

THE AFTERMATH OF THE SPIRIT LAKE MASSACRE
MARCH 8-15, 1857

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(Concluded)

XVIII

During the latter part of 1859 and 1860 references in the local press of northwestern Iowa to incursions of the Sioux, or of Inkpaduta's vagrant band, were not frequent, although now and then mention was made of their sporadic expeditions and promiscuous prowlings. They probably came into the state more often than the press references indicate. There were long and vast stretches of forest and thicket in the innumerable coulees, gullies, ravines and valleys of the upper and lower reaches of the Little Sioux, the Floyd, Little Rock, the Big Sioux and the Des Moines rivers, down which they could come on hunting expeditions, and not be discovered for days and weeks, save by the occasional trapper, who remained for the most part in isolation, seldom in communication with the settlements until his "season" was over.

In the fastnesses of that extensive region, as the keen observer "W. H. F.," correspondent of the *Iowa State Journal*, pointed out, were "sure retreats for bands of savages" and "its impenetrable thickets" afforded "places of concealment and inducements for savages to become hostile." The ability of Indians to appear, prowl about, and at the same time be obscure to the ordinary untrained eye, anon aloft in the branches of trees watching the approach or doings of whites, or lurking in tall grass, or dense underbrush, is testified to by countless tales of frontiersmen.⁷²

⁷²Within a few days after the above paragraph was written I learned that Dr. Stephen Phelps, president of Coe College, Cedar Rapids, 1881-1887, was stationed at Sioux City, 1862-64, as the pastor of the Presbyterian Church of that then frontier community. His son, Rev. Wm. H. Phelps, pastor of the Central Presbyterian Church of Des Moines, allowed me to examine a manuscript autobiography which he wrote for his children, and graciously consented to my reproducing the following paragraph from Chapter V thereof. The "terror" referred to was the panic produced by the news of the Sioux attack on New Ulm, Minn., in August, 1862:

"... I had an appointment to preach at Dakota City five miles away, on the Nebraska side of the river [Missouri], on that Sabbath afternoon of the terror. Friends advised me not to attempt it, but

The *Mankato (Minn.) Daily Record* on August 2, 1859, contained the following editorial:

INDIAN DEPREDATIONS

We learn from a gentleman from Spirit Lake that a settler in that vicinity last week started for Sioux City, and when about twenty-five miles from Spirit Lake he was met by six Indians who robbed him of his pocket book, containing about \$11.00 in money and several notes amounting to \$150; his provisions and his rifle, which they afterwards returned to him, saying it was too heavy. The settler returned to Spirit Lake and the "Home Company" comprising about eighteen men, started in pursuit. The Indians were supposed to belong to the Sioux Wood band.

A few excerpts from the columns of Sioux City's papers will show that the pioneers had the possibilities of trouble more or less constantly in mind. The *Eagle* for September 10, 1859, contained the following which was not a news item simply but was an editorial expression of the appreciation of the perplexities and uncertainties of the relations first of the Sioux and the various nearby Indian tribes, and second of the reactions of the conflicts of the "peaceful" or "treaty" Indians with the Sioux upon the latter's relations with the whites:

HOSTILE INDIANS

There has been for some time a general feeling of uneasiness all along the northwest frontier in regard to the Brules and some other bands of the Sioux Indians. During the summer they have plundered and killed several isolated parties of the Pawnees, Omahas and Poncas, and their known hostile attitude towards all Indians who have treated with, or ceded lands to the United States, and their proclaimed manifesto to effectually arrest further progress of white settlements render them and their confederated brethren objects of constant fear and apprehension both by the friendly Indians and the settlers along our western border.

We have just received intelligence from Niobrarah that the Poncas are in a terrible fright, daily expecting a war party of these Sioux. The whites at Niobrarah are very much alarmed. . . .

The Poncas are all huddled in a little neck between the Running Water and the Missouri rivers. . . . The Poncas are without arms or

I did. I crossed the river with a horse and buggy on the flatboat ferry, and started through the tall grass, which stood six to eight feet high on both sides of the road. Presently two Indians came dashing out of the grass behind me, shouting after me and pursuing me as fast as they could run. They soon overtook me and leaped up into the back of the buggy, but instead of molesting me they put out their hands, crying out "Killikinic, Killikinic," meaning tobacco. I had no tobacco to give them, but was immensely relieved, that they wanted Killikinic, instead of my scalp." pp. 28-29.

ammunition, else they would sally forth and give battle, for they are brave men and good fighters.

* * *

But it is hard upon our struggling frontier men. . . . It is no less an outrage upon the Poncas for they are peaceable and well disposed, conforming to their treaty and have already waited patiently near two years for the government to comply with their treaty stipulations towards them. They are woefully destitute, and how they will survive the coming winter is more than we can foresee. Can not the government be induced to do something for them? And will they not teach these savage Sioux a lesson? They have evidently forgotten the Harney chastisement, and it is certain they need a sound flogging.

LATER

Since writing the above we learn that the Brules have commenced their work. They have fired upon one man, Mr. Dodson, seriously if not fatally wounding him. They have forced the Poncas all to the south of the Running Water, and now the settlers and Poncas are in one village greatly excited and daily expecting the Brulis.

On October 13 the *Sioux City Register* informed its readers that the Indians were coming in closer to their homes and hamlets:

INDIAN DEPREDACTIONS

On Thursday night last week a span of horses and an ox were stolen from Patrick Gorson, near Westfield, Plymouth County, by some Indians. The property has not yet been recovered and its loss falls with considerable severity upon Mr. Gorson.

Reports from various points in southwestern Minnesota in the fore part of 1860 gave the settlers in Brown and Cottonwood counties serious reason for anxiety, not to say alarm. The *Scott County Record* of April 21, under an editorial heading, "Indian Murders on the Frontier," informed its readers that one Wm. Tubbs of New Ulm had been missing for some time and it was supposed that he had been "killed by Indians"; that one John Reinackes was found murdered near Dinglen Crossing on the Cottonwood River; and three murders were accredited to the Yankton Indians. It then says:

Inkpaduta's band is said to be on the outskirts of the settlement. Chas. Blair, Jos. R. Brown's son-in-law, just from Yellow Medicine, confirms the last statement, and also the murder of Job Reinackes by the Indians, stating that the Indians reported so at the Agency.

We can expect more of this kind if the government don't interfere.

Horses and other things are stolen there, and on all the line of the settlement. Sam Albright is looking for his horses and several parties are with him on the same business.

Stealing horses was not a peculiar pastime or profession of the Red Men in those pioneer days, and it is not wholly improbable that Anglo-Saxon freebooters and renegades may have been among the offending horse thieves. The annals of the frontier not infrequently report cases of whites committing their depredations by pretentious maneuvers which created the popular belief that Indians were the marauders. This maneuver was Henry Lott's tactics on Bloody Run. But we may doubt if whites would have resorted to much promiscuous killing of whites to accomplish their fell purposes. Such frequent and flagrant attacks as the Indians apparently made upon the whites and their property demonstrated either reckless deviltry or cold malevolent purpose, that apparently was getting under way for the furious outbreak of 1862.

The frightful success of Inkpaduta's attack upon the settlement between the Okobojis, while it did not stop the incoming settlers to the Lake region, seriously checked their impetus and impeded progress. The following portions of a paragraph from an interesting letter to the *Register* of Sioux City, printed under date of June 23, 1860, written by a correspondent who had but recently visited the Lakes, signing himself "S. P. Y.," discloses popular dread. The second, or latter excerpt indicates how early the beauty of the Lakes attracted the traveler and perhaps accounts for the defiance of their fears of the ruthless Sioux:

The heart-rending Indian massacre of three years since which depopulated the Lake country has operated seriously to its detriment in promoting settlement. But the apprehension of any further trouble is no longer entertained by the most timid and already there is quite a large settlement of enterprising and intelligent settlers. . . . The enterprising Dr. Prescott⁷³ has erected a commodious two-story dwelling house, where with his estimable lady and most interesting family, the stranger may safely anticipate the most cordial greeting and hospitable entertainment. . . . And those who are in pursuit of health or pleasant summer recreation may travel the continent over without finding a point possessing greater attraction. If any doubt this, I have only to say, do as I have, go and try it.

⁷³Dr. John S. Prescott: see *Ante*, pp. 510, 514-15; and Section XX following.

The writer of the foregoing was Dr. S. P. Yeomans of Sioux City, who came to Iowa in 1837. He was register of the Land Office at that point, having been appointed thereto by President Pierce in 1856 and reappointed by President Buchanan. He reflected the common feeling and common opinion in northwestern Iowa.

Although intermittent reports of the hostile doings of the Indians were current, the "Army of Occupation" apparently either disbanded unceremoniously or disintegrated without due attention to the state's interest in its impedimenta. In the latter part of March Judge Orlando C. Howe received the following interesting letter from the newly inaugurated governor:

Executive Office, Iowa.

