this matter the President and Benton had, indeed, been in full accord for some time.<sup>347</sup>

The committees on Indian affairs in both houses reported bills to regulate trade and intercourse with the Oregon Indians and to make peace with them;<sup>348</sup> but both bills were postponed pending the outcome of the Buchanan-Pakenham Treaty and were never taken from the table during this session.<sup>349</sup>

On August 5, 1846, almost at the close of the session, Polk was able to communicate to Congress the fact that ratifications of the convention for the final adjustment of the Oregon question had been exchanged with Great Britain.<sup>350</sup> At last the great objection to giving the Oregon settlers a government and protection from the Indians was overcome. The exclusive jurisdiction of the country was now vested in

<sup>347</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 7; *Diary of James K. Polk*, Vol. I. p. 70.

It should be noted that President Tyler also had advocated practically a separate discussion of protection to the emigrants. In his last annual message, December 3, 1844, after informing Congress that the negotiations of Secretary of State Calhoun with the British Government concerning the Oregon jurisdiction were still pending, he renewed his previous recommendations for laws "to protect and facilitate emigration to that Territory." Concerning these measures Tyler said: "The establishment of military posts at suitable points upon the extended line of land travel would enable our citizens to migrate in comparative safety to the fertile regions below the falls of the Columbia, and make the provision of the existing convention for the joint occupation of the Territory by subjects of Great Britain and the citizens of the United States more available than heretofore to the latter. These posts would continue places of rest for the weary emigrant, where he would be sheltered securely against the danger of attack from the Indians, and be enabled to recover from the exhaustion of a long line of travel."—*Congressional Globe*, 2nd Session, 28th Congress, p. 3. The Executive attitude in 1844-1845 is discussed on p. 387, but evidently Tyler's attitude had little weight in the matter.

<sup>348</sup> *Congressional Globe*, 1st Session, 29th Congress, pp. 121, 888.

<sup>349</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 834; *Journal of the Senate*, p. 320.

<sup>350</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 1199.

the United States; and Congress under the Constitution was authorized to give the Territory a government. But for two years this power was held in abeyance, and the Oregon country remained in the same lawless state for want of congressional action. The cause of this inaction had already been foreseen. The northern extremists pointed toward Calhoun. His policy of a "wise and masterly inactivity" in 1845 had been interpreted into "no more free soil territory", and now his opponents were to find another sin to lay at his door. Calhoun was too shrewd a man not to know that the northern party would insist upon inserting a slavery restricting clause in the Territorial bill for Oregon. That country was north of the Mason and Dixon line. No one asserted that slavery would ever find a root there. Why then meet the question of slavery on a bill so vital to the Northwest? Simply because this was the logical opportunity to force the issue of the constitutionality of slavery;<sup>351</sup> and Calhoun's opponents were not loth to accept the challenge, no matter what the cost of delay might be to Oregon.

As soon as the President's message announcing the exchange of ratifications in regard to the Oregon Convention of June and urging the early establishment of a government for that Territory was communicated to the House, Douglas from the Committee on Territories introduced a bill providing both a government and Federal protection for Oregon.<sup>352</sup> This bill had been prepared some months in advance of the President's announcement and had been framed with an eye single to the welfare of the Territory. As introduced it contained no clause on slavery to block its passage. But on the same day, after the House had put it

<sup>351</sup> For Benton's criticism of Calhoun for "forcing the issue", see his *Thirty Years' View*, Vol. II, p. 698, *et seq.*

<sup>352</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 1200.

through the first two readings in the Committee of the Whole, the bill was amended to forever exclude slavery from the Territory. The vote on this amendment was decisive — 108 ayes and only 43 nays.<sup>353</sup> The expedition of the House in this matter was commendable. Within a few hours time Douglas's bill as amended passed the third reading and was sent to the Senate.<sup>354</sup>

Undoubtedly the upper chamber would also have passed this bill with the same promptness had the slavery restricting clause been reversed or entirely omitted. As it was the southern majority tabled it at the instigation of Calhoun — so Benton claims.<sup>355</sup> Thus the Oregon people were left for a year in their extra-legal status, with no authoritative government and embarrassed with threatening Indian wars. This was also their fate for another year, for the history of the first Territorial bill was repeated when the second bill came from the House in the session of 1846-1847. The Senate tabled it.<sup>356</sup>

In the whole Oregon affair there is one man who stands out in a peculiarly satisfactory way — and that man is the President. Polk viewed the question with the executive attitude. Oregon was without a government and without adequate protection. Both should be immediately supplied. Twice, in a special and in an annual message, Polk told Congress this. He had even promised the Oregon settlers that he would demand action from Congress;<sup>357</sup> but that was all he could do. The situation, he rightly described in

<sup>353</sup> *Congressional Globe*, 1st Session, 29th Congress, pp. 1200, 1204.

<sup>354</sup> *Congressional Globe*, 1st Session, 29th Congress, p. 1205.

<sup>355</sup> *Journal of the Senate*, 1st Session, 29th Congress, p. 505; Benton's *Thirty Years' View*, Vol. II, p. 698, *et seq.*

<sup>356</sup> *Congressional Globe*, 2nd Session, 29th Congress, pp. 199, 571.

<sup>357</sup> *Congressional Globe*, 1st Session, 30th Congress, Appendix, p. 40. Compare *Diary of James K. Polk*, Vol. II, pp. 444-449; also *Niles' Weekly Register*, Vol. LXXII, p. 148.

his *Diary* when he wrote: "The present defenseless condition of the people of Oregon is wholly to be attributed to the neglect and inattention of Congress to their condition, and . . . refusal to legislate in accordance with the Executive recommendation".<sup>358</sup> Polk could not lead Congress in the thorny path it had elected to pursue on the slavery question.

It was with a decided tone of irritation that Polk reminded Congress in his annual message of December 7, 1847, that no government or Indian agencies for Oregon had been established.<sup>359</sup> The Federal defense of the Oregon Trail and the Oregon country at this time was indeed weak. Benton's bill of 1846 had provided for a regiment of mounted riflemen for duty in the Northwest, but they had hardly been recruited before they were ordered to service in the Mexican War.<sup>360</sup> The Northwest was left quite defenseless. In regard to this condition the report of the Commissioner of Indian Affairs sounded a distinct warning.<sup>361</sup> Thirty thousand savages inhabited the Columbia River valley, the report pointed out, rendering the position of the settlers in this far-away country peculiarly exposed.

Benton repeated this warning in the Senate. He attributed "all the murderous outrages" committed by the Indians upon Oregon settlers to the delay of the Government in extending its political jurisdiction and protection over the new Territory in the Northwest. "Our meritorious settlers, at a distance of three thousand miles, have deserved well of their country from their enterprise", Benton de-

<sup>358</sup> *Diary of James K. Polk*, Vol. IV, p. 155.

<sup>359</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 10.

<sup>360</sup> For the history of this regiment, see *Diary of James K. Polk*, Vol. IV, p. 155; *Congressional Globe*, 1st Session, 30th Congress, Appendix, p. 20; 2nd Session, 30th Congress, Appendix, p. 21; 1st Session, 31st Congress, Appendix, pp. 11, 12.

<sup>361</sup> *Senate Documents*, 1st Session, 30th Congress, No. 1, p. 752.

clared, and he hoped "they would not be left exposed to danger and inconvenience from calamities which a proper attention to their wants on the part of the Government would prevent."<sup>362</sup> Senator Hannegan, one of the few remaining Senators who seems to have retained the confidence of the Administration, called upon Congress to drop the useless discussion of slavery in regard to this question and give attention to "the cries of our citizens in Oregon, surrounded by hostile Indians".

Full intelligence of the beginnings of Indian hostilities in Oregon was confirmed in May, 1848, by the arrival in Washington of two messengers to the President.<sup>363</sup> They came from the provisional government of the settlers. One had sailed by the way of San Francisco and the Isthmus of Panama; the other had followed the Oregon Trail to St. Louis, and thence to Washington. When their definite information of outbreaks on the Columbia River was received, Polk immediately communicated it to Congress and urged expedition. Territorial government should immediately be established and authority granted to raise a volunteer force for the protection of the inhabitants. Besides, according to the program Polk outlined for Congress, a regiment of mounted men should be enlisted. If aid was to be carried to Oregon before winter blocked access to the country from the land side immediate action was necessary. And a delay of another year "may prove destructive to the white settlements in Oregon", urged Polk.<sup>364</sup> With all the force that he could exert, Polk recommended personally to members of Congress the immediate needs of Oregon and proposed that the Missouri Compromise line be revived and extended to the Pacific.<sup>365</sup> Such an agreement would make possible a

<sup>362</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 804.

<sup>363</sup> *Diary of James K. Polk*, Vol. III, p. 463.

<sup>364</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 788.

<sup>365</sup> *Diary of James K. Polk*, Vol. III, pp. 501, 504; Vol. IV, p. 12.

logical retreat by both parties upon a precedent already established.

Pricked by the exasperating condition in Oregon, the Senate resumed discussion of the Territorial bill, and after a prolonged debate resorted to a select committee headed by Senator Clayton.<sup>366</sup> This compromise committee responded with a bill to organize the Territories of California and New Mexico as well as Oregon. The laws of the provisional government of Oregon prohibiting slavery were to remain until altered by the new Territorial legislature; while the legislatures of California and New Mexico were forbidden to make laws interdicting slavery.<sup>367</sup> This compromise was finally accepted by the Senate, but the House contemptuously rejected it.<sup>368</sup> After the failure of the compromise of the Committee of Eight, Douglas proposed Polk's compromise.<sup>369</sup> The Senate accepted it, but the House again refused to compromise.<sup>370</sup> Finally at the end of a tiresome session the Senate gave up, and the Douglas bill with the restrictions of the Northwest Ordinance was accepted by both houses and presented to the President upon the last day of adjournment.<sup>371</sup> Polk immediately gave his sanction — which indeed he had been prepared to give for some time, although Calhoun had personally exerted his utmost influence upon him to obtain a veto.<sup>372</sup> The President's prompt signature was a rebuke to the long wrangle in Congress, which for two years had delayed justice to Oregon.

<sup>366</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 932.

<sup>367</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 950. The bill is printed on p. 1002.

<sup>368</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 1007.

<sup>369</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 1048.

<sup>370</sup> *Congressional Globe*, 1st Session, 30th Congress, pp. 1061, 1062.

<sup>371</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 1078.

<sup>372</sup> *Diary of James K. Polk*, Vol. IV, pp. 22, 72-74.



## OREGON TERRITORY AND THE INDIANS

The first session of the Thirtieth Congress passed a Territorial bill for Oregon, but the entire program of legislation for that Territory as laid down by the President in his message of May, 1848, was not carried out.<sup>373</sup> The struggle over the slavery clause had been too engrossing and all-absorbing for careful consideration of other details; and perhaps there was also some truth in the President's bitter reflection that Congress had been "more occupied at the last session in President making than in attending to the public business."<sup>374</sup> On the tenth of October Polk wrote:

I read to the Cabinet a communication which I received this morning from George Abernethy, the Governor of the Temporary Government in Oregon, dated April 3rd, 1848, in which he states that an Indian war is raging in Oregon, presents their destitution of arms and the means of defense, and earnestly calls upon the Government of the U. States for assistance and protection. We have no means of affording timely aid other than that which has been already ordered. It is most unfortunate that Congress had not granted the force for which I called to protect the people of Oregon in my message of May last. . . . Congress not only refused to do this, but after the orders had been issued, upon the conclusion of the Mexican War, to have the Mounted Rifle Regt. march to Oregon the last summer for their protection, that body, without the recommendation of the Executive & against our wishes, authorized every man of that Regiment who would ask it to be discharged. The effect [of] this was . . . . to disband the Regiment & to recruit it again, and in the mean-time the season was too far advanced to enable the Regiment to be marched across the Rocky mountains before the impassable snows of winter would set in. The present defenseless condition of the people of Oregon is wholly to be attributed to the neglect and inattention of Congress to their condition, and . . . . refusal to legislate in accordance with the Executive recommendation at the last Session.<sup>375</sup>

<sup>373</sup> *Congressional Globe*, 1st Session, 30th Congress, p. 788.

<sup>374</sup> *Diary of James K. Polk*, Vol. IV, p. 155.

<sup>375</sup> *Diary of James K. Polk*, Vol. IV, pp. 154, 155.

In lieu of a military force during the autumn of 1848, Polk used the navy to succor the Oregon people. Orders were transmitted to the commander of the American squadron in the Pacific to dispatch to the assistance of the Oregon settlers a part of the naval forces under his command, and to furnish them with arms and ammunition and protection until the army could arrive.<sup>376</sup> When Congress convened in December a large part of the President's message was devoted to the state of affairs in the Oregon country.<sup>377</sup> In plain words Polk exhibited the culpable neglect of Congress for "the continuance of the Indian disturbances" and for "the destitution and defenseless condition of the inhabitants." If Indian agencies had been established in Oregon, Polk declared, the aboriginal tribes would have been restrained from making war.

The immediate and only cause of the existing hostility of the Indians of Oregon is . . . the long delay of the United States in making to them some trifling compensation . . . for the country now occupied by our emigrants, which the Indians claimed, and over which they formerly roamed. This compensation had been promised to them by the temporary government established in Oregon, but its fulfillment had been postponed from time to time, for nearly two years, whilst those who made it had been anxiously waiting for Congress to establish a territorial government over the country. The Indians became at length distrustful of their good faith, and sought redress by plunder and massacre, which finally led to the present difficulties. A few thousand dollars in suitable presents, as a compensation for the country which had been taken possession of by our citizens, would have satisfied the Indians, and have prevented the war.

Again the President called upon Congress to provide Indian agents to reside among the Indian tribes and for appropriations to enable these agents to cultivate friendly

<sup>376</sup> *Congressional Globe*, 2nd Session, 30th Congress, p. 7.

<sup>377</sup> *Congressional Globe*, 2nd Session, 30th Congress, pp. 6, 7.

relations with them. Especially did the President recommend an appropriation to cover the militia service of "our fellow-citizens of Oregon [who] have been compelled to take the field in their own defense".

Howbeit, the session passed by with little effort to formulate into law any of these Presidential recommendations. The militia claims were not, of course, even broached, for the reason that there was no one to present them for allowance. By the Organic Act of August 14, 1848, the Territory was entitled to be represented by a Delegate to Congress.<sup>378</sup> None appeared, however, in this session, for the Territorial act had been passed so late in the summer of 1848 and the journey to Oregon was so long that time did not permit a Delegate to arrive or even to be elected before the session of 1848-1849 adjourned. The Organic Act had been carried to the new Territory by the first Governor and Marshal whom the President had hastily dispatched to the West immediately following the passage of the act of August 14, 1848. Taking the Santa Fé and Gila trails to California, because the approaching winter forbade access by way of the Oregon Trail, these officers crossed the continent to San Pedro harbor; thence they sailed to their destination, arriving on the second day of March, 1849. The proclamation of Oregon's Organic Act was made the next morning.

The days of legislative neglect were now numbered. After the establishment of the Territorial government, a Delegate to Congress was elected.<sup>379</sup> This Delegate — Thurston by name — arrived at Washington in November before the first session of the Thirty-first Congress convened. The character of this first Delegate from the Northwest is worthy of note. Born in Maine and educated at Bowdoin College, Thurston emigrated to Oregon in 1847 while yet a

<sup>378</sup> *United States Statutes at Large*, Vol. IX, p. 329.

<sup>379</sup> *The Whig Almanac*, 1850, p. 51.

young man. Despite his short sojourn in the new Territory of the Northwest, he is said to have rivaled the crudest of western politicians with his harsh and impulsive manners and his over-bearing confidence.<sup>380</sup> Be that as it may, Thurston knew what legislation the Territory needed and how to obtain it from Congress. He addressed himself most carefully to the committees of both houses before taking the floor of the lower house in person. The results of his activities may be judged from the statute book of the United States at the end of the session.<sup>381</sup>

One of the first bills which the Delegate had a share in bringing to a successful issue was a bill reported to the Senate by its Committee on Indian Affairs.<sup>382</sup> Early in the session the committee had under advisement a resolution offered by Douglas concerning the expediency of extinguishing the Indian title to certain portions of the western Territories, including Oregon and California.<sup>383</sup> Senator John Bell of Tennessee was chairman; and seems to have depended entirely upon Delegate Thurston for his information in regard to conditions in Oregon.<sup>384</sup> It was high time that some measure be taken in regard to Indian cessions. All American settlers save those who appropriated to themselves the property of former British subjects were nothing more nor less than trespassers upon unceded Indian territory. There was not an inhabitant, Bell truly declared, who could improve his land or build a home with confidence, because there was no land to which some Indian tribe did not set up a claim.<sup>385</sup> The necessity of the immediate extin-

<sup>380</sup> Bancroft's *History of Oregon*, Vol. II, pp. 114, *et seq.*

<sup>381</sup> *United States Statutes at Large*, Vol. IX, pp. 437, 438, 440, 496.

<sup>382</sup> *Congressional Globe*, 1st Session, 31st Congress, p. 262.

<sup>383</sup> *Journal of Senate*, 1st Session, 31st Congress, pp. 42, 62, 122.

<sup>384</sup> *Congressional Globe*, 1st Session, 31st Congress, p. 262.

<sup>385</sup> *Congressional Globe*, 1st Session, 31st Congress, pp. 262, 411.

guishment of these Indian titles in order to preserve peace was beyond the need of elaborate proof. Under the management of the chairman and Douglas the bill passed the Senate in April and the lower house on May 29th.<sup>386</sup>

Well it was for the good fame of the American Indian policy that the Indian treaty bill preceded in point of time a certain bill already reported to the House by its Committee on Public Lands. This was a bill to survey the public lands of Oregon and to make donations to the white settlers. Although following so closely upon the act to treat with the Indians for the purchase of their Oregon lands the objection does not seem to have been made that the act of May 29th might not be successful in extinguishing the Indian titles. The right of the Oregon settlers to the Indian lands upon which they had squatted without so much as asking leave was unquestioned in Congress, and no one burdened the Delegate to frame a defense of their technical trespassing.<sup>387</sup>

In regard to military matters, the Senate was equally compliant to western demands. Jefferson Davis, Chairman of the Committee on Military Affairs, introduced a bill to increase the army with the avowed purpose of protecting the Indian frontier.<sup>388</sup> "You cannot stop the travel to California", said Rush of Texas, thinking more of his own locality than of the Northwest, "or the settlement on the frontiers of Texas and in New Mexico, and it becomes therefore the imperative duty of Congress to protect them."<sup>389</sup> The bill passed both houses.<sup>390</sup> Moreover, in the following session Thurston with the aid of Douglas<sup>391</sup> and Armistead

<sup>386</sup> *Congressional Globe*, 1st Session, 31st Congress, pp. 798, 1090.

<sup>387</sup> *Congressional Globe*, 1st Session, 31st Congress, pp. 791, 1030.

<sup>388</sup> *Congressional Globe*, 1st Session, 31st Congress, pp. 395, 1139.

<sup>389</sup> *Congressional Globe*, 1st Session, 31st Congress, p. 1180.

<sup>390</sup> *United States Statutes at Large*, Vol. IX, p. 438.

<sup>391</sup> *Congressional Globe*, 2nd Session, 31st Congress, p. 332.

Burt,<sup>392</sup> Chairman of the House Committee on Military Affairs, procured a settlement of the Cayuse War claims — the same militia claims mentioned by Polk in his last annual message.<sup>393</sup>

At the close of the Thirty-first Congress, Thurston might truly write his constituents that the last of the measures to meet Oregon's present needs had been consummated.<sup>394</sup> All this was done in spite of the exhaustive debates on the compromise bills which excluded the much needed legislation in the first session. The attention of Congress had been definitely fixed upon the Pacific coast and the period of its neglect was past.

#### CONCLUSION

As to the frontier in the three decades from 1820 to 1850 the story is briefly told by the census maps for the beginning and the end of the period. In 1820 this frontier had hardly crossed the Mississippi above the Missouri settlements; and vast stretches of wilderness existed even within the boundaries of some eastern States. By 1850 the westernmost frontier was far beyond the Mississippi, while the interior frontiers had been reduced to almost nothing, especially in the South. The land titles of the Indians had been extinguished in exchange for lands beyond the Arkansas and the Missouri rivers, and the aborigines who had been the annoyance of every Middle State were now far removed.<sup>395</sup>

But even in their new homes the advance of civilization was following the Indians. From Texas they were being pushed northward; from the Iowa country pressure west-

<sup>392</sup> *Congressional Globe*, 2nd Session, 31st Congress, p. 446.

<sup>393</sup> *United States Statutes at Large*, Vol. IX, p. 566.

<sup>394</sup> Baneroft's *History of Oregon*, Vol. II, p. 134.

<sup>395</sup> *Eleventh Census, Population*, Vol. I, Part 1. Map facing p. xxiv.

ward and southward was about to begin; while their retreat across the Rocky Mountains, as if it were not already prohibited by Nature, was cut off by the new settlements in Oregon and California. Economic forces were the cause of this contraction of the Indian country. Every period of financial distress in the older States increased the influx of settlers into the bounty lands of the West, while large German and Irish migrations from Europe had swelled the tide of pioneers.

Now in all this matter the sympathy of the majority in Congress was with the advance of civilization, as the preceding pages have shown time and again. How pertinently had the case been stated by Adams in 1802! The rights of the lordly savage were light in the balance with the rights of civilization. This even the philanthropists could not disprove; nor did many care to deny it. But withal the majority in Congress was ever aware of Indian rights. Seldom do we find even individuals who had the heartlessness to condemn the Indians as hopeless or to assert that the only "good Indian" was a "dead Indian". Their rights were to be observed and their customs respected as much as was possible in the nature of the case. Their lands were to be purchased by annuities and by the grants of new lands in the far West. Treaties negotiated with minorities of tribes were rejected. Trade and intercourse laws, revised and perfected as needs arose, were to guard them from the lawless encroachments of the whites. Against lawless invaders the army of the United States was to strike.

But on the other hand any Indian denial of the inevitable retreat before civilization was suppressed. There could not exist an *imperium in imperio* in Georgia nor in any other State. Civilization must not be thus thwarted. The pioneer settlers on the frontier, also, deserved on their part protection from savage resentment, and unprovoked hos-

tilities must be suppressed and punished, and prevented in the future by separation.

Thus Congress was between two fires. While westerners complained that the Indian title was not being extinguished rapidly enough, many easterners denounced in bitter terms the policy of removing the Indians. Each side had its spokesmen in the long debates on the removal question. When it came to vote, however, the policy of continuing the western expansion was not impeded.

Even before all of the Indians had retreated across the Mississippi, the frontier line had also passed beyond its western bank; and much of the Indian history of the Middle West was beginning to be repeated in the far West. The annexation of Texas, and the acquisition of the Southwest and of Oregon enlarged the Indian problem without adding many new features. The problem in Oregon had been under congressional consideration since 1840. When action was finally taken in 1849 and in 1851, that action was simply a repetition of the former Federal policy as to Indian lands and supervision. The questions relating to the Californian and Texan Indians belong properly to the next decade.

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## SOME PUBLICATIONS

### AMERICANA

#### GENERAL AND MISCELLANEOUS

The Library of Congress has recently published an elaborate catalogue of *American and English Genealogies in the Library of Congress*.

The work of taking the United States Census of 1910 is described with considerable detail in the *Report of the Director* which has recently been published.

The fourth number of the *Maryland Quarterly*, published by the Maryland Peace Society, contains a paper entitled *The Peace Movement Practical*, by Theodore Marburg.

An *Education Department Bulletin* published in February by the New York State Library is devoted to a digest of *American Ballot Laws, 1888-1910*, compiled by Arthur C. Ludington.

*The Story of the Short Ballot Cities* is the title of a pamphlet published by the Short Ballot Organization, which contains information concerning the workings of the short ballot under the commission plan of municipal government.

A paper on *The Doctrine of Continuous Voyage*, read by Charles Noble Gregory at the Guildhall in London on August 2, 1910, at a conference of the International Law Association, has been reprinted from the *Harvard Law Review*.

*The Importance of Judicial Settlement* is the subject discussed by Elihu Root in a pamphlet published in February by the American Society for Judicial Settlement of International Disputes, the headquarters of which are at Baltimore.

A *Bulletin of the Virginia State Library* published in October contains a very comprehensive *Bibliography of the Conventions*

*and Constitutions of Virginia including References to Essays, Letters and Speeches in the Virginia Newspapers*, prepared by Earl G. Swem.

Samuel O. Dunn is the writer of a pamphlet devoted to *Current Railway Problems*. The valuation of railways, the limitation of railway profits, railway rates and efficiency, and the new long and short haul law are the problems discussed.

*General Wesley Merritt* is the subject of a biographical sketch, by Eben Swift, in the March number of the *Journal of the United States Cavalry Association*. Among the *Reprints and Translations* is a lengthy article on *The Campaign of 1777*, by Charles Francis Adams.

*David Ricardo: A Centenary Estimate* is the title of a monograph by Jacob H. Hollander, which appears as number four, series twenty-eight of the *Johns Hopkins University Studies in Historical and Political Science*. It is divided into three chapters devoted respectively to the life, work, and influence of the great economist.

Pamphlets published during January, February, and March by the American Association for International Conciliation are respectively: *School Books and International Prejudices*, by Albert Bushnell Hart; *Peace and the Professor*, by Grant Showerman; and *Woman and the Cause of Peace*, by Baron d'Estournelles de Constant.

E. P. Ripley contends for the value-of-the-service principle in the regulation of railway rates in an article on *The Railroads and the People*, which is reprinted from *The Atlantic Monthly* for January. The writer has discussed the subject in a sane and conservative manner, devoting himself to its ethical phases rather than its judicial aspects.

*The Heroic Story of the United States Sanitary Commission, 1861-1865*, by William Howell Reed, which has been reprinted from the *Christian Register*, is a contribution in a field in which comparatively little has been written. The work of the various agencies engaged in the alleviation of suffering in the armies during the war deserves much study.

One of the most pretentious works of genealogy which has appeared recently is that devoted to the *Descendants of Edward Small of New England and the Allied Families with Tracings of English Ancestry*, prepared by Lora Altine Woodbury Underhill. The work covers three large volumes, and is amply illustrated by numerous excellent cuts.

An account of the visit of Governor John Winthrop, of Connecticut, to New Amsterdam in July, 1661, is to be found under the title, *A Notable Visit to New Amsterdam*, in the January number of *The New Netherland Register*. The most extended article is one dealing with *Pioneers and Founders of New Netherland*, which is contained in the February number.

Hiram Bingham, in the January number of the *Bulletin of the American Geographical Society*, writes a description of *Potosi*, the ancient and interesting South American city which was so long famous for its fabulous wealth. F. V. Emerson is the writer of a pertinent article on *Geographical Influences in the Distribution of Slavery*, which is continued in the February number.

The *Twenty-fourth Annual Report of the Commissioner of Labor*, recently issued from the Government Printing Office, consists of the first volume of a treatise on *Workmen's Insurance and Compensation Systems in Europe*. The systems employed in Austria, Belgium, Denmark, France, and Germany are treated in this volume by different writers. The work will be in two volumes.

Albert Anthony Giesecke is the author of a volume entitled *American Commercial Legislation Before 1789*, published by the University of Pennsylvania. The book deals with England's commercial policy toward the American colonies; import, export, and tonnage duties; bounties, inspection laws, and embargoes; port regulations; and commercial policy from the Revolution to 1789. There is a bibliography which, as the author indicates, is only partial.

*The Legislative Power of Congress Under the Judicial Article of the Constitution* is the subject discussed by Frank J. Goodnow in an article which opens the December number of the *Political Science*

*Quarterly.* Clement F. Robinson writes on *The Mortgage Recording Tax*; Joseph B. Ross tells of *Agrarian Changes in the Middle West*; and Charles Franklin Emerick presents an article on *A Neglected Factor in Race Suicide*.

The four hundred page *Bulletin of the University of Mississippi* published in June, 1910, is entitled *Historical Catalogue of the University of Mississippi, 1849-1909*. It contains a history of the University and of all the various departments and schools, together with sketches of the Presidents and Chancellors and lists of trustees, officers, professors, instructors and students, from the beginning down to the present time. The volume is worthy of hearty commendation.

*Edinburgh in 1544 and Hertford's Invasion* is the title of a contribution by J. Balfour Paul which appears in the January number of *The Scottish Historical Review*. A number of *Jacobite Songs* are contributed by Andrew Lang. Henry W. Meikle is the writer of a brief article on *Two Glasgow Merchants in the French Revolution*. Other articles are: *Charter of the Abbot and Convent of Cupar, 1220*, by James Wilson; and an illustrated account of *A Roman Outpost on Tweedside: The Fort of Newstead*, by Joseph Anderson.

The January number of *The Annals of the American Academy of Political and Social Science* is devoted to the general subject of *Electric Railway Transportation*. Traffic and financial problems and public regulation of electric railways are the main subdivisions under which the numerous articles are grouped. The supplement to this number contains a number of addresses on the subject of *The Need for Currency Reform*. In the March number *The Public Health Movement* is the topic of discussion.

Among the articles in *The Survey* during the past three months are: *The Findings of the Immigration Commission*, by H. Parker Willis; *Immigrant Rural Communities*, by Alexander E. Cance; and *Immigrants in Cities*, by E. A. Goldenweiser (January 7); *The St. Louis Meetings*, by Henry Raymond Mussey (January 14); *The Correction and Prevention of Crime*, by Edward T. Devine

(January 21) ; *The Pittsburgh City Plan*, by Frederick Law Olmsted (February 4) ; *The Social Basis of Religion*, by Simon N. Patten (March 4).

Arthur Wentworth Hamilton Eaton is the author of a nine hundred page volume devoted to *The History of Kings County, Nova Scotia: Heart of the Acadian Land*. The volume, as is further indicated on the title page, contains a sketch of the French and their expulsion, and a history of the New England settlers who came in their place, together with a large number of brief biographical and genealogical sketches. The work is apparently done with care, but it is to be regretted that there are no citations of sources and that the index is so brief.

Among the articles in the January number of the *Journal of the American Institute of Criminal Law and Criminology* are the following: *Needed Reforms in the Law of Expert Testimony*, by Edward J. McDermott; *Crime and Punishment*, by George W. Kirchwey; and *Public Defense in Criminal Trials*, by Maurice Parmalee. In the March number may be found: *Needed Reforms in Criminal Law and Procedure*, by William P. Lawler; *The Unequal Application of the Criminal Law*, by Gerard C. Brandon; and the *State's Guardianship Over Criminals*, by Stephen H. Allen.

Volume four, number one of *The University Studies* published by the University of Illinois is devoted to a monograph on *The Origin of the Land Grant Act of 1862 and Some Account of its Author, Jonathan B. Turner*, written by Edmund J. James. The author's thesis is that Jonathan B. Turner, who was at one time a professor in Illinois College at Jacksonville, deserves the credit for having brought about the movement which resulted in the Morrill Act of 1862, making land grants to the States to encourage education along the lines of agriculture and mechanic arts.

*The Lure of Buried Wealth* is the title of an interesting article by Louis Baury, which appears in the December number of *Americana*. J. B. Ofner is the writer of a discussion of *Military Grants in the United States*, which is begun in this number and concluded in the January number. In the latter number may also be found

an account of *The President's New Year Receptions, Then and Now*, by Helen Harcourt; and an unsigned article on *The Settlement of the Maine Boundary Dispute*. The series of articles on *Little Wars of the Republic*, by John R. Meader, runs through these numbers and an installment may also be found in the February number.

A. L. Smith is the writer of an article entitled *A Nation in the Making*, which appears in *The Yale Review* for February. The Union of South Africa is the subject discussed. Another article deals with the *Taxation of Corporate Franchises in Massachusetts* and is written by Charles A. Andrews. A second chapter on *The Statistical Work of the Federal Government* is contributed by Julius H. Parmalee. In a discussion of *Rhine and Mississippi River Terminals*, E. J. Clapp points out some important facts concerning the possibilities of river transportation in America. The concluding article is an analytical description of *The British Election Address*, by George L. Fox.

The January number of *The Quarterly Journal of the University of North Dakota* opens with an excellent article by O. G. Libby on *The Correlation of Literature and History*, in which he points out how the spirit of various periods of the world's history has been reflected in the great literature of those periods, and how, on the other hand, literature has had a great influence over the people and has thus helped in shaping their ideals. There is a second chapter of John Morris Gillette's discussion of the *City Trend of Population and Leadership*; Andrew Alexander Bruce contributes *An Unwritten Chapter in the History of South Africa*; and Frank L. McVey discusses *A Rational System of Taxing Natural Resources*.

Among the articles in the *Columbia Law Review* for January are: *The Constitutionality of Race Distinctions and the Baltimore Segregation Ordinance*, by Warren B. Hunting; and *Nature and Scope of the Power of Congress to Regulate Commerce*, by Frederick H. Cooke. In the February number Alfred Hayes, Jr. is the writer of a discussion of *Partial Unconstitutionality with Special Reference to the Corporation Tax*. Two contributions of special interest among the contents of the March number are: *American*

*Citizenship*, by Dudley O. McGovney; and *The Exclusive Power of Congress over Interstate Commerce*, by Charles W. Needham. A cumulative index of over one hundred pages, covering the first ten volumes of the *Review*, has recently been published.

In an article in the January number of *The American Journal of Sociology* Sophonisba P. Breckinridge and Edith Abbott point out the need of improvement and regulation in the *Housing Conditions in Chicago Back of the Yards*. George E. Vincent presents some observations concerning *The Rivalry of Social Groups*, in which he shows the importance of studying the conduct of the individual from the standpoint of the social group to which he belongs. *Municipal Review 1909-1910*, by Clinton Rogers Woodruff; and *The Transition to an Objective Standard of Social Control*, by Luther Lee Bernard, are other articles in this number.

An article of interest to the average citizen is one by William Z. Ripley on *Railway Speculation* which opens the February number of *The Quarterly Journal of Economics*. The writer outlines the course of speculative activity since 1890 and illustrates his points by discussions of various railroad pools and syndicates, closing with suggested remedies and an estimate of future developments. Robert H. Smith is the author of an article on *Distribution of Income in Great Britain and Incidence of Income Tax*. Other articles are: *Economic History and Philology*, by Leo Wiener; a second installment of *Railway Rate Theories of the Interstate Commerce Commission*, by M. B. Hammond; and *Some Aspects of the Wool Trade of the United States*, by P. T. Cherington.

The presidential address on the subject of *The Law and the Facts*, delivered by Woodrow Wilson at the seventh annual meeting of the American Political Science Association occupies first place in the February number of *The American Political Science Review*. The address is a plea for a more earnest effort to fathom the spirit and the motives behind political phenomena, rather than the mere study of the facts as they appear on the surface. Paul S. Reinsch presents a careful survey of *Diplomatic Affairs and International Law, 1910*. Oswald Ryan discusses *The Commission Plan of City Government* in the light of its workings thus far, and his conclusions.

on the whole are distinctly favorable to the plan. *Tendencies Toward Ministerial Responsibility in Germany* is the subject of an article by Walter J. Shepard.

The State of New York has added another handsome volume to its already large list of publications of documentary material. This time it is volume one of the *Minutes of the Executive Council of the Province of New York* which is printed, and the editor is the State Historian, Victor Hugo Paltsits. The material included in this volume covers the administration of Francis Lovelace, the second English Governor of New York, from 1668-1673. No minutes for the administration of Richard Nicolls, the first Governor, have been found and in fact it is not known that any such records were kept. Besides the minutes themselves, which occupy less than half of the volume, there are a number of *Collateral and Illustrative Documents* which throw much additional light on the transactions of the Council. The editorial work has evidently been done with great care. The documents have been transcribed with commendable accuracy, and the notes and annotations are unusually full and explanatory.

*Defense of American Commerce and the Spirit of American Unity* is the subject of an article by Henry Moore Baker which appears in *The Journal of American History* for the first quarter of the current year. The article centers about the siege of Louisburg in 1745 and the events immediately preceding. Under the heading, *Original Manuscript of a Witness of the American Revolution*, Varnum Lansing Collins contributes a description of the battle of Princeton and of the ravages of the British and Hessians, written by an eye-witness. The results of an *Investigation into American Tradition of Woman Known as "Molly Pitcher"* are presented by John B. Landis. Among the other contributions are: a third installment of transcripts from *Original Orderly Books Written on the Battlefields of the American Revolution*, by Charles Tallmadge Conover; *Discovery of the Great Anthracite Regions of the Middle West*, by Louise Hillard Patterson; and a discussion of a *Journey to the Northern Regions before the American Republic*, by Elizabeth W. Chandler.



## WESTERN

An address by J. B. Oakleaf on *Abraham Lincoln: His Friendship for Humanity and Sacrifice for Others* has been printed in an extremely neat and attractive pamphlet.

*A History of Macalester College*, by Henry Daniel Funk, is a three hundred page volume of western interest. The volume has been written in a scholarly manner, with frequent references to sources of material, and is worthy of emulation on the part of other colleges and universities.

Among the articles in *The Graduate Magazine of the University of Kansas* for January is a brief sketch entitled *Thirty Years Ago at K. U.*, by Edwin C. Meservy. The February number opens with an article on *The Alien*, by R. D. O'Leary. There are also a number of articles paying tributes to the memory of the late Professor Frank Egbert Bryant.

A bulletin published in December by the University of Oregon contains the proceedings of the *Second Annual Commonwealth Conference* held at the University on February 11 and 12, 1910. The University is performing a worthy service in maintaining this conference at which questions relative to the welfare and progress of the State of Oregon are discussed.

*Cherokees "West" 1794 to 1839* is the title of a volume compiled and published at Claremore, Oklahoma, by Emmet Starr. It contains, in the first place, a number of reminiscent letters written by Cephas Washburn, an early missionary among the Cherokees. Then follow a number of laws of the Cherokee Nation, together with some historical notes relative to the tribe. The lack of an index is to be deplored. Mr. Starr announces his praiseworthy intention to publish a number of other volumes on the Cherokees.

The Fox Farm in Mason County, Kentucky, near Maysville and not far from the historic town of Washington, is the locality the aboriginal history of which is related by Harlan I. Smith in a monograph on *The Prehistoric Ethnology of a Kentucky Site*, which constitutes volume six, part two of the *Anthropological Papers of*

*the American Museum of Natural History.* The writer has succeeded in an admirable manner in reconstructing the life of the prehistoric inhabitants of the locality, and the monograph contains a large number of excellent illustrations.

*The Stone Age in North America* is the title of a two-volume work by Warren K. Moorehead, which has come from the press of the Houghton Mifflin Company. It is, as stated on the title page, an archaeological encyclopedia of the implements, ornaments, weapons, and utensils of the prehistoric races of this continent. The many hundred illustrations, some of them in color, form a most praiseworthy part of the work, which throughout gives evidence of a vast amount of diligent labor in preparation.

## IOWANA

A *Biographic Sketch of S. B. McCall*, written by C. L. Lucas, is printed in the *Madrid Register-News* of March 23, 1911.

A supplement to the *Morningside College Bulletin* issued in December contains the proceedings and addresses at the inauguration of President Freeman on October 6, 1910.

*The Swastika, Its History and Significance* is an article by Thomas Carr in the January number of *The American Freemason*, and there is a second installment in the February number.

*College Purpose and College Failures* is the topic of a sketch in the February number of *The Grinnell Review*, where may also be found a brief article on *Grinnell College and Public Affairs*.

A neat pamphlet containing an account of the *Dedication of the First English Evangelical Lutheran Church* of Cedar Rapids opens with a brief historical sketch of the church, which was organized in 1856.

*The Sage of Monticello* is the topic of a sketch by William Cyrus Hanawalt in the January number of *Midland Schools*. Here may also be found a *Proposed Pension Bill* for the benefit of public school teachers.

*The Efficiency and Limitations of Bank Examinations* is the title of an article by M. A. Kendall which appears in *The Northwestern*

*Banker* for January. *The Banker and the Farmer*, by Henry Wallace; and *Banking and Finance*, by E. R. Gurney, are other articles in this number.

Some interesting local history of Jefferson County is to be found in an article on *The Oldest Burying Ground in the County*, by Hiram Heaton, in the issue of the *Fairfield Tribune* for January 25, 1911.

Emma Robinson Kleckner is the writer of a little pamphlet entitled *Sioux City*. The author traces the history of the city from the time when Lewis and Clark and their party camped on Iowa soil at that point, and buried Sergeant Charles Floyd on a high bluff overlooking the river.

A handsome volume of over two hundred pages contains the *Report of the Iowa State Drainage Waterways and Conservation Commission* for the biennial period ending in January, 1911. The Commission was created by an act of the legislature in 1909 and consequently this is the first report. A large number of excellent illustrations and maps accompany the report.

O. A. Byington is the writer of a brief article on *University Alumni and the Legislature* which is printed in the January number of *The Iowa Alumnus*. In the February number there is a statement concerning the *Resignation of President MacLean*, and an article by Mira Troth on *General Thomas J. Henderson*, who was a student in the institution known as Iowa City University in 1845-1846.

The proceedings of the *Eleventh Annual Conference of the Iowa Daughters of the American Revolution* have been printed in a neat pamphlet. This organization is performing valuable historical services in the way of marking and preserving historic sites, collecting historical relics, and educating the people on historical subjects. It is also aiding in the movement for child labor legislation and other similar reforms.

A paper on *Education for the Iowa Farm Boy*, read by H. C. Wallace before the Prairie Club of Des Moines, has been printed in pamphlet form. The author discusses the systems of agricultural

education and rural public schools employed in various European countries, and compares them with the conditions, past and present, along the same lines in this country in general and in Iowa in particular. The great need for improvement is pointed out.

Vida E. Smith is the writer of a *Biography of Patriarch Alexander Hale Smith* which occupies first place in the January number of the *Journal of History* published at Lamoni by the Reorganized Church of Jesus Christ of Latter Day Saints. An *Open Letter of Charles W. Wandell to the President of the United States* is another contribution, and the remainder of the *Journal* is largely taken up with continuations of biographical sketches, as is also the April number.

In the February number of *Midland Municipalities* there may be found *An Open Letter to County Attorneys of Iowa*, by Frank G. Pierce. *Municipal Law of Iowa*, by A. W. Osborne; *Uniform Accounting*, by Henry Shuff; and *Need of Comparative Reports and Uniform Accounting*, by Thomas H. Pratt, are among the articles in this number. In the March number there are some extracts from a paper on *Railroad Taxation in Iowa*, by Frank T. True; and *Extracts from a Paper on Tax Reform in Iowa*, by John E. Brindley.

SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Bailey, Bert Heald,

*Two Hundred Wild Birds of Iowa* (New edition). Cedar Rapids: Superior Press. 1911.

Betts, George Herbert,

*The Recitation*. Mount Vernon, Iowa: Hawk-Eye Publishing Co. 1911.

Breckenridge, Mrs. John,

*Mahanomah*. New York: Cochrane Publishing Co. 1911.

Brewer, Luther A., and Wick, Barthinius L.,

*History of Linn County, Iowa*. Cedar Rapids: The Torch Press. 1911.

Brindley, John E.,

*History of Taxation in Iowa* (2 volumes). Iowa City: The State Historical Society of Iowa. 1911.

- Brown, John Franklin,  
*The Training of Teachers for Secondary Schools in Germany and the United States.* New York: The Macmillan Co. 1911.
- Cook, George Cram,  
*The Chasm.* New York: Frederick A. Stokes Co. 1911.
- Fairbanks, Arthur,  
*A Handbook of Greek Religion.* New York: American Book Co. 1911.
- Garland, Hamlin,  
*Hesper.* New York: Grosset and Dunlap. 1911.
- Herr, Horace Dumont,  
*Country and River-side Poems.* Humboldt: Published by the author. 1910.
- James, Edmund Janes,  
*The Origin of the Land Grant Act of 1862.* Urbana: University of Illinois. 1911.
- Jones, Marcus Eugene,  
*Montana Botany Notes.* Missoula: University of Montana. 1911.
- Kleckner, Emma Robinson,  
*Sioux City.* Sioux City: Published by the author. 1910.
- Mangold, George B.,  
*Child Problems.* New York: The Macmillan Co. 1911.
- Marshall, Carl Coran, and Goodyear, Samuel Horatio,  
*Inductive Commercial Arithmetic.* Cedar Rapids: Goodyear-Marshall Publishing Co. 1911.
- Rich, Joseph W.,  
*The Battle of Shiloh.* Iowa City: The State Historical Society of Iowa. 1911.
- Rockwood, Elbert W.,  
*Laboratory Manual of Physiological Chemistry* (Revised and enlarged edition). Philadelphia: F. A. Davis Co. 1910.
- Starch, Daniel,  
*Principles of Advertising.* Madison: University Coöperative Co. 1910.
- Tilton, John Littlefield,  
*Pleistocene Deposits in Warren County, Iowa.* Chicago: University of Chicago. 1911.

Veblen, Oswald (Joint author),

*Projective Geometry.* Boston: Ginn & Co. 1911.

Wallace, H. C.,

*Education for the Iowa Farm Boy.* Des Moines: The Prairie Club. 1911.

White, Hervey,

*A Ship of Souls: A Group of Poems.* Woodstock, New York: Maverick Press. 1911.

*New Songs for Old.* Woodstock, New York: Maverick Press. 1911.

*In An Old Man's Garden: Poems of Humor.* Woodstock, New York: Maverick Press. 1911.

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

*The Register and Leader*

T. E. Booth — One of the Honored Veterans of Newspapering in Iowa, January 8, 1911.

Dr. A. A. Noyes — Oldest Practicing Physician in the United States, January 8, 1911.

Earliest Street Cars of the Des Moines System, January 15, 1911.

James Hayes — One of Iowa's Noted Pioneers, January 22, 1911.

Mrs. Mary McFall — One of the Pioneer Women of Iowa, January 22, 1911.

Story of the Early Iowa Banditti and the Fight at Bellevue, January 29, 1911.

Calvin Brockett, a Polk County Pioneer, by L. F. Andrews, January 29, 1911.

"Uncle" Asa Turner, January 29, 1911.

Circus Men Who Were Born in Iowa, February 5, 1911.

Crimes of Pioneer Days, by L. F. Andrews, February 5, 1911.

Founder of the Henderson Family, a Pioneer of Four States, February 5, 1911.

Lincoln as his Neighbors Knew Him, by Wayne Whipple, February 12, 1911.

A Get-Rich-Quick Scheme of the Olden Days, by L. F. Andrews, February 12, 1911.

- Memories of the Prohibitory Amendment Campaign of 1882, by Mrs. Addie B. Billington, February 12, 1911.
- Cousins of Abraham Lincoln Living in Iowa, February 12, 1911.
- Some Men Who Helped Make Iowa at an Early Date, by L. F. Andrews, February 19, 1911.
- How Edward P. Heizer Made Good in the Newspaper Game, February 19, 1911.
- Judge David Ryan's Career, by L. F. Andrews, March 5, 1911.
- General William L. Alexander — One of Iowa's Famous Fighting Men, March 5, 1911.
- Jones County Calf Case which Began in 1874, March 5, 1911.
- Iowa Soldiers at Columbia, South Carolina, by A. W. Hepler, March 19, 1911.
- John Howard Stibbs — An Iowa Soldier on Commission that Tried Wirz, March 19, 1911.
- Indian Stone Implement Collection at the State Museum of History, by T. Van Hyning, March 19, 1911.
- Injustice to the Tama Indians, by O. H. Mills, March 19, 1911.

*The Burlington Hawk-Eye*

- Twenty Years Ago. (In each Sunday issue.)
- The Last White Man Scalped by Musquakie Indians in Iowa, by O. H. Mills, January 15, 1911.
- Sketch of Life of Lafayette Young, January 22, 1911.
- The Tax Ferret Must Go, January 29, 1911.
- Failure of the Third Party Prohibitionists in Iowa Politics, January 29, 1911.
- Abraham Lincoln's "Must", by George L. Ferris, February 5, 1911.
- Tribute to T. G. Foster, February 5, 1911.
- Recollections by W. P. Elliott, February 19, 1911.
- Hugh L. Cooper, Father of the Keokuk Water Power, by G. Walter Barr, February 26, 1911.
- The Law of the Taxation of Moneys and Credits, by W. M. Kelly, February 26, 1911.
- The Test of a Year of the Commission City Government, March 12, 1911.

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Sketch of Lives of Mr. and Mrs. August Feldman, March 19, 1911.  
The Pioneer Ross Family in Burlington and Southern Iowa, March  
26, 1911.

*The Dubuque Telegraph-Herald*

Review of News and Events in Dubuque and Vicinity During 1910,  
January 1, 1911.

Booster Club in Olden Days, January 15, 1911.

Old Murder Case Recalled at Tama, January 22, 1911.

Dr. A. A. Noyes — Oldest Physician in the United States, January  
22, 1911.

Robert T. Lincoln, son of Abraham Lincoln, February 12, 1911.

*The Sioux City Journal*

Twenty Years Ago. (In each Sunday issue.)

Recollections of Dakota in Territorial Days, January 1, 29, and  
February 19, 1911.

Personal Recollections of Lincoln, January 29, 1911.

The Wreck of the Kate Sweeney, February 19, 1911.



## HISTORICAL SOCIETIES

### PUBLICATIONS

An address on *The History of the West and the Pioneers*, by Benjamin F. Shambaugh, has been reprinted from the *Proceedings of the State Historical Society of Wisconsin* for 1910.

Number five of the *Memorial Papers* of the Society of Colonial Wars in the District of Columbia contains a biographical sketch of *Gilbert Thompson*, by Marcus Benjamin.

*The Sauks and Foxes in Franklin and Osage Counties, Kansas*, is the title of an article by Ida M. Ferris, which has been reprinted from the eleventh volume of the *Kansas Historical Collections*.

A brief article on *Medford Milkmen*, by Francis A. Wait, may be found in the January number of *The Medford Historical Register*. An unsigned article bears the title, *How Medford Began to Grow*.

The December number of the *Records of the American Catholic Historical Society* is largely taken up with *Propaganda Documents* relative to the appointment of the first Bishop of Baltimore, contributed and edited by E. P. Devitt.

In the January-February number of the *Records of the Past* may be found the *Preliminary Report to the Minnesota Historical Society on the Kensington Rune Stone*. The report on the whole is favorable to the authenticity of the stone.

The *Third Biennial Report of the North Carolina Historical Commission* contains an account of the work of the Commission during the years from 1908 to 1910, together with a report of other historical activities in the State during that period.

The *Proceedings of the Bunker Hill Monument Association* at the annual meeting on June 17, 1910, contains three addresses: the presidential address by John Collins Warren; *Fighters and Spec-*

tators at *Bunker Hill*, by Curtis Guild, Jr.; and *A Hero of Dorchester Heights*, by Archer Butler Hulbert.

*A Memorial Tablet at Ticonderoga* is the title of a pamphlet issued by the Ticonderoga Historical Society. It contains an account of the exercises on October 4, 1910, at the unveiling of a tablet presented by the Ticonderoga Pulp and Paper Company.

*The New England Historical and Genealogical Register* for January opens with two biographical sketches: *Charles Edwin Hurd*, by Edward Henry Clement; and *James Brown of Middletown, Conn.*, by Edwin A. Hill. Among the other contributions is a continuation of Albion Morris Dyer's discussion of the *First Ownership of Ohio Lands*.

The *Journal of the Presbyterian Historical Society* for December opens with *The Earliest Account of Protestant Missions, A. D. 1557*, by J. I. Good. *The Early History of the Ninth Presbyterian Church and the Chambers Independent Church* is contributed by John Edmands; and under the head of *Ancient Documents and Records* there are a number of petitions *To the General Assembly of the Delaware State*.

A new series to be known as the *Kentucky Historical Series*, edited by Jennie C. Morton, has been initiated. The first volume to appear is one by John Wilson Townsend, entitled *Kentucky: Mother of Governors*. Mr. Townsend has presented in a very readable way some biographical data concerning a large number of the chief executives of Commonwealths and Territories who were sons of Kentucky either by birth or by adoption.

Two brief discussions of the much mooted question of whether the American Indians or an earlier race built the mounds, written by E. Ralston Goldsborough and John Sexton Abercrombie, are printed in *The Archaeological Bulletin* for December. *Newly Discovered Ruins of the Ancient Pueblos*, by J. A. Jeancon; *Notes from Pulaski County, Kentucky*, by W. L. Griffin; and *The Indian Trails in Clark County, Ohio*, by W. H. Ryner, are other contributions.

Among the articles in the January number of the *Deutsch-Amerikanische Geschichtsblätter* are: *The Americanizing Influence of*

*the Foreign Press in America*, by Emil Baensch; *Zustände in einer kleinen Stadt von Missouri vor 50 Jahren*, by Julius Kaufmann; *General W. T. Sherman as a College President*, by David French Boyd; *Die Deutschen in der Politik im Staate Indiana*, by W. U. Fritsch; and *Die Deutsch-Amerikaner and die deutsche Revolution*, by C. F. Huch.

John F. Philips is the writer of an article on *Governor Willard Preble Hall* appearing in the January number of the *Missouri Historical Review* in the series of articles on the *Administrations of Missouri Governors*. Joseph H. Schmidt presents some *Recollections of the First Catholic Mission Work in Central Missouri*. E. M. Violette discusses *The Battle of Kirksville, August 6, 1862*; and there is a second installment of *Monumental Inscriptions in Missouri Cemeteries*.

Henry Follansbee Long is the author of an historical sketch of *The Salt Marshes of the Massachusetts Coast* which may be found in the *Historical Collections of the Essex Institute* for January. There are continuations of *The Houses and Buildings of Groveland, Mass.*, by Alfred Poore; and of the *Revolutionary Orderly Book of Capt. Jeremiah Putnam of Danvers, Mass., in the Rhode Island Campaign*; and a fifth chapter in Sidney Perley's study of *Marblehead in the Year 1700*.

*Nathaniel Pope* is the subject of a biographical sketch by William A. Meese which appears in the January number of the *Journal of the Illinois State Historical Society*. Isabel Jamison contributes an interesting sketch of the *Independent Military Companies of Sangamon County in the 30's*. The story of *Judge Theophilus L. Dickey and the First Murder Trial in Kendall County* is told by Avery N. Beebe. Some *Extracts from the Memoir of Alvan Stone* are presented under the head of reprints.

The principal contributions in the nineteenth number of the *Publications of the American Jewish Historical Society* are: *The Jews and Masonry in the United States before 1810*, by Samuel Oppenheim; *A List of Jews Who were Grand Masters of Masons in Various States of this Country*, by Albert M. Friedenberg; *Jews in*

*Connection with the Colleges of the Thirteen Original States prior to 1800*, by Leon Hühner; and *The Beginnings of Russo-Jewish Immigration to Philadelphia*, by David Sulzberger.

A contribution to the literature on the subject of the Mound Builders is to be found in Bennett H. Young's monograph on *The Prehistoric Men of Kentucky*, which constitutes number twenty-five of the *Filson Club Publications*. The writer gives a brief discussion of the theories concerning the origin and identity of the Mound Builders and then proceeds with a history of the life and habits of these ancient people in Kentucky, and with a description of the material remains left by them.

The April, July, and October, 1910, numbers of *The "Old Northwest" Genealogical Quarterly* are combined into one number. The first contribution is the *Journal of John Cotton, M. D.*, who was a lineal descendant of the famous John Cotton of colonial times. Another article is on the subject of the *Fugitive Slave Law of Ohio*. Other articles are: *Prince's Annals and Its Notable List of Subscribers*, by David E. Phillips; and *The Notable Pedigree of Wendell Phillips and Phillips Brooks*, by the same writer.

The belated September number of *The Quarterly of the Oregon Historical Society* opens with an extended biographical sketch of *Peter Skene Ogden, Fur Trader*, by T. C. Elliott. T. W. Davenport writes a brief appreciation of *The Late George H. Williams*. Public expenditures is the subject treated in the installment of the *Financial History of the State of Oregon*, by F. G. Young, here printed. Under the heading of *Documents* there is a letter and circular of information for prospective emigrants to Oregon.

*The Heroic Career of a Kentucky Naval Officer: Rear Admiral Lucien Young* is described by George Baber in the January number of *The Register of the Kentucky State Historical Society*. John Wilson Townsend contributes a brief sketch of *Rosa Vertner Jeffrey: Noted Kentucky Singer*. Martha Stephenson's discussion of *Education in Harrodsburg and Neighborhood Since 1775* is concluded in this number. There is another installment of the *Correspondence of Gov. Isaac Shelby*, copied from the State Archives by W. W. Longmoor.

In volumes fifteen and sixteen of the *Documentary History of the State of Maine* the Maine Historical Society continues the publication of *The Baxter Manuscripts*, edited by James Phinney Baxter. The letters and documents presented in volume fifteen cover the period from January, 1777, to April, 1778, and illustrate the part played by the people of Maine during the early years of the Revolution. Volume sixteen covers the months from April, 1778, to August, 1779, and contains an especially good collection of material dealing with the Penobscot Expedition.

The life and services of the late *George Pierce Garrison*, whose death has been greatly felt in historical circles, is discussed by H. Y. Benedict in an article in *The Quarterly of the Texas State Historical Association* for January. *Stephen F. Austin: A Memorial Address* was delivered by Alex. W. Terrell on the occasion of the removal of the remains of Stephen F. Austin from Peach Point to the State Cemetery at Austin in October, 1910. The remainder of the *Quarterly* is taken up with a scholarly monograph on *Apache Relations in Texas, 1718-1750*, by William Edward Dunn.

Some *Extracts from a Journal Kept During the Earlier Campaigns of the Army of the Potomac*, by Charles C. Bombaugh, which are printed in the December number of the *Maryland Historical Magazine*, relate the experiences of a surgeon with the brigade of General E. D. Baker. Under the heading, *George Peabody and his Services to the State*, are published a number of letters from the Executive Archives. *The Last Bloodshed of the Revolution* is the subject of an article by Francis B. Culver. A number of letters relating to the *Battle of Bladensburg*, and an article on *The Quit Rent in Maryland*, by Beverly W. Bond, Jr., may also be found among the contents of this number.

Two contributions, with an introductory note, make up the contents of the July-September, 1910, number of *The Quarterly Publication of the Historical and Philosophical Society of Ohio*. The first is the Trenton circular *To the Respectable Public*, written by John Cleves Symmes on November 26, 1787, in which he set forth the advantages and prices of the lands which he owned on the Miami

River and which he hoped to sell to emigrants from New England. The second is a letter from *John Cleves Symmes to Elias Boudinot* discussing St. Clair's disastrous campaign against the Indians in 1791. The October-December number is devoted to the annual report of the Society for the year ending December 5, 1910.

A thirty page, illustrated article by A. B. Stout on *Prehistoric Earthworks in Wisconsin* opens the January number of the *Ohio Archaeological and Historical Quarterly*. Then follows an address by Frederick Jackson Turner on *The Place of the Ohio Valley in American History*. Mrs. Jennie C. Morton is the writer of a brief paper on the history and character of the American Indian which appears under the title *A Vanishing Race*, adopted from Edward S. Curtis's picture of the same name. Some notes concerning the Wyandot chieftan, *Tarhe — the Crane*, are contributed by Basil Meek, who is also the writer of an article on *General Harmar's Expedition*. Among the editorials is one on *Jefferson's Ordinance of 1784*.

The portion of *The Randolph Manuscript* published in the January number of *The Virginia Magazine of History and Biography* covers the years from 1684 to 1686. Perhaps the most notable document in this group is a letter from Charles II relative to a grant which had recently been surrendered by Lord Culpeper. Among the *Miscellaneous Colonial Documents* are a number which throw light on the regulation of trade and commerce in the colonies early in the eighteenth century. An *Extract from the Sir William Johnson Papers*, contributed by G. A. Taylor, contains material relative to the dealings with the Indians. Franklin R. Carpentier contributes *Henry Bartlett's Diary to Ohio and Kentucky, 1805*, which tells of a journey taken during the months of April, May, and June of the year indicated.

Volume fourteen of the *Buffalo Historical Society Publications* is devoted to documentary material relative to *The Holland Land Co. and Canal Construction in Western New York*, edited by Frank H. Severance. The scope of the volume can best be stated in the words of the editor's introduction: "The present volume consists chiefly of documents bearing on the original construction of the Erie canal

in Western New York, and on the early harbor work at Buffalo and Black Rock. There are also here printed two journals of travel in New York State in the early years of the canal; a valuable study of the influences of the Erie canal on the settlement of the West; and sundry other papers which, although perhaps of minor importance, find an appropriate place in this collection." The editing has been done in the careful and painstaking manner characteristic of the work of Mr. Severance, and the volume is printed neatly and on good paper.

Volumes six to nine, inclusive, of *The Chicago Historical Society's Collection* are devoted to *The Diary of James K. Polk During his Presidency, 1845-1849*, edited by Milo Milton Quaife, with an introduction by Andrew Cunningham McLaughlin. The original manuscript of this valuable diary has for about ten years been in the possession of the Chicago Historical Society and has been occasionally consulted by historians, but it is now printed for the first time and made generally accessible. Viewed as a source for the history of a period over which there has been no end of controversy the diary is of great importance. Furthermore, it reveals with minute clearness the daily life of a President sixty years ago, recording with equal frankness the whole gamut of executive cares from the petition of the lowliest office-seeker to the great questions of diplomatic affairs. The editing has been done in a careful, scholarly manner, and the volumes are printed and bound in an attractive and permanent manner appropriate to their contents.

The nineteenth volume of the *Collections of the State Historical Society of Wisconsin*, edited by Reuben Gold Thwaites, is devoted almost entirely to documentary material relating to the early fur trade in the Great Lake region and the upper Mississippi Valley. The first collection, however, occupying one hundred and sixty pages, is entitled *The Mackinac Register* and contains a record of baptisms, marriages, and interments covering the period from 1695 to 1821. Then follows *A Wisconsin Fur-Trader's Journal, 1804-05*, written by François Victor Malhiot for the North West Fur Company. The journal furnishes a good picture of the life of a fur trader and the goods used in transacting business with the Indians.

