

ANNALS OF IOWA.

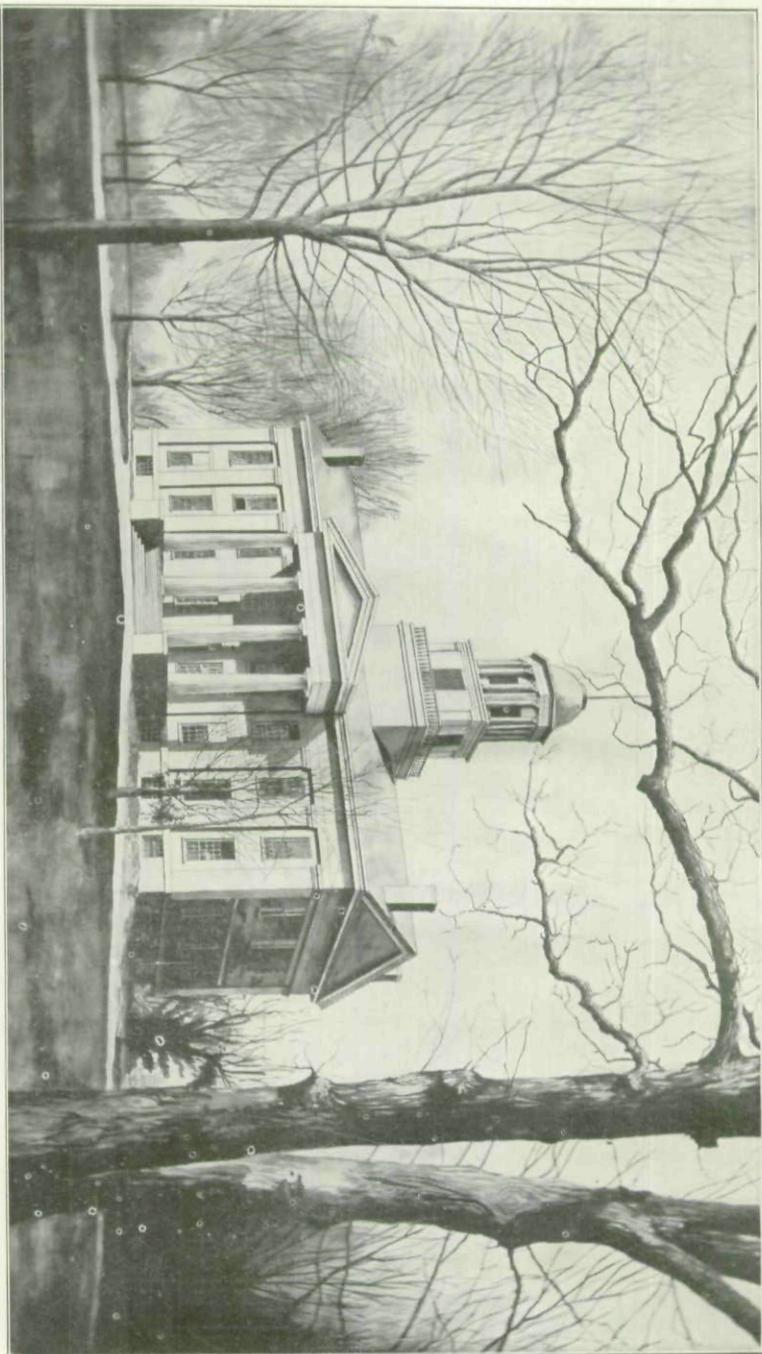
EDITORIAL DEPARTMENT.

THE GREAT DUBUQUE CASE.

