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HON. PHILIP [✓]VIELE, OF LEE COUNTY, IOWA.

BIOGRAPHICAL SKETCH.

TO write a biographical sketch of one in life, especially where the one whose history you wish to record is your most intimate friend, is a most difficult part of composition. In the first place, your friendship for the subject of your sketch necessarily makes you anxious and fearful, lest you may not be enabled to do him that justice which he merits; and, in the next place, that due regard for truth and impartiality, which alone add grace and dignity to the historian's pen, causes you to be nervously sensitive lest the sympathy of friendship should unconsciously induce you to present a one-sided view to posterity. Fully impressed with the difficulties of my undertaking, and feeling that though there are many others much more competent to do justice to the subject of my remarks than myself, provided they were acquainted with the incidents and facts as I am, yet, as I believe no other person knows the incidents I am going to relate as well as myself, I will plead my friendship for my excuse of humble abilities, while I draw a brief historical sketch of Hon. P. Viele, of Fort Madison, Iowa, — a

name familiar and pleasing to the "Old Settlers" of Iowa, and which they have often honored with their confidence in both private and public trusts.

The subject of our sketch is commonly known as Judge Viele, and by which designation we will now proceed to speak of him.

He was born at The Valley (*now* Valley Falls), in the town of Pittstown, Rensselaer County, New York, September 10th, 1799, and has, therefore, passed his seventy-second year. Though he has passed his "three-score and ten years," nature has dealt so kindly with him, that he possesses the health and vigor of most men at the age of sixty, and bids fair to survive, in both his life and usefulness, for many years to come.

His great ancestor, on his paternal side, was of the name of Arnaud Cornelius Viele, a Frenchman by descent, and a Hollander by birth, who emigrated to America and settled in Schenectady, on the Mohawk river, in the state of New York, in the latter part of the 17th century. His name is honorably mentioned in the colonial history of New York, for important services he rendered government in the negotiations and procurement of treaties with the Indian nations. The parents of Judge Viele resided on a farm at the time of his birth, and he remained with them under the parental roof, and assisted as his youth allowed, in work on the farm until his fifteenth year, when he was sent to the academy in Salem, Washington County, New York, where he remained three years. He entered Union College, at Schenectady, New York, in 1817, and there, for several years, pursued his studies with zeal and success, under the instruction of the learned and distinguished Dr. Nott. Hon. William H. Seward was a student in Union College at the same time, and he and the Judge there formed an acquaintance, which was pleasantly remembered for many years afterwards. He commenced the study of the law in October, 1821, in Waterford, Saratoga county, New York, and was admitted to the bar of the supreme court of that state in 1824.

Possessed of a penetrating and ready wit, quick at repartee, strong in his mental perceptions, possessing a most happy flow of language, polished by literary attainments and reflection, and fearless in the advocacy of what he believed to be the right, he must necessarily have attained to an exalted position as a jurist and advocate, had he confined his attention to law studies and the practice of his profession. But here, the Judge, misled by the glare and excitement of politics, as hundreds of others of inexperienced years are constantly being misled, left his Blackstone and Coke to slumber on the shelf of his office, while he addressed the populace from the hustings.

At the presidential election of 1824, four great historic characters appeared before the American public, soliciting suffrages for the presidency. William H. Crawford was the Democratic nominee, as Democratic nominees were nominated by Congressional caucusses in those days. John Q. Adams, General Jackson, and Henry Clay, each contested for the envied prize as independent candidates.

The great historic family name of Adams, the great military reputation of Jackson, and the splendid oratorical abilities and statesmanship qualities of Clay, created a deep political excitement all through the United States. All these men had been distinguished as Democratic leaders, and had personal friends and admirers in all sections of the country, who engaged in the support of their respective favorites with all imaginable zeal and activity. Judge Viele caught the enthusiasm of the hour, and took the stump in behalf of "Old Hickory." His youth and splendid speaking ability soon gained him a wide reputation as the "*Boy Orator*." A former citizen of Keokuk, Iowa, who lived in New York at the time when the Judge was talking politics from the hustings, says there was no other speaker, *old* or *young*, in eastern New York, who could draw together such large crowds, and stir them to the same excitement as Judge Viele could. Such were his services to his party, and so highly were his merits esteemed, that DeWitt Clinton, then

governor of New York, tendered him the office of surrogate of Rensselaer County, New York, which he accepted in 1827, and held it until 1831, when he was re-appointed by Governor Throop, and then held until 1835. The salary of that office was about two thousand dollars a year, which, in those primitive days, when money was worth three times what it is now, made it a position that almost any man might have coveted.