*The Fur-Trade on the Upper Lakes, 1778-1815*, is illustrated by a large number of documents and letters by various traders, including John Askin. The concluding group of documents relates to *The Fur-Trade in Wisconsin, 1815-1817*. The volume will be of great value to students of early western history, and the comprehensive index will be appreciated by all who have occasion to use it.

*The Governors of New York* is the title of an extensive article by Charles Z. Lincoln which appears as the opening contribution in volume nine of the *Proceedings of the New York State Historical Association*. Under the title, *A Native of Jefferson County, New York, First Organized and Named the Republican Party*, Irvin W. Near presents a brief biographical sketch of Alvin Earl Bovay. An illustrated account of *A Recently Found Portrait Medallion of Jacques Cartier*, by John M. Clark, is of general interest. John H. Brandow discusses *Washington's Retreat Through Westchester County*. Everyone engaged in local historical work will be interested in the *Report of the Committee upon the Establishment of Closer Relations Between the Historical Societies of the State*. Among the other contents are: *The Study of History as Corrective of Economic Eccentricity*, by Thomas R. Slicer; *The Executive Relation of New York State to Historical Scholarship*, by Victor Hugo Paltsits; and a number of papers by various authors relative to *The Ticonderoga Expedition of 1775*. It is somewhat surprising that a volume containing so much valuable material has no index that is worthy of mention.

A new series in the *Collections of the Illinois State Historical Library* to be known as the *Bibliographical Series* has been begun in a volume containing a list of *Newspapers and Periodicals of Illinois 1814-1879*, compiled and edited by Franklin William Scott. In an introduction the editor presents an historical sketch of the newspapers of Illinois which, he states, is to be considered only preliminary to a more detailed treatment of the subject to appear later. The greater part of the volume is taken up with a descriptive list of newspapers and periodicals, arranged alphabetically by towns and cities. In each case where information could be secured, the character and politics of the respective papers, their editors, and



various other facts are given, and the place is indicated where files may be found when any are extant. Following this general list there is a list of libraries containing Illinois newspapers, with the files which each contains. A chronological list, an index to newspapers, an index to names, and an index to counties complete the volume. The arrangement is admirable and offers every possible convenience to the investigator, to whom the volume will be of great value.

#### ACTIVITIES

The Missouri Historical Society has come into possession of some letters from members of the Doniphan expedition, and from California gold seekers in 1849.

The Department of Archives and History of the State of Alabama has begun the publication of a quarterly periodical known as the *Alabama History Journal*, edited by Dr. Thomas M. Owen.

Professor Julius Goebel of the University of Illinois will edit the German version of the American adventures of Christoph von Grafenried, which will be published by the Historical Commission of the State of North Carolina.

The Illinois State Historical Society held a special meeting on April 14th in commemoration of the beginning of the Civil War. Two sessions were held, one in the afternoon and one in the evening, and there were speakers representing the various sections of the State.

The fourth annual meeting of the Mississippi Valley Historical Association will be held at Chicago and Evanston May 18-20, 1911. The Illinois State Historical Society and the North Central Teachers' Association will hold their annual meetings at the same time and places.

A movement is on foot in Indiana for the erection of a State Library and Museum Building as a permanent memorial for the centennial of Indiana's statehood in 1916. The Indiana Historical Society and other historical agencies have been particularly active in this movement.

The annual meeting of the Virginia Historical Society was held on December 29, 1910. The officers chosen at that time were: President, W. Gordon McCabe; Vice Presidents, Archer Anderson, Edward V. Valentine, and Lyon G. Tyler; Corresponding Secretary and Librarian, William G. Stanard; Recording Secretary, David C. Richardson; Treasurer, Robert A. Lancaster, Jr.

At the January meeting of the Louisiana Historical Society the Battle of New Orleans was the principal topic of discussion. The following officers were elected at this time: Alcée Fortier, President; Charles T. Soniat, First Vice President; Gaspar Cusachs, Second Vice President; Arthur T. Prescott, Third Vice President; Charles G. Gill, Recording Secretary; Pierce Butler, Corresponding Secretary; W. O. Hart, Treasurer.

The Madison County Historical Society held its eighth annual meeting at Winterset. There was an interesting program, with several papers on local historical topics and an address by Benj. F. Shambaugh, Superintendent of The State Historical Society of Iowa. The following officers were elected for the ensuing year: President, H. A. Mueller; Vice President, E. R. Zeller; Secretary, Walter F. Craig; Treasurer, W. H. Lewis; Directors, J. J. Gaston, W. S. Wilkinson, William Brinson, and Fred Beeler.

#### THE STATE HISTORICAL SOCIETY OF IOWA

Dr. Louis Pelzer's biography of Henry Dodge is now in press and will probably be distributed during the summer.

It is expected that Mr. Johnson Brigham's biography of James Harlan will be ready to go to press during the summer.

Professor John E. Brindley's two-volume *History of Taxation in Iowa* has been distributed. In response to a resolution of the General Assembly each member of that body was furnished with a set of this work.

The following persons have been appointed by Governor Carroll to the Board of Curators of The State Historical Society of Iowa: Mr. Marsh W. Bailey, Washington, Iowa; Mr. F. M. Edwards, Parkersburg, Iowa; Mr. J. J. McConnell, Cedar Rapids, Iowa; Mr.

John T. Moffit, Tipton, Iowa; Mr. Byron W. Newberry, Strawberry Point, Iowa; Mr. A. C. Savage, Adair, Iowa; Mr. E. W. Stanton, Ames, Iowa; Mr. W. H. Tedford, Corydon, Iowa; Mr. J. B. Weaver, Jr., Des Moines, Iowa.

The following persons have recently been elected to membership in the Society: Mr. Henry L. Adams, West Union, Iowa; Mr. A. L. Ames, Traer, Iowa; Mr. James A. Hall, Denison, Iowa; Mr. Robert Healy, Fort Dodge, Iowa; Mr. Thos. Hickenlooper, Albia, Iowa; Mr. F. M. Meyers, Denison, Iowa; Mr. Wm. E. G. Saunders, Emmetsburg, Iowa; Mr. John H. Stibbs, Chicago, Illinois; Mr. Howard Vaughn, Ames, Iowa; Mr. A. H. Wallace, Washington, Iowa; Mr. Charles Baldwin, Salt Lake City, Utah; Mr. W. J. Brown, Emmetsburg, Iowa; Mr. Will L. Clifton, Webster City, Iowa; Mr. LaMonte Cowles, Burlington, Iowa; Mr. Ernest M. Engvall, Des Moines, Iowa; Miss Ellen Geyer, Iowa City, Iowa; Mr. W. F. Hunter, Webster City, Iowa; Rev. John A. McKamy, Cedar Rapids, Iowa; Mr. W. C. Ralston, Pocahontas, Iowa; Mr. Alfred C. Torgeson, Beresford, South Dakota; Mr. G. A. Wrightman, Des Moines, Iowa; Mr. Edgar Ashton, Iowa City, Iowa; Mr. John A. L. Campbell, Sheldon, Iowa; Mr. Walter F. Craig, Winterset, Iowa; Mr. Sherman W. DeWolf, Reinbeck, Iowa; Mr. D. A. Emery, Des Moines, Iowa; Mr. Charles E. Hall, Des Moines, Iowa; Mrs. Charity Lothrop Kellogg, Charles City, Iowa; Mr. John E. Luckey, Vinton, Iowa; Mr. W. W. Mercer, Iowa City, Iowa; Mr. James M. Pierce, Des Moines, Iowa; Mr. C. G. Sauerberg, Ames, Iowa; Mr. James Saum, Adair, Iowa; Mr. H. H. Stipp, Des Moines, Iowa; Mr. H. C. Wallace, Des Moines, Iowa; and Mr. Arthur Springer, Wapello, Iowa.

## NOTES AND COMMENT

The National Civil Service Reform League held its thirteenth annual meeting in Baltimore on December 15 and 16, 1910.

The third National Peace Congress will be held at Baltimore under the auspices of Johns Hopkins University, May 3-5, 1911.

A Bureau of Economy and Efficiency has been established in the city of Milwaukee to perform a service similar to that performed by the Pittsburg Survey.

Mr. Francis W. Dickey, formerly of the Iowa State College of Agriculture and Mechanic Arts, now occupies the position of instructor in political science at Western Reserve University.

The amount of work devolving upon the Legislative Reference Department of the Indiana State Library during the recent session of the legislature was so large that four additional assistants were required.

An effort is being made at Grinnell College to raise a fund of \$450,000 for the establishment of a Department of Public Affairs embracing chairs in political science, sociology, economics, and modern history.

Elihu Root, John W. Foster, Andrew Carnegie, Eugene Wambaugh, Charles Noble Gregory, Simeon E. Baldwin, and Harry Pratt Judson were among the speakers at a conference on international arbitration held at Washington, D. C., December 15-17, 1910.

Governor Deneen in his message to the legislature of Illinois in January urged that action be taken providing for the marking of the route traversed by Abraham Lincoln when removing from Kentucky to Illinois. He suggests that the route thus marked shall be known as "The Lincoln Way".

The movement in favor of the so-called "Short Ballot", limiting the number of elective offices in State and local governments, has

become quite wide-spread. During the year 1910 the movement received decided encouragement in New York, Pennsylvania, Ohio, New Jersey, Iowa, South Dakota, Washington, and California.

The commission form of municipal government is rapidly gaining ground in Illinois where a number of the smaller cities, including Springfield, Joliet, Quincy, Kewanee, Galesburg, Peoria, Jacksonville, Moline, and Rock Island, have either decided to vote on the question or are actively agitating the subject.

Professor Herbert E. Bolton expects to return to Mexico during the coming summer to continue his work in the archives of that country. He spent the greater part of the mid-winter holidays in tracing the route of Father Kino, an early missionary and explorer who is thought to have been the first white man within the limits of Arizona after Coronado. It is understood that Professor Bolton is planning to publish Father Kino's chronicle of early Spanish explorations which has recently been discovered. It is largely as the result of Professor Bolton's work that provision has been made for indexing the Mexican archives.

### CONTRIBUTORS

**KENNETH W. COLGROVE**, Perkins Scholar at Harvard University. Born at Waukon, Iowa, in 1886. Graduated from the Iowa State Normal School in 1905. Graduated from The State University of Iowa in 1909. Received the degree of M. A. at The State University of Iowa in 1910. Won the Colonial Dames Prize for the best essay on Iowa history in 1908. Won the Jesup Prize for the best essay on present-day citizenship in 1909. Author of *The Delegates to Congress from the Territory of Iowa*.

**CLARENCE RAY AURNER**, Member of The State Historical Society of Iowa. Born in Illinois. Graduated from the Iowa State Normal School in 1891. Superintendent of Schools at Waverly, Adel, Avoca, and Tipton, Iowa. Graduated from The State University of Iowa in 1903. Received the degree of M. A. at The State University of Iowa in 1909. Author of a *Topical History of Cedar County, Iowa*.

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## THE EXPEDITION OF ZEBULON MONTGOMERY PIKE TO THE SOURCES OF THE MISSISSIPPI

With the purchase of Louisiana in 1803 the United States assumed the responsibility of the control of a territory whose expanse was twice the nation's area and whose borders were little known. When the news of the conclusion of the negotiations reached President Jefferson he was surprised and not a little embarrassed, for it was his plan to purchase simply the port of New Orleans and such tract of land thereabouts as would gain the command of the mouth of the Mississippi, which was so vital to American commerce. But now he found the whole of the vaguely defined Province of Louisiana thrust upon him, and with it the burden of a fifteen million dollar debt.<sup>1</sup>

Jefferson showed his good statesmanship when at this critical period he planned for an immediate and thorough exploration of the new territory.<sup>2</sup> At the south a command

<sup>1</sup> Hosmer's *The History of the Louisiana Purchase*, p. 148; Hosmer's *A Short History of the Mississippi Valley*, pp. 118-127; Salter's *Iowa: The First Free State in the Louisiana Purchase*, p. 51; Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 221, 222.

For a full account of the history of this period, see Adams's *History of the United States*, Vol. II, pp. 1-134; McMaster's *A History of the People of the United States*, Vol. II, pp. 621-635; Vol. III, pp. 1-36.

<sup>2</sup> Even before the purchase of the Louisiana territory President Jefferson transmitted to Congress a confidential message under date of January 18, 1803, in which he advocated the exploration of the newly acquired territory and outlined an expedition which should "explore the whole line, even to the Western ocean, have conferences with the natives on the subject of commercial intercourse, get admission among them for our traders, as others are admitted, agree on convenient deposits for an interchange of articles, and return with the information acquired, in the course of two summers."—*Annals of Congress*, 7th Congress, Second Session, 1802-1803, pp. 25, 26. See also Richardson's *Messages and Papers of the Presidents*, Vol. I, pp. 353, 354.

of the lower Mississippi had opened the West to the control of the government by way of numerous tributaries. But to the north, west, and southeast there was much uncertainty as to the boundaries. On the north the territory extended to the as yet undiscovered sources of the Mississippi. It was assumed that the mountains, which at that time were almost unknown to the white man, formed the western boundary line, but the amount of territory which lay between them and the Mississippi was a matter of mere conjecture. And still more uncertainty prevailed with respect to the boundary on the southeast.<sup>3</sup>

In his choice of explorers President Jefferson exercised remarkable judgment, of which the results of the explorations are ample evidence. In the army he found the most efficient men for the work, although few scientific men were available even from that source. Moreover, funds for carrying on the work were not to be had without much effort. Jefferson seems to have been reluctant in asking for extra means for the work — probably because he felt that there would be opposition to an appropriation, since the administration was strongly in favor of “economical reform”.<sup>4</sup>

Early in 1804 Captain Meriwether Lewis and Lieutenant William Clark were chosen for the purpose of exploring the Missouri to its source and of discovering the most advantageous water route to the Pacific Ocean. This expedition covered a period of about three years and is without doubt the most remarkable and creditable of the early explorations of the Louisiana country.<sup>5</sup>

<sup>3</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 221, 222.

<sup>4</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 222, 223. See also Salter's *Iowa: The First Free State in the Louisiana Purchase*, pp. 52, 53, 61; and McMaster's *A History of the People of the United States*, Vol. II, pp. 628, 629.

<sup>5</sup> For a complete account of this expedition, see Thwaites's *Original Journals of the Lewis and Clark Expedition*, Vols. I-VII.

Contemporaneous with and probably not less worthy than the work of Lewis and Clark were the explorations of Zebulon Montgomery Pike, who, however, had the misfortune to receive his commission from the commander of the western army, General James Wilkinson, instead of from the government.<sup>6</sup>

Born in what is now a part of Trenton, New Jersey, on January 5, 1779,<sup>7</sup> Zebulon M. Pike moved during his childhood to Easton, Pennsylvania. There he received such education as the rural schools of the time afforded. He is described by some of his school-mates as "a boy of slender form, very fair complexion, gentle and retiring disposition, but of resolute spirit" and always capable of defending himself when put to the test.<sup>8</sup> The time spent in obtaining an education was necessarily short, since he entered his father's company as a cadet when he was about fifteen

<sup>6</sup> The idea that Pike's Mississippi expedition was conducted by the government seems quite general. The expedition was entirely in the control of General Wilkinson. Later government officials approved of the undertaking.—See Salter's *The Eastern Border of Iowa in 1805-6* in the *Iowa Historical Record*, Vol. X, p. 107.

General James Wilkinson lost his reputation in connection with the Burr conspiracy. Although he was tried and acquitted, evidence later appeared which proved without doubt that he was a traitor. And, indeed, it has been thought by some that Pike's explorations were a scheme on the part of Wilkinson to obtain more definite information concerning the western country, which might be used in carrying out the traitorous plot. However this may have been, Pike was beyond doubt unconscious of any such purpose.

<sup>7</sup> The data concerning Zebulon M. Pike's early life used in this paper are for the most part taken from Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 220, 221.

The father of Zebulon Montgomery Pike was Major Zebulon Pike, a soldier in the Revolutionary War and captain of infantry in the army of the United States in 1792. He received a promotion to the rank of Major in 1800, and served in the first regiment of infantry under Colonel Hamtramk in 1802.

Among the ancestors of Zebulon Montgomery Pike was one Captain John Pike, who was noted in the traditions of the family for his gallant service in the Indian Wars.

<sup>8</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, p. 220.

years old, and received the commission of ensign at the age of twenty.<sup>9</sup>

It was on April 1, 1802, that Pike was promoted to the rank of First Lieutenant of the First Regiment of United States Infantry. And under date of July 30, 1805, he received orders<sup>10</sup> from General Wilkinson to undertake the exploration of the Mississippi River to its sources, noting the rivers, prairies, islands, mines, quarries, and timber, as well as Indian villages and settlements. He was instructed to keep a journal in which distances, calculated by time, were to be noted together with comments on the "winds and weather". Furthermore, suitable locations for military posts were to be selected and reasonable means for conciliating the Indians were to be employed.<sup>11</sup>

The journal of the expedition is an interesting and most valuable source of information. The original edition,<sup>12</sup> was published in 1810 by Lieutenant Pike, and is divided into three parts, each dealing with a single expedition. To these parts are added numerous appendices, charts, and tables. On the whole, the work is exceedingly complicated in its arrangement, and little or no effort seems to have been made to put the material in good English. It is inter-

<sup>9</sup> Coues's *The Expeditions of Zebulon Montgomery Pike*, Vol. I, p. xxii.

<sup>10</sup> The letter containing the orders was transmitted by General Wilkinson from St. Louis. It appears in full in Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part III, pp. 65, 66.

<sup>11</sup> All of the purposes noted are mentioned in General Wilkinson's communication of July 30, 1805.

<sup>12</sup> There is a publication relative to the Mississippi expedition which appeared in 1807. This, however, was not written by Lieutenant Pike but by some person who had access to his notes. There seems to be no evidence concerning the identity of the writer.

From Lieutenant Pike's original edition of 1810, an English edition was prepared under the editorial supervision of Dr. Thomas Rees. There is also an edition in French and one in Dutch.—Coues's *The Expeditions of Zebulon Montgomery Pike*, Vol. I, pp. xxxiii-xliv.

esting to note that at the close of the author's preface a note by the publisher is inserted to the effect that he "owes it to truth, and to colonel Pike, to state that he very much doubts whether any book ever went to press under so many disadvantages".

Lieutenant Pike himself realized many of its defects. The following extracts from one of his letters will serve to explain many of its faults:

The journal in itself will have little to strike the imagination, but a dull detail of our daily march. . . . The daily occurrences were written at night, frequently by firelight, when extremely fatigued, and the cold so severe as to freeze the ink in my pen, of course have little claim to elegance of expression or style; . . . I do not possess the qualifications of the naturalist, and even had they been mine, it would have been impossible to have gratified them to any great extent, as we passed with rapidity over the country we surveyed. . . . And indeed, my thoughts were too much engrossed in making provisions for the exigencies of the morrow, to attempt a science which requires time and a placidity of mind which seldom fell to my lot.<sup>13</sup>

Of the three divisions of the work the first, with its appendices, is devoted entirely to an account of the expedition to the sources of the Mississippi. The material contained therein forms the basis of the account given in the following pages of this essay.

Late in the afternoon of August 9, 1805, Lieutenant Pike sailed from his encampment near St. Louis in a keel boat with a party of twenty men,<sup>14</sup> carrying with him provisions

<sup>13</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part I, p. 32.

<sup>14</sup> In the Appendix to Part III, pp. 67, 68, of the edition of 1810, Lieutenant Pike gives a list of the persons employed in the expedition. Of the twenty men in the company, there were two corporals, one sergeant, and seventeen privates. The name of an interpreter is also included in the list but he was not of the original party which started from the encampment near St. Louis.

for only four months. For more than eight months he and his party were to push their way northward amid dangers and hardships which all but cost them their lives. But with the consciousness that he was the first citizen of the United States to undertake the ascent of the river, and with the assurance that whatever he should discover would be eagerly received by the public, his enthusiasm rose above any misgivings with regard to the trials of the undertaking.

With considerable difficulty, due to rainy weather and the numerous islands in the channel, Lieutenant Pike and his company made their way to the Des Moines River, which marks the junction of the present Commonwealths of Iowa, Illinois, and Missouri. Here the rapids presented a formidable obstacle — more especially because there was no one on board who had ever passed them. The rapids were eleven miles in length “with successive ridges and shoals extending from shore to shore. . . . The shoals continue the whole distance.”<sup>15</sup> In the midst of the difficulty the party was met by an agent to the Sac Indians in this vicinity, who piloted them safely to his establishment above the rapids. Here Lieutenant Pike found himself on the east bank of the river at a point where the city of Nauvoo, Illinois, is now located. Directly opposite was the village of the Sac Indians on the present site of Montrose, Iowa.

Impressed with the suitability of the location for a trading establishment for the Sac, Fox, Iowa, and Sioux Indians of the region, Lieutenant Pike tarried for the greater part of a day. In council with “the chief men of the village” he expressed the desire of the President of the United States “to be more intimately acquainted with the

<sup>15</sup> This description appears in the entry of August 20th in Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, pp. 4, 5.

situation, wants, &c. of the different nations of the red people, in our newly acquired territory of Louisiana".<sup>16</sup> In addition there was some discussion of the location of a trading establishment, but no definite conclusions were reached.

After presenting the Indians with some "tobacco, Knives, and whiskey", Lieutenant Pike proceeded up the river about six miles, landing on the spot where Fort Madison was erected three years later and where the city by the same name now stands. Lieutenant Pike made no particular mention of the place, nor did he recommend it as a suitable location for a fort or trading post.<sup>17</sup>

Two days later the party reached the present site of Burlington, Iowa, which Lieutenant Pike mentions as "a very handsome situation for a garrison"<sup>18</sup> and describes in some detail.

The channel of the river passes under the hill, which is about 60 feet perpendicular, and level on the top. Four hundred yards in the rear, there is a small prairie of 8 or 10 acres, which would be a convenient spot for gardens; and on the east side of the river, there is a beautiful prospect over a large prairie, as far as the eye can extend, now and then interrupted by groves of trees. Directly under the rock is a limestone spring, which, after an hour's work, would afford water amply sufficient for the consumption of a regiment. The landing is bold and safe, and at the lower part of the hill, a road

<sup>16</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 5.

<sup>17</sup> Some few writers have erroneously credited Pike with the founding of Fort Madison. For instance, in the *Portrait and Biographical Album of Lee County, Iowa*, p. 627, the writer claims that the first settlers at Fort Madison were troops sent out by our government under command of Captain Z. M. Pike to protect the country both from the British and the Indians. A similar error is made by Stevens in his *Black Hawk War*, p. 37.

The selection of Fort Madison was made in September, 1808, by Lieutenant Alpha Kingsley.—*Annals of Iowa*, Third Series, Vol. VI, p. 314.

<sup>18</sup> This site is the one now occupied by Crapo Park at Burlington, Iowa.

may be made for a team in half an hour. Black and white oak timber in abundance. The mountain continues about two miles, and has five springs bursting from it in that distance.<sup>19</sup>

In this vicinity the Indians seemed to be quite numerous. Horses and other signs of inhabitants were seen along the river bank. A few miles above the bluffs Lieutenant Pike met a company of Indian traders, with three boats from Mackinac, who informed him that out on the prairie only two and a half miles was located one of the largest Sac villages.<sup>20</sup>

After continuing a short distance up the river, Pike and one of his men went on shore for a hunt.<sup>21</sup> The journal does not state which bank of the river they were on, but from the description of the country it is not difficult to infer that they were hunting on Iowa soil. Owing to the marshiness of the ground, two of their favorite dogs became exhausted and were lost in the return to shore. Two men immediately volunteered for the search. But at evening neither men nor dogs had returned. Lieutenant Pike, however, was not in the habit of waiting for anyone on shore. Accordingly, the party continued up stream but always camped on the Iowa side and made every effort to attract the attention of the lost men by firing guns at various intervals. But the men were bewildered by the marshy ground and the thick undergrowth of the lowlands, and for eight days they wandered northward half-exhausted from lack of food. They finally chanced to fall upon a village of Fox Indians, whose chief gave them corn and moccasins and sent them with a guide to the mines of Dubuque where they

<sup>19</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 7.

<sup>20</sup> Lieutenant Pike was now at a point which was considered half way between St. Louis and Prairie du Chien.

<sup>21</sup> This was on Saturday, August 24, 1805.



found their commander and the remainder of his company.

Meanwhile Lieutenant Pike had passed the mouth of the Iowa River, which he merely mentions in his journal. He had passed the present site of Muscatine — at one time known as Bloomington — which he describes as the point “where the river Hills join the Mississippi”. He had crossed the rapids of Rock River with even more difficulty than those of the Des Moines. It was here that he met Black Hawk, who recalled the occasion in detail many years later. Although Lieutenant Pike makes no mention of the meeting with Black Hawk, the Indian chief’s account of the visit is so accurate in many points, which may be verified, that it is hardly to be doubted.

Black Hawk stated that when the boat arrived at Rock River “the young chief came on shore with his interpreter”, made a speech, and gave some presents to the Indians. Continuing, the chief said:

We were all well pleased with the speech of the young chief. He gave us good advice; said our American father would treat us well. He presented us an American flag, which was hoisted. He then requested us to pull down our *British flags* — and give him our *British medals* — promising to send us others on his return to St. Louis. This we declined, as we wished to have *two Fathers!* . . . He went to the head of the Mississippi, and then returned to St. Louis. . . . He was a good man, and a great brave and died in his country’s service.<sup>22</sup>

It was at noon on Sunday, September 1st, that Lieutenant Pike arrived at Dubuque’s lead mines, where he was “saluted with a field piece, and received with every mark of attention, by Monsieur Dubuque, the proprietor”.<sup>23</sup> Pike

<sup>22</sup> *Autobiography of Black Hawk*, p. 26.

<sup>23</sup> Pike’s *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 10.

Julien Dubuque, a French Canadian, came to this vicinity for the purpose of trading with the Indians. Taking a squaw as his wife, he soon made friends

was charged by General Wilkinson with orders to make certain investigations relative to the lead mines. But owing to the fact that there were no horses at the house and the mines were six miles away, the Lieutenant found it "impossible to make a report by actual inspection". His report was therefore nothing more than a series of evasive and indefinite answers to questions put by Pike.<sup>24</sup> In transmitting the report to Wilkinson, Lieutenant Pike himself says that "the answers seem to carry with them the semblance of equivocation".

While at Dubuque's quarters, Lieutenant Pike took on board a Frenchman by the name of Blondeau, who proved a useful addition to the party since he could speak the language of the Indians. Up to this point Lieutenant Pike had been without an interpreter, and for this reason had found himself at a great disadvantage among the Indians. But with means for making known the purpose of his exploration, "he found himself at once the object of friendly attention",<sup>25</sup> although the first question put by the Indians was always whether they were "for war, or if going to war".

Through his interpreter Lieutenant Pike learned that the Indians of this vicinity were much in dread of white men, that "the women and children were frightened at the very name of an American boat", and that the men believed the

with the Foxes. The discovery of the lead mines induced him to secure "a permit to work the mines, with a monopoly of the right" under date of November 22, 1788. Thus was founded the first white settlement in Iowa.

Dubuque died on March 24, 1810. His claim was sold at St. Louis for the payment of his debts.—See Salter's *Iowa: The First Free State in the Louisiana Purchase*, pp. 41-45, 79, 86.

<sup>24</sup> The report to General Wilkinson appears in the Appendix to Part I, p. 5, of the original edition of 1810. Perhaps the only definite statement made by Dubuque was that the mines were about twenty-seven leagues long and from one to three leagues wide, yielding from twenty to forty thousand pounds of lead per annum.

<sup>25</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, p. 238.

whites to be "very quarrelsome, and much for war, and also very brave". Such information was "used as prudence suggested".<sup>26</sup>

On September 4th Lieutenant Pike reached Prairie du Chien at the junction of the Wisconsin and Mississippi, and opposite McGregor, Iowa. Prairie du Chien, an early French settlement, had been distinguished as a center for the fur trade of the lake region, but at the time of Pike's visit it was little more than a village of Indian traders.<sup>27</sup> Among these traders Lieutenant Pike spent several days, engaged in making choice of a suitable location for a post, holding councils with neighboring tribes of Indians, and in preparing for the remainder of the journey.

As the most suitable location for a military post in this region, Lieutenant Pike recommended a bluff just north of the present town of McGregor, Iowa, which commanded both the Wisconsin and the Mississippi.<sup>28</sup> Plenty of timber and a spring near-by added to the desirability of the situation. On the whole, however, the Lieutenant considered the Burlington site far superior.

Finding that it would be impossible to continue the ascent of the river with so large a craft, Lieutenant Pike hired two light barges and began the work of transferring provisions and baggage to the new boats.

With the addition of two interpreters, Pierre Rosseau and Joseph Reinulle,<sup>29</sup> the party left Prairie du Chien on September 8th "with some expectation and hope of seeing

<sup>26</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, pp. 11, 12.

<sup>27</sup> For an account of Prairie du Chien and other trading posts of the upper Mississippi, see Folwell's *Minnesota*, pp. 39, 40.

<sup>28</sup> Coues's *The Expeditions of Zebulon Montgomery Pike*, Vol. I, p. 37.

<sup>29</sup> This name is probably that of Joseph Reinville or Renville. He was an interpreter of some note.

the head of the Mississippi and the town of Saint Louis" before the end of the winter. This statement, in a letter to General Wilkinson,<sup>30</sup> shows how little the Lieutenant realized that many weeks of suffering and discouragement lay between him and the source of the Mississippi, and that months of bitter hardship must separate him from his encampment at St. Louis. Nevertheless, such hopes as this alone kept up his courage and made possible the long struggle.

A few miles above Prairie du Chien the party met Wabasha, the chief of the four lower bands of the Sioux. The Sioux had been enjoying a feast the night before. In consequence, the salute which they gave to Lieutenant Pike and his party as they arrived in front of the lodges was attended by "some hazard", since "some of them, even tried their dexterity, to see how near the boat they could strike. They may, indeed, be said, to have struck on every side of us. When landed, I had my pistols in my belt, and sword in hand."<sup>31</sup> Hereupon the chief invited Lieutenant Pike and some of his men to accompany him to his lodge for a council. In a speech of considerable length Wabasha expressed his pleasure at having the young Lieutenant in his own village and a desire always to remain at peace with the white and red people. To this Lieutenant Pike replied in a statement of the objects and purposes of his expedition. He gratefully accepted a pipe which Wabasha presented to him to be shown to the upper bands as a token of peace, which later was of much service.<sup>32</sup>

<sup>30</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part I, p. 3.

<sup>31</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 15.

<sup>32</sup> This pipe was used in the council at Leech Lake on February 16, 1806.

While in the village Lieutenant Pike witnessed a "medicine dance" which was attended by "many curious manoeuvres. Men and women danced indiscriminately. They were all dressed in the gayest manner; each had in their hand, a small skin of some description, and would frequently run up, point their skin, and give a puff with their breath; when the person blown at, whether man or woman, would fall, and appear to be almost lifeless, or in great agony; but would recover slowly, rise and join in the dance". This they called their great medicine dance or dance of religion.<sup>33</sup>

Before his departure Pike presented the chief with tobacco, knives and eight gallons of made whiskey (three-fourths water). Leaving the Sioux village on the afternoon of September 10th, and proceeding but a few miles further, Lieutenant Pike crossed what is now the northern boundary of the State of Iowa.<sup>34</sup> Seven months passed before he again camped on Iowa soil.

On September 23rd the party reached a Sioux village located near the site of old Fort Snelling. Here a council with the chiefs of the village was held by which Lieutenant Pike secured for the government a grant of a tract of land containing about 100,000 acres, for which he gave in return presents to the amount of only about two hundred dollars.<sup>35</sup>

<sup>33</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 17.

<sup>34</sup> Coues's *The Expeditions of Zebulon Montgomery Pike*, Vol. I, p. 48; Salter's *The Eastern Border of Iowa in 1805-6* in *Iowa Historical Record*, Vol. X, p. 115.

<sup>35</sup> This tract of land was near the mouth of the Minnesota River and later included the site of Fort Snelling and the city of Minneapolis.—Pike's *Explorations* in *Annals of Iowa*, Third Series, Vol. I, p. 532.

A copy of the speech delivered by Lieutenant Pike, a copy of the treaty, and a copy of a letter addressed to General Wilkinson on the subject appear as Documents No. 3 and 4 in the Appendix to Part I of Pike's *An Account of*

So far as negotiations with Indian tribes are concerned, this was doubtless Lieutenant Pike's most important enterprise. Referring to the transaction in a letter to General Wilkinson, he remarks that the grant was obtained "for a song". At the same time he values the land at only two hundred thousand dollars.

Lieutenant Pike's speech in the council forms a part of the journal and is a most interesting document. It shows a keen understanding of the character of the Indians as well as remarkable tact. There is, however, one peculiar and altogether amusing portion of the document, which is significant of Lieutenant Pike's usual attitude toward the subject referred to. After a rather strong exhortation against the purchase of intoxicating liquors, with much emphasis on their injurious effects, Lieutenant Pike concludes his speech as follows: "I now present you with some of your father's tobacco, and some other trifling things, as a memorandum of my good will, and before my departure I will give you some liquor to clear your throats". This clearing process seems to have required sixty gallons of liquor.<sup>36</sup>

When Lieutenant Pike had reached the Falls of St. Anthony he began to realize that he had made a serious blunder in starting on his expedition so late in the season; for many of his men, unused to the climate and necessary hardships, were daily succumbing to illness and fatigue. Pike writes of the situation as follows: "These unhappy circumstances . . . convinced me, that if I had no regard for my own health and constitution, I should have

*Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana, etc.* (original edition, 1810), pp. 6-13.

For a detailed criticism of the treaty and accompanying communications, see Coues's *The Expeditions of Zebulon Montgomery Pike*, Vol. I, pp. 232-239.

<sup>36</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana, etc.* (original edition, 1810), Part I, p. 25; see also Appendix to Part I, p. 8.

some for those poor fellows, who were killing themselves to obey my orders.”<sup>37</sup> Accordingly, several days were spent in the erection of block-houses which should serve as a shelter for the sick and those who were otherwise unable to continue the journey. An abundance of game in the vicinity insured not only comfort for the men who were left behind but also “plenty of provision” for the return voyage.

In order to hasten progress, which was daily becoming more and more difficult on account of the rapid freezing of the river, the heavy boats were exchanged for canoes. These were constructed with no little trouble owing to the scarcity of tools, there being in the whole party “only two falling-axes and three hatchets”. In spite of many hindrances three canoes were completed, but one sank when loaded with a large quantity of ammunition. In the process of drying this powder it exploded and nearly blew up “a tent and two or three men with it”.<sup>38</sup>

Such misfortunes, combined with the “isolation and inactivity” of the region, cooled somewhat the ardor of the young commander. He confessed that he found himself “powerfully attacked with the fantastics of the brain, called ennui”, and elsewhere adds the following:

It appears to me, that the wealth of nations would not induce me to remain secluded from the society of civilized mankind, surrounded by a savage and unproductive wilderness, without books or other sources of intellectual enjoyment, or being blessed with the cultivated and feeling mind, of a civilized fair.<sup>39</sup>

<sup>37</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 34.

<sup>38</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, p. 246; Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, pp. 36, 37.

<sup>39</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and*

The freezing and thawing of the river made it impossible for the party to proceed with any degree of safety or rapidity. Accordingly, all but one canoe were abandoned early in December. Provisions and baggage were loaded on sleds, each drawn by two men abreast. The difficulties which beset this method of transportation are well illustrated in the following entry of December 26th: "Broke four sleds; broke into the river four times, and had four carrying places".<sup>40</sup> On many days the distance covered did not exceed three or four miles. Writing of his misfortunes, Lieutenant Pike said: "Never did I undergo more fatigue, in performing the duties of hunter, spy, guide, commanding officer, &c. Sometimes in front; sometimes in the rear; frequently in advance of my party 10 or 15 miles; that at night I was scarcely able to make my notes intelligible."<sup>41</sup>

Under such circumstances together with considerable discouragement among his men, Lieutenant Pike found it difficult to keep up his spirits. But as the weather became colder and the ice stronger, progress was much easier. As much as twenty miles a day were covered.

Early in January signs of Chippeway Indians were seen, from whom Lieutenant Pike had every reason to expect a demonstration of hostility. His fears, however, were soon relieved when four of these Indians presented themselves at his camp in company with an English trader who was located at a post on Sandy Lake. Mr. Grant, the English trader, accompanied Lieutenant Pike and his party to the

*through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, pp. 37, 64.

<sup>40</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 55; Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 250, 251.

<sup>41</sup> Entry of December 23, 1805.—Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 55.



British trading post, where they made their headquarters for several days.<sup>42</sup> Such a sojourn among the trading establishments of this region was altogether agreeable to Lieutenant Pike since one of the objects of his expedition was to investigate and report upon the trading posts of the upper Mississippi. On several occasions he was received in a most cordial and hospitable manner by the officials in charge of the various posts of the Northwest Company. His accounts of existing conditions are detailed and quite authentic. Aside from general observations on the trade, Lieutenant Pike's journal contains some interesting correspondence between himself and one of the traders, Hugh M'Gillis.

Under date of February, 1806, Lieutenant Pike sent a communication to Mr. M'Gillis,<sup>43</sup> which contained a frank discussion of the conditions existing among the trading posts and some pointed remarks on the relations between the Northwest Company and the government of the United States. He affirmed the right of the British to carry on trade with the Indians within the territory of the United States, but protested strongly against their exemption from "paying the duties, obtaining licenses, and subscribing unto all the rules and restrictions of our laws". It was estimated that the United States was annually defrauded of duties to the amount of \$26,000.<sup>44</sup> For the correction of this evil the establishment of a government custom house at the mouth of the St. Louis River was suggested.

<sup>42</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, pp. 56-58.

<sup>43</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part I, pp. 14-16.

<sup>44</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part I, p. 37.

In addition, Lieutenant Pike mentioned the fact that the savages were being alienated from our government by receiving at the hands of the traders British medals and flags. In conclusion, Lieutenant Pike expressed the opinion that, in case war should be declared between the United States and Great Britain, these establishments would serve as so many posts for the deposit of arms and ammunition. In spite of a certain bluntness, with no attempt to evade any real convictions on the subject under discussion, there is a tone of genuine courtesy.

In an equally courteous reply,<sup>45</sup> Mr. M'Gillis expressed his desire to pay the duty on goods imported by the Northwest Company if it could be done without conveying goods already received to the custom house at Mackinac. Owing to the fact that most of the year's supply of goods had already been received, such transportation would be a "vast expense and trouble".

With regard to the use of the posts as garrisons in time of war, Mr. M'Gillis was astonished to learn that the American government should have apprehended any such purpose. He explained that the establishments were for the security of property and life in a country exposed to the cruelty of many savages. "We never formed the smallest idea", he added, "that the said inclosures might ever be useful in the juncture of a rupture between the two powers, nor do we now conceive that such poor shifts will ever be employed by the British government, in a country overshadowed with wood, so adequate to every purpose. Forts might in a short period of time be built far superior to any stockades we may have occasion to erect."

<sup>45</sup> This letter bears the date of February 15, 1806, and appears in Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part I, pp. 17-19.

Although apparently unconscious of the error committed by exhibiting the flag of Great Britain in American territory, Mr. M'Gillis pledged himself to use his "utmost endeavors, as soon as possible, to prevent the future display of the British flag, or the presenting of medals, or the exhibiting to public view, any other mark of European power, throughout the extent of territory known to belong to the dominion of the United States". The communication is concluded with a high tribute to Lieutenant Pike's personal integrity and to the government which he represented.

On January 20th Lieutenant Pike resumed his journey toward the source of the Mississippi, reaching the junction of the waters of Leech Lake with the main channel of the river on the last day of the month. Instead of continuing in the direction of Lake Winnibigoshish, up what is now considered the main course of the river, Lieutenant Pike turned westward and made his way to Leech Lake, believing that he had accomplished the chief object of his expedition, and firmly convinced that this was the ultimate source of the great Father of Waters.<sup>46</sup>

The conclusion with respect to the Leech Lake system is not surprising since the idea was quite prevalent among the traders and Indian tribes of the region, from whom Lieutenant Pike obtained most of his information.

Other "true sources" have been found by subsequent travellers, and the last has gone a little beyond his precursors, and thus fancied himself entitled to the merit of being called the Bruce of the Mississippi. This may be; but it is probable that all have been right. It would be difficult to determine which branch of a large tree extends furthest from the parent root. It may be equally, or more so, to determine which of the many head branches of the Mississippi, that have been discovered, is the most remote from the

<sup>46</sup> Coues's *The Expeditions of Zebulon Montgomery Pike*, Vol. I, note, pp. 152, 153; *Pike's Explorations in Annals of Iowa*, Third Series, Vol. I, pp. 532, 533.

Gulf of Mexico; and the initial gush of its waters undoubtedly varies. A wet season may open many small tributaries to a small lake, which had no existence in a dry season. Hence the spring traveller, and the traveller of the summer solstice, may have different descriptions to give, and yet both be correct.<sup>47</sup>

It was on February 14th that Lieutenant Pike began preparations for the homeward journey. Two days later he held a council with some of the Chippeway Indians of the lake region. In a speech of considerable length Lieutenant Pike persuaded the Indians to give up most of their British medals and flags.<sup>48</sup> Furthermore, he urged the Chippeways to cease their hostilities with the Sioux, who had also promised to bury the hatchet. As a token of their promise the young American produced the pipe of Wabasha.<sup>49</sup> As a result of this council two of "the most celebrated warriors" accompanied the party to St. Louis, where Lieutenant Pike planned to have a council of peace with representatives of the various tribes in the Upper Mississippi Valley.

Amid "acclamations and shouts" on the part of the Indians, the party took their departure from Leech Lake on February 18th. Marching by land across wooded and marshy ground, they did not reach the Mississippi River until six days later.<sup>50</sup> Lieutenant Pike had long since

<sup>47</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 255, 256.

<sup>48</sup> In return for their British medals and flags, Lieutenant Pike pledged himself to send those of the United States to the savage chiefs, "but owing to the change of agents, and a variety of circumstances, it was never fulfilled". Recommendations were made, however, to General Wilkinson that such pledge be kept for the good of the government.—See Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Appendix to Part I, p. 31.

<sup>49</sup> See above note 32.

<sup>50</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, pp. 71, 73.

learned that the only expeditious method of travel was by means of snow shoes. With the aid of these he was able to make the descent of the river in much less than half the time consumed in the ascent. But in spite of many advantages the task proved arduous enough, as the following entry in the journal will show :

The pressure of my racket strings brought the blood through my socks and mockinsons [moccasins], from which the pain I marched in may be imagined.<sup>51</sup>

On March 5th Lieutenant Pike found himself at the post where he had left the sergeant in charge of the sick. Much to his chagrin he found that, while he himself had been extremely frugal in the use of provisions in order that a goodly supply might be on hand for the downward journey, the sergeant in charge of the post had squandered nearly all of the provisions in his custody and had given away practically all of the whiskey, including a keg which the Lieutenant had for his own use.<sup>52</sup>

The party remained at the post until April 7th. Meanwhile several councils were held with some Menominee Indians in the immediate vicinity. Without any new or important experiences Lieutenant Pike continued the descent, arriving at the northern boundary of the present State of Iowa on April 16th. At noon on the following day he reached the camp of Wabasha where he remained all day and night in the hope of seeing the chief, who unfortunately remained out all night on a hunting trip.<sup>53</sup>

<sup>51</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 73.

<sup>52</sup> Whiting's *Life of Zebulon Montgomery Pike*, published in Jared Sparks's *Library of American Biography*, Vol. XV, pp. 256, 257.

<sup>53</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and through the Western Parts of Louisiana*, etc. (original edition, 1810), Part I, p. 99.

Leaving some powder and tobacco for him, Lieutenant Pike left in the morning for Prairie du Chien, which he reached at two o'clock in the afternoon. Here he received a hearty welcome, being presented with some much-needed supplies and treated in a most hospitable manner by the traders and Indians of the place. Moreover, he "received a great deal of news from the States and Europe, both civil and military"—a welcome bit of the civilization from which he had been isolated for so many months.

On the afternoon of April 20th Lieutenant Pike witnessed a most interesting game of "the cross" on the prairie "between the Sioux on the one side, and the Puants and Reynards on the other". He describes the game as follows:

The ball is made of some hard substance and covered with leather, the cross sticks are round and net work, with handles of three feet long. The parties being ready, and bets agreed upon, (sometimes to the amount of some thousand dollars) the goals are set up on the prairie at the distance of half a mile. The ball is thrown up in the middle, and each party strives to drive it to the opposite goal; and when either party gains the first rubber, which is driving it quick round the post, the ball is again taken to the center, the ground changed, and the contest renewed; and this is continued until one side gains four times, which decides the bet. It is an interesting sight to see two or three hundred naked savages contending on the plain who shall bear off the palm of victory; as he who drives the ball round the goal is much shouted at by his companions. It sometimes happens that one catches the ball in his racket, and depending on his speed endeavors to carry it to the goal, and when he finds himself too closely pursued, he hurls it with great force and dexterity to an amazing distance, where there are always flankers of both parties ready to receive it; it seldom touches the ground, but is sometimes kept in the air for hours before either party can gain the victory. In the game which I witnessed, the Sioux were victorious, more I believe, from the superiority of their skill in throwing the ball, than by their swiftness, for I thought the Puants and Reynards the swiftest runners.<sup>54</sup>

<sup>54</sup> Pike's *An Account of Expeditions to the Sources of the Mississippi and*

The remainder of the journey was uneventful. Numerous unimportant councils and meetings with various Indians took place, and in many cases British medals were given up. The account of the descent, however, is extremely meagre, there being almost no mention of the country through which the party passed. This is probably due to the increase in the distance covered on the return — only about two months being spent in the descent, while the ascent had occupied more than six months.

It was on April 30, 1806, that the party arrived at the town of St. Louis.<sup>55</sup> It would seem that there had not been a loss of a single man on the expedition, since a report<sup>56</sup> of the number of persons returned to St. Louis corresponds exactly to the number of the original party.

When his reports and observations were completed, Lieutenant Pike had accomplished far more than his orders. He had given to the public, as well as to the government officials, information which was not only new but especially accurate in details. This information covered every phase of the voyage, and included extended observations with regard to the climate, soil, drainage, timber, etc., of the country. The results of careful and painstaking investigation of the British trade brought many corrupt practices to light which resulted in preventatives on the part of the general government. Knowledge of the Indians — their tribes, numbers, and characteristics — was afforded by tables and charts carefully compiled and included in Lieutenant Pike's journal. Without doubt the efforts of Lieutenant Pike did much to create a friendly attitude to

*through the Western Parts of Louisiana, etc.* (original edition, 1810), Part I, p. 100.

<sup>55</sup> The time consumed in the exploration was, therefore, eight months and twenty-two days.

<sup>56</sup> *Annals of Congress*, 10th Congress, Second Session, 1808-1809, p. 1794.

ward the United States on the part of the Indians of the Iowa and upper Mississippi regions. British medals and flags were replaced by the stars and stripes; hostilities among various tribes ceased; and there was a marked increase in the respect of the Indians for the American people.

Although Lieutenant Pike so far as possible carried out the orders of General Wilkinson as well as those of the government, there seems to be no record of any compensation<sup>57</sup> either to Lieutenant Pike or to any of his companions for their untiring efforts. At various times attempts were made in Congress to secure such compensation, but all such efforts were in vain. Committees were appointed, reports were heard, and the matter was even presented in the form of bills.<sup>58</sup> The measure, however, was successively defeated, even though it was always by a small majority.

ETHYL EDNA MARTIN

THE STATE HISTORICAL SOCIETY OF IOWA  
IOWA CITY

<sup>57</sup> *Annals of Congress*, 10th Congress, First Session, 1807-1808, Vol. II, pp. 1659, 1767; *Annals of Congress*, 10th Congress, Second Session, 1808-1809, pp. 486, 487, 862, 902, 1788, 1794; *Annals of Congress*, 11th Congress, 1809-1810, Part I, pp. 218, 263; *Annals of Congress*, 12th Congress, First Session, 1811-1812, Part II, p. 1576.

<sup>58</sup> *Annals of Congress*, 10th Congress, First Session, 1807-1808, Vol. II, p. 1767; *Annals of Congress*, 10th Congress, Second Session, 1808-1809, pp. 862, 902; *Annals of Congress*, 11th Congress, Part I, pp. 218, 263.

On July 3, 1812, a petition from Lieutenant Pike asking compensation for services rendered in exploring the interior parts of North America was presented. But this was ordered to be laid on the table and it seems never to have been considered.—*Annals of Congress*, 12th Congress, First Session, 1811-1812, Part II, p. 1576.



## THE SETTLEMENT OF WOODBURY COUNTY

[The following paper is the result of a limited though critical investigation undertaken by Professor Garver with a view (1) to ascertaining from whence the early settlers of Woodbury County came, and (2) to suggesting the variety of viewpoints from which data upon such a subject may be studied.—EDITOR.]

Woodbury County is situated on the western border of the State of Iowa, and is bounded on the west by the Missouri and Big Sioux rivers. It is a little north of the center of the State, there being three counties to the north of it and five to the south. It is one of the largest counties of the State both in area and in population. Sioux City, the largest town, contains about 50,000 inhabitants: the rest of the population dwell in villages or upon farms. Thus it is seen that Woodbury County is in no sense peculiar; its characteristics are similar to those of hundreds of other counties of the great north central States. Moreover, the one magnet which served to attract the first settlers was an abundance of rich, fertile land to be had at a remarkably low price.

The permanent settlement of eastern Iowa was begun in the early thirties; the occupation of western Iowa occurred about twenty years later. The period of the settlement of Woodbury County may be set down, roughly, as from 1850 to 1870. The town of Sioux City was laid out in 1854 and 1855. While the ranks of the old settlers are being rapidly thinned by death, there remain in the county a considerable number of residents who came prior to 1870, and some, even, who were here before 1860. The comparative newness of the county has made possible the collection of the data upon which this study is based.

John Fiske, the historian, has called attention to the fact

that the migrations of Americans westward from the old States to new have been, to a remarkable degree, along parallels of latitude.<sup>1</sup> In connection with this statement, attention is called to the fact that Iowa covers about three degrees of latitude extending, practically, from forty degrees and thirty minutes to forty-three degrees and thirty minutes, north. If the northern and the southern boundaries of Iowa are projected eastward across the United States to the Atlantic Ocean, they enclose a zone which would include in the north central States, the northern part of Illinois, Indiana, and Ohio, as well as the southern part of Wisconsin and Michigan; in the north Atlantic group, the northern two-thirds of Pennsylvania, the northern third of New Jersey, and all of that part of New York (about two-thirds) which lies south of Lake Ontario; and in New England, all of Rhode Island, Connecticut, and Massachusetts, together with the southern part of Vermont and New Hampshire. These, then, are the States from which we may expect the early settlers of Woodbury County to have come if Fiske's statement is correct.

For the purpose of securing the data required for this brief study a blank was prepared, which, together with a letter explaining the same, was sent to about one hundred and forty old settlers of Woodbury County. The blanks were in the following form:

- 1 — Name.
- 2 — Present address.
- 3 — Place of birth (Give both State and County).
- 4 — Date of birth.
- 5 — Nationality.
- 6 — When did you move to Iowa?
- 7 — From what State?
- 8 — When did you move to Woodbury County?
- 9 — From what County, if from another County in Iowa?

<sup>1</sup> Fiske's *Civil Government in the United States*, p. 81.

10 — Please give the names and addressés of other old settlers in your neighborhood.

To these inquiries replies were received from ninety-two individuals. Two of the replies were incomplete and could not be used. Appeal was then made to other sources, with the result that the desired information was gathered concerning ten additional old settlers. Thus, facts were at hand relative to one hundred different individuals — a convenient number with which to deal. By a comparison and analysis of the different items, some interesting results are ascertained.

Taking up, in the first place, the matter of the nativity of the one hundred old settlers whose migrations are here investigated, we find that twenty-six of them were born in foreign countries and seventy-four in the United States. A somewhat different statement of results may be made by adding those born in Canada and in the United States, in which case it may be said that twenty-two were born in Europe (including the British Isles) and seventy-eight in America. Twenty-six per cent of foreign-born settlers seems to the writer to be a rather large proportion in view of the fact that Woodbury County is in the very heart of the United States and that it was settled so late in the history of our country — at a time when so many Americans were moving westward. And yet that same “lure of the land” which drew the Americans out of Vermont and New York proved, no doubt, equally attractive to the foreign immigrant.

Of the twenty-six old settlers born outside of the United States, Germany gave birth to eight, England and Ireland to five each, Canada to four, Switzerland to two, and France and Denmark to one each. These facts give Germany the lead, unless those born in England, Ireland, and Canada are added together and the total of fourteen is

credited to the British Empire. In this group of foreign settlers those of Teutonic stock predominate over those of Celtic stock in about the proportion of two to one.

The years 1850 and 1870 have been mentioned above as bounding, in a rough way, the period of the settlement of Woodbury County. In the former year the number of States in the American Union numbered thirty-one, in the latter year thirty-seven. A comparison of the facts relative to the seventy-four old settlers who were natives of the United States shows them to represent thirteen States as follows: twenty-four were born in New York; eight each in Vermont and Pennsylvania; seven in Ohio; six in Illinois; four each in Indiana, New Hampshire, and Connecticut; three in Massachusetts; two each in Virginia and Iowa; and one each in Maine and Missouri.

If the States here mentioned are grouped into sections, the result shows that, of the seventy-four individuals under discussion, there were born twenty in New England, thirty-four in the middle Atlantic States (including Virginia and West Virginia), none in the southern States, eastern division, seventeen in the east central States (including Kentucky), three in the west central States (including Missouri), and none in the southern States, western division. Thus it is seen that the middle Atlantic section leads with thirty-four to its credit, and that New England comes second with twenty. In the two divisions of the north central States, taken together, twenty also were born. None seems to have been born in either division of the southern States, but this is because the grouping adopted above, following the plan of present day geographies,<sup>2</sup> includes Virginia among the middle Atlantic States and Missouri in the western division of the north central States.

There are twenty-eight States either wholly or largely

<sup>2</sup> Frye's *Complete Geography*, etc.

east of the Mississippi River. As far as the facts under analysis are concerned only eleven of these gave birth to pioneers of Woodbury County. The only southern State to contribute was Virginia. A more remarkable fact, perhaps, is that in those sections in which the largest numbers were born there were States (located side by side with those most largely represented) which in themselves gave birth to none of the old settlers. Thus, in New England every State is represented except Rhode Island. In the middle Atlantic section three States are represented (New York, Pennsylvania, and Virginia), while four are not (New Jersey, Delaware, Maryland, and West Virginia). It is rather interesting to speculate as to why New York and Pennsylvania should give birth to so many Woodbury County pioneers, relatively speaking, and neighboring States to none. It is true, however, that West Virginia, Maryland, and most of New Jersey are south of the latitude of Iowa. In the eastern division of the central States three are represented (Ohio, Indiana, and Illinois), and three are not (Michigan, Wisconsin, and Kentucky). Michigan and Wisconsin were not old enough to be the birth-place of pioneers who should settle new lands as early as 1850. While Kentucky was old enough, it was probably far enough to the south of the latitude of Iowa and especially of Woodbury County, to make the latter fact sufficient reason for her failure to send us any old settlers.

Glancing for a moment at the individual States and the number of Woodbury County pioneers to whom each gave birth, it is seen that New York leads with Vermont, Pennsylvania, Ohio, and Illinois following in order. New York's lead is large — in fact more of our number were born within her boundaries than within those of her three closest competitors taken together. New York gave birth to more of our old settlers than all of the rest of the middle Atlantic

section together; more than all of New England; and more than all of the central States. Indeed New York was the mother of twenty-four per cent of the one hundred pioneers whose careers form the basis of this study; of thirty-two per cent of the seventy-four who were born in the United States. New York, Vermont, and Pennsylvania — three contiguous States — taken together, gave birth to forty out of seventy-four or fifty-four per cent of those born in the United States.

If Virginia and Missouri are counted as southern States, as has been the rule in American history, then three of our number were born in the South as against seventy-one in the North. Three, also, were born west of the Mississippi as against seventy-one east of it. Iowa was a free State and would not admit slaves. This fact coupled with that other fact that Iowa was far to the north, and out of the latitude of the southern States, probably accounts for the smallness of the number born south of the Mason and Dixon line.

Another item on the blanks sent out called for the nationality of each old settler; but owing, perhaps, to the fact that sufficient explanation was not given, it would not be safe to draw many conclusions from the data returned. For example, some counted themselves as "Americans" whose parents were evidently born abroad; while others answered "of German descent" whose ancestors had undoubtedly been in the United States for several generations. To be brief, forty-four out of one hundred indicated a foreign ancestry, although we learned above that only twenty-six had been born outside of the United States. The numbers returned for each nationality were: Americans, forty-seven; "Yankees", nine; English, nine; Germans, nine; Irish, eight; French Canadians, three; French, two; Welsh, two; Swiss, two; Dutch, one; and Danish, one;

together with six who gave a double nationality. It is interesting to note that nine called themselves "Yankees", of whom five were born in New England. Adding these nine Yankees to the group of Americans, we have fifty-six of the latter. About all that it seems safe to say on the subject of nationality is that twenty-six were born abroad and that the number of bona fide Americans is fifty-six. This leaves eighteen to be accounted for. Undoubtedly all of them could classify as Americans of some degree. As between Teutons and Celts, the proportion seems to be about four of the former to one of the latter. One element (namely, the French Canadian) did not figure as largely in the returns as the writer had reason to expect from the large number of that class who trapped and traded in this section in its early days. Indeed, only three designated themselves as French Canadians. The reasons for such a small number need to be noticed, and so this matter will be recurred to again in another connection.<sup>3</sup>

Of the twenty-six pioneers born abroad (out of the one hundred studied) twenty-four made at least two moves, coming first to some other one of the United States and migrating later to Iowa. Still another made two moves, coming from Ireland to Canada and thence to Iowa. Only one came directly from his foreign home to Woodbury County. Of the twenty-four who stopped in other States before coming hither, seven came first to Illinois, four to New York, four to Ohio, two to Nebraska, two to Wisconsin, and one each to New Hampshire, Pennsylvania, Indiana, Tennessee, and Missouri.

It has already been explained that one foreign-born pioneer moved from Ireland to Canada and thence to Iowa, and that a second one moved directly from Canada to this State. Somewhat earlier in the paper it was noted that two

<sup>3</sup> See below, p. 381.

were born in Iowa. One of these never left his native State, while the other one moved to Kansas and back again. In the following analysis the latter case is ignored, that is to say, the move to Kansas and back is ignored and the individual is treated as a native Iowan who never left his State. Eliminating these four cases, we have the result that ninety-six pioneers, out of one hundred, came to Iowa from some other State of the American union. Of the ninety-six, seventy-two were native-born and twenty-four foreign-born, as has already been shown.

These ninety-six settlers came into Iowa from eighteen different States. The States from which they came, together with the number in each case, are as follows: from Illinois, twenty-six; New York, fifteen; Ohio, eleven; Wisconsin, eight; Pennsylvania and Indiana, five each; Massachusetts, Virginia, Vermont, Missouri, and Minnesota, three each; Connecticut, New Hampshire, Michigan, and Nebraska, two each; and from Tennessee, Montana, and California, one each. The number that moved to Iowa from each State is radically different from the number that was born in each. A glance at the first and last columns of the accompanying table will show how true is this statement. (See Table I.)

The migrations of ninety-six persons to Iowa may seem to be a simple matter, but in reality it is one of great complexity. The case of New York may be taken as an illustration. In that State twenty-four of our pioneers were born. Nine of them moved directly from the Empire State to Iowa. The other fifteen came to this State indirectly, that is to say, they moved first to other States and came thence to Iowa. Of this number seven came by way of Illinois, four by way of Wisconsin, and one each by way of Massachusetts, Ohio, Vermont, and Montana. Altogether fifteen came directly from New York to Iowa. This num-



ber was made up of the nine natives of the former State, already mentioned, and six who came into New York from the outside. Two of the six entered New York from other States — one each from Connecticut and Pennsylvania. The other four came from foreign countries — two from Germany, one from England and one from Ireland. Thus thirty old settlers were born in New York or came through that State to Iowa. Fifteen came direct to this State and fifteen through other Commonwealths. The cases of several other States are as complicated as that of New York — just as many elements entering in, although not so many pioneers may have been concerned.

Because of this complexity it is out of question to review all of the facts relative to each State. They are presented in detail, however, in the accompanying table. (See Table I). Column one shows how many pioneers (out of ninety-six) were born in each State. Column two shows how many of these came directly to Iowa, and column three how many came indirectly. Columns four and five indicate the number that came from other States and from foreign countries, respectively, through each State to Iowa. The last column shows the number that came directly from each State to this one. The numbers given in the first column should equal the sum of those given in the second and third columns. The numbers found in the last column should equal the sum of those in the second, fourth, and fifth columns. It will also be noticed that columns three and four total the same, as they should.

With the facts before us as vividly as the table presents them, it is possible to make several valuable comparisons. Let us take first the figures of the first two columns, those showing the number of births in each State and the number of the same that came directly to Iowa. The facts show that all that were born in the three States of Virginia, Illinois,

and Missouri came directly to this State. Maine is the only State representing the other extreme. From other States the native-born pioneers came directly to Iowa in such ra-

TABLE I

	Total number born in each State.	Number born in each State who came directly to Iowa.	Number born in each State who came to Iowa through other States.	Received from other States and sent on to Iowa.	Received from foreign countries and sent on to Iowa.	Total number sent directly by each State to Iowa.
Maine	1	0	1	0	0	0
New Hampshire	4	1	3	0	1	2
Vermont	8	2	6	1	0	3
Massachusetts	3	1	2	2	0	3
Connecticut	4	1	3	1	0	2
Total for section	20	5	15	4	1	10
New York	24	9	15	2	4	15
Pennsylvania	8	4	4	0	1	5
Virginia	2	2	0	1	0	3
Total for section	34	15	19	3	5	23
Ohio	7	4	3	3	4	11
Indiana	4	2	2	2	1	5
Illinois	6	6	0	13	7	26
Michigan	0	0	0	2	0	2
Wisconsin	0	0	0	6	2	8
Total for section	17	12	5	26	14	52
Minnesota	0	0	0	3	0	3
Nebraska	0	0	0	0	2	2
Missouri	1	1	0	1	1	3
Total for section	1	1	0	4	3	8
Tennessee	0	0	0	0	1	1
Montana	0	0	0	1	0	1
California	0	0	0	1	0	1
Total scattered	0	0	0	2	1	3
Grand Totals	72	33	39	39	24	96

tios as one out of four, four out of eight, or nine out of twenty-four. The general average of all these different ratios is found in the totals which show that out of seventy-two native-born pioneers, thirty-three, or nearly forty-six per cent, came direct from the State of their birth to this State.