We are fortunate in being able to present in this number of THE ANNALS a concise history of the great law suit involving the title to the plat of the city of Dubuque, from the pen of the Honorable Oliver P. Shiras, U. S. Judge of the Northern District of Iowa. True, this case is on record in the 16th volume of Howard's Reports of cases decided in the Supreme Court of the United States, but this volume is not accessible to general readers or students who may desire information on the subject. It was a case fraught with important consequences to the residents of that thriving city, for it involved the title to many homes from which an adverse decision would have expelled their occupants as soon as the unerring machinery of the federal law could have been put in operation. Judge Shiras makes a clear narrative of the inception and history of the famous case which will be a valuable accession to the libraries of our State. We are also indebted to Col. Pierre Chouteau, of St. Louis, for a copy of the original recorded map of the claim of Julien Dubuque, showing the portion which he wished to transfer to Auguste Chouteau. Of this we have secured a good engraving for the illustration of the article. It presents a readily understood plat of the locality, the title of which was so long a bone of contention, and upon which has since arisen the thriving city of Dubuque.

LAUMAN'S CHARGE AT JACKSON.

A reference to this affair in the last ANNALS (p. 282) has brought that subject again under discussion. It will be remembered by those readers who are informed in the his-



THE OLD STONE CAPITOL

(IOWA CITY)

REPRODUCED FROM A PAINTING IN WATER COLOR BY MRS. BENJAMIN F. SHAMBAUGH

tory of Iowa troops in the civil war, that previous to that event Gen. Lauman commanded a Division in the 13th Army Corps, under Maj. Gen. E. O. C. Ord. The outcome of that terrible affair was lucidly set forth in a paper written by Col. George W. Crosley, of Webster City, and published in Vol. I, this (3d) series of *THE ANNALS*, (pp. 371-81). Gen. Ord and General Lauman never agreed as to the orders issued by the former and bravely acted upon by the latter. Gen. Lauman was at once relieved of his command and ordered to report to Gen. Grant at Vicksburg. He repeatedly demanded the fullest investigation, but his requests were unheeded. It is but justice to state that while he suffered this cruel treatment at the hands of officers of high rank in the regular army, he never lost the respect and confidence of the thousands of soldiers whom he commanded in some of the severest battles in the Mississippi Valley, or of the people among whom he lived and died.

Dr. S. H. Huff, who edited *THE ANNALS* in 1867, the year of Gen. Lauman's lamented death, received a letter from his Adjutant-General, Capt. W. H. F. Randall, which will come very near convincing the impartial reader that his commanding officer was blameless in the disastrous charge at Jackson. We copy this letter with Dr. Huff's clear and emphatic estimate* of the high qualities of Gen. Lauman and of the injustice of which he was the victim. Col. Crosley's article above referred to should also be read for the fullest understanding of the whole subject possible at this late day.

In the summer of 1863, wrote Dr. Huff, while Sherman was investing the city of Jackson, Miss., which held the forces of the rebel, Gen. J. E. Johnston, one of the federal Division commanders, an Iowa officer was suddenly suspended from command and ordered to the rear,—to report to Gen. Grant at Vicksburg, was the language of the order. Up to the hour of his suspension he had stood among the foremost from his State in the field, and conspicuous among the officers of his rank in the Western army. None had a better record for gallant deeds on the many fiercely contested battle-fields of the West. At Belmont, at Donelson, at Shiloh, at the Hatchie, he had won distinction. This officer was Brig.-Gen.

* *ANNALS OF IOWA*, Vol. V, 1st series, pp. 897-902—1867.

Jacob G. Lauman. Rumor was at once busy in accounting for this sudden retirement. In army circles, of the army to which he belonged, the subject was freely discussed. That a fearful loss had occurred to his command in an advance movement made by the wing of the army to which he belonged, was not of itself sufficient ground for the censure which his removal implied. It was rumored in explanation, that he had recklessly pushed his men into a most destructive position in *disobedience* of orders, bringing upon his command needless loss of life. And to these statements of the transaction his hosts of friends throughout the army were obliged to yield assent, for there was the bloody record of the almost annihilated 3d Iowa, and the verdict of Gen. Sherman. Patent, incontrovertible testimony, with no given exculpatory facts. But, though silenced, there was yet a lingering belief in the judgments of many who knew him best, and who knew most of the circumstances of the fatal movement, that in due time, on investigation, his conduct would be satisfactorily explained, and his well-earned, honorable reputation cleared.