March 24, 1860.

O. C. Howe, Esq.,

Sir:

I am informed that there is in your vicinity a number of public arms and accoutrements, furnished by the State for the protection of the citizens against Indians and that these arms have become scattered & in danger of being lost.

I direct that you shall & hereby empower you to collect all such arms (muskets & revolvers) and accoutrements in your vicinity to some safe & central point to be preserved until needed for public defence or until otherwise ordered. I understand these arms were delivered to you & that you are responsible for their safety.

Please let me hear from you on the subject.

Very respectfully,

Samuel J. Kirkwood.⁷⁴

The settlers apparently had concluded that the dangers from the Indians had passed, or at least were so remote that the presence of the "military" was not urgent, and the members of the troop after the manner of lusty freemen had simply broken camp and left for their homes. But their blissful assumptions were not warranted, although some time elapsed before they had reason to doubt their verity.

This section of the immediate and general consequences of Inkpaduta's attack upon the settlement at Spirit Lake may be fittingly closed by three citations from the annual reports to the commissioner of Indian affairs at Washington in 1861, 1862 and

⁷⁴Mss. in correspondence and papers of Judge Orlando C. Howe in Historical, Memorial and Art Department of Iowa.

1863, from the agent for the Sioux and the superintendent of Indian affairs for Minnesota which show that Inkpaduta and his band were almost constantly hovering about the edges of the frontiersman's consciousness and his unpunished attack on Spirit Lake in 1857 was invariably used as a measuring rod in condemnation when explaining the intermittent, but persistent, forays and depredations of his band.

In his report for the year ending September 30, 1861, dated October 1 at the Sioux Agency at Yellow Medicine, Agent Thomas J. Galbreath says:

. . . Several complaints of Indian depredations on the frontier, in the region of Spirit Lake and Sioux City, have been made at this office. Early in September, under the direction of the Department of Indian Affairs, I sent Mr. H. D. J. Koons, the United States interpreter of this department to Sioux City, via Spirit Lake, with instructions to inquire into those depredations and report at the earliest day possible. He has returned, but has been too unwell to prepare his report. As soon as possible his report will be transmitted to the department. He obtained considerable valuable information, from which I am able to state the Indians of this agency stole some twenty to thirty horses the past summer from the citizens of Iowa and Minnesota. Very few Indians were directly engaged in this business. The more daring outlaws of different bands, pupils and connexions of Inkpadoota and White Lodge. . . Only one of the depredators has been arrested yet. If I had a sufficient force at my command, these offenders and their aiders and abettors, could be arrested and punished, and this band of outlaws broken up in a short time, and peace and good order established on the frontier.⁷⁵

Agent Galbreath's assertion that the more daring of the outlaw Indians terrorizing our northwest were "pupils and connexions of Inkpadoota" is a conclusive suggestion of the potency of Scarlet Point's influence.

Writing his annual report for 1862 at St. Paul under date of November 14, before he had received Agent Galbreath's report of the horrors of the Outbreak of August incited by Little Crow and Inkpaduta, Superintendent Clark W. Thompson after asserting that "the barbarities committed were horrible beyond description" says: "I much fear that if, as in the case of the Spirit Lake Massacre committed a few years ago by the same

⁷⁵*Report of Commissioner of Indian Affairs for 1861: See Document No. 30, Report of Thomas J. Galbreath, agent for the Sioux at Yellow Medicine, October 1, 1861, pp. 702-3.*

tribe, the guilty are not properly punished, it may have an evil influence upon other tribes as well as this, and prove an incentive to further outrages."⁷⁶

Agent Galbreath's delayed report, dated at St. Paul, January 27, 1863, pp. 199-200, giving his personal experiences and observations relative to the causes and developments of the Outbreak of August preceding, concludes as follows:

While I thus plead for a humane policy, I do not forget that the guilty Indians should be punished. . . . A failure to do this heretofore has been very unfortunate, in my humble opinion. I will give one instance only, although there are hundreds. In the winter of the year 1837 the Sioux Indians massacred some fifty persons at Spirit Lake, and took several females captives. *Yet not one of the Indians engaged in this massacre was ever punished.*

It was all charged to Inkpaduta, and allowed to pass. The Indians interpreted this action, or rather non-action of the government, thus: "The whites either have not the ability or the inclination to punish us—which, we are not sure; but we are not satisfied that they will not punish us." Thus they reasoned, and kept on committing depredations, and were never punished. This was all wrong. At the time of the Spirit Lake Massacre, the power of the government to punish the guilty should have been exhibited and exercised. . . . Had this been done, then I believe that our recent outbreak never would have occurred.

I sincerely hope that no false philanthropy or morbid sentimentalism will ever cause a repetition of the course pursued by the government in regard to the Spirit Lake Massacre. . . .⁷⁷

Agent Galbreath's solemn judgment as to the sorry significance of the Spirit Lake Massacre and the dire results produced by Inkpaduta's success in escaping punishment was a conclusion of his own painful personal experiences and intimate associations with the Indians of the terrain of the two outbreaks. It was not an a priori assumption, nor an academic assertion, nor a scholastic's fancy. His judgment was concurred in ten years later by one who had more right to speak on the subject than any other denizen of Minnesota or latter-day historian, namely by Dr. Riggs, who had conducted his Mission among the Sioux from 1837 to 1883, and nearly lost his life in Little Crow's War of 1862. Writing the recollections of Mrs. Riggs and himself in 1872 he concurs fully in Agent Galbreath's opinion concerning

⁷⁶*Op. cit.* for 1862: See Doc. No. 1, Report of Clark W. Thompson, Superintendent of Indian Affairs, St. Paul, Minn., November 14, 1862, p. 200.

⁷⁷*Op. cit.* for 1863: See Doc. 144, Report of Thomas J. Galbreath, agent for the Sioux, St. Paul, January 27, 1863, p. 412.

the fatal consequences of the Spirit Lake Massacre. In that judgment President Folwell of the University of Minnesota likewise concurred in 1906 in his *Sketch of Minnesota*.

The onset of the Civil War and its terrific disturbance in all our local and national life focused public attention upon the momentous struggle south of Mason and Dixon's line. The troubles with the Sioux were on a remote frontier and were deemed minor minutia in contrast. Iowa's historians, while cognizant of the Massacre between the Okobojis, and anon eloquent anent its atrocities, have not sensed its intimate causal connections with the subsequent reign of terror that from 1862 to the stark tragedy on the Little Big Horn on June 25, 1876, as have the historians of Minnesota and the Dakotas and Montana.

XIX

One of the minor incidental consequences of the Spirit Lake Massacre was the sorry disturbances in the premises of the various "land claims" of the settlers on the shores of the Lakes. The death of nearly all of the claimants was of course the primary cause. The second fact was that the general terror produced by the devastating tragedy prevented surviving members of the families or heirs of the original settlers claimant returning to the region and carrying on with the fulfillment of the conditions prerequisite in securing title under the preemption rights allowed by national laws to pioneers who entered upon the national domain and "staked out" claims ahead of the surveyors.

No one of the original claimants had been on their particular claims or sites more than six to nine months. They had, therefore, merely inchoate rights which they could have realized had they severally lived and completed conditions, but which lapsed on their death, as their heirs either did not or could not fulfill the requirements as to actual occupation and cultivation. Miss Abbie Gardner, who was taken captive, did not return to the scene of the Massacre for a year and a half. Mrs. Margaret Ann Marble apparently never returned. Various efforts were made by sundry claimants or heirs of the original claimants to obtain from the national government allowances of damages for the losses sustained because of the destruction of their property by Inkpaduta's band of outlaws. Some of the developments were

interesting and some of the facts about three of the claims are briefly indicated or summarized.

On March 27, 1860, according to the *Congressional Globe*, James Harlan, the senior senator from Iowa, in the Senate at Washington presented the following petitions:

Mr. Harlan presented the petition of James Harriott, praying permission to enter as a pre-emption one hundred and sixty acres of land settled on and improved by his son who was massacred by the Indians at Spirit Lake, in the state of Iowa, which was referred to the Committee on Lands.

He also presented the petition of Margaret Ann Marble praying that she be permitted to enter as a pre-emption one hundred and sixty acres of land settled on and improved by her husband who was murdered by the Indians at Spirit Lake in the state of Iowa, which was referred to the Committee on Lands.⁷⁸

On April 26 following Senator Harlan introduced similar petitions for H. W. Granger on account of his brother Carl Granger's claim, for August Wegner and others.

The two daughters of Rowland Gardner, Elizabeth and Abigail, apparently did not file any petitions seeking compensation for the damages suffered by their father.