The results of this comparison for each section follow :

New England, 5 out of 20 or 25 per cent came direct to Iowa.  
 Mid. Atlantic, 15 out of 34 or 44 per cent came direct to Iowa.  
 North Central, 12 out of 17 or 70 per cent came direct to Iowa.

As might have been expected the percentage increases as the section is located closer and closer to Iowa.

Another fruitful comparison may be made of the number of pioneers born in each State and the total number that came directly from each State to Iowa. (See columns one and six of Table I). One might expect these numbers to be practically the same, but this supposition is far from the truth. Not all that were born in each State came directly to Iowa as we have already seen, and certainly not all that came from each State were born in the Commonwealth from which they happened to come.

The total number of pioneers that came directly from the various States to Iowa was made up of three groups : first, those born in the States from which they came ; second, those received from other States ; and third, those received from foreign nations. The first of these three groups has just been discussed. The facts relative to the second may be found by reference to column four of Table I. A comparison of columns four and six shows what proportion of the numbers sent to Iowa by each State was received from other States. Four States, indeed, (New Hampshire, Pennsylvania, Nebraska, and Tennessee) received none ; while four others (California, Montana, Minnesota, and Michigan) received all they sent from this source. In most cases such accessions were small, only four States (Ohio, Minnesota, Wisconsin, and Illinois) receiving as many as three each. Wisconsin with six and Illinois with thirteen are easily in the lead. This is logical since these States border Iowa on the east and were natural gateways into the latter in the early days.

The results of this comparison by sections are instructive. In the following table the figures in the first column indicate the persons received from other States; the figures of the second column indicate the persons sent to Iowa.

New England	received	4 out of 10 sent, or 40 per cent.
Middle Atlantic	received	3 out of 23 sent, or 13 per cent.
East Central	received	26 out of 52 sent, or 50 per cent.
West Central	received	4 out of 7 sent, or 57 per cent.

From this showing it is seen that the middle Atlantic section received the smallest percentage of pioneers sent to Iowa from other States. It is logical, again, that the north central sections should receive the largest percentage from the same sources because they are on the road to Iowa, so to speak. In the case of New England the percentage is large; but this may be abnormal since the total number of individuals was so small that the movements of one or two had an undue effect upon the results. Finally, it may be said that the total number of pioneers received from other States was thirty-nine out of ninety-six sent to Iowa, or six more than the number of native-born sent directly from their native States.

The third group which goes to make up the ninety-six sent directly to this State comprises the foreign-born. The figures for this group are to be found in column five of Table I. A comparison with column six shows the proportion of the foreign-born to the total number sent. Eight States received none from this source, while five received one each, and two received two each. New York, Ohio, and Illinois received the largest numbers; the two first named States four each, and the last named seven. Nebraska and Tennessee received all the pioneers whom they sent to Iowa from this source — which, of course is only a coincidence.

If we tabulate the results for the sections we get the fol-

lowing percentages — the first figures stand for the number of foreign-born received:

- New England received 1 out of 10 sent to Iowa, or 10 per cent.
- Middle Atlantic received 5 out of 23 sent to Iowa, or 22 per cent.
- East Central received 14 out of 52 sent to Iowa, or 27 per cent.
- West Central received 3 out of 8 sent to Iowa, or 43 per cent.

The percentages favor the western sections. While all of the foreign-born pioneers under consideration came ultimately to Iowa, it is a fact that their original attraction was for the western States in preference to the eastern sections. The total number of foreign-born received was twenty-four or exactly twenty-five per cent of the whole number sent directly to Iowa.

It is not to be understood that the contingents sent to Iowa by the various States were made up in every case of all three of the elements mentioned above. Indeed, this was true of only five States, namely, New York, Ohio, Indiana, Illinois, and Missouri. Wisconsin sent no native-born pioneers to Woodbury County; New Hampshire and Pennsylvania contributed none received from other States; while Vermont, Massachusetts, Connecticut, and Virginia sent none who were born abroad. Four States, namely, Michigan, Minnesota, Montana (Territory), and California sent neither native-born nor foreign-born settlers — their whole contingents being received from other States. Nebraska and Tennessee sent only foreign-born. The number of pioneers of each class sent by the sections are as follows:

<i>States</i>	<i>Native-born</i>	<i>Born in other States</i>	<i>Foreign-born</i>
New England	5	4	1
Middle Atlantic	15	3	5
East Central	12	26	14
West Central	1	4	3

From this tabulation it will be seen that the native-born element was the most important one in the contingents sent

by New England and the middle section; while the two divisions of the north central section received from other States the largest single element in their contributions — in each case exactly one-half of the total number sent.

Having treated in this detailed way of the various elements that went to make up the total number of pioneers who came from the different States directly to Iowa, a brief comparison should be made between the latter and the total number that was born in each State. The figures may be found in columns one and six of Table I. There it will be seen that a total of seventy-two pioneers<sup>4</sup> of Iowa were born in twelve different States, and that a total of ninety-six came to this State from eighteen different States. It may also be noticed that pioneers were born in only one State (Maine) which sent none directly to Iowa; while seven States which gave birth to none, sent settlers to our State. Six States gave birth to more than they sent, one to the same number, while twelve sent more than were born within their borders. It has already been mentioned that New York gave birth to the largest number with Vermont, Pennsylvania, and Ohio following in order, while Illinois sent the largest number directly to Iowa, with New York, Ohio, and Wisconsin coming next in order. As a rule the States farther east gave birth to more of our numbers, but those farther west sent us the larger contingents. The comparison by sections is instructive.

New England	gave birth to 20 pioneers, sent Iowa 10.
Middle Atlantic	gave birth to 34 pioneers, sent Iowa 23.
East Central	gave birth to 17 pioneers, sent Iowa 52.
West Central	gave birth to 1 pioneer, sent Iowa 8.

From this showing it may be seen that there is a relative falling off in the first set of figures and a relative gain in the second, without exception, as we come westward. The

<sup>4</sup> Excluding from consideration the two born in Iowa.

middle Atlantic States were the birth-place of the largest number of pioneers (thirty-four or nearly one-half of the seventy-two born in the United States) and yet its percentage relative to the number actually sent was not as great as that of New England. By far the largest number of settlers came directly from the north central section, even that division west of the Mississippi making a respectable showing.

It appears, then, that the early settlers of Woodbury County were largely born in the middle Atlantic and New England States and that they came to their future home chiefly from the east central and middle Atlantic States. This brings up the question of the route, or routes, by which they came westward — a question already touched upon in an indirect way, but one of such importance that it needs further treatment. Table I contains two columns of figures (the third and the fourth) which tell in a general way the story of the routes taken by the westward moving pioneers. By comparing the figures of column three with those of column two for a moment it will be seen that New England sent fifteen out of twenty born in that section to Iowa indirectly; that is to say, they moved first to other States and came thence to this State. The middle Atlantic States sent nineteen out of thirty-four by the same indirect route; but column three does not show by what States these pioneers came to Iowa. Column four contains the same total of figures as three, referring indeed to the same thirty-nine individuals; but while it shows the numbers received by certain States which sent them on to Iowa, it does not indicate the States from which they were received. These two sets of facts, needed to throw light upon the subject of the routes taken, are shown in Table II.

Table II is designed to illuminate the facts given in columns three and four of Table I. Down the left-hand side of

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the table appear the names of the States and countries in which the one hundred pioneers who comprise this study were born. In column one is given, merely for convenient

TABLE II

	Total Born in Each	Maine	New Hampshire	Vermont	Massachusetts	Connecticut	New York	Pennsylvania	Virginia	Ohio	Indiana	Illinois	Michigan	Wisconsin	Minnesota	Nebraska	Missouri	Tennessee	Montana	California	Canada	Sent Indirectly
Maine	1	0																				1
New Hampshire	4		1					1		1												3
Vermont	8			2	1	1						1					1					6
Massachusetts	3				1							1			1							2
Connecticut	4					1	1				1			1								3
New York	21			1	1		9			1		7		4					1			15
Pennsylvania	8						1	4		1		1	1									4
Virginia	2								2													0
Ohio	7									4	1			1	1							3
Indiana	4										2	1			1							2
Illinois	6											6										0
Michigan	0												0									0
Wisconsin	0													0								0
Minnesota	0														0							0
Nebraska	0															0						0
Missouri	1																1					0
Iowa	2																					0
Tennessee	0																	0				0
Montana	0																		0			0
California	0																			0		0
Germany	8						2			1		5										8
England	5						1			2		1		1								5
Ireland	5		1				1	1											1			5
Canada	4										1	1					1				1	3
Switzerland	2												1	1	1							2
France	1									1												1
Denmark	1															1						1
Sent Directly		0	2	3	3	2	15	5	3	11	5	26	2	8	3	2	3	1	1	1	2	

reference, the total number born in each. Reading across the page from left to right one may see, by reference at the same time to the names at the top of the table, by what



States — that is by what routes — the native-born of each State and country came to Iowa. The total number sent indirectly by each State and country is given in the last column, at the right-hand side of the table. The number of native-born pioneers sent directly to Iowa by the States of their birth are given in the squares which run diagonally across the table from the upper left-hand corner toward the lower right-hand corner — the numbers being indicated by heavier type in order to differentiate them from the others of the table. The figures in heavy type are omitted in making up the totals given at the right-hand side of the table.

At the top of the table are found the names of the States and the one country which sent pioneers directly to Iowa. Glancing down the columns one may see, by reference at the same time to the names at the left-hand side of the table, from what States and countries — that is, by what routes — the pioneers sent to Iowa were received. The figures at the bottom of the table indicate the total number sent to Iowa directly by each State. In this case the numbers standing for the native-born pioneers sent directly (indicated by the heavy type) have been added. Table I was limited to those States of the American union which gave birth to or sent pioneers on to Iowa. Table II includes those foreign countries, as well, which performed similar services. The name of Canada occurs at the top of the table because it sent one native-born pioneer direct to Iowa. The name of Iowa appears on the table, but it affects only the figures of the first column.

The table under consideration shows very plainly two things: first, by what States, or routes, the native-born of each State and country were sent to Iowa when they did not come direct from their places of birth; and second, from what States and countries — that is by what routes — the

pioneers, exclusive of native-born, sent to Iowa by the different States, were received. Taking up the first group, who may be referred to as native-born pioneers sent to Iowa indirectly, we see that Pennsylvania sent four individuals by way of four different States, that Vermont sent six by way of five States, while New York sent fifteen by way of six States. The States through which these pioneers were sent are scattered from Vermont to California. The only preferences shown by individual States were a slight one by the Vermont pioneers for the Illinois route and a more decided one by New Yorkers for the Illinois and Wisconsin routes. Among the foreign-born, the English show a slight preference for Ohio and the Germans for New York; the only marked preference being that of the Germans for the Illinois route.

A comparison, section by section, reveals the following marked preferences for the route of the east central States:

	<i>By Central States</i>	<i>By all other sections</i>
New England sent	8	7
Middle Atlantic sent	15	4
Central States sent	3	2
Foreign nations sent	14	11

The totals for the sections show that, out of sixty-four pioneers sent to Iowa indirectly, forty came by way of the eastern division of the central States as against twenty-four by way of all other sections. If those coming by the western division of the central States are added to those sent by way of the eastern division, the results become forty-seven as against seventeen.

The results just presented are complemented by those growing out of a review of the second group of facts which Table II was constructed to illustrate. In noticing the States and countries from which the pioneers, sent to Iowa by the various States, were received we are giving atten-

tion to the same body of facts as those just analyzed but from a different point of view. Excluding native-born pioneers, a glance at the table shows that New York sent to Iowa six settlers received by her from five different sources, Wisconsin eight, received from five sources, Ohio seven received from six sources, and Illinois twenty received from nine different sources—that is, from nine States and foreign countries. In every case the sources were widely scattered. The chief sources for Illinois were New York, Germany, and Vermont; for Wisconsin, New York; for Ohio, England; and for New York, Germany.

Out of sixty-four pioneers sent indirectly to Iowa, New England shows no one source of supply predominating over another. The middle Atlantic States and the western division of the central States received from foreign nations a few more than from other sources. The east central States attracted fifteen from the middle Atlantic section, fourteen from foreign nations, and eight from New England.

From such analyses as these it is seen that the pioneers of Woodbury County came from many different places by way of many different routes. The tracing of the routes followed is complicated by the fact that a large number of the individuals concerned made two or more moves, instead of only one, in coming to Iowa. Three distinct elements enter into the proposition. In the first place, there are those native-born pioneers who came to Iowa from the places of their birth by indirect routes. Then there are those who came directly from certain localities. This number was made up of two groups, namely, native-born pioneers who came directly from the places of their birth and those received from other localities to be sent on to this State. The routes followed may, in a general way, be divided into two parts. First, many routes leading from the

birth-places of the pioneers converged upon certain intermediate points. Chief among these were Illinois, Wisconsin, Ohio, and New York. The chief section upon which the routes of pioneers converged was, of course, the north central section. The second part of the route taken led directly from certain centers to Iowa. The most important centers, as far as the States of the Union are concerned, are exactly the same as the chief converging points just mentioned; but, since the pioneers coming over these routes included an element of native-born settlers as well as those received from other sources, the centers in question may not be ranked in the same order. While Illinois leads, New York comes second, Ohio third, and Wisconsin fourth. The second part of the general route followed led directly from these States to Iowa. As far as sections are concerned, the main-traveled route led from the north central section with that from the middle States second, and that from New England third.

The reader can get a clear mental picture of the general routes followed by conceiving a map with a heavy line leading from Europe to the north central States and a somewhat lighter line from Europe to the middle Atlantic section; a heavy line leading from the middle Atlantic section to the north central States, and a somewhat lighter one from New England to the same locality; and lastly a heavy line leading from the north central States to Iowa together with lighter lines from the middle Atlantic section and from New England to this State. A complete map showing all the by-paths followed by various groups or individuals would contain many more lines than those just indicated, but the picture here drawn shows the main-traveled routes and avoids the confusion which would arise from the crossing and re-crossing of lesser by-paths.

Before leaving this part of the subject it may be pointed

out that seven pioneers (out of ninety-six) entered Iowa by way of the southern States. Three of them came from Virginia, three from Missouri, and one from Tennessee. Four (out of ninety-six) came hither from western States as follows: from Nebraska two, and from Montana (Territory) and California one each. None of these four were natives of the States from which they came.

From the States which border upon Iowa there came a total of forty-two pioneers. It is interesting to note that thirty-four of these came from the two States on the eastern border, leaving eight to enter from the four States on the three other sides of Iowa. The numbers entering by way of each border State were: from Illinois, twenty-six; Wisconsin, eight; Minnesota, three; Nebraska, two; South Dakota, none; and Missouri, three. The large numbers coming from Illinois and Wisconsin are accounted for by the fact that those States were situated directly in the pathway of the incoming pioneers. Bearing in mind the fact that so much early travel was by way of the Missouri River, the one surprising result in the comparisons just made is that so few settlers, relatively speaking, came to Woodbury County from Missouri. Possibly the pioneers coming from Missouri desiring, like Daniel Boone, to be ever on the frontier, had moved on to newer regions before the data for this paper were gathered. The writer is sure that this occurred to a certain extent, especially in connection with the French Canadians to be mentioned below.<sup>5</sup>

Out of one hundred pioneers whose movements form the basis of this study, sixty-six came directly to Woodbury County upon reaching the State of Iowa; thirty-four stopped first in some other county before coming here. It may be of interest to note from what particular counties some of them came. A total of sixteen came from four

<sup>5</sup> See below, p. 381.

counties as follows: from Dubuque, where the first settlement in the State was made, came eight; from Pottawattamie, four; and from Linn and Monona, two each. The other eighteen came from as many different counties scattered all over the State. Ten came from counties bordering on the Mississippi; nine from counties on the western border of Iowa. Of the latter, seven came from counties on the Missouri. If these were added to the three who came from the State of Missouri, it may be said that at least ten came by the Missouri River route.

The most interesting fact brought out in the last paragraph is the large number of pioneers coming to Woodbury County from Dubuque County located clear across the State on the Mississippi River. Of the eight who came from the latter county, one was native-born, two were from Pennsylvania, and five from foreign countries. Dubuque and Woodbury counties are in the same latitude. To-day they are connected by the Illinois Central Railway, but this consideration was of no great importance since seven of the pioneers came to Woodbury County before the railway was built.

From counties bordering on Woodbury there came five pioneers: one each from Plymouth and Cherokee on the north, one from Ida on the east, and two from Monona on the south.

Stopping in other counties of Iowa before coming on to Woodbury had the effect of increasing the number of moves made by our pioneers on their way hither. From the character of the questions asked on the blanks sent out it is not possible to determine the exact number of moves made by the one hundred pioneers on their way to Woodbury County. We are able, however, to figure out that twenty-two made at least one move; sixty at least two; and eighteen at least three moves before arriving at their destina-

tion. It is not surprising to find that all of the eighteen who moved at least three times are included in the number of those who came to Woodbury from some other county of the State.

In this very limited study of the pioneer settlers of Woodbury County, Iowa, the emphasis has been placed upon the source of supply, or the nativity of the pioneers, the routes by which they came to this county, and the number of moves made on the way. Relative to the first point, it was found that twenty-six out of one hundred were born abroad, chiefly in Germany, England, Ireland, and Canada. The three who came from Canada were French Canadians. It was remarked above<sup>6</sup> that such a small number did not do justice to this particular people because it has been conclusively shown by Mr. C. R. Marks that the first settlers of the county were French Canadians and that they came to this locality in considerable numbers.<sup>7</sup> The explanation may be found in the character of the French Canadians themselves. When they first came into this vicinity, probably as early as the thirties, it was in the capacity of traders, trappers, boatsmen, hunters, etc. They belonged largely to the river and the river trade, to the period of exploration rather than to that of settlement. It was their work to open up the new country, not to possess it permanently: they paved the way for actual settlers. When the latter came it was time for the French Canadian to move on up the river to newer and wilder regions — regions better suited to his particular kind of life. This was actually done by large numbers, and is a fact which, when taken in connection with the time that had passed before this

<sup>6</sup> See above, p. 365.

<sup>7</sup> Marks's *Past and Present of Woodbury County, Iowa*, p. 763 seq. See also his article entitled *French Pioneers of Sioux City and South Dakota* in the *South Dakota Historical Collections*, Vol. IV, pp. 255-260.

investigation was attempted, sufficiently accounts for the small showing made by the French Canadians in the population elements of the county to-day.

The figures showed seventy-four pioneers born in the United States — only three of them in the South. Among the sections, the middle Atlantic States led, with New England and the north central States following in order. Among the States, New York, Vermont, and Pennsylvania stood out especially prominent as the birth-place of Woodbury County pioneers, giving birth to forty out of the seventy-four native Americans, or fifty-four per cent. New York alone had twenty-four to her credit, contributing thirty-two per cent of the native-born Americans and twenty-four per cent of all. It is not too much praise to call the Empire State the "Mother of Woodbury County Pioneers".

We have also seen that our hundred pioneers moved into Iowa from eighteen different States, together with one coming from Canada. More than half came from the north central States, with the middle Atlantic States and New England coming next in order. Among the States, Illinois led with the large total of twenty-six to her credit. New York came second with fifteen, while Ohio and Wisconsin sent eight each.

The foregoing analysis has brought out the radical difference between the pioneers born in a State and those sent to Iowa — a difference, not only in numbers but also in composition. The complexity of the matter of the routes taken has also been revealed. Out of seventy-two native born, thirty-three came to Iowa directly from the States of their birth, thirty-nine indirectly by way of other States. Those coming from the various States were found to be made up of three classes: namely, native born, those received from other States, and those received from foreign



nations. The foreign born came chiefly by way of the north central States. Among the States they preferred Illinois, New York, and Ohio in order.

As to the general route followed, an attempt was made to divide it into two parts: first, converging upon certain sections and States; and second, leading from those places to Iowa. Later it was seen that a third part of the general route was to be found within the State of Iowa. The main-traveled routes were pictured as running from Europe to the north central and middle Atlantic States; from the latter section and New England to the north central States; and from all three sections, but especially from the north central section, to Iowa. Within the State the chief routes were from Dubuque and Pottawattamie counties to Woodbury.

Among other results it was found that four pioneers entered the State from States west of Iowa; seven from southern States; and forty-two from States bordering upon this one. The number coming from Missouri was surprisingly small. Thirty-four stopped in other counties of the State before moving to Woodbury. In general the pioneers studied may be said to have done much moving about before they settled down—much more, indeed, than facts brought out in the paper indicate.

Although this study has been based upon facts which concern only one hundred individuals, the writer has no reason to believe that the results would have been radically different, as far as percentages are concerned, if figures had been at hand relative to a much larger number. The one important exception of the French Canadians has already been noted. We may say, therefore, that the findings of this paper relative to the nativity of the pioneers of Woodbury County, Iowa, and to the routes traveled by them in coming to the county are reasonably accurate. What is

true of Woodbury County would, probably, be true also of northwestern Iowa. The same claim could not be made for the eastern and southeastern parts of the State which are much older sections and — to mention only one point — received large numbers of settlers from Kentucky, Virginia, and other southern States.

It may be said in closing that John Fiske's dictum, referred to at the beginning of this paper, namely, that "The westward movement of population in the United States has for the most part followed the parallels of latitude", has been found to be remarkably true when applied to the settlement of Woodbury County, Iowa.

FRANK HARMON GARVER

MORNINGSIDE COLLEGE  
SIOUX CITY IOWA

## THE TERRITORIAL CONVENTION OF 1837

The Territorial Convention which was held at Burlington on November 6, 7, 8, 1837, was perhaps the most important convention held in the Iowa country prior to the establishment of the Territory in July, 1838. Three subjects of vital concern were acted upon: (1) the Missouri boundary line; (2) preëmption laws; and (3) the division of the Territory. Documentary materials relative to this convention are given below. They include (1) Proceedings of a Public Meeting of the Citizens of Des Moines County held on September 16, 1837; (2) Proceedings of a Public Meeting of the Citizens of Dubuque County held on October 13, 1837; (3) Proceedings of a Public Meeting of the Citizens of Louisa County held on October 21, 1837; (4) Proceedings of a Public Meeting of the Citizens of Henry County held on October 23, 1837; (5) Proceedings of the Territorial Convention held at Burlington on November 6, 7, 8, 1837; (6) Memorial on the Subject of the Missouri Boundary Line; (7) Memorial on the subject of Preëmtions; and (8) Memorial Praying for a Division of the Territory.

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### PROCEEDINGS OF A PUBLIC MEETING OF THE CITIZENS OF DES MOINES COUNTY HELD ON SEPTEMBER 16, 1837

[The people of Des Moines County took the initiative in calling the Territorial Convention of 1837. The following account of the meeting held at Burlington is reprinted literally from the *Iowa News* (Dubuque), Vol. I, No. 18, September 30, 1837.—EDITOR.]

At a large and respectable meeting of the people of Des Moines county, held in this town on Saturday, the 16th inst., in pursuance of previous public notice, the HON. ISAAC LEF-

FLER, was called to the Chair, and C. S. Jacobs, Esq., appointed Secretary.

The chair having briefly and appropriately stated the objects of the meeting, it was moved by David Rorer, Esq., and seconded by Col. W. W. Chapman, that a committee of five be appointed to draft resolutions expressive of the sense of the meeting. Whereupon, the Chair appointed David Rorer, Esq., Col. W. W. Chapman, Judge William Morgan, Col. Arthur Ingram and Dr. George W. Teas, said committee, who having retired for a short time, returned and presented the following resolutions, which, after due deliberation, were unanimously adopted.

1st. *Resolved*, That while we have the utmost confidence in the ability, integrity and patriotism of those who control the destinies of our present Territorial Government, and of our delegate in the Congress of the U. States, we do, nevertheless, look to a division of the Territory, and the organization of a separate Territorial Government, by Congress, west of the Mississippi river, as the only means of immediately and fully securing to the citizens thereof, the benefits and immunities of a government of laws.

2d, *Resolved*, That we view with extreme solicitude and regret, the efforts of a portion of the people of Missouri to obtain an extension of their northern boundary line, and deem it the duty of ourselves and all our fellow-citizens west of the river, to take prompt measures to prevent the same, as an infringement upon our Territorial rights.

3d. *Resolved*, That as settlers on the public lands of the United States, we are entitled to the protection of the Government in our homes, and the improvements made by, or paid for by us; and that [it] is a duty we owe to ourselves and our fellow-citizens, to call the attention of Congress to that subject by a fair and full presentation of our claims.

4th. *Resolved*, That we respectfully and earnestly rec-

commend to the people of the Territory west of the Mississippi river, immediately to hold county meetings in their respective counties, and appoint three delegates from each county, to meet in Convention at this place, on the first Monday in November next, to take into consideration the subjects embraced in the foregoing resolutions, and the best means of securing the speedy action of Congress thereupon.

5th. *Resolved*, That as the county of Du Buque is large and ought and should, in the opinion of the citizens thereof, be divided, it be entitled to a double representation, or six members, in said Convention, if they deem it expedient or necessary to appoint so many.

6th. *Resolved*, That we deem it our duty to call the attention of the Executive of the Territory to the encroachments of the State of Missouri upon our Territory, and that he be hereby requested to use all means within his control to maintain the sacredness of our boundary and laws.

7th. *Resolved*, That the repeated and constant failures of the mails in the western portion of this Territory, and the habitual neglect and gross delinquencies of some of the contractors for the conveyance thereof, is such as in a great measure to deprive the people of the benefits of the public mail; and that the Postmaster General is hereby and most earnestly requested to correct such abuses, if practicable, at the earliest possible period.

8th. *Resolved*, That we have selected the town of Burlington as the place of meeting of the proposed Convention, by reason of its being the temporary seat of Government, and as the place of the meeting of the Legislature about that time.

9th. *Resolved*, That the people of Des Moines county be, and are hereby requested to meet on the second Saturday,

the 12th of October next, in this town, at 10 o'clock, A. M., for the purpose of selecting three delegates to the afore-said Convention.

Charles Mason, Esq., hereupon made an appropriate address to the meeting upon the subject of the 7th resolution. — The total inadequacy of the present mail arrangement, and the shameful neglect and delinquencies of some of the mail contractors and post masters — and concluded by moving that a committee of — be appointed to draft a petition to the Post Master General, stating the facts in the case, and soliciting his immediate attention to a correction of the evils complained of, whereupon the chair appointed upon said committee, Charles Mason and C. S. Jacobs, Esquires, of Burlington, Mr. Mason Wilson, of Augusta, Mr. Jonathan Morgan, of Flint, Mr. William Stewart, of Marshall, Mr. John Lorton, of Casey Prairie, and Mr. James G. Guffey, of Taney Town.

Judge Morgan then moved that this committee be directed to furnish each Post-Master in the county of Des Moines (old Des Moines) with a copy of the Petition when prepared for circulation and signature.

C. S. Jacobs, Esq., addressed the meeting upon the subject of the mails for some time, and observed that he apprehended the resolution in regard thereto, just passed, though very good in itself, did not go far enough, and cover as much ground as the importance of the subject seemed to require, and he would, therefore, offer a short preamble and resolutions in addition, which were unanimously adopted.—

WHEREAS, The present arrangement of the mails for this portion of the Territory of Wisconsin, is not such as the population, business character, enterprise and intelligence of the people require or deserve — Therefore, be it

*Resolved*, That a committee be appointed, to consist of seven persons, whose duty it shall be to draft a petition to the Post Master General, stating fully the facts of the case, and requesting him to take such steps as may be deemed necessary in the premises.

(This committee was appointed under the resolution of Mr. Mason, for which this was substituted.)

*Resolved*, That it is the decided opinion of this meeting, that there should be a tri-weekly eastern mail to this town.

*Resolved*, That it be strongly recommended to the Post Master General to establish as early as may be practicable, a tri-weekly, or semi-weekly mail to this place, to intersect the eastern mail at Peoria, Ill.

*Resolved*, That it be recommended to the Post Master General, to take the earliest and most efficient steps to correct the abuses now existing in the present mail arrangement — to investigate the conduct and official character of the mail contractors in this portion of the Territory — and also, the manner in which the Post-masters execute their duties.

*Resolved*, That our delegate in Congress be requested to use his utmost influence and exertion, to induce the Post Master General to have the several subjects of these resolutions carried into early and full effect.

On motion of Jas. W. Woods, Esq., it was

*Resolved*, That the foregoing proceedings be published in the Wisconsin Territorial Gazette, and such other papers in the Territory as feel an interest in the subject matter of them.

On motion of Judge Morgan, the meeting adjourned.

ISAAC LEFFLER, Ch'n.

C. S. Jacobs, Sec'y.

PROCEEDINGS OF A PUBLIC MEETING OF THE CITIZENS OF DUBUQUE  
COUNTY HELD ON OCTOBER 13, 1837

[The following account is reprinted literally from the *Iowa News* (Dubuque), Vol. I, No. 20, October 14, 1837.—EDITOR.]

At a general public meeting of the citizens of Du Buque and vicinity, convened at the Court House on Friday 13th inst., pursuant to previous notice,

WARNER LEWIS, Esq. was called to the Chair, and John Plumbe, Jr. appointed Secretary.

Whereupon the following preamble and resolutions were adopted.

Whereas, a number of our fellow-citizens assembled at Burlington on the 16th day of September last, recommended, amongst other things, that a convention of delegates, representing the people of Wisconsin residing in that portion of the Territory lying west of the Mississippi river, should be held at Burlington on the first Monday of November next for the purpose of consulting upon the propriety of petitioning Congress to organize us into a separate Territory. And whereas, the people of Du Buque county do approve of said recommendation, and do cordially unite with their fellow-citizens of Burlington in desiring a full and fair expression of public opinion and promoting concert of action upon this important subject, therefore

*Resolved*, That there be twenty-one delegates to represent the county of Du Buque in said convention, and in case of the death, resignation, refusal to serve, or absence of one or more of said delegates, that the vacancy so created shall be filled by such person or persons as a majority of the delegates attending may select and appoint.

*Resolved*, That J. T. Fales, W. W. Coriell, S. Hempstead, John Plumbe, Jun., L. H. Langworthy, L. Jackson, F. Gehon, T. S. Wilson, W. Hutton, and J. M. Harrison, be delegates to said Convention, to represent the Town and



vicinity of Dubuque, and that we recommend to the inhabitants of the different settlements in this county to meet together for the purpose of choosing delegates of their own.

*Resolved*, That in the opinion of this meeting, the importance of our Territory on the score of population, commercial enterprise, and of immense agricultural and mineral resources, demand that we should be organized at once as a separate Territory.

*Resolved*, That we have full and unabated confidence in our worthy and highly esteemed Executive, Henry Dodge, believing as we do, that his administration of our Territorial Government has been conducted with sagacity, prudence and great honesty of purpose.

*Resolved*, That we have undiminished confidence in our Delegate to Congress, Geo. W. Jones, and that he deserves the thanks of the community for the zeal, ability and promptitude which he has evinced in the discharge of the trust which has been reposed in him.

*Resolved*, That the proceedings of this meeting be published in the papers of the Territory.

WARNER LEWIS, Chairman.

John Plumb, Jr. Sec'y.

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PROCEEDINGS OF A PUBLIC MEETING OF THE CITIZENS OF LOUISA  
COUNTY HELD ON OCTOBER 21, 1837

[The following account is reprinted literally from the *Wisconsin Territorial Gazette and Burlington Advertiser* (Burlington), Vol. I, No. 17, November 2, 1837.—EDITOR.]

At a large and respectable meeting of the people of Louisa county, held in the town of Wapello, on Saturday the 21st inst. in pursuance of previous notice, William Milligan, Esq. was called to the chair, and Z. C. Inghram appointed Secretary.

The object of the meeting was briefly and appropriately

stated by James M. Clark, Esq. It was moved by Daniel Brewer, and seconded by J. M. Clark, that a committee of five be appointed to draft resolutions expressive of the sense of the meeting: whereupon the Chair appointed Daniel Brewer, John H. Benson, R. S. Searls, Isaac H. Rinearson, Esq. and William H. R. Thomas said committee, who, after having retired for a short time, returned and presented the following resolutions, which, after due deliberation, were unanimously adopted.

1. *Resolved*, That we highly approve of the objects and motives of the Territorial Convention, to be holden in Burlington; and that so far as lies in our power we will heartily co-operate with our brethren in the adjoining counties, in carrying those motives into effect.

2. *Resolved*, That we deem it highly essential to the interest and convenience of our Territory that a division of the same take place, and that, in our opinion, the Mississippi suggests a very natural and proper line of separation.

3. *Resolved*, That the deficiency of post offices, the inequality of mails, and the apparent gross delinquencies of mail contractors in this western part of our Territory, are evils, which call loudly for redress, and that we would suggest to the Territorial Convention the propriety of using their influence and exertions to have these abuses ferreted out and corrected.

4. *Resolved*, That we look upon the attempts of a portion of Missouri to encroach upon our Territory, as highly unjust and aggressive, and that however much we may regret that any difficulties should arise between us, we are determined to resist her encroachments by every just and honorable means.

5. *Resolved*, That, as settlers upon these frontiers, enduring the privations and hardships always incident to the settling of new countries, we are justly entitled to be se-

cured in the possession of our homes and improvements by the passage of a pre-emption law in our behalf.

6. *Resolved*, That we would suggest to our own delegates, and the convention at large, the propriety of calling the attention of Congress to this subject by memorial or otherwise.

7. *Resolved*, That we deem this a fitting occasion to express our entire satisfaction with the present boundaries of our county, and look upon those who are endeavoring to effect a division of the same as acting contrary to the best interest of the county at large.

The committee reported the following list of delegates, viz: William L. Toole, James M. Clark, Esq., and John J. Rinearson, who were chosen by the meeting.

8. *Resolved*, That the proceedings of this meeting be published in the Burlington Gazette.

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WILLIAM MILLIGAN, *Ch'n.*

Z. C. INGRAM, *Sec'y.*

PROCEEDINGS OF A PUBLIC MEETING OF THE CITIZENS OF HENRY  
COUNTY HELD ON OCTOBER 23, 1837

[The following account is reprinted literally from the *Wisconsin Territorial Gazette and Burlington Advertiser* (Burlington), Vol. I, No. 17, November 2, 1837.—EDITOR.]

A meeting of the citizens of Henry county was held at Mount Pleasant on the 23rd inst. MR. JOHN H. RANDOLPH was called to the chair, and Dr. *J. D. Payne* appointed Secretary.

W. L. Jenkins, Esq. explained the object of the meeting, and the proceedings of the late Burlington meeting were read and approved of. A motion was then made, that the meeting ballot for three delegates to the proposed convention, to represent Henry county; whereupon, tellers being appointed, it appeared that Messrs. W. H. WALLACE, J. M. MYERS, and M. L. B. HUGHES were duly elected.

*Resolved*, That the proceedings of this meeting be published in the Wisconsin Territorial Gazette.

JOHN H. RANDOLPH, *Pres't.*

J. D. PAYNE, *Sec'y.*

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PROCEEDINGS OF THE TERRITORIAL CONVENTION HELD AT  
BURLINGTON ON NOVEMBER 6, 7, 8, 1837

[The proceedings along with the memorials adopted by the Convention were printed in pamphlet form and thus transmitted to Congress. A copy of this pamphlet was discovered by the writer in the office of the Clerk of the House of Representatives at Washington. The text of the printed pamphlet does not differ from what appeared in the *Iowa News*. The following account is reprinted literally from the *Iowa News* (Dubuque), Vol. I, No. 23, November 25, 1837.—EDITOR.]

The Convention of Delegates, from that portion of the Wisconsin Territory west of the Mississippi, met at the capitol, in the town of Burlington, on Monday, Nov. 6, 1837.

The Convention was called to order by C. S. Jacobs, Esq. of Des Moines co., and on motion of Mr. Warren, of Du Buque, Mr. JACOBS was elected Chairman, pro tem. of the Convention for the purposes of organization; and on motion of Mr. Russell, of Du Buque, J. W. PARKER, Esq. of Du Buque was elected Secretary pro tem.

On motion of Mr. Davis of Musquitine, the counties were called over to ascertain the names of the Delegates from each. The following gentlemen answered to their names, exhibited their credentials, and took their seats in Convention.

From the county of Du Buque.—P. H. Engle, J. T. Fales, G. W. Harris, W. A. Warren, W. B. Watts, A. F. Russell, W. H. Patton, J. W. Parker, J. D. Bell, J. H. Rose.

From Des Moines county.—David Rorer, Robert Ralston, Cyrus S. Jacobs.

Van Buren county.—Van Caldwell, J. G. Kenner, James Hall.

Henry county.— W. H. Wallace, J. D. Payne, J. L. Myers.

Musquitine county.— J. R. Struthers, M. Couch, Eli Reynolds, S. C. Hastings, James Davis, S. Jenner, A. Smith, E. K. Fay.

Louisa county.— J. M. Clark, W. L. Toole, S. J. Rinearson.

Lee county.— Henry Eno, John Claypool, Hawkins Taylor.

Ordered, That the Convention elect its officers by ballot.

On motion of Mr. Davis, a majority of all the votes present was made necessary to the election of officers.

Mr. C. S. JACOBS was elected President of the Convention upon the first ballot and Messrs. J. M. CLARK and W. H. WALLACE, Vice Presidents; and Messrs. J. W. PARKER and J. R. STRUTHERS, Secretaries.

The Convention then adjourned till to-morrow, at 3 o'clock, P. M.

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Friday, Nov. 7— The convention assembled at 3 o'clock pursuant to adjournment, and was called to order by the President.

On motion of Mr. Warren,

Resolved, That the Governor, members of the Legislative Council, Judges, and members of the bar of Burlington, be invited to take seats within the bar.

On motion of Mr. Eno,

Resolved, That a committee of seven be appointed by the President, to draft a memorial to Congress on the subject of the attempt making by the state of Missouri to extend her northern boundary line.

Messrs. Eno, Claypool, Kenner, Ralston, Davis, Watts, and Toole were appointed said committee.

On motion of Mr. Kenner,

Resolved, That a committee of six be appointed by the

President to prepare a memorial to the Congress of the U. States, praying for the passage of an act, granting the right of pre-emption to actual settlers on government lands, and that said committee report the same to this convention at some period before its adjournment.

Messrs. Engle, Kenner, Payne, Struthers, Patton, Rorer, and Smith were appointed said committee.

On motion of Mr. Rorer,

Resolved, That a committee of seven be appointed by the President, to draft a memorial to the Congress of the United States in relation to the organization of a separate territorial Government in that part of the Territory of Wisconsin west of the Mississippi river,

Messrs. Rorer, Hastings, Caldwell, Myers, Claypool, Rinearson, and Harris were selected to compose said committee.

On motion, the Convention adjourned until to-morrow, at 2 o'clock P. M.

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Wednesday, Nov. 8.

The Convention met [pursuant] to adjournment and was called to order by the President.

The committees appointed yesterday to draft memorials, being prepared to report, Mr. Engle, chairman of the committee appointed to draft a memorial in relation to pre-emptions, reported a memorial, which, on motion, was unanimously adopted.

Mr. Eno, chairman of the committee to draft a memorial upon the subject of the northern boundary line of Missouri, reported a memorial, which, on motion, was unanimously adopted.

Mr. Rorer, chairman of the committee appointed to prepare a memorial relative to the division of the Territory,

reported a memorial, which, on motion, was unanimously adopted.

On motion of Mr. Davis,

Resolved, unanimously, that the Hon. G. W. Jones, is entitled to the thanks of the citizens of the Territory, for the able manner in which he has discharged the various and complicated duties imposed upon him, as our delegate in Congress.

On motion of Mr. Davis,

Resolved, unanimously, That we entertain the highest of respect for the able, patriotic, and distinguished manner in which his excellency, Governor Dodge, has at all times administered the affairs of the Territory.

On motion of Mr. Hastings, the following was unanimously adopted:

In order that a full expression of the sentiment of this convention may be publicly made known, upon the subject of the extension of the northern line of the state of Missouri, therefore,

Be it resolved, That we most cordially approve of that part of the message of the Executive of this Territory, which relates to the said northern boundary, communicated to the Legislative Assembly at their present session, and with him believe that Missouri has made an encroachment upon our Territorial rights in extending her northern boundary lines, north from where it was formerly located.

On motion,

Resolved, That the Legislative Council and House of Representatives be requested to co-operate with the Convention, in memorializing Congress on all the subjects acted upon by this Convention.

On motion of Mr. Davis,

Resolved, nem. con., That the members of the Convention tender their thanks to the members of the House of Repre-

sentatives, for their liberality in tendering the use of this Hall for our deliberations.

On motion of Mr. Warren,

Resolved, unanimously, That the President of the Convention be requested to forward the proceedings of this Convention, with the memorials, to our delegate in Congress, Hon. G. W. Jones.

On motion of Mr. Fales,

Resolved, unanimously, That a vote of thanks be tendered to the officers of this Convention, for the able and impartial manner in which they have discharged the duties that devolved upon them.

On motion of Mr. Hastings,

Resolved, That the memorials be signed by the officers and members of the Convention.

On motion of Mr. Davis,

Resolved, That all editors in the Territory be requested to publish the proceedings of this Convention.

On motion,

Resolved, That a committee of three be appointed to superintend the printing of the proceeding of this Convention.

Messrs. Ralston, Davis, and Engle were appointed said committee.

The President, in a short, impressive manner, returned thanks to the Convention, in behalf of himself and associate officers, for the honor conferred upon them.

The Convention adjourned, sine die.

CYRUS S. JACOBS, President.

J. M. CLARK,            }  
W. H. WALLACE,        } Vice Presidents.

J. W. PARKER,         }  
J. R. STRUTHERS,     } Secretaries.



## MEMORIAL ON THE SUBJECT OF THE, MISSOURI BOUNDARY LINE

[The following memorial which was adopted by the Territorial Convention is reprinted literally from the *Iowa News* (Dubuque), Vol. I, No. 23, November 25, 1837.—EDITOR.]

*To the Honorable the Senate and House of Representatives  
of the United States, in Congress assembled:*

The Memorial of a Convention of Delegates, from the several counties in the Territory of Wisconsin, west of the Mississippi river, convened at Burlington, in said Territory, Nov. 6, 1837,

RESPECTFULLY REPRESENTS :

That your memorialists are desirous of asking the attention of Congress to the adjustment of the boundary line between the State of Missouri and the territory of Western Wisconsin. Much excitement already prevails among the inhabitants situated in the border counties of the State and Territory, and it is much to be feared, that, unless the speedy action of Congress should be had upon the subject, difficulties of a serious nature will arise, militating against the peace and harmony which would otherwise exist among them. At the last session of the Legislature of Missouri, Commissioners were appointed to run the northern boundary line of the State. They have recently been engaged in the work, and according to the line run by them, there is included within the limits of the State of Missouri, a considerable tract of country, hitherto supposed to belong to the Territory of Wisconsin, and which is still believed of right to belong to it. The northern boundary line of Missouri was run several years ago by commissioners appointed by the State of Missouri, and will cross the Des Moines river at a point about twenty-four miles from its mouth.—This line, if continued on due east, would strike the Mississippi river near the town of Fort Madison, about ten miles above the rapids in said river, long since known as the Des

Moines rapids; and this line, so run by the commissioners, has always been considered as the boundary line between the State and Territory. The present commissioners, appointed by the State of Missouri, giving a different construction to the act defining the boundary line of the State, passed up the Des Moines river in search of rapids, and have seen proper to find them some twelve or fourteen miles further up the river than the other commissioners of Missouri formerly did, and, selecting a point which they call the rapids in the Des Moines river, have from thence marked out a line which is now claimed as the northern boundary line of the State. Were this line extended due east, it would strike the Mississippi river at the town of Burlington, some thirty miles above the rapids, as stated above, as the Des Moines rapids.

Missouri was constituted an independent State, and her boundary lines defined, in June 1820. At that time, the country bordering on the Des Moines river was a wilderness, and little was known, except from the Indians who lived on its banks, of its geographical situation. There was at that time no point on the river known as the Des Moines rapids, and at the present time, between the mouth of the river and the Raccoon forks, a distance of two hundred miles, fifty places can with as much propriety be designated as the one selected by the commissioners of the State of Missouri.

Your memorialists conceive that no action of the State of Missouri can, or ought to affect the integrity of the Territory of Wisconsin; and standing in the attitude they do, they must look to the General Government to protect their rights and redress their wrongs. The difficulties, which, for so long a period of time, existed between the Territory of Michigan and State of Ohio relative to their boundaries, will, it is hoped, prompt the speedy action of Congress on

this exciting subject. Confidently relying upon the wisdom of the General Government, and its willingness to take such measures as will settle this question, the people of Wisconsin will peaceably submit to an extension of the northern boundary line of the State of Missouri, if so be, that Congress shall ordain it; but until such action, they will resist to the utmost extremity any attempt made by the State of Missouri to extend her jurisdiction over any disputed Territory.

We, therefore, pray that Congress will appoint Commissioners, whose duty it shall be to run the line between the State of Missouri and the Territory of Wisconsin according to the spirit and intention of the act defining the boundary lines of the State of Missouri, and to adopt such other measures as in their wisdom they may deem proper.

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#### MEMORIAL ON THE SUBJECT OF PRE-EMPTIONS

[The following memorial which was adopted by the Territorial Convention is reprinted literally from the *Iowa News* (Dubuque), Vol. I, No. 23, November 25, 1837.—EDITOR.]

*To the Honorable the Senate and House of Representatives,  
of the U. States.*

A Convention of citizens representing all the counties in that part of Wisconsin Territory lying west of the Mississippi river, have assembled at Burlington the present seat of Government of said Territory for the purpose of taking into consideration several measures immediately affecting their interests and prosperity. Among the most important of these is the passage by your honorable bodies at the session about to be commenced, of a pre-emption law by which the settlers on the public land shall have secured to them at the minimum price, the lands upon which they live, which they have improved and cultivated without fear of molestation, or over-bidding on the part of the rich capitalist and

speculator. It is a fact well known to your honorable bodies, that none of the land in Wisconsin west of the Mississippi River in what is called the "*Iowa District*," has yet been offered for sale by the Government. It is equally true that that tract of country is now inhabited by twenty-five thousand souls composing a population as active, intelligent, and worthy as can be found in any other part of the United States. The enterprise of these pioneers has converted what was but yesterday a solitary and uncultivated waste into thriving towns and villages, alive with the engagement of trade and commerce, and rich and smiling farms, yielding their bountiful return to the labors of the husbandman. This district has been settled and improved with a rapidity unexampled in the history of the country, emigrants from all parts of the United States and from Europe are daily adding to our numbers and importance. An attempt to force these lands thus occupied and improved into market to be sold to the highest bidder, and to put the money thus extorted from the hard earnings of an honest and laborious people into the coffers of the public treasury, would be an act of injustice to the settlers which would scarcely receive the sanction of your honorable bodies. In most cases the labor of years and the accumulated capital of a whole life has been expended in making improvements on the public land, under the strong and firm belief that every safeguard would be thrown round them to prevent their property, thus dearly earned by years of suffering, privation and toil, from being unjustly wrested from their hands. Shall they be disappointed? Will Congress refuse to pass such laws as may be necessary to protect a large class of our citizens from systematized plunder and rapine? The members composing this convention, representing a very large class of people, who delegated them to speak in their stead, do most confidently express an opinion that

your honorable bodies will at its present session pass some law removing us from danger, and relieving us from fear on this subject. The members of this convention for themselves, and for the people whose interests they are sent here to represent, do most respectfully solicit that your honorable bodies, will, as speedily as possible, pass a pre-emption law giving to every actual settler on the public domain who has made improvements sufficient to evince that it is bona fide his design to cultivate and occupy the land, a right to enter at the minimum government price, one half section for that purpose, before it shall be offered at public sale.

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MEMORIAL PRAYING A DIVISION OF THE TERRITORY

[The following memorial which was adopted by the Territorial Convention is reprinted literally from the *Iowa News* (Dubuque), Vol. I, No. 23, November 25, 1837.—EDITOR.]

*To the Honorable the Senate and House of Representatives  
of the United States, in Congress assembled:*

The Memorial of a general Convention of Delegates, from the respective counties in the Territory of Wisconsin, west of the Mississippi river, convened at the capitol in Burlington, in said Territory, Nov. 5th, 1837,

RESPECTFULLY REPRESENTS:

That the citizens of that part of the Territory west of the Mississippi river, taking into consideration their remote and isolated position, and the vast extent of country included within the limits of the present Territory, and the utter impracticability of the same being governed as an entire whole, by the wisest and best administration of our municipal affairs, in such manner as to fully secure individual right and the right of property, as well as to maintain domestic tranquility, and the good order of society, have by their respective representatives, convened in gen-

eral convention as aforesaid, for the purpose of availing themselves of their right of petition as free citizens, by representing their situation and wishes to your honorable body, and asking for the organization of a separate Territorial Government over that part of the Territory west of the Mississippi river.

Without, in the least, designing to question the official conduct of those in whose hands the fate of our infant Territory has been confided, and in whose patriotism and wisdom we have the utmost confidence, your memorialists cannot refrain from the frank expression of their belief that, taking into the consideration the geographical extent of her country, in connexion with the probable population of Western Wisconsin, perhaps no Territory of the United States has been so much neglected by the parent government, so illy protected in the political and individual rights of her citizens.

Western Wisconsin came into the possession of our government in June 1833. Settlements were made, and crops grown, during the same season; and even then, at that early day, was the impulse given to the mighty throng of emigration that has subsequently filled our lovely and desirable country with people, intelligence, wealth, and enterprize. From that period until the present, being a little over four years, what has been the Territory of Western Wisconsin? Literally and practically, a large portion of the time without a government. With a population of thousands, she has remained ungoverned, and has been quietly left by the parent government to take care of herself, without the privilege on the one hand to provide a government of her own, and without any existing authority on the other to govern her.

From June 1833 until June 1834, a period of one year, there was not even the shadow of government or law, in all

Western Wisconsin. In June 1834, Congress attached her to the then existing Territory of Michigan, of which Territory she nominally continued a part, until July 1836, a period of little more than two years. During the whole of this time, the whole country west, sufficient of itself for a respectable State, was included in two counties, Du Buque and Des Moines. In each of these two counties there were holden, during the term of two years, two terms of a county court, (a court of inferior jurisdiction,) as the only sources of judicial relief up to the passage of the act of Congress creating the Territory of Wisconsin. That act took effect on the 3d day of July, 1836, and the first judicial relief afforded under that act, was at the April term following, 1837, a period of nine months after its passage; subsequent to which time there has been a court holden in but one county in Western Wisconsin only. This, your memorialists are aware, has recently been owing to the unfortunate indisposition of the esteemed and meritorious judge of our district; but they are equally aware of the fact, that had Western Wisconsin existed under a separate organization, we should have found relief in the services of other members of the Judiciary, who are at present, in consequence of the great extent of our Territory, and the small number of judges dispersed at too great a distance, and too constantly engaged in the discharge of the duties of their own districts, to be enabled to afford relief to other portions of the Territory. Thus, with a population of not less than twenty-five thousand now, and of near half that number at the organization of the Territory, it will appear that we have existed as a portion of an organized Territory, for sixteen months, with but one term of courts only.

Your memorialists look upon those evils as growing exclusively out of the immense extent of country included within the present boundaries of the Territory, and express

their conviction and belief, that nothing would so effectually remedy the evil as the organization of Western Wisconsin into a separate Territorial government. To this your memorialists conceive themselves entitled by principles of moral right — by the sacred obligation that rests upon their present government to protect them in the free enjoyment of their rights, until such time as they shall be permitted to provide protection for themselves; as well as from the uniform practice and policy of the government in relation to other Territories.

The Territory of Indiana, including the present states of Indiana, Illinois, and Michigan, and also much of the eastern portion of the present territory of Wisconsin, was placed under one separate territorial government, in the year 1800, at a time when the population amounted to only five thousand six hundred and forty, or thereabouts.

The Territory of Arkansas was erected into a distinct territory, in 1820, with a population of about fourteen thousand. The Territory of Illinois was established in 1809, being formed by dividing the Indiana Territory. The exact population of Illinois Territory, at the time of her separation from Indiana, is not known to your memorialists, but the population in 1810, one year subsequent to that event, amounted to but eleven thousand five hundred and one whites, and a few blacks — in all, to less than twelve thousand inhabitants.

The Territory of Michigan was formed in 1805, by again dividing the Indiana Territory, of which until then, she composed a part. The population of Michigan, at the time of her separation from Indiana, your memorialists have been unable to ascertain, but in the year 1810, a period of five years subsequent to her separate organization, her population amounted to but about four thousand seven hundred and sixty; and in the year 1820, to less than nine thousand



— so that Michigan existed some fifteen years, as a distinct Territory, with a population of less than half that of Western Wisconsin at present; and each of the above named Territories, now composing so many proud and flourishing states, were created into separate territorial governments, with a much less population than that of Western Wisconsin, and that too at a time with a national debt of millions. Your memorialists therefore pray for the organization of a separate territorial government over that part of the Territory of Wisconsin west of the Mississippi river.

## PROCEEDINGS OF A COUNCIL WITH THE CHIPPEWA INDIANS

[The report given below of the proceedings of the Council, held by Governor Henry Dodge of the original Territory of Wisconsin, with the Chiefs and principal men of the Chippewa Nation of Indians in July, 1837, is taken from Vol. I, Nos. 11 and 14 of the *Iowa News*, a newspaper published at Dubuque. The report is reprinted literally, no attempt having been made to secure uniformity in the spelling of the Indian names which appear in the report and in the treaty. The articles of the treaty concluded at this Council are taken from Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, p. 491.—EDITOR.]

PROCEEDINGS OF A COUNCIL HELD BY GOVERNOR DODGE WITH THE  
CHIEFS AND PRINCIPAL MEN OF THE CHIPPEWA NATION OF  
INDIANS, NEAR FORT SNELLING, AT THE CONFLUENCE OF THE  
ST. PETERS AND MISSISSIPPI RIVERS, COMMENCING ON THE  
20TH DAY OF JULY, 1837.

The head men of the nation having, by direction of Governor Dodge, been advised of his desire to meet them in council, their different bands assembled together near Fort Snelling, between the 1st and 20th of July to the number of about a thousand men, women and children, and on the last mentioned day, met the Governor at the council house.

Gen. Wm. R. Smith, of Pennsylvania, appointed by the President of the United States, the colleague of Gov. Dodge in the commission, did not arrive to be present at the council.

The following named Chiefs were present, and recognized as such by the Governor:

From Leech Lake.—Aish-ke-boge-kozhe, or Flat Mouth, and Ozawickanebik, or the Yellow Snake, commonly called by the French Fiereaince, or elder brother.

From Gull Lake and Swan River.—Pa-goona-kee-zhig, or Hole in the day, & Songa-komok, or the Strong Ground.

From Mille Lac.—Wash-ask-ko-kowe, or Rat's Liver.

From Sandy Lake.—Ka-nan-dwa-winza, or Le Brocheux.

From Snake River.—Naudin, or the Wind, Sha-go-bai, or the Six Pay-a-jig, and Na-qua-na-bic, or the Father.

From Fond du Lac.—Mongo-sit, or Loon's Foot, and Shin-go-be or the Spruce.

St. Croix River.—Pe-she-ke, or the Buffalo.

Ver Planck Van Antwerp, of Indiana, appointed by the President Secretary to the Commissioners, was also present at the meeting of the Council.

The council pipe having been first smoked by Gov. Dodge, with the Chiefs, the Governor addressed them as follows — *Chiefs, Head men, and Warriors of the Chippewa Nation:*

“Your Great Father, the President of the United States, has sent me to see you in council to propose to you the purchase of a small part of your country, east of the Mississippi River.

This country, as I am informed, is not valuable to you for its game, and not suited to the culture of corn, and other agricultural purposes.

Your Great Father wishes to purchase your country on the Chippewa and St. Croix rivers for the advantage of its pine timber, with which it is said to abound.

A map of the country which your Great Father wishes to buy from you will be shewn to you, in which the rivers and water courses are laid down; and such explanations given through your interpreter, as will fully explain to you the particular part of your country east of the Mississippi River, which your Great Father proposes to purchase for the use of his white children.

Your Great Father knows you are poor, and this pine region is not valuable to you for hunting purposes; his wish is to make you a full compensation for the country by

giving you its full value, payable in such manner as will be most serviceable to your people.

An estimate will be made of the probable value of your country, which it is proposed to purchase, of which you will be informed. I will request you, after fully deliberating upon the subject, to tell me your price for the country with as little delay as possible.

Your Great Father, the President, was desirous that the Chippewas should be fully represented in this council, that all might know what had been done, and that equal justice should be done to all. I wish you to be prepared with your answer to the proposition made you, at our meeting in council to-morrow.’

Gov. Dodge having concluded his remarks and intimated his readiness to hear anything which the Chiefs or principal men might have to say to him, Aish-ke-boge-khoze (Flat Mouth) advanced and spoke as follows: My father, I have but little to say to you now. Living in a different part of the country from that which you propose to buy from us, I will be among the last of those who will speak to you upon that subject. After those shall have spoken who live in & nearer to that country, I will talk more to you. My father, my people have all the same opinion with me, and will abide by what I shall say to you; I have come to listen first, to all you have to say to us, and will afterwards speak to you. My heart is with you. I have nothing more to say now.

Nadin (the Wind) then came forward and said, “My father, I once shook hands with our great Father beyond the mountains, as I do with you now. I have not much to say at present, and my brother who stands near me wishes to speak with you. To-morrow, I expect that some more people will be here from the country you wish to buy from us. I was present when they began to run the boundary line between our country and that of the Sioux at the Red

Deer's Rump. When you are ready to examine that line I will say more to you."

Pe-she-ke (the Buffalo) "My Father, I am taken by surprise by what you have said to us, and will speak but few words to you now. We are waiting for more of our people who are coming from the country which you wish to buy from us. We will think of what you have said to us, and when they come, will tell you our minds about it. Men will then be chosen by us to speak with you. I have nothing more to say now.

Na-can-ne-ga-be (the man that stands foremost) My father, the people will come from the country where my fathers have lived before me. When they arrive here, they will speak to you. Until then I have nothing more to say.

Gov. Dodge, after urgently impressing upon the Chippewas the necessity of remaining quiet and at peace with the Sioux, during the continuance of the council, adjourned to meet again to-morrow.

Friday, July 21st.

The Governor was advised this morning by Mr. Vineyard, their agent, that the Chippewas did not wish to meet in council to-day, as the people whom they expected had not yet arrived, and they wanted more time to talk with one another.

Saturday, July 22.

The morning being cloudy, with an appearance of rain, the council did not meet until 3 o'clock P. M., when Gov. Dodge directed the Interpreter to say to the Indians, that when he had parted with them two days ago, they had told him that they expected to meet more of their friends here, and were desirous before taking any further steps about what he had spoken to them, of talking to one another — that he had now met them to hear what they might have to say about their absent friends, and to listen to any com-

munications which they might wish to make to him in regard to the councils which they had held, and the conclusion to which they had arrived. -

After an interval of 15 or 20 minutes, during which time the Interpreter, by direction of the Governor, repeated the expression of his readiness to hear any remarks which the Indians might wish to make to him, Aish-ke-boge-kozhe, (Flat Mouth) rose and said, "My Father, I shall say but little to you at this time. I am called a chief. I am not the chief of the whole nation, but only of my people, or band. I speak to you now only because I see nobody else ready to do so. I do not wish to take any further steps about what you have proposed to us, until the other people arrive who have been expected here. They have not yet come, and to do anything before their arrival, might be considered an improper interference, and unfair towards them. The residence of my band is outside of the country which you wish to buy from us. After the people who live in that country shall have told you their minds, I will speak. If the lands which you wish to buy were occupied by my band, I would immediately have given you my opinion. After listening to the people whom we are expecting, and who will speak to you, I will abide by what they say, and say more to you myself.

My father, on getting up to speak to you, I hardly knew what to say. If I say no more, it is not because I am afraid to speak my mind before my people and those of the whole nation, and all others present, but because I have nothing more to say.

Pe-she-ke (the Buffalo) I am deaf and cannot hear distinctly what is said. I have seen the lips of the great chief move, but did not well hear his words, I have turned each ear to him to listen. There is another man here who has the confidence of my people beside myself, but we do not

wish to say more, until the rest of our nation we are expecting shall arrive.

Pay-a-jig. My father, your children are not displeased with what you have said to them, but they wish you to give them four times more tobacco than you have given them. My father, what has happened to you? Have you cut off your breasts, that you cannot suckle your children. If you did so, it would render them more pliant and ready to yield to your wishes. This was the case at the treaty of Prairie du Chien. I was there, and know what was done. The boundary line between our country and the Sioux was then established, and my people wish now to have it explained to them. I have been told by the warriors and chiefs to say what I have said to you. I do not say it of my own accord. My people have chosen me and another to talk with you about the proposition that you have made to them to buy a part of our country. I am ready to proceed whenever the others are ready. Other men of power and authority are behind, and are expected here. They will soon come, when we will give you our answer.

Nadin (the Wind.) There is no dissatisfaction; we are all contented. Your children around you, both Chippewas and Sioux, wish to be friendly together, and want to carry on a little trade and bartering among ourselves.

My father, I wish you would give the same advice to the Sioux you have given us, but do not wish to prevent them from making friendly visits.

Monday, July 24.

The Council met at 11 o'clock, A. M.

