

and Phelps received sixty thousand dollars of this sum. While the Indians were congregated, all 'waiting their turn at the pack,' Keokuk arose and made a speech, saying that 'Smart was one of them—he had married one of their squaws—he lived happily with her—had raised children by her—these children had the blood of the Indian in their veins—they were the idols of the tribe—and now that their father had sent them away to white men's schools, the Indians should take a pride in them more than ever.' In closing his speech he said that Smart must be given one of the boxes of money—containing one thousand dollars. The whole tribe assented without a grunt. Old Poweshiek sat by, demurely smoking his pipe, and like the rest, acquiesced in the gift; but as Keokuk sat down he arose and said: 'The Fox Indian was as generous as the Sac—and although Smart had taken his squaw from the Sacs, still the half-breed children's Indian blood called for a box of the Foxes' silver, as well as the Sacs'—and they should have it.' Keokuk tried to dissuade them from their purpose, but old Poweshiek gained his point, and Smart the silver."

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JOHN M. PERRY.

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BY P. M. CASSADY, DES MOINES, IOWA.

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JOHN M. PERRY, an attorney at law, came to this state in the year 1846 or 1847, from Ohio. With what success as a practitioner in the Buckeye State, how he conducted himself as a member of the bar, while practicing there, what opportunities for improving himself, or the trials and difficulties under which he labored prior to his immigration here, I am unable to state. My object is to com-

mence with his career as a citizen of Iowa, thinking that a short statement of his course, the offices he held, his conduct and habits, might be of interest to the early pioneers, and a lesson to the young members of the bar of Iowa.

He settled first at Bloomfield, Davis county, then called the capital of "Harry Nation," and commenced the practice of law. He very rapidly made the acquaintance of the people, and became known by the name of Santa Anna, and was making a good reputation; but prosperity seemed to be a disadvantage to him, for he became dissipated whenever success seemed to await him,—a failing he no doubt brought with him. His clients became dissatisfied, and he, disgusted with his conduct, resolved to quit drinking, make a new start, and be a better man. He selected as his new field in which to carry out his late resolutions, the enterprising and live town of Oskaloosa, the seat of justice of proud Mashaska. He seemed no better in his new position, and after pursuing a similar course to that while in Davis county, he decided to pull up stakes and try again in another location. In the spring of 1848, he came to Des Moines, then known as Fort Des Moines. He was quite successful in getting a start, but not so much so in living up to his resolutions. On his arrival at Des Moines, he was without money and had but very little to wear, and in these circumstances he remained, for he spent what money he could obtain for "drink." While at Oskaloosa, he made a good reputation as a new country lawyer, and because of this he was invited by some of the leading attorneys of that town to assist them in their cases during the fall term of court of the year 1848, which he accepted, and I understand gave general satisfaction. He also remained sober while employed by them. On his return to Des Moines, he soon spent what money he had accumulated by his dissipation and extravagant ways.

One day, about the middle of November, 1848, Perry stepped into my office and stated that Senators Harbour, of Mahaska, and Selman, of Davis, were his friends and would

support him for the office of secretary of the senate, and desired to know if I would also give him my support. I tried to discourage him in every way, but he replied that all he wanted me to do was to vote for him on the caucus, as the Senators before named would electioneer for him. I had never been at Iowa City, the capital, and was entirely unacquainted with the members of the senate, and did not want Perry, as a representative from Polk county, to be a candidate for that office or any other. The interview only lasted a few minutes, but I thought I had said sufficient to discourage and keep him from going to the capital for that purpose. I also thought that he would not have funds enough to pay expenses there, nor clothes suitable to wear, but in these matters I was disappointed, for when the time arrived for starting, the latter part of November, Perry made his appearance and took a seat in the hack, the only public conveyance we had at that time, and said he would go as far as Oskaloosa at any rate. The usually travelled route at that time from Des Moines to Iowa City, was via Oskaloosa, Sigourney, and Washington.

His personal appearance was by no means prepossessing, as he appeared always very slovenly and dirty. However, on the morning of our departure he appeared unusually so, and I will try to describe him: He was six feet and three inches in height, a dark complexion, coal black eyes, and black hair. He had lost one of his legs before he came to the state, and used a crutch, from whence he got his name, "Santa Anna." The shirt he had on was very dirty, and looked as if he had worn it for five or six weeks without having it washed, his coat was ragged, on his head an old slouchy hat, no overcoat. The day was not very cold, and by wrapping the robes about him he got along without suffering much. I made the acquaintance of Senator Harbour soon after our arrival in Oskaloosa, and told him the situation of Perry, also said we must prevent him from going to the city. He supposed we could easily do so. The next morning an open wagon with three seats and four horses at-

tached, was ready to convey the passengers to Iowa City, a two days trip. Perry made his appearance and actually got in the wagon, remarking "that he was determined to go to the City, that he had some friends there who would assist him to funds, and perhaps he would locate there."

The morning was colder than the day before, with an outlook that we would have some rough weather before reaching the city. The party was not well satisfied with the arrangements, but as there was no other way to get to the City, had to take things as they presented themselves. However, Perry knowing the feelings of the party, concluded to make himself agreeable if possible. Being familiar with the works of Shakspeare, Byron, and Burns, he commenced quoting from these authors, and in addition, telling anecdotes, succeeded in amusing and interesting the party to some extent. On our arrival at Iowa City, we stopped at the old Swan House, kept by Mr. Saunders. Perry was not permitted to eat at the "first table," and at night was compelled to sleep on some old rags in a closet, in an out-of-the-way place, the landlord saying, "that he was too dirty and ragged to sleep in one of his beds." The trip had not improved his personal appearance, and his wardrobe remained the same, wear and tear excepted, as when he started.