On March 19, 1861, James W. Grimes, Iowa's junior senator, on his motion asked leave to withdraw the petitions of James Harriott and Margaret Ann Marble. Neither the *Senate Journal* nor the *Congressional Globe* indicate the considerations impelling the mover or the petitioners in the premises.⁷⁹

The careers of the various claims were variegated and the traditions that one encounters in the lore of the Lakes are somewhat mixed, and more or less unfavorable to the reputations of sundry claimants. The evidence on which the adverse legends rest is rather misty and mythical, although local assertion is specific.

Mr. Smith, in his *History of Dickinson County*, refers to the complications and controversies that arose in connection with the claims of Messrs. Gardner, Luce, Howe, Harriott, and the Grangers and indicates that misunderstandings and recrimination were rather serious. Somewhat strangely he makes no mention of Mrs. Marble's experiences that were decidedly interest-

⁷⁸*Journal of the Senate*, 36th Cong., 1st Ses., p. 301; *Cong. Globe*, 36th Cong., 1st Ses., Vol. 29, Pt. 2, p. 1366.

⁷⁹*Journal of Senate*, 36th Cong., 2nd Ses., p. 421; *Cong. Globe*, 36th Cong., 2nd Ses., Vol. 30, Pt. 2, p. 1477.

ing. The Harriott claim he characterizes as lacking substance or merit. The Gardner claim I shall deal with in the next section.

After setting forth the origins of the controversies in which the Gardner claim was involved Mr. Smith disposes of the Harriott claim summarily as follows:

So far as the Harriott claim is concerned, Harriott had made no improvement whatever. He had not resided on the claim at all, neither had he done any of the acts which were even then considered necessary to give validity to a claim on the public land. He simply expressed his intention of doing so at some future period, yet his claim was respected for a year. His father was here the summer following the massacre, but made no attempt to either secure or dispose of it, and it lay vacant the following year.⁸⁰

In general Mr. Smith probably states correctly the superficial facts as the community roundabout the Lakes saw them or assumed them to be. But for reasons to be indicated, it may be doubted if he had a right to say that Dr. Harriott did nothing towards perfecting his inchoate title to his claim. He was active with his associates in building the "mansion" which his letters described and was with those who knew the requirements. Further it may be pertinent to ask how those who came to the Lakes after the catastrophe that wiped out the entire settlement, could know of direct knowledge, or assert so positively that he had "made no improvement whatever and had done none of the acts . . . considered necessary" to give title. Again the fact so explicitly stated, and withal so virtuously, namely, that "his claim was respected for a year," suggests with great energy that he had done something substantial and sufficiently so to create a clear presumption in favor of the validity of his claims and its being a hereditament in which his creditors or heirs would have a substantial interest. This conclusion seems to be a clear inference from a fact to be mentioned in a succeeding paragraph.

Mrs. Margaret Ann Marble, it will be recalled, was one of the four women held captive by Inkipaduta and was the first one released by him. Judge Flandrau in his notable address before the Minnesota Historical Society on December 8, 1879, stated that Mrs. Marble soon after her release, when handed over to Governor Medary by her deliverers, left St. Paul and rumor had

⁸⁰Smith, *op. cit.*, p. 156.

that she went south with a traveling theatrical troupe.⁸¹ The report seems improbable. However, whatever the facts may be, within less than three months from her departure from St. Paul Mrs. Marble had presented and filed with the commissioner of Indian affairs at Washington claims for damages. *The Sioux City Eagle* of August 22, 1857, reprints portions of her bill of particulars taken from the *Washington Union*:

. . . A party of Sioux Indians, numbering about seventy of whom thirty were warriors belonging to Inkpaduta's band in amity with the United States, came to her residence on the west side of Spirit Lake, killed her husband and destroyed and carried away property amounting to \$2,229, of which \$700 was gold coin.⁸²

* * *

Mrs. Marble believes that she is entitled to . . . \$200.00 for her husband's pre-emption rights. She claims it under section 17 of the Intercourse Act of 1834 and asks that such an amount be deducted from the annuities to the Indians.

Mr. Smith's *History* makes no mention of Mrs. Marble's claim or her vicissitudes therewith, to which I shall refer immediately, but it has the following observations concerning the Granger claim, after sundry severe comments upon the character and conduct of William Granger, brother of Carl Granger who was killed with Dr. Harriott in their efforts to rescue Mrs. Mattock and her children when Inkpaduta's braves attacked their cabin on that fatal Sunday afternoon:

It will be noticed that Granger's claim, which is now known as Smith's point, and Harriott's, which is now known as Dixon's Beach, were respected and not disturbed until a year after this time, which was after Granger had abandoned all attempts to maintain his footing here.⁸³

One naturally would conclude that the various land claims just referred to were either pretentious, or frivolous. The withdrawal of the Harriott and Marble petitions from the Senate by Senator Grimes enhances this adverse inference. The surface facts, however, did not seem to me to exclude a more favorable judgment upon those claims. With some curiosity as to whether

⁸¹Flandrau on "The Inkpaduta Massacre of 1857," *Coll. Minn. Soc.*, Vol. III, p. 399.

⁸²In her letter to Mrs. Sharp under date of Feb. 25, 1885, written at Sidell, Calif., Mrs. Marble, then Mrs. S. M. Silbaugh, says that when her husband was killed he had on a belt containing \$1,000 in gold. Sharp, *op. cit.*, p. 184.

⁸³Smith, *op. cit.*, p. 158.

the nonaction of the Senate upon the several claims for compensation for Inkpaduta's destruction of the property of the settlers indicated that they were without merit, I addressed a letter to the commissioner of Indian affairs under date of September 23, 1932. Commissioner C. J. Rhoads wrote me as follows:

Responsive to your letter of August 3 you are advised that Margaret A. Marble claimed for damages for the Spirit Lake Massacre \$2,229. The amount allowed on this claim was \$1,994.95.

The Isaac H. Harriott claim was for \$385, which was allowed in the sum of \$344.57.

The H. W. Granger claim was for \$1,187, the amount allowed being \$1,062.36.

Additional comment is hardly needed. But it is not irrelevant or bootless to observe that heads of the departments at Washington are seldom popularly charged with either heedless or sympathetic liberality in granting allowances for damages to ordinary claimants. Further, it is pertinent to call attention to the fact that in each case mentioned the then commissioner allowed 89 per cent of the amount of the claim, or to put it differently, each suffered but 11 per cent deduction. All of which suggests strongly that the "claims" had more merit than local tradition about the Lakes has accorded them.

Here it would be agreeable to proceed with the course of events affecting the Gardner claim, but Mr. Fulton narrates a sorry story in his *Red Men of Iowa* that mars the peaceful assumptions all prefer to entertain. He informed his readers that very soon, if not immediately, after Mrs. Marble's release from captivity, she met at St. Paul one William Granger, brother of Carl Granger. He offered her a home with his family and she went with him to Michigan where she remained for a time. Meantime Mrs. Marble gave her host power of attorney in securing damages from the national government on account of her losses endured at Spirit Lake. We are told that he collected her claim and those of sundry others whose confidence he had obtained. After some time when asked when he would be able to pay the amount over he said in Mrs. Marble's case that the department had learned that her husband had led a double life and had another and prior wife living and she, Mrs. Marble, therefore, could obtain nothing. Shocked intolerably but mis-

trusting nothing she continued to live with Granger who meantime had moved to Spirit Lake and thence to Sioux City. In the latter city she met and soon married a Mr. Oldham, in Mr. G.'s employ. Mr. Oldham was suspicious of the verity of G.'s story and addressed an inquiry to the department at Washington and discovered that Granger had wholly misrepresented the facts and had simply embezzled the amount the government had allowed on her claim. Confronted with demand for payment and charged with his gross misappropriation of trust funds, G., then in Dakota Territory, absconded to parts unknown.⁸⁴

As to the basic facts warranting Mr. Fulton's narrative I have no conclusive, or controlling opinion. He was not one to give currency to malevolent gossip. But sundry items produce curiosity and adverse inquiry. Mr. Fulton does not give any authority for his allegations. He says that Granger did not return to Spirit Lake until 1859 when he "took a claim on the south bank of West Okoboji Lake." Both assertions are clouded in doubts. William Granger was one of the first rescue party to go to the Lakes in March, 1857. Again he had with his co-partners of the Red Wing Land Company, as we have seen, material interests between the Okobojis and Spirit Lake that would have taken him to that region prior to 1859.⁸⁵ Further, Granger had staked out a claim in 1856 on which, as we have just seen, he was allowed damages. He could not stake out another claim and realize on it, and, if he did not know his alert critics at the Lakes would have notified him and the government of the fact. Again, we may doubt if he misappropriated the amounts allowed Messrs. Howe and Thatcher, if they put their claims in his hands, for they knew that he was not highly esteemed by many about the Lakes.

Finally it excites more than curiosity that Mrs. Marble in her long letter to Mrs. Sharp (written from Sidell, California, February 25, 1885) relating her unhappy experience in consequence of the Massacre of 1857, did not mention or hint at the alleged misappropriation of her husband's estate by the one so charged.⁸⁶ Mrs. Sharp does not mention the alleged embezzlement, and Mr. Smith does not, in their respective histories in which much personalia is given. Mr. Smith, especially, would not have had

⁸⁴Fulton, *The Red Men of Iowa*, pp. 314-16.