Gov. Dodge directed the Interpreter to inform the Indians that four chiefs of their nation whom they had been expecting, had arrived at their encampment, and that fifty others were said to be near here, who had come from La Pointe with Messrs. Warren and Bushnell, who would prob-

ably arrive this evening, and as they were all of the same nation and brethren; he wished those present to consult with them; that he did not wish to hurry their deliberations among themselves, but to give them full time to consult their friends, who had arrived, and those who were coming, and that he would not hear any thing they might have to say to him.

Nadin (the Wind) then rose and said, "My father, I am very sorry to keep you so long in a state of suspense respecting the matters which you have proposed to us. My people are glad to see you, and are gratified at the proposition you have made to them. My father, I now speak to you through the lips of the Buffalo (the latter had advanced to the Governor's table with "the Wind," shaking him by the hand and remarking that he would do the same with all those present, but his arm was too short; after which he stepped back to allow the "Wind" to speak for him). He has been to see our Great Father beyond the mountains, and has come back safe. When I look at you I am struck with awe. I cannot sufficiently understand your importance, and it confuses me. I have seen a great many Americans, but never one whose appearance struck me as yours does. You have heard of the coming of those whose absence has prevented our proceedings in the matter proposed to us. This is the case with all our people here. My father, listen to what I am going to say to you. I listened to our Great Father beyond the mountains and have never forgotten what he said to me. Others will speak after me, whose language will please you and put all things right. My father, we are a distracted people, and have no regular system of acting together. We cast a firm look on the people who are coming and all think alike about this matter. What we are going to say will not dissatisfy, but please you.



Pay-a-jig (The one who stands alone.) What I am going to say to you is not my own language but the words of the chiefs and others among you. They look at you who are all white, while they are half breed. How can we forget our traders in this matter. You are come to dispense benefits to us, and we much think of the traders. I think well of them. They have used me well and supported me, and I wish to do them justice. We should certainly be all very miserable if they would not do for us what they have done heretofore. And if we do wrong to them, how can we expect it. My father, look around on all your red children, the trader has raised them, and it is thro' his means that they are as they are. We wish you to do them justice. They will, by this means, go on and support us as heretofore. I referred, when I began to speak, to the half breeds; many of them have been brought up among us, and we wish to provide for them.

Ma-je-ga-bo, (The man who stands foremost) My father, I shall not say much to you now. You are not a man to be spoken to in a light manner. I am not a Pillager, (the common name of the Leech Lake Band) but went among them when small, which gives me the right to speak as one of them. My brother, (the Wind) stands beside me, and we are descended from those who in former days were the greatest orators of our nation. My father, I am not backward in saying what I wish, I am not going to say any thing to make your heart lean, and am not going to tell you what will be said by the chiefs. I will answer you when you make us an offer for our lands. As soon as our friends arrive, and I hear their decision, I will say all I have to say. I finish that subject for the present, and will speak upon another. My father, listen closely to me, I will hide nothing from you that has passed. But for the traders, you would not see all your children setting around you as they do to-

day. It was not the chiefs, but the traders who have supported them to the present time. Our Great Father has told us that an agent would be sent to us, but he has not yet been among us. The traders are in our country to trade for the skins of animals, which we take to them. Half of what they bring into the country and sell to your children is lost to them. I am glad to see the agent here who is to go into our country, and support our young men, women and children.

We wish to do justice to the half breeds who have been brought up among us, and have them provided for.

Sha-go-bai, (the Little Six) My father, I heard of you when I was yet a young man, a long time ago — and now I see you. I am struck with awe when you look at me. I am startled when the wind comes rustling by, and the thunder-cloud, though I know it will pass along without harming, alarms me. So it is, my father, when you talk to your children around you of their lands, which you wish to buy from them. I have great confidence in the chief here, and others who are coming. When they come to treat fully with you, we (pointing to the two men standing beside him, and himself) will set far off and listen. I sprung from the same stock with the people who stand behind you — white men — (Sha-go-bai, half breed) and am related to all the half breeds in the country where I live. My father, look at the man who is standing near me. His and my ancestors were the chief men of the country that you want to buy from us. The traders have raised our children and we like them. I owe my life to the traders, who have supported us. I am glad to see the agent here who will live among us, and give us tobacco when we want it.

Pe-she-ke (the Buffalo.) My father, listen to what I am going to say to you, let it enter deeply into your ear, and rest upon your heart. Tho' I may appear little in your

sight, when I address the warriors of my tribe they listen to me. Nobody — no trader has instructed me what to say to you. Those who have spoken before me have told you the truth, and I shall hereafter speak upon the same subject. I have been supported by the trader, and without his aid, could not get through the winter with naked skin. The grounds where your children have to hunt are as bare as that on which I now stand, and have no game upon them. My father, I am glad to see you here, to embrace the earth. We have not much to give the traders, as our lands and hunting grounds are so destitute. Do us a kindness by paying our old debts. I have nothing more to say. You are our father, and we look up to you, and respect you. I have come here and seen you, and my heart is at peace. I have talked with my warriors, and heard their words, and my mind is tranquil.

Aish-ke-hoge-bozhe (Flat Mouth.) My father, your eyes are upon me, and mine upon you. Wherever I have been the print of the white men's hands have been left upon my own. Yours are not the first I have shaken. It is I and those men (pointing to the Elder Brother, the Strong Ground, and the Hole in the Day,) who have brought many of your children here. Their opinions are mine. My ancestors were Chiefs of the tribes, and the villages while they lived. I do not, however, hold my title from them, but have obtained it by my own acts and merits.

My father, when I came here this morning, I supposed you wanted to talk to us about the lands you wished to get from us, and not about the traders.

After the question about selling the land shall be settled, it will then be time enough to talk about these traders.

My father, I shall not be backward in speaking about what you propose to us, at the proper time. Many of my people have told me to say so; but we can do nothing until

the other people arrive. • We must listen to them. As I have told you before, after they shall speak I will say more.

Pa-goona-kee-zhig (the Hole in the Day.) He who is the master of all, hears me speak. I know the traders, and what has been their conduct. I know which of them are good men, and those who are bad and act like drunken men. When our people come, I will speak again.

Wash-ask-ko-kowe, (Rat's Liver.) My father, I am but little accustomed to speaking, and am generally one who listens. My father here (the agent) knows me and is acquainted with my character. If I wished to speak much I should feel no shame for my personal appearance; but this you may not wish to hear. We are talking about the land which you have come for. I have walked over it with my war club in my hand. My forefathers and those of Pa-goona-kee-zhig, (Hole in the Day,) were the chiefs and protectors of that country, and drove the Dakcotah away from it.

My father, it is only to you that I look and listen, and not to the bad birds that are flying about us through the air. My own merit has brought me to the place I occupy to-day; and I do not wish any body to push me forward as a speaker. I have nothing to add now, but will say more when the business about the land has been settled.

Que-we-shan-shez, (Big Mouth.) My father, what I am going to say to you now is not of much consequence. I have smoked with my friends and come to tell you the result. After reflecting upon the subject, we concluded to agree with those who have already spoken to you. We do not wish to do anything to injure the people who wear hats. My father, all that has prevented us from doing what you came here to have us do, is that we have been waiting for others of our people, who have been expected here, and who we are afraid to dissatisfy; I never before have spoken to

your people at any length, and fear, my father, that you will think I am drunk, but I have here (putting his hand to his head) a great deal of sense which I have obtained from the white people, and as soon as the others of our nation come we will tell our minds to you.

Sha-wa-nig-na-nabe, (South feather seated.) My father, what I have to say to you place it strongly at your heart. The Master of life and the earth both listen to us. The Master of life made the earth, the grass, and the trees that grow upon it, and the animals that roam over it. When the Great Spirit made the earth, he placed the red men upon it; it became very strong. Some of our chiefs are now here, and others are coming. They do not wish to act precipitately.

Sheing-go-be, (the Spruce.) My father, I shall speak but few words to you. It is only I who can tell you the truth about the lands where I live, if you speak of the lands yonder, (pointing towards the country to be purchased.) I will not talk foolishly about them here in the midst of so many of those who first possessed the country (Ojibbeways.) Altho' I am but a child, I speak to the middle of the subject, and you shall hear straight about my lands, because I am the master of them. After you have spoken further about them, the Master of life will hear me answer you.

Man-go-sit, (the Loon's Foot.) My father, I do not wish to say much. You do not know who I am and from whence I have sprung. I only wish to tell you now who my ancestors were. I am the son of Le Brocheux, one of the greatest Chiefs of our nation. I have before given my thoughts to my children who have spoken to you, and I think before I speak. When I talk to the chiefs, I do not speak long.

Ma-ge-go-be, after a long speech to the Indians, urging

them to sell the land, but, before doing so, to press upon the Governor to give them presents and furnish them with more provisions, said My father, this is all your children have now to say about our lands. They are all going to take a rest, and will then say more to you.

Nadin (the Wind.) My father, when I saw our great father beyond the mountains, he gave me sense. Listen to me and let me tell you the truth. I listen to you and accede to your purposes. You must not suppose that things will not be as you wish. We are now arranging things to your liking. The station of Chief is a very difficult one, but when I was acknowledged as one by our great father beyond the mountains, I thought I never should be refused any thing I asked for. Your look is so firm that I think it would not be possible for you not to do what you wished. You have every thing around you, and can give us some of the cattle that are around us on the prairie. At the treaty of Prairie du Chien, the case was as difficult as this. The great Chief then fed us well with cattle.

Gov. Dodge then directed the Interpreter to say, that their father, the Agent, would tell them whether he would give them cattle, and that he wished to see them in council early in the morning to-morrow; that he was glad to hear their friends would be here this evening, that as the weather was now good, they must make up their minds as soon as they could; that he hoped the chiefs would see that their people kept on friendly terms with the Sioux.

Tuesday, July 25th.

Governor Dodge was informed this morning that seventy-five or eighty Indians belonging to four or five different bands from Lakes de Flambeau and Coutereille La Pointe, &c. had just arrived, accompanied by the sub-agent Mr. Bushnell, and Mr. Warren, the trader at La Pointe. These

gentlemen waited upon Gov. Dodge immediately on their arrival, and informed him that the Indians who had come with them could not go into council with him to-day. At their suggestion, therefore, and at the solicitation of Mr. Warren, the Governor postponed the meeting of the council until 9 o'clock to-morrow morning.

Wednesday, July 26.

On meeting in Council this morning, in addition to the Ojibbeways who had been present before, a large number of others appeared. The following are the bands to which they belong, and the names of the Chiefs.

From Lac de Flambeau — Na-wa-ghe-wa, "The Knee," O-ge-ma-ga, "The Dandy," Pa-se-quan-gis, "The Commissioner," Wa-be-ne-me-ke, "The White Thunder," Pish-ka-ga-ge, "The White Crow."

Lake Coutereille.— We-non-ga-be, "The Wounded Man," and Ke-wa-se, "The Old Man."

La Pointe, on Lake Superior.— Ghe-bish-ghe-kon, "The Buffalo," and Ta-qua-ga-nai, "Joining Lodges."

Gov. Dodge directed that in the future proceedings in the treaty, Stephen Bonga and Patrick Quinn should interpret the English language into Chippewa, and Scott Campbell and Jean Baptiste Dube, from Chippewa into English.

He then addressed the Indians thus: My Children of the Chippewa Nation, assembled here: I have been informed that since I last met you, your people, whose absence had prevented the proceeding with our Council have arrived here. I wish now to learn from you if this is the case, and whether you are ready to proceed. I have before made a proposition to you, which those then present have, I presume, communicated to you, who have recently arrived, for the purchase of a portion of your territory. You have deferred giving me an answer until your friends should ar-

rive, and as I believe they are now all here, I will renew my proposition to you, and will shew you a map explaining which part of your country it is I wish to buy.

I will now place the map before me, and wish the chiefs and head men, and particularly those from that part of the country which I wish to purchase, to wit: Lakes De Flambeau and Couteraille, and the Chippewa, St. Croix and Rum River, to come forward and examine it with me, as I direct it to be explained, and after this examination I wish you to inform me, whether or not you will sell this country to me.

Ghe-bish-ghe-kon, (The Buffalo, from Lake Superior,) replied: We have come from a distance, and but lately arrived here, and what you have proposed to us, we want more time to think about. The notice you have given us is rather too short. Let us wait another day, and to-morrow we will be able to give you our answer.

The Governor directed it to be said to them, that they could examine the map and have it explained to them; consult each other between this and to-morrow morning, and be prepared then to give him an answer; that he did not wish to hurry them, but that he had already waited patiently during several days, and was anxious to bring the business to a close as soon as possible; that he would now be glad to hear any thing from any of the Chiefs who might wish to speak to him, and that if they desired it, he would remain during the whole day for that purpose. He then explained the map fully to the Chiefs and principal men, and repeated to them that he had been informed that the country he wished to get from them, was very destitute of game, and of little value for agricultural purposes, but that it abounds in pine timber, for which their great father the President of the United States, wished to purchase it from them for the use of his white children; that he would give them a fair price for it; that he wished them to under-



stand the map, and to enable them to do so, had mentioned and pointed out to them natural boundaries, commencing at the mouth of Crow Wing river, then to the source of the St. Croix river, thence to the head waters of the Wisconsin and down said river to the Plover Portage, where the line dividing the territory from the other Indians commenced; while on the west the tract would be bounded by the Mississippi river; that he wished them to be prepared to-morrow to give him an answer whether they would sell the land, and their price for it; that he wished them all to go home satisfied, so that when they met their people there they might not be ashamed to tell them what they had done; that so many bands of their nation from such remote parts of it had never before, he believed, met together, and that he wished them now to advise with each other, to unite and act together as one people; that he wished them to consult together this evening, and select out of their number two chiefs in whom they had confidence, to speak for them; that he wished to meet them all in council, but that not more than two should speak, to save time, that they should direct the two speakers what to say to him; although they were of different bands, yet they were of the same nation, and their interests were in common; that he wished them all to be satisfied with what should be done; that their great father, the President of the United States, would be just to them, and that they should be just towards each other — that in their consultations he desired they should remember their half breed relatives, and be just towards their traders, and that he would now be glad to hear any thing the chiefs might have to say.

Pay-a-jik replied, that he and his brothers had talked together, and had chosen a speaker.

After waiting half an hour and none of the other chiefs having spoken, the Governor again took occasion to urge

upon the Chippewas the necessity of being at peace with the Sioux.

Several chiefs came forward to ask questions respecting the map of the country wished to be purchased, and seemed to understand and be satisfied with it. The council adjourned till to-morrow.

Thursday, July 27th.

The Council met at 11 o'clock, A. M.

Ma-ghe-ga-bo, (The Trapper) Pa-goona, Pe-shig, (The Hole in the Day,) came forward as speakers in behalf of their nation.

Ma-ghe-ga-bo, was dressed in the full Indian costume, naked, with the exception of his leggings, breech cloth and flapp, highly painted with red, his hair hanging loosely on his shoulders, a coronet of the feathers of the bald eagle placed on his head by the chiefs, and several medals hung around his neck. He advanced to the Governor, and with the map before him, pointing to it with his finger, said: My father, this is the country which is the home of your children. I have covered it with a paper, (he had done so) and so soon as I remove that paper the land shall be yours. I have listened closely to the words the chiefs have told me to say to you.

My father, when we first met here, we smoked and shook hands together. Four times we have gone through the same ceremony, and now, on the fifth, we have come to give you an answer. I stand here to represent the chiefs of the different bands of my nation, and to tell you that they agree to sell you the land you want.

My father, in all the country we sell you, we wish to hold on to that which gives us life — the streams and lakes where we fish, and the trees from which we make sugar. I have but few words to say, but they are the words of the chiefs, and very important. The being who created us,

made us naked. He gave you and your people knowledge and power to live well. Not so with us; we had to cover ourselves with moss and rotten wood, and you must shew your generosity towards us. The chiefs will now shew you the tree we wish to preserve. This is it (placing an oak sprig upon the table.) It is a different kind of tree from the one you wish to get from us. Every time the leaves fall from it, we will count it as one winter past.

My father: You have told us what you want, and I answer you in the name of the chiefs. I am no chief, but a warrior, and the badge that I wear is to make me respected by my people.

We have understood you will pay us in goods and money for our lands, and we wish to know now how much you will give us for them.

Gov. Dodge then directed the interpreter to say to them: As the lands belong to you, I wish you to tell me what you wish me to pay you for it. If you cannot come to a conclusion among yourselves, I would recommend you to ask aid of your fathers (the sub-agents Vineyard & Bushnell.) But if you can determine among yourselves, do so.

Ma-ghe-ga-bo — My father, If you offer us money and goods we will take both. You see me count my fingers, (counting six.) Every finger counts ten. For so many years we wish you to pay us an annuity. After that our grand children, who will have grown up, can speak for themselves. We will consult with our fathers, (the sub-agents) and ask them what is the value of the land, and what annuity we ought to receive for sixty years.

My father, take the land you ask from us. Our chiefs have good hearts. Our women have brought the half breeds among us. They are poor, and we wish them to be provided for. They are here, and have left many of their children behind them. We wish to divide with them all.

This is the decision of the chiefs. Since we have met here this morning we have fully made up our minds to comply with your wishes. My father, we will not look back at what has happened before, but will begin our business anew with you from this day. What you propose to give us, we wish to share only with our half breeds, that our people may enjoy the benefits of it. We will hold firmly what you give us that nobody may get it from us. My father, we once more recommend our half breeds to your kindness. They are very numerous. We wish you to select a place for them on this river, where they may live and raise their children, and have their joys of life. If I have well understood you, we can remain on the lands and hunt there.— We have heretofore got our living on them. We hope your people will not act towards ours as your forefathers did towards our own, but that you will always treat us kindly as you do now.

My father, we understand you have been told that our country is not good to cultivate. It is not true. There is no better ground to cultivate than it until you get up to where the pine region commences.

My father, you will now see all your children in whose behalf I speak. All the chiefs who agree to sell you the land will now rise. (They did so, to the number of thirty and upwards.) Ma-ghe-ga-bo, then raised the paper he had placed over the map, took Gov. Dodge by the hand, and continued. My father, I will not let go your hand until I have counted the number of our villages. The Great Spirit first made the earth thin and light, but it has now become heavier. We do not wish to disappoint you and our great father beyond the mountains in the object you had in coming here. We therefore grant you the country you want from us, and the chiefs who represent all the villages within its limits are now present, the number of the villages (nineteen) is marked on this paper, and I present it to you in acknowl-

edgment that we grant you the land. This piece (retaining in his hand another piece of paper) we will keep, because we wish to say something more on it. At the conclusion of this treaty, you will ask us to touch the quill, but no doubt you will grant us what we ask before we do so. At the end of the treaty I will repeat what the chiefs have to say to you, and keep this paper for that purpose.

My father, the Great Spirit has given us a clear sky to talk together to-day. We must now rest, and when we meet again we will speak further.

Gov. Dodge. Do you wish me to give you my answer this evening, or wait until to-morrow morning? Answer — To-morrow morning.

Gov. Dodge. It is proper for me to explain to you, that your great father never buys land for a term of years. I will agree that you shall have the free use of the rivers and the privilege of hunting on the lands you are to sell, during the pleasure of your great father. If you sell these lands, you must sell them as all the other Indian nations have done, and I tell you this now that you may not hereafter say I have deceived you. Your great father has sent me here to treat you as his children — to pay you the whole value of your lands, and not to deceive you in any thing I may do or say. If you consult with your two fathers, (the sub-agents) it is my wish that they may do you justice. You have spoken frequently of your half-breeds. It is a good principle in you to wish to provide for them, but you must do so in money, and cannot give them land. You have mentioned that you wish to receive one half I may agree to give you in money, and the other half in goods. I do not object to this, but have a proposition to make to you now, which I wish you to consider. Your great father recommends that you should take from year to year in part payment for your lands, certain sums of money to provide

teachers to educate your children and make them wise like white people. Farmers to teach you to cultivate the ground, for agricultural implements, and seeds to plant in the earth, for provisions and salt, for tobacco, for blacksmiths, iron, &c., and for mills and millers to grind the corn you may raise. If you consent to this, let me know early to-morrow morning.

Friday, July 28th, 1837.

The Council met at 12 o'clock. After smoking and shaking hands —

Aish-ke-boge-kho-ze, (Flat Mouth) said — My father, your children are willing to let you have their lands, but wish to reserve the privilege of making sugar from the trees, and getting their living from the lakes and rivers as they have heretofore done, and of remaining in the country. It is hard to give up the land. It will remain and cannot be destroyed, but you may cut down the trees, and others will grow up. You know we cannot live deprived of lakes and rivers. There is some game on the land yet, and for that we wish to remain upon it. Sometimes we scrape the trees and eat the bark. The Great Spirit above made the earth, and causes it to produce that which enables us to live.

My father, we would long ago have agreed to let you have the lands, but when we agreed upon any point, there have been people to whisper in our ears — to trouble and distract us. What the chiefs said yesterday they abide by. They cannot look back and change.

My father, the Great Spirit above placed us on this land; and we want some benefit from the sale of it; if we could derive none, we would not sell it, and we want that benefit ourselves. I did not intend to speak; what I say is the language of the chiefs. I was not in council yesterday, because I was not well. I have heard many things said — that we were going to put out the fires of the white people

in our country — that we were going to send the traders out of it; but I know nothing about it, and when I speak, it is not with sugar in my mouth.

My father, your children are rejoiced to see the agents here to-day, one of whom is to live on Lake Superior, and the other on the Mississippi, to keep peace in the country. We are pleased that our agents may estimate the value of our lands, that our young men, women, and children may go home with their hearts at ease. We will wait to hear what you offer for the lands, and will then make you our answer. We will depend upon our two fathers (agents) to interest themselves for us; and will submit it to them whether what you offer us is enough.

My father, there are many of your children here from a distance, and among them are three chiefs from the Chippewa river, and what they say is the opinion and wish of the people living there. They tell me to say to you that they have granted a privilege to some men of cutting timber on their lands, for which they are paid in tobacco and ammunition for hunting. They wish you not to break their word with these people, but to allow them to cut timber. They have granted you all you asked of them, and they wish you now to grant their request.

Gov. Dodge. My friends, I have listened with great attention to your chiefs from Leech Lake. I will make known to your great father your request to be permitted to make sugar on the lands, and you will be allowed during his pleasure to hunt and fish on them. It will probably be many years before your great father will want all these lands for the use of his white children. As you have asked me what I will give for the country, I will now tell you, and will recommend the manner in which it ought to be paid to you. For that part of your country which I wish to buy, I offer you the sum of \$800,000. I propose to give you an annuity

for twenty years of \$20,000 in goods and money, one half in each, or all in goods if you choose, to provide \$3,000 a year for the same time, to provide you with blacksmiths, &c., &c., (as in the treaty.)

After the Governor had finished speaking, the council was adjourned.

Saturday, July 29th, 1837.

There were present about twenty chiefs at the opening of the council this morning. After the pipe was passed among them, Gov. Dodge said, he was now ready to proceed with the business before them, and wished to know whether they had agreed to accept the price he had offered them for the land they had sold to their great father, and whether they would accept the payment in the manner he had offered them. The chiefs present appeared unwilling to make an immediate reply, but talked among themselves in a low tone. After half an hour had passed, the warriors and braves to the number of several hundred, highly painted, with tomahawks and spears in their hands, carrying before them the war flag of their nation, and the flag of the United States, *dancing round the flags, to the sound of their drums, with an occasional whoop were seen advancing toward the bower where the council was held,* When they had come near the place where the Governor was seated, Mage-ga-bo and Ma-go-bai, two of the principal warriors advanced and after shaking hands with him, Ma-go-bai said: My father, you see before you to-day the principal warriors who have spoken with you since you have invited your children to meet you. My father, the Great Spirit looks upon us all. The Master of life made all the different bands of our nation, and we are brothers. My father, the warriors of our people wish to be just. Our traders have clothed and supported our young men, women, and children. They have made our hearts glad, by being among us. We owe a debt



to our traders and desire that they should be paid. Your children are poor, and not able to do them justice without the assistance of our great father. When you said you wished to buy our land your children were pleased. We thought you would give us a great deal, for the land and the tree you want; and that we should then be able to pay our traders. My father, the hearts of our warriors were yesterday made lean, and a dark cloud passed over our eyes, when we heard what was said to you. My Father, we do not wish to displease you: you have been kind to us since we have been here, and your looks have always been pleasant. If you will not pay what we owe to our traders, we will return to our country, and live upon our lands. We now wait for your answer.

The Governor replied: Your great father is much pleased to find that his red children wish to be just, and will assist you to pay what you owe to your traders. I will give seventy thousand dollars to pay your debts, in addition to the \$800,000 which I promised to give your people and half breeds. Your father will, therefore, without taking any thing from that which you were to receive satisfy your traders.

After the Governor had ceased speaking, all the Chippewas present gave token of satisfaction, and assented to the offer which had been made. The Governor then said —

Nothing more is now necessary but to reduce what has been agreed upon to writing. The Secretary will prepare the papers, and we will meet again the afternoon, that the chiefs may touch the quill.

Ma-ge-ga-bo then requested, in the name of all the braves, permission to hold a dance under the walls of Fort Snelling. The request having been granted, the gates of the fort were closed by the orders of Capt. Scott, *as a matter of precaution*. About three hundred braves immediately

afterwards commenced the dance, in token of their joy and satisfaction that their wishes had been acceded to. This appeared to us to be intended as the greatest compliment and token of respect that could be paid by the Indians to the Commissioner; it also afforded the warriors opportunity to boast of their deeds of bravery, to tell how many scalps they had taken from their enemies, (the Sioux.) We observed a great many of the Sioux standing near the ground where the dance was held, looking on with an air of apparent indifference, and listening quietly as each warrior successively related his feats of arms, *in the pauses of the dance*. After the dance was ended, the Chippewas again assembled in council for the purpose of signing the treaty which had been prepared by the Secretary of the Commission. After many of the chiefs had touched the quill, the interpreter was directed to ask

Pish-ka-ga-ge, (The White Crow,) to put his signature to the paper. This chief, (from Lake de Flambeau) had not spoken during the holding of the council, although he had come from that part of the Chippewa country which had been purchased by the Government, and was understood to be the most influential chief in his band. The White Crow having advanced and shaken hands with the Governor, said: My father, while the chiefs of my people have talked with you, I have yet said nothing. But you must not suppose that I am unable to speak on proper occasion, or that my people do not listen. The Great Spirit looks upon me, and is not displeased when I tread upon the land occupied by my forefathers. Since I have been here, my mind has been disturbed by the talking of many people, (alluding to the traders) so that I was not satisfied to speak to you. I am pleased with what the chiefs have said and what has been done.

The Governor then said, as Pish-ka-ga-ge did not arrive

in time to receive any of the presents given to the principal chiefs, he shall yet receive what was intended to be presented as an acknowledgment of his station as chief. Pish-ka-ga-ge then said, My father, I now touch the quill, (touching the pen in the hand of the Secretary, Mr. Van Antwerp) and at the same time I touch all the whiskey in your possession.

The remaining chiefs then present signed the treaty, and the Indians immediately prepared to return to their country.

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TREATY WITH THE CHIPPEWA 1837

*Articles of a treaty made and concluded at St. Peters (the confluence of the St. Peters and Mississippi rivers) in the Territory of Wisconsin, between the United States of America, by their commissioner, Henry Dodge, Governor of said Territory, and the Chippewa nation of Indians, by their chiefs and headmen.*

ARTICLE 1. The said Chippewa nation cede to the United States all that tract of country included within the following boundaries :

Beginning at the junction of the Crow Wing and Mississippi rivers, between twenty and thirty miles above where the Mississippi is crossed by the forty-sixth parallel of north latitude, and running thence to the north point of Lake St. Croix, one of the sources of the St. Croix river; thence to and along the dividing ridge between the waters of Lake Superior and those of the Mississippi, to the sources of the Ocha-sua-sepe a tributary of the Chippewa river; thence to a point on the Chippewa river, twenty miles below the outlet of Lake De Flambeau; thence to the junction of the Wisconsin and Pelican rivers; thence on an east course twenty-five miles; thence southerly, on a course parallel

with that of the Wisconsin river, to the line dividing the territories of the Chippewas and Menomonies; thence to the Plover Portage; thence along the southern boundary of the Chippewa country, to the commencement of the boundary line dividing it from that of the Sioux, half a days march below the falls on the Chippewa river; thence with said boundary line to the mouth of Wah-tap river, at its junction with the Mississippi; and thence up the Mississippi to the place of beginning.

ARTICLE 2. In consideration of the cession aforesaid, the United States agree to make to the Chippewa nation, annually, for the term of twenty years, from the date of the ratification of this treaty, the following payments.

1. Nine thousand five hundred dollars, to be paid in money.

2. Nineteen thousand dollars, to be delivered in goods.

3. Three thousand dollars for establishing three blacksmith shops, supporting the blacksmiths, and furnishing them with iron and steel.

4. One thousand dollars for farmers, and for supplying them and the Indians, with implements of labor, with grain or seed; and whatever else may be necessary to enable them to carry on their agricultural pursuits.

5. Two thousand dollars in provisions.

6. Five hundred dollars in tobacco.

The provisions and tobacco to be delivered at the same time with the goods, and the money to be paid; which time or times, as well as the place or places where they are to be delivered, shall be fixed upon under the direction of the President of the United States.

The blacksmith shops to be placed at such points in the Chippewa country as shall be designated by the Superintendent of Indian Affairs, or under his direction.

If at the expiration of one or more years the Indians

should prefer to receive goods, instead of the nine thousand dollars agreed to be paid to them in money, they shall be at liberty to do so. Or, should they conclude to appropriate a portion of that annuity to the establishment and support of a school or schools among them, this shall be granted them.

ARTICLE 3. The sum of one hundred thousand dollars shall be paid by the United States, to the half-breeds of the Chippewa nation, under the direction of the President. It is the wish of the Indians that their two sub-agents Daniel P. Bushnell, and Miles M. Vineyard, superintend the distribution of this money among their half-breed relations.

ARTICLE 4. The sum of seventy thousand dollars shall be applied to the payment, by the United States, of certain claims against the Indians; of which amount twenty-eight thousand dollars shall, at their request, be paid to William A. Aitkin, twenty-five thousand to Lyman M. Warren, and the balance applied to the liquidation of other just demands against them — which they acknowledge to be the case with regard to that presented by Hercules L. Dousman, for the sum of five thousand dollars; and they request that it be paid.

ARTICLE 5. The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States.

ARTICLE 6. This treaty shall be obligatory from and after its ratification by the President and Senate of the United States.

Done at St. Peters in the Territory of Wisconsin the twenty-ninth day of July eighteen hundred and thirty-seven.

Henry Dodge, Commissioner.

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From Leech lake:

Aish-ke-bo-ge-koshe, or Flat Mouth,  
R-che-o-sau-ya, or the Elder Brother.  
Chiefs.

Pe-zhe-kins, the Young Buffalo,  
Ma-ghe-ga-bo, or La Trappe,  
O-be-gwa-dans, the Chief of the Earth,  
Wa-bose, or the Rabbit,  
Che-a-na-quod, or the Big Cloud.  
Warriors.

From Gull lake and Swan river:

Pa-goo-na-kee-zhig, or the Hole in the  
Day,  
Songa-ko-mig, or the Strong Ground.  
Chiefs.

Wa-boo-jig, or the White Fisher,  
Ma-cou-da, or the Bear's Heart.  
Warriors.

From St. Croix river:

Pe-zhe-ke, or the Buffalo,  
Ka-be-ma-be, or the Wet Month.  
Chiefs.

Pa-ga-we-we-wetung, Coming Home  
Hollowing,  
Ya-banse, or the Young Buck,  
Kis-ke-ta-wak, or the Cut Ear.  
Warriors.

From Lake Courteville:

Pa-qua-a-mo, or the Wood Pecker.  
Chief.

From Lac De Flambeau:

Pish-ka-ga-ghe, or the White Crow,  
Na-wa-ge-wa, or the Knee,  
O-ge-na-ga, or the Dandy,  
Pa-se-quam-jis, or the Commissioner,  
Wa-be-ne-me, or the White Thunder.  
Chiefs.

From La Pointe, (on Lake Superior):

Pe-zhe-ke, or the Buffalo,  
Ta-qua-ga-na, or Two Lodges Meeting,  
Cha-che-que-o.  
Chiefs.

From Mille Lac:

Wa-shask-ko-kone, or Rats Liver,  
Wen-ghe-ge-she-guk, or the First Day.  
Chiefs.

Ada-we-ge-shik, or Both Ends of the  
Sky,  
Ka-ka-quap, or the Sparrow.  
Warriors.

From Sandy Lake:

Ka-nan-da-wa-win-zo, or Le Brocheux,  
We-we-shan-shis, the Bad Boy, or Big  
Mouth,  
Ke-che-wa-me-te-go, or the Big  
Frenchman.  
Chiefs.

Na-ta-me-ga-bo, the Man that stands  
First,  
Sa-ga-ta-gun, or Spunk.  
Warriors.

From Snake river:

Naudin, or the Wind,  
Sha-go-bai, or the Little Six.  
Pay-ajik, or the Lone Man,  
Na-qua-na-bie, or the Feather.  
Chiefs.

Ha-tau-wa,  
Wa-me-te-go-zhins, the Little French-  
man,  
Sho-ne-a, or Silver.  
Warriors.

From Fond du Lac, (on Lake Superior):

Mang-go-sit, or the Loons Foot,  
Shing-go-be, or the Spruce.  
Chiefs.

From Red Cedar lake:

Mont-so-mo, or the Murdering Yell.

From Red lake:

Francois Goumean (a half breed).

From Leech lake:

Sha-wa-ghe-zhig, or the Sounding Sky,  
Wa-zau-ko-ni-a, or Yellow Robe.  
Warriors.

Signed in the presence of —

Verplanck Van Antwerp, Secretary to the Commissioner.	H. L. Dousman.
M. M. Vineyard, U. S. Sub-Indian Agent.	S. C. Stambaugh.
Daniel P. Bushnell.	E. Lockwood.
Law. Taliaferro, Indian Agent at St. Peters.	Lyman M. Warren.
Martin Scott, Captain, Fifth Regi- ment Infantry.	J. N. Nicollet.
J. Emerson, Assistant Surgeon, U. S. Army.	Harmen Van Antwerp.
H. H. Sibley.	Wm. H. Forbes.
	Jean Baptiste Dubay, Interpreter.
	Peter Quinn, Interpreter.
	S. Campbell, U. S. Interpreter.
	Stephen Bonga, Interpreter.
	Wm. W. Coriell.

(To the Indian names are subjoined a mark and seal.)

## SOME PUBLICATIONS

### AMERICANA

#### GENERAL AND MISCELLANEOUS

John S. Bassett is the author of *A Life of Andrew Jackson* which recently appeared.

A revised edition of Channing and Hart's *Guide to the Study of American History* is in preparation.

The Yale University Press has issued the *Records of the Federal Convention*, edited by Max Farrand.

A volume by Ellen Churchill Semple on *The Influence of Geographic Environment* is announced by Henry Holt and Company.

A new and revised edition of *Justice to the Jew: The Story of What he has Done for the World*, by Madison C. Peters, has appeared.

A. C. McClurg and Company announce the publication of a volume by R. K. Bucham entitled *Gettysburg: The Pivotal Battle of the Civil War*.

Slason Thompson's *Railway Statistics of the United States of America for the Year Ending June 30, 1910*, contains the usual amount of valuable data.

*The World Peace Foundation* is the title of a pamphlet by Edwin Ginn, describing the aims and activities of the Foundation, which has its headquarters in Boston.

Leroy Eltinge is the writer of an article on the *Psychology of War*, which appears in the May number of the *Journal of the United States Cavalry Association*.

The *Report of the Twenty-Eighth Annual Meeting of the Lake Mohonk Conference of Friends of the Indian and Other Dependent Peoples* contains the papers and addresses at the meetings held on



October 19-21, 1910. Two sessions were devoted to Indian affairs, two to the Philippines, one to Porto Rico, and one to Guam and Hawaii.

Kate M. Scott is the writer of an illustrated booklet on *The National Association of Army Nurses of the Civil War*, which has been published by the Citizens Executive Committee of Atlantic City, New Jersey.

The March *Bulletin of the New York Public Library* contains a concluding installment of the *List of Works Relating to Arabia and the Arabs*. In the April number there is a *List of Works Relating to Muhammadanism*.

A monograph on *Maryland under the Commonwealth: A Chronicle of the Years 1649-1658*, by Bernard C. Steiner, has recently appeared in the *Johns Hopkins University Studies in Historical and Political Science*.

The *Bulletin of the Virginia State Library* for January contains *A List of the Official Publications of the Confederate States Government in the Virginia State Library and the Library of the Confederate Memorial Literary Society*.

A pamphlet issued in May by the American Society of Judicial Settlement of International Disputes consists of a discussion of *The Development of the American Doctrine of Jurisdiction of Courts over States*, by Alpheus Henry Snow.

In the January-April number of the *Proceedings of the American Philosophical Society* there is an article on *The Formation of Coal Beds*, by John J. Stevenson, which is a contribution to the geological history of one of the Nation's natural resources.

The University of Pennsylvania has issued *A History of the New England Fisheries*, by Raymond McFarland. The volume, which is illustrated by a number of maps, deals with the history of the fisheries as an industry, rather than as a problem of diplomacy, although there is a brief discussion of the fisheries question.

*An Extension of the Known Area of Pleistocene Glaciation to the Coast Ranges of California* is the title of an article by Ruliff S.

Holway which opens the March number of the *Bulletin of the American Geographical Society*. F. V. Emerson's interesting discussion of *Geographic Influences in American Slavery* is concluded in this number.

*The Beginnings of St. Andrews University, 1410-1418*, by J. Maitland Anderson; *The Dispensation for the Marriage of John Lord of the Isles and Amie MacRuari, 1337*, by J. Maitland Thomson; *The Scottish Islands in the Diocese of Sudor*, by Reginald L. Poole; *Scottish Burgh Records*, by George Neilson, are articles in *The Scottish Historical Review* for April.

In *The Quarterly Journal of Economics* for May are the following articles: *The Development of the Theory of Money from Adam Smith to David Ricardo*, by Jacob H. Hollander; the concluding installment of *Railway Rate Theories of the Interstate Commerce Commission*, by M. B. Hammond; and *Scientific Management in the Operation of Railroads*, by William J. Cunningham.

Three pamphlets published by the American Association for International Conciliation in April, May, and June, respectively, are: *The Expansion of Military Expenditures*, by Alvin S. Johnson; *The First Universal Races Congress*, by Lord Weardale; and *The Opening Address at the Lake Mohonk Conference on International Arbitration, May 24, 1911*, by Nicholas Murray Butler.

Among the articles in the *Journal of the American Institute of Criminal Law and Criminology* for May are: *The International Union of Criminal Law*, by J. A. Van Hamel; *The Administration of Criminal Justice in Wisconsin*, by E. Ray Stevens; *Should Capital Punishment Be Abolished?*, by Maynard Shipley; and *The Contributory Dependency Law of Iowa*, by Henry E. C. Ditzen.

*Bulletin* number forty-three published by the Bureau of American Ethnology contains a scholarly monograph on the *Indian Tribes of the Lower Mississippi Valley and Adjacent Coast of the Gulf of Mexico*, by John R. Swanton. The writer deals with the tribes of this region by groups, taking up in order the Natchez, the Muskogean tribes proper, the Tunician group, the Chitimacha and the Atakapa Group.

*Barriers Against Democracy in the British Electoral System* is the subject discussed by Edward Porritt in an article which opens the *Political Science Quarterly* for March. George H. Haynes writes on "People's Rule" in Oregon, 1910. The power of Congress to charter interstate commerce corporations is discussed by Sydney D. Moore Hudson under the heading, *Federal Incorporation*. James Harvey Robinson reviews Aulard's *Political History of the French Revolution*.

Dudley O. McGovney contributes a second installment of his discussion of *American Citizenship* to the April number of the *Columbia Law Review*. The present chapter deals with *Unincorporated Peoples and Peoples Incorporated with Less than Full Privileges*. In the May number William C. Coleman discusses *Constitutional Limitations upon State Taxation of Foreign Corporations*, and Joseph M. Proskauer writes on *Corporate Privilege Against Self-Incrimination*.

Among the articles in *The Survey* during the past quarter are "The Appeal" and its Influence, by W. J. Ghent; and *The Cheerful Giver of Transportation*, by Mary E. Richmond (April 1); *The Proposed Wisconsin Industrial Commission*, by Francis H. Bird (April 22); a discussion of *The Court of Appeals Decision* relative to the workmen's compensation act (April 29); *Is Mankind Advancing?*, by James Harvey Robinson (May 6); *The Ideals of Progress*, by Simon N. Patten (June 3).

The May number of *The Annals of the American Academy of Political and Social Science* is devoted to *Political and Social Progress in Latin-America*. The Monroe Doctrine, banking, monetary reform, commerce, public instruction, and immigration are among the subjects discussed in the various articles. Elihu Root, Henry White, Paul S. Reinsch, and Albert A. Giesecke are among the contributors. The *Supplement* to this number is devoted to a study of *The Living Wage of Women Workers*, by Louise Marion Bosworth.

*Historical Sketches of the Hampton Settlements on Long Island*, by Josiah C. Pumpelly; and *Coronado's March Across the High*

*Plains*, by L. D. Scisco, who discusses the much mooted question of the explorer's route, are articles in *Americana* for March. The April number opens with an estimate of *Alexander Hamilton's Place in History*, by Victor Hugo Duras. *President Lincoln and the Case of John Y. Beall*, by Isaac Markens; and *Heroes of the Alamo*, by John Savage, are among the contributions in the May number. John R. Meader's series on the *Little Wars of the Republic*, and the *History of the Mormon Church*, by Brigham H. Roberts, are continued through all three numbers.

All those who had occasion to use the first volume of *The Handbook of American Indians North of Mexico*, prepared and published by the Bureau of American Ethnology, have welcomed the second volume which recently appeared. This volume contains Indian names from N to Z, together with a helpful synonymy and an extended bibliography. The completed work, of which Frederick Webb Hodge is the editor, is by far the best and most satisfactory authority on North American Indians that has appeared. Nearly three score men, all of whom are well known for their ethnological and archaeological researches, have contributed to the work. There are also numerous illustrations which add to the value of the volumes.

*The Relation of Social Theory to Public Policy*, by Franklin H. Giddings, opens the March number of *The American Journal of Sociology*. Ulysses G. Weatherly writes on *The Racial Element in Social Assimilation*. Frank W. Blackmar opens a discussion on *Leadership in Reform*, and is followed by Jerome Dowd, Maurice Parmalee, Albion W. Small, Edward A. Ross, and others. Another article is one by John M. Gillette on *The Drift to the City in Relation to the Rural Problem*. Among the articles in the May number are: *Sociological Appraisal of Western Influence in the Orient*, by Edward Warren Capen; *The Church and the City Community*, by Walter Laidlaw; and *Social Control of the Domestic Relations*, by George Elliott Howard.

A fourth series of the *Bulletin of the American Economic Association* has been begun, and it bears the title, *The American Economic Review*. The first number appeared in March. Among the

contributions in this number are: *How Tariffs Should Not be Made*, by F. W. Taussig; *The Promotion of Trade with South America*, by David Kinley; *East Indian Immigration to British Columbia and the Pacific States*, by H. A. Millis. About one hundred and forty out of the two hundred and twenty pages, as befits the name of the publication, are devoted to reviews and notes. The second number appeared in April and contains the *Papers and Discussions of the Twenty-third Annual Meeting* of the Association at St. Louis last December, opening with the address of the President, Edmund J. James, on *The Economic Significance of a Comprehensive System of National Education*.

Recent articles in *The American Review of Reviews* are: *Photographing the Civil War*, by Henry Wysham Lanier; *President-Choosing — Old Ways and New*, by Victor Rosewater; and *Will There be a New Party?*, by James A. Edgerton (March); *Glimpses of the Confederate Army*, by Randolph H. McKim; *Uncle Sam on Police Duty*, by Arthur Wallace Dunn; and *Timber Conservation as Related to Reciprocity*, by Thomas B. Walker (April); *The Cavalry of the Civil War*, by Theodore F. Rodenbough; and *The Federal Regulation of American Railroads*, by Charles H. Marshall (May); *Canada's Tariff Policy,—The Old East Versus the New West*, by Albert J. Beveridge; *The New York Public Library*, by Montrose J. Moses; *The Volunteer Soldiers of 1861*, by Charles King; and *Twenty Years of International Copyright*, by Brander Matthews.

A unique and up-to-date article is one on *Aerial Jurisdiction*, by George Grafton Wilson, which appears in the May number of *The American Political Science Review*. Theodore Marburg describes *The Washington Meeting of the American Society for the Judicial Settlement of International Disputes*. Frank J. Goodnow in an article on *The Constitutionality of Old Age Pensions* discusses a subject which will probably be of greater interest in the future than it has been in the past in the United States. The two remaining articles are: *Political Institutions in Liberia*, by George W. Ellis; and *Tendencies of the Labor Legislation of 1910*, by Irene Osgood Andrews. Among the subjects dealt with in the *Notes on*

*Current Legislation*, conducted by Horace E. Flack, are child labor, corrupt practices at elections, electoral systems, initiative and referendum, labor legislation, the recall, Congressional legislation, and the proposed short-cut to the revision of the Constitution in Indiana.

Volume two of the *University of California Publications in Economics* has come to hand. It consists of *A History of California Labor Legislation with an Introductory Sketch of the San Francisco Labor Movement*, by Lucile Eaves. The monograph is elaborate and gives evidence of careful and scholarly preparation. Perhaps no other Commonwealth of the far West has had such varied and complicated labor problems as California. The successive chapters in the volume deal with the San Francisco labor movement, slave or free labor in California, Federal and State legislation for the exclusion and regulation of the Chinese, the length of the work-day, the protection of the wages of labor, the relations between employer and employee, child labor, the protection of women workers, the protection of the life and health of employees, Sunday laws, employment agencies, convict labor, Bureau of Labor Statistics, Board of Arbitration, the union label, and judicial restraint on trade-unions. The index, unfortunately, is inadequate.

A two-volume work which contains a good collection of hitherto unpublished documents has come from the press of the Arthur H. Clark Company under the title: *Louisiana Under the Rule of Spain, France, and the United States, 1785-1807*. The editor is James Alexander Robertson. The most extensive document is entitled *Historical and Political Reflections on Louisiana*, written in 1803 by Paul Alliot, a physician who, with his family, was deported from New Orleans to France and was later permitted to return to America. Among the briefer documents are a description of Louisiana written in 1790 by Thomas Jefferson, a military report by Baron de Carondelet, a letter from Minister Alvarez to the Captain-general of Cuba, instructions from Minister Decres to French officials, letters from Laussat and Talleyrand to Decres, and

various letters by Governor Claiborne. The work is fairly well indexed and in print and paper leaves little to be desired. It will prove useful to all students of Mississippi Valley history.

## WESTERN

The City Club of Chicago has published a pamphlet bearing the title, *The Practical Operation of the Initiative and Referendum*.

*Yesterday and Today: A History of the Chicago and North Western Railway System* has been published by the Company in a revised and enlarged edition.

S. Gale Lowrie is the compiler of a pamphlet on *Corrupt Practices at Elections*, which has been published by the Wisconsin Legislative Reference Department.

*The Need of a State Tax Commission in Colorado* is pointed out by John Burton Phillips in the number of *The University of Colorado Studies* published in February.

A special number of *The Quarterly Journal of the University of North Dakota* contains the proceedings of the inauguration of President Frank Le Rond McVey in September, 1910.

The February number of the *North Dakota Magazine* is devoted to brief biographical sketches of the members of the Congressional delegation from that State, the officers of the Commonwealth, and members of the State legislature.

Jesse Walter Fewkes presents a *Preliminary Report on a Visit to the Navaho National Monument, Arizona*, in *Bulletin* number fifty issued by the Bureau of American Ethnology. The volume is profusely illustrated.

Two numbers of the *Anthropological Papers of the American Museum of Natural History* are: *Contributions to the Anthropology of Central and Smith Sound Eskimo*, by Ales Hrdlicka; and *The Social Life of the Blackfoot Indians*, by Clark Wissler.

The *Charter Day Address* delivered by Theodore Roosevelt in the Greek Theatre at the University of California on March 23, 1911, is printed in the April number of *The University of California*

*Chronicle*. It is a plea not only for the raising of the common level of the people through higher institutions of learning, but also for the development of men who shall be masters in exceptional lines of work. Alice Lorraine Andrews is the writer of *An Ode to the Pioneers* which is a vivid reflection of the spirit of the westward movement.

*Phonetic Constituents of the Native Languages of California*, by A. L. Kroeber; and *The Languages of the Coast of California North of San Francisco*, by the same author, are two recent monographs in the series of *University of California Publications in American Archaeology and Ethnology*.

An article describing the scope and activities of the new School of Education at the University of Kansas is written by Charles Hughes Johnston for the March number of *The Graduate Magazine of the University of Kansas*. Alberta L. Corbin contributes *Some Impressions of America and Germany*.

#### IOWANA

*The Northwestern Banker* for April contains an address by J. H. Ingwersen on *The State We Live In*.

In *The Grinnell Review* for April there is an article on *Opportunities for Service in Social Work*.

*The Old Blair Building*, Cedar Rapids, Iowa, is the title of a pamphlet published by The Torch Press.

*Some Statistics of Iowa State College Engineering Graduates* are presented in the May number of *The Iowa Engineer*.

*The First Great Mission of the Church*, by Inez Smith, is an article of interest in the April number of *Autumn Leaves*.

A pamphlet by Charles R. Green is devoted to the *Family History and Genealogy of the Dryden Barbour Family, Traer, Iowa*.

Henry L. F. Gillespie of Manchester, Iowa, is the author of a pamphlet entitled *The Universalist Church and Freemasonry*.

*Iowa Municipal Law*, by A. W. Osborne; and *Cement Concrete Paving*, by Charles P. Chase, are articles in the April number of



*Midland Municipalities.* The principal contribution in the May number is a brief article on *Play Grounds for Iowa*, by William Krebs.

Frank E. Horack presents a clear and concise resumé of the workings of the primary in Iowa since 1907 in a paper on *Primary Elections in Iowa*, which is reprinted from the *Proceedings of the American Political Science Association*.

*The Conservation of Iowa Lakes, Streams, and Woodlands* is the title of a pamphlet by Thomas H. Macbride and Bohumil Shimek, which is a reprint from the first *Report of the Iowa State Drainage, Waterways, and Conservation Commission*.

A clear statement of the arguments in favor of woman suffrage is presented by Carrie Chapman Catt in an article entitled *The Will of the People*, which appears in the March number of *The Alumnus* published at Iowa State College. In the April number there is an article on *America and Peace in the Orient*, by J. G. Emerson.

*The Iowa Suffragists and their Work* is the subject of a brief sketch by Mary J. Coggeshall which appears in the March number of *The Midwestern*. E. G. Wylie discusses freight rates in Iowa in an article entitled *Looking Backward*, in the April-May number. *Applied Patriotism* is the title given to a description of the work of the Sons of the American Revolution in Iowa.

A symposium on the question *Is Roman Catholicism a Danger?* is to be found in *The American Freemason* for April, May, and June. In the last number there is an article on the *Beginnings of American Freemasonry*, by Julius F. Sachse. Thomas Carr's discussion of *The Swastika, its History and Significance* is also continued through these three issues.

Three biographical sketches may be found in the March number of *The Iowa Alumnus*. W. B. Guthrie is the writer of a sketch of *John G. Bowman*, the newly-elected President of the State University of Iowa. *Charles Noble Gregory*, the retiring Dean of the College of Law, is the subject of an appreciation by Emlin McClain. J. G. Spielman writes a brief note on Charles E. Merriam, *Son of*

"*Old Gold*" for Mayor of Chicago. In the April number there is an article by Herbert C. Dorcas discussing *Entrance Requirements and Attendance at the State University*, which is concluded in the May number. Here may also be found a sketch of the life of the late Professor Samuel Calvin, together with the addresses delivered at the memorial program on May 3, 1911.

A reprint from the *Bulletin from the Laboratories of Natural History of the State University of Iowa* is a monograph by Bohumil Shimek on *The Prairies* which will be of great interest and value to the student of the early settlement of the West, because it contains clear and definite information concerning the geological and biological aspects of the prairies, and their suitability for human habitation.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Elliott, Francis Perry,

*The Haunted Pajamas*. Indianapolis: The Bobbs-Merrill Co. 1911.

Foy, Frank,

*Money in Poultry and Squabs*. Des Moines: Published by the author. 1911.

Gillespie, Henry L. F.,

*The Universalist Church and Freemasonry*. Manchester, Iowa: Published by the author. 1910.

Glaspell, Susan,

*The Visioning*. New York: Frederick A. Stokes Co. 1911.

Goodyear, Lloyd E.,

*Farm Accounting for the Practical Farmer*. Cedar Rapids: Goodyear-Marshall Publishing Co. 1911.

Gordon, Henry Evarts,

*Vocal Expression in Speech: A Treatise on the Fundamentals of Public Speaking*. Boston: Ginn & Co. 1911.

Green, Charles R.,

*Family History and Genealogy of the Dryden Barbour Family, Traer, Iowa*. Olathe, Kansas: Register Publishing Co. 1911.

Hassell, Susan Whitecomb,

*The Old Home*. San Diego, California: Frye and Smith. 1911.

- Heinz, Flora, and Martha Sanborn,  
*Art and Love*. Boston: Ginn & Co. 1911.
- Hillis, Newell Dwight,  
*The Contagion of Character: Studies in Culture and Success*.  
New York and Chicago: Fleming H. Revell Co. 1911.
- Holst, Bernhart Paul,  
*Practical American Encyclopedia*. Chicago: Conkey Publish-  
ing Co. 1911.
- Lillibridge, William Otis,  
*A Breath of Prairie and Other Stories*. Chicago: A. C. Mc-  
Clurg & Co. 1911.
- Mahood, John Wilmot,  
*The Lost Art of Meditation*. New York and Chicago: Fleming  
H. Revell Co. 1911.
- Medbury, Charles S.,  
*From the Throne of Saul to Bethlehem*. Cincinnati: Standard  
Publishing Co. 1911.
- Pammell, L. H.,  
*A Manual of Poisonous Plants*. Cedar Rapids: The Torch  
Press. 1910.
- Parrish, Randall,  
*Love Under Fire*. Chicago: A. C. McClurg & Co. 1911.
- Quick, J. Herbert,  
*Yellowstone Nights*. Indianapolis: The Bobbs-Merrill Co.  
1911.
- Richman, Irving B.,  
*California Under Spain and Mexico*. Boston: Houghton Mif-  
flin Co. 1911.
- Robbins, E. Clyde,  
*Selected Articles on the Commission Plan of Municipal Gov-  
ernment* (Revised and enlarged edition). Minneapolis:  
H. W. Wilson Co. 1911.
- Sanborn, Martha, and Flora Heinz,  
*Art and Love*. Boston: Ginn & Co. 1911.
- Shimek, Bohumil,  
*The Prairies*. Iowa City: The State University of Iowa. 1911.

Starbuck, Edwin Diller,

*The Psychology of Religion* (Third Edition). New York:  
Charles Scribner's Sons. 1911.

SOME RECENT HISTORICAL ARTICLES IN IOWA NEWSPAPERS

*The Register and Leader*

Senatorial Deadlock of Early Days in Iowa, by L. F. Andrews,  
March 26, 1911.

Mrs. Parker K. Holbrook's Work for Hall for Women at S. U. I.,  
March 26, 1911.

Forty-Sixth Anniversary of the Civil War and its Last Battle, by  
J. S. Clark, April 9, 1911.

The Cabin of the Cabin Club of Cedar Falls, April 9, 1911.

Flints Rescued by the Iowa State History Museum, by T. Van  
Hynning, April 9, 1911.

Former Postmaster E. H. Hunter, by L. F. Andrews, April 9, 1911.

Judge Cole in Eulogy of John A. Kasson, April 9, 1911.

Grenville M. Dodge — Iowa's Great Soldier Celebrates his Eightieth  
Birth Anniversary, April 16, 1911.

Sketch of Life of Samuel Calvin, April 18, 1911.

Iowa's New Senator, William S. Kenyon, by F. W. Beckman, April  
23, 1911.

Women Whom Des Moines Delights to Honor, by Mrs. Addie B.  
Billington, April 23, 1911.

Sketch of Life of David B. Murrow — Polk County Pioneer, April  
28, 1911.

Sketch of Life of "Mike" Healy, April 28, 1911.

Fiftieth Anniversary of Zetagathian Society at S. U. I., April 30,  
1911.

William B. Stewart, Oldest Clerk in the Railway Mail Service,  
April 30, 1911.

Diplomatic Triumphs of Thomas C. Dawson, April 30, 1911.

William D. Christy, Good Soldier and Good Citizen, by L. F.  
Andrews, April 30, 1911.

Iowa's First White Settler a Member of the Fox Indian Tribe, by  
E. E. McGee, May 7, 1911.

- Aaron Ward Harlan — He Knew Black Hawk, Keokuk, and Other Early Iowa Leaders, by Edgar R. Harlan, May 7, 1911.
- Ex-Slave who Made Good — Scott McGaw of Davenport, May 7, 1911.
- The Lunde Family in Iowa, May 7, 1911.
- Mormons Look for Iowa City Church Bell for a Half Century, May 14, 1911.
- Indian Relics in State Museum of History, by T. Van Hyning, May 14, 1911.
- George W. Marquardt, one of Iowa's Pioneer Merchants, by L. F. Andrews, May 14, 1911.
- Driving by Road to Get the Steer to Market, by James E. Downing, May 14, 1911.
- Eulogy of Charles F. Saylor, by Truman G. Palmer, May 14, 1911.
- N. R. Kuntz, One of the Oldest Settlers of Polk County, by L. F. Andrews, May 21, 1911.
- Sketch of Life of John R. Mott, by F. W. Beckman, May 21, 1911.
- The Real Sherman, by L. F. Andrews, May 26, 1911.
- Hunt for Slayers of Col. George Davenport, Iowa's First Pioneer, by O. H. Mills, May 28, 1911.
- John H. Peters, one of the Framers of the Constitution of Iowa, May 28, 1911.
- Esther A. Ridley, First White Woman in Emmet County, June 4, 1911.
- Robert T. Christy, a Pioneer Des Moines Pork Packer, by L. F. Andrews, June 4, 1911.
- Sketch of Life of W. L. Eaton, June 8, 1911.
- "Mother" Stoddard — Fifty Years Friend of Central College Students, June 11, 1911.
- Career of John Hafer, the Boatmaker of Okoboji, June 18, 1911.
- Common Errors That May be Found in Civil War Statistics, by Albert Loughridge, June 18, 1911.
- The Smith Family — A Notable Group of Polk County Pioneer Men and Women, by L. F. Andrews, June 18, 1911.

*The Burlington Hawk-Eye*

Twenty Years Ago. (In each Sunday issue.)

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The Pioneer Ross Family in Burlington and Southern Iowa, April 2, 9, 16, 23, 1911.

The Old Gear Homestead, April 9, 1911.

Presentation of Portrait of Hon. Francis Springer, April 23, 1911.

On Reading History, by Naboth Osborne, May 2, 1911.

Article on Greeley and Lincoln by W. P. Elliott, May 14, 1911.

Zetagathian Society of S. U. I., May 14, 1911.

Reminiscences of Civil War, May 21, 1911.

Sketch of Burlington before the War, by W. P. Elliott, June 11, 1911.

Old Burlington Boat Club, June 18, 1911.

*The Dubuque Telegraph-Herald*

Mrs. Irene Thomas — Survivor of Spirit Lake Massacre, May 14, 1911.

Rise and Fall of the Lumber Business on the Mississippi, June 4, 1911.

Early Dubuque Directory, June 18, 1911.

## HISTORICAL SOCIETIES

### PUBLICATIONS

A. Hooton Blackiston describes the peculiar ruins of *Quirigua* in Guatemala in the March-April number of the *Records of the Past*. J. A. Jeancon tells of *Explorations in Chama Basin, New Mexico*.

*The Manuscript Collections of the American Antiquarian Society* are described by Charles Henry Lincoln in a reprint from volume four of the *Papers* of the Bibliographical Society of America.

The number of the *Publications of the Onondaga Historical Association* published in April contains a catalogue of portraits, relics, maps, and other historical material in the historical building at Syracuse, New York.

The April number of *The Medford Historical Register* opens with an article on *Trinity Methodist Episcopal Church*, by Moses Whitcher Mann. *An Old Medford Landmark* is the subject of a brief note by John H. Hooper.

A valuable volume which will probably be published during the current year is an analytical index to the *Public Papers of Governor George Clinton*, which has been announced by the State Historian of New York.

*The Addresses at the Unveiling of the Bust of Matt W. Ransom by the North Carolina Historical Commission* on January 11, 1911, may be found in the *Publications of the North Carolina Historical Commission, Bulletin No. 10*.

Two pamphlets published by the Chicago Historical Society are: *The Indian as a Diplomatic Factor in the History of the Old Northwest*, by Isaac J. Cox; and *The Preamble and Boundary Clauses of the Illinois Constitution*, by Herman G. James.

The volume of the *Proceedings of the American Antiquarian Society at the Annual Meeting held in Worcester October 19, 1910*, contains the ordinary reports and a symposium on *The Present State of Historical Writing in America* in which J. Franklin Jameson, John Bach McMaster, and Edward Channing participate.

The Nebraska State Historical Society has published an *Outline of Nebraska History*, prepared by Albert Watkins. It furnishes lists of references on the various phases of Nebraska history from the earliest explorations down to the present time, and closes with a *Summary of Nebraska History*.

*History of the Chippewa Nation as Told by Themselves and Catholic Documents*, by J. O. Kinnaman; *Can we Obtain any Definite Knowledge of the Beginning of Civilized Life?*, by N. Kolpin; and *Physiography of the Great Colorado Cañon*, by Charles Hallowell, are among the articles in *The American Antiquarian and Oriental Journal* for October-December, 1910.