In June, 1828, he married his wife, Catherine Gertrude, daughter of Isaac Brinckerhoff, of Troy, a most estimable lady, the affectionate sharer of his trials of life; possessing a sound and discriminating mind; with sweetness of temper and elegance of manners; fervid in her religious principles; and whose study and love of the beautiful in nature and art were surpassed only by her veneration of God. Admired and beloved by all who knew her, or came within the range of her influence, her decease, which occurred about two years ago, was mourned as a public loss.

During the eight years the Judge held the said office, its duties were so heavy and exacting, that he could find no time to pursue his law studies, except so far as the same related to probate business, and when he had retired into private life, he saw the error he had committed in abandoning his profession. He had gone security for a relative for a large amount of money, and the relative failing in business, the Judge was called upon to meet his obligations. He felt the moral force of the claim, and yielded up his property, *even to his homestead*, to liquidate the demands his generosity had incurred, and with his wife started westward, not knowing exactly where he should settle, to take a new start in the struggle of life. After a tedious travel of a month or more by stages and steamboats (for there were no railroads west of New York in those days), he and his wife "pitched their tent" at the place where now stands the thriving city of Fort Madison (then in the territory of Wisconsin), on June 2d, 1837. That is now, and has been his home ever since he landed in Iowa.

When he arrived at Fort Madison, it was a little village of twenty or thirty cabins set among bushes and trees; but as it was the county seat of Lee county (though without a court-house), he hung out his "Law Shingle," and once more resorted to his old friends, Coke and Blackstone. Madison soon grew into business and legal importance, and for six or eight years the Judge continued at the bar with a growing business.

But he still had a lingering love for the excitement of politics. Before he left New York, he had become estranged from the Democratic party. There was a "*clique*," or "*ring*," in that state in those days, called the "*Albany Regency*," of which Van Buren and Marcy were the leaders; men whom the Judge cordially disliked. The Judge belonged to the Clinton wing of the Democracy, and between it and the "Regency" there was an old feud. Upon the death of Clinton, the "Regency" got the control of, not only the state of New York, but also of the Democratic party generally throughout the United States. The Judge regarded the "Regency" in about the same light the honest portion of the American people *now* regard "*Tammany*," and the "*Washington Government Rings*," and united his political fortunes with Henry Clay and the Whig party. Indeed, the controversy, as between the honest parties of the Whig and Democratic parties of those days, was more a dispute about personal preferences than principles, at least so far as the Whig and the *Northern* wing of the Democracy were concerned. If the Whigs were in favor of internal improvements by the general government, so were the Northern Democracy. If the Whigs were mostly in favor of a protective tariff, the Northern Democracy were willing for a revenue tariff, which should discriminate so as to give incidental protection. If the Whigs repudiated nullification and secession, General Jackson swore "*By the Eternal*" that the Union should be maintained at all hazards, and all the Democracy of the nation, outside of South Carolina, straightened themselves to sustain the oath of the Old Hero by the

sword. If the Whigs insisted that the safety of the nation required that the presidency should be limited to one term in the same person, the Democracy threw out the banner of "Rotation in Office;" but claimed that such was the exigency of the times that the rule should not apply to General Jackson; and they applied the rule to his successors, Van Buren,* Polk and Buchanan. If the Democracy insisted on a strict construction of the Constitution, the Whigs admitted that the government was one of *limited* powers, and had not authority, except such as had been given to it by the Constitution, upon which the people of the several states had agreed as the *terms of their national compact*. But the Whigs insisted these powers should receive a liberal construction, and not be hampered by too narrow a rule.

Having duly weighed the men and professions of the two parties, the Judge thought his future line of duty lay with the weaker party, and he united his fortunes with it. In 1840 the United States was almost, or quite, as much excited over the presidential contest between General Harrison and Van Buren as they had been between Crawford and others in 1824, and the Judge took the stump for General Harrison against his old associate, Van Buren.

He made several speeches in Iowa during that campaign which elicited great applause, and the Whig masses of Iowa, by apparently common consent, named him as their candidate for delegate to Congress. It has since then been believed by the leading men of both parties in Iowa, that if the Judge had been allowed to be the Whig candidate in 1840, he would have been elected. But certain persons in his party, fearful of his influence, set a convention machinery in motion to get rid of him, and the Judge having no taste for such a conflict, and feeling that a strict party nomina-

*Through the aid and force of government patronage and influence, Mr. Van Buren secured a re nomination from the Democracy for the presidency in 1840. But the "one term" idea proved too strong for party discipline; and many Democrats who held to that idea, united with the Whigs, all of whom held or professed to hold, to it in the election and triumph of Gen. Harrison.

tion in a Democratic territory as Iowa then was, would be hazardous, let the "*small men*" of his party have their way; and who, though they nominated a very creditable speaker, yet, by such nomination, drew the party lines upon him and defeated him. These party conventions have ever been, and perhaps *ever will be*, the curse of American politics, since the wire-workers and political trimmers of each party, always manipulate them, and procure nominations for their selfish purposes. In 1846 the Judge united in a political movement of a local character, which once more separated him from his profession, to which he never again returned. Lee County had grown rapidly in population and wealth, and as it was enabled to stand heavy taxation, a "ring" of political partisans, under the guise of a Democratic name, had fastened upon the county offices, and levied taxes, and disposed of the public moneys, as though the county was their private domain, and the taxes their individual property.

