

count of another fugitive slave case in which he figured as "the court," which was published in this series of *THE ANNALS* (Vol. IV, pp. 118-137). As stated at the close of the trial judgment was rendered against the defendants for the sum of \$2900. The latter filed a motion for a new trial, and also took the preliminary steps to appeal the case to the Supreme Court of the United States, by writ of error. But it never reached the Supreme Court. Why it did not we are unable to state. It transpired, however, that prior to the trial the defendants had put their property out of their hands, thus rendering the judgment worthless. In Yankee parlance, every preparation was made to "beat 'em on the execution." Such would have been the inevitable result had an execution been issued.

While there were other trials in Iowa for the recovery of fugitive slaves, we cannot learn that they were productive of any benefit to those who sought to recover either their "property," or compensation for its loss.

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#### AN APPOINTMENT RECOMMENDED.

The original copy of the petition which we print below was sent to *THE ANNALS* a short time since. We are glad to give it a place in these pages. It is quite remarkable in many respects. It would seem to be a non-partisan document, for it bears the signatures of both Whigs—not Republicans—and Democrats. It is a high testimonial to the rare fitness of Joseph Williams for governor of Iowa territory. The justice of its statements will be attested by the few pioneers who have come down to the present time. The writer has often in past years heard from the lips of his contemporaries the highest compliments to the character of that good man. He was at the time of this petition one of the associate justices of the supreme court of the territory, to which office he was appointed in 1838, though no allusion is made to this fact in the petition. He was not appointed to the

territorial governorship, but served another year as associate justice. In June, 1847, he was appointed by Governor Ansel Briggs, chief justice of the State, upon the retirement of Charles Mason. He held this appointment until 1848, when his term expired by constitutional limitation. In December of the latter year he was elected by the general assembly chief justice for the regular term of six years. He was succeeded by Judge George G. Wright, Jan. 11, 1855.

This petition bears the signatures of several men who later on rose to high positions in the State or nation. James W. Grimes, Stephen Hempstead and Ralph P. Lowe were elected governors of the State, Lowe going upon the supreme bench later on. Grimes became United States senator in 1858. W. G. Woodward, J. F. Kinney, S. C. Hastings, J. C. Hall and T. S. Wilson were chosen to the supreme bench, Hastings becoming chief justice. Augustus Hall served as representative in the 34th congress. B. S. Roberts, a West Point graduate, rose to the rank of major-general during the civil war, having also made a brilliant record in the Mexican war. The State of Iowa gave him a sword of honor, the only instance of the kind in our history. David Rorer, I. M. Preston and Stephen Whicher became lawyers of State-wide reputation. Judge Rorer was a voluminous law writer, one of the leading western legal authorities of his time. His great work on "Judicial Sales" is still an authority in our courts. T. S. Parvin, who died June 28, 1901, was probably the last survivor of these petitioners.

This petition makes a powerful appeal for the selection of Judge Williams, urging also that such appointments should be made from citizens of the territory rather than from residents of other regions. It is an interesting and readable document in itself, even at this late day, and also because of the historic signatures attached:

IOWA CITY, SUPREME COURT, Jan. 8th, 1845.

TO HIS EXCELLENCY JAMES K. POLK:

The undersigned members of the bar of the Supreme Court now in session in this Territory, and others, citizens of said Territory, would respectfully

represent to your Excellency, that our population is now approximating to 100,000 inhabitants, that we have in our midst gentlemen who have long resided in the Territory, been intimately connected with the administration of our laws, and familiar with the internal affairs of our Territory, and under whose auspices as executive officers the public service would be promoted. In view of this the undersigned would very much deprecate the appointment of an executive officer, in this Territory who has not heretofore resided among us—it would jeopard the public interest here, whilst it would cast an unmerited reflection upon the qualifications of our own citizens for that office. Supposing that your Excellency will feel it his duty to assign us a new executive officer we have united in recommending our fellow-citizen the Hon. JOSEPH WILLIAMS, who has long been highly and favorably known to the people of this Territory as an individual every way eminently qualified for the post of Governor in this Territory, and whose appointment in our opinion will be highly acceptable to a very large proportion of the people.

If your Excellency will arrest the practice of thrusting upon us strangers and non-residents as our officers, we feel safe in the assertion that you will secure the lasting gratitude of ninety-nine hundredths of all the people in this Territory.

Yours, etc.,

W. G. WOODWARD.

JAS. W. GRIMES.

CHARLES MATTOON.

I. M. PRESTON.

J. F. KINNEY.

STEPH. WHICHER.

CURTIS BATES.

B. S. ROBERTS.

DAVID ROBER.

S. HEMPSTEAD.

A. McAULEY.

R. P. LOWE.

S. C. HASTINGS.

J. C. HALL.

ISAAC V. LEFFLER.

JAMES CRAWFORD.

T. S. WILSON.

WM. THOMPSON.

JAMES P. CABLETON.

JOHN DAVID.

A. HALL.

T. S. PARVIN.

ISAAC C. DAY.

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## THE IOWA JOURNAL OF HISTORY AND POLITICS.

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We briefly mentioned this publication in our last number as about to be launched in the place of *The Historical Record*, at Iowa City. Its first issue appeared early in January. It is an admirably edited and exceedingly well printed magazine of 136 pages, which appears under the auspices of the Iowa State Historical Society. It will be devoted rather to studies and discussions of history and historical literature

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