But months passed, and Lauman was without a trial and without a command. A year, and yet no investigation. Another year. The war ends. He is mustered out of the service, his repeated petitions for a trial unanswered. And thus he retired to private life. A few weeks ago he died, and thousands of brave men throughout all the West, who had served with or knew him in the field, mourned his death as that of a brave, patriotic, and good man.

There are those that have always believed that Lauman was sacrificed at Jackson by his corps commander, in being made unjustly to assume the responsibility of that disastrous affair. In other words, that he acted under orders throughout; and the misrepresentations as to the responsibility of the movement was made to Gen. Sherman when it was found by the mover to be a disaster.

That he was never court-martialed, notwithstanding his repeated demands for a trial; that the facts were never submitted to a court composed of his comrades in arms, is significant of wrong somewhere.

That Sherman and Grant should not have found time, amid the stirring campaigns that followed each other in such rapid succession, to give a personal hearing to the case, is quite easily explained; but that an investigation was never ordered or allowed by them, indicates the active and persistent hostility of a powerful enemy who had their confidence and their ear. Who that enemy may have been, is indicated in the following communication from Capt. W. H. F. Randall, the Adjutant General of General Lauman, whose position gave him the facilities of knowing all the facts; of being cognizant of every order, written and verbal, connected with the disastrous transaction which beclouded the military career of his commander.

We first heard an account of it about a year and a half after its occurrence, narrated by the Captain to a group of officers, as they drank their coffee and ate "hard tack" around the struggling blaze of a camp fire on a bleak December night; and we also heard then and there utterances of

profound indignation by the listening group, as the facts of the movements and orders of the day that wrought the disaster to Lauman were set forth by one, who of a necessity, knew them all, for they had come to his knowledge in the line of official duty, a cognizance of which he could not well evade, and hence could not be mistaken in the statements made, while the high character of the narrator as a soldier and gentleman left no room for question of his correct intention.

At our request, the Captain has written out a statement of the facts, which we place before the readers of *THE ANNALS* :

SELMA, ALABAMA, April 26th, 1867.

Dr. Huff—Dear Sir: Your letter requesting of me a statement of the movement at Jackson, Mississippi, which resulted in disastrous consequences to the command, and to the fortunes of General Lauman, is received.

It will be impossible, from where I write, to give more than an outline statement of the matter; for the reason that the official letters and orders which were received by the General, controlling him in that movement, are not in my possession, and I shall be compelled to relate the occurrence from my best recollection, which, however, is perfectly clear as to essential facts.

Permit me to begin by going back of that field a few weeks to relate an incident of camp life, which may, and I think does, have a bearing on events subsequent in explaining the actions of a party concerned.

General Ord had just assumed command of the 13th Army Corps, to which Lauman's Division was attached, and was visiting the command. While seated together in Lauman's tent in conversation, the battle of the "Hatchie" was introduced and discussed. Both these generals were in that engagement, and General Ord received a wound. When the fight commenced General Hurlbut was in command, and had been in command of the troops to that time; when in the very heat of battle, as I was informed, General Ord reported on the field and took command. Soon afterwards the forces were thrown into disorder; Ord was wounded, and was compelled to leave the field. Hurlbut again took command, rallied the forces, and gained the battle. General Lauman, in his conversation referring to this battle, remarked that it was unfortunate that he (Ord) assumed command just at the time he did, not knowing the strength or position of the enemy, the nature of the ground, or the metal of the men, as well as Hurlbut. This of course shocked the sensibility of Ord, and from that time to the time Lauman was relieved, he felt as if it were impossible for him to please his commander. So soon as Vicksburg was taken General Sherman was placed in command of an expeditionary force, to pursue Johnston and his army. General Ord's Corps made up part of this force. Johnston retired behind his works at Jackson, and Sherman invested the city from the river on the one side to the river on the other side of the city. Lauman was ordered to move to the extreme right of the line, and gain a position in continuation of the line of investment, leaving one brigade to guard the corps train. He commenced skirmishing with the enemy as soon as he had fairly moved to the right, and continued advancing and skirmishing, until darkness overtaking him he ordered his men to fall back along the line of railroad and rest for the night. General Hovey's Division was on the immediate left of Lauman, and, as I have before stated, the latter was on the extreme right of the whole line. During the night orders were received directing a general bombardment to commence the next morning. Lauman was instructed to send out a regiment, during the continuance of the bombardment, to reconnoitre between the right of the command and the Pearl River Bridge, and to watch the