⁸⁵*Ante*, pp. 247-48, 264-72.

⁸⁶Sharp, *op. cit.*, pp. 183-89.

any compunctions about detailing the alleged mistreatment of Mrs. Marble by her attorney *de facto* had he deemed the Fulton narrative authentic, for he held W. H. Granger in low esteem.⁸⁷ We may, without injustice, conclude that the latter was aggressive, arrogant and pushing in forwarding his own interests, and was not very considerate of those with whom he collided, and he may have been within the circuit of questionable, if not illegal practices; but the evidence offered is not sufficient to abolish the shadow of the doubt which protects the accused in our courts.

XX

The developments in connection with the Rowland Gardner claim produced not a little public interest. Miss Elizabeth and Miss Abbie Gardner alone of their family escaped alive from the Indian attack on the settlement. The first named soon after the Massacre became Mrs. William Wilson of Hampton, Franklin County. Miss Abbie gained her release from captivity on June 23 at St. Paul and left immediately via Dubuque for Fort Dodge where she was placed in the custody of Major Williams, who soon placed her in her sister's care. On August 17, 1857, Miss Abbie married Casville Sharp.

Mrs. Sharp did not return to the scene of the tragedy, she informs us, for a year and a half,⁸⁸ and she did so in part to see if she could not obtain some compensation from the then occupant of her father's claim and improvements—one J. S. Prescott, who had come to the lake region within a month following the Massacre, about April 15, and immediately entered upon the Gardner claim and occupied the cabin, presuming that all of the Gardner family had been destroyed. The settlement with him was apparently not exactly satisfactory, although Mrs. Sharp does not openly protest its injustice. She says: "After some delay I secured a *small* amount, not so much as the personal property left by the Indians was worth, or the improvements made, or the value of the choice location; not so much, in fact, as the old log house would be worth to me today; but it was all that Mr. Prescott was willing to pay, and so it was all that I could get."⁸⁹

⁸⁷Smith, *op. cit.*, pp. 156-58.

⁸⁸Sharp, *op. cit.*, p. 285.

⁸⁹*Ibid.*, p. 287.

Mr. J. S. Prescott's relationships to the Gardner claim and the Lakes and their repercussions produced state wide, and even an interstate notoriety that disturbed the heavens and for many a day split discussion in the public forum. In view of some of the exhibits which I shall present it is but fair that I reproduce the following generous and just appreciation of his character by Mr. R. A. Smith, the historian of Dickinson County and one of the famous Relief Expedition:

. . . J. S. Prescott, one of the most active of the early settlers here, was one of the original projectors and founders of the college at Appleton, Wisconsin. He had also been partially successful in starting an institution at Point Bluff, Wisconsin. He, having heard of the romantic beauty of the lake region, made his first trip to this locality with the idea of establishing here some time in the future an institution of learning similar in its provisions to that at Appleton. Visionary, as such a scheme must seem at this time, in the light of subsequent events, it was not at that time regarded as an impossible undertaking.

For this project he had associated with him several gentlemen in Ohio and Wisconsin who had advanced him considerable sums of money for that purpose. Prescott was a man of great energy and ability, a college graduate and a fine scholar, but he was a poor judge of human nature. He lacked discretion, was impatient and excitable, and while he was very enthusiastic in everything he undertook, he was, at the same time, visionary and often unpractical and impracticable.

He was educated by his parents for a physician, but disliking the profession went into the practice of law in Ohio, in which he was very successful. After following that for a while he joined the Methodist Church and commenced preaching. As a speaker he possessed extraordinary ability and power. It is no disparagement to the ministers who have represented the different denominations here since that time to say that his pulpit oratory has seldom if ever been equaled by any other man in northwestern Iowa. . . . At the same time, his visionary and impractical ideas rendered his selection for the position to which he was assigned and for the work laid out for him, a most unfortunate one. As might be expected his scheme was a failure.⁹⁰

Mr. Smith's considerate judgment in 1902 was more or less what he had entertained in 1857. In the latter part of July, or fore part of August, 1857, an article had appeared in the *Red Wing* (Minn.) *Gazette* containing sundry serious charges against the conduct of Rev. J. S. Prescott. The article was widely and frequently reprinted in the contemporary press. It appeared in the *Fort Dodge Sentinel*. The charges produced a considerable

⁹⁰Smith, *op. cit.*, pp. 149-50.

reaction. There was much resentment. The editor of the latter paper, Mr. A. S. White, evidently felt the resentment, for he was called upon to print the following pronouncement and preceded it with a disclaimer that he had meant to endorse the charges or the sentiments of the *Red Wing Gazette's* article:

SPIRIT LAKE

The undersigned citizens of Dickinson county, Iowa, having seen in several newspapers a slanderous (sic) attack upon the character of Rev. John S. Prescott, one of our most esteemed fellow-citizens, charging him with having jumped the claim of one of the victims of the late Indian massacre, and also with having plowed over the graves of the deceased, and knowing the falsity of these charges, wish to make public a refutation. The articles referred to are the most of them copied from the *Red Wing (Minnesota) Gazette*, which paper gives the name of John Day for its authority.

The facts are these: Soon after the massacre, and some time in April, Mr. Prescott purchased of Wm. R. Wilson and his wife the claim of Rowland Gardner. Mr. Gardner and a part of his family had been killed by the Indians and Miss Elizabeth Gardner, who was afterwards married to Mr. Wilson, was the only known heir of Mr. Gardner. Another daughter, Miss Abigail, was missing and known either to have been killed, or in captivity. Mr. and Mrs. Wilson warranted the claim and agreed to satisfy the demands of Abigail Gardner, if she ever returned. As is known to the public, she was at the time, a prisoner, and has been since recovered from her captors. On her return she went to the home of her surviving sister, Mrs. Wilson, in Franklin county, and has never made any demand of Mr. Prescott for the claim, and, as far as we are aware, was satisfied with the sale. The price paid by Mr. Prescott (five hundred dollars) we regard as an adequate one for the value of the claims at the time and was all that was asked by Mr. and Mrs. Wilson.

As to the plowing over the grave, we are informed by Mr. Prescott's workmen, that he was absent at Sioux City at the time of the plowing, and before leaving, directed that the grave in which were buried the families of Mr. Gardner and Mr. Harvey Luce should be enclosed by his garden fence, which was done. While plowing the garden, the plow was accidentally dragged across the grave, . . . which had become much sunken, and with his own hands had raised over it a suitable mound. Mr. Prescott has never exhibited any disposition to appropriate or encroach upon any of the claims of the victims of the late tragedy here, and has ever been quite unwilling that others should do so, and it is possible that his efforts in this matter have been the cause of the vile falsehoods so extensively circulated.

His conduct amongst us has been that of a kind neighbor, a good citizen, and upright man and a consistent minister of the gospel. We

do not know whether the fabrication of the slanders referred to is chargeable upon the paper which first published them, or to the person whom it represented as its authority; but it does appear to us, that, at the time they were made, John Day must have known them to be utterly false.

Orlando C. Howe,
County Judge
Robt. U. Wheelock,
Justice of the Peace
E. Thurston
M. A. Blanchard,
Treasurer and Recorder
Wm. Sweet
R. A. Smith,
Clerk of Dist. Court

Jareb Palmer
Wm. G. Carseley
Daniel Hawkins
Geo. Rodgers
Dan Caldwell
T. S. Ruff
S. W. Harris
L. Daugherty
Lawrence Ferber
Moses Miller

Spirit Lake, Aug. 26, 1857⁹¹

Comparisons of the several statements bring several facts into the clear. Mrs. Sharp's memories in 1885, or 1902, or 1919 when the various editions of her history came out were apparently somewhat confused; or she forgot facts of which she was aware at one time; or she ignored them. Mr. or Mrs. William Wilson either told her of their settlement with Mr. Prescott and his payment to them of \$500, one half of which was hers, or they did not tell her. If Mrs. Sharp was not informed she would have been promptly told by Mr. Prescott when she made demand for settlement in February, 1859. Mr. Prescott's offer of \$500 in view of the fact that the "claim" was at best but eight months old, and neither of the heirs apparently wanted to perfect their title, seems a generous offer.⁹² The implication in Mrs. Sharp's language quoted above does not seem justified.

The allegations of the *Red Wing Gazette* anent Mr. Prescott echoed about the state for many a day. Its echoes were enhanced on occasion by the reverberations of violent discussions caused by one of Mr. Prescott's philanthropic schemes which made, or rather bid fair to make, the Lakes notorious. In one of the pithy paragraphs of Major Williams' journal which was published in the *Fort Dodge Chronicle*, April 7, 1897, in which

⁹¹The *Fort Dodge Sentinel*, September 3, 1857. The original mss. of the above Defense and Protest in the handwriting of Judge Howe is among his correspondence and papers.