An illustrated article on *The Court Houses in Salem*, by Sidney Perley, is the opening contribution in the April number of the *Historical Collections of the Essex Institute*. There is a continuation of the *Houses and Buildings of Groveland, Mass.*, by Alfred Poore; and a sixth installment of Sidney Perley's discussion of *Marblehead in the Year 1700*.

Volume seven of the seventh series of the *Massachusetts Historical Society Collections* is devoted to the first part of the *Diary of Cotton Mather 1681-1708*, edited by Worthington C. Ford. Besides the diary proper there are letters to Increase Mather, John Cotton, and Samuel Penshallow, one of which tells of the execution of witches at Salem and the Jamaica earthquake.

Volume thirteen of the *Collections of the Connecticut Historical Society* consists of the second volume of *Correspondence and Documents During Jonathan Law's Governorship of the Colony of Connecticut 1741-1750*. The material included in this volume covers the period from August, 1745, to December, 1746. These letters and documents should prove of great value to the student of early colonial history.



A second and last installment of J. I. Good's contribution entitled *The Earliest Account of Protestant Missions, A. D. 1557*, is to be found in the *Journal of the Presbyterian Historical Society* for March. *The Little Family in the Presbyterian Church* is the title of a sketch by Charles Little. *Some Noteworthy Features in the Annals of the Mahoning Presbyterian Church, 1785-1910*, are outlined by Robert Laird Stewart.

The *Records of the American Catholic Historical Society* for March opens with the *Baptismal Registers of Holy Trinity Church, Philadelphia, for 1793-4-5*, transcribed by F. X. Reuss and edited by Thomas C. Middleton. Some copper objects found in Indian mounds are described by James Savage in an article on *The Prehistoric Finds of Michigan*. Another contribution consists of *Philadelphia Catholic Historical Briefs*.

The April number of the *Deutsch-Amerikanische Geschichtsblätter* opens with a brief account of the *Elfte Jahresversammlung der Deutsch-Amerikanischen Historischen Gesellschaft von Illinois*. Among the other contributions are: *Der Deutsch-Amerikanische National-Bund*, by William U. Fritsch; an *Address Delivered at the Unveiling of the Steuben Statue, Washington, D. C., December 7th, 1910*, by Richard Bartholdt; and *Peter Mühlenbergs Ingendjahre*, by C. F. Huch.

Henry A. M. Smith discusses the Cypress Barony in *The South Carolina Historical and Genealogical Magazine* for January in his series on *The Baronies of South Carolina*. Another contribution is the *Register of the Independent or Congregational (Circular) Church, 1732-1738*, edited by Mabel L. Webber. In the April number Mr. Smith discusses the Wadboo Barony and there is published a *Journal of the Campaign to the Southward, May 9th to July 14th, 1778*, by John Fauchereau Grimke.

Charles Edward Mann is the writer of a brief sketch of *Deloraine Pendre Corey* which appears in the April number of *The New England Historical and Genealogical Register*. Among the continuations is the list of *Emigrants from England*, prepared by Gerald Fothergill; and a list of names connected with the *First*

*Ownership of Ohio Lands*, by Albion Morris Dyer. A supplement to this number contains the proceedings of the Society at the annual meeting held on January 25, 1911.

*The Relation of Archaeology to History* is the subject of an address by Carl Russell Fish, which appears in the December-February number of *The Wisconsin Archeologist*. Arlow B. Stout writes a brief sketch on *The Winnebago and the Mounds*. Charles E. Brown is the contributor of two articles, one on *Silver Trade Crosses*, and the other on *A Group of Indian Mounds on the Peconica River*. There are also some *Notes of the Four Lakes Indians*, and a notice of *The Centenary of Increase Allen Lapham*.

The January-March number of *The Quarterly Publication of the Historical and Philosophical Society of Ohio* is devoted to a translation of a Welsh pamphlet entitled *The American*. The pamphlet was written by B. W. Chidlaw, a Welsh minister in Ohio, and was first published in 1840. It describes a journey from the Ohio Valley to Wales in the year 1839 and contains a description of the State of Ohio and a brief history of Welsh settlements in America. An introductory note is written by L. Belle Hamlin.

*First Free School in Queen Anne's County* is the title of an article by Edwin H. Brown, Jr., which opens the *Maryland Historical Magazine* for March. A transcript of *Admiral Cockburn's Plan* indicates clearly who was responsible for the suggestion which led to the attack on the city of Washington during the War of 1812, and also reveals what might easily have been the fate of Baltimore had the suggestion been followed without modification. *Baltimore in 1846* is the title of a paper which was read before the Society in 1875 by Henry Stockbridge, Sr.

*The Southwestern Boundary of Texas, 1821-1840*, is the topic discussed by Thomas Maitland Marshall in a scholarly article which appears in the April number of *The Quarterly of the Texas State Historical Association*. E. W. Winkler tells of *Some Historical Activities of the Texas Library and Historical Commission*. Alexander Horton contributes an autobiographical sketch under the heading, *Life of A. Horton and Early Settlement of San Augus-*

*tine County*. An interesting article on a fascinating subject is one by Adele B. Looscan, on *Micajah Antrey, a Soldier of the Alamo*.

*General Zachary Taylor and the Mexican War* is the title of an article by Anderson Chenault Quisenberry, which appears in the May number of *The Register of the Kentucky State Historical Society*. An appendix contains a roster of Kentuckians who served in the War with Mexico. A brief biographical sketch of *Henry Watterson: World-Famous Editor of the Louisville Courier-Journal* is written by Ella H. Ellwanger. Under the somewhat non-committal heading, *Those Who Have Been and Are Not*, A. D. Price presents an historical sketch of the physicians who once lived in Harrodsburg, Kentucky, or vicinity.

James Peckham and Thomas L. Snead, two historical writers who made noteworthy contributions to the history of Missouri in their books dealing with events in that State during the year 1861, are the subject of discussion in a paper on *Two Missouri Historians*, by H. E. Robinson, which appears in the April number of the *Missouri Historical Review*. Frank H. Hodder contributes some interesting *Side Lights on the Missouri Compromise* which include some letters from Senators Benton and Barton. *Bryant's Station and its Founder, William Bryant*, is the subject discussed by Thomas Julian Bryant. The closing article is one by Joab Spencer on *John Clark, Pioneer Preacher and Founder of Methodism in Missouri*.

Volume six, part one, of the *Historical Records and Studies* published by the United States Catholic Historical Society contains some excellent contributions of western interest. Thomas J. Campbell is the writer of an article on *Pierre Esprit Radisson* which is not only entertaining reading, but gives evidence of careful research. Under the heading *An Iroquois Chief*, Edward P. Spillane writes a brief sketch of Jean Baptiste Taiaiake, the last great chief of the Iroquois Indians. Another contribution by Thomas J. Campbell is a discussion of the *First Canadian Missionaries and the Holy Eucharist*. There is also a review of the second volume of Reverend Campbell's history of *Pioneer Priests of North America*, which deals with the priests among the Huron Indians.

The seventh volume of the *Collections of the Illinois State Historical Library* comprises the second volume in the *Executive Series* which is devoted to the *Governors' Letter-Books 1840-1853*, edited by Evarts Boutell Greene and Charles Manfred Thompson. There is a general introduction by Professor Greene, and *A Study of the Administration of Governor Thomas Ford*, by Professor Thompson, which occupies eighty pages. The Governors whose letter-books are here presented are Thomas Carlin, Thomas Ford, Augustus C. French, and Joel A. Matteson. One hundred and thirty pages are also devoted to *Letters of Wadsworth and Sheldon to Governor French, 1847-1853*. A list of letters, a bibliography, and an excellent index complete the volume and make it very convenient for use by the student.

*The Virginia Magazine of History and Biography* for April opens with some transcripts of *Minutes of the Council and General Court, 1622-1624*. The portion of *The Randolph Manuscript* here printed consists of some extracts from Council journals for the years from 1686 to 1688. *The Miscellaneous Colonial Documents* illustrate various events in the year 1775, and among them may be found an advertisement by the agent of the Transylvania Company. Under the heading, *Early Settlers in Greenbrier County*, are some extracts from the journal of Dr. Thomas Walker, who was one of the first men to make a trip into Kentucky, the date of the journal being 1750. *Colonel Scarborough's Report*, contributed by Thomas B. Robertson, tells of attempts to suppress the Quakers in what is now a part of Maryland.

Frank E. Stevens is the writer of a biographical sketch of *Alexander Pope Field* appearing in the April number of the *Journal of the Illinois State Historical Society*, which, to say the least, is not eulogistic. *The Burial and Resurrection of Black Hawk* is the subject of an article by J. F. Snyder which embodies some interesting information concerning the famous chieftain and the burial customs of the Sac and Fox Indians. The *Church Records of Salt Creek Circuit, 1829-1833*, form a contribution to early western church history. A sketch of the *Life and Services of General Thomas J. Henderson*, by J. W. Templeton, furnishes some

sidelights on Abraham Lincoln. William R. Sandham is the writer of an appreciation of *Hon. James H. Miller*, who was largely responsible for the act which created the Illinois State Historical Library.

In the January number of *The Pennsylvania Magazine of History and Biography* may be found the proceedings of the banquet given by the Society on December 31, 1910, to celebrate the ninety-fifth anniversary of the birth of General George Gordon Meade. *Joseph Richardson's Road* is discussed by Samuel W. Pennypacker in an article which deals with an interesting phase of early Pennsylvania history. Joseph Jackson in an article entitled *The First Balloon Hoax* shows that the balloon ascension which has been considered to have taken place in Philadelphia on December 28, 1783, never occurred, and that it was a hoax perpetrated largely for the purpose of increasing the fame of the Philosophical Society of Philadelphia. Some *Extracts from the Journal of Surgeon Ebenezer Elmer of the New Jersey Continental Line, September 11-19, 1777*, are contributed by John Nixon Brooks.

A rather extended account of *The Meeting of the American Historical Association at Indianapolis* during the last week in December, 1910, may be found in the April number of *The American Historical Review*. Roger Bigelow Merriman is the writer of an article on *The Cortes of the Spanish Kingdoms in the Later Middle Ages*. Carl Becker discusses *Horace Walpole's Memoirs of the Reign of George the Third*. Under the heading *The Literature of the Russo-Japanese War* appears an interesting article signed by "A British Officer". The only article in this number which may be said to come within the range of American History is one on the *Privateers and Pirates of the West Indies*, by Violet Barbour. The concluding contribution is composed of a number of documents dealing with *American Commercial Conditions, and Negotiations with Austria, 1783-1786*, edited by Edmund C. Burnett.

The eleventh volume of the *Collections of the Kansas State Historical Society*, edited by George W. Martin, is a volume which contains much interesting and valuable material. To note all of the articles would be impossible, but the following are illustrative:

*The Significance of Kansas History*, by Charles Harker Rhodes; *First Appearance of Kansas at a National Convention*, by A. G. Procter; *The Swedish Settlements in Central Kansas*, by Alfred Bergin; *The Boundary Lines of Kansas*, by George W. Martin; *A History of Manufacturing in the Kansas District*, by Richard L. Douglas; *Personal Recollections of the Battle of Shiloh*, by Leander Stillwell; *The Sauk and Foxes of Franklin and Osage Counties, Kansas*, by Ida M. Ferris; and *Massacre of the Villazur Expedition by the Pawnees on the Platte in 1720*, by John B. Dunbar. A number of maps and illustrations add interest to the volume, and there is a splendid index.

The third volume of the *Proceedings of the Mississippi Valley Historical Association*, which contains the proceedings for the year 1909-1910, exceeds the previous volumes in point of size and the number of papers. Two meetings were held during this year, one at Lincoln, Nebraska, on January 18, 1910, and the other at Iowa City on May 26 and 27, 1910. Among the numerous excellent papers which this volume contains are the following: *In Kiowa Camps*, by James Mooney; *The Pioneer and the Forest*, by Bohumil Shimek; *The Significance of the Mississippi Valley in American History*, by Frederick Jackson Turner; *The Significance of the Louisiana-Texas Frontier*, by Isaac Joslin Cox; *The Bid of the West for the National Capital*, by Olynthus B. Clark; *George Rogers Clark and Detroit 1780-1781*, by James Alton James; *Past and Present Sticking Points in Taxation*, by Frank L. McVey; and *The Conservation of Natural Resources*, by W J McGee.

*Under Three Flags or the Story of St. Louis Briefly Told*, by Gustavus A. Finkelnburg, is the opening contribution in the third number of volume three of the *Missouri Historical Society Collections*. Walter B. Douglas is the writer of an article on *Manuel Lisa* which is interesting and scholarly, and is to be continued. *The Spanish Forts at the Mouth of the Missouri River* is the title given a brief document copied from the General Archives of the Indies at Seville. Charles A. Krone continues his *Recollections of an Old Actor*. There is a *Letter of Don Manuel Perez to the People of Sainte Genevieve, 1791*, taken from the Vallé papers, together with

a brief sketch of *Don Manuel Perez*, which is the closing contribution. Among the notes in the back of the volume is a biographical sketch of *Pierre Chouteau*, who died on November 21, 1910, and whose ancestors included such famous pioneers as Pierre Chouteau, the great merchant, Charles Gratiot, and Laclède, the founder of St. Louis.

#### ACTIVITIES

A summer school will be maintained by the School of American Archaeology during August at El Rito de los Frijoles, New Mexico.

The North Central History Teachers Association held a meeting at Evanston on May 20th, in connection with the meetings of the Mississippi Valley Historical Association.

The sum of two hundred and fifty thousand dollars has been appropriated by the legislature of North Carolina for the erection of a fire-proof building for the accommodation of the Historical Commission, the Hall of History, the Supreme Court, and the State Library.

At the annual meeting of the Maryland Historical Society on February 13, 1911, the following officers were elected: President, Mendes Cohen; Vice Presidents, W. Hall Harris, George A. Leakin, and Henry Stockbridge; Corresponding Secretary, Richard H. Spencer; Treasurer, William Bowly Wilson.

Mr. David M. Matteson is engaged in preparing a general index to all of the publications of the American Historical Association. The second volume of the *Annual Report* for 1908, which completes the *Diplomatic Correspondence of the Republic of Texas*, is announced for early distribution. The Association has also nearly completed the preparation of its biennial *Handbook*.

The Chicago Historical Society is planning to commemorate the centennial of the Fort Dearborn massacre by the publication of a volume of documents edited by Milo M. Quaife. The Society has recently come into possession of the splendid collection of Lewis and Clark literature formerly owned by Charles H. Conover. The *Report* of the Society for 1910 indicates a growth along all lines.

Carl R. Fish's *Guide to the Materials for American History in Roman and Other Italian Archives*, and William H. Allison's *Inventory of Unpublished Materials for American Religious History, Chiefly in Protestant Church Archives*, have been published by the Carnegie Institution of Washington. David W. Parker's *Calendar of Territorial Papers in Government Archives at Washington* is in press.

At the fifteenth annual meeting of the Texas State Historical Association on March 2nd the following officers were elected: President, A. W. Terrell; Vice Presidents, Beauregard Bryan, R. L. Batts, Milton J. Bliem, and Luther W. Clark; Recording Secretary and Librarian, E. C. Barker; Corresponding Secretary and Treasurer, C. W. Ramsdell. Fifty new members were elected and Edward Dunn was chosen a Fellow.

#### THE STATE HISTORICAL SOCIETY OF ILLINOIS

The State Historical Society of Illinois held its annual meeting at Evanston and Chicago on Wednesday and Thursday, May 17 and 18, 1911. The following addresses and papers were presented: an address of welcome, by Mayor Joseph E. Paden of Evanston; *Thomas Sloo, Jr., a Typical Politician of Early Illinois*, by Isaac J. Cox; *The Fordhams and La Serres of the English Settlement in Edwards County, Illinois*, by Walter Colyer; *The Development of the Illinois State Constitutions*, by Christopher B. Coleman; *Massachusetts, the Germans, and the Chicago Convention of 1860*, by Frank I. Herriott; and an address by Clark E. Carr; *Abraham Lincoln's Early Connection with the Republican Party*, by I. P. Wharton; and *Life and Labors of William H. Collins, One of the Founders of the Illinois Historical Society*, by James Robert Smith.

At the business meeting practically the same officers who have served during the past year were reelected. The report of the Secretary-Treasurer, Mrs. Jessie Palmer Weber, revealed a consistent growth in the activities of the Society, which now numbers over twelve hundred members. The volume containing the Transactions for 1909 is about ready for distribution. The next volume of the *Collections* to be published will probably contain the George



Rogers Clark papers. Bills for a commission to formulate plans for the erection of a building for the Society, and appropriating money for the purchase of Starved Rock and vicinity, over a thousand acres, have been especially urged by the Society in the legislature. Plans are being made for the celebration next year of the centennial of Madison County, Illinois, which was established in 1812 by Governor Ninian Edwards. The Committee on Archaeology recommended active work along archaeological and ethnological lines.

THE MISSISSIPPI VALLEY HISTORICAL ASSOCIATION

The fourth annual meeting of the Mississippi Valley Historical Association was held at Chicago and Evanston on Thursday and Friday, May 18 and 19, 1911, following the annual meeting of the State Historical Society of Illinois. In Chicago the sessions were held in the building of the Chicago Historical Society, while at Evanston the place of meeting was the rooms of the Evanston Historical Society in the Public Library building. The following program, with a few omissions and rearrangements, was carried out:

*May 18, 2:30 P. M.*

Address of Welcome — Dr. Otto L. Schmidt.

President's Address — *The Iowa School of Research Historians* — Benjamin F. Shambaugh, Professor in the State University of Iowa.

Paper — *Robert J. Walker, Imperialist* — William E. Dodd, Professor in the University of Chicago.

Paper — *Myths of the American Indians as Material for Supplementary Reading in Our Secondary Schools* — Orin G. Libby, Professor in the State University of North Dakota.

Paper — *Some Notes on the Fort Dearborn Massacre* — M. M. Quaife, Professor in Lewis Institute.

Paper — *Some Materials for the Social History of the Mississippi Valley During the Nineteenth Century* — Solon J. Buck, Research Assistant in the University of Illinois.

*May 18, 8:00 P. M.*

Address — *Old Steamboat Days on the Mississippi River* — George B. Merrick, Madison, Wisconsin.

Informal reception to the members of the various associations by the Chicago Historical Society.

*May 19, 10:00 A. M.*

Paper — *The Mississippi Valley and Internal Improvements, 1825-1840* — R. B. Way, Professor in the University of Indiana.

Paper — *A Comparison of Some of the Source Material on Braddock's Campaign* — Archer B. Hulbert, Professor in Marietta College.

Paper — *The Early Harbor History of Wisconsin* — A. G. Plumb, Manitowoc, Wisconsin.

Paper — *Were the Outagami of Iroquois Stock?* — N. H. Winchell, St. Paul, Minnesota.

Business Meeting of the Mississippi Valley Historical Association.

*May 19, 12:30 P. M.*

Luncheon tendered to the members of the visiting associations by Mayor and Mrs. Joseph E. Paden at the Evanston Club, Grove Street and Chicago Avenue. Following the luncheon Mr. Henry J. Patten provided automobiles for a ride through the city of Evanston.

*May 19, 3:00 P. M.*

Paper — *Personal Recollections of the Civil War* — Mrs. R. A. Stewart, Evanston, Illinois.

Adjourned business meeting of the Mississippi Valley Historical Association.

*May 19, 5:00 P. M.*

Reception tendered to the members of the visiting associations by Mr. and Mrs. Charles G. Dawes, at their home, Greenwood Boulevard and Sheridan Road.

*May 19, 8:15 P. M.*

Address — *Abraham Lincoln and Stephen A. Douglas as Lawyers* — Orin N. Carter, Associate Justice of the Illinois Supreme Court.

The attendance was perhaps not as large as at the meeting at Iowa City last year, but what was lacking in numbers was supplied in interest and enthusiasm. The papers were unusually good and when published in the fourth volume of the *Proceedings* will contribute materially to the reliable literature of Mississippi Valley history.

At the business session an amendment to the Constitution was adopted whereby changes are made in the provisions relative to membership and membership dues. Three classes of membership are now provided: active, sustaining, and life, of which the dues are one, five, and fifty dollars, respectively. There was quite a spirited debate on the proposition to raise the active membership dues to two dollars.

The following officers were elected: President, Andrew C. McLaughlin; First Vice President, Reuben Gold Thwaites; Second Vice President, James Alton James; Secretary-Treasurer, Clarence S. Paine. The Executive Committee was considerably enlarged.

#### THE STATE HISTORICAL SOCIETY OF IOWA

Dr. Louis Pelzer's biography of *Henry Dodge* has come from the press and will be distributed within a short time.

Mr. Clifford Powell has been appointed to the position of General Assistant for the summer months, to succeed Mr. Carroll B. Martin.

The Superintendent, Dr. Benjamin F. Shambaugh, delivered an address before the Old Settlers' Association of Cedar County at Tipton on June 10th.

The biography of James Harlan by Mr. Johnson Brigham, which will make a volume of over four hundred pages, is practically ready for the printers.

A collection of papers of Leander Clark, former Indian Agent for the Meskwaki Indians in Tama County, has recently been deposited with the Society.

Mr. Kenneth W. Colgrove, a member of the Society and the contributor of a number of articles to *THE IOWA JOURNAL OF HISTORY AND POLITICS*, is spending the summer in Europe, chiefly at Eisenach, Germany.

Miss Eliza L. Johnson, who is in charge of the library of the Society, has been granted a three months' leave of absence and is spending the summer in Europe. Miss M. Florence Franzén has charge of the library in her absence.

Mr. Henry E. C. Ditzen of Davenport, a member of the Society, is the author of an article on *The Contributory Dependency Law of Iowa*, which appears in the May number of the *Journal of the American Institute of Criminal Law and Criminology*.

The following persons have recently been elected to membership in the Society: Mr. R. J. Fleming, Des Moines, Iowa; Mr. C. R. Benedict, Shelby, Iowa; Mr. A. C. Gustafson, Red Oak, Iowa; Mr. Oscar Hale, Wapello, Iowa; Mr. O. J. Henderson, Webster City, Iowa; Mr. Hugh Mossman, Vinton, Iowa; Mr. E. B. Soper, Emmetsburg, Iowa; Mr. Geo. M. Bechtel, Davenport, Iowa; Mr. L. M. Bosworth, Ames, Iowa; Mr. John C. Bryant, Red Oak, Iowa; Dr. Olynthus B. Clark, Des Moines, Iowa; Mr. M. H. Cohen, Des Moines, Iowa; Mr. William Louden, Fairfield, Iowa; Mr. B. E. Stonebraker, Rockwell City, Iowa; Mr. Dillon Turney, Fairfield, Iowa; and Mr. A. W. Wilkinson, Winterset, Iowa.

#### RESEARCH WORK IN THE SOCIETY

The rooms of the Society will be the scene of unusual activity along the lines of research in Iowa history during the present summer. Four Research Associates have been appointed and will be in residence at Iowa City during the greater part of the summer months. Mr. Jacob Van der Zee, a graduate of Oxford University, England, who has been connected with the work of the Society for several years, will complete his volume on the Dutch in Iowa. Mr. Van der Zee is at present pursuing law studies at Harvard University. Dr. E. H. Downey of Kenyon College, Gambier, Ohio, the author of the *History of Labor Legislation in Iowa*, will make investigations along the line of industrial history. Dr. John C. Parish of Montelair, Colorado, whose contributions to the publications of the Society are well known, will be at work on a biography of George W. Jones. Dr. John E. Brindley of the Iowa State College at Ames, author of the *History of Taxation in Iowa*, will make a study of road legislation in Iowa.

Besides the Research Associates a number of Research Assistants have been appointed. Mr. Clarence R. Aurner will be engaged in writing a history of township government in Iowa, and Professor Frank H. Garver of Morningside College will pursue studies along a similar line with respect to county government. Professor Olynthus B. Clark of Drake University will continue an investigation which he has already begun in the field of Iowa politics during the period of the Civil War and Reconstruction. Professor L. B. Schmidt of Iowa State College will also be engaged in working out some subject in the political history of Iowa.

A number of graduate students and others are also planning to do research work in connection with the Society during the summer. Dr. Dan E. Clark, the Assistant Editor, plans to complete a volume on the history of senatorial elections in Iowa.

## NOTES AND COMMENT

Provision has been made for the establishment of a Bureau of Research in Municipal Government at Harvard University.

On April 27 to 29 the fifth annual meeting of the American Society of International Law was held at Washington, D. C.

The Fifth International Congress of the International Tax Association will be held at Richmond, Virginia, September 5-8, 1911.

The next annual meeting of the Political Science Association will be held at Buffalo, New York, during the last week in December.

Professor George F. Kay of the State University of Iowa has been appointed State Geologist of Iowa to succeed the late Professor Samuel Calvin.

A Massachusetts Municipal League was recently organized. Professor Albert Bushnell Hart of Harvard University is the First Vice President.

Charles Noble Gregory has resigned from the position of Dean of the College of Law in the State University of Iowa, and has accepted a similar position in George Washington University.

Professor H. C. Fairchild of the University of Rochester is the president of a new organization to be known as the Commission Government Association of New York State, which was formed by delegates from twenty-two cities at a meeting in February.

An American International Municipal Congress and Exposition will be held in Chicago from September 18th to 30th. Delegates are expected from all of the principal cities of America and Europe. John MacVicar of Des Moines is the Commissioner General of the Municipal Congress.

An unusual method of revising the State Constitution has been proposed in Indiana. Although the Constitution provides that amendments shall pass two successive legislatures and be submitted

to the people, the General Assembly has passed a bill embodying a revised Constitution, which will be submitted to the voters at the November elections in 1912. The proposed Constitution originated with Governor Thomas R. Marshall.

A most disastrous fire occurred on March 29th, when the New York State Library was almost totally destroyed by fire. Of the splendid collection of manuscripts which the library contained only about one-tenth were saved, and there was an equal proportionate loss among the books. The legislative reference section, which represented years of labor, was also totally destroyed. Everything was practically in readiness for moving the library into the magnificent new building.

SAMUEL CALVIN

In the death of Samuel Calvin, which occurred on April 17, 1911, the State of Iowa lost one of its most noted scientists. Professor Calvin was born in Wiltonshire, Scotland, in 1840. He came to America in 1852 and to Iowa in 1855. He received his collegiate training at Lenox College, to which institution he returned as a member of the staff of instruction after a brief military service in the Civil War. In 1874 he was called to the State University of Iowa where he remained until the date of his death, having been for many years head of the Department of Geology. From 1892 to 1904 and from 1906 to the date of his death Professor Calvin was State Geologist and his labors in that capacity have brought the geology of Iowa to a point equalled by but few of the States of the Union. He was a frequent contributor to the various scientific publications of the country and was a prominent member of a number of learned societies. In the class room and as a citizen he was beloved by all who knew him.

WILLARD LEE EATON

Willard Lee Eaton of Osage, a member of the Society, died at his home on June 7, 1911. Mr. Eaton was born in Delaware County, Iowa, on October 13, 1848. In 1856 he moved with his parents to Osage, where he made his home until the date of his death, a period of nearly fifty-five years. He graduated from the College of Law

of the State University of Iowa in the class of 1872, and early attained prominence as a member of the bar of northern Iowa.

Mr. Eaton served in many official capacities. He was three times elected Mayor of Osage, and served for a period as County Attorney of Mitchell County. He represented Mitchell County in the lower house of the State legislature for three sessions, from the twenty-seventh to the twenty-ninth, and during the last session he was Speaker of the House. He served as State Railroad Commissioner for one term beginning in 1907, and during his term he wrote the opinions of the board.

In private life Mr. Eaton was a good citizen and took part in many movements for the upbuilding of the community. He was at one time Grand Master of the Iowa Grand Lodge of Masons. He was an active member of the State Bar Association, and his interest in education is shown by the fact that at the time of his death he was a trustee of Cedar Valley Seminary and of Upper Iowa University.

#### JACOB SPRINGER

On May 14, 1911, occurred the death of Jacob Springer, a member of the Society and a pioneer of Benton County. He was born in Uniontown, Pennsylvania, on January 21, 1824. On March 11, 1845, he was married to Eliza Jane McCormick. Seven years later, in 1852, the family emigrated to Iowa and settled in what is now St. Clair Township, Benton County. Here he found typical pioneer conditions. To the southward of his log cabin there was only one settler between him and Cedar Rapids, while to the northward the nearest settlers were twenty-four miles away. During the sixty years which followed he witnessed the gradual disappearance of frontier conditions and the growth of a prosperous community.

In 1855 he was appointed a commissioner to organize the first school district in that region. In the following year he organized a precinct in what are now St. Clair and Eldorado townships for election and judicial purposes, naming the precinct in honor of Arthur St. Clair. He served two years as Justice of the Peace, nine years as County Supervisor of Benton County, and for twenty-six years as a member of the Board of Trustees of the College for



the Blind. In politics he was an ardent Republican. He took a deep interest in the political questions of the day, and especially in local issues, but he was not inclined toward office-holding.

Jacob Springer was a worthy representative of the pioneers of Iowa, and his quiet, unassuming good citizenship will long be remembered in the community in which he lived.

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## CONTRIBUTORS

ETHYL E. MARTIN, Clerk to the Superintendent of The State Historical Society of Iowa. Born near Decatur, Illinois, January 5, 1887. Graduated from the High School at Winterset, Iowa, in 1904. Student at the State University of Iowa. Author of *A Bribery Episode in the First Election of United States Senators in Iowa*.

CLARENCE RAY AURNER, Research Assistant in The State Historical Society of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for April, 1911, p. 332.)

FRANK HARMON GARVER, Research Assistant in The State Historical Society of Iowa. Professor of History and Politics in Morningside College. Born at Albion, Iowa, 1875. Graduated from Upper Iowa University, 1898. Received the degree of M. A. at The State University of Iowa, 1908. Author of *Reminiscences of John H. Charles, History of the Establishment of Counties in Iowa, Boundary History of Iowa Counties, A Critical Study of the Definition and Alteration of County Boundaries in Iowa, The Story of Sergeant Charles Floyd*. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for July, 1908, p. 500.)

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**THE IOWA JOURNAL OF HISTORY AND POLITICS**  
**OCTOBER NINETEEN HUNDRED ELEVEN**  
**VOLUME NINE NUMBER FOUR**



## THE WORK OF THE THIRTY-FOURTH GENERAL ASSEMBLY OF IOWA

Besides numerous joint resolutions, nearly five hundred bills were introduced in the Senate and six hundred in the House of the Thirty-fourth General Assembly. Out of this mass of eleven hundred bills and resolutions two hundred and seventy bills and six joint resolutions were adopted. Of these two hundred and seventy enactments, one hundred and thirty-four originated in the Senate and one hundred and thirty-six in the House. Four of the joint resolutions originated in the Senate and two in the House. Moreover, this product of legislation as classified by the Secretary of State for publication consists of one hundred and eighty-nine general laws; twenty-four appropriation acts; ten special acts; forty-seven legalizing acts; and six joint resolutions.<sup>1</sup>

The Thirty-third General Assembly adjourned on April 9th and the Thirty-fourth adjourned on April 12th. An examination of the records shows that about two-thirds of the legislative output of each Assembly was enacted in the closing days of the session. In 1911 nearly one-half of the laws passed were signed by the Governor after the adjournment,<sup>2</sup> showing that they must have been passed within the last three days of the session. But in this respect the Thirty-fourth General Assembly differs very little from its predecessors, as an examination of the session laws will indicate.

<sup>1</sup> *Laws of Iowa, 1911.*

<sup>2</sup> The Governor is given thirty days in which to sign or disapprove bills after adjournment.

The increased compensation of its members is the only act of importance passed by the Thirty-fourth General Assembly affecting the legislative department<sup>3</sup>—although the Federal census of 1910 occasioned some changes in the representation of counties in the lower house.<sup>4</sup> In reference to the executive department the only acts of importance were those making slight extensions of the Governor's appointive and removal power.<sup>5</sup> Several important acts were approved relating to the administrative officers, boards, and commissions, which will be considered under special headings.

Several acts were passed affecting the judicial department. In 1884 the Constitution of Iowa was amended so as to permit the General Assembly to "provide for holding persons to answer for any criminal offense without the intervention of the grand jury." No legislation, however, had been enacted in accordance with that authority until 1911, when the Thirty-fourth General Assembly passed an act providing for the prosecution of criminals to final judgment either on indictment by the grand jury or upon information by the County Attorney.<sup>6</sup> An additional judge was provided for in three different districts,<sup>7</sup> making the total number of District Court judges fifty-six. Justices of the Peace were authorized to require security for costs in cases coming within their jurisdiction.<sup>8</sup>

The primary election law was modified by two slight amendments, one of them changing the time of holding the

<sup>3</sup> The Lieutenant Governor and the Speaker of the House will now receive \$2,000 each, that is, double the compensation of members.

<sup>4</sup> Des Moines and Lee counties are reduced to one representative each and Black Hawk and Wapello will get two representatives each.

<sup>5</sup> For instance see *Laws of Iowa*, 1911, pp. 105, 106, 126, 140.

<sup>6</sup> *Laws of Iowa*, 1911, p. 201.

<sup>7</sup> *Laws of Iowa*, 1911, pp. 3, 4.

<sup>8</sup> *Laws of Iowa*, 1911, p. 185.

primary from the first Tuesday after the first Monday in June to the first Monday in June,<sup>9</sup> and the other relating to the nomination of persons whose names do not appear on the official ballot.<sup>10</sup>

Local government in Iowa, being dependent upon the General Assembly, offers to the legislator a fertile field for the production of new statutes. In respect to county government there is the usual biennial grist of powers vested in or denied to the Board of Supervisors. Perhaps the most important act affecting the governing board of the county was the subjecting of the Board of Supervisors to the provisions of the Cosson Law, which provides for their removal for misfeasance, malfeasance, or nonfeasance in office.<sup>11</sup> Another act makes the removal of county seats more difficult.<sup>12</sup> Furthermore, the office of County Surveyor was abolished, and the Board of Supervisors was authorized to employ a competent person "for the purpose of making general specifications for the grading, repairing and building of roads, bridges and culverts, and to perform such other duties as the board of supervisors may determine".<sup>13</sup> The Board of Supervisors was also authorized, with the consent of the voters at an election, to levy a tax not to exceed one mill upon the dollar for the purpose of prospecting for coal.<sup>14</sup>

Except for the provisions requiring the County Attorney to appear in behalf of the township trustees in counties of less than twenty-five thousand population whenever they

<sup>9</sup> *Laws of Iowa*, 1911, p. 42.

<sup>10</sup> *Laws of Iowa*, 1911, pp. 42, 43.

<sup>11</sup> *Laws of Iowa*, 1911, p. 43.

<sup>12</sup> *Laws of Iowa*, 1911, p. 15

<sup>13</sup> *Laws of Iowa*, 1911, p. 18

<sup>14</sup> *Laws of Iowa*, 1911, p. 22.

are made parties to litigation,<sup>15</sup> all of the laws relating to the township enacted by the Thirty-fourth General Assembly will be referred to under the head of road legislation.

Municipal legislation must ever be a patchwork of statutes as long as the present scheme of municipal organization maintains. Therefore each successive General Assembly grinds a full hopper of laws relating to or affecting cities and towns. Twenty-six acts were passed in 1911 giving cities and towns power to act in matters where they ought to be able to act without special legislative authority. To make valid actions where authority has been wanting or where doubt has arisen thirty-three legalizing acts were passed for the relief of cities and towns.<sup>16</sup> In addition several other acts of minor importance affecting cities as well as the other grades of local government were passed.<sup>17</sup> The commission plan of city government was amended by four different acts, the most important of which was the re-writing of the provisions relative to the civil service.<sup>18</sup>

From the standpoint of city "boosting" the act providing for the creation of a department of publicity in cities is deserving of special notice. The purpose of this department is declared to be "collecting and distributing, by correspondence, advertising and other means, information relating to the industrial, commercial, manufacturing, residential, educational and other advantages and resources of such city."<sup>19</sup>

Of the two hundred and seventy acts of the Thirty-fourth General Assembly not many can be said to be of general public interest. Minor statutory changes, acts dealing with

<sup>15</sup> *Laws of Iowa*, 1911, p. 23.

<sup>16</sup> Out of forty-seven legalizing acts passed.

<sup>17</sup> Laws relative to taxation, etc.

<sup>18</sup> *Laws of Iowa*, 1911, p. 38.

<sup>19</sup> *Laws of Iowa*, 1911, p. 41.



technical subjects or the various state departments not of general interest will not be considered. Most of the laws passed which are of general interest may broadly be classed as "Social and Economic Legislation"—the field of legislation which has furnished every State legislature its most difficult problems. This class of legislation, which is frequently called "freak legislation" by the special interests affected, will be considered under special headings.

#### TAXATION

The subject of taxation received more attention from the Thirty-fourth General Assembly than it had received in many years. A temporary tax commission was created for the purpose of securing information looking toward a complete revision of the tax laws.<sup>20</sup> An act exempting moneys and credits from more than nominal taxation was passed,<sup>21</sup> and may be regarded as an invitation to capital to remain in and come to the State. In connection with this act mention should be made of the act prohibiting the employment of tax ferrets to discover moneys and credits which the assessor has failed to locate.<sup>22</sup> The former assessment of moneys and credits at the ordinary rate of taxation, together with the employment of tax ferrets, has been held to be one of the influences responsible for the marked decrease in the population of the State.

The collateral inheritance tax law was completely rewritten, and covers fifteen pages in the printed laws.<sup>23</sup> The act exempts estates of less than one thousand dollars after deducting debts. The old soldiers' tax exemption was increased from \$800 to \$1,200.<sup>24</sup> It is also of interest to note

<sup>20</sup> *Laws of Iowa*, 1911, p. 229.

<sup>21</sup> *Laws of Iowa*, 1911, p. 45.

<sup>22</sup> *Laws of Iowa*, 1911, p. 48

<sup>23</sup> *Laws of Iowa*, 1911, pp. 50-64.

<sup>24</sup> *Laws of Iowa*, 1911, p. 44.

that the Thirty-fourth General Assembly by joint resolution ratified the proposed income tax amendment to the Constitution of the United States.<sup>25</sup>

#### LABOR LEGISLATION

Among the laws enacted by the Thirty-fourth General Assembly is a long act of fifty-two sections entitled "Mines and Mining", which codifies and strengthens the former provisions relative to safety and sanitation in mines. The new features of the act relate largely to protection against fire.<sup>26</sup>

Another act of much importance is one looking toward a more comprehensive code of labor laws. A temporary commission, known as the Employer's Liability Commission,<sup>27</sup> was created to "investigate the problem of industrial accidents and especially the present condition of the law of liability for injuries or death suffered in the course of industrial employment as well in this state as in other states, and shall inquire into the most equitable and effectual method of providing compensation for losses suffered". The work of this commission, like that of the tax commission, is limited to investigation and recommendation.

#### THE PUBLIC SAFETY

Before January 1, 1913, all street cars will be required to have power brakes other than hand and equipment for sanding rails.<sup>28</sup> The construction of caboose cars was regulated by a law which will be in effect after January 1, 1912.<sup>29</sup> Passenger boats for which certificates of inspection are issued must carry in view and within easy reach of

<sup>25</sup> *Laws of Iowa*, 1911, p. 301.

<sup>26</sup> *Laws of Iowa*, 1911, p. 105.

<sup>27</sup> *Laws of Iowa*, 1911, p. 230.

<sup>28</sup> *Laws of Iowa*, 1911, p. 28.

<sup>29</sup> *Laws of Iowa*, 1911, p. 92.

the passengers, life preservers equal to one-half the number of passengers that may be carried by such boat.<sup>30</sup>

Following the example of many other States the office of State Fire Marshal was created.<sup>31</sup> The incumbent is an appointee of the Governor, holds office for four years, and receives an annual compensation of \$2,500. It is the duty of the State Fire Marshal to keep a record of all fires occurring in the State, showing the name of the owners and the name or names of occupants of the property at the time of the fire, the sound value of the property and the amount of insurance thereon, the amount of insurance collected, together with the cause or origin of the fire. He is further authorized to enter and inspect buildings for the purpose of determining whether they are especially liable to fire or are so situated as to endanger other buildings. And he is required to see that all teachers in buildings of more than one story conduct at least one fire drill each month and keep all doors unlocked during school hours.

#### THE PUBLIC HEALTH

Governmental interference with private individuals to maintain public health has grown by leaps and bounds in the last quarter of a century, and Iowa has not been backward in enacting such legislation. The Thirty-fourth General Assembly included infantile paralysis among the diseases subject to quarantine, and passed an act requiring disinfection in cases of death from tuberculosis.<sup>32</sup> An antitoxin department was established in connection with the State Board of Health to furnish antitoxin to the people of the State "at the reduced rates established by the board."<sup>33</sup> The sale of cocaine and other injurious drugs

<sup>30</sup> *Laws of Iowa*, 1911, p. 125.

<sup>31</sup> *Laws of Iowa*, 1911, p. 140.

<sup>32</sup> *Laws of Iowa*, 1911, p. 134.

<sup>33</sup> *Laws of Iowa*, 1911, p. 136.

is prohibited "except upon the original written prescription of a registered physician or veterinarian or licensed dentist".<sup>34</sup> The practice of optometry is further regulated by a very material increase in the qualifications for a license.<sup>35</sup> Nurses must obtain certificates from the State Board of Health to entitle them to practice in this State.<sup>36</sup>

The title of the State Food and Dairy Commissioner was changed to that of State Dairy and Food Commissioner. His salary was increased and he was given more assistance. Under the new act "no person, firm or corporation shall sell milk or cream . . . without being licensed by the state dairy and food commissioner", and numerous penalties are provided in cases of the sale of impure, skimmed or adulterated milk.<sup>37</sup> Two other pure food acts were passed: one defining what shall constitute misbranded and adulterated foods,<sup>38</sup> and the other defining ice cream.<sup>39</sup>

An act evidently for the benefit of Des Moines, disguised under the heading of general laws, provides that "the emission of dense smoke within the corporate limits of any of the cities of this state now or hereafter having a population of sixty-five thousand (65,000) inhabitants or over, including cities acting under the commission plan of government is hereby declared to be a public nuisance."<sup>40</sup>

#### THE PUBLIC MORALS

Two new liquor laws were enacted by the Thirty-fourth General Assembly and two of those already on the statute

<sup>34</sup> *Laws of Iowa*, 1911, p. 139.

<sup>35</sup> *Laws of Iowa*, 1911, p. 139.

<sup>36</sup> *Laws of Iowa*, 1911, p. 135.

<sup>37</sup> *Laws of Iowa*, 1911, p. 126.

<sup>38</sup> *Laws of Iowa*, 1911, p. 189.

<sup>39</sup> *Laws of Iowa*, 1911, p. 191.

<sup>40</sup> *Laws of Iowa*, 1911, p. 27.

books were amended. The penalties for the violation of the act prohibiting the manufacture and sale of intoxicating liquors were increased.<sup>41</sup> Druggists holding permits to sell liquor are now allowed to fill out the application blanks themselves;<sup>42</sup> whereas, under the old law the applicant was required to fill out the blank. Wholesale druggists in this State are permitted to sell intoxicating liquors to registered pharmacists and licensed physicians.<sup>43</sup>

An act relative to the liquor traffic, which is perhaps of greater importance than any of the preceding, is one directing the County Attorney in each county to secure quarterly and file with the County Auditor for public inspection a list of the names of persons holding Federal liquor licenses. The holding of a Federal liquor license is declared to be *prima facie* evidence of violation of the liquor laws of the State, unless the holder of such license has also complied with all the terms and conditions of the Mulet Law or is a registered pharmacist.<sup>44</sup> This act is expected to close up all club and private bars and illegal saloons, since the County Attorney is subject to the provisions of the Cosson Law in case he fails to prosecute the holders of such license.

Another act clearly in the interest of public morals prohibits the exhibition of "any deformed, maimed, idiotic or abnormal person or human monstrosity".<sup>45</sup> Surely the fat lady and the living skeleton as attractions of the side show and the dime museum are gone from Iowa forever.

It was also made an offense<sup>46</sup> to be in possession of "any roulette wheel, klondyke table, poker table, faro or

<sup>41</sup> *Laws of Iowa*, 1911, p. 101.

<sup>42</sup> *Laws of Iowa*, 1911, p. 101.

<sup>43</sup> *Laws of Iowa*, 1911, p. 102.

<sup>44</sup> *Laws of Iowa*, 1911, p. 104.

<sup>45</sup> *Laws of Iowa*, 1911, p. 193.

<sup>46</sup> *Laws of Iowa*, 1911, p. 194.

keno lay-outs", except in pursuance of proceedings to destroy them.

THE DEFECTIVE AND DEPENDENT CLASSES

The most important act passed under this heading, and one of the most important laws of the whole session, is an act to prevent the procreation of habitual criminals, idiots, feeble minded and insane persons.<sup>47</sup> By this act Iowa takes a long step forward toward checking crime.

A number of other acts affecting the defective and dependent classes was passed. All children received in the Soldier's Orphan's Home are made wards of the State and may be placed with persons or families under contracts providing for their custody, care, education, maintenance, and earnings.<sup>48</sup> An act similar in character was passed relative to the placing of boys and girls committed to the industrial school.<sup>49</sup> Provision was made for the commitment of girls to "any reputable institution within this state devoted to the detention and reformation of wayward and fallen girls", instead of to the industrial school.<sup>50</sup> In like manner an act was passed providing for the commitment of females adjudged guilty of the violation of any law, ordinance, or police regulation, to the care of benevolent or charitable institutions instead of to the county, city, or town jail.<sup>51</sup> The law providing for the commitment of boys and girls to the industrial school was also strengthened.<sup>52</sup> The better regulation of inmates of the State Hospital for Inebriates was provided for,<sup>53</sup> and an act defining vagrants was enacted.<sup>54</sup>

<sup>47</sup> *Laws of Iowa*, 1911, p. 144.

<sup>48</sup> *Laws of Iowa*, 1911, p. 150.

<sup>49</sup> *Laws of Iowa*, 1911, p. 152.

<sup>50</sup> *Laws of Iowa*, 1911, p. 155.

<sup>51</sup> *Laws of Iowa*, 1911, p. 200.

<sup>52</sup> *Laws of Iowa*, 1911, p. 153.

<sup>53</sup> *Laws of Iowa*, 1911, p. 97.

<sup>54</sup> *Laws of Iowa*, 1911, p. 108.

## ECONOMIC LEGISLATION

Three of the most important measures passed by the Thirty-fourth General Assembly may be classed under this heading. A new office was created in connection with the Board of Railroad Commissioners for the purpose of making the work of the Board more effective in the matter of uniform and equal rates to shippers. The new official is known as the Commerce Counsel. He is appointed by the Board of Railroad Commissioners, with the approval of two-thirds of the members of the Senate, for a period of four years at a compensation of \$5,000 per year. His duties are "to diligently investigate the reasonableness of the rates charged, or to be charged for services rendered, or to be rendered by the railroad companies, express companies, and all other individuals, parties, or corporations, subject to the jurisdiction of the said board of railroad commissioners", and to prosecute all violations of law before the Board of Railroad Commissioners or the Inter-State Commerce Commission according as they affect intrastate or interstate business.<sup>55</sup>

An elaborate act entitled "Uniform Bills of Lading", embodying fifty-seven sections, describes and defines negotiable bills of lading. The act defines also the rights and duties of common carriers and of all persons issuing and receiving such bills of lading.<sup>56</sup>

The Bulk Sales Bill received quite as much publicity as the famous Five Mile Bill. It was defeated in the middle of the session, but was reconsidered and finally passed in the closing days. It prohibits anyone from selling his stock of merchandise in bulk without giving his creditors proper notice of his intention to sell.<sup>57</sup>

<sup>55</sup> *Laws of Iowa*, 1911, p. 93.

<sup>56</sup> *Laws of Iowa*, 1911, p. 169.

<sup>57</sup> *Laws of Iowa*, 1911, p. 165.

An act of considerable interest to the householder provides that wherever flour is sold in quantities of more than one pound the actual number of net pounds must be plainly designated on the package.<sup>58</sup>

An act regulating "the marking of articles of merchandise made in whole or in part of gold or silver or their alloys" and prohibiting the false marking of such merchandise was passed.<sup>59</sup> The State Dairy and Food Commissioner was empowered to make inspection of scales, weights, and measures, and penalties were provided for keeping false weights and measures.<sup>60</sup> In order to encourage the business of manufacturing in Iowa an act was passed conferring upon the Iowa State Manufacturers Association the right to designate who may use the trade mark bearing the words "Made in Iowa".<sup>61</sup>

#### ROAD LEGISLATION

In the matter of highway legislation much disappointment was felt by the people, in spite of the fact that several important acts were passed. The bridge companies were charged with being the great stumbling block in the way of good roads legislation. Three measures affecting roads were passed by the Thirty-fourth General Assembly. One abolishes the office of County Surveyor and permits the Board of Supervisors to hire an engineer to aid in road building and authorizes the levy of a two mill tax to create a good roads fund. The township trustees are directed to meet the first Monday in February and "select a superintendent of dragging and employ a road superintendent".<sup>62</sup>

<sup>58</sup> *Laws of Iowa*, 1911, p. 195.

<sup>59</sup> *Laws of Iowa*, 1911, p. 195.

<sup>60</sup> *Laws of Iowa*, 1911, p. 168.

<sup>61</sup> *Laws of Iowa*, 1911, p. 178.

<sup>62</sup> *Laws of Iowa*, 1911, p. 18.



The second good roads act is entitled "Dragging of Public Highways", and provides that the township trustees shall at their April meeting "divide the public roads of the township into permanent road-dragging districts", and shall "from time to time designate what districts shall be dragged".<sup>63</sup>

The third act, entitled "Registration of Motor Vehicles", is probably the most important act of its class, as it will furnish the means for much permanent road improvement.<sup>64</sup> It is a long act containing thirty-five sections which repeals the chapter dealing with motor vehicles in the *Code Supplement* of 1907. It defines the status of motor vehicles and regulates their use upon the highways of the State, and provides for an annual registration fee, varying with the horse power of the vehicle, which fee is in lieu of all taxes general or local. Eighty-five per cent of the fund thus created is divided among the counties to be used for the improvement of roads.

Commenting upon the good roads legislation of the Thirty-fourth General Assembly *The Register and Leader* declared that "the state has not accepted the road legislation of this session as settling anything. At best all this legislature has done has been to patch an old harness. Some compulsory dragging has been provided, which may amount to more than our compulsory weed cutting. . . . A dry summer will assist greatly in diverting public attention. But after all the problem remains and will remain until Iowa goes about it as other states are doing."<sup>65</sup>

#### SCHOOL LEGISLATION

Besides the rather liberal appropriations for the educational institutions of the State, four acts for the promotion

<sup>63</sup> *Laws of Iowa*, 1911, p. 65.

<sup>64</sup> *Laws of Iowa*, 1911, p. 69.

<sup>65</sup> *The Register and Leader*, April 10, 1911.

of education were passed. An act entitled "Training of Teachers for Rural Schools" provides that such four year accredited high schools as the State Superintendent may designate shall receive State aid to the amount of \$500 per year for the introduction of "normal courses of study and training in the eleventh and twelfth grades". The act also provides for "an inspector of normal training in high schools".<sup>66</sup> Children living in a district where there is no accredited high school are permitted to attend an accredited high school in another district, the expense of tuition being borne by their home district.<sup>67</sup> Another act provides for the issuance of life certificates to teachers.<sup>68</sup> Finally, provision was made for the consolidation of independent school districts and for the transportation of children to and from school.<sup>69</sup>

What was said above relative to road legislation may also well be said of the school legislation of the 1911 session: it is mere patchwork. A thorough revision and codification of our schools laws has yet to be made. In 1907 an educational commission was appointed to recommend legislation looking toward the unifying and coördinating of the entire school system of the State, but unfortunately the legislature did not enact the recommendations of the commission into law. Too frequently such commissions are created only to divert public attention and delay action. It is to be hoped that the recommendations of the tax commission and the employer's liability commission will not meet the same fate as that of the educational commission.

#### IMPORTANT BILLS THAT DID NOT PASS

In conclusion a few words relative to what the Thirty-

<sup>66</sup> *Laws of Iowa*, 1911, p. 148.

<sup>67</sup> *Laws of Iowa*, 1911, p. 163.

<sup>68</sup> *Laws of Iowa*, 1911, p. 145.

<sup>69</sup> *Laws of Iowa*, 1911, p. 158.

fourth General Assembly did not do may be of interest. The Public Utilities Bill, which was defeated in the legislature in 1909, passed the House in the Thirty-fourth General Assembly, but was defeated in the Senate. The reasons for its defeat may be said to be, first, the fact that the relations between the city and the State had not been completely worked out; second, the fact that the corporations favored the bill led many to look upon it with suspicion; and third, the attitude of the author of the bill on the subject of prohibition, and particularly the Five Mile Bill, which aroused opposition on the part of the prohibition element.

The Whitney Good Roads Bill, designed to centralize the administration of the road laws by enlarging the powers of the State Highway Commission and creating the office of County Engineer, met with three powerful sources of opposition, namely, the bridge companies, the companies manufacturing road machinery, and the County Supervisors. It is estimated that at least half of the money spent upon our roads annually is worse than wasted because of the undoubted existence of graft in connection with bridge and road work.

An important bill which passed both houses, but was defeated by the Governor's veto, was the Oregon plan of electing United States Senators. In spite of the fact that Governor Carroll declared the act to be unconstitutional, the legislature of Minnesota passed a similar bill shortly after the adjournment of the Iowa legislature and it was signed by the Governor of that State. Commenting upon the action of the Governor of Minnesota in signing the bill, *The Register and Leader* sarcastically remarked:

When the constitution has been driven from pillar to post in every legislature and by every governor, it can still turn to Iowa for refuge.

On this occasion it would seem to be entirely proper to emphasize the value of a few weeks in the law on the part of prospective public officials. If Governor Eberhart had taken a night course he would not so readily have made himself a party to this insidious attack upon the citadel of our liberties.<sup>70</sup>

Among the other important measures which failed to pass may be mentioned the Five Mile Bill, prohibiting the sale of liquor within five miles of any educational institution of the State, the bill to abolish the office of School Treasurer, and the Woman's Suffrage Bill. The much needed revision of the game laws was not even attempted.

The Thirty-fourth General Assembly was no more conspicuous for what it did not do than were most of its predecessors. Legislation to-day is a compromise of conflicting interests in which it is impossible to satisfy the full demands of all; and in reviewing the work of the Thirty-fourth General Assembly it should be borne in mind that half a loaf is better than no loaf at all. The legislature had before it some new and difficult problems, and if it hesitated to act upon incomplete or imperfect information it should be congratulated. The Senatorial deadlock overshadowed all else in the eyes of the public and the General Assembly received a great deal of abuse for not doing sooner what was finally accomplished at the close of the session.

Perhaps no better estimate of the work of the Thirty-fourth General Assembly could be made than is to be found in the following editorial comment in a leading Iowa newspaper:—

The test of the Thirty-fourth general assembly will come when the Thirty-fifth general assembly convenes.

Matters of importance have been attended to in the Thirty-fourth, and a great many needless and vicious bills have been indefinitely set aside. But the session as a whole has been prelimi-

<sup>70</sup> *The Register and Leader*, April 24, 1911.

nary merely — a sort of unfinished sitting. What has marked it has been the breaking up of old alignments, the entrance of new men, and the general promise of something to be realized in the future.

The Thirty-fourth marks a transition period. For the past ten or twelve years there has been a compact leadership. Such names as Funk, Healy, Garst, Cheshire, Maytag, Perry, suggest themselves. The board of control law, the anti-pass law, the Blanchard law are readily recalled. But with the exception of Senator Smith these men are out of public life.

It would be easy to name the men who have stood in opposition during this "Iowa idea" period. They, too, have passed. With the standpatters as with the progressives this legislature has been in the hands of new men. And among the new men standpatters and progressives have crossed lines in a way to make any definite new alignment hard to locate. As with men so with measures; it is a period of transition.

With the opening of the Thirty-fifth general assembly the definite alignments for the coming decade will form. Men will seek their natural affiliations and natural leaders will appear. With leadership issues will arise and forces will be marshaled. The next legislature will be a legislature of definite alignments. For these alignments the men who are to determine the future course of events are getting ready.

There will never be a larger field for constructive statesmanship than will be offered to the Thirty-fifth general assembly. Iowa herself is in a transition period. She is just where the old days of the frontier, with its volunteer road work, and volunteer school, and volunteer railroad, and volunteer water company, must go with the volunteer brass band and volunteer hose cart. She has not yet entered fully upon the new period of intensified farming on \$200 land, the public service no longer a doubtful speculation but an established monopoly, when the school and road, and telephone, and everything else must be made to contribute very definitely to the prosperity of a people, who must make every step count.

The public discussion of the next two years is going to be largely about state affairs. This in the face of a national campaign. There is nothing vital in national politics to monopolize attention, and

there is something vital now in the new life that is stirring in Iowa. We shall hear more about what Iowa needs and what Iowa ought to do in the coming two years. There will be more favorable publicity for Iowa; more encouragement of new industries for Iowa; more call for investment of Iowa money in Iowa ventures; more Iowa talk all along the line than in any other years. All of this will lead to an insistent demand upon the Thirty-fifth general assembly for adequate plans for the future.

There are men of brains in this legislature who will be members of the Thirty-fifth to work a revolution in this state. It will be the measure of their service now what they do then. The two sessions will be taken together. They can easily be made a turning point in the progress of the state.<sup>71</sup>

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<sup>71</sup> *The Register and Leader*, April 13, 1911.

# HISTORY OF THE CODES OF IOWA LAW

## I

### TERRITORIAL CODES

#### INTRODUCTION

A study of legislation during the middle period in the history of the United States reveals a general movement for the codification of law, led in New York by Mr. David Dudley Field.<sup>1</sup> This movement, moreover, bore early fruit in Iowa where the results, in at least one instance, were so distinguished as to serve as a model for other States.

Since the establishment of the Territory in 1838 there have appeared in Iowa six official codes<sup>2</sup> and four private compilations<sup>3</sup> of the laws. Unfortunately those who compiled the various codes have left scarcely any first-hand

<sup>1</sup> For a discussion of the codification of law, the following references may be consulted: *Codification* in *The American Law Review*, Vol. XX, pp. 1, 315; *Codes and the Arrangement of the Law* in *The American Law Review*, Vol. V, p. 1; and Field's *The Codes of New York and Codification in General* in *The Albany Law Journal*, Vol. XIX, p. 192.

<sup>2</sup> The six official codes are: *The Statute Laws of the Territory of Iowa*, 1838-1839, or *The Old Blue Book*; *Revised Statutes of the Territory of Iowa*, 1842-1843, or *The Blue Book*; *The Code of 1851*; *Revision of 1860*; *The Code of 1873*; and *Code of 1897*.

In 1860 there was published a separate volume entitled *Code of Civil and Criminal Practice*. It was desired to place before the public the code of civil and criminal practice as soon as possible; and so the book referred to was published in May, 1860, and later incorporated in the complete edition of the *Revision of 1860* which came out in the following September. The volume was published as a private enterprise.

There are two supplements to the *Code of 1897*, one published in 1902 and the other in 1907.

<sup>3</sup> The four private compilations are: Stacy's *The Code of Civil Procedure*, Des Moines, 1878; Overton's *The Annotated Code of Civil Practice for Wisconsin and Iowa*, Chicago, 1875; Miller's *Revised and Annotated Code of Iowa*, Des Moines, 1880; McClain's *Annotated Statutes*, Chicago, 1880.

accounts of their work. And so, the story of these books must be gathered from widely scattered sources, such as official documents, magazine articles, and contemporary newspapers. The secondary sources, moreover, have been found to be more or less unsatisfactory and unreliable.

In the broadest sense the laws in force in Iowa include the Constitution of the United States, the acts of Congress and the treaties of the United States, the Constitution of Iowa, the acts and resolutions of the General Assembly, the decisions of the courts, and the Common Law rules prior to 1707 and not locally inapplicable.<sup>4</sup> To gather from these sources the laws, to coördinate and classify them, and to publish the results constitute the task of codification. In Iowa, however, no attempts have been made to codify *all* the law in force in the State. It is worthy of note that New York did make such an attempt at an early date but abandoned the undertaking.<sup>5</sup>

A code, to be binding as a body of law, must be enacted as such by legislative authority. It differs from an ordinary compilation of legislative acts, such as the session laws, in that it deals with general law only, and does not include joint resolutions or those laws which are purely

Revised editions of Miller's work were gotten out in 1884, 1888, and 1890.

A supplement to Judge McClain's work appeared in 1884. In 1888 he published the *Annotated Code and Statutes*. In 1892 a supplement to the latter work was published.

For a list of Iowa codes, both official and private, see *Check List of the Publications of the State of Iowa*, 1904, p. 34.

<sup>4</sup> See *Iowa Historical Lectures*, 1892, p. 84. In 1840 the Territorial legislature enacted a law which provided that none of the statutes of Great Britain should be in effect in Iowa. The court holds that this "does not extend to the statutes of *England*", but "was intended to prescribe the event of the union of the crown of England with that of Scotland, as the period at which the statutes of England should cease to operate upon our law".—*O'Ferrall v. Simplot*, 4 Iowa 381. The quotations are from the syllabus. See *Laws of the Territory of Iowa*, 1840 (Ex. Session), Chap. 29, Sec. 8, p. 20.

<sup>5</sup> Preface to the *Revision of 1860*, p. iv.



private or local in their nature. This distinction is admirably brought out in a Georgia case, where the court holds that "there is quite a difference between a code of laws for a state and a compilation in revised form of its statutes. The code is broader in its scope, and more comprehensive in its purposes. Its general object is to embody as near as practicable all the law of a state, from whatever source derived. When properly adopted by the law-making power of a state, it has the same effect as one general act of the legislature containing all the provisions embraced in the volume that is thus adopted. It is more than evidentiary of the law. It is the law itself."<sup>6</sup> A code, then, is "a general collection or compilation of laws by public authority. The word is used frequently in the United States to signify a concise, comprehensive, systematic reënactment of the law, deduced from both its principal sources, the pre-existing statutes, and the adjudications of courts, as distinguished from compilations of statute law only."<sup>7</sup>

Two methods have been employed in the making of the codes in Iowa. During the Territorial period the legislature itself attempted to do the work without the aid of men learned in the law; but the results of this method were far from satisfactory. After the Territory became a State, the work of codification was invariably entrusted to a board of Commissioners, who prepared a code for adoption or rejection, in whole or in part, by the General Assembly.