On Saturday before the meeting of the general assembly, as Perry had not succeeded in getting any money, Senator Harbour and myself went to a clothing store on the east of the capital square, now the *campus* of the university, and introduced ourselves. We said we wanted to get a suit of clothes, on time, for a one-legged man, and then described Perry as near as possible. He consented to let us have them. Money was nearly as scarce with us as with Perry, and as we did not expect any from the state until after the adjournment of the general assembly, and then only a warrant which would sell for about ninety cents on the dollar, we were inclined to hold what we had for current expenses. However, we gave him (Perry) enough to pay the barber for trimming his hair and shaving him, and directed him

where to get the clothes. I gave him one of my shirts. After he had made the change, his personal appearance was very much improved. The same day he made a pledge to Senators Harbour, Selman, and myself, that from this time he would refrain from using intoxicating liquors, and requested us to support him for the secretaryship. We told him we were fearful he would not stick to his pledge. He affirmed that he would, and begged us to do something for him. I offered to pay his expenses to Oskaloosa or Des Moines if he would go, but he would not.

There were two or three other candidates for the office of secretary, all of whom laughed at Perry and said *he would get but one vote*. C. C. Rockwell was the only formidable candidate. The caucus came off; Senator Selman was nominated for president of the senate, and as Perry had received six of the eleven democratic votes cast, was declared nominated on the first ballot. C. C. Rockwell was unanimously nominated for the office of assistant secretary. The night following the caucus, Saunders, the landlord, gave Perry a bed and permitted him to eat at the first table. On the following day, December 5, 1848, he was elected, receiving the entire democratic vote, eleven in all. The whig senators voted for John B. Russell. Rockwell received all the votes cast for assistant secretary. Perry acted as secretary until Thursday noon. So far he did not give satisfaction, neither was Rockwell pleased, for he was disappointed in not getting the place. The senators also who supported Rockwell were dissatisfied, and there seemed to be a feeling to get clear of him. There was trouble likely to arise, and finally to put an end to the matter, Senator Espy, a democrat from Lee county, moved that C. C. Rockwell be appointed secretary and John M. Perry assistant secretary of the senate, which was adopted. The secretaries changed places, were sworn in, and entered upon the duties of their respective places. Perry served during the session, and was able at the close to pay his board, but wanted a reduction for the time he slept on the rags and had to eat at the second table; he also paid for the clothes.

The motives that prompted the six senators who nominated Perry in the caucus, were good. They believed that by giving him the place, it might be the means of restoring him in the community, and keep him from the unfortunate habit which had so nearly ruined him. Several newspapers not appreciating or knowing the motives of those who had supported Perry, contained articles censuring the democratic senators for electing him, and were particularly severe on me.

At the close of the session Perry returned to Des Moines to continue the practice of law. He was soon married and joined the Methodist church. Shortly after was elected and served as prosecuting attorney for Polk county. He formed a co-partnership with Hon. C. Bates, and with this new firm business steadily increased, and his whole course indicated that he would make a success. At the ——— term of the Polk county district court, 1852, while in partnership as stated above, Hon. Lewis Todhunter, an attorney at law, filed in court an accusation against Perry, charging that he destroyed, so far as he could, the respect due the court, by insulting language to the judge while officially occupied; that he disobeyed an official order of the court; that for the purpose of sustaining a certain cause confided to him, he employed other means than those which were consistent with truth, and voluntarily became a witness, and as such, swore to statements that were not true; that he had tried to mislead the court by a false statement of facts, and that he had been guilty of using offensive personalities to a member of the bar of said court, by calling said Todhunter a liar, during the sitting and within the bar of the court. The defendant filed a demurrer, specifying that the charges were too general, which was overruled and judgment rendered, finding the said Perry guilty of the charges in said accusation. The case was taken to the supreme court and reversed at the November term of said court, in 1852, held at Des Moines. As soon as the decision of the district court was announced, finding Perry guilty of the charges, he imme-

diately became intoxicated and returned to his old habits of dissipation. His wife did not seem to have any more influence over him; the efforts of the Christian men and women were unavailing. Nothing could be done to induce him to return to his duty and stop drinking. He soon disposed of the property he had accumulated, and buying a California outfit, started with his wife for the Golden State.

When they arrived at Salt Lake City, his wife found some relatives who prevailed upon her to remain and not continue the journey, as his habits were so bad he would be unable to do anything in California, and she would be left destitute if she continued with him. Perry managed by some means to get to California, and soon settled in some new town, but did not succeed in his profession, being too nearly used up. He was found dead one morning in an alley where he had fallen sometime during the night. Strangers buried him not knowing him only as a straggler and an outcast. This is the unfortunate end of one who could have been a useful member of society if it had not been for his dissipations. His is not the only case of the early pioneers of Iowa. A great many became addicted to the use of intoxicating drinks. Among them are to be found lawyers, politicians, and business men of every class, and nearly every town has its examples.

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### THE PIONEERS OF CEDAR COUNTY.

WE find the following account of a recent pleasant gathering of the Old Settlers of Cedar county, published in the *Cedar Post* and *Tipton Advertiser*—two excellent weekly journals, which, though constantly warring with each other, agree in the importance of filing for binding in the Historical Rooms, copies of their respective issues—an example which we wish were more generally followed by their contemporaries in Iowa:—

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