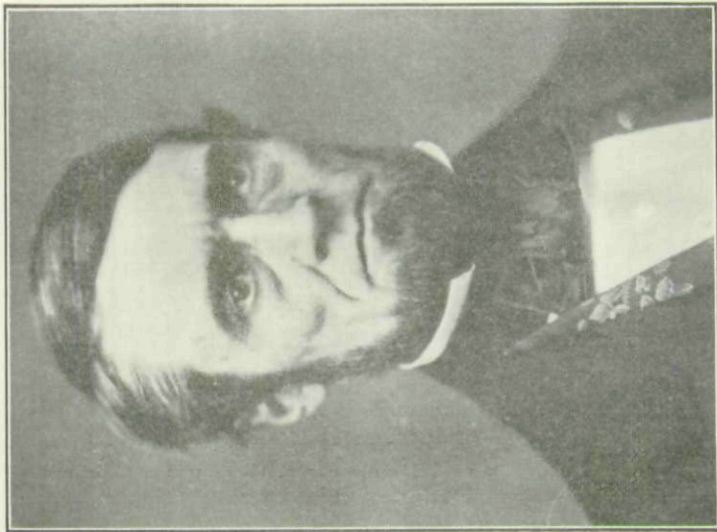


D. W. Wilbourn

From a tintype, at the age of sixty-five.



Chas. Mason

From a daguerreotype, at the age of fifty.

ANNALS OF IOWA

EDITORIAL DEPARTMENT

THE MASON-REMEY AND THE KILBOURNE COLLECTIONS

We can now acknowledge the gift of invaluable collections of documentary materials and objects illustrative of early Iowa persons and places, respectively, from Charles Mason Remey of Washington, D. C., and from Mrs. Emma Kilbourne Wright of Keokuk, Iowa.

From Mr. Remey comes that which we designate as the Mason-Remey collection, that from Mrs. Wright as the Kilbourne collection.

Neither of these collections will be available to the general public until they are finally deposited in permanent receptacles. The courtesy will be extended, of course, to any person duly credentialed, who is in pursuit of information leading to valuable historical contributions, who first submits the definite object of such investigation and complies with our rule in such cases, namely, that other uses shall not be made of the materials, and that the definite and final form of matter intended to be published with credit, shall be first approved by the curator.

MASON-REMEY COLLECTION

Hon. Charles Mason was born at Pompey, Onondaga County, New York, October 24, 1804. He entered West Point Military Academy in 1825, and was graduated in 1829 at the head of his class. Among his fellow students were Jefferson Davis, Albert Sidney Johnson, Joseph E. Johnston, Leonidas Polk and Robert E. Lee, the latter three being members of his class of 1825. He immediately became a law student, yet remained at West Point two years as an assistant professor of civil engineering. He then resigned from the army, entered a lawyer's office in New York City, was admitted to the bar in June, 1832, and com-

menced the practice in September, 1832, at Newbury, New York. In 1834 he removed to New York City.

For some time he had contributed to the *New York Evening Post*, then edited by William Cullen Bryant. While Mr. Bryant was absent in Europe from 1834 to 1836 Mr. Mason acted as editor. He removed to Wisconsin Territory in November, 1836, to near Belmont, where the legislature was then in session. In February, 1837, he traveled on horseback to Burlington, then the temporary capital of Wisconsin Territory, in what on July 3, 1838, became Iowa Territory. In March he purchased some land, now part of the city, about two miles from the boat landing, and made that his home. In April Governor Henry Dodge appointed him one of his aids, and also public prosecutor for Des Moines County. On August 1, 1837, occurred his marriage with Miss Angeline Gear at Berkshire, Massachusetts. In July, 1838, Iowa Territory was created, of which President Van Buren appointed Mr. Mason chief justice. Four years later, 1842, President Tyler reappointed him, as did President Polk in 1846. He came to this position at the age of thirty-four years. Although handicapped by the newness of the country, lack of acquaintance with the people and their customs, the scarcity of libraries, the lack of precedents, he brought to his work a good education, talent, integrity, and judicial qualities, which soon enabled him to establish that high reputation he ever afterward enjoyed.

Iowa became a state on December 28, 1846, but as the conditions of the parties in the General Assembly at that time prevented the election of the new judges of the Supreme Court, Judge Mason held over and became the first chief justice of the state, filling that position until May, 1847, when he resigned. In April of that year he had been nominated by the Democrats for state superintendent of public instruction, but was defeated by James Harlan by 413 votes. The First General Assembly, in January, 1847, authorized Governor Briggs to employ counsel for Iowa in the controversy over the Missouri boundary line. He employed Judge Mason. At its special session in January, 1848, the First General Assembly selected Judge Mason, William G. Woodward of Muscatine, and Stephen Hempstead of Dubuque as a commission to compile a code for the state and