County orders were depreciated to about fifty cents on the dollar. The Whigs had tried, under their party organizations, to remedy the evil complained of, but were unsuccessful at each election. The Judge, with some other friends, conceived the idea of dropping the Whig name for a season, and calling on the honest men of all parties to unite for the redemption of the county, under the name of the "*Union, Retrenchment, and Reform Party, of Lee County.*" The masses of both parties gladly responded to the call, and a meeting of the citizens, irrespective of party, was held to nominate county candidates in 1846. The friends of reform insisted in putting the name of the Judge on their ticket for Judge of Probate, and would not accept "no" for an answer. Fearing lest his refusal might weaken the cause he had assisted in starting, he gave his consent. The whole ticket was elected at the fall election of 1846 by a large majority. He was elected three terms successively on the reform ticket, as Judge of Probate of Lee County, and gave universal satisfaction in the performance of the duties of his office. The wisdom of the reform ticket was shown by the

fact that the financial credit of the county soon revived, and county orders were made worth a hundred cents on the dollar. In 1852 the Judge allowed his Whig friends to trammel him with a party nomination as Whig candidate for Congress for the first congressional district of Iowa; and running in a party garb, he excluded himself from the support of many personal friends in the Democratic ranks, and though he got the full support of his party, and, perhaps, something more, was defeated. When the Kansas-Nebraska imbroglio stirred the waters of American politics, he threw all his influence into the anti-slavery scales and was chosen, with enthusiasm, president of the first Republican state convention of Iowa, held at Iowa City, in 1856. On the organization of the Fort Madison branch of the state bank of Iowa, in 1859, he was chosen its president, and held that office for five years. In 1859, he was also elected a member of the state board of education, and performed the duties of the station for one term.

How much he is respected by the people of Fort Madison is shown by the following circumstances. Though that city is, and always has been, strongly Democratic, it has on four several occasions elected him its mayor. In the early part of 1870 a meeting of the stockholders and citizens of Fort Madison was called in reference to a railroad project which they had worked hard to get accomplished, but which, owing to untoward circumstances, seemed likely to fail. The speeches of those who had it in special charge were desponding, and it was generally considered as a "lost cause," when the Judge, inspired by the necessities of the occasion, addressed the meeting with all the authority of age, and all the fire and eloquence of youth. He stirred the local pride of the citizens to the highest pitch of enthusiasm, and who entered anew into the spirit of the cause with such energy, that it passed immediately from doubt to certainty. He accepted the position of treasurer and financial agent of the railroad, and in less than one year, the "Fort Madison, Farmington, and Western Railroad" became an accomplish-

ed fact, and the cars were running twenty-five miles of road west of Fort Madison. It is now being fast pushed westward towards the Missouri river.

The Judge has no children to cheer his old age, and he is now residing in quiet and dignified ease, at his beautifully located residence in Fort Madison. He has a competency of "worldly estate,"—all that is necessary to make his declining years entirely happy—except for the absence of her, who, as devoted wife and friend, for forty years, had associated with him in the pilgrimage of life, shared his joys, and alleviated his sorrows. But he is a firm believer in Christianity, and the immortality of the soul, and doubts not but that hereafter he will meet his companion (and not only her, but others, united to him by sympathy and affection in earth life) in a purer and more perfect home, where there will be no more partings; and this idea and belief is a constant spring of solace to his loneliness and old age.

When I had commenced writing this sketch, I had it in my mind to relate some of the witticisms and repartees of the Judge, for which he was much noted while at the Iowa bar as a lawyer. I had also thought to quote portions of some of his public speeches, such as I have heard them, when they excited crowds to the wildest enthusiasm. But many of these items have already been published and passed into history, and my remarks are, probably, already too long for a mere biographical sketch. In conclusion, I feel, that however defective is the performance on my part, the *Old Settlers* of Iowa will, at least, appreciate my motives, and thank me for the notice I have made of one of their ancient associates.

KEOKUK, IOWA, Nov. 2, 1871.

D. F. M.

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