Although there were codes so-called in the several jurisdictions<sup>8</sup> to which the Iowa country was subjected prior to

<sup>6</sup> Quoted from the article on *Code* in the *Cyclopedia of Law and Procedure*, 7 Cyc. 269. The case is reported in 104 Georgia 831.

<sup>7</sup> From the article on *Code* in *The American and English Encyclopedia of Law*, (2nd edition), Vol. VI, p. 173.

<sup>8</sup> The jurisdictions were: District of Louisiana, 1804-1805; Territory of Louisiana, 1805-1812; Territory of Missouri, 1812-1821; Territory of Michigan, 1834-1836; and the Original Territory of Wisconsin, 1836-1838.

1838, none of these early compilations<sup>9</sup> will be considered in this paper for obvious reasons. Nor will any notice be taken in this connection of the extra-legal codes or constitutions adopted by the early settlers in their Claim Associations,<sup>10</sup> or the by-laws subscribed to by the Dubuque miners in 1830.<sup>11</sup>

The first publication of Iowa laws which bears any semblance to a code is *The Statute Laws of the Territory of Iowa*, 1838-1839, known to some writers as *The Old Blue Book*.<sup>12</sup> This was followed in 1843, by a more extensive book entitled the *Revised Statutes of the Territory of Iowa*, 1842-1843, and popularly known as *The Blue Book*.<sup>13</sup> These volumes, which belong to the Territorial period, are not codes in any strict sense of the term. And yet, both have some resemblance to a systematic compilation in the arrangement of matter, which does not follow the chronological order of the acts as approved; both served as a guide to the law of the Territory; and both may be considered as the forerunners to the later real codes of the State.

The first suggestion looking toward a codification of the

<sup>9</sup> For example, in Michigan there had been published prior to 1834 three so-called codes: *The Woodward Code*, 1805, published at Washington, D. C.; the *Cass Code*, 1816, published at Detroit, Mich.; and the *Code of 1820*. These compilations are reprinted in Vol. I of the *Laws of the Territory of Michigan* as published in 1871, p. xiii.

<sup>10</sup> See Shambaugh's *Constitution and Records of the Claim Association of Johnson County*; also Shambaugh's *Frontier Land Clubs or Claim Associations* in the *Annual Report of the American Historical Association for 1900*, Vol. I, pp. 67-84.

<sup>11</sup> See Parish's *The Langworthys of Early Dubuque and Their Contributions to Local History* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VIII, p. 317.

<sup>12</sup> Cole's *Historical Bibliography of the Statute Law of Iowa* in *The Law Bulletin*, (State University of Iowa), No. 2, note on p. 40. He says "This vol. is the 'Old Blue Book' having been bound with blue paper sides."

<sup>13</sup> Cole's *Historical Bibliography of the Statute Law of Iowa* in *The Law Bulletin*, (State University of Iowa), No. 2, note on p. 41.

laws of Iowa was made by Governor Henry Dodge in his message to the Legislative Assembly in 1837, where he says:—

By the organic law of Congress, the laws of the late Territory of Michigan are in force until altered, modified, or repealed. There has been a great accession of population to this Territory within the last four years, from every part of the United States: the state and condition of the people has been greatly changed, and the existing laws now in force (many of them) are not suited to the habits and wants of the citizens of this territory. I recommend for your consideration, at an early day of your session, the propriety of selecting three or more competent persons to report a code of laws to be submitted to the action of the Legislative Assembly during their present session.<sup>14</sup>

A leading newspaper of the time, after mentioning the convening of the legislature, remarks editorially:—

There is one measure to be acted on, which all concede to be of paramount importance — we mean the revision of our present, or the adoption of an entire new code of laws. Something must be done on this subject, or we shall have to halt. It is time the people should know what laws are in existence in our Territory, and what are not. This opportunity, we hope, will soon be afforded them.<sup>15</sup>

Less than a year later, on July 4, 1838, that part of Wisconsin Territory lying west of the Mississippi River was erected into the Territory of Iowa. By the act which created this Territory it was provided that “the existing laws of the Territory of Wisconsin shall be extended over said territory, so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed by the governor and legislative assembly of the said territory of Iowa.”<sup>16</sup>

<sup>14</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 12.

<sup>15</sup> *Wisconsin Territorial Gazette and Burlington Advertiser*, Vol. I, No. 18, Thursday, November 11, 1837.

<sup>16</sup> Section 12 of the act of Congress, approved June 12, 1838, “to divide the Territory of Wisconsin, and establish the Territorial Government of Iowa.”

Although the legislature of the original Territory of Wisconsin had by a joint resolution provided for the printing of a compilation of the laws in force in the Territory,<sup>17</sup> the first Legislative Assembly of the Territory of Iowa proceeded to enact a great many new laws which finally took the form of a volume entitled *The Statute Laws of the Territory of Iowa, 1838-1839*.

THE OLD BLUE BOOK

The first Territorial legislature met on November 12, 1838, at Burlington. On this same day Governor Robert Lucas, in a lengthy message outlining the needs of the new Territory, strongly urged the adoption of a code of laws in the following terms:—

The compilation and enactment of a complete Code of laws, particularly adapted to our situation and interest, would require more time and deliberation, than is allotted to the Legislative Assembly during its session. And, indeed, experience has taught us, that it is impracticable to digest, report, and enact a complete code of laws during the session of a Legislative body.

I would therefore suggest for your consideration, as a subject of the greatest importance to the future prosperity of the Territory, the appointment of a committee not to exceed three persons, of known legal experience and weight of character, to digest and prepare a complete code of laws during the recess of the Legislature, and to report them for consideration and enactment at the ensuing session. By pursuing this method, in the course of two years we will be released from the ambiguity of existing laws, and our system of jurisprudence will be established upon a firm foundation, peculiar[l]y adapted to the situation, interests, habits, and wants of our citizens.<sup>18</sup>

<sup>17</sup> *Laws of Wisconsin, 1836-1838*, Joint Resolutions, Nos. 11 and 15, pp. 524, 526.

<sup>18</sup> Shambaugh's *Executive Journal of Iowa, 1838-1841*, p. 55; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 89; *Council Journal, Territory of Iowa, 1838-1839*, p. 12; and *Journal of the House of Representatives, Territory of Iowa, 1838-1839*, p. 11.

The suggestion of Governor Lucas did not seem to meet with the hearty approval of the legislature. In the House, Mr. James Brierly of Lee County offered a resolution calling for the appointment of a committee "to draft and revise a code of laws for the Territory of Iowa";<sup>19</sup> but on the motion of Mr. James W. Grimes, the resolution was laid upon the table, from which it seems never to have been taken.<sup>20</sup>

At the outset the two houses of the legislature pursued a different course of action in reference to the making of a code. In the journal of the House of Representatives it is recorded that on November 14, 1838, Mr. Grimes of the Judiciary Committee, offered the following resolution, which was adopted:

That the Judges of the Supreme Court, be requested to present to this House during the present session, for its action upon the same, such bills for this Territory as they should deem necessary for adoption.<sup>21</sup>

The Council, on the other hand, simply referred that part of the message of Governor Lucas which related to the appointment of a committee to draft and prepare a code of laws to the Judiciary Committee,<sup>22</sup> which was composed of Messrs. Stephen Hempstead, Jonathan W. Parker, E. A. M. Swazy, Charles Whittlesey, and Arthur Inghram.<sup>23</sup>

On November 21, 1838, both houses adopted a joint resolution, similar to the House resolution of November 14th, requesting the Judges of the Supreme Court "to furnish this Legislative Assembly, during its present session, with

<sup>19</sup> *House Journal*, Territory of Iowa, 1838-1839, p. 21.

<sup>20</sup> *House Journal*, Territory of Iowa, 1838-1839, p. 21.

<sup>21</sup> *House Journal*, Territory of Iowa, 1838-1839, p. 20.

<sup>22</sup> *Council Journal*, Territory of Iowa, 1838-1839, p. 40.

<sup>23</sup> *Council Journal*, Territory of Iowa, 1838-1839, p. 23. Messrs. Charles Whittlesey and Arthur Inghram were added later in the session.

such bills, as will, in their opinion, form a proper code of jurisprudence for Iowa, and regulate the practice of the courts thereof.”<sup>24</sup>

Previous to the adoption of this resolution, however, copies of several laws, covering various subjects, were submitted to the legislature by Judges Charles Mason, T. S. Wilson, and Joseph Williams,<sup>25</sup> and were enacted into law. In fact, many of the most important laws passed at this first session of the Legislative Assembly were penned by Judge Mason, who was at that time the Chief Justice of the Supreme Court.<sup>26</sup> The resolution above referred to was looked upon as an act of employment, and the question of the compensation of the Judges in framing the laws gave rise to a complex legislative controversy.<sup>27</sup>

The question of who should print the laws was the next question to be settled. Two firms had champions in both houses. James G. Edwards of Burlington had printed the laws of Wisconsin Territory the previous year, and Mr. Grimes, chairman of the Judiciary Committee in the House, was strongly in his favor.<sup>28</sup> But it appears that on November 27, 1838, a joint resolution was approved, providing “that Russell and Reeves, of Du Buque, be employed to print the Laws passed at the present session on the same terms, [that is, the same prices as were paid to the printers of Congress for such work] and that the said Russell and Reeves be required to enter into bonds, with good and suf-

<sup>24</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 517, Joint Resolution, No. 7, approved January 4, 1839.

<sup>25</sup> *House Journal, Territory of Iowa, 1838-1839*, p. 74.

<sup>26</sup> For a paper on Chief Justice Mason see McClain's *Charles Mason — Iowa's First Jurist* in the *Annals of Iowa*, 3rd Series, Vol. IV, p. 595.

<sup>27</sup> *House Journal, Territory of Iowa, 1838-1839*, pp. 129, 130, 134, 139, 142, and 144. The question was kept alive during a considerable part of the session.

<sup>28</sup> *House Journal, Territory of Iowa, 1838-1839*, p. 36.

ficient security, to the Secretary of the Territory, in the sum of five thousand dollars, to have the same ready for delivery on the first day of May, A. D. 1839.”<sup>29</sup>

The act, however, which authorized the publication of the laws of 1838-1839 was approved January 21, 1839.<sup>30</sup> By its provisions the Territorial Secretary was directed to furnish the Territorial printer with a true copy of the acts and joint resolutions passed at that session of the legislature; and in addition he was required “to make an index and marginal notes” to the same and to furnish these to the printer along with the laws, “to superintend the printing, in such manner as he may conceive most conducive to the public good”, and to certify that the laws were correct according to the enrolled bills in his office.<sup>31</sup> Furthermore the act stipulates that “there shall be prefixed to the volume . . . a complete table of contents” and various documents.

As stated above, *The Statute Laws of the Territory of Iowa, 1838-1839*, do not in the strict sense of the term constitute a code of laws. It would be more proper to refer to them simply as the session laws of 1838-1839. But the arrangement of the statutes under various headings, their publication in alphabetical order, and the scope of the subjects included give to the work something more than the appearance merely of a code. Containing as it did the various important documents, the volume served the purpose of a code rather than a collection of acts and may be properly regarded as a forerunner of later compilations.

*The Statute Laws of the Territory of Iowa, 1838-1839*, contains five hundred and ninety-eight pages. Two thou-

<sup>29</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 515.

<sup>30</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 321.

<sup>31</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 322.

sand copies were ordered to be printed and put up in half binding,<sup>32</sup> the covers of which were a pale blue cardboard — from which it took the name of *The Old Blue Book*. The title page in full reads as follows:—

THE STATUTE LAWS  
OF THE  
TERRITORY OF IOWA,  
ENACTED AT THE FIRST SESSION OF THE LEGISLATIVE ASSEMBLY  
OF SAID TERRITORY, HELD AT BURLINGTON, A. D. 1838-'39.

PUBLISHED BY AUTHORITY.

DU BUQUE:  
RUSSELL AND REEVES, PRINTERS  
1839.

The Secretary's certificate, required by the act authorizing the publishing of the volume, stating that the printed pages were correct copies of the enrolled bills, is dated July 23, 1839.<sup>33</sup> The joint resolution provided that the book should be ready for delivery on the first day of May. Thus it is evident that there was a considerable delay in completing the work, a fact which caused trouble when it came time to pay for the printing.

The first document in this compilation is the "Declaration of Independence", which is followed by the "Constitution of the United States", "The Ordinance of 1787", and "The Organic Law of Iowa". In addition to these, in an appendix at the close of the book, may be found an act of Congress concerning the Naturalization of Aliens, of May 24, 1828, and the "Articles of Confederation."<sup>34</sup>

The acts of the Territorial legislature are grouped under

<sup>32</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 517.

<sup>33</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, reverse of title page.

<sup>34</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 522.



seventy-four headings, which are arranged alphabetically, commencing with "Abatement" and ending with "Worshipping Congregations". The statutes themselves compare favorably with those of later assemblies. They are clear and free from ambiguity; and though some may be criticised as to arrangement, the majority are of a high order, both from a literary and a legal standpoint.

The headings of the various sections are sometimes misleading. For example, under "Mechanic"<sup>35</sup> the law refers to liens and the methods of foreclosing the same; under "Legislative Assembly"<sup>36</sup> the act is one "to district the Territory of Iowa into electoral districts, and to apportion the Representatives of each"; and under "Burlington"<sup>37</sup> appears "An Act to improve the Police of the City of Burlington."

In the arrangement of the contents, laws of a general nature are not separated from those of a special or private character. And so the book contains a number of acts granting ferry privileges and regulating their operation, acts establishing roads,<sup>38</sup> and acts authorizing individuals to erect mill dams. There are also eleven acts which refer to counties and to county boundaries.<sup>39</sup> One statute changes the old county of Slaughter into the Washington County of to-day;<sup>40</sup> and another provides that "so soon as the place shall be selected" for a seat of government, it should be called "Iowa City".<sup>41</sup> A considerable number of

<sup>35</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 327.

<sup>36</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 324.

<sup>37</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 71.

<sup>38</sup> There were six acts relating to Roads.—*The Statute Laws of the Territory of Iowa, 1838-1839*, pp. 427-435.

<sup>39</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, pp. 89-107.

<sup>40</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 100.

<sup>41</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 437.

laws are headed "Incorporations",<sup>42</sup> since in the absence of a general incorporation law every organization that desired corporate life had to secure a special charter from the legislature. The laws relating to county organization and county officers are not grouped into one division, but are scattered throughout the book.

Many of the statutes printed in *The Old Blue Book* are naturally of interest only from an historical standpoint. There is a law concerning "Blacks and Mulattoes"<sup>43</sup> which seems very harsh and unjust to-day, but which in 1839 expressed the sentiment of a majority of the inhabitants of Iowa.<sup>44</sup> No black or mulatto was allowed to reside or settle in the Territory unless he could produce a certificate under seal showing his freedom, and give a bond of five hundred dollars conditioned on his good behavior, and that such black or mulatto would not become a charge on the county. A conviction of any crime or misdemeanor acted as a forfeiture of such bond. Moreover, if the negro or mulatto failed to provide such security, it became the duty of the county commissioners to hire him out to the highest bidder for cash.<sup>45</sup>

Another law of interest is the one in regard to seals, as it shows the tendency of the early legislators to break away from some of the restrictions of the Common Law.<sup>46</sup> The law now is, of course, much more liberal than then; but the act referred to was more liberal than the Common Law, since it provided "That any instrument, to which the per-

<sup>42</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 227. There was a total of fourteen acts headed "Incorporations".

<sup>43</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 65.

<sup>44</sup> Many of the early settlers were from the South and naturally had the southern attitude toward the colored race.

<sup>45</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 66.

<sup>46</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 435.

son making the same shall affix any device, or scrawl, by way of seal, shall be adjudged and held to be of the same force and obligation as if it were actually sealed", and further, "All instruments shall be considered, and adjudged, as sealed instruments whenever the aforesaid scrawl or device, is attached by the mark thereof, although the word 'seal' is not mentioned in the body of the instrument."<sup>47</sup>

In the act defining crimes and punishments is found the interesting provision that "any person who shall steal any hog, shoat, or pig, or mark or alter the mark of any hog, shoat, or pig, with an intention of stealing the same, for every such offence, upon being thereof duly convicted, shall be fined in any sum not exceeding one hundred dollars, and moreover shall be imprisoned for a term not exceeding five years"<sup>48</sup> The crime of horse stealing, being of a much graver nature, was punished by a prison sentence of ten years.<sup>49</sup>

The code of criminal jurisprudence, which covers thirty pages, is to be found under the heading "Courts".<sup>50</sup> The act is divided into ten divisions, graded according to the enormity of the crime. One noticeable feature is the statutory definitions of murder, manslaughter, and the various crimes.<sup>51</sup> As a matter of fact, the crime of murder is not as fully defined in the *Code of 1897* as in the first code of the Territory. *The Old Blue Book*, however, has nothing to say of the greatest of all crimes, namely, treason.

The militia is very elaborately organized into three di-

<sup>47</sup> *The Statute Laws of the Territory of Iowa*, 1838-1839, p. 435.

<sup>48</sup> *The Statute Laws of the Territory of Iowa*, 1838-1839, p. 150.

<sup>49</sup> *The Statute Laws of the Territory of Iowa*, 1838-1839, p. 149.

<sup>50</sup> *The Statute Laws of the Territory of Iowa*, 1838-1839, p. 142.

<sup>51</sup> *The Statute Laws of the Territory of Iowa*, 1838-1839, p. 142.

visions of not less than two brigades each.<sup>52</sup> Such an organization seems to have given considerable trouble, as the militia law was continually being changed. The population of Iowa in 1838 was 22,859,<sup>53</sup> and the minimum organization called for six brigades; while to-day with a population of over two million the militia is organized into one brigade. The Adjutant General was to keep extensive records and was allowed "one hundred and fifty dollars, annually, for book stationery, and in full for all his services as such".<sup>54</sup>

The last statute in the book is headed "Worshiping Congregations", which is an act "to preserve good order in all worshiping congregations in this Territory."<sup>55</sup> The act makes it a crime, triable by jury, to use profane or vulgar language, or sell liquors within a certain distance of worshiping assemblages.

Under many of the acts of a private nature are to be found notes from the pen of Governor Lucas, which usually declare that so far as the law interferes "with private rights, or the property of the United States, it will be considered void", but in other respects it is valid.<sup>56</sup> These notes closely resembled judicial opinions and as such were clearly superfluous.

Throughout the volume there are complete marginal notes of an exceptionally high character. These are of great aid to the student who seeks a concise, correct statement of the law. The statutes are clothed in such simple

<sup>52</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 329.

<sup>53</sup> *House Journal, Territory of Iowa, 1840-1841*, p. 316.

<sup>54</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 334.

<sup>55</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 513.

<sup>56</sup> The writing of these opinions by Governor Lucas raised considerable opposition in the first session of the Legislative Assembly.—See Parish's *Robert Lucas*, p. 211.

and clear language that the man who is unacquainted with the law can easily understand them. At that time annotations had not made their appearance in compilations of Iowa laws; indeed, there were practically none to be made in connection with these Iowa statutes as the Supreme Court had only been in existence for a few months.<sup>57</sup> Following the acts of the Legislative Assembly are the joint resolutions — twelve in number.

As stated above, there was considerable delay in the publication of the laws. This was very provoking to Governor Lucas, and in his second annual message he gives a complete account of the reasons for their tardy appearance, in which he seeks to throw the blame on Secretary Wm. B. Conway, who had prepared the book for publication.<sup>58</sup> In speaking of the delay he says:—

They have just been received at this city, within a few days of six months after the time specified in the obligation. On examining the printed volume, delivered to me by the Secretary of the Territory, I find it contains his official certificate, dated the 23d of July, A. D. 1839, (nearly three months after the time the laws should have been ready for delivery) certifying that he had compared the pages with the “engrossed bills” deposited in his office, and that they contained true and correct copies. (The Secretary, I suppose meant the enrolled bills, as no “engrossed bills” are ever filed in the Secretary’s office as laws.) In this certificate the Secretary has been in error in one particular at least; for, in the first section of the act providing for and regulating general elections, in the Territory, I discover a very important interpolation in the printed

<sup>57</sup> There were only 191 cases tried during the Territorial period. Chief Justice Mason wrote 166 of the opinions, one of the most important of which was the case of Ralph, a colored man, which is reported in Bradford’s *Reports of the Decisions of the Supreme Court of Iowa*, 1840, p. 3. This case is also reported in *Morris*, p. 1. See McClain’s *Charles Mason — Iowa’s First Jurist* in the *Annals of Iowa*, 3rd Series, Vol. IV, p. 598, and also Parish’s *An Early Fugitive Slave Case West of the Mississippi River* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VI, p. 88.

<sup>58</sup> *The Statute Laws of the Territory of Iowa, 1838-1839*, p. 321.

copy, that changes materially the meaning of the law. The original enrolled bill signed by the presiding officers of both branches of the Legislative Assembly, approved by the Executive, and deposited in the Secretary's office, in the clause relating to the election of Delegate to Congress, reads as follows: "An election for Delegate to Congress, for members of the council, and county recorder, shall take place on the first Monday in August next — and forty, and on the same day in every second year thereafter." The printed copy is made to read "An election for Delegate to Congress, for members to the council, and county Recorder, shall take place on the first Monday of August, *Eighteen hundred* and forty, and on the same day in every second year thereafter." Thus we find the word "*next*" where it occurs after the word "*August*" in the original enrolled bill omitted, and the words "*Eighteen hundred*", that are not in the original roll interpolated in the printed copy. I have also examined the appendix with care, and find under the head *Naturalization of aliens* An act of Congress entitled "an Act to amend an Act concerning Naturalization," approved 24th May, 1828, printed which is the only act on this subject that I could find in the volume. The acts of the Legislative Assembly require the publication, in an appendix to the laws of the Territory, all acts of Congress now in force, relative to the naturalization of aliens, which would have included a general law on that subject, approved 14th April 1802, an additional act approved 26th of March 1804, an act regulating seamen, &c. approved 3d of March 1813, an act supplementary to acts heretofore passed, &c. approved July 30th, 1813, an act relative to evidence in case of naturalization, approved May 29th, 1824, all of which acts are in force and should have preceded the act published in the appendix.<sup>59</sup>

To avoid a repetition of such a delay, the Governor urged the appointment of a Public Printer.<sup>60</sup> But this recommendation met with little favor during the Territorial period, and the printing was given to those printers who were allied with the dominant political party.

<sup>59</sup> *House Journal*, Territory of Iowa, 1839-1840, p. 13. For the report of the legislative committee on the delay in printing, which gives a partial history of *The Old Blue Book*, see *House Journal*, Territory of Iowa, 1839-1840, pp. 46-48.

<sup>60</sup> *House Journal*, Territory of Iowa, 1839-1840, p. 13.

At the session of 1839-40 it became necessary to provide for the payment of the printing of *The Old Blue Book*. Messrs. Russell and Reeves had filed bonds in the sum of five thousand dollars, with three securities, that the laws would be published on May 1, 1839.<sup>61</sup> Because of the delay the Governor thought the legislature should interfere;<sup>62</sup> but in the early part of the second session a joint resolution was passed, declaring "That Russell & Reeves, publishers of the laws of the territory, be and they are hereby entitled to the balance due on said work, as though the same had been done by the first day of May eighteen hundred thirty-nine."<sup>63</sup> The Governor refused to sign this resolution, and it was passed over his veto.<sup>64</sup> What is meant by "balance" in this resolution is hard to determine. After Russell & Reeves had filed their bond, Mr. Grimes had introduced in the House a resolution that \$1,500 be advanced to them, but such resolution never became a law.<sup>65</sup> They were paid, however, "the like prices allowed for work by Congress". This amounted to \$3,943.00.<sup>66</sup> The last word on the question of paying for this code was given in the report of a committee to examine the amount annually appropriated for public printing.<sup>67</sup> It reads:—

Your committee are of opinion, that, at the prices fixed, the amount for printing the first volume should not have exceeded \$3239.36. Yet it will be seen by the above exhibit, that \$3943.00 was appropriated to satisfy "a balance" supposed to be due for

<sup>61</sup> *House Journal*, Territory of Iowa, 1838-1839, p. 263.

<sup>62</sup> *House Journal*, Territory of Iowa, 1839-1840, p. 13.

<sup>63</sup> Joint Resolution, No. 2. *Laws of the Territory of Iowa*, 1839-1840, p. 147.

<sup>64</sup> See above note 63.

<sup>65</sup> *House Journal*, Territory of Iowa, 1838-1839, p. 263.

<sup>66</sup> See report of the Investigating Committee, *House Journal*, Territory of Iowa, 1841-1842, pp. 234, 235.

<sup>67</sup> *House Journal*, Territory of Iowa, 1841-1842, p. 236.

that object — what was the whole sum allowed for that work the committee have been unable to ascertain; but this “balance” exceeds the amount your committee believe to have been due for the whole of said work; the sum of \$703.64.

Despite the fact that *The Old Blue Book* was hastily gotten together and comprised the laws of only one session of the Legislative Assembly, it was, nevertheless, destined to serve as a code of law for another jurisdiction, namely, Oregon. From 1841 until 1845 the question of local government in Oregon was a serious one. The United States had made no provision for a form of government and many of the settlers, who were loyal to the United States, feared that the joint occupancy of the country by Great Britain and the United States would terminate in the Englishman’s favor. Accordingly, they did everything in their power to hold Oregon for the Union.<sup>68</sup> The most important act of the settlers was, perhaps, the formation of the Provisional Government.<sup>69</sup> On May 2, 1843, a meeting was held at Champoege where it was decided by the settlers, by a very close vote, to form a government.<sup>70</sup> A committee was appointed to draw up a constitution which was to be submitted on July 5, 1843. The preamble of the report reads:—

We, the people of Oregon Territory, for the purpose of mutual protection and to secure peace and prosperity among ourselves,

<sup>68</sup> The following papers deal with the organization of Oregon Territory: Bradley’s *Political Beginnings in Oregon* in *The Quarterly of the Oregon Historical Society*, Vol. IX, p. 42; Herriott’s *Transplanting Iowa’s Laws to Oregon* in the *Annals of Iowa*, 3rd Series, Vol. VI, p. 455, reprinted in *The Quarterly of the Oregon Historical Society*, Vol. V, p. 139; Scott’s *The Formation and Administration of the Provisional Government of Oregon* in *The Quarterly of the Oregon Historical Society*, Vol. II, p. 95; Robertson’s *The Genesis of Political Authority and of a Commonwealth Government in Oregon* in *The Quarterly of the Oregon Historical Society*, Vol. I, p. 3; Benton’s *Thirty Years’ View*, Vol. II, pp. 470-482; and the *Congressional Globe*, 1842-1843, pp. 149-155.

<sup>69</sup> Scott’s *The Formation and Administration of the Provisional Government of Oregon* in *The Quarterly of the Oregon Historical Society*, Vol. II, p. 95.

<sup>70</sup> *The Quarterly of the Oregon Historical Society*, Vol. IX, p. 50.



agree to adopt the following laws until such time as the United States of America extend their jurisdiction over us.<sup>71</sup>

Two sections in this constitution provide for the adoption of the Iowa statutes. Article 12 of Section 2 declares:—

The laws of Iowa territory shall be the laws of this territory, in civil, military and criminal cases; where not otherwise provided for, and where no statute of Iowa applies, the principles of common law and equity shall govern.<sup>72</sup>

Again in Article 19 the framers of the Provisional Government made the following provision:—

That the following portion of the laws of Iowa, as laid down in the statute laws of the territory of Iowa enacted at the first session of the legislative assembly of said territory held at Burlington, A. D., 1838-9, published by authority, Du Buque, Bussel [Russell], and Reeves, printers, 1839. Certified to be a correct copy by Wm. B. Conway, secretary of Iowa territory, be adopted as the laws of this territory.<sup>73</sup>

A list of over thirty acts is then appended to the resolution.<sup>74</sup> Thus were the laws of Iowa embodied in the first Constitution of Oregon. The legislature which met later passed an act “adopting the statutes of Iowa, so far as they were applicable to the circumstances of the country.”<sup>75</sup>

Two reasons have been assigned for the adoption of the Iowa statutes as a part of the Constitution of Oregon. One writer says that “there was but one copy of the Iowa code in Oregon, and so far as we have been able to find out, there was no other copy of any kind of a code within reach of

<sup>71</sup> *The Quarterly of the Oregon Historical Society*, Vol. IX, p. 51.

<sup>72</sup> *Annals of Iowa*, 3rd Series, Vol. VI, p. 459. This constitution, copied from Grover's *Oregon Archives*, pp. 28-32, may be found in Baneroff's *History of Oregon*, Vol. I, pp. 306-309.

<sup>73</sup> *Annals of Iowa*, 3rd Series, Vol. VI, p. 459.

<sup>74</sup> *Annals of Iowa*, 3rd Series, Vol. VI, p. 460.

<sup>75</sup> *The Quarterly of the Oregon Historical Society*, Vol. IX, p. 59.

the legislators, and ignorant of modes of legal procedure as they were, it was necessary that they have some guide."<sup>76</sup> The same writer suggests that Iowa was laboring under the same conditions as Oregon, and her laws were more suitable than those of any other State or Territory for the use of the "Provisional Government."<sup>77</sup> Another writer intimates that the Iowa statutes might have been adopted as the result of a bill introduced in the United States Senate by Senator Louis F. Linn of Missouri, which provided for the organizing of Oregon into a Territory and extending the jurisdiction of the courts and judges of Iowa over the new Territory.<sup>78</sup> The bill failed of passage, but the provisions therein may have induced the inhabitants to consider Iowa's laws more favorably than those of any other commonwealth.<sup>79</sup>

The original edition of *The Old Blue Book* is very rare, and this fact led the Historical Department of Iowa to reprint the volume in 1900.<sup>80</sup> Judges Horace E. Deemer and Scott M. Ladd had this work in charge, and they had printed one thousand copies, bound in sheep, and of a larger size than the original. The reprint contains six hundred thirty-four pages, six by nine inches in size.

It should be remembered that *The Old Blue Book* did not contain all the law of the Territory. In 1839 the Judiciary Committee of the House reported a list of thirty-four acts of the Territories of Wisconsin and Michigan that were in force in Iowa.<sup>81</sup> Most of these acts related to the subjects

<sup>76</sup> *The Quarterly of the Oregon Historical Society*, Vol. IX, p. 59.

<sup>77</sup> *The Quarterly of the Oregon Historical Society*, Vol. IX, pp. 59, 60.

<sup>78</sup> Benton's *Thirty Years' View*, Vol. II, p. 470.

<sup>79</sup> *Annals of Iowa*, 3rd Series, Vol. VI, p. 462.

<sup>80</sup> Prefatory note to the reprint of *The Statute Laws of the Territory of Iowa, 1838-1839*.

<sup>81</sup> *House Journal, Territory of Iowa, 1839-1840*, p. 51.

of property or criminal law, and in certain cases were the only laws on the subjects covered, which were in existence in Iowa.<sup>82</sup>

Except as modified by acts of the Legislative Assembly, *The Old Blue Book* remained in force for four years, or until the *Revised Statutes of the Territory of Iowa*, 1842-1843, known to the bar as *The Blue Book*, was adopted. The majority of the laws were held in high regard, owing, no doubt, to their simplicity and clearness. Indeed, many of the acts were models in every respect. Few met with criticism and disapproval. Although many petitions came to the legislature to repeal the law concerning Blacks and Mulattoes,<sup>83</sup> the legislature persistently refused to modify the statute. Indeed, the select committee, to which the petitions were referred, reported that "an amendment to the law, prohibiting, positively, their settlement among us, would approach more nearly the true policy of our Territory."<sup>84</sup>

This interesting little book was the forerunner of the codes of Iowa. Though it did not contain all the statute law in force, it served the same function as the present-day code. In it there was no attempt to classify the law according to topics, or arrange the acts in the order of their approval by the Governor. The laws were arranged alphabetically under a system of arbitrary headings, which were in many cases misleading. But the laws themselves were of a high character. It was only natural that with every session of the legislature new laws should have been enacted, until it became necessary to displace this work with another more complete. But for four years *The Old Blue Book* served as a guide to Iowa's laws, and for five years

<sup>82</sup> The act regulating marriages was one of this class.

<sup>83</sup> *House Journal*, Territory of Iowa, 1840-1841, p. 235.

<sup>84</sup> *House Journal*, Territory of Iowa, 1841-1842, p. 224.

under the Provisional Government it served as a part of the Constitution of Oregon. In it were first enunciated some of the principles of Iowa jurisprudence and it stands to-day as the first monument to codified law in Iowa.

## THE BLUE BOOK

It soon became evident, that with the large number of new laws passed at each session of the Legislative Assembly, *The Statute Laws of the Territory of Iowa, 1838-1839*, would have a rapidly decreasing value. Furthermore, many laws were repealed during this period,<sup>85</sup> so that it became difficult to tell what statutes were in force, and what were not. On November 5, 1840, Mr. Shepherd Lefler of Des Moines County, who was chairman of the Judiciary Committee,<sup>86</sup> introduced a resolution in the House of Representatives calling "for the appointment of a Committee to revise the laws".<sup>87</sup> After being buffeted about, the resolution was indefinitely postponed. Again, in the session a year later, Mr. James K. Moss of Jackson County introduced a "Joint Resolution relative to the revision of the laws of the Territory".<sup>88</sup> This bill seemed to show some signs of passing, but it was laid upon the table shortly before the close of the session.

Early in the session of 1842-1843 the question of revising the laws was again agitated. One leading newspaper, speaking editorially, plainly states that "The opinion has been for a long time past universal among those most con-

<sup>85</sup> At the extra session of 1840 an act was passed repealing all the laws of Michigan and Wisconsin in force on July 4, 1838, and also provided that "none of the statutes of Great Britain shall be considered as law of this Territory." — Chapter 29, *Laws of the Territory of Iowa, Extra Session, 1840*, p. 21; reprint p. 25. See also above note 4.

<sup>86</sup> *House Journal, Territory of Iowa, 1840-1841*, p. 16.

<sup>87</sup> *House Journal, Territory of Iowa, 1840-1841*, p. 149.

<sup>88</sup> *House Journal, Territory of Iowa, 1841-1842*, p. 177.

versant with the operation and effect of our statutes that they need a careful revision.”<sup>89</sup> The *Iowa Capitol Reporter* (Iowa City) declares that “there has perhaps never been an instance in our country where the laws continued in so imperfect, defective, confused and conflicting state for so long a time”, and it further declares that the need for revision is a “highly necessary and pressing exigency”.<sup>90</sup> Nevertheless there was strong opposition to revision encountered in both houses. On December 7, 1842, in the House of Representatives, Mr. Thomas McMillan of Henry County offered the following resolution:—

Resolved, by the Council and House of Representatives, That it is expedient to revise the laws of a general nature now in force in this Territory, and that a committee of —— members on the part of the Council, and —— members on the part of the House of Representatives, be appointed a Committee of Revision for that purpose.<sup>91</sup>

A week later the resolution was amended so as to read:—

That a committee of three be appointed on the part of the House, to confer with a similar committee to be appointed on the part of the Council, to take into consideration the expediency of revising the laws of this Territory, and report to this House.<sup>92</sup>

The resolution as thus amended was adopted by the House and Messrs. George H. Walworth, Thomas McMillan, and Thomas Rogers were appointed on the Committee.<sup>93</sup> Three days later these gentlemen reported a resolution favoring a revision of the laws of the Territory and calling

<sup>89</sup> *Iowa Capitol Reporter* (Iowa City), Vol. II, No. 3, Saturday, December 24, 1842.

<sup>90</sup> *Iowa Capitol Reporter* (Iowa City), Vol. II, No. 3, Saturday, December 24, 1842.

<sup>91</sup> *House Journal*, Territory of Iowa, 1842-1843, p. 16.

<sup>92</sup> *House Journal*, Territory of Iowa, 1842-1843, p. 39.

<sup>93</sup> *House Journal*, Territory of Iowa, 1842-1843, p. 39.

for the appointment of a committee of eight, which was to act with a similar committee from the Council<sup>94</sup> as a standing committee on revision. It appears, however, that about one-third of the members were much opposed to such a method of revision, and through Mr. Thomas Rogers they offered a substitute, providing "that three competent individuals be appointed by the Governor, by and with the advice and consent of the Council for that purpose, and report the result of their labors to the next session of the Legislature".<sup>95</sup> But by a vote of nineteen to seven this substitute was lost and the committee's report was adopted.

A spirited contest also took place in the Council. On December 9, 1842, Mr. Joseph B. Teas of Jefferson County introduced a resolution calling for the appointment of a committee to work with a similar committee from the House "to revise and compile" the laws of the Territory.<sup>96</sup> This was referred in the course of time to the Judiciary Committee, but before they could report, the House resolution calling for the committee to investigate the "expediency" of revising the laws was received and adopted by the Council, Messrs. Joseph B. Teas, Robert Christie, and William H. Wallace being appointed on the committee.<sup>97</sup>

Here, as in the House, the joint resolution which the committee reported<sup>98</sup> had its enemies. Mr. Thomas Cox, an influential member, moved to amend the resolution "by requiring the Judges of the Supreme Court to revise and compile the laws and report to the next Session of the Legislature",<sup>99</sup> but his motion was lost by a vote of nine to three.

<sup>94</sup> *House Journal*, Territory of Iowa, 1842-1843, p. 49.

<sup>95</sup> *House Journal*, Territory of Iowa, 1842-1843, p. 50.

<sup>96</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 14.

<sup>97</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 23.

<sup>98</sup> See above note 94.

<sup>99</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 27.

The majority seemed determined to kill all amendments or substitutes, and in the end the original report of the committee was adopted.

The resolution which was finally adopted by the Legislative Assembly provided for a standing committee on revision to be composed of four members from the Council and eight from the House. Those appointed from the Council were Mr. Joseph B. Teas, who had worked hard to secure the passage of the resolution, and Messrs. William H. Wallace, William Patterson, and Robert Christie.<sup>100</sup> From the House came Messrs. Frederick Andros, Henry Felkner, Abner Hackleman, Isaac N. Lewis, Joseph Newell, Joseph M. Robertson, and two champions of the revision, Messrs. Thomas McMillan and George H. Walworth.<sup>101</sup>

Newspaper sentiment was not wholly in favor of such a method of revision as had been adopted. One of the newspapers most friendly to the measure considered it a makeshift, until the Territory should become the State of Iowa.<sup>102</sup> Another leading newspaper of the day arraigns the measure in the following terms:—

If such a work should be executed *skilfully* it would be a great public benefit, but if it cannot so be done, it would be better let alone and left undone. It appears from the resolution first introduced, and from some remarks made in the House where it was moved, that an idea is entertained of having a revision made by the legislature itself, during its session. It is *impossible* in the nature of things that such a revision can be in any way a complete one, or such as is demanded. The defects of a system of laws cannot be perceived on a casual or even a careful reading by an experienced lawyer, much less can they be understood by persons not expert in the law; as are most of the members of our legislature. A ship

<sup>100</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 28.

<sup>101</sup> *House Journal*, Territory of Iowa, 1842-1843, p. 55.

<sup>102</sup> *The Iowa Standard* (Iowa City), Vol. III, No. 4, Thursday, December 29, 1842.

builder or a master sailor may look at a piece of construction in that art, and both pronounce it to be perfect in model and finish: but when the master has become better acquainted by an actual trial, he frequently finds that he has been much deceived, and that the performance of his vessel in some respects is by no means equal to the promise held out to the eye. He then is first made acquainted with its defects. So it is with laws. It is necessary that even a jurist should be acquainted with their practical operation in the courts, before he is sensible of their defects.

But if the legislature were composed wholly of such kind of men, they would be unable to make a proper revision of laws *during the session*. My life on it, the best lawyers in both houses will so confess. A revision of a body of laws requires the patient, secluded, uninterrupted labor of the closet. It cannot be effected in the midst of the multiplied and various business of legislation, in the hurry, din, confusion, and political intrigue, the thousand applications and interruptions from abroad, the perpetual bustle, motion, argumentation and project of the members themselves. This is no time, this is no place, these are not attendants favorable to a calm and deliberate examination, to the patient and severe labor of providing and skilfully executing the work of a new body of laws.

It would be no compliment to former legislatures to assume on the part of the present, that these could, under the very same circumstances, and with the same facilities enjoyed by former legislatures, and no better, put the laws into so much better shape as is requisite than their predecessors could.

The expense of doing the work by the legislature would be much greater than by a committee of jurists, and the work when done, would be of very little value, or none at all. It would still require that revision which it can only have in a mode different from that intimated in the resolution. The time required for its completion in that way was assumed to be fifty days. The legislature is composed of thirty nine members and ten officers — in the whole forty-nine. These are all under pay while the work progresses, fifty days at three dollars a day: the whole expense of which will be \$7350. The expense of printing would raise the whole expense of the work to about \$10,000, and it would be nearly if not quite lost. On the other hand, committee of two jurists at \$1500 or three at \$1000 would be competent to complete the business, which would be a



saving of \$4000 to \$5000 dollars; and the work when done would be much more valuable.<sup>103</sup>

On January 23, 1843, a resolution was introduced in the Council calling upon the Secretary of the Territory to receive proposals from the different editors in the Territory for the printing of the laws<sup>104</sup>—a proposition which did not meet with general approval. As a matter of fact the printing was let by joint resolution to Hughes and Williams,<sup>105</sup> to be done according to the prices prescribed by law.<sup>106</sup> This resolution, however, did not pass without strong opposition, as the firms of John B. Russell and of Wilson and Keesecker had many friends in both houses.<sup>107</sup>

The exact method of preparing the book is not fully known, as much of the labor was done as committee work, of which no records were preserved. The title of the book gives the information that the laws contained therein were "Revised and Compiled by a Joint Committee of the Legislature . . . and Arranged by The Secretary of the Territory."<sup>108</sup> At various times throughout the session the Committee on Revision reported the introduction of bills for the action of the legislature. The labor performed by the Secretary in arranging the laws was prescribed in the Organic Law of the Territory;<sup>109</sup> but the Legislative Assembly also empowered him to employ an assistant, appropriating therefor the sum of two hundred and fifty dollars.<sup>110</sup>

<sup>103</sup> *Iowa Capitol Reporter* (Iowa City), Vol. II, No. 3, Saturday, December 24, 1842.

<sup>104</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 80.

<sup>105</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 730.

<sup>106</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 498.

<sup>107</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 156.

<sup>108</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, the title page.

<sup>109</sup> *The Statute Laws of the Territory of Iowa*, 1838-1839, p. 32.

<sup>110</sup> *Local Laws of the Territory of Iowa*, 1843, joint resolution number 10, p. 98.

The law authorizing the publishing of this work provides that "two thousand five hundred copies of the laws of a general nature, enacted at the present session of the Legislative Assembly, together with all laws of a general nature, ordered to be reprinted by this Legislative Assembly, shall be published in one volume, to be bound after the manner of the volume of laws enacted at the first session of the Legislative Assembly in 1838 and '9."<sup>111</sup> The local laws and those of a private nature were printed in a separate volume.<sup>112</sup> This fact explains the absence of statutes of a general nature in the session laws of this Legislative Assembly.

The *Revised Statutes of the Territory of Iowa, 1842-1843*, was known to the bench and bar as *The Blue Book*, and like its predecessor it derived this name from the color of its covers.<sup>113</sup> In size the compilation of 1842-1843 is larger than the earlier volume of 1838-1839, containing nine hundred and four pages as compared with five hundred and ninety-eight pages in the latter. The title page reads:—

REVISED STATUTES  
OF THE  
TERRITORY OF IOWA,  
REVISED AND COMPILED BY A JOINT COMMITTEE OF THE  
LEGISLATURE — SESSION 1842-'43,  
AND ARRANGED BY  
THE SECRETARY OF THE TERRITORY.

---

PUBLISHED BY AUTHORITY.

---

IOWA CITY :  
PRINTED BY HUGHES & WILLIAMS.  
1843.

<sup>111</sup> *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 378.

<sup>112</sup> The laws of a local nature were printed in pamphlet form and entitled *Local Laws of the Territory of Iowa, 1843*.

<sup>113</sup> See above note 13.

The certificate of the Secretary is dated July 1, 1843, and states "that the Acts and Resolutions, hereinafter published have been compared with the copies on file in this Office, and that they correspond in every respect with said copies." O. H. W. Stull was Secretary at this time and on him was later placed the blame for the delay in the preparation of the volume.

Aside from the laws and resolutions, the scope of the contents of *The Blue Book* are very similar to those of *The Old Blue Book*. There is the Declaration of Independence, the Constitution of the United States and the amendments thereto, the Ordinance of 1787, the Organic Law and the two amendments to the same, and the Treaty of Cession of Louisiana. Following the joint resolutions is a list of the published acts, by number and title, and the Federal Act concerning the Naturalization of Aliens. An interesting and valuable feature of *The Blue Book* is a section entitled "Explanations of certain terms made use of in the existing Laws of Iowa."<sup>114</sup> The index covers one hundred seventy-three pages and is more complete than the unsatisfactory indices found in most of the volumes of early Territorial or State documents.

The laws contained in this volume are divided into one hundred sixty-two chapters, which are arranged alphabetically in the same manner as in *The Old Blue Book*. Some of the headings, not having been selected with proper regard to the purpose or contents of the act, are misleading. Forty-seven of the chapters are taken in whole or in part from *The Old Blue Book*; while one hundred fifteen chapters are acts passed subsequent to the session of 1838-1839.<sup>115</sup> Each act is introduced by an abstract of the sec-

<sup>114</sup> *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 745.

<sup>115</sup> The acts taken from *The Old Blue Book* are in most cases taken entire, only one or two being taken in part.

tions — which takes the place of the marginal notes in *The Old Blue Book*.

An examination of the various laws included reveals some interesting facts. There are fourteen distinct chapters referring to the courts,<sup>116</sup> instead of one act creating and regulating the same. Chapter sixty-six is headed "Education", but provides for gifts of land to educational or religious societies.<sup>117</sup> Another chapter is an act "to abolish imprisonment for debt";<sup>118</sup> and it is worthy of note that this is the first time in the history of Iowa that such an act appears in a compilation other than the Session Laws.<sup>119</sup> Chapter eighty-two, headed "Immoral Practices",<sup>120</sup> makes it a misdemeanor punishable by a fine to sell intoxicating liquor on the Sabbath or to swear within the hearing of any religious assembly. The act on "Worshipping Congregations",<sup>121</sup> contains stipulations similar to those in the act on "Immoral Practices".

The section on "Justices of the Peace" is the longest in the book<sup>122</sup>— covering sixty-eight pages — and along with the two chapters on "Practice"<sup>123</sup> constitutes the code of civil procedure. Section three of the law on "Grocery Licenses"<sup>124</sup> holds that "A grocery shall be deemed to include any house or place where spirituous or vinous liquors are retailed by less quantities than one gallon." The li-

<sup>116</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 135.

<sup>117</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 242.

<sup>118</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 235.

<sup>119</sup> A similar act had been first published in the *Laws of the Territory of Iowa*, 1839-1840, Chapter 82, p. 122.

<sup>120</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 294.

<sup>121</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 657.

<sup>122</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 302.

<sup>123</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 466.

<sup>124</sup> *Revised Statutes of the Territory of Iowa*, 1842-1843, p. 373.

cense fee ranged between twenty-five and one hundred dollars, according to the will of the county commissioners.<sup>125</sup>

There are three acts concerning the militia, the first being approved on January 4, 1839; the second on July 31, 1840; and the third on February 17, 1842. It is difficult to understand why the first act is included as it is superseded by the second.<sup>126</sup> One of the peculiar sections of this latter act reads as follows:—

The commandants of companies are hereby authorized to put under guard, or to commit to prison for the day, and to return to the proper court-martial, any non-commissioned officer, musician or private, who shall appear on parade wearing any false face, personal disguise or other unusual ludicrous article of dress, or any arms, weapons, or other implements or things not required by law, and which are calculated to interrupt the peaceable and orderly discharge of duty.<sup>127</sup>

The book contains a chapter on "Marriages", which was lacking in *The Old Blue Book* — the laws of Michigan and Wisconsin being the only statutes then in force on that subject. The act on "Divorce and Alimony" is also one which appears for the first time in a book of Iowa law. Other chapters on important subjects which are new in this volume are those on "Landlord and Tenant", "Agriculture", "Mortgages", "Fugitives from Justice", "Poor Houses", "Coroners", "Common Schools", "Trespassing Animals", "Townships", and "Prairies".

In some instances the laws in *The Blue Book* lack the brevity and clearness of those in *The Old Blue Book*. For example confusion is caused by the appearance in several instances of two acts on the same subject. This situation

<sup>125</sup> *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 374.

<sup>126</sup> *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 396.

<sup>127</sup> *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 413.

resulted in all probability from the method employed in revision, as it was difficult to make a critical inspection of the numerous laws on the different subjects in the manner adopted by the committee on revision.

At the close of the session, Mr. John D. Elbert, the President of the Council, said in his farewell address: "Your untiring efforts to perfect a code of laws for the people of this rapidly rising, interesting and beautiful Territory, cannot fail to meet their entire approbation."<sup>128</sup> A year and a half later Governor John Chambers in his annual message declared that "Our Statutory Code seems to be satisfactory to the people, and I am not aware that any material changes in it are necessary."<sup>129</sup>

Despite these statements *The Blue Book* did not meet with universal approval. In the first place there was great delay in getting it into the hands of those who were to use it. The principal reason for the delay is explained by Mr. Charles Negus in his article on *The Early History of Iowa*.<sup>130</sup>

It was made the duty of the secretary to take charge of their publication and distribution [Revised Statutes]. Stull, who was then secretary, undertook the work, but, before he had completed it, was turned out of office, and S. J. Burr appointed in his place. Stull, being very much incensed at being deprived of his office, immediately abandoned the superintending of publishing and distributing the laws, and left the business in such a condition that it was very difficult to readily proceed with the work. On account of this interruption, the laws were not ready for distribution till late the next fall, and the people were from six to nine months with scarcely anyone knowing what the laws were. This delay caused

<sup>128</sup> *Council Journal*, Territory of Iowa, 1842-1843, p. 185.

<sup>129</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 285.

<sup>130</sup> Negus's *The Early History of Iowa* in the *Annals of Iowa*, April, 1871, Vol. IX, No. 2, p. 474.

the clause to be inserted in the constitution, soon after framed, which provided that no laws of a public nature should take effect until the same were published and circulated in the several counties by authority.<sup>131</sup>

The contemporary newspapers also blame Secretary Stull. William Crum, the editor of *The Iowa Standard* (Iowa City), writes:—

For the information of those at a distance, who are desirous of knowing in what situation the Revised Statutes of session before last, are, we will say that they have been bound and ready for delivery for the last three months. It is the duty of Ex-Secretary Stull to distribute them, or see that it is done; for he has received four hundred and fifty dollars for indexing and distributing them: Perhaps he was not aware that they were finished.<sup>132</sup>

The severest criticisms passed upon *The Blue Book* were in reference to its contents and the arrangement of the laws. In December, 1843, one of the leading newspapers contained these words:—

One very necessary work to be performed by the present Legislature will be to *revise* the *Revision*. As *unfinished business*, it might claim precedence of anything else. To be sure, no passing legislation can efface all its crudities, or set right the whole of its undigested and undigestible enactments. . . . But some of the more glaring faults might be corrected, and the rest left to be removed when a State code shall be arranged.<sup>133</sup>

Then follows a comparison of various sections of the revenue law, the valuation law, and the statute on Crimes and Punishments. In concluding the article the editor remarks:—

We will not take up our space by further citations. What we have brought to view sufficiently proves the necessity for a *re-*

<sup>131</sup> *Constitution of Iowa*, 1846, Art. 3, Sec. 27.

<sup>132</sup> *The Iowa Standard* (Iowa City), Vol. IV, No. 20, Thursday, May 16, 1844.

<sup>133</sup> *The Iowa Standard* (Iowa City), Vol. III, No. 49, Thursday, December 7, 1843.

Revision. Nor will we, at this time, allude to imperfections in other particulars, attaching to the work — lest we be subjected to a charge of ill-will.

The criticisms on the arrangement of the laws have been summed up by Judge Emlin McClain as follows:—

The Revised Statutes of the Territory published in 1843, compiled by a joint committee of the Legislature and arranged by the Secretary of the Territory, was a mere aggregation of existing statutes, under general headings selected with more or less discretion as the case might be, and arranged in alphabetical order. The results of this plan were in some instances truly wonderful. You find for example edifying chapters on Abatement, Agent, Auctioneer, Acts Amended, Blacks and Mulattoes, Chancery, Dogs, Right, Gaming, Immoral Practices, Grocery License, Laws, Prairies, Right, Stallions and Jacks, Wolves, and Worshipping Congregations; and you marvel at the high regard for consistency and convenience which seems to have dominated the minds of the compilers in selecting the titles and thus determining the order of the contents. It must have required the concurrent wisdom of master minds to collect provisions as to commissioners to sell county lands, a superintendent of public buildings at Iowa City, and commissioners to sell town lots in Iowa City, all under the head of Agents; to arrange in another chapter designated as Acts Amended, various provisions relating to taking up strays, fixing terms of court, regulating criminal procedure, and sales under execution; to place provisions relating to the offense of swearing within the hearing of a religious assemblage in the chapter on Immoral Practices and those as to the disturbance of a religious meeting by profane swearing, vulgar language, or immoral conduct in a chapter on Worshipping Congregations in a distant part of the volume; to bring together two different codes for the government of the militia, one of which wholly superceded the other; to treat Bills of Exchange in one place and Promissory Notes in another; to treat the Action of Right as a substitute for ejection and again among the R's; to insert in the chapter headed Repeal, and regulating the effect of the repeal of a statute, a section repealing, "An act respecting seals"; to collect statutes as to Roads in one place and insert elsewhere as the sole topic under Supervisors a section as to penalties



for refusing to work on the roads, while provisions as to Road Tax were placed in a chapter between Trespassing, Animals and Townships; and to treat Boats and Vessels in one chapter and Watercrafts, Lost Goods and Estrays in another.<sup>134</sup>

*The Blue Book* was the last attempt to publish all the statutes of the Territory in one volume. Neither *The Blue Book* nor its predecessor were codes, as the term is technically used; but both books had many features which made them more than mere compilations of existing statutes. Their influence was considerable, since the statutes which they contain were the ground-work for the later laws of Iowa. Indeed, many of the splendid features of Iowa law are to be traced to the statutes of the Territorial period. Following the publication of *The Blue Book*, the question of State organization and admission into the Union engrossed the attention of the legislators and the question of another revision was not seriously considered until statehood had been secured.

CLIFFORD POWELL

THE STATE HISTORICAL SOCIETY OF IOWA  
IOWA CITY, IOWA

<sup>134</sup> McClain's *Charles Mason — Iowa's First Jurist* in the *Annals of Iowa*, 3rd Series, Vol. IV, p. 605.

## THE COMING OF THE HOLLANDERS TO IOWA

TRANSLATED FROM THE DUTCH BY JACOB VAN DER ZEE

[*Eene Stem uit Pella* (A Voice from Pella) is the title of a pamphlet in the Dutch language written by Henry Peter Scholte in the month of March, 1848, printed at Amsterdam by Hoogkamer & Company, and now preserved in the archives of The State Historical Society of Iowa. The following pages are a more or less literal translation of this notable historical pamphlet. As the reader may judge, it was prepared specially for dissemination in The Netherlands.

Most memorable in the history of emigration from Holland are the years 1846 and 1847, because they represent the dates of the founding of prosperous Dutch colonies in Michigan and Iowa and mark the beginning of an exodus which has never abated. Thousands of Hollanders have since found homes in all of the north central States.

After William I. came to the throne of Holland in 1814, irregularities in the State Church and deviation from its doctrines so alarmed the orthodox, conservative party throughout the country that in 1834, under the leadership of a few clergymen, scores of people seceded from the State Church and formed small congregations. Of these clergymen, all of whom were suspended from their churches, Scholte was perhaps the foremost figure: he has been called "the Father of the Separation".

Despite the Dutch government's relentless persecution for many years, the Separatist congregations thrived and flourished; but even after they were recognized by royal decree in 1839 the members of the new sect were despised and cast out so that the economic distress throughout Holland was only aggravated among adherents of the new faith. Under these circumstances Scholte organized an Association at Utrecht in 1846; and in the spring of 1847 over eight hundred members of the Association, "the flower of the Dutch emigration of that day", departed for the United States, arriving in Iowa late in August, 1847. Such were the facts in brief which led to the coming of hundreds of Hollanders to the Pella colony southwest of Des Moines.—  
TRANSLATOR.]

### [1]

#### THE PREPARATION

Numerous former fellow-countrymen of mine must long ago have expected some article from my pen. The reason for my silence hitherto lies not in any indifference toward the land of my birth; for during my domicile in the United

States of North America I followed as closely as possible the fortunes of The Netherlands. It pained me to hear that affairs after my departure were so conducted that the blood of citizens had to be poured out, due not to differences with foreign potentates but to civil dissensions. Just as little must the reason for my silence be sought in dissatisfaction arising from my past experience. With grateful acknowledgment of God's good hand over me for the unusual honor which has come to me in my new country, I have sincerely forgiven the land of my birth for the unjust treatment meted out to me in various ways. The reason for my silence hitherto is that I did not like to trouble my former fellow-countrymen with matters which they can read in every book on America, and I did not care [2] to tell them facts which in themselves are of trifling importance but when colored a little have a certain charm for the minds of men. I believe I have become well enough acquainted with human nature to know how little it takes to portray a situation in light wholly different from the real, and I am convinced of having so much regard for my fellowmen that I do not wish to be instrumental in deluding them in any way.

As soon as I arrived in the United States of North America, I took pains to secure all possible information, useful and necessary for our colonization. The rumor of our coming had preceded me; and hardly had I reached America when I was stormed from various sides with offers of land so tempting that I am not surprised when foreigners who come here unprepared fall into the snare set for them by some land speculator. For the sake of our future peace of mind I took the trouble to investigate as accurately as possible the opportunities presented to me in various States.

Since the door to different circles was opened to me both by means of letters of recommendation from the North

American Minister in Holland and by influential friends, whose acquaintance I had previously made, I had abundant opportunity to obtain instruction in everything which I desired. At Washington too I found the higher government officials so ready and willing to help me in every way that [3] I could hardly trust my own experience, and I was involuntarily driven to compare them with officials in Holland — a comparison which did not redound to the credit of the latter country. Not only did I not experience any gruffness, not only was no greedy hand anywhere extended, but with the greatest modesty and willingness in answering my questions of investigation printed documents were presented to me free of cost, while a few days later a set of maps of the various States indicating the unsold government lands was sent to me at New York free.

Everything which I came to know as a result of those investigations convinced me more and more that the attention which we had fixed upon the western States during previous investigations in Holland was due to the good guidance of Providence.

During my sojourn in the old States I did not forget that Hollanders had made a settlement in Michigan. While I was at New York City the gifts of Christian charity were collected there to enable the Hollanders in Michigan to build a saw-mill. These tokens of good-will toward the Dutch colonist did not, however, induce me to trek to that region. I perceived the same thing at Albany, and I received also a letter from Sleijster who had journeyed from Wisconsin to Michigan to examine that colony's situation and who had obtained such a bad impression that [4] he returned again to Wisconsin where he lives at present.

The reasons which caused me to turn away from Michigan entirely, so far as the establishment of the colony of Netherlanders there is concerned, were: 1st, that region is

situated too far north; 2nd, the entire want of suitable roads by which to get there; 3rd, the lack of sufficient prairie adapted to agriculture, because nearly all the land is covered with a heavy growth of timber; 4th, the proximity of the Indians and the distance from other settlements of whites. All these reasons taken together caused me to judge that for the class of Netherlanders, with whom I should colonize, that region could not be considered desirable.

To the farmer who had already spent a part of his life in the level hay lands and fields of Holland, the unusual battle with trees and the constant view of stumps in the midst of meadows and cultivated fields could not be agreeable. Not to detract from Michigan's fertility, nor from the value of many kinds of wood, nor from the pleasure of hearing the warble of birds in the cool shade of virgin forests, I had, however, experienced enough of real life to know that stumps of trees are disagreeable obstacles to farmers, and that the value of wood decreases very much when everything is wood. Besides, I was too well convinced that the Hollanders who were coming to North America were more prosaic than poetic, and consequently they thought not so much of pleasing their eyes and ears as of buying soil suitable for farms, [5] the easier to cultivate the better. I knew that the Dutch farmers, of whom our Association chiefly consisted, were especially eager to be able early to possess pastures and milk-cows, to use plow and harrow on the land, and that they were not at all inclined to prefer ax to spade or to become dealers in wood.

Before my departure from Holland I had read a published letter from Michigan in which the healthfulness of that State was reported as far superior to that of Iowa. Having arrived in North America, I received quite different opinions of Iowa; while I was reading some newspaper tes-

timonials at New York as an advertisement of a certain kind of pills, I came across a letter also from the Michigan colony praising the pills and ordering more, so that I became convinced that people there as everywhere else in the world had to wrestle with indisposition and disease.

In addition to all this, I received, while at New York, letters from St. Louis from the Hollanders who had been there some months, informing me that they had been invited by Rev. van Raalte to come to Michigan, but that after some correspondence and by investigating opportunities nearer by they had decided not to go to Michigan, but after our arrival to have Iowa inspected first. Keppel, a member of the Committee of Investigation previously appointed in Holland, had gone thither [to Michigan] with a couple of other men in order to make a personal examination and to be able to give an accurate report.