⁹²Mrs. Marble asked but \$200 for her husband's claim, and Judge Harriott was allowed \$344.57 on his original asking of \$385. See preceding Section XVII, pp. —.

he dealt with Inkipaduta's plan to drive the whites out of north-western Iowa, we have the following:

If they thought to prevent the whites from going into the country they were mistaken; for scarcely had the troops returned and reported that all Indians had fled from the country, when a party of abolitionists from the east, no doubt some of the descendants of the old Mayflower crew, rushed to Spirit Lake and, seizing upon the claims of the poor murdered families, appropriated their improvements to their own use. These plunderers were headed by a certain Doc. Prescott, whose religion sanctioned him in the attempt to rob the poor children of the murdered fathers of their rights and make way for a colony of negroes which he was endeavoring to bring on afterwards. 'Tis hoped that Congress will interfere and dispossess the wretch and restore the claims to the remains of the several families.⁹³

Major Williams refers in the foregoing to a plan of Mr. Prescott for colonizing free blacks and refugees from slavery in Northwestern Iowa—particularly in the counties of Dickinson, O'Brien, Osceola and Cherokee—a project which became notorious in the fore part of 1859 and produced a furious and rancorous discussion in Iowa in the political campaign of that year. The imaginations of partisans of the Democratic party ran riot in frightful anticipations of Iowa becoming a haven for Negroes. They saw immanent Negro equality, race wars, and "amalgamation."

It would be instructive to know when precisely Major Williams penned the lines quoted. They purport to relate to 1857; but we may suspect that they were not written at least until 1859 for Mr. Prescott's project did not become a matter of state wide discussion until after its exposition in *The Torchlight*, published at Xenia, Ohio, in the first week of March, 1859. Mr. Prescott had been lecturing or conducting meetings in Washington, D. C., Philadelphia, and Pittsburgh in furtherance of his project.⁹⁴ We may doubt whether the paragraph was written then, for Major Williams could not then have forgotten the protest of the citizens of Spirit Lake against the charges that Mr. Prescott had robbed the Gardner heirs of their father's land claim rights. Some years since I dealt with the political reactions of the

⁹³Williams, "Our Pioneer Days," *Fort Dodge Chronicle*, April 7, 1897.

⁹⁴See "Negro Exodus to Iowa," reprinted from *The Observer* of Xenia, Ohio, in *Fort Dodge Sentinel*. The reprint is preceded by the statement in parenthesis, "Published by Request." Editors White and Duncombe evidently did not want to be charged with heedlessly spreading such unpopular information.

scheme in the gubernatorial campaign of 1859. It suffices here to say that the bitter partisan memories of Major Williams—he was a Buchanan Democrat—clearly confused his dates and obscured his sense of the connections.⁹⁵

The clash of human interests in business, philanthropy and politics wrecked the general good will and the common peace of the Spirit Lake settlement which was signalized in the spontaneous protest of the community against the current slanders and published libels anent Dr. Prescott's alleged heartless proceedings in connection with the Rowland Gardner claim. Messrs. Orlando C. Howe and Robert U. Wheelock, his brother-in-law, were partners with Dr. Prescott in the erection of a steam sawmill between the Lakes, but the vigorous personalities of the partners soon disturbed their councils. Dr. Prescott's caustic comments upon what he deemed the needless expense and futility of the "Army of Occupation" added fire brands to the flames. His philanthropic scheme for the establishment of a collegiate institution was pushed with a vigor that induced friction. He was apparently not aware of the limitations of settlers' rights of preemption in "land claims," imposed by the national government; for he purchased, or took possession of several such "claims" and his actions in trying to hold them was denounced by his critics as little else than "claim jumping."

What precisely produced the furious legal battles probably cannot now be definitely stated, but the publication of Dr. Prescott's plan for colonizing Dickinson and adjacent counties with free Negroes was either a precipitating cause or an aggravating condition. The political clamor of the Democratic press which it excited inflamed public and private interests and reactions. The partners in the steam sawmill were split asunder. Dr. Prescott in a petition April 3 for an injunction against them charged them with sundry acts, and nonactions in respect of the erection of the sawmill and demanded a settlement April 9, 1859. Judge William M. Stone granted it,⁹⁶ whereupon Messrs. Howe and Wheelock preferred charges to the grand jury of false and ma-

⁹⁵See F. I. Herriott, "The Germans of Iowa and the Two Year Amendment of Massachusetts: A Study of the Preliminaries of the National Republican Convention of 1860," in *Deutsch-Amerikanischen Geschichtsblätter Jahrbuch der Deutsch-Amerikanischen Historischen Gesellschaft von Illinois* (Series 1913), Vol. XIII, pp. 263-66.

⁹⁶*The Sioux City Register*, June 16, 1859.

licious allegations in the aforesaid petition and sought his indictment.

Messrs. Howe and Wheelock and other codefendants ignored the injunction whereupon Judge John Porter on May 13 at Webster City issued a bench warrant directing the sheriff to bring the offenders into his presence for contempt.⁹⁷ Judge Asahel W. Hubbard of Sioux City held court in Dickinson County in June when the contention was at fever heat, and the "Army of Occupation" was facing aggravating perplexity as to whether it was executing the court's decrees or obstructing the course of justice. In August the Democratic editors and candidates sought to involve Samuel J. Kirkwood, the Republican candidate for governor, in Dr. Prescott's negrophile plans and trick him into endorsing it; but the canny Marylander, whose father owned slaves, successfully plead ignorance of the project. On August 23, 1859, Mr. Howe filed with the registrar and receiver of the United States Land Office, Messrs. S. P. Yeomans and A. Lecch, at Sioux City specific charges as follows:

Permit me to call your attention to a trespass upon the public land within your district by cutting timber. One John S. Prescott, of Dickinson County, Iowa, has caused to be cut more than one thousand saw logs . . . with the avowed intention of selling the timber in different parts of the county. . . . The trespass . . . is not mere cutting . . . but is committed under a pretence of a town site claim upon a piece of land which has several other claimants.

* * *

Mr. Prescott and his agents claim that a colony of several hundred Negroes are about to settle in the adjoining counties and that many of them are now en route. This timber is doubtless intended to be used for the benefit of that community, as Mr. Prescott has been engaged during the winter in organizing such emigration from Ohio and Pennsylvania, and publicly informed the colored people of these states that they could occupy whole counties in northwestern Iowa to the exclusion of the whites.⁹⁸

The fury of the factional fires and the personal friction slowly lessened, especially after the election. The dove of peace began to hover about and finally lit in their midst. But whether she came down because of the incoming of sweet reasonableness among the litigious contestants, or on account of their utter exhaustion, my available evidence does not disclose. But certain

⁹⁷Ms. transcript of Judge Porter's order in Correspondence and Papers of Judge Howe.

⁹⁸*The Sioux City Register*, August 25, 1859.

it is that on June 1, 1860, in consideration of \$100 paid him, Dr. Prescott executed a release to Messrs. Howe and Wheelock, severally and jointly with "any other persons" from "all demands, claims, and accounts and liabilities to him" including "all and any agreements" respecting "the steam sawmill situate in Okoboji in Dickinson County" and further releasing "all and any interest" he had in or to the "land claim of said Howe adjoining the town of Spirit Lake. . . ."⁹⁹

In view of the strong characters of Dr. Prescott and Judge Howe and the philanthropic and patriotic careers of each man it was regrettable that such an amicable adjustment could not have been arrived at in 1858-59 instead of after months of furious and futile contention. But such procedure is too often the way of strong men when each is certain that right is with him and deems it weak and wrong to concede anything for the sake of peace.

XXI

Charles Aldrich of Webster City, when he had the original article or journal of Harris Hoover's experiences on the Relief Expedition about ready for publication in his *Hamilton Freeman*, as a prudent editor, sent the galley proofs to Major Williams for his examination and criticism or correction, and he received from the Major the following interesting letter which was conspicuously displayed on the editorial page:

LETTER FROM MAJOR WILLIAMS

Fort Dodge Aug. 19, 1857.

C. Aldrich, Esq.: Dear Sir—Yours of the 18th inst., enclosing proof sheets of Srg't Hoover's account of the Spirit Lake Expedition, has been received. I have examined it and find it correct so far as it goes—with two exceptions, which I wish to have corrected. That is he makes me out 70 years of age, and afflicted with rheumatism. I cant agree to be made so old. I was 60 last December and never have been afflicted with rheumatism in my life—please correct these particulars. I dont wish to be considered so old. I hope to be able to take many more trips after Indians, if necessary, and *dont want to be laid on the shelf quite yet.*^{99a}

Major Williams was in very truth a stout old Roman and such sturdy souls always resent the assumption of the heedless or ignorant that

⁹⁹Ms. agreement in Judge Howe's Correspondence and Papers.