effect of the bombardment and the movement of the enemy. He was also instructed to keep one brigade in reserve, and with the remainder of his Division to move forward with the main line, keeping close up with Hovey, and to move forward with him. So strict were the instructions that, I remember well, General Lauman remarked they left him with no discretion, and that they indicated to his mind that there was a fear manifested that he would not keep up with Hovey. Never before did I know him to be so anxious and determined to obey orders to the letter. Every portion of his command had received their orders and were promptly executing them at the time designated. While the bombardment was progressing, and the line was advancing, General Hovey sent no less than three messengers to Lauman, with the request that he keep well up as he was advancing. He assured Hovey that he would keep well up, and he did. The railroad separated Lauman from Hovey. The ground over which Hovey passed was nearly level, or rather a graduated slope. Lauman's ground was very much broken. He drove the enemy over a low flat or bottom, thence up an elevation, which, when he reached the top or plain surface, brought him into full view of the enemy behind their works. Here he doubtless should have checked the advance, and retired behind the elevation to a line of retreat, where he might have taken a strong position and held it, but his orders were of the strictest character; besides he felt that if he retired he would leave Hovey's flank exposed, and leave his regiment liable to be captured, which had started on the reconnoissance. Just in front of his *left* was a large thicket of undergrowth, where a large number of the enemy lay concealed; just in front of his *right* was an earthwork holding a full battery, besides the enemy were behind their line of works in full force. Before General Lauman had time to give any orders, if he had wished to do so, a heavy fire was opened upon his command from all these points, simultaneously, and, I may say, unexpectedly, for the skirmishers had been allowed to advance with but little resistance until the main force appeared in full view, when the shot and shell were poured into our ranks so thick as to leave but few to tell the tale to the reserve. Let those blame General Lauman who will, but none can say he exceeded his orders. Had he been left with discretionary power, I doubt if he had advanced his line so rapidly and without greater caution; indeed, he did not know how far he was from the line of works of the enemy when he started in the morning, and he was unable to get information from any one. He told me afterward that General Ord claimed to have given him *verbal* orders not to go nearer to the works than fifteen hundred yards, but he said he had never received such orders. It is very certain that Ord gave no such *written orders*, and Lauman, as I know, did not see General Ord after receiving the written orders until he relieved him. When this brave little band saw no chance for retreat, and death staring them in the face, they rushed madly on determined to sell their lives as dearly as possible, and neither the gallant old Pugh, of the First Brigade, nor the beloved Lauman could check them. So desperate was their charge that the enemy in their front, three times their number and behind strong works, began to waver and seek refuge in flight. There may have been officers who were better skilled in the art of war, but none more gallant on the field, none more obedient to orders, and none more devoted to the cause of the country. Never can it be said of him, *he knew his duty, but did it not*; never can it be said that he avoided any responsibility, however dangerous, or however hard. Though he is dead, yet he still lives in the hearts of the brave soldiers and gallant officers whom he commanded, who still survive him. Never did he ask an officer or soldier to go where he was not willing to go himself, and none that knew the kindness of his heart will ever say that he would, carelessly or madly, push his troops into a danger that could be honorably avoided.

Very truly yours,

W. H. F. RANDALL.

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