[6] Another part of my work was to investigate the best means of inland transportation for the Hollanders who were coming. I was thus enabled to come into touch with a class of persons whom people are accustomed to call kidnappers and deceivers, who storm each incoming ship of emigrants like bands of hungry wolves. Everyone of them attempts to gain the foreigner's confidence by telling him with the utmost concern that all other people are liars, but that they know of good lodging-houses and can point out the cheapest means of transportation. Every transportation office has a few such way-men in its service, and this method of exploiting the purses of foreigners is so involved that even now, after having experienced everything, I can not yet confidently recommend any office as one upon which people can safely rely.

If all foreigners who arrive knew English, if they had familiarized themselves with conditions in North America before their departure from Europe, then the safest plan

would certainly be that everybody should inform himself of steamboat and railway service in order to proceed in the most advantageous manner. These kidnapers have become so accustomed during recent years to see incoming ships filled with half-starved Irishmen or ill-smelling Germans that the rumor of the coming of so many Hollanders, who were bringing some money and a fairly cleanly appearance with them, goaded their zeal anew to give chase after what people [7] here have already quite generally learned to call "willempjes". Among the ship's assailants who were interested in the oncoming "willempjes" were also several Hollanders, Jews as well as Gentiles, who were acquainted with the relatives and circumstances of some of whose coming they had heard, obviously obliged by allies equally concerned in Holland. One can form no idea of this branch of industry at the sea-ports and especially at New York; one should almost be able to read the hearts of these men if one wishes to be secure from paying toll in some form or another to this host of unofficial officers.

What I learned to know of the busy world in the ports, and particularly New York, compelled me to recognize the necessity of waiting for the arrival of our ships but also caused me to long ardently for the glad tidings of their arrival, when I should be able to proceed on the journey inland. Finally the glad tidings were telegraphed to me that one of our ships had reached Baltimore and later that the others were in sight. I hastened by rail to the place where I could rejoice in the safe arrival of those with whom I should henceforth live in common. St. Louis was made the general meeting-place.

In a long time Americans had seen no foreigners who made so good an impression and brought so much property with them. Various newspapers spread the report of the arrival of the Hollanders, and some accounts were so exag-

gerated that one [8] would almost believe the treasures of Peru had been transported to the New World in the boxes and baskets and bags of the people come from The Netherlands — a belief which was strengthened in many places since the Hollanders usually had to exchange gold in order to pay for things. This circumstance has created for us what is called credit, but it also caused people in some cases to charge us more than they were accustomed to take from Irish or Germans.

Packed into railway carriages, canal-boats and steam-boats, the whole Association at length arrived at St. Louis. For so large a number not enough suitable dwellings were to be found, and those who could get no houses were provided with sheds, for the construction of which space was willingly offered. After a brief breathing-spell from the fatiguing journey, the Committee of Investigation set out to look for a site for the settlement, while everyone at St. Louis looked for work, a search wherein some who like to work were very successful, while others who had formed of America a picture such as children have of Cocagne were less fortunate in finding what they did not seriously seek.

During the sea voyage a few had died, on land only four so far as I remember. At St. Louis, however, the number of deaths was greater. The unusual experiences of the trip, the cramped quarters at St. Louis, the extraordinary heat in that daily growing city, the irregular and careless use of food and [9] drink, and the disregard by some of Dutch cleanliness caused illness and consequent death. Some who were not very sick at St. Louis or had partially recovered had to pay the toll of nature after arrival in our new settlement. Without judging those who departed this life, we can sincerely say of some that they died as Christians and testified that death was their gain.

Having arrived at this point, I must cast a glance back-



ward to what surpasses everything in importance, namely, religious and social life.

At Boston I stopped but a few days to give my family a rest from the very tiresome voyage. Particular persons I did not visit in that city; those in whom I was especially interested were absent. I quickly perceived that Americans were very much concerned about Dutch emigration and that they were frank in their friendliness.<sup>1</sup> But common religious ties I did not find in that capital of American rationalism, while the Christians whose addresses I had were away traveling at that time.

After a few days' rest I departed to Albany, the capital of the State of New York. I at once found Christian friends, apprised of my arrival, awaiting me, and I was taken to a hotel such as I had not met with in Europe. The first thing to attract my attention in the rooms assigned to me was the printed list of hotel regulations and therein the notice that each evening [10] at 9 o'clock religious services were held by all guests in common. It was a unique experience to find myself in a hotel where strong drink was never sold, and where also a great number of the guests finished the day listening together to God's Word, praising the Lord with enthusiastic song and thanking God on their knees for all His blessings, humbly confessing their sins, and beseeching that their sins be forgiven and cleansed in the beloved blood of Christ. Sometimes when a minister was present, he was asked to lead, but ordinarily the respectable head of the house did so. My stay at this hotel was so pleasant that all the guests really seemed to be members of one large family. If any Christian ever comes to Albany from Holland and desires respectable Christian lodging, let him go to the Delavane House.

At Albany I quickly found Rev. Wyckhoff, a man very

<sup>1</sup> See below Appendix B, p. 567.

much interested in the Hollanders, who placed me at once in a position to preach the gospel in my mother tongue. There were many in the city who understood Dutch, but beside these the church was filled with other inhabitants who, though they themselves could no longer understand Dutch, still remembered that it was the language of the founders of this city and State. The Christians who had arrived there from The Netherlands a month before rejoiced to hear the Word of God publicly preached in their own tongue. It was a striking incident that while in the land of my birth [11] most public places for the worship of God were closed to me, and even those who in their homes called me brother in Christ would not have dared to allow me to take charge of services in their churches, here in a strange land one of my first experiences was to be urged to preach God's Word in one of the principal churches.

On this occasion I preached about the parable of the ten virgins, and so far as human judgment goes, not without blessing. Later at New York I was invited several times to come to preach once more at Albany. Circumstances, however, did not permit me to do this. In and near New York City, where dwell many who understand Dutch well, I preached for various ministers in numerous churches on the Sabbath day and during the week. Had I not been tied to our Association, I certainly could not have withstood the pressure of persons who urged me to stay in the State of New York and once more to hold regular services in the Dutch language. At Pittsburg too I had the opportunity to preach God's Word in our language when I happened to be there one Sunday with a part of our Association, and there too one of the ministers was ready to make room for me.

Everywhere among the Christians of America I met with a hearty, lively interest in the emigration from The Neth-

erlands.<sup>2</sup> I believe that in general they cherish a too lofty opinion of us. In their conversation and newspapers we [12] are represented as resembling the God-fearing Pilgrims who first settled in the United States. They regard our coming to this land of civil and religious liberty as one of God's blessings on their country. Our settlement in the West they regard as a beneficent act of Providence to spread the saving knowledge of the gospel among people who belong to no religious sect at all, since they do not believe and they seldom if ever hear the preaching of the gospel. They regard us as a banner to be raised by God's Spirit in the West against the ubiquitous, insidious ambassadors of popedom. Oftentimes a sense of shame and embarrassment comes over me when I stop to look at myself and our Association, and then consider the high thoughts which people entertain of us: while the Germans who come here are less highly regarded, the Hollanders are held in honor and are often placed on an equality with the Americans.

One sees and hears of such favorable treatment of Hollanders not only at the hands of individual Christians and Christian circles but also at the hands of State officials and State Assemblies. I myself had an experience of this sort at Albany, where the legislature had just convened and I wished to look on for a moment. Recognized by one of the members, I was compelled to take a seat in the midst of them. How different from Holland! In the land of our birth branded and treated as a despised congregation, [13] misunderstood by everyone, shoved aside, trampled upon and bruised; in the land of strangers and above all in its most respectable part honored and treated as a costly gift of God to improve their country!

At St. Louis where people do not know our language,

<sup>2</sup> See below Appendix B, p. 567.

where they once hardly ever thought of Hollanders, they have the same impression of us, the same respect for us. So long as the Dutch Christians remained in this city a Presbyterian congregation allowed them to make regular use of a large room for Sunday services, with heat in the winter and without cost, and they even helped our needy sick. The Hollanders have had the same experiences in Michigan and also in Wisconsin. In the latter State we recently had a striking example: on Lake Michigan, which is especially dangerous to navigate in the autumn and winter, a steamboat disaster occurred, and besides a few Americans and Germans, one hundred and twenty-five Netherlanders from Upper Gelderland and Overijssel lost their lives. Only twenty-five Netherlanders were saved and set on shore at Sheboygan, but all that they owned was swallowed up in the waves. Immediately on the following Sunday a collection was taken up in the various churches of Milwaukee for the surviving Netherlanders.

In this way America speaks and thinks of Hollanders, in this way America treats the Hollanders who were so oppressed in their native land in matters civil and religious that they were forced to leave. That God has done for us. If we must answer the question: what are we doing [14] for God, then shame and humiliation join within us; for since we ought to shine as lights in the world, some would surely have to admit on meeting God: "our lamps are going out."

#### THE SETTLEMENT

During my investigations in the old States I frequently heard the remark that it would be extremely difficult to find unsold lands suitable for us, unless we were willing to be cut off from intercourse with all human beings except the Indians. The latter experience none of us desired, and the truth of the former statement became more and more clear to us. There are extensive unoccupied areas in Iowa and

Illinois, but removed from wood and water and therefore certainly not to be chosen for a young colony of people who are entire strangers to this country.

Leaving St. Louis the Committee of Investigation went first to inspect the State of Iowa, and in case nothing desirable was to be found there they intended to go to northern Illinois. The first land to be examined in Iowa, and the nearest to St. Louis, was the district which is called The Half-Breed Tract, once set aside as a reservation for Indians, who later sold out not to the Government but to private persons. A company at New York owns a great portion of this tract, and while I was at New York I held [15] a conference with the principal owners. There I obtained some impressions unfavorable, not to the land, which is good, but to the people living on it. Having made an accurate investigation in Iowa, it became clear to us that a purchase in this region was very dangerous because lawsuits were constantly brought to quiet title; while so many people lived there without being owners of the land that it was far from our thoughts to buy them out.

Now our path lay to the nearest land-office where unsold government land can still be bought for the fixed price of \$1.25 per acre. Among several letters of recommendation for various places in Iowa and Illinois I had one addressed to General van Antwerp, Receiver of Public Lands at Fairfield. With the greatest good-will he showed me all maps of the State to indicate to me what land in the State had not yet been paid for; but I was also informed that, as far westward as it was deemed advisable for us to go, the most important lands had been "claimed", that is to say, settled and cultivated by the first settlers who had employed all their time and money to bring the land under cultivation but had not yet saved enough to be able to pay the government for their "claims" (generally a half-section in area).

Since the right of these people is honored, it is almost impossible to buy such lands from the Government until one has satisfied the demands of the people themselves by [16] buying them out. Only in such a district was a settlement possible for us: because, wherever the inhabitants had progressed so far as to be able to pay the government for their land, it was hardly to be expected that a more numerous population would make room for new-comers without demanding prices so high as to be out of all proportion to the means of an Association like ours.

Whither should we now direct our attention? The best and latest map of Iowa directed us no farther than Fairfield the place where we then were. I decided therefore to copy a list of various localities which we intended to inspect, and to copy my own map as accurately as possible from the government map. Besides, I had already asked the Receiver for a good guide and some one who could negotiate with the Americans for us. I was quite convinced that the site of our settlement was predestined. I saw no light, however, by which to find that site. Accordingly, I did what my hand found to do, namely, I set about to finish the map, and for that purpose I had to visit the land-office.

While my fellow-committeemen went to inspect the neighborhood of Fairfield in order to gain some information from this or that inhabitant, I went to work. It soon appeared that God had seen to it that I should need no map. On the day previous there had occurred the death of a child of the Register in whose house the land-office was. As I was going to work, preparations were made for the child's funeral. [17] The Receiver, who happened to be there at that time also, invited me to follow the body to the grave. I complied with his request; and then it appeared that without human aid or deliberation a guide had been provided.

On the previous day, Sunday, I had been introduced to the

Presbyterian minister at the place where religious services were held. This man said a prayer at the grave, and when the dust had been consigned back to earth and we were returning home, this minister made me acquainted with a person unfamiliar to me, who was introduced as the minister of the Baptists. Very quickly I entered into conversation with him, and when he heard who I was and what our object was, he told me that he had traversed this section of the State as a missionary for six years, and that he was convinced there were two districts which would suit us, if the few settlers would consent to sell out. I paid close attention to his story, and recognized the good hand of God. I asked him if he would serve us as a guide. He deemed this impossible because he was under obligations to preach at Fairfield the following Sunday, when the scattered members gathered together from the surrounding country.

Once having noted the hand of God I did not let loose, and after speaking with the other members of the Committee who shared my conviction I persuaded that minister to let us call upon his deacons; and having informed them of the case, they decided to write a letter at once to [18] the nearest minister telling him that he should take charge of services on the following Sunday and that we would set out the following day. This we did, and by Thursday noon we were at the place where I now write, without a possibility of a rumor having preceded us. This was necessary in order that the settlers might not know our intentions and so be prepared to come to some agreement among themselves.

We began straightway with the man at whose house we had dinner at noon, and with him agreed upon the price of his farm, reserving the right to give him a definite answer not later than one o'clock Saturday, because we wanted to be assured of the other farms first. He gave us a short list of the various settlers, and by constant riding, before dark-

ness set in, we had everybody's promise to sell at a stipulated price. Some whom we did not well trust were bound by cash payments in the presence of witnesses. Our work, however, was now but half done, for we had to have access to the Des Moines River also.

Early Friday morning we rode thither. There too the settlers were not informed, and after coming to terms with each one separately by evening we had bound all of them till Monday. Saturday we appeared at the appointed time and place, when written contracts to be executed within one month's time were signed by them as sellers and by me as purchaser. To accomplish this, however, I had to purchase also the growing crops, [19] the stock belonging to the various farms, and other personal property. I had no authority to do this, and the money invested was not nearly sufficient for the purpose; but mindful of the Lord's guidance, perceiving the excellent situation and exceptional fertility of the soil and the facility of cultivation, I did not hesitate to buy on my own responsibility.

On Sunday I heard two excellent sermons by our guide and mediator; on Monday we signed contracts with settlers near the river; and on Tuesday we commenced our journey back to St. Louis to convey to the members of our Association the glad tidings that we had found a good place for our homes, and to make preparations for the departure of a first column.

Keppel, who was mentioned above, had returned from Michigan just before the Committee departed. He was at once appointed to accompany us; he too did not hesitate to acknowledge openly that we should regard the district now occupied by us as preferable to Michigan.

I am compelled to come back to Michigan since I notice that attempts are being made in The Netherlands to exalt this State and its Dutch Colony and to make them prefer-



able to Iowa, not by simply furnishing facts but by giving false colors to affairs and conditions. As I said above, I have not been in Michigan but I have made inquiries, and I knew I could not go thither without also having to decide [20] to direct those who were to follow me to go thither, and I have given the reasons why I had to give up Michigan. With regard to what I have written here, I refer the reader to the first appendix<sup>3</sup> where he shall be able to find satisfactory evidence.

When the Committee arrived at St. Louis and announced the finding of a place, general rejoicing prevailed. The report of the purchase was quickly spread abroad by various newspapers, and I have not read a single article which did not speak favorably of our choice. It is the general opinion of Americans that we are established in one of the best parts of Iowa.

I unite herewith a small map of this State, a copy of a map drawn by order of the Government and, so far as I am acquainted with the land, a trustworthy map so far as the course of the rivers is concerned. I must add, however, that this map extends as far west as the land was then surveyed. Iowa's area extends twice as far westward now. The government surveys also extend farther. The site of the new capital, fifteen or seventeen miles northwest of us, is approximately the center of the State.

The farms and government lands which were purchased lie in two townships, numbers seventy-six and seventy-seven. One was named Lake Prairie Township, after a small lake situated in it; the other was called Jefferson Township, after a leader in the war of independence. The former is traversed by the river Des Moines, [21] the latter by the river Susquehanna or Skunk, while various creeks can be found containing living springs. The land is in gen-

<sup>3</sup> See below Appendix A, p. 565.

eral rolling or undulating. The heaviest timber is to be found along the rivers, but from time to time one finds larger or smaller lots of trees, of which some may bear the name groves, while others are only clumps. The city is platted in the midst of prairie on one of the highest points, so that the houses can be seen about eighteen miles away in clear light. The farms are scattered over the entire plain, along and between both rivers. Along the rivers there is excellent opportunity to construct water-mills.

When the Des Moines River becomes navigable for ships and steamboats, the site of the little lake in Township Seventy-six will offer an inestimable opportunity for the erection of factories driven by water-power. There is also a sulphureous spring of especially good quality, which manifestly can be very useful in cases of sickness. At several places coal is to be found, of excellent quality, also lime and sandstone. The burnt lime is first-class. At a few places stones have been found which will apparently be good for mill-stones, while in digging wells metals are found. In general, however, we can only say what can be found upon the surface; what still lies concealed in the earth's bosom the future will tell. Wherever wells existed or were dug we have [22] excellent water. Some struck good water at a depth of twelve feet; others had to dig down about thirty feet.

The soil is suitable for all sorts of grain. On the farms we found exceptional summer and winter wheat, oats, buckwheat, flax, hemp and Indian corn, cabbage, turnips and onions of especially good quality, all sorts of potatoes and many kinds of melons which ripen upon the cold ground in the corn-fields here as well as they do in the hot-beds of Holland, not only the coarser but also the finer sorts. When the prairie is once broken the ground is easily tilled; in general it resembles rich, mellow, black garden soil. Tame or

grafted fruit trees are not numerous, but in the groves wild fruit-trees are met with in profusion, as also grapes.

Live stock is of very good quality here, and was accustomed under former owners to run loose upon the prairie both winter and summer. It seemed to us, however, that it is preferable to stable stock in the winter time. The cows yield exceptionally rich milk, and we are already convinced that with proper care butter and cheese can be made which can compare with the best in Holland — something of incalculable value to this Colony, since the butter and cheese made by Americans in the West is generally bad and sometimes unfit for consumption. There were hogs in plenty upon the farms because they are regarded as a profitable investment: [23] they roam in the woods all summer and are only driven home a few weeks before slaughter time, to be fattened with Indian corn which is raised upon the farms.

During the time that we have been here the needs of the colonists have been provided for. Some farmers have sold their hogs cleaned to be shipped away; at this moment others have about 25,000 pounds of ham and bacon and nearly 5,000 pounds of lard ready for shipment. If one stops to think that this section was first turned over by the Indians to Americans in May, 1844, and that the original settlers who are now bought out were people of little or no financial means, and if one takes note of the additional fact that there were farms which with the property on them were valued by their owners at from one to three thousand dollars, not counting the money which had to be paid to the State for the title, then one can judge for himself how excellent the colony's situation is.

The Netherlanders, however, have more needs than the Americans, and are of course unfamiliar with the conduct of affairs. The first American settlers, generally speaking, do very little to secure comfort in their houses, furniture,

and clothing. In the fullest sense of the word they help themselves, as Netherlanders can not. The Americans themselves produce many things which the Hollanders are accustomed to buy. The former not only make their own bread and all kinds of eatables from the products of their soil, but they also spin [24] the wool of their sheep, they make their own linen and clothes, and thus progress without needing much money. Only when they get money into their hands by selling their claims do they begin to buy, and in that case they are generally very liberal in giving or paying.

The American people in general know how to make money, as is well known, but they are also inclined to be generous in giving it away. That economy which is sometimes called stinginess is not a reigning evil with them. They do not turn over a dime four times, as the saying goes in Holland, before spending it, and therefore they part with everything more quickly, sometimes too quickly for some Hollanders.

Access to our colony is very easy. We are about one hundred and twenty miles distant from Keokuk, which is the best landing-place if one comes from St. Louis or New Orleans. From St. Louis to Keokuk there is a regular steamboat service so that merchandise can be conveyed between these places for fifteen or twenty cents per one hundred pounds. The road from Keokuk to Pella runs upon a high prairie ridge, along which are located many small towns, most of them laid out in recent years. With the exception of the short period of time when the ground is soaked with rain, one finds this road easier for travel than the highways of Holland, and even in winter when the road is called bad here, it is better than many in The Netherlands. This may be shown by the fact that when I brought my family here from St. Louis during the latter part of November, [25] I made the journey on this road, then con-

sidered very bad, in a very good two-horse carriage; and nowhere were we stopped at toll-gates to pay a tax levied upon us for road purposes. Under ordinary conditions we pay seventy-five cents for freight from here to Keokuk, occasionally one dollar, a few times, when hauling was most difficult, \$1.12½.

After fixing the site of the new capital, talk of laying a railroad has become stronger, and it is certain that as the population of the more distant parts of the State increases such a railway would be finished in a few years, and from the lay of the land such a road must almost necessarily pass through our colony. The Des Moines River, which also passes through our colony, they have already begun to render navigable for ships and steam-boats; one-half of the distance to be made navigable has already been surveyed to fix the places where dams and sluices must be constructed. Prospects indicate, therefore, that after a few years the expense of transportation will be decreased and the means therefor will be facilitated.

A scholarly man living in this State, Professor Newhall, who is known in Europe by certain writings and by public lectures on America, is busy at present preparing for the press a small book on the Des Moines Valley, for which purpose he made a journey through this country last summer. He is the author of a story in one of the newspapers, which we insert as an appendix,<sup>4</sup> [26] from which the reader can gather what the Americans think about the Hollanders.

Then, there is the additional circumstance that almost contemporary with our settlement here a State Commission appointed for the purpose selected the site for the new State capital fifteen or seventeen miles northwest of us; it appears now that the road to this new capital must necessarily pass through our colony. Furthermore there is now

<sup>4</sup> See below Appendix C, p. 568.

an agitation for the construction of a railroad from Dubuque, one of the chief places of the lead-mine district in the north part of this State, to Council Bluffs, an important point on the Missouri River. If this railroad ever comes into existence it must pass either through or very near our colony — another avenue of transportation which would open a cheap and easy outlet for various products.

In addition to all this there is another circumstance which should not be allowed to pass by unnoticed. The present seat of justice of the county wherein our townships lie is Knoxville, about twelve miles from here on the other side of the Des Moines River. This place is deemed inconvenient for the county, and this winter an attempt was made by the inhabitants to have the county seat removed to this side of the river. The American people are quite generally convinced that the best situated place in the whole county would be in our townships, and for that reason I have received several requests to lay out a town near the river, where the river is easily forded, and to offer lots in that town [27] for sale to the public, convinced that if the selection of a county seat ever comes to a vote the choice would undoubtedly fall on this place if I should meet the county half way by appropriating a site for the public buildings. It is not improbable that I shall decide to lay out such a town near the river, and that a survey in compliance with the law shall be begun within a few weeks.

I believe I have said enough about local affairs to place the Netherlander in a position to form a pretty accurate idea of the geographical location of Pella and surrounding country where a part of the Christians who emigrated from Holland live. Now a word as to the work that has been done.

The larger part of the Hollanders who sojourned at St. Louis took passage to Keokuk on a steamboat chartered for

the purpose, and thence traveled by wagon and on foot to Pella. On Sunday, which we spent on the steamboat, the Word of God was preached to the assembled multitude, and in memory of God's goodness the history of Israel was recounted, showing how in return for fidelity to God and His service God's blessing is assured also in temporal affairs, and also how as a result of disloyalty to God even the most fruitful land can be turned into a desert. The rumor of the coming of the Hollanders to Keokuk had attracted a large concourse of curious people from various places, many also expecting to reap some profit, and I [28] do not doubt that some succeeded in this when they sold certain articles.

At Keokuk an old man and a woman died, while a child which had died upon the steamboat was buried there. Besides this, we were pained when one who professed to be a Christian rendered himself guilty of drunkenness, and as a result he suffered such a bad fall that the effect is still visible, and alas! without causing him to acknowledge or confess his sin, so that the Christian congregation no longer recognizes him as a member. A heavy downpour of rain shortly after our arrival rendered the commencement of our journey in our new State no more agreeable, and did not add to the order in loading up our property or hasten our departure.

Human beings and freight arrived within a short time of one another. I had contracted with certain Americans for the completion of fifty log-cabins during my absence; but upon my arriving at the place I found nothing but a lot of boards which I had ordered at the same time. Of this lumber a few sheds were constructed as hastily as possible. Then the farms were vacated and a settlement was made with the Americans. As fast as the farms were vacated, I had a few families take possession in order to look after the live-stock and crops. During that time the county surveyor

laid out the middle portion of the city, so that those who wished to build might go to work as soon as possible. We offer the official description as an appendix.<sup>5</sup>

After the [29] farms were vacated, they were apportioned among the Netherlanders who wanted to take possession. Since the Association had not assumed the burden of the entire expense incurred in the purchase of the farms and other property, this became my own personal affair. Meantime a competent surveyor commenced a survey and description of all the land that was purchased, in order that the division might take place in proportion to the amounts of money subscribed. I saw to it that the Government was paid in order to be assured of the title to the claims as protection against possible and partly apparent intrigues of deceitful speculators.

Meanwhile I calculated how much the land cost per acre, purchase money and Government price, and then I calculated how much land each one should have as his share; then lots were drawn to fix the order of the owners and to fix the numbers of the sections in which they should settle, whereupon the surveyor had to proceed to divide the land according to the share which fell to each one's lot. That survey will be completed this week. According to the provision that the lots drawn by those who had already come to Pella were to be surveyed and numbered first, these men were helped at once. All vacant farm houses not otherwise occupied were temporarily assigned to the use of some families, while the rest constructed temporary dwellings for the winter.

From time to time new accessions of persons arrived from St. Louis, and as fast as suitable lumber could be [30] obtained from neighboring saw-mills, the construction of buildings was begun in the city and on some of the farms.

<sup>5</sup> See below Appendix D, p. 570.



Moreover, there was abundant work attending to crops in the fields and caring for live-stock. Some people were quickly engaged in the making of butter and cheese, in sowing winter wheat and preparing barns for stock. The need of lime and brick compelled me to decide to begin a brick-kiln and try to build a lime-kiln. The inexperience of our workmen in this kind of work made the brick and lime expensive; the quality of this burnt lime is so excellent, however, that our masons aver that they can accomplish as much with one bushel of lime here as with three in Holland. The difficulty of getting sufficient sawed lumber and the inconvenient situation of the nearest saw-mills forced me quickly to recognize the need of a good saw-mill, and when a competent American mill constructor appeared I was persuaded to erect a good water-mill on the Skunk River. This work is now so far completed that we expect to be able to saw in April, as the necessary machinery is already on the way.

The river dam is so constructed as to enable us to use all the water-power, and if my money does not run out, after the saw-mill is working, a corn-mill can at once be placed next to it. There will be no lack of coal, as soon as I shall be in a position to present the mines to suitable persons who understand mining.

The ordinary day's wages for laborers is fifty cents, for [31] artisans one dollar. In general the Hollanders know very well how to receive American wages; some are not ready to acquire the American habit, i. e., to work fast. A few, who do not care for work and imagine that people can get a living in America without exertion, find themselves badly deceived, since here too God's universally established rule applies: "In the sweat of thy brow shalt thou eat thy bread."

Four men returned from here to St. Louis, men of whose

wrong principles people here are generally convinced. Two of them, after gadding about for some time and molesting the colony, ended by entering the military service in Mexico. A few other persons, who seem to have thought that by means of a magic wand they could cause suitable houses to rise up out of the ground just as in fairy tales, complained of the hardships, as the people of The Netherlands may have noticed in their newspapers; but these persons have already expressed their grief for being so obstinate, and now entertain contrary opinions. Some now own land and stock, but their quantity of money has diminished so that they shall have to learn for the first time how to succeed in the American way, i. e., to do much with little money. Whether this art can be learned quickly and well, the future will tell.

With regard to our social condition the following is to be noticed. Immediately after our arrival, we wished to have it known that we intended to reside permanently in this State. [32] When we had requested the proper State official to come into our midst so that all of us would not need to journey to the county seat, and when this officer had willingly acquiesced, we declared our intention to become citizens of the United States of North America, so that our relation as subjects of William II came to an end once for all. We append a description of an American who was present on that day.<sup>6</sup> This hasty manifestation of our readiness to be incorporated into the American people made a good impression. Let one incident be given to show the attitude toward our colony.

According to the laws of America one must live in the country five years to be qualified for citizenship, to be able to vote on State matters and to be qualified to hold any office or government post. As a result we should for a long

<sup>6</sup> See below Appendix C, p. 569.

time have been deprived of our own township government, something which would have caused many difficulties in daily transactions and the administration of justice.

Since a special session of the legislature was to be held in January, in company with the other members of the Association's Council appointed in Holland, I prepared a petition to that body, requesting the legal union of the two townships into one with the name of Lake Prairie Township, and furthermore requesting the privilege that the inhabitants who had declared their intention to become citizens [33] be allowed to vote as citizens for township officers and to be elective to offices established by law. When this request had been presented to the Senate, a bill on the subject was at once read three times and unanimously adopted. This same thing happened in the House of Representatives, and so this became a State law.<sup>7</sup> Accordingly, on the first Monday in April the legal election of township officers will take place so that we shall have law administered by justices of the peace, local township government, public instruction, and public care of the poor, so far as this is not a church affair, and to such an extent we shall stand on a par with American citizens.

How different this is from our condition in Holland I need not point out to anyone who remembers how we were treated as people who should be denied everything and be kept out of all positions; while here the various parties in the State unite to assure us that they prize our presence among them and that they will grant us as many privileges as possible without breaking the Constitution. May the people's representatives in Holland upon hearing this feel ashamed, and may the Dutch Government in general recognize its own folly, for the benefit of the Christians who are still in Holland. If not, there is still room here for thou-

<sup>7</sup> See below Appendix F, p. 572; also *Laws of Iowa*, 1848, p. 16.

sands; America receives with open arms and warm affection the liberty-loving Hollanders, always remembering that sons of that same Holland [34] have been the founders of one of the most flourishing parts of the American Union, and hoping that the present immigrant Hollanders will be to the West what the earlier ones were and have remained to the East — powerful supporters of the development and prosperity of the United States of North America.

Another evidence of good-will toward the colony is the following. There was a post-office on the Des Moines River. But since the postmaster sold his farm to me, his position there ended. Recognizing the need of a post-office, with the other members of our Council I wrote at once to Washington, requesting with an assignment of reasons that the old office and post-route be removed to Pella, at the same time recommending a competent person for the postmastership. We received a speedy and favorable reply and the necessary authorization. Since that time we have had a post-office in our city, with I. Overkamp as postmaster, while we receive mail twice a week from the Eastern States and The Netherlands. We have also received assurance that another post-route to the county seat will be relocated so as to run through Pella.

As to the religious condition of our colony, from a previous statement many a reader must have observed that we have nothing special to boast of. To the person who judges superficially, as happens all too often, the religious tone is not so very noticeable. [35] Ever since our arrival regular Sunday services have been held, first partly in the open air on account of the lack of sufficiently roomy houses. Later when G. H. Overkamp finished his house in the city, he kindly allowed it to be used for Sunday meetings, which were generally very well attended. The congregation has been reorganized, elders and deacons have been chosen.

Besides, there are weekly gatherings at which the members practice reading and interpreting the Holy Scriptures.

The building which must serve as a school-room and also as a house of worship is fifty feet long and twenty-five feet broad and will be ready very soon. One of the school-teachers is busily engaged every day instructing children at his house. One may converse with many on religious subjects; and although our people were adherents of different sects in Holland, they are all Christians and thus far form but one congregation here. The preaching of the Word is listened to attentively, and although a difference of opinion exists this is not productive of disputes; sometimes differences are debated but without resulting in hostility or bitterness.

Notwithstanding all this, to be frank in what I say, I must admit that religion does not flourish, because there is no evidence in daily life that seeking God's kingdom and righteousness assumes a foremost place, but rather the things of this world. Nearly all appear to be taken up with their new social and worldly condition [36] — so much so that they are lost in it — and judging from some of their dealings one would almost say that they do not know that God's kingdom is "righteousness, love, peace, joy, happiness in the Holy Ghost". Consequently they are in a position which the Bible would describe: "from afar they see not".

Self-interest and self-seeking so affect some that one would doubt that they are real Christians, if we did not know how far a child can wander from its father's house and still continue to be a lawful child who on its return is received with a father's love. It is certain that the incidents of the journey, the new, strange and busy pressure of life in our present unsettled condition contribute much to shatter our ideals; but this is no real excuse. "To shine as lights in the world" is the calling of God's children, and

“by bearing much fruit is the Father glorified”. Of such a glorification of God one does not now meet with abundant examples. It will be a source of great joy to me if it shall subsequently appear that only a few have damaged their faith.

Here in America one frequently hears that a revival has taken place in this or that town or district. A few weeks ago a revival took place at St. Louis, where for more than three weeks daily services were held by a talented preacher who makes a business of traveling around for the purpose. Our people are not yet accustomed to such a method, and even if someone could preach to them several times a day, most of them would obviously find no time to come to listen.

I hope and pray that the Lord out of the fullness of His mercy in one way or another shall cause such a revival that there shall be evidence once more of the bloom and growth of spiritual life to the glory of God. We have no excuse here that we are forced or restricted from without; we have the most boundless freedom to turn the qualities and means poured out to us by God toward the development, revelation and propagation of God’s kingdom. It appears, however, that the hasty change from a condition of oppression and anxiety in Holland to one of space and freedom has caused a dizziness, and that therefore the American love of material things is more attractive than Heaven. This can not result in anything but harm since Earth pulls down while Heaven draws up.

Within a few weeks those who spent the winter at St. Louis expect to join us; it appears that their spiritual condition, at least of some, is better. It is to be hoped that their presence among us will serve to enliven the others. They will not have to anticipate the difficulties of life with which we have wrestled, and which therefore cannot have a bad influence on them. We shall also soon see some

Christians who have had to spend the winter in and around New York, Albany, Buffalo, and Chicago. Christians in America remember not only our temporal but also [38] our spiritual welfare in their private and public prayers. Of this fact many proofs were shown to me, one of which I offer as an appendix.<sup>8</sup>

As we now know that there is One who hears prayer and who is almighty, so we trust that He will visit the vineyard planted in this place with such blessing that the present winter shall make room for a beautiful spring and a fruitful summer. May His blessing continue then until the possibility of a new winter time shall be past, when we shall rest from our labor and our works shall follow us.

#### CONCLUSION

Directing my words to Netherlanders, I can no longer speak as a Netherlander. I have severed myself from social position in the land of my birth. I have become bound to the American people; and before Netherlanders can read this I shall have been engaged with American citizens in the selection of our governors and shall apparently occupy a position of which I should never have thought in Holland. My native land, however, lies close to my heart, and in the midst of all sorts of work I have not neglected to take an active interest in its fortunes.

I am grieved to note that the government of Holland has not yet forsaken its fatal course, and that newspapers in support of the government are not ashamed to [39] print articles which place immigrants to America in a false light. Christians have not refrained from adding their mite also to create a wrong impression. This, however, has not prevented many from following us. Neither anonymous addresses to local government officials, false rumors from America, nor honest representations have been able to turn

<sup>8</sup> See below Appendix E, p. 571.

away God's hand, but the minds of men have been moved, and the eye and heart have been turned toward this land of civil and religious liberty, where everyone who wants to work can find his daily bread in abundance without the intriguing and elbowing of others, without being driven to practices opposed to a Christian conscience (because they are not to be reconciled with the first principles of justice), and without creeping as slaves before the possessors of any power.

Here every person is respected and treated according to his merits; there are no spies for a suspicious government: the rulers know that this would not profit them because a subsequent election might at once deprive them of the chance to lord it over the people by putting others in their places. It is God's hand which in many ways directs oppressed Netherlanders to a land where they first learn what freedom is and how the country's inhabitants make a worthy use of it.

Ask yourself: has history since our departure belied our opinion of Holland's unfortunate condition? Has not the blood of citizens flowed [40] as the result of attacks by other citizens who were bound blindly to obey the orders of men higher up to aim their murderous weapons against their fellow-countrymen? That sort of thing has no place here; for that sort of thing no soldiers are available here.

Here too the ruling class sometimes makes laws which are rejected by the people as detrimental to the people. The people gather in mass meetings, condemn such law, pass resolutions and propose what they think is right. The government never thinks of resisting such conventions by means of police force or armed power, but listens to the people's voice; occasionally the unwillingness of certain self-seeking officers is checked by the unanimous public action of the people. A subsequent General Assembly in-



investigates the grievances and if it does not agree with the people, then at the next election the American people show that they understand how to secure rights in a lawful manner without causing an uproar. I attended such a mass-meeting here and was really struck by the way in which matters were conducted. Not only did political party lines disappear and the people act as companions in misery, but the distinction between American and Hollander attracted no notice; while the advice of persons who had just recently arrived was listened to and consulted just as freely as that of native-born citizens.

Despite God's blessings as manifested in an abundant harvest, does not the same distress continue among the poor and needy in The Netherlands? Is not the shamelessness of Anti-Christendom increasing from day to day? [41] Does not the same hostility toward the spread of truth hinder the institution of Christian schools? Does not the government constantly give the advocates of liberalism reason to revile prince and ministers to their faces, and so openly that the echo of it can be heard on this side of the Ocean?

With happiness and thankfulness we have learned that since our departure renewed proof has appeared in The Netherlands that God's Word is not restrained in the conversion of sinners. But have these evidences of God's gracious power forced the Christians to rise from their former lukewarmness and inactivity to real and united activity? Is it not still the same as when we were in The Netherlands? One may make mention of "opinions, votes and observations, brotherly words, protests", but everything is on paper. Do not deeds survive?

Would that when these lines see the light the condition might be so altered that Christians could say: so it was according to the latest reports, but now it is different. Christians in Holland! Here in the land of freedom we

feel that you are with us flesh of Jesus' flesh, bone of His bone, members of His body, as the Word bears witness. The waves of the ocean and the light of the New World's freedom have not swallowed up nor dimmed the relation of members of the one and indivisible body to their brethren who have stayed behind and have misunderstood them in many respects.

The social bond is severed, but such a bond is only of the earth; the bond which [42] shall also hold the body together in heaven can not be broken on earth, even if the existence of various "ists" and "ians" would seem to belie the existence of the bond. Though we have cut ourselves loose from Holland, the land is still dear to us because the brethren whom we knew by sight are still there. Out of our affection for Christians we think of the unchristianizing land of our birth. Therefore we have been frank also in our address to you.

I have given you a short and, so far as I could, trustworthy account, and you must admit that it is not trimmed up, that it conceals no deformities in our midst: it gives facts and nothing more. Always repelled by exaggerated reports from America, I am now all the more opposed to them, because I have seen the tragic results of such excited writings in the miscalculations and disappointments of our people upon coming face to face with realities. You doubtless must have read many letters which revealed a picture more attractive, more stimulating to the emotions than mine; but I feel obliged to tell the truth, the whole truth, and nothing but the truth, without giving it a color of my own.

I shall not invite you to leave Holland and come to us; you have to know and to decide that for yourselves. But I would induce you, if you remain in Holland, not only to think, contemplate, speak, protest and write, but also to act.

Holland is in danger socially and spiritually. If you think you must remain inhabitants and citizens of the [43] country, discuss and describe not only that which is leading Holland to destruction, but fight it with deeds, not only on paper but also in actual life. Do not behave yourselves as the Jews at Jerusalem, who sit down and weep when they see the heaps of ruins of the old city of God, not knowing or admitting that Israel's Messiah, the King of the Jews, lives. We know that our God is king and lives, and that He is almighty in heaven and earth.

If you are convinced that you must stay in Holland, seize upon His strength, and make yourselves active as soldiers of Christ. If you are convinced that the former national church is God's house, do as did He who testifies that "the zeal of thine house hath eaten me up", and believing in Him who set you an example, drive from the holy dwelling of the Almighty those who turn God's house into a soul-murdering pit by their anti-Christian teachings. For a long time I did not cherish this conviction, and therefore I followed a later example of our Lord, believing that their house would be left in ruins.

If you do your duty to the Church, you will as a result feel your calling in regard to The Netherlands. You should not associate with those who desire a change, you should not range yourself with unbelieving liberalism, you should not revile the chief men of your people, but as Christians you should have the courage, not to speak about King and authority behind closed doors and to discuss their personal and social sins, but to tell them to their faces what Daniel said, and in the way in which he said it, [44]: "Therefore O King! let my counsel please you", etc.

Do your duty as Christian Netherlanders, then it will not be long before you will know whether it is your calling to suffer oppression in Holland in the Lord's name, with loss

of honor, respect and temporal things, then, just as we did, under the Lord's guidance, you will go to find a place of refuge in that section of the world which has never been a part of the Roman Empire. The soil on which we now dwell has never actually been occupied by a European power.

We bought the right of occupation from those who had scarcely four years before succeeded the original Indian population. Our land was not wrested from the original owners by means of the conqueror's bloody sword; it was voluntarily sold to the United States government which passes title for a very trifling sum of money after the difficult work of the first clearing has been accomplished. In such a country now live your former fellow-countrymen, your present fellow-believers. Among us are many who left The Netherlands in extreme want, aided by a few wealthy ones among us. There are others who had just enough money to enable them to reach this place, and some had enough to become owners of land sufficient to support their families. Thousands of wretched people, however, still gasp for breath in Holland, so eager to come here to work and eat their own bread, but they lack the means to pay the expense of the journey.

[45] Wealthier Christians in The Netherlands! You are under obligations to help the oppressed. When I was still among you, I was convinced it was my duty to give my God-given wealth for the good of my miserable fellow-countrymen whether in Holland or elsewhere. In Holland there were but two ways: to furnish work to the needy, or to give them food so long as I had anything to give. The former was impossible for me as a consequence of social conditions, and the latter was unreasonable and unchristian: unreasonable because, knowing my own means, I was certain I should soon be classed among the needy, a position which I did not

wish to bring about so long as there was another way open; unchristian because eating without working is harmful to body and soul, for it promotes idleness which, according to a true proverb, is the devil's pillow.

Thus shut in on all sides in Holland, restricted besides in the matter of freedom of worship, reviled because we insisted upon our forefather's rights to educate our children in Christian schools in the fear of the Lord, I was forced to look to foreign lands. It appeared that Holland's colonies also were closed by the government to Christian freedom, and North America was open, receiving our fellow-countrymen with hearty affection. For me this was the only way, and I am not sorry to have followed it. Despite many difficulties, cares, and vexations, I say from the bottom of my heart: thanks be to God who brought us here!

Such were my thoughts and actions, and I repeat it, well-to-do people in Holland, you are under obligations to help the oppressed. If in your own land or your colonies you cannot offer them [46] work and bread and freedom of worship, besides Christian instruction, send them hither, help transport them, and make it possible for them to live among their fellow-countrymen here.

In order to be able to supply all his bodily wants in North America, a poor man who likes to work needs very little more than the money to pay his passage. There is so much work to be found everywhere that no one need suffer hunger. Spread among English-speaking people, however, the older generation of people will not be able to satisfy their spiritual needs, and thus while they promote their bodily welfare they lose their souls. Therefore it is necessary that they should come to a colony where they may speak their mother-tongue, where they may hear God's Word preached in their own language.

To be able to do this they must not only have money to

pay for transportation but also find work when they come, and to provide them work money is necessary so that certain enterprises may be undertaken which require human labor. If such a colony has an abundance of labor but lacks money with which operations may be commenced, the poor will naturally be forced to seek work in some other locality where they can neither speak nor hear their mother-tongue. Since there is now in both Dutch colonies in North America sufficient opportunity to work with profit, in some cases with great profit, if fresh accessions of poor people arrive and there is insufficient money to commence operations, I judge that it is the calling of the rich, [47] if they do not personally accompany the poor, to use their money to help them and at the same time gain a profit for themselves.

An advance of money at moderate interest with a mortgage on the lands which are bought would be a good way to begin such enterprises as would yield enough sure profit for the entrepreneur, the money-lender, and the workman. The last will earn good wages, the second will get good interest on his money, and the first will be reimbursed for his trouble by keeping the surplus after wages and interest have been deducted. This is true of the Dutch colony in Michigan as well as of the colony in Iowa. Let everyone go to the locality where he is convinced he can place most confidence in the persons with whom he has to deal.

One bit of advice I should like to add. Well-to-do Hollanders so often take long and expensive journeys: if a company of three or four well-informed Hollanders should secretly make a little visit to the United States, inspect the various Dutch settlements, examine the business personnel, the conditions and opportunities, they would be enabled to give a trustworthy report to their fellow-countrymen who in this way would find it easier to choose in what way and to what end they should be able to help their needy fellow-

countrymen. To entrust the needy ones themselves with money to enable them to get a start in America is in general not advisable. Those who are not used to money [48] are not at once able to use it discreetly when they come into possession, not even in the midst of their own people. From the opportunity to work and save they learn gradually how to manage money matters, and when they have succeeded they become instructors and models for others.

I believe I have said enough for the present; and I think that the profit from the sales of this pamphlet will cover the expense of printing and postage. I shall rejoice if it is eagerly read, if thanks be rendered to God for the blessings vouchsafed to us. Some day The Netherlands and America will exist no more, but the memory of what has happened in them will remain, and the communion of saints will last forever.

#### APPENDICES

[Pages 49 to 63 of the pamphlet of which this paper is a translation are devoted to six appendices arranged in parallel columns. The right-hand column contains the matter in the English language, while the left-hand column contains Scholte's Dutch translation. For the sake of convenience the appendices have been designated as A, B, C, D, E, F.—TRANSLATOR.]

[49]

To confirm our judgment with regard to the situation of the Dutch Colony in Michigan, we append the testimony of the Governor of that State in a recent address to the legislature, reported by the *Christian Intelligencer* of New York.

#### APPENDIX A

From the *Christian Intelligencer*

Settlement of Hollanders in Michigan.—We are pleased to see the following notice of the settlement of Hollanders in the Western part of the State of Michigan, in the recent message of the Governor

of Michigan to the Legislature. This settlement is in the county of Ottawa, on Lake Michigan, and was commenced about a year since, under the auspices of Ds. van Raalte. A Township by the name of Holland has been organised by the Legislature. Everything indicates the fairest promise of prosperity.

[50] I can not permit the present occasion to pass without directing your attention, for a moment, towards an interesting, and I think, valuable class of foreigners, that for the last few months have been arriving in our State. They are a colony of Hollanders, settled in the county of Ottawa, near Lake Michigan, remote from the inhabited parts of the country. Their language is the Low-Dutch. They are located in a thickly timbered region, without roads, without mills, without mails, without magistrates or police regulations of any kind, and indeed without most of those facilities and conveniences that are deemed indispensably necessary to civilized life, even in its humblest conditions.

Still, they ask not private charity, nor do they solicit appropriations from the public treasury, but they do invoke the interposition of State legislation so far as to extend to them the benefits of an organized township government, and of such opened and constructed highways as will afford them access to mills, merchants, mechanics, and post-offices. They are a hardy, industrious, frugal, moral, and religious people, of what is denominated the free church of Holland, and like the Pilgrims of 1620, came to this country to escape the intolerance of their own, and in [51] quest of liberty of conscience, where no alliance exists between the Church and State, and where they may be permitted to worship God in their own way. The Colony now numbers about two thousand souls, and it is believed will be increased annually by many thousands of their countrymen, should they receive the fostering care of our Government, and tokens of welcome and encouragement from our people. I recommend the organisation of a township which shall embrace the principal purchases made by those Colonists.

They have now no Government among them save the restraints of religion and the rules of their Church. Roads for their accommodation and use should be opened and wrought, so far as it can be done with the means properly applicable to that object. Their settlement is in the midst of a wide, unbroken wilderness, most of which, however, has been purchased by individuals, or selected by



the State for the purposes of internal improvement. A large amount of highway-taxes is assessed upon these non-resident lands and brought into the treasury.

Would it not be just to all concerned, to appropriate a portion, at least, of this fund to the construction of such roads as are deemed essential to the growth and prosperity of this important Colony? One, [52] perhaps, from their principal settlement to: Grandville, in the county of Kent; another, to the mouth of Grand river, in Ottawa county; and a third, to some point on the Kalamazoo river, in the county of Allegan.

#### APPENDIX B

To confirm my statement about the good opinion which Americans entertain of Dutch immigration, I offer here from much evidence a resolution of a church convention in Illinois before our arrival.

From the *Christian Intelligencer*

#### CLASSIS OF ILLINOIS

The Classis of Illinois met at Pekin, in Tazewell County, Illinois, on the 7th of April; and among the several items of business transacted, was the following, which is of a public nature, and should come forth through the *Christian Intelligencer*.

Whereas, it appears from recent statements in the *Christian Intelligencer*, that a large emigration from Holland to the Western States may be expected during the present and succeeding years; and that the aforesaid emigrants are coming to this country, with a view to escape from the interference of the government of their own country with the exercise of their religion — the oppression caused by intolerable taxation, and the evils to which persons of small means are exposed, in consequence of a superabundant population — and to provide a home for themselves and their children, where they may enjoy [53] freedom in their religion, and educate their offspring in accordance with their views of Christian duty. Therefore

Resolved: That we welcome a people so proverbial for their love of civil and religious liberty, their industry and enterprise, and their attachment to the institutions of Protestant Christian duty.

Resolved: That should any portion of them see cause to locate in Illinois, we tender to them our sympathies, and such assistance as we can consistently render them, in various ways, to promote their comfortable settlement in suitable locations.

Resolved: That the following persons be appointed in their respective places as a committee to carry into effect the objects contemplated in the foregoing resolution, viz: Fairview, Rev. A. D. Wilson, J. G. Voorhees, J. S. Wijckoff; Pekin, Rev. N. D. Williamson, C. M. Grimwood; Brunswick, Rev. G. G. Sill, H. G. Bostwick; van der Veer, Rev. J. N. Schultz, E. M. Huff; Washington, Jas. Haslun, G. H. Higgins.

A true extract from the minutes.

GEORGE G. SILL, Clerk.

#### APPENDIX C

[54] With regard to our settlement here and the situation of our homes, we offer the testimony of Prof. Newhall, already referred to, who wrote for the newspaper published at Burlington in this State.

From the *Burlington Hawk-Eye*

#### A DAY IN PELLA

Methinks I hear you exclaim: "Where is Pella?" Not the ancient city of Macedonia, but a foreshadowing of the famous Holland settlement which has recently been located upon our beautiful prairies of the New-Purchase. To tell you how suddenly the inhabitants have been transferred from the low lands of Holland to the wide spread prairies of America, would be like telling you fiction. Just about two months ago, I halted about sun-set, at a lone cabin on the "ridge" road midway between Oskaloosa and the Racoon forks, and where Absalom Peters informed me that it was 7 miles to "Black Oak Grove." My Indian pony was compelled to quicken his pace to reach the nearest neighbour, ere the darkness of a stormy night entirely encompassed me.

Again, today (the 17th of Sept.) about noon, I find myself dashing along this beautiful road. I did not dream, neither was I in a trance, for my eyes beheld the same beautiful earth clothed in its rich garniture of green.—Yet I discovered a new race of beings.

The men in blanket coats and [55] jeans were gone! And a broad-shouldered race in velvet jackets and wooden shoes were there. And this is "Pella" of nearly 1000 souls and rejoicing in the antiquity of nearly a month. Most of the inhabitants live in camps, the tops covered with tent cloth, some with grass and bushes. The sides barricaded with countless numbers of trunks, boxes and chests of the oddest and most grotesque description that Yankees or Hawk-Eyes ever beheld. So far as my information extends, I will endeavour to give you a brief and succinct description of this interesting settlement, its origin, etc.

This settlement is composed of a colony from the kingdom of the Netherlands, in other words from Holland; they are all Protestants who have left their native land (much like the Puritans of old,) on account of political and religious intolerance and persecution. Their present population numbers something like 700 to 800 souls with the expectation of a numerous accession of numbers the ensuing spring. They appear to be intelligent and respectable, quite above the average class of European immigrants that have ever landed upon our shores. Mr. Schaulter, the President of the association, together with several others of the leading men of the colony, are men of education, refinement, [56] and a high order of intelligence. Mr. S., their President, was a student of the University of Leyden at the time of the Belgian insurrection and took a conspicuous part with that patriotic body of young men in vindicating the rights and honor of his country. He is the author of several works characterized by an unflinching advocacy of popular rights, and more recently as the Editor of a Periodical published at Utrecht (Holland), where he suffered much persecution and even imprisonment for the fearlessness and zeal with which he espoused the cause of religious and political freedom. Such is a faint outline of the character of the President of the Holland settlement.

On the day of my arrival, it was my good fortune to witness a most interesting proceeding. Most of the male adults went through the ceremony of declaring their intentions of becoming citizens of the United States. It was altogether an impressive scene, to behold some 200 men with brawny arms upraised to heaven [eschewing] all allegiance to foreign powers, Potentates, etc. And as they all responded, in their native tongue, to the last

words of the oath: "So help me God!" no one could resist the heartfelt response: "so help them God to keep their solemn vow!" All [57] appeared to feel the weight of responsibility they were about to assume. No tribute could be more beautiful or complimentary to our institutions than to behold the men of "Pella" coming up in their strength, on the prairies of America, and there eschewing for ever all allegiance to the tyranny of king-craft.

Their purchase or settlement occupies two entire townships situated in the north-east corner of Marion county and extends entirely across the "Divide" from river to river, (i. e.) from the Des Moines to Skunk or Checouque. A fact worth recording during the ceremony before the clerk of the court, was that of the whole number that took the oath of intended citizenship but two made their marks. The sudden and recent settlement of "Pella" in connection with the contemplated seat of Government in this region produces, as you might well suppose, a great deal of excitement in regard to "claim making." In fact the settlers, of late, hardly dare set a price for their "claims", for fear of being taken up instanter. Six [58] or 800 Doll. is no uncommon price, for claims, away up here, 100 miles west of the Mississippi. The commissioners are still looking about. I met them on Wednesday last at Oskaloosa. Public opinion seems to have settled upon Oskaloosa, and Fairview, better known as "Tools-point", as the most prominent situations for locating the capital. I think a very few days will decide the question.

P. S. The location is established, and called Monroe-city, a point unrivalled in natural beauty, yet I am constrained to question the expediency, or policy of this premature changing of our seat of Government. The early scenes of "Black Hawk Purchase" are re-enacted to the life. The country is literally "Staked off" for a dozen miles above "Toolspoint."

#### APPENDIX D

As for the situation of our city, we simply append the official description of the county surveyor rendered at the time of the first survey.

#### DESCRIPTION AND PLAN OF PELLA

Pella is beautifully situated on an eminence, from which may be

had a general view of the surrounding country; the streets are one hundred feet wide; [59] the Blocks and square[s] are four hundred feet square, and the Blocks are layed into eight lots each, as seen by the plat. It is situated about the center of the section line, dividing sections 3 & 10, running East and West. The Town is laid out at right angles. There is a stone planted at each corner of the square from which to make future survey.

State of Iowa,            { I, Claiborne Hall, Surveyor of Marion County,  
 Marion County.        { certify that I have correctly surveyed sixty  
                                       four lots in the above named Town. Given  
                                       under my hand this 2nd day of September 1847.

CLAIBORNE HALL, C. S. M. C.

APPENDIX E

To show what Americans think of the choice and situation of our present residence, I shall select from much testimony only the following extract from a letter post-marked New York and written to me by the Rev. Dr. Thomas De Witt, well-known in Holland.

New York, Jan. 27, 1848.

My dear Friend!

I was pleased to receive your letter, giving information concerning your settlement and [60] Colony. From all that I have observed, and heard, I have no doubt that you have made a judicious and advantageous location. In the rapidly growing population of the fine State of Iowa, and being so near the recently selected seat of Government, your settlement must be most eligibly situated and bids fair to attain soon a more than usual degree of comfort and prosperity at so early a period from its commencement. With the growth of your Colony I trust you will receive and enjoy the blessing of the King of Zion in your spiritual interests, and gratefully realize that He has led your way across the Ocean to this land of civil and religious liberty, and He will here enlarge and establish you in temporal peace and prosperity, and still more in spiritual peace and prosperity. I have felt a deep interest in the recent emigration from Holland, have watched it with prayerful interest, and rejoice in the fair prospects opening to your Colony. . . .

I am anxious to hear from you, and trust that on the receipt of this you will write to me informing me how you are continuing to do in your Colony. Our Church feels a deep interest in you and the Colony with which you are associated, and (we) bear you before the throne of grace in our prayers.

A number of Holland families, who have reached here late in the fall or beginning of winter sojourn in the City, and [61] furnish an opportunity for me to attend the wants of some worthy poor and afflicted. My best regard, and that of my family to Mrs. Scholte, and believe me to be

Yours truly in Christian bonds

THOMAS DE WITT.

Rev. H. P. Scholte.

#### APPENDIX F

#### AN ACT

#### TO ORGANIZE THE TOWNSHIP OF LAKE PRAIRIE IN THE COUNTY OF MARION

Section 1. Be it enacted by the General Assembly of the State of Iowa, That townships seventy-six and seventy-seven, of range eighteen west of the 5th principal meridian, in the County of Marion, be and the same are hereby set off and organized into a separate township by the name of Lake Prairie.

Section 2. The first Township election therein, shall be held at the house of H. P. Scholte in said township, on the first Monday in April next, at which time and place the white male inhabitants of said township above the age of twenty-one years, shall elect two Justices of the Peace, two Constables, and such other Township Officers as are required by the act for the organisation of townships, approved 17th February 1842, and such School Officers as are required by law to be elected at the township elections.

[62] Section 3. The powers, duties and manner of qualifications of such justices of the peace and other officers, shall be such as are provided by the general laws of this State.

Section 4. This act shall take effect and be in force from and

after its publication in the Iowa City Standard and Iowa Capital Reporter published at Iowa City.

J. B. BROWNE,  
Speaker of the House of Rep's.  
THOMAS HUGHES,  
President of the Senate.

Approved  
Jan. 22, 1848.

ANSEL BRIGGS.

Secretary's Office, Iowa.  
Iowa City, Jan. 28 1848.

I hereby certify that the above is a true copy of the original act on file in this office.

ELISHA CUTLER JR.  
Secretary of State.

As regards the accompanying map of Iowa, I have only to add that it does not show all towns in the State, but it serves only to show the surveys for the general land-office; therefore this map includes only that portion of the State which had then been surveyed; those surveys now extend much farther north and west. This map ends with Range 19, the newly-located State capital lies in Range 20, Township 78. I have inserted only the name Pella [63] so that everyone may see that it is situated pretty near the State's center. Every little square is a township.

The map of the two townships which contain our lands is a reduced copy of maps in the land-office and shows more accurately the situation of our colony. The dots represent the houses which were here when I purchased the farms. Everybody can see therefore that there is still room for more. If wealthy Netherlanders wish to be assured of more land in the future, I am always in a position to satisfy their desires and to send them title-deeds. One can still obtain land in our neighborhood, and the average price is not more than three or four dollars, including the Government price

of \$1.25; but attention is being so generally directed toward this State, and the population is increasing so rapidly that this price will be doubled in a short time. I believe I have said enough for the present, and with confidence offer what I have written to the serious consideration of the reader.

PELLA, MARION COUNTY, IOWA.  
16 MARCH 1848

H. P. SCHOLTE, V. D. M.



## SOME PUBLICATIONS

### AMERICANA

#### GENERAL AND MISCELLANEOUS

Ginn and Company are the publishers of a volume of *Readings on American State Government*, compiled by Paul S. Reinsch.

*A League of Peace* is the title of an address by Andrew Carnegie which has been printed in pamphlet form by the New York Peace Society.

In the August number of the *American Federationist* may be found an article entitled *Dr. Gladden on Trade Unionism*, by Samuel Gompers.

The *Statistical Abstract of the United States* for 1910 issued by the Department of Commerce and Labor contains the usual amount of valuable information.

The first part of Jesse Macy's *The English Constitution*, which deals with the nature of the constitution, has been published in separate form by the Macmillan Company.

A pamphlet containing a memorial to *Carroll Davidson Wright*, by Horace G. Wadlin, has been published by the Bureau of Statistics of the Commonwealth of Massachusetts.

The *Annual Magazine Subject-Index* for 1910, published by the Boston Book Company, is a valuable index to periodicals among which are the publications of the various state historical societies.

In the September number of the *Journal of the United States Cavalry Association* may be found some *Notes on Lee*, by R. H. Beadon; and a lecture on the *Boy Scouts*, by Sir Robert Baden-Powell.

A pamphlet issued in April by the World Peace Foundation, which has its headquarters in Boston, bears the title, *Sir Edward*

*Grey on Union for World Peace*, and contains an extract from a speech in the House of Commons. Another pamphlet published in July consists of a *List of Arbitration Treaties*, compiled by Denys P. Myers.

An extensive monograph on *The Dutch Republic and the American Revolution*, by Friedrich Edler, has recently appeared as a number of the *Johns Hopkins University Studies in Historical and Political Science*.

Volume five of *Biographical Sketches of the Graduates of Yale College with Annals of the College History*, by Franklin Bowditch Dexter, contains sketches of the lives of graduates in the classes from 1792 to 1805.

In an article on *The New History*, which appears in the May-June number of the *Proceedings of the American Philosophical Society*, James Harvey Robinson makes a special plea for historical treatises which will aid in solving current problems.

In *The National Civic Federation Review* for July there is outlined *A Broad Program of Constructive Work* which is being carried on through the Federation. There is also an article on *Organized Labor and the National Civic Federation*, by Samuel Gompers.

The June number of the *Bulletin of the New York Public Library* contains an account of the exercises attendant upon the opening of the new building of the New York Public Library on May 23, 1911, together with the addresses delivered on that occasion.

The *Bulletin of the American Economic Association* for July consists of a *Hand Book of the American Economic Association*, containing a statement of the purposes of the Association, the constitution, a list of members, and the minutes of the twenty-third annual meeting.

In an article on *The Effect of Commission Plan of Government on Public Libraries* which appears in the July number of *Public Libraries*, Alice S. Tyler, Secretary of the Iowa Library Commission, points out the necessity of a greater realization of the educational duties of the municipality under the new plan of government.

The second volume on *Workmen's Insurance and Compensation Systems in Europe*, which is included in the *Twenty-fourth Annual Report of the Commissioner of Labor*, has been issued from the Government Printing Office. The countries concerned in this volume, which completes the study, are Great Britain, Italy, Norway, Russia, Spain, and Sweden.

A brief sketch of *Early English and Other Foreign Ships at New Amsterdam* is to be found in the March number of *The New Netherland Register*. The article which opens the April-May number is entitled *New Amsterdam Becomes New York*. In both numbers are continuations of William Becker Van Alstyne's *Pioneers and Founders of New Netherland*.