^{99a}*The Hamilton Freeman*, August 27, 1857.

. . . a crook is in his back
 And a melancholy crack
 In his laugh

From all accounts that have come within my ken there were no more interesting and potent personalities in Webster and Hamilton counties, or for that matter in all northwestern Iowa, than Major William Williams of Fort Dodge and Charles Aldrich of Webster City. Each was a man of marked ability, notable character and vigorous personality. Each was at once earnest in purpose, intense in feelings, decisive in opinions and outspoken in public demonstration. Each was a partisan of the blunt, staunch sort. Major Williams was what was then called a "proslavery Democrat," a partisan of President Buchanan, and Mr. Aldrich was what the Democrats designate a "Black Republican" who in popular presumption advocated the summary abolition of slavery in the South and "social equality" of blacks and whites. Intense partisan prejudices guided the thoughts and pushed the pens of each man.

As already indicated Major Williams gave the public a considerable body of memorabilia, which he composed at various times and most of which has been published at various times.¹⁰⁰ Major Williams died February 26, 1874, and in 1897 a considerable portion of his memoirs were published in the *Fort Dodge Chronicle* under the caption of "Our Pioneer Days." It is not at all certain when he composed its various chapters, paragraphs, or sections. Internal evidence and sundry contemporary facts compel the conclusion that the two paragraphs here reproduced must have been penned either prior to 1860 or at least before the adjournment of the General Assembly at Des Moines in April of that year. The ensuing excerpts from the Major's memoranda are not offered to revive the acrid animosities of the pre-Civil War days, now three quarters of a century old. They give us samples of the flashes of sheet lightning that played on the horizon of those strenuous pre-Civil War days.

It was my rare good fortune to know Charles Aldrich intimately in the last eleven years of his life, which closed March 8, 1908. He was one of the most vivid personalities I have ever encountered. If I may judge from his many confidences, in his

¹⁰⁰*Ante.*, p. 256, Footnote 22.

youth he could hate heartily and hit hard with lusty vigor in the rancorous discussions of the slavery question. But in the mellow lights of his last years the quick, slashing retort seldom came from him—unless suddenly incensed—and amusement rather than anger, and calm, considerate and generous rejoinders marked his dissents or contention rather than resentment flung back in terms that scarred or scorched. The second ensuing excerpt from this, his own, *ANNALS* which I shall give in the following section will illustrate the point I make.

XXII

In Chapter XVII of his "Old Pioneer Days," discussing the various efforts to secure adequate public compensation for their losses in health, and expenditures of money and property for the men of the Spirit Lake Expedition in the sessions of the General Assembly at Des Moines in 1858 and 1860, Major Williams thus records his memories and feelings:

Governor Grimes and Governor Lowe both used their influence with our state legislature to have them make an appropriation to pay these men for their service and refund to them money actually expended in the expedition which the legislature failed to do. The next session they again made the effort when, after great opposition, they got a bill through allowing them \$0.75 on the dollar. This much was accomplished by our members, Messrs. Duncombe and Rees,¹⁰¹ who were opposed most violently by the republican members for no other reason, evidently, than political opposition. The opponents were headed by the notorious John Scott,¹⁰² of Story County, aided by the unprincipled scamp, Aldricks, [sic] of *The Hamilton Freeman*.¹⁰³ Let the names of these men be handed down to the children of the brave men who risked their lives in their effort to save their country and rescue their fellow citizens from the scalping knife of the invading savage.

No man of the expedition ever thought or dreamed of compensation for their service when they marched, true patriotism alone prompted them to turn out. Nothing could have prompted Scott of Story, Wilson of Jefferson,¹⁰⁴ and their band of political jugglers in our legislature from granting the appropriation to pay those men but the fact the bill was introduced by democratic members. So low, so grovelling in their aims were they, lost of every good feeling and sense of duty

¹⁰¹Samuel Rees of Fort Dodge, representative of Webster County in the 8th, 8th Ex., 12th, 16th general assemblies.

¹⁰²John Scott of Nevada, representative of Story County in the 8th, 8th Ex. and 21st general assemblies, and lieutenant governor, 1868-70.

¹⁰³Charles Aldrich of Webster City, editor of *The Hamilton Freeman*.

¹⁰⁴James F. Wilson of Fairfield, representative of Jefferson County in the 7th Gen. Assembly and in the Senate in the 8th and 8th Ex. general assemblies; member of Congress, 37th, 38th, 39th, 40th sessions, and senator from Iowa, 1883 to 1895.

and right, they opposed giving for three years, these men any compensation; and when they were literally forced by public opinion to give something they passed a bill that obliged every man to expend the greater part of his allowance by travelling after it to the seat of government. Before they granted it even on these terms some of the men were dead, some left the country. The entire amount required was only between \$3,000 and \$4,000, and yet they opposed the appropriation and for political effect passed a law authorizing the governor to raise a company of men to be sent to the frontier, which company they kept out parts of two years at a cost of \$10,000 to \$12,000. . . .¹⁰⁵

Major Williams' information was partial or his memories were confused and defective as to what was done in the Seventh General Assembly at Des Moines in 1858 and what took place in the next session of that body in 1860; and we may suspect that partisan prejudices blurred, if indeed, they did not blind his vision more or less.

In the first place Governor Grimes made a specific series of suggestions to the legislature in his last official message to that body, along the lines insisted upon by Major Williams. He pointed out that the national government was generally and immediately responsible and should reimburse the men of the Relief Expedition for both their services and their outlays in outfitting for the expedition, and suggested a direct memorial to Congress urging such. But realizing the probable delays he urged that many of the members could not easily "await the tardy action of Congress" and he therefore advised "the state assume the payment and reserve the same from any appropriation that may be made."¹⁰⁶

One item in Governor Grimes' message in relation to the attack on the settlement at Spirit Lake produces some curiosity. He states that he had "repeatedly addressed the President of the United States, the Secretary of War, and the Commissioner of Indian Affairs, warning them of the apprehended danger. . . . Copies of my letters to the members in Congress from the State of Iowa, under date of 30th January, 1855, and to the President of the United States, under date of 3rd December, 1855, I herewith transmit."¹⁰⁷ He does not transmit, and he does not refer

¹⁰⁵See Wm. Williams, "Our Pioneer Days," Chap. XVII, *Fort Dodge Chronicle*, April 14, 1897.

¹⁰⁶Shambaugh, *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 97.

¹⁰⁷*Ibid.*, p. 97.

to, his letter to President Buchanan of April 8, 1857, previously quoted herein. Further he does not state that his letters were not acknowledged by the national authorities at Washington, which appears to be a persistent tradition in both popular and academic accounts of the Indian troubles of 1855-57;¹⁰⁸ and if his letters to the national authorities had been ignored, it is strange that, in the then state of bitter animosity prevalent between the Republicans of Iowa and the Buchanan administration at Washington, Governor Grimes did not make specific mention in scathing terms of such gross neglect, if not nonfeasance. He had not so refrained in previous years.

Pursuant to the Governor's recommendations the House of Representatives appointed Friday, January 15, 1858, a special committee of three, Cyrus C. Carpenter of Webster County, chairman, T. Walker Jackson of Tama, and D. A. Mahoney of Dubuque County, to consider all matters relating to the late Indian difficulties. On Wednesday morning, January 20, Mr. Carpenter for the committee reported four proposed measures:

House File No. 44, a bill appropriating for the expenses incurred in connection with the Spirit Lake Expedition and "for the services of the volunteers in the same . . .";

House File No. 45, a Memorial and Joint Resolution asking Congress to appropriate a sum sufficient to indemnify the state of Iowa for the outlays in connection with the aforesaid expedition;

House File No. 46, a Joint Memorial to the Senate and House of Representatives of the United States asking for bounty land warrants for the volunteers on the Spirit Lake Expedition;

House File No. 47, an act to authorize the governor to raise, arm and equip a company of men for the defence and protection of the frontiers.

Major Williams' memories of what course members of the General Assembly in 1858 took were clearly confused, or local partisan prejudices blurred his recollections and induced sundry assumptions contrary to fact in his harsh comments upon those whom he stated opposed just treatment of the members of his command in the celebrated expedition to the Lakes. The two memorials to Congress were passed without opposition and pre-

¹⁰⁸Teakle, *op. cit.*, p. 22.

mented to and approved by the Governor on January 30. The bill for the creation of a company of mounted volunteers to protect the frontiers, H. F. No. 47, passed the House on January 26 without dissent, and the Senate on January 30 without opposition.