they produced the Code of 1851. At the end of these two important trusts Judge Mason engaged in general practice at Burlington. In 1850 he formed a law partnership with Samuel R. (General) Curtis, a former fellow student at West Point, and John W. Rankin. Soon thereafter Mr. Curtis removed to St. Louis and James M. Love took his place in the firm. He was elected county judge under a provision of the Code of 1851, taking his place September 1, 1851, as the first county judge of Des Moines County. He resigned at the end of a year, having become president of the Peoria & Oquawka Railroad. In 1853 President Pierce appointed him United States commissioner of patents, but he resigned in 1857. Judge Mason was elected First District member of the Iowa Board of Education October 12, 1858, the Constitution of 1857 prescribing one member should be elected from each judicial district. There were then eleven districts. Although he drew a four-year term, he served but one year on this board, resigning in 1859, when he was employed by Munn & Company, publishers of the *Scientific American*, as the attorney in their patent agency. In 1860 he went to Washington, D. C., where he engaged in the practice of patent law, to which he devoted himself some years. "Judge Charles Mason, conceded to have been the ablest incumbent of the office of commissioner of patents, having resigned in 1859, [1857] was engaged by Munn & Co., and remained with them a long time. Among the noted cases, which exceeded 100,000 in number, conducted by this firm, was the procuring of the extension in 1860 of the Morse telegraph patent, which was vigorously opposed by some of the most eminent lawyers of the period. Prof. Morse, as well as the attorneys of record, always accorded it to Judge Mason's wise and persistent effort that the last seven and most profitable years of the patent were obtained."¹

In 1861 Judge Mason was nominated by the Democrats for the office of governor of Iowa to run against Kirkwood. A faction of the Democratic party styling itself the Union party nominated William H. Merritt. For party harmony Judge Mason withdrew. In 1863 he was the Democratic nominee for judge of the Supreme Court, and although running over 5,000 ahead

¹National Cyclopedia of American Biography, "Orson D. Munn," Vol. 7, p. 83.

of his ticket, was defeated by 32,000 by John F. Dillon. In 1867 he was the Democratic candidate for governor against Samuel Merrill. In 1868 he was a delegate to the Democratic National Convention which nominated Horatio Seymour for president, and in 1872 to the one which nominated Horace Greeley.

Judge Mason gave of his talent and employed his ample means in aiding the development of the city of Burlington and that section of the country. He led in establishing the Burlington city water works, was president of the Burlington Water Company, president of the Burlington & Northwestern Railway, now a branch of the Chicago, Burlington & Quincy Railroad extending from Burlington to Washington, Iowa, president of the Burlington Street Railway Company, vice president of the Burlington, Keosauqua & Western Railway, treasurer of the local school board, and president of the German American Savings Bank.

His death occurred at his home in Burlington February 25, 1882, when in his seventy-eighth year.

The wife of Judge Mason, Angeline Gear, was a sister of Ezekiel Gilbert Gear, who was the father of Senator John Henry Gear. The only child of Mr. and Mrs. Mason to reach maturity, Mary J. Remey, is the wife of Rear-Admiral George C. Remey, retired. The donor of this collection, Charles Mason Remey, is a son of Admiral and Mrs. Remey.

THE KILBOURNE COLLECTION

The Kilbourne collection, like the Mason-Remey collection, is a reservoir of materials flowing from many lives. David W. Kilbourne was born at Marlborough, Connecticut, April 13, 1803. He married Miss Harriet Rice at Albany, New York, in 1827. He became a commission merchant in New York City, but suffered heavy losses through a disastrous fire. In 1836 he removed to the West and for some months divided his time between Peoria, Illinois, and Fort Des Moines, in what was then Wisconsin Territory, but which in 1838 became Iowa Territory. At Fort Des Moines he represented the New York Land Company, a concern which was engaged in purchasing lands in and locating settlers on the Half-breed Tract. In 1837 Fort Des Moines was abandoned. There Mr. Kilbourne platted a town and named it Mont-

rose. In 1839 with his brother, Edward Kilbourne, he established a general store there, and became postmaster. During these years Francis Scott Key, who in 1814 wrote "The Star Spangled Banner," was an attorney for the New York Land Company, and was in frequent correspondence with Mr. Kilbourne, and in 1841 visited Iowa and was entertained at the Kilbourne home.

Mr. Kilbourne was in Montrose when the Mormons began their arrival at Nauvoo. As one purpose of the Mormons was to secure lands in and settle on the Half-breed Tract, and as the New York Land Company's interests were antagonistic to that purpose, Mr. Kilbourne was in the midst of a strenuous controversy which sometimes threatened open conflict. He exercised rare diplomacy in averting trouble, while protecting the interests of his company and the purchasers of lands.

Late in 1843 Mr. Kilbourne removed to Fort Madison, chiefly because Fort Madison was a growing town and was better for his family, materially, educationally and socially. He there continued to care for the interests of the New York Land Company.

