

gomery, Reed & James. Robert Percival, J. H. Kettley, E. A. Aylesworth and E. R. Paige were also prominent attorneys, and the bar of the county was noted for its strength and ability. Col. D. B. Daily discharged the duties of prosecuting attorney, under appointment from the governor, of this judicial district. Judge Douglass retired from the bench of the circuit court at the end of the year. He had earned and possessed the general confidence of the profession.

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FORT MADISON.

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IN 1806, Gen. Zebulon Pike (who was killed during the war of 1812, at York, in Canaan) was ordered by the War Department to ascend the Mississippi from St. Louis to the Falls of St. Anthony and locate the sites of a number of forts for the protection of the frontier at such points as he might think most suitable. In the discharge of this duty he selected Fort Edwards (now Warsaw), Fort Madison, Fort Armstrong (Rock Island), Fort Crawford (Prairie du Chien), and Fort Snelling, near the Falls of St. Anthony; and five more beautiful locations all must admit could not have been found upon the Mississippi,—Fort Edwards and Fort Madison pre-eminently so. In accordance with his recommendation the forts were built and garrisoned. During the year of 1812 Fort Madison was burnt, from the fact that the provisions gave out, and the well became dry, and the only water to be got was from the river, making it an extremely hazardous undertaking to obtain it, as most of the time the fort was surrounded by hostile Indians, who from their ambush could easily pick off any one who ventured outside the fort. Moreover, a rumor had reached the garrison that the forts above had been taken by the British and Indians, the prisoners butchered, the buildings burnt, and that Fort Madison was to be the next point of attack. Upon the reception of this news, it was decided to burn the fort. The destruction of the building was complete. Nothing remained but the two

tall chimneys, and from them it took its Indian name of "Po-tah-wan-ick," the mention of which now to the Sac or Fox, in his far off home in the Indian Territory, would no doubt recall to his memory the happy days when he pitched his wick-e-op on the banks of the beautiful "Mas-sas-seep-po," and his frail canoe was the only burden borne upon its waters.

For upwards of twenty years these lone chimneys were the only evidences of civilization that marked the spot where Fort Madison now stands. In 1833 the Indian title to the land west of the Mississippi and north of the Des Moines was extinguished, save the half-breed tract lying in the angle of the Mississippi and Des Moines, and a reservation on the Iowa, of about ten miles wide and forty long, and the ever restless frontiersmen began to cross over into the "New Purchase." The principal crossing being at Dubuque in the north, and the "Flint Hills," "Shock-o-kon-Copeech," now Burlington, in the southern part of the "Purchase."

In the winter of 1833 or early in 1834, there were two settlers at Fort Madison, Richard Chaney, a native of Prince George's county, Maryland, born, as he told me, within sight of the "Federal City," as he called Washington, and Peter Williams, a native of either Kentucky or Tennessee, the former I think. He told me that he was residing near Fort Edwards (Warsaw) when the first steamboat ascended the Mississippi, and that he thought it certainly was the destroying angel. About this time John and James Box, with their father, whose Christian name I do not recollect, Hugh Wilson, James Dunn, Lewis Pitman and William Kennedy, settled in the immediate neighborhood. Lewis Pitman's, now West Point, was the most distant white settlement, none being west of his until you came to those of the Spaniards on the Pacific coast.

In the early part of 1834, about the latter part of February, Mr. Knapp, of Quincy, Illinois, Mr. Douglass, of New York, and the writer, then a youth of about sixteen, crossed from Mr. White's, now Appanoose, to Fort Madison on the ice, which having become very rotten,

the passage was considered to be dangerous and we were advised not to undertake it; but Mr. Doolittle, a son-in-law, I think, of Mr. White's having consented to pilot us over we started, and under his skillful guidance got along safely until within about a hundred yards of the shore at Fort Madison, when we found our further progress intercepted by a large air hole, which extended as far as we could see up and down the river, immediately along the shore. There was an edging of ice several yards wide in which there was a canoe frozen up. Here was a dilemma: whether to return or wait until this canoe could be cut from the ice—provided we could make ourselves heard by any one who might be within hearing—and brought over to where we were and ferry us to the shore. A council having been held, Mr. Doolittle concluded he would return, and we determined to wait. After some time we succeeded in making ourselves heard by Mr. Williams, who after some delay in relieving the canoe from its icy fetters, crossed the air hole to where we were standing, and ferried us to the shore one at a time, for which service we had great cause to be grateful, for in a very few minutes after we had been safely landed, the ice began to break up and move off.

At this time the cabin of Peter Williams and Richard Chaney, and the two chimneys of the old fort were the "improvements of Fort Madison." Being pleased with the location, we determined to make it our future residence. A frame and clap-boarded store house was agreed to be erected by the first of May, 1834, if possible, which the writer was to pay a certain rent for.

There was also a horse mill to be built by another Mr. Knapp, a cousin to the gentleman of the same name above mentioned. A cabin was also to be built for the residence of the Messrs. Knapp. These were the first improvements at Fort Madison after the cabins of the Messrs. Williams and Chaney had been built. The next substantial improvement was a hewed double log store house one and a half stories high, pointed with lime and sand mortar, built in the spring of 1835.

During the winter of 1834, or early in 1835, the settlement became annoyed by the depredations of certain vagabonds and thieves who, among other nefarious acts, were guilty of removing in several instances the evidences of the claim which had been laid by the settlers. Being at that time without law or gospel, a meeting of the settlers was called to be held at my store house in Fort Madison for the purpose of adopting "rules and regulations" for the government of the neighborhood. Every settler attended, and a committee was appointed, consisting, I think, of Messrs. John Box, E. D. Ayres, and myself, to draw up the code by which we were to be governed. This duty was performed to the entire satisfaction of the meeting, as the "rules and regulations" were unanimously adopted. At this same meeting Mr. E. D. Ayres was elected president, Peter Williams sheriff, and myself clerk of the neighborhood. It is to be regretted that this, the first code ever published and declared in Iowa (our proceedings were the first; shortly afterwards similar action was taken at Dubuque) has not been preserved; it would be an interesting relic. I had charge of it, but presume that when I left in December, 1835, I placed it for safe keeping and reference in the hands of some one of the other officers. I recollect that murder and jumping another's claim, were considered crimes of equal guilt, and on conviction the penalty was hanging. Our code, however, was not a very sanguinary one; nor was it necessary except in one instance while I remained in Fort Madison, to carry into effect any of its penalties, and that was in the case of a poor devil who committed some petty theft, of which he was convicted; for which our sheriff, Williams conveyed him over the river in a canoe, and left him in the "States," with the understanding if he ever was caught in the "purchase" again, that nine and thirty, well laid on, and a coat of tar and feathers, would be the inevitable result of his visit. Our code, of course, provided for trial by jury, to be summoned by the sheriff, on the order of the president.

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