House File No. 44, authorizing an appropriation to defray the expense of the Spirit Lake Expedition and to give the volunteers under Major Williams compensation for their services, failed to pass, but under such circumstances as to give no warrant for Major Williams' bitter comments upon what he brands as the partisan obstructionism of the "Black Republicans." The bill passed the House of Representatives on the morning of March 23, 1858, with 42 votes for and none against and was immediately messaged over to the Senate by W. P. Hepburn, clerk of the House. The Senate, if we may infer action from the journal of that body, acted instantly for the bill apparently was immediately put upon its passage and the vote stood 20 for and 3 against and then the entry following reads "Bill Lost."¹⁰⁹

At first the negative result, just noted, puzzled me. It seemed inexplicable. The volume containing the Acts of the Eighth General Assembly does not have the proposed act. The majority seemed ample for all practical purposes. The defeat of the bill is to be explained upon two specific grounds—one constitutional and the other general. The Constitution required a majority of the Senate's total membership to pass any bill into law, and the Senate rules required a two-thirds vote to pass a bill under a suspension of the rule requiring the second and third reading of a bill on different days; and House File 44 lacked three votes. A general reason may explain the defeat of the bill. It was not passed in the House until the 23rd of March—the last day of the session. It was brought up immediately in the Senate amidst the rush and jam of the last hours when its calendar was crowded and clash and distraction prevailed simultaneously. A number of members did not vote—not from indifference or adverse attitude but from concern for other bills more immediately within their personal or public concern.

So far as the journals of the Seventh General Assembly disclose the facts Major Williams had neither apparent nor sub-

¹⁰⁹Journals of House of Representatives and of the Senate, 7th G. A.

stantial grounds for his animadversions upon the conduct of the "Black Republicans." Among these Republicans voting for H. F. 44 were a number of notables in the state's history—W. W. Belknap, C. C. Carpenter, Rush Clark, W. F. Coolbaugh, J. B. Grinnell, B. F. Gue, Samuel J. Kirkwood, Wm. Loughridge, Geo. W. McCrary, W. H. N. Pusey, N. J. Rusch, Alvin Saunders, W. H. Seevers, Wm. G. Thompson, and James F. Wilson. Two members of that assembly later became governors of Iowa, Carpenter and Kirkwood; two lieutenant governors, Gue and Rusch; one justice of the Supreme Court, Seevers; eight served as congressmen, Carpenter, Clark, Grinnell, Loughridge, McCrary, Pusey, Thompson, and Wilson; three became national senators, Kirkwood, Saunders, and Wilson; and three served in the president's cabinet, Belknap, McCrary, and Kirkwood. Three of the major clerks of that assembly achieved high places—W. P. Hepburn became a notable congressman, Charles C. Nourse of the Senate was Iowa's attorney general during the Civil War, and George E. Spencer, chief clerk of the Senate, became a national senator from Alabama. Messrs. Carpenter and Spencer were intimately associated with the first settlers of Spirit Lake. We shall see that General Belknap was closely connected with the tragic finale of our story.

One fact in the premises may have warranted Major Williams' feelings and assertions. The final action on House File No. 44 in the lower house was delayed until March 23, the day on which the assembly had voted to adjourn. That delay suggests opposition that kept behind the scenes and hoped that by such delay the measure might be smothered or sidetracked in the confusion or jam of the last hours of the session. The familiars of the lobby and the habitues of committee rooms need not be told the tricks whereby such conclusions are compassed.

XXIII

When the Eighth General Assembly met in January, 1860, Governor Ralph P. Lowe informed its members and the public in his beinnial message that the threatening conditions on the state's northwestern frontier had given him serious concern and concerning a part of his efforts he said:

I need not say that I opened a correspondence, both with the President and the Secretary of War upon the subject of our exposed frontier, explaining to them the character of our difficulties and respectfully solicited that protection which the Federal government is bound to extend to the whole line of our borders. I received strong assurances from the President that this should be done, and a partial promise from the Secretary that he would establish a garrison at some point between Fort Ridgely and Fort Randall that should sufficiently guard and protect our frontier. Whether this has been done, or not I am not advised.¹¹⁰

Three substantial facts stand out in Governor Lowe's communication. First, the adverse conditions on Iowa's northwestern frontier were more serious than the public in the older portions of the state then generally believed and the state's historians have appreciated. Second, Governor Lowe evidently broke through the hostility of the administration at Washington, or shook its indifference which Governor Grimes was unable to do. Third, the threatening prospects were evidently sufficiently serious that the head of the War Department gave assurances that a new garrisoned post was needed and would be established.

When the Eighth General Assembly convened Mr. Samuel Rees of Fort Dodge, representative of Webster County in the House of Representatives, immediately reintroduced (January 19) the bill to reimburse Major Williams and the officers and men of his command for their outlays and services in the Spirit Lake Expedition (House File No. 60). On January 23 Mr. Ed Wright, of Cedar County, chairman of the Committee on Claims, reported the bill out without change and with a recommendation that it pass. It came up January 30 and was passed with 80 votes for and none against—and only six absent or not voting. The journal of the House discloses no factious or parliamentary opposition.

The career of the bill in the Senate encountered sundry proposed amendments, and after its passage various motions for reconsideration which may imply the sort of filibustering tactics Major Williams' suspicions assumed, but a contrary belief is permissible. Mr. Charles Aldrich was chief clerk of the House of Representatives in that session. As he was the object of adverse comment and suspicion I shall let him summarize what

¹¹⁰Shambaugh, *op. cit.*, pp. 172-73.

took place in the Senate and indicate first what was his attitude towards the commander of the Spirit Lake Expedition.

When Major Williams' adverse memories were published posthumously in the *Fort Dodge Chronicle*, April 14, 1897, some one immediately called Mr. Aldrich's attention to them. He was then curator of the Historical, Memorial and Art Department which he had created, and editor of this periodical, the ANNALS OF IOWA. He had considerable reason for astonishment and resentment, but his instant rejoinder was couched under the following kindly caption:

AN ECHO FROM SPIRIT LAKE

The Fort Dodge Chronicle has of late been publishing extracts from a diary left by the late Major Williams of Fort Dodge, the distinguished pioneer who commanded the Expedition to Spirit Lake against the Indians in 1857. . . . Among a great deal of truthful and interesting matter which is historically valuable, "the old Major" states that an effort was made by Hon. John F. Duncombe and Samuel Rees to induce the Legislature to pay the Spirit Lake soldiers for their patriotic and humane services, and that this effort was opposed by Col. John Scott of Story county and Charles Aldrich of Hamilton county—and the parties named are characterized by sundry descriptive words more forcible than polite. . . . As Major Williams died many years ago we shall not further characterize this statement than by setting it down as an error—a slip of the pen made easy by the political acrimony pervading northwestern Iowa in those days. Col. John Scott and Charles Aldrich were radical republicans—"black republicans," as anti-slavery men were called in those days—while Major Williams was a democrat of the school of James Buchanan. That sufficiently explains the feeling with which he wrote. . . . When Mr. Aldrich came to Webster City to establish *The Freeman* newspaper in May, 1857, the men of the Expedition were about town still suffering from the effects of the frost-bites and severe exposure. The people were mourning the loss of the gallant Capt. J. C. Johnson, who had been frozen to death on the return march. One of the first things to which Mr. Aldrich turned his attention was procuring and publishing in *The Freeman* an excellent account of the expedition, from the pen of Sergeant Harry Hoover. . . . He also secured the erection of a beautiful brass tablet in the Court House at Webster City some years ago, which names and thereby compliments Major Williams, with other Spirit Lake heroes. Mr. A. was a member of the commission which erected the imposing and beautiful monument at Lake Okoboji in 1894. . . . At the request of Mr. Aldrich Gov. Carpenter wrote for these pages a most appreciative biographical sketch of Major Williams. That Mr. Aldrich has done everything in his power during these forty years to honor and

reward the officers and men of that expedition is well known in north-western Iowa. . . . As to Col. John Scott, the Senate Journal of 1860 shows that he attempted to amend the bill so as to secure the money appropriated to the men who carried the rifles and the shot guns, instead of allowing it to go to claim agents and speculators. On page 370 of the Journal a committee of which he was chairman, said in their report "The passage of the bill is warmly commended." The roll-call on its passage (p. 373) shows that Col. Scott voted in the affirmative. There were but two votes against it. The House Journal (p. 171) records its passage by unanimous vote of that body. The fact is, *everybody favored and nobody opposed this meritorious bill* (House File No. 60).¹¹¹

In the main Mr. Aldrich correctly states what took place, but he is somewhat in error and forgot that there was more or less sharp backfiring against the passage of the bill in the Senate. Mr. Aldrich as chief clerk of the House reported the passage of House File No. 60 by that body to the Senate on Tuesday, January 31, and on February 2 it was referred to the Committee on Claims with Mr. John F. Duncombe of Fort Dodge added thereto. On February 4 Mr. Angle of Cedar Rapids for the committee, reported the bill for passage. Mr. John Scott's motion as to assignees was then put and lost. Mr. Cyrus Bussey of Bloomfield then moved its adoption and the bill carried by a vote of 31 to 10, among those voting for it being Messrs. Jarius Neal of Knoxville and Samuel Reiner of Louisa County who had opposed it in 1858; and Messrs. Scott and Wilson voting against it. Immediately Mr. Bussey moved to reconsider and on motion of Mr. Wm. F. Coolbaugh of Burlington that motion was laid on the table by a vote of 21 to 20.