Both in 1840 and 1841 he had been the Whig candidate for member of the Territorial Council, but was unsuccessful in the elections. On January 3, 1848, he was admitted to the Iowa bar. His law practice, however, was chiefly restricted to land title cases, and to matters connected with his growing business interests. In 1852 he removed to Keokuk, which was becoming the business center of that region. On February 26 of that year he was chairman of the Whig State Convention at Iowa City, and later in the year he was a delegate from Iowa to the National Whig Convention at Baltimore, which nominated General Winfield Scott for president. At the Whig State Convention held at Iowa City February 22, 1854, he received substantial support for the nomination of governor. On the first ballot James W. Grimes received 70 votes; S. M. Ballard, 36; D. W. Kilbourne, 33; G. L. Nightengale, 31; James Thorington, 14; Francis Springer, 10; S. B. Shelleday, 6. On the second ballot the vote was Grimes, 153; Kilbourne, 37; Ballard, 17; Thorington, 9. In 1855 he served as mayor of the city of Keokuk.

But Mr. Kilbourne's activities were chiefly in business enterprises and in the development of the new state. On locating in

Keokuk, in addition to his activities with the New York Land Company, he had become an extensive private owner of real estate. He also became interested in the firm of Kilbourne (Edward) & Davis (Josiah), manufacturers, wholesalers and retailers of furniture and crockery, and in the depression of 1857 he took over the entire business.

In 1854 Mr. Kilbourne became associated with William Leighton, Hugh T. Reid, Carlton H. Perry, Sanford J. Smith and others in the organization of the Keokuk, Fort Des Moines & Minnesota Railroad Company, which name, in 1864, was changed to the Des Moines Valley Railroad Company, and for the remainder of his life his time and energies were given to financing, constructing and operating that line of railroad. A survey of the line was made in 1854, and construction begun in 1855. Progress was slow, the road reaching Bentonsport in 1857. In that year Mr. Kilbourne became the financial agent of the company, and thereafter he maintained an office in New York City, where he secured the money for construction through the sale of bonds and other negotiations. The road reached Ottumwa in 1860, and Eddyville in 1861, but no farther until 1864, when work was resumed, and the same year was pushed on to Pella. In 1865 it reached Monroe, and on August 29, 1866, it reached Des Moines.

On December 26, 1864, Mr. Kilbourne was appointed by the mayor and city council of Keokuk to act as their financial agent in the adjustment of the heavy bonded debts of the city. This he did while in New York, in addition to his work for the railroad company.

In 1868 Mr. Kilbourne became president of the Des Moines Valley Railroad and in 1870 he visited London to further the sale of bonds in Europe. In 1873 he resigned. The road was taken over by New York financiers. He died in New York City April 24, 1876, and was interred in Keokuk.

Mr. Kilbourne was an active member of the Presbyterian church, a temperance man, and a friend of education. In 1853 he was a trustee of the Yellow Springs Collegiate Institute of Kossuth, Des Moines County. He was an outstanding figure in the development of the new state.

Mr. and Mrs. Kilbourne are ancestors of many prominent in-

dividuals. A son, George Erskine Kilbourne, was born in New York City May 26, 1832, and was brought by his parents on their removal to Iowa. He was engaged in Keokuk in the mercantile business in the firm of Cary & Kilbourne, dealt in real estate, was a director of the Des Moines Valley Railroad Company, and was for some time purchasing agent for that company. His death occurred February 26, 1889. The wife of George Erskine Kilbourne was Miss Augusta Wells. The donor of this collection, Mrs. Emma Kilbourne Wright, is a daughter of Mr. and Mrs. George Erskine Kilbourne.

As the Mason-Remey collection relates to the initiation of the railroad enterprise of Burlington, so the Kilbourne collection does to that of Keokuk. They form two phases of the material, often in contrast, upon local and Iowa subjects in the business and politics of the First Congressional District of Iowa from the beginning to 1880.

Both collections, while attributed respectively to Mr. Remey and Mrs. Wright, are nevertheless recorded and are to be construed as the gift of their families.

In the instance of the Kilbourne collection a special arrangement, we believe, is just and wise. In effect it is that if the city of Keokuk, or Lee County, before 1935 shall establish and administer a repository for such material which at the time shall appear to the then Curator of the Historical Department to be as good as that of the State of Iowa, these materials are to be transferred to that institution, otherwise to remain forever the property of the state of Iowa.

ROPE WALK

Mr. John F. L. Allred, of Council Point, keeps constantly on hand and for sale, ropes of various kind and sizes, and made to order on the shortest notice. Emigrants furnished with any and all kinds desired. Remember Council Point, four miles from Kanesville, and directly on the bank of the Missouri River. Call and see. Council Point, May 15, 1850.—3t*.—*The Frontier Guardian*, Kanesville (Council Bluffs), Iowa, June 12, 1850. (In the Newspaper Division of the Historical, Memorial and Art Department of Iowa.)

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