The August number of *The Editorial Review* contains the usual number of articles on current topics. *Schedule K of the Tariff*, by Sereno E. Payne; *The Injustice of the Wool Schedule*, by Josiah H. Shinn; *The Administration of our Immigration Laws*, by Max J. Kohler; and *Inland Waterways*, by J. Hampton Moore, are illustrations of the class of articles included in this number.

Pamphlets published by the *American Association for International Conciliation* during July, August, and September are: *The United States and Latin America at the Hague*, by William I. Hull; an address on *International Arbitration*, by Sir Charles Fitzpatrick; *The Emotional Price of Peace*, by Edward L. Thorndike; and a *Letter to the Apostolic Delegate to the United States of America*, by Pope Pius X.

In the September number of *The American Economic Review* may be found several articles among which may be mentioned: *Organized Labor's Attitude Toward Industrial Efficiency*, by John R. Commons; *Rates for Public Utilities*, by J. Maurice Clark; *Recent Tax Reforms in Ohio*, by Ernest L. Bogart; *Taxation in Illinois*, by John A. Fairlie; and *Coöperation in California*, by Ira B. Cross.

The first hundred pages of the *American Labor Legislation Review* for June are devoted to an analytical table of the laws in the various States relating to the health, comfort, and safety of em-

ployees in factories. Then follow a number of brief articles among which may be mentioned *The Prevention of Accidents*, by Leonard W. Hatch; and *Scientific Standards in Labor Legislation*, by John and Irene Andrews.

Sophonisba P. Breckinridge and Edith Abbott contribute a fourth installment of their study of *Chicago Housing Conditions* in the July number of *The American Journal of Sociology*. Herbert G. Lull writes on *Moral Instruction Through Social Intelligence*. Victor S. Yarros traces *The Course of Social Reform and Political Psychology*, and the final contribution is *The Classification of Social Phenomena*, by Edward Cary Hayes.

G. P. Watkins is the writer of an article on *Street-Railway Rates, with Especial Reference to Differentiation*, which is the opening contribution in *The Quarterly Journal of Economics* for August. Other articles are: *The Paper Industry in Its Relation to Conservation and the Tariff*, by Roscoe R. Hess; *The German Imperial Tax on the Unearned Increment*, by Robert C. Brooks; and *Tenancy in the North Central States*, by Benjamin H. Hibbard.

The second chapter of J. Maitland Anderson's scholarly study of *The Beginnings of St. Andrews' University* is to be found in the July number of *The Scottish Historical Review*. A brief discussion of *The English Thanksgiving Service for King James' Delivery from the Gowrie Conspiracy*, by F. C. Eeles; and an article on *Spanish Reports and the Wreck at Tobermory*, by Julian Corbett, are other contributions in this number.

Speeches by a large number of men of national and international reputation are published in the *Report of the Seventeenth Annual Lake Mohonk Conference on International Arbitration*. The status and needs of the international peace movement, an international court, the churches and international peace, business and international arbitration, and the protection by the United States of the rights of aliens are among the general subjects discussed.

*The Tragedy of Andersonville: Trial of Captain Henry Wirz, the Prison Keeper* is the title of a volume of over five hundred pages written by N. P. Chipman, the Judge Advocate of the Military

Court which tried Wirz. The volume contains a good description of the Court and the trial, together with a mass of testimony relative to the conditions in the prison at Andersonville and the cruel treatment of prisoners by Henry Wirz. There are several illustrations.

*Land Reliefs that are True to Nature*, by George Carroll Curtis, is an article in the *Bulletin of the American Geographical Society* for June. *The New Home of the American Geographical Society* is described in the July number. Articles in the August number are: *Progressive Development of Resources in the Lake Superior Region*, by Lawrence Martin; *A Review of the Waterway Problem*, by Robert Marshall Brown; and *The Discoverer of the Philippines*, by John Denison Champlin.

An article on *The Canadian Navy and Imperial Unity*, by Theodore H. Boggs, is the opening contribution in *The American Political Science Review* for August. *French Colonial Expansion in West Africa, the Sudan, and the Sahara*, by Norman Dwight Harris; *Central Utilities Commissions and Home Rule*, by Balthasar H. Meyer; *The Working of the State-Wide Referendum in Illinois*, by C. O. Gardner; and *Constitutional Developments in Foreign Countries During 1910*, by W. F. Dodd, are other articles.

Articles of political interest in the July number of *The American Review of Reviews* are: *Sir Wilfrid Laurier, Britain's Greatest Colonial Premier*, by Alexander Harvey; and *Germany's Fight for Power*, by Frederic Courtland Penfield. W. T. Stead writes on *The British Empire and the Federation of the World* in the August number. *Underwood, of Alabama, Democracy's New Chieftain*, by Robert Wickliffe Woolley; and *Frenchman and German in Africa*, by Edgar Allen Forbes, are articles in the September number.

*The Year Book of the Pennsylvania Society* for 1911, edited by Barr Ferree, opens with an account of the annual dinner given on January 21, 1911, in honor of the President of the United States. Among the speakers, whose addresses are printed in the volume, were President Taft, James M. Beck, Joseph H. Choate, Andrew Carnegie, John K. Tener, and John A. Dix. The volume also has

sections devoted to Pennsylvania anniversaries, monuments, memorials, and books during the year 1910, and there are numerous illustrations.

Among the articles in *The Survey* during the past quarter are: *Getting Down to Tax in Pittsburgh*, by Shelby M. Harrison; and the first installment of a study of *Syrians in the United States*, by Louise Seymour Houghton, succeeding chapters of which appear in subsequent issues, (July 1); *Workmen's Compensation*, by Miles M. Dawson (August 5); *Our Polling Places*, by Louis H. Pink (August 19); *Training for Public Service*, by Alexander Johnson (August 26); *Piedmontese on the Mississippi*, by Alexander E. Cance (September 2); and *Industrial Dispute or Revolution*, by Edward T. Devine (September 9).

*Historic Indian Blankets*, by Chalmers Lowell Pancoast; *Development of the American Negro*, by Leigh Raymond Pratt; and the second installment of *A Re-Analysis of The Causes of the War of 1812*, by Howard T. Lewis, are contributions in the June number of *Americana*. Josiah C. Pumpelly is the writer of a discussion of *Nicholas Herkimer and the Battle of Oriskany* which appears in the July number. Among the articles in the August number are: *Mine La Motte, Oldest Lead Mine in America*, by Birdie Haile Cole; *Cave and Cliff-Dwellings of the Southwest*, by Katherine Sumner; and *Hinton Rowan Helper and his Book*, by William S. Pelletreau.

In an article entitled *Millennial of European Foundations of the American Nation*, in the second number of *The Journal of American History* for 1911, Herman O. Fjelde states some facts relative to the founding of Normandy by Rollo in the year 911, and traces the relations between the Vikings and American institutions. Mabel Thacher Rosemary Washburn discusses the *Hereditary Foundations of America's Greatest Commoner — Lincoln*. A number of *Historic Attempts to Annex Canada to the United States* are described by Elizabeth Wager-Smith. *Log of a Voyage to America in First Days of the Republic*, written in 1794 by Ralph Eddowes; and an account of *Historic Border Disputes Between States of the Middle West*, by George Cowles Lay, are other contributions in this number. The last named article deals with boundary controversies between Ne-

braska and Iowa, Missouri and Nebraska, Kentucky and Missouri, Indiana and Kentucky, Iowa and Illinois, Kansas and Colorado, and is concerned chiefly with changes in boundaries caused by the shifting of river courses.

The fourth chapter in the series of articles on *Anglo-American Philosophies of Penal Law* appears in the July number of the *Journal of the American Institute of Criminal Law and Criminology*, and is devoted to a discussion of *The Philosophy of Responsibility*, by F. H. Bradley. *Some European Comments on the American Prison System* are presented by Ugo Conti and Adolphe Prins. Another article is one on *Criminal Justice in Kansas*, by William E. Higgins. Among the articles in the September number are: *An English View of the American Penal System*, by Sir Evelyn Ruggles-Brise; and *Mayor Gaynor's Police Policy and the "Crime Wave" in New York City*, by Arthur W. Towne. In each number there is a digest of *Judicial Decisions on Criminal Law and Procedure*, prepared by Chester G. Vernier and Elmer A. Wilcox.

*Risks in Modern Industry* is the general topic to which the July number of *The Annals of the American Academy of Political and Social Science* is devoted. The numerous articles deal with such phases of the subject as industrial insurance and retiring allowances, industrial accidents and their prevention, legal and constitutional questions involved in employers' liability and workmen's compensation, and legislation concerning employers' liability and workmen's compensation. Among the writers are Franklin MacVeagh, F. Spencer Baldwin, Charles Nagel, John Mitchell, Florence Kelley, Samuel McCune Lindsay, William Draper Lewis, Charles P. Neill, and Miles M. Dawson. The supplement to this number of the *Annals* is entitled *Uniform Child Labor Laws*, and contains the proceedings of the seventh annual conference of the National Child Labor Committee.

#### WESTERN

The *Isaac Haskins Family History and Genealogy* is a pamphlet compiled by Charles R. Green of Olathe, Kansas.

Hugh Potter Baker is the writer of a dissertation on *Die Prärien*

in *Zentralnordamerika und ihr Wert für Forstkultur*, which is published in pamphlet form.

*Bulletin* number forty issued by the Bureau of American Ethnology of the Smithsonian Institution consists of part one of a *Handbook of American Indian Languages*, compiled by Franz Boas, with the assistance of Roland B. Dixon, P. E. Goddard, John R. Swanton, and others.

The Industrial Accident Board created by the legislature of the State of Wisconsin at its last session has issued a pamphlet entitled *Workmen's Compensation Act*. It contains the text of the act, together with an analysis of the act by the legislative committee which submitted it, and the forms and rules of the Industrial Accident Board.

*Morals in Trade and Commerce*, by Frank B. Anderson; *The Serfs of Chile and Their Emancipation*, by Bernard Moses; *The Problem of the Law School*, by William Carey Jones; and an *Address at the Dedication of the Boalt Memorial Hall of Law*, by Charles S. Wheeler, may be found in the July number of *The University of California Chronicle*.

Among the papers in volume four, number three of the *Bulletin of the Minnesota Academy of Science* are the following: *Conservation of the Future Lumber Supply*, by T. B. Walker; *The Prairie Flora of Southwestern Minnesota*, by L. R. Moyer; *Hennepin at the Falls of St. Anthony*, by N. H. Winchell; and an *Historical Sketch of the Minnesota Academy of Science*, by Harlow Gale.

*Bulletin* number forty-four issued by the Bureau of American Ethnology of the Smithsonian Institution consists of a monograph on the *Indian Languages of Mexico and Central America and their Geographical Distribution*, by Cyrus Thomas, assisted by John R. Swanton. *Bulletin* number fifty-one is devoted to a discussion of the *Antiquities of the Mesa Verde National Park: Cliff Palace*, by Jesse Walter Fewkes.

Edwin Cassander Manning, President of the Kansas State Historical Society, is the author of a volume of *Biographical, Historical and Miscellaneous Selections*, covering the years from 1838 to 1911,



which has been privately printed by the Torch Press of Cedar Rapids. The autobiography, which covers the first ninety pages of the volume, contains an entertaining account of the author's early years in New York, his removal to Iowa in 1852, and his subsequent life in the West, principally in Kansas. The remainder of the book is taken up with sketches on historical and political subjects, accounts of personal experiences, and literary selections.

John Wilson Townsend, the writer of many articles on various phases of Kentucky history, is the author of a pamphlet bearing the title, *Lore of the Meadowland*. Three biographical sketches make up the contents. *Horace Holley, LL. D., The Third President of Old Transylvania* is the subject of the opening sketch. *Kentucky's Dunbar, Joseph Seamon Cotter, and Rev. London Ferrill, Kentucky's Greatest Negro Preacher*, are the men of whom Mr. Townsend writes in the last two sketches.

Pursuant to an act of the Sixty-sixth General Assembly of Indiana approved on March 5, 1909, the Indiana-Vicksburg Park Commission has published a volume entitled *Indiana at Vicksburg*, compiled by Henry C. Adams, Jr. The volume contains a record of tablet inscriptions and park inscriptions, the report of the siege and surrender of Vicksburg by General Grant, brief sketches of the various Indiana regiments engaged, and other material relative to the part taken by Indiana men in the siege.

*Timothy Flint: Pioneer, Missionary, Author, Editor, 1780-1840*, by John Ervin Kirkpatrick, is a late book of western interest. Timothy Flint was born in Massachusetts in 1780 and there he spent his boyhood and youth. The years from 1802 to 1815 were spent in the ministry in New England, and in the latter year he accepted a call to missionary work in what was then looked upon as the far west — namely, the Ohio Valley. Thereafter for several years Kentucky, Ohio, Missouri, Arkansas, Louisiana, and other western Commonwealths or Territories were the scenes of his labors, and he spent some time in travel in Europe. He died in Reading, Massachusetts, the place of his birth, in 1840. Mr. Kirkpatrick has written a readable and apparently critical biography, which will

be a welcome addition to the literature of western history. The paper and print are excellent, as is usually the case with publications issued by The Arthur H. Clark Company.

The John Carter Brown Library of Providence, Rhode Island, has issued a handsome brochure entitled *San Francisco Bay and California in 1776*, prepared by Irving Berdine Richman. The brochure, as indicated on the title page, contains three maps "with outline sketches reproduced in facsimile from the original manuscript drawn by Pedro Font, Chaplain and Cartographer to the expedition led by Juan Bautista de Ansa which made the overland journey from northern Mexico to the California coast during the winter of 1775-1776". The book is a fine specimen of the best in the art of printing and binding. The edition is limited to one hundred and twenty-five copies.

*Original Papers* number four published in March by the Wisconsin History Commission consists of a monograph on *The Chattanooga Campaign with Especial Reference to Wisconsin's Participation Therein*, by Michael Hendrick Fitch. The three chapters are devoted to the preliminary campaign, the Chickamauga campaign and battle, and the occupation and battles of Chattanooga, respectively. In another volume of this series which appeared in May, Ethel Alice Hurn tells of *Wisconsin Women in the War Between the States*. The life and sacrifices of Wisconsin women, both at home and in the hospitals at the front during the war, are described in an interesting manner.

A unique volume is one entitled *Essays in American History Dedicated to Frederick Jackson Turner*. The ten essays here presented were written by former students of Professor Turner at the University of Wisconsin and dedicated to him in honor of his election to the presidency of the American Historical Association. Six of the ten essays very appropriately are on subjects in western American history, namely: *Some Activities of the Congregational Church West of the Mississippi*, by Lois Kimball Mathews; *Oregon Pioneers and American Diplomacy*, by Joseph Schafer; *Some Problems of the Northwest in 1779*, by James Alton James; *Kansas*, by Carl Lotus Becker; *Federalism and the West*, by Homer C. Hock-

ett; and *Independent Parties in the Western States, 1873-1876*, by Solon Justus Buck. The remaining essays are: *Virginia and the Presidential Succession, 1840-1884*, by Charles Henry Ambler; *The Southern Whigs, 1834-1854*, by Ulrick Bonnell Phillips; *The Beginnings of Spanish American Diplomacy*, by William Spence Robertson; and *Some Notes on the Study of South American History*, by Paul Samuel Reinsch. It should be noted that many others besides the writers of the essays contributed toward this splendid tribute to Professor Turner.

## IOWANA

*The McCollister Family, 1799-1911*, is a pamphlet containing a brief genealogical outline which is of Iowa interest.

The June number of *The Iowa Alumnus* is devoted to an account of the commencement of 1911 and contains considerable information concerning alumni of the State University.

A brief paper of historical interest which appears in volume seventeen of the *Proceedings of the Iowa Academy of Science* is written by L. S. Ross, and consists of an *Historical Sketch of Early Health Regulations in Iowa*.

The September number of *Midland Schools* contains a tribute to *Professor Samuel Calvin, Teacher and Scientist*, by A. M. Deyoe; and an editorial comment on *John Gabbert Bowman, New President of the State University of Iowa*.

The concluding installment of Thomas Carr's article on *The Swastika, its History and Significance* is printed in the July number of *The American Freemason*. In the September number may be found an editorial review under the heading, *Freemasonry and the French Revolution*.

*Special Taxes and the Railroad's Rules Laid Down by the Supreme Court* is the subject given a court opinion which is printed in the August number of *Midland Municipalities*, where may also be found a brief discussion of *Industrial Fines*, by C. N. Marvin. *A Protest Against the Common Drinking Cup*, by Paul T. Robarts; *The Iowa State Tax Commission*, which is a reprint of a newspaper

editorial; and an account of the *New York Conference on the Loan Shark* are among the contents of the September number.

*United America a Possibility*, by R. J. Farthing; *The Land of the Nephites*, by H. A. Stebbins; and *What the Government has Done and is Doing for the Indian*, by Sadie Burke, are articles in *Autumn Leaves* for July. John Zahnd is the writer of a sketch on *Biography* in the August number.

*The Capture and Destruction of Columbia, South Carolina, February 17, 1865*, is a pamphlet which contains some personal recollections of H. C. Arthur, who was Aide-de-camp to General Belknap, commanding Crocker's Iowa Brigade. It is to be noted that a large palmetto flag captured at Columbia at this time is now in the possession of The State Historical Society of Iowa.

*Looking Backward* is the subject of an address delivered by G. L. Tremain at the annual meeting of the Iowa Bankers' Association in June, 1911, which is printed in the July number of *The Northwestern Banker*. The address contains some facts concerning the organization of the Iowa Bankers' Association. *Iowa's Amazing Financial Growth* is described in a brief sketch in the August number.

The *Third Annual Report of the Department of Finances and Municipal Accounts*, which contains much valuable information concerning Iowa cities and towns, is printed and bound in somewhat different form than before and contains much material not included in the former reports. In an appendix there is a directory of the principal city and town officials, together with extracts from Iowa municipal law.

A two volume *History of Jackson County, Iowa*, written by James W. Ellis, is an addition to the list of works dealing with the history of the counties of Iowa. The first volume is devoted to historical material, opening with a brief survey of the most important events in the history of the State. Turning then to Jackson County the author, assisted by various other writers, tells of the geology, the Indian tribes, and the settlement of the county. The military, political, social, and economic phases of county history also receive their share of attention; while those chapters containing accounts

of such incidents as the Bellevue War and other criminal episodes in the early days are of especial interest. The second volume is given over to biographical sketches of prominent citizens of the county. It is to be regretted that the company which published the volumes did not provide an adequate index, in order that the valuable facts and information gathered by Mr. Ellis might be made more accessible to the student.

The *First Biennial Report of the Iowa State Board of Education* is a volume of over four hundred and fifty pages. It contains reports of the work and finances of the State University, the College of Agriculture and Mechanic Arts, and the State Teachers' College, together with recommendations for the extension of the work of the various institutions. It also furnishes some idea of the workings of the Board of Education during the first two years of its existence.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Baker, Hugh Potter,

*Die Prärien in Zentralnordamerika und ihr Wert für Forstkultur.* München: K. Hofbuchdruckerei Kastner & Callwey. 1911.

Bell, Hill McClelland,

*An Orthoepy and Orthography.* Des Moines: Huntwell Publishing Co. 1911.

Botsford, George Willis,

*A History of the Ancient World.* New York: The Macmillan Co. 1911.

Brown, Charles Reynolds,

*The Modern Man's Religion.* New York: Teachers' College. 1911.

Devine, Edward Thomas,

*Economic Function of Woman.* New York: Teachers' College. 1911.

Dillon, John F.,

*Commentaries on the Law of Municipal Corporations.* (Revised and enlarged edition.) Boston: Little, Brown & Co. 1911.

- Downer, Harry E.,  
*Boy and His Job*. Davenport: Contemporary Club. 1911.
- Ellis, James W.,  
*History of Jackson County*. Chicago: S. J. Clarke Publishing  
 Co. 1910.
- Evermann, Barton Warren,  
*Notes on a Cyprinodont from Central Peru*. Washington:  
 Government Printing Office. 1911.
- Ferber, Edna,  
*Dawn O'Hara, the Girl who Laughed*. New York: Frederick  
 Stokes & Co. 1911.
- Fitch, George,  
*At Good Old Siwash*. Boston: Little, Brown & Co. 1911.
- Fitzpatrick, T. J.,  
*Rafinesque: A Sketch of his Life with Bibliography*. Des  
 Moines: The Historical Department of Iowa. 1911.
- Garst, Laura De Lany,  
*In the Shadow of the Drum Tower*. Cincinnati: Christian Mis-  
 sionary Society. 1911.
- Horack, Frank E.,  
*The Government of Iowa*. New York: Charles Scribner's Sons.  
 1911.
- Hughes, Rupert,  
*Miss 318; a Story in Season and Out of Season*. New York and  
 Chicago: Fleming H. Revell Co. 1911.
- Kirbye, J. Edward,  
*Puritanism in the South*. Boston: Pilgrim Press. 1911.
- McCabe, Olivia,  
*The Rose Fairies and Other Stories*. Chicago: Rand, McNally  
 & Co. 1911.
- McGee, W J,  
*Soil Erosion*. Washington: Government Printing Office. 1911.
- Macy, Jesse,  
*The English Constitution*. (Revised edition.) New York:  
 The Macmillan Co. 1911.
- Miner, William Harvey,  
*The Iowa*. Cedar Rapids: The Torch Press. 1911.

- Pelzer, Louis,  
*Henry Dodge.* Iowa City: The State Historical Society of  
 Iowa. 1911.
- Pillsbury, Walter Bowers,  
*The Essentials of Psychology.* New York: The Macmillan Co.  
 1911.
- Richman, Irving Berdine,  
*San Francisco Bay and California in 1776.* Providence: The  
 John Carter Brown Library. 1911.
- Sabin, Edwin Legrand,  
*The Circle K; or, Fighting for the Flock.* New York: Thomas  
 Y. Crowell Co. 1911.
- Thanet, Octave (Alice French),  
*Stories That End Well.* Indianapolis: The Bobbs-Merrill Co.  
 1911.

## SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

*The Register and Leader*

- The Real Pioneers of Des Moines and Polk County, July 2, 1911,  
 and succeeding issues.
- Mrs. Eunice Jewett Thrift — Des Moines' First White Woman Resi-  
 dent, by George A. Jewett, July 9, 1911.
- Eugene F. Ware — Distinguished Soldier and Author, by J. S.  
 Clark, July 9, 1911.
- Iowa Woman Who Helped Make Colorado, by Florence L. Clark,  
 July 9, 1911.
- Sketch of Life of Peter A. Dey, July 12, 1911.
- Story of the "House by the Side of the Road" and its Work, July  
 16, 1911.
- Biographical Sketch of A. B. Cummins, by L. F. Andrews, July 16,  
 1911.
- When Garfield Went to School to Mrs. L. F. Coffin, July 23, 1911.
- Some of the Indian War Relics at the State Museum, July 23, 1911.
- J. H. Long Family, Prominent among Des Moines Pioneers, by L. F.  
 Andrews, July 23, 1911.
- W. M. Boone, Descendant of Daniel Boone, July 30, 1911.

- Hon. T. B. Perry, One of the Pioneer Teachers of Polk County, July 30, 1911.
- Reunion of First, Second, and Third Iowa Veterans on Anniversary of Battle of Wilson's Creek, August 6, 1911.
- William Porter — Pioneer Newspaper Man of Iowa, by L. F. Andrews, August 13, 1911.
- Sketch of Life of Stewart Goodrell, August 14, 1911.
- Mormon Monument at Pisgah, Iowa, August 20, 1911.
- Josiah Sheldon Wheeler — Prominent Iowa Bank President, August 27, 1911.
- Organization of Association of Iowa Pioneers, September 2, 1911.
- The Last Curtain Rings Down on Historic Foster's Opera House, September 3, 1911.
- Story of Pocahontas, an Incident in Civil War History, September 3, 1911.
- Killing of Henry County Man Fifty Years Ago Explained, September 8, 1911.
- Joseph Odren — An Iowan who had a Prominent Part in the Capture of Jefferson Davis, September 17, 1911.
- Colonel John P. Irish Visits the Scenes of his Early Political Career, September 24, 1911.

*The Burlington Hawk-Eye*

- Twenty Years Ago, (In each Sunday issue.)
- Van Buren County's Historic Court House, July 9, 1911.
- The Pioneer Ross Family in Burlington and Southern Iowa, July 9, 1911.
- Black Hawk's Chieftaincy, by Reuben Gold Thwaites, July 9, 1911.
- William Bales — The Youngest Civil War Recruit, July 16, 1911.
- Sketch of Life of "Diamond Joe" Reynolds, July 16, 1911.
- Buffalo Bill Belongs to Burlington and to Iowa, July 16, 1911.
- Seeking for Mormon Trail, July 16, 1911.
- Services of Mrs. M. M. Green as Nurse during Civil War, July 23, 1911.
- How W. C. Brown Reported a Base Ball Game in Iowa, July 30, 1911.
- Civil War Reminiscences, by W. P. Elliott, July 30, 1911.



Old Settlers' Day at Fairfield, August 5, 1911.

Ezra Meeker in Burlington, August 17, 1911.

Marking of the Oregon and Santa Fé Trails, August 20, 1911.

Captain William Hamilton Hall, Once Business Manager of the  
*Burlington Hawk-Eye*, August 20, 1911.

Annual Reunion of Pioneers of Salem, August 27, 1911.

The End of An Epoch — Address at Meeting of Fremont Voters  
Association, September 24, 1911.

*The Dubuque Telegraph-Herald*

Iowa Furnished Youngest Soldier in the Civil War, July 16, 1911.

Battle of Blue Mills, by P. W. Crawford, July 23, 1911.

Sketch of Life of Thomas J. Ryan, July 29, 1911.

Early Day Floods and Present Ones, July 30, 1911.

The Fight at Davis' Bridge, by P. W. Crawford, July 30, 1911.

Fighting Cavalry at Monroe, Mo., by P. W. Crawford, August 6,  
1911.

The Battle at Pittsburg Landing, by P. W. Crawford, August 13,  
1911.

Before the Battle of Corinth, by P. W. Crawford, August 20, 1911.

In Camp at Hamburg, by P. W. Crawford, August 27, 1911.

Census Figures for Iowa, September 3, 1911.

The Evacuation of Corinth, by P. W. Crawford, September 3, 1911.

Julien Dubuque as Known by an Iowan, September 10, 1911.

Story of Upper Iowa University, September 10, 1911.

Visit of Colonel John P. Irish to Dubuque, September 15, 1911.

## HISTORICAL SOCIETIES

### PUBLICATIONS

*Rafnesque: A Sketch of his Life with Bibliography* is a two hundred and forty page volume by T. J. Fitzpatrick recently published by the Historical Department of Iowa.

The principal article in the July number of *The Medford Historical Register* is a discussion of *The Ancient Name "Menotomy" and the River of That Name*, by J. Albert Holmes.

A new volume in the *Kentucky Historical Series* is devoted to a sketch of *General Zachary Taylor and the Mexican War*, by Anderson Chenault Quisenberry. The volume contains much information concerning the part taken by Kentucky men in the Mexican War.

The following articles in the *Year-Book of the Swedish Historical Society of America* for 1910 are of historical interest: *Personal Memories of Brigadier-General C. J. Stolbrand*, by Joseph Esbjörn Osborn; *Civil War Reminiscences*, by John A. Anderson; and *Om "Kensington-Stenen"*, by O. A. Linder.

*The Parian* is the title of an article by A. L. Van Antwerp, describing a group of buildings in the City of Mexico, which may be found in the July-August number of the *Records of the Past*. Other articles are: *Shellmounds at San Francisco and San Mateo*, by A. L. Kroeber; and *Aryan Origin of the Aztecs*, by Thomas S. Denison.

Among the contributions in the *Records of the American Catholic Historical Society* for June are: *Catholics in Colonial Virginia*, by Martin I. J. Griffin; a brief note on *Great Britain and the Catholics of the Illinois Country, 1763-1774*; and *A Eulogy of Christopher Columbus*, by Cardinal Taschereau.

The second volume of the *Minutes of the Executive Council of the Province of New York*, edited by Victor Hugo Paltsits, State His-

torian of New York, is comprised of *Collateral and Illustrative Documents* for the period of the administration of Francis Lovelace, 1668-1673. An analytical index will appear in volume three.

Two monographs make up the July number of *The Quarterly of the Texas State Historical Association*. The first and most extended is a discussion of *The Aguayo Expedition into Texas and Louisiana, 1719-1722*, by Eleanor Claire Buckley. *The Jumano Indians in Texas, 1650-1771*, is the subject of a brief paper by Herbert E. Bolton.

Volume two of the *Annual Report of the American Historical Association*, containing the second part of the *Diplomatic Correspondence of the Republic of Texas*, edited by the late George P. Garrison, has been distributed. The correspondence with the United States is here concluded, and in addition the volume contains the correspondence with Mexico and Yucatan.

*Dr. Oswald Seidensticker und die deutsch-amerikanische Geschichtsforschung* is the title of an article by H. A. Rattermann which appears in the *Deutsch-Amerikanische Geschichtsblätter* for July. *Dem Andenken Benjamin Franklins* and *Eine in Amerika geborene Dichterin Deutschlands: Susanna von Bandemer, geboren Franklin* are other articles by the same writer.

The April-June number of *The Quarterly Publication of the Historical and Philosophical Society of Ohio* contains some further *Selections from the Torrence Papers*, edited by Isaac Joslin Cox. The contents consist largely of letters from the correspondence of Thomas Sloo, Jr. A few pages are devoted to the minutes of the meetings of the Illinois Canal Commissioners from February 18, 1823 to September 10, 1824.

The first three numbers of volume two of the *Publications of the Academy of Pacific Coast History* appeared in July. The first number contains about one hundred and twenty pages, and is entitled *The Portola Expedition of 1769-1770: Diary of Vicente Vila*. The editor is Robert Selden Rose. Number two contains a second installment of the *Papers of the San Francisco Committee of Vigilance of 1851*, edited by Porter Garnett. The third number is

devoted to the *Expedition to San Francisco Bay in 1770: Diary of Pedro Fages*, edited by Herbert Eugene Bolton.

The fifth chapter of Henry A. M. Smith's discussion of *The Baronies of South Carolina* appears in *The South Carolina Historical and Genealogical Magazine* for July, and is devoted to the Seewee Barony. Other contributions are: a continuation of the *Journal of the Campaign to the Southward, May 9th to July 14th, 1778*, by John Faucheraud Grimké; and an article on *The First Shot on Fort Sumter*, by Robert Leiby.

The *Historical Collections of the Essex Institute* for July opens with an article on *The Physicians of Topsfield, with Some Account of Early Medical Practice*, by Henry Follansbee Long. Other contributions are a letter from *John Jenks of Salem to Cotton Tufts of Weymouth*, and continuations of *Marblehead in the Year 1700*, by Sidney Perley; and *The Houses and Buildings of Groveland, Massachusetts*, by Alfred Poore.

Two articles dealing with Charles Sealsfield's descriptions of life in America early in the nineteenth century are printed in the January-April number of the *German-American Annals*. Otto Heller writes in German on *Sealsfield-Funde*; while Preston A. Barba presents a similar discussion in English on *Sealsfield Sources*. Another contribution in this number of the *Annals* is the *Journal of Du Roi the Elder*, translated by Charlotte S. J. Epping.

C. F. Huch is the writer of two valuable articles which appear in the twenty-first number of the *Mitteilungen des Deutschen Pionier-Vereins von Philadelphia*. The first article deals with the *Anschluss der Deutschen Philadelphias an die republikanische Partei in Jahre 1856*. The second treats of the *Beteiligung der deutschen Republikaner Philadelphias an der Präsidentenwahl im Jahre 1860*. Both articles are contributions to the early history of the Republican party.

The opening contribution in the July number of *The New England Genealogical Register* is a biographical sketch of *Almon Danforth Hodges, Jr.*, by William T. R. Marvin. The list of names contributed by Albion Morris Dyer and headed *First Ownership of*

*Ohio Lands* is concluded in this number. Two interesting articles are: *A Short History of the Origin and Development of Conveyancing*, by William T. A. Fitzgerald; and *Bells of Harvard College*, by Arthur H. Nichols.

The extract from *The Randolph Manuscript* published in the July number of *The Virginia Magazine of History and Biography* consists of a letter of instructions issued to Lord Culpeper on November 7, 1682. Among the *Miscellaneous Colonial Documents* may be noted the record of the appointment of justices for Transylvania in 1775. Perhaps the contribution of greatest western interest in this number is a *Letter of Rev. James Maury to Philip Ludwell, on the Defence of the Frontiers of Virginia, 1756*, contributed by Worthington Chauncey Ford.

Jonas Viles is the author of a valuable article on *Population and Extent of Settlement in Missouri Before 1804*, which appears in the July number of the *Missouri Historical Review*. The account of an interesting episode which occurred in the West during the Revolutionary War is given by Frederick J. Teggart under the heading, *The Capture of St. Joseph, Michigan by the Spaniards in 1781*. Other contributions are: *Christ Church Parish, Boonville, Cooper County, Missouri*, by S. W. Ravenel; and *Livingston County, Missouri*, by L. T. Collier.

Lawrence C. Wroth is the writer of an article on *A Maryland Merchant and his Friends*, which opens the September number of the *Maryland Historical Magazine*. Charles Chaillé Long presents a sketch of *Associations and Associators in the American Revolution*. A number of *Stamp Act Papers*, taken from the Society's collections, are of interest, as are also the *Minutes of the Board of Patuxent Associators*. The *Letters and Documents* printed in this number are taken largely from the official correspondence of Governor Thomas H. Hicks relative to the raid on Harper's Ferry.

The tenth volume of the *Proceedings of the New York State Historical Association* contains the usual number of valuable historical contributions. Space forbids the mention of more than a few of the more extended articles and papers. A series of articles by

George F. Bixby are printed under the heading, *The History of the Iron Ore Industry on Lake Champlain*. James Austin Holden presents some *New Historical Light on the Real Burial Place of George Augustus Lord Viscount Howe, 1758*. One hundred pages are devoted to a discussion of *The Black Watch at Ticonderoga*, by Frederick B. Richards.

A number of valuable articles are to be found in volume four of the *Proceedings and Transactions of the Royal Society of Canada*. The following may be mentioned as illustrative: *La Baie d'Hudson*, by L. A. Prud'homme; *Les Britons en Canada*, by M. Benjamin Sulte; *Les Archives du Canada a venir a 1872*, by J. Edmund Roy; *Nova Scotia Under English Rule; from the Capture of Port Royal to the Conquest of Canada*, by W. O. Raymond; *The Fenian Raid of 1866 and Events on the Frontier*, by Barlow Cumberland; *Harrison and Procter*, by E. A. Cruikshank; and *Place-Names in Northern Canada*, by James White.

A brief address on *Anthony Wayne*, delivered by Charles Henry Hart on the occasion of the presentation of a portrait of General Wayne to the Historical Society of Pennsylvania, is printed in *The Pennsylvania Magazine of History and Biography* for July. Some *Letters of James Logan to Thomas Penn and Richard Peters* tell of conditions in Pennsylvania in 1733. The *Orderly Book of General John Peter Gabriel Muhlenberg, March 26–December 20, 1777*, is concluded in this number. Other articles are: *Who was the Mother of Franklin's Son?*, by Charles Henry Hart; *A Philadelphia Schoolmaster of the Eighteenth Century*, by Joseph Jackson; and *Isaac Wilson, Head-Master*, by Charles H. Browning.

The April and July numbers of the *Ohio Archaeological and Historical Quarterly* are combined in one. The opening contribution is an article on *Logan — The Mingo Chief*, which was found among the Draper manuscripts in the library of the State Historical Society of Wisconsin. *The Kendal Community* is the subject of a sketch by Wendall P. Fox. Archer Butler Hulbert's address on *The Ohio River* deals with the importance of that great waterway in the making of the Nation. *Birthplace of Little Turtle*,

by Calvin Young; and *The Cincinnati Municipal Election of 1828*, by Mary Baker Furness, are brief articles; and there is an extended discussion of *Oberlin's Part in the Slavery Conflict*, by Wilbur Greeley Burroughs.

The July number of the *Journal of the Illinois State Historical Society* opens with an article on the *Monetary System of Nouvelle France*, by Charles M. Thompson. J. F. Steward traces the course of the *Sac and Fox Trail*. A number of letters from the correspondence of *James Rood Doolittle of Wisconsin* are contributed by Duane Mowry. Among the other articles may be mentioned *An Author at His Residence—Professor John Russell, of Bluff Dale*, by John Reynolds; *Mr. Lincoln's Visit to Waukegan in 1860*, by J. Seymour Currey; *The Danville and Fort Clark Road*, by J. O. Cunningham; and *The Old Indian Trail, Sangamon County, Illinois*, from the papers of the late Zimri A. Enos. An account of the *Annual Meeting of the Illinois State Historical Society, Evanston-Chicago, May 17, 18, 1911*, is also to be found in this number.

Reconstruction is the dominant subject of discussion in the articles which appear in the eleventh volume of the *Publications of The Mississippi Historical Society*, edited by Franklin L. Riley. There are six papers by different authors dealing with the history of Reconstruction in various counties of the State of Mississippi. In addition there are several other interesting contributions. Franklin L. Riley discusses *The Mississippi River as a Political Factor in American History*, and is the writer of a brief description of the *Demarcation of the Mississippi-Louisiana Boundary from the Mouth of Pearl River to the Gulf of Mexico*. Other articles which may be mentioned are: *The Beginning of a New Period in Mississippi*, by G. H. Brunson; *The French Trading Post and the Chocchuma Village in East Mississippi*, by H. S. Halbert; *Marking the Natchez Trace*, by Mrs. Dunbar Rowland; and *General Jackson's Military Road*, by William A. Love.

*Publication Number Fourteen of the Illinois State Historical Society* has been distributed. It is a volume containing the *Transactions of the Illinois State Historical Society for the Year 1909*. Aside from a few pages devoted to proceedings, and lists of officers,

committees, and members, the volume is filled with papers read at the annual meeting. The papers are of a high order and deserve more extended notice than can be given in the following selection of titles: *Efforts to Divorce Judicial Elections from Politics in Illinois*, by Oliver A. Harker; *The Winter of the Deep Snow*, by Eleanor Atkinson; *How Mr. Lincoln Received the News of his First Nomination*, by Clinton L. Conkling; *Rock River in the Revolution*, by William A. Meese; *Augustin Mottin de la Balm*, by Clarence M. Burton; *The Sieurs de St. Ange*, by Walter B. Douglas; and *Detroit the Key to the West During the American Revolution*, by James Alton James.

In addition to the usual proceedings, reports, and lists of officers and members, volume five of the *South Dakota Historical Collections*, edited by Doane Robinson, contains an extensive *Capital and Capitol History of South Dakota*, occasioned, no doubt, by the completion of the new capitol building of that State in 1910. The account includes articles written by different men, together with documentary material in the shape of legislative acts and resolutions. There is also an illustrated description of the new capitol. The volume, moreover, contains a number of papers and addresses, among which may be mentioned: *President's Biennial Address*, by Robert F. Kerr, which traces the causes for the progress and development of South Dakota; *The Big Winter, 1880*, by C. S. Amsden; *A Buffalo Hunt*, by Thomas L. Riggs; an address delivered at the *Dedication of Log School House Monument, Vermillion, August 25, 1909*, by Doane Robinson; *Dakota Campaigns*, by John Pattee; and *A Sioux Indian View of the Last War with England*, by Doane Robinson.

#### ACTIVITIES

The Oklahoma Historical Society held its annual meeting on June 3rd. Practically the only change in the list of officers was occasioned by the resignation of Lou Whorton as Secretary. Frank D. Northrup was chosen as his successor.

The *Biennial Report of The State Historical and Natural History Society of Colorado* for the years 1909 and 1910 reveals nearly two



thousand accessions of historical books and pamphlets, besides a creditable number of manuscripts, maps, pictures, and ethnological objects.

The Missouri Historical Society, which has its headquarters in St. Louis, will be given rooms in a building which will be erected in Forest Park, the site of the St. Louis Exposition of 1904. The present quarters of the Society are crowded and the change will be of great advantage in every respect.

The *Annual Report of the Connecticut Historical Society* contains the reports presented at the annual meeting on May 23, 1911, and lists of officers and members. The report reveals an increase of thirty-four in membership and nearly thirteen hundred accessions to the library during the year.

During the year ending May 1, 1911, the Essex Institute added to its library over two thousand four hundred volumes and over nine thousand pamphlets. An interesting feature of the work of the Institute is its restoration of a seventeenth century house, the success of which is largely due to the generous aid of private citizens.

The Legislative Reference Department which has for some time been operated by the State Historical Society of Nebraska was, at the last session of the legislature of that State, erected into a more independent institution affiliated, however, with certain departments in the State University. The Department has been given broad powers, including the drafting of bills, and is reasonably well provided with funds for carrying on the work. Freedom from political influence is assured by the fact that the director is chosen by the Board of Regents of the University.

The twenty-sixth annual meeting of the Ohio State Archaeological and Historical Society was held at Columbus, Ohio, on May 31, 1911. Two changes were at this time made in the constitution of the Society: the class of members known as Corresponding Members was eliminated, and the Governor of Ohio was made ex-officio a member of the Board of Trustees of the Society. The following officers were elected: President, G. Frederick Wright; First Vice

President, G. F. Bareis; Second Vice President, D. J. Ryan; Secretary and Editor, E. O. Randall; Treasurer, E. F. Wood; Curator and Librarian, W. C. Mills.

Several acts of interest to historical workers were passed by the General Assembly of Illinois at its last session. An appropriation of one hundred and fifty thousand dollars was made for the purchase of Starved Rock and the adjacent property. A commission was created to erect a monument to Governor Ninian Edwards on the site of old Fort Russell, near Edwardsville, and five thousand dollars were appropriated for that purpose. Another commission, with a similar appropriation, was created for the purpose of considering plans for a building to house the State Department of Education, the Illinois State Historical Society, the Illinois State Historical Library, and other allied institutions. A bill for the purchase of the site of old Fort Charters was vetoed by the Governor because of a defect in the bill, which will doubtless be corrected at the next session of the legislature. The Illinois State Historical Society deserves congratulation for securing so much beneficial legislation.

#### THE STATE HISTORICAL SOCIETY OF IOWA

Miss Anna Van der Zee has been appointed Stenographic Assistant for the Society for the ensuing year.

Mr. Clifford Powell will continue as General Assistant in the Society during the coming year and will have charge of the Library in the evenings.

Dr. Frank E. Horack, the Secretary of the Society, is the author of a text-book on *The Government of Iowa* which has been published by Charles Scribner's Sons.

Dr. John E. Brindley, the author of the two volume *History of Taxation in Iowa* which was published a year ago by the Society, has been appointed Secretary of the Tax Commission created by the Thirty-fourth General Assembly. The commission will make a thorough investigation of the Iowa revenue system and make recommendations to the legislature at its next session.

Dr. Louis Pelzer, who for several years occupied the position of Research Assistant in the Society and who for the past two years has held the chair of history in the Montana State Normal College, has been appointed Assistant Professor in Western American History in the State University of Iowa.

Professor Frank H. Garver, who for many years has occupied the chair of history and political science in Morningside College, has accepted a similar position in the Montana State Normal College at Dillon, Montana. It will be remembered that Professor Garver has for several years been connected with the Society as Research Assistant and has written a number of monographs dealing with phases of county history.

The following persons have recently been elected to membership: Mr. Judson Keith Deming, Dubuque, Iowa; Mr. Lauren Chase Eastman, Clinton, Iowa; Mr. Henry W. Grout, Waterloo, Iowa; Mr. J. C. Hagler, Des Moines, Iowa; Mr. H. L. Hampton, Webster City, Iowa; Mr. Ira T. Hawk, Adel, Iowa; Mr. Geo. F. Henry, Des Moines, Iowa; Mr. F. C. Hubbell, Des Moines, Iowa; Mr. Henry S. Merriek, Ottumwa, Iowa; Mr. Wm. Milchrist, Sioux City, Iowa; Mr. Herbert C. Ring, Cedar Rapids, Iowa; Mr. S. E. Thompson, Bedford, Iowa; Mrs. C. N. Voss, Davenport, Iowa; Mr. E. S. Ballord, Davenport, Iowa; Mr. Justin Barry, Walker, Iowa; Mr. W. A. Brindley, Madison, Wisconsin; Mr. James Ellis Gow, Cedar Rapids, Iowa; Miss Joanna C. Hoering, Davenport, Iowa; Mr. Frank Shane, Eldon, Iowa; Mr. T. M. Simonton, Oskaloosa, Iowa; Mr. Leon O. Smith, Paullina, Iowa; Mr. M. W. Frick, Rockwell City, Iowa; Miss Florence Nadler, Davenport, Iowa; and Mr. David Williams, Keosauqua, Iowa. Mr. Edward H. Litchfield of New York City has been elected to life membership.

On the evening of August 10, 1911, a dinner was given at the home of the Superintendent, Benj. F. Shambaugh, in honor of the appearance of Mr. Irving B. Richman's volume on *California Under Spain and Mexico*, issued by the Houghton Mifflin Company, and Dr. Louis Pelzer's biography of *Henry Dodge*, published by The State Historical Society of Iowa. Besides the host and hostess and the two authors in whose honor the dinner was given those

present were: Professor Jesse Macy of Grinnell College; Mr. Euclid Sanders, President of the State Historical Society; Mayor George W. Koontz of Iowa City; Dr. John C. Parish of Montclair, Colorado; Dr. John E. Brindley of Ames; Dr. E. H. Downey of Kenyon College, Gambier, Ohio; Dr. Dan E. Clark of Iowa City; Mr. Jacob Van der Zee of Iowa City; Professor O. B. Clark of Drake University, Des Moines; Dean Carl E. Seashore of the State University of Iowa; Professor Frank H. Garver, now of Montana State Normal College, Dillon, Montana; Professor Frank E. Horack of the State University of Iowa; Mr. Clarence R. Aurner of Iowa City; Mr. John Springer of Iowa City; Professor Paul S. Peirce of the State University of Iowa; Professor L. B. Schmidt of Ames; Mr. Henry J. Peterson of the State Teachers' College, Cedar Falls; Mr. Clifford Powell of Red Oak; and Mr. Louis T. Jones of Penn College, Oskaloosa. As was indicated in the July number of THE IOWA JOURNAL OF HISTORY AND POLITICS a majority of these men spent the summer at Iowa City doing research work under the direction of the Society. Indeed, this group of students, dominated by common aims and ideals, may be said to constitute an "Iowa School of Research Historians and Political Scientists".

M. W. DAVIS

The Board of Curators of The State Historical Society of Iowa lost its oldest member on August 18, 1911, in the death of Mr. M. W. Davis at his home in Iowa City at the age of seventy-eight years.

Mr. Davis at the time of his death was the oldest merchant in Iowa City, having been engaged in the drug business in that city for over fifty years. He came to Iowa from Williamsport, Ohio, where he was born and where his boyhood years were spent.

Mr. Davis's service to the people of Iowa was rendered through The State Historical Society of Iowa, of which he was a Curator from 1865 to 1883 and again from 1898 to the date of his death, and Secretary from 1883 to 1903. During the early period in the history of the Society when the members were few, the financial support inadequate, and the small but valuable collection of books and relics housed in various out of the way places, Mr. Davis more

than any other one man was responsible for keeping the breath of life in the organization. He persistently and successfully resisted all attempts to disband the Society or remove it from Iowa City, and he devoted much of his time and energies without remuneration to the care and upbuilding of the library of the Society. His faithful and unassuming labors to preserve for future generations the history of the State of Iowa are deserving of recognition and remembrance alongside of those whose deeds have been more conspicuous.

PETER A. DEY

Peter Anthony Dey, President of The State Historical Society of Iowa from September 8, 1900, to July 7, 1909, passed away at his home in Iowa City on July 11, 1911. Mr. Dey was born January 27, 1825, at Romulus, Seneca County, New York. His education was received in Seneca Falls Academy and Geneva College (now Hobart College), his graduation from the latter institution occurring in 1844.

For more than twenty years following his graduation from college, or until 1868, Mr. Dey was engaged as a civil engineer in the location and construction of railways and canals. The Erie Railroad along the Delaware and Susquehanna Rivers and in Pennsylvania, the Cayuga and Seneca Canals, the Erie Canal, and the Michigan Southern Railroad, were all enterprises with which he was connected during the first years of his engineering experience. Later he was placed in supervision of the survey and construction of the Chicago, Rock Island and Pacific Railroad, and it was while serving in this capacity that he removed to Iowa, making his headquarters at Iowa City. The route for this road across the State of Iowa was surveyed for the most part under his direction. Later he made a survey of a route for the Union Pacific Railroad from the Missouri River to Salt Lake City, and it is to be noted to his credit that certain portions of the route which were rejected at the time by the railroad company have since been adopted.

In 1868 Mr. Dey severed his connection with the Rock Island road and in the following year entered the field of banking as the President of the First National Bank of Iowa City, a position

which he held for nearly ten years. From 1872 to 1884 he was a member of the commission which superintended the erection of the present State capitol building. In 1878 he was appointed Railway Commissioner by Governor Gear, and for seventeen years he served the people of Iowa in this capacity. In 1895 he was again chosen president of the First National Bank of Iowa City, and he devoted the remaining years of his life to the duties of this office.

For twenty-four years, from 1886 to 1910, Mr. Dey was a member of the Board of Curators of the State Historical Society of Iowa. During these years his wise counsel and his faithfulness in the performance of his duties were potent factors in the development and growth of the Society. It was largely through his efforts that the Society secured its present fire-proof quarters.

Peter A. Dey will long be remembered as a man of sterling integrity, of wide experience, of broad interests, and of faithful service in each position to which he was called.

## NOTES AND COMMENT

The sixteenth biennial reunion of Crocker's Iowa Brigade was held at Sigourney on September 6 and 7, 1911.

Andrew J. Baker, who was Attorney-General of Iowa from 1885 to 1889, died at Centerville, Iowa, on April 23, 1911.

Columbus Day, October 12th, has been established as a legal holiday in Texas by an act of the legislature approved March 10, 1911.

Mrs. Samuel J. Kirkwood, wife of Iowa's War Governor, recently celebrated her ninetieth birthday. She still resides in the old home on Kirkwood Avenue in Iowa City.

The legislature of Wisconsin at its last session passed a law imposing penalties for forging or reproducing, with intent to deceive, any archaeological object. Another law makes it a misdemeanor to deface or destroy any Indian mound or burial place located on property belonging to the State.

On March 21, 1911, at Sedalia, Missouri, occurred the death of Daniel Bartlett, who was born at Boonville, Missouri, in 1801. Mr. Bartlett was undoubtedly among the first Americans born west of the Mississippi River and his record is a notable one.

The American Association for Labor Legislation held a conference at the Auditorium Hotel in Chicago on September 15 and 16, 1911. Among the general subjects discussed at this conference were standardization for accident prevention, administration by commissions, and uniform reporting of industrial injuries.

Mrs. Phoebe A. Lucas, who died at her home in Iowa City on September 8, 1911, was related to a number of the builders of the Commonwealth of Iowa. Her husband, E. W. Lucas, was a Lieutenant-Colonel of the Fourteenth Iowa Infantry during the Civil War and was the son of Robert Lucas, the first Governor of

the Territory of Iowa. Moreover, she was a sister-in-law of Samuel J. Kirkwood, Iowa's War Governor, and of Ezekiel Clark, whose name is prominent in the financial and political annals of the State.

A "Centennial Commission" consisting of Charles L. Jewett, Charles W. Fairbanks, Joseph M. Cravens, Frank M. Kistler, and Demarchus C. Brown, has been organized in Indiana in accordance with the provisions of an act of the legislature. The object of the commission is to select a site and approve plans for a memorial building to celebrate the one hundredth anniversary of the admission of the State of Indiana in 1916.

On September 22, 1911, occurred the death of Warner Lewis Clark, said to be the oldest pioneer of Scott County, Iowa. He was born near Mt. Carmel, Illinois, on November 14, 1822, and in 1827 his family took up their abode on Rock Island, where they remained until 1833, when they removed to the newly opened Black Hawk Purchase in what is now Iowa. As a lumberman and an operator of steamboats Mr. Clark was closely connected with the early settlement of Iowa.

At Des Moines on September 1, 1911, during the State Fair, there was organized an Iowa Old Settlers' Association. Membership in the organization is open to persons living in Iowa on or before December 31, 1876, and to their descendants. There are various classes of membership according to the number of years of residence in Iowa. The following officers were elected for the coming year: Alonzo Abernethy, President; Edgar R. Harlan, Secretary; A. R. Corey, Treasurer; B. F. Osborn, Superintendent. In addition to these officers there are the following Vice Presidents, one from each Congressional District; Lot Abraham of Mt. Pleasant, James W. Ellis of Maquoketa, Clifford Ham of Dubuque, J. H. Sweeney of Osage; Bernard Murphy of Vinton, P. B. Perry of Albia, Frank De Ford of Valley Junction, I. N. Clark of Leon, John Ward of Audubon, J. P. Conner of Denison, and George D. Perkins of Sioux City.



## CONTRIBUTORS

**FRANK EDWARD HORACK**, Assistant Professor of Political Science in the State University of Iowa. Secretary of The State Historical Society of Iowa. Born in Iowa in 1873. Graduated from the State University of Iowa in 1897. Studied in Germany. Received the degree of Ph. D. from the University of Pennsylvania. Author of *Constitutional Amendments in Iowa*, *The Organization and Control of Industrial Corporations*, *The League of Iowa Municipalities*, *A Brief History of the Political Science Club*, *Primary Elections in Iowa*, and *The Government of Iowa*.

**CLIFFORD POWELL**, General Assistant in The State Historical Society of Iowa. (See *THE IOWA JOURNAL OF HISTORY AND POLITICS* for January, 1911, p. 149.)

**JACOB VAN DER ZEE**, Research Associate in The State Historical Society of Iowa. Born at St. Anna Parochie, Friesland, The Netherlands, February 9, 1884. Graduated from the State University of Iowa in 1905. Rhodes Scholar at the University of Oxford, 1905-1908. Author of *Roads and Highways of Territorial Iowa*, *Proposed Constitutional Amendments in Iowa, 1836-1857*, *Amendments to the Constitution of the United States Proposed in the State Legislature of Iowa, 1845-1909*, and *Proposed Constitutional Amendments in Iowa, 1857-1909*.



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TO THE  
IOWA JOURNAL OF HISTORY AND POLITICS  
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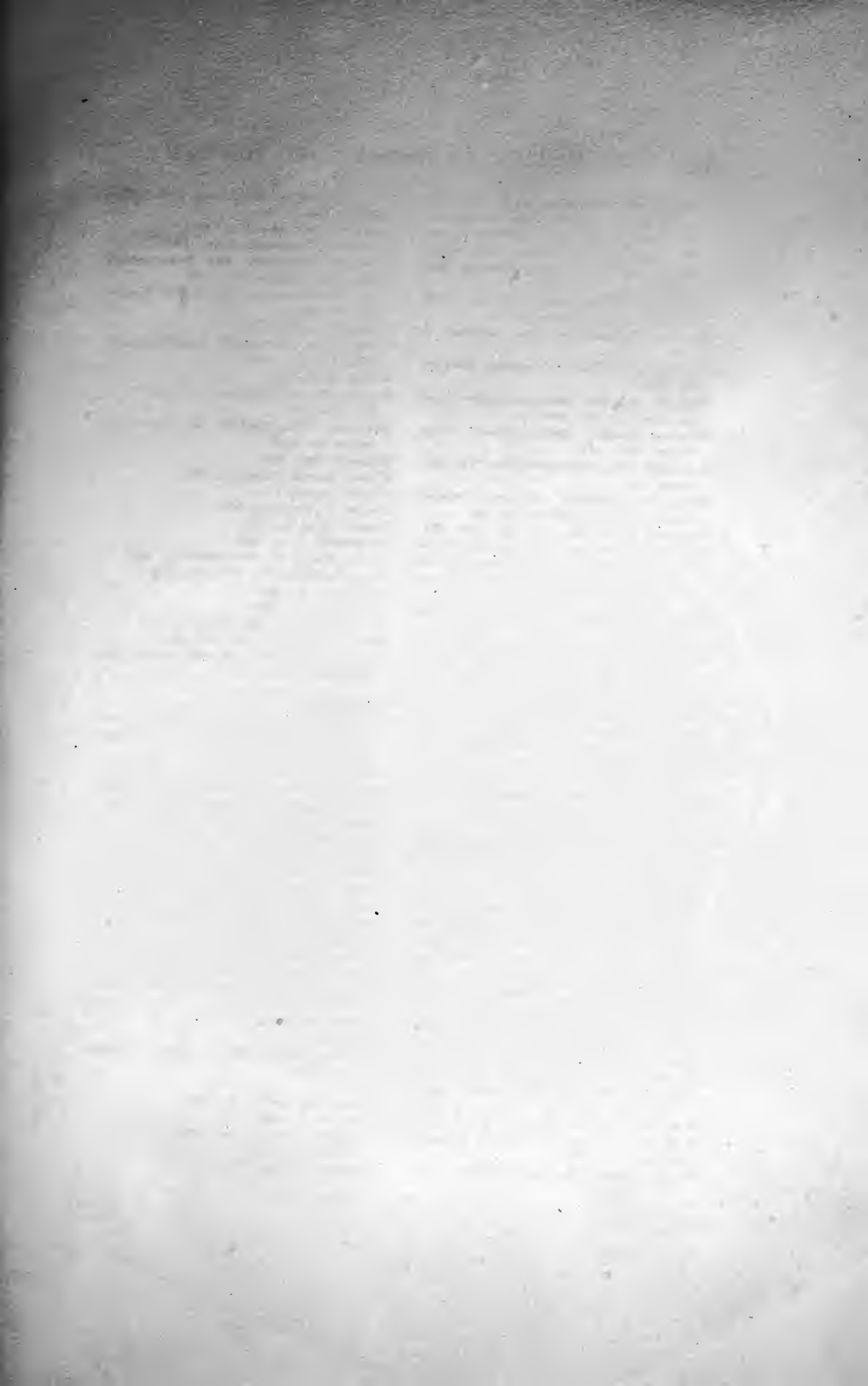
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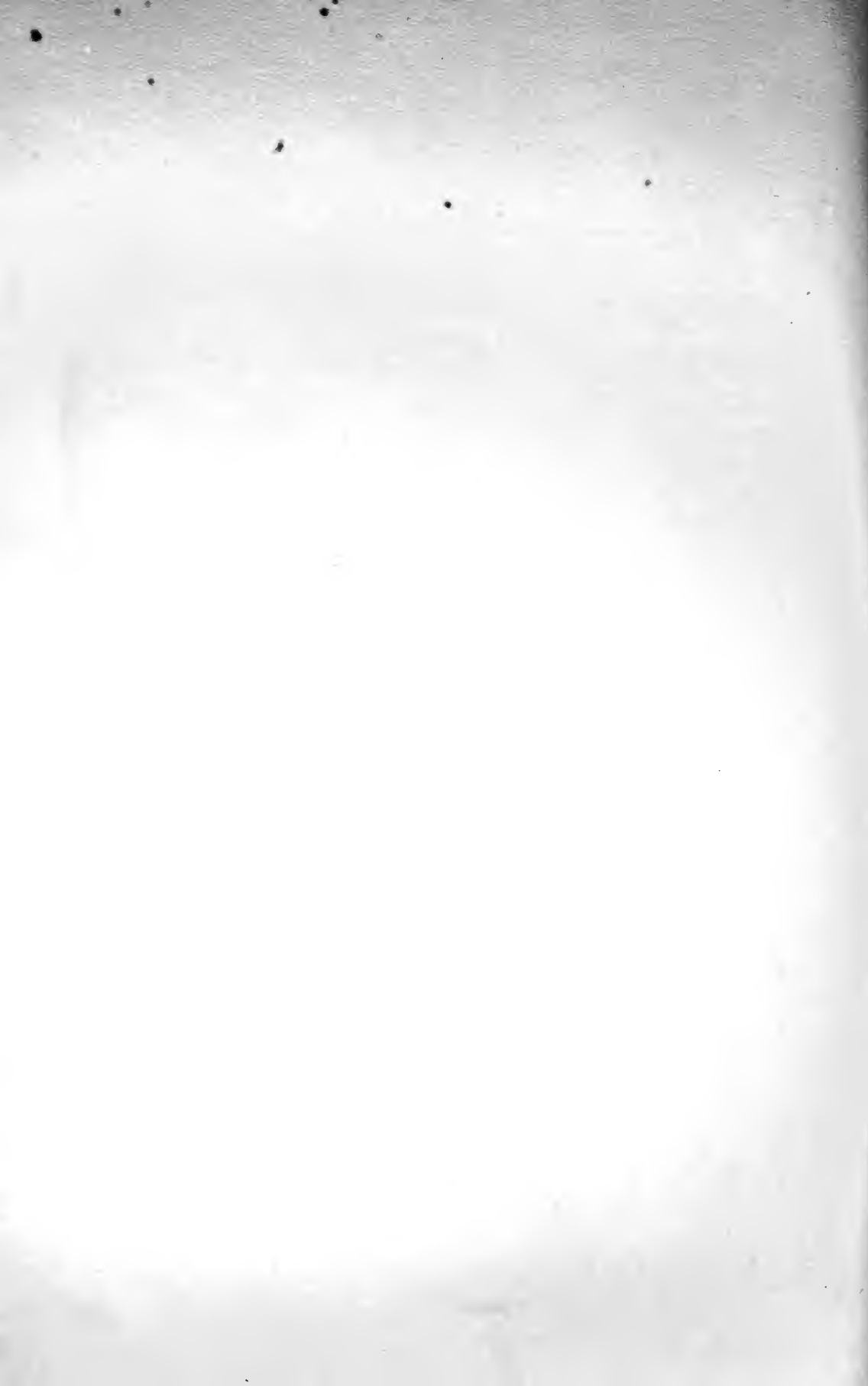


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