On Monday morning, February 6, Mr. Scott moved to take the motion to reconsider from the table and it was so ordered by a vote of 21 to 15; and in the afternoon on motion of Mr. Scott it was recommitted to a special committee of three, Mr. Neal seeking to have it committed to the Committee on Claims. President Rusch appointed Messrs. John Scott, W. Coolbaugh, and John W. Thompson of Davenport on that special committee.

In the midst of the bitter contention at Des Moines, Mr. Aldrich, under the title of "The Spirit Lake Claims," on February 25, 1860, printed in *The Freeman* a vigorous defense of Senator John Scott against charges current in Fort Dodge, alleging that

¹¹¹ANNALS OF IOWA, Third Series, Vol. III, pp. 232-34.

he was opposed to the reimbursement of the Spirit Lake volunteers of 1857, and among other assertions the following is pertinent:

Mr. Scott is not now, and has never been opposed to the payment of those eminently just and proper claims. He was in favor of amending the bill so as to prevent frauds and speculations, and was then *anxious for its passage*. He wanted the men who *earned* the money to get it instead of certain sharks who infest this region. He stated in his place in the Senate that this was his only object; but the friends of the bill would listen to nothing. They were bound to crowd it through, just as it was gotten up, and the public can draw their own conclusions in regard to the motives which prompted this unreasonable and needless haste. They did not seem to want the subject ventilated, or more than half understood, and this aroused the suspicions of Mr. Scott and others, and hence their action in the premises.

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. . . the bill was drawn by honest Sam Rees of Fort Dodge and by *his influence* carried through the House. . . Mr. Rees is the father of the bill. . . We want the Spirit Lake Volunteers to understand that if they get their money they owe to Mr. Rees, the authorship and introduction of the bill. . .

Friday, March 2, Mr. Scott reported the bill back with some sharp observations about the safeguarding of the interests of the beneficiaries under the bill against the alleged grasping practices of money sharks who prior to its passage purchased or secured the assignment of the claims to them. The bill then carried by a vote of 27 to 4, among the opposition on this vote being Senator Neal. On Friday, March 9, Mr. Aldrich presented the engrossed bill to the Senate for the president's signature and thereupon presented it to Governor Kirkwood for his approval, which he gave it on March 12. The bill became Chapter 22 of the Session Laws of the Eighth General Assembly.

There were several substantial considerations in the background and underneath the opposition to the passage of the bill in its final stages in the Senate. One was that the national government through Congress had already made provision for the reimbursement of the volunteers in two different appropriations. Further, the proposal of Senator Scott, while appealing easily to superficial popular sentiment, and having considerable weight, if the majority of the claims of the members of the expedition had been sold at heavy discounts to money lenders; but those

who remember the broad wisdom of Alexander Hamilton in his great funding program of the Revolutionary debts may assume the justice of the opposition to his amendment. Senator Scott's amendments and parliamentary procedure did not necessarily mean opposition to the general purpose of the bill, nor was opposition to his amendment factious or irrational or petty obstructionism.

The contentions and suspicions of Major Williams illustrate how easily our visions become blurred in the midst of rancorous partisan disputes. He had just grounds for indignation at the delays and what seemed mere jockeying in the proceedings in the General Assembly upon the just claims of his storm-racked companions of the Relief Expedition. All had suffered intolerably and terribly. Many would suffer all of their lives from their injuries to health and limb and deprivation from lessened working vigor and earning power. Their claims came under the rule of *Quantum meruit* and their needs were urgent.

But aggravating as the delay was it did not follow that Messrs. Aldrich and Carpenter, Scott and Wilson were pretentiously for the bill in the open and actually and meanly maneuvering against it in the lobbies and cloakrooms, playing petty "politics" at the expense of their deserving fellow citizens, and in two cases their fellow townsmen and neighbors who had risked their all in an heroic attempt to rescue victims of Inkpaduta's revenge.

The payments out of the national treasury on account of Inkpaduta's attack upon the settlement between the Okobojs finally totaled a considerable sum. Four different appropriations were authorized by Congress as follows:

June 14, 1858	\$20,000.00
June 19, 1860	16,679.90
June 21, 1860	18,988.84
March 2, 1861.....	9,640.74

Grand total.....\$65,308.48

Of the foregoing sum \$13,269.17 was paid to citizens of Iowa for either the destruction of their property or for their services in connection with the Relief Expedition.¹¹²

¹¹²Summarized from Teakle, *op. cit.*, pp. 261-62.

XXIV

If Major Williams' shade has revisited his former haunts in recent years his spirit must have been "lifted" on learning that the successors of Iowa's solons of 1858 and 1860 have twice indicated, both formally and substantially, their appreciation of the debt owed the members of his notable command of 1857.

On January 25, 1913, there was introduced in the Senate of the Thirty-fifth General Assembly by Senator D. C. Chase of Webster City a bill (Senate File No. 80) for "An Act to Pension the Survivors of the Spirit Lake Expedition." The same bill (House File No. 272) was introduced in the House of Representatives on February 6 by Frank J. Lund, of Hamilton County, also a resident of Webster City. By its terms each survivor was to receive Twenty Dollars (\$20.00) per month during the remainder of his life.

Senator Chase's bill (Senate File No. 80) was reported on favorably by the Committee on Military Affairs, February 8, and referred to the Committee on Appropriations. That committee reported it with a recommendation for passage on March 6. On March 11 after a slight amendment proposed by Senator Chase the bill was passed by a vote of 43 to 0, seven members absent. The bill was passed by the House of Representatives on April 5. It was approved by Governor George W. Clarke on April 9, 1913. It became Chapter 348 of the "Laws of 1913."

When the law providing the pension took effect on July 4, 1913, there were eleven members of Major Williams' Command living—Company A had two, Captain Charles B. Richards and Roderick A. Smith; Company B had five, D. H. Baker, A. H. Johnson, A. H. Malcom, Daniel Morrisey, and Guernsey Smith; and Company C four, Thomas B. Bonebright, James Hickey, John N. Maxwell, and Amos K. Tullis. Three were residents of California, one of Illinois, and the remaining seven in Iowa. The last survivor was D. H. Baker of Company B who died October 4, 1921.

The disbursements from the State Treasury in payment of the pensions granted from 1913 to 1921 inclusive for each year ending July 3 were as follows:

1914	\$ 2,369.33	1918	\$ 1,440.00
1915	2,640.00	1919	1,229.00
1916	2,017.33	1920	970.66
1917	1,740.00	1921	576.33

Grand total.....\$12,982.65

On March 18, 1921, the House of Representatives of the Thirty-ninth General Assembly had under consideration House File No. 705 proposing an amendment to Chapter 164 of the Acts of the Thirty-seventh General Assembly pertaining "to pensions for the survivors of the Northern Border Brigade" which had been organized in 1862 to protect the settlers of northwestern Iowa against the terrible Sioux, following the horrible outbreak of August, 1862. Mr. J. C. Sterling of Webster City offered a brief amendment which read, "Amend by adding at the end of section one, 'and widows of the members of the Spirit Lake Expedition of 1857.'" It was adopted by a vote of 66 with no dissent; some 41 being absent or not voting. On March 28 it was reported out by the Committee on Appropriations in the Senate with a favorable recommendation, and on April 7 on motion of Mr. H. C. Adams of Algona, Kossuth County, House File No. 705 was concurred in by a vote of 35 ayes without dissent, 15 being absent or not voting.

Under the terms of that act of the Thirty-ninth General Assembly Brigadier General Charles H. Grahl of the Adjutant General's Office informs me that the following amounts have been disbursed for the fiscal years, four being entitled to benefits—two widows of members of Company C, one of Company B, and one of Company A:

1922	\$ 960.00	1928	\$ 720.00
1923	960.00	1929	720.00
1924	960.00	1930	654.67
1925	960.00	1931	480.00
1926	863.33	1932	480.00
1927	720.00	*1933	360.00

Grand total.....\$8,838.00

*Nine months, July-March inc.

The aggregate disbursements for and on account of the members of Major Williams' Command since 1913 have been:

Members	\$12,982.65
Widows	8,838.00
Grand total.....	<u>\$21,820.65</u>

There are two beneficiaries living, one a resident of Webster City, Iowa, and one of Monrovia, California (April 1, 1933).

When we consider the frightful sufferings of Major Williams' Command in the Spirit Lake Relief Expedition in March and April 1857, it is not unpleasant to think that the state's pension grant to the members' widows still surviving may have materially lessened their anxieties and sorry financial distress from which the public has suffered in recent days.

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