

THE BRIBERY OF ALEXANDER W. MCGREGOR

The most remarkable case of legislative bribery in the history of Iowa occurred in the pioneer period when the Iowa country was still a part of the original Territory of Wisconsin. This was the case of Alexander W. McGregor, a member of the House of Representatives from the County of Dubuque. The incident arose during the second session of the First Legislative Assembly of the Territory of Wisconsin, which was held at Burlington in the winter of 1837-1838. Mr. McGregor was charged with accepting a bribe of three hundred dollars (\$300) for presenting and favoring a franchise for a ferry across the Mississippi River at Davenport. The evidence was very strong against him; but, final action having been postponed until the extra session of June, 1838, Mr. McGregor resigned his seat during the interval.

Notwithstanding the intimate connection of the affair with the political issues of the time and the prominence of the persons involved, the case seems to have been almost entirely overlooked in subsequent historical literature. And so, for anything like an adequate account of the case, one must of necessity resort to the original sources.

Mr. Alexander W. McGregor¹ was an early and prominent settler in the south of Dubuque County; and for over

¹ The subject of this sketch should be carefully distinguished from Alexander McGregor who, during the same years, was running a ferry between Prairie du Chien and McGregor, which latter town was named in his honor.—See the Inter-State Publishing Company's *History of Clayton County*, pp. 585-588.

twenty years his name is interwoven with the history of the town of Davenport. In the fall of 1835 a party of seven men assembled on the porch of Col. George Davenport on the island known as Rock Island. The party consisted of Col. George Davenport, Major Thomas Smith, Antoine Le Claire, Major Wm. Gordon, Levi S. Colton, Alexander W. McGregor, and Philip Hambaugh. These seven pioneers, together with Captain James May, formed the company which organized the town of Davenport.¹ It was in such a notable connection as this that Mr. McGregor began his political career in Iowa.

In 1836 he opened the first law office in Davenport,² and immediately became a prominent figure in local politics. Moreover, it appears that in the first election held in the Territory of Wisconsin Mr. McGregor was a candidate for the House of Representatives from Dubuque County, which, according to the order of designation in the proclamation of Governor Dodge,³ constituted the second assembly district of the Territory.⁴

There were sixteen candidates in the field at this time.⁵ Four of them were nominated by a convention of the Democrats of Dubuque County which met at "the mouth of Bee Branch, on Cooley," on September 26, 1836.⁶ The others,

¹ Wilkie's *Davenport, Past and Present*, pp. 32-33.

² *Ibid.*, p. 37. See also Barrow's *History of Scott County*—in the *Annals of Iowa*, Vol. I, Jan., 1863, p. 47.

³ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 50-52.

⁴ Shambaugh's *Assembly Districting in Iowa*—in *The Iowa Journal of History and Politics*, Vol. II, p. 526.

⁵ *Dubuque Visitor*, Vol. I, No. 23, Oct. 12, 1836.

⁶ *Ibid.*, No. 21, Sept. 28, 1836.

including Mr. McGregor, were brought before the people by announcements through the columns of the newspapers and similar methods then in vogue. All four of the candidates of the Democratic convention were elected; while Loring Wheeler completed the number of Representatives allowed to Dubuque County.¹ The election returns show Mr. McGregor to have been the ninth man in point of number of votes received. He was honored with 233 ballots in the entire county.²

The First Legislative Assembly of the Territory met at Belmont in the month of October and sat until December 9, 1836.³ In the early spring of 1837, Colonel H. T. Camp, one of the successful candidates of the Democratic convention of the preceding fall, was thrown from a horse, receiving injuries which caused his death. To fill the vacancy thus created in the House of Representatives, Governor Dodge issued a proclamation⁴ calling a special election for July 10, 1837. A spirited campaign followed.

The Democrats, following out their practice of a nominating convention, issued a call⁵ for a meeting which convened at the Court House in Dubuque on June 17, 1837, and nominated John Parker.⁶ As a resident of the town of Dubuque, Mr. Parker had, in October, 1835, been elected as one of the two members of the Legislative Council of

¹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 50.

² *Dubuque Visitor*, Vol. I, No. 24, Oct. 19, 1836.

³ *Journal of the House of Representatives*, 1836.

⁴ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 59-60.

⁵ *Iowa News*, Vol. I, No. 2, June 10, 1837.

⁶ *Ibid.*, No. 4, June 24, 1837.

Michigan Territory from Dubuque County.¹ Mr. McGregor, however, announced himself; and through a circular in the *Iowa News* he set forth at great length his political views. He avowed his belief in the doctrine of instruction by constituents and in a judicious policy of internal improvements.²

One week later, Mr. Parker made a similar announcement, opposing the entire banking system and the system of extensive internal improvements.³ On July 8, 1837, two days before the election, Mr. Parker again used the newspaper columns to correct certain reports which had been circulated against him.⁴ In this communication he defends himself against the charge of his being opposed to the division of Dubuque County, and explains his failure to attend the Green Bay meeting of the Legislative Council of Michigan Territory in the preceding year. How much these reports against Mr. Parker influenced the elections is a matter of conjecture; but the fact remains that Mr. McGregor was chosen Representative with a majority of 138 votes.⁵ He took his seat at Burlington in the following November. It was during this second session of the First Legislative Assembly of Wisconsin Territory, in the winter of 1837-1838, that the incident occurred with which this essay is principally concerned.

¹ Shambaugh's *Assembly Districting in Iowa*—in *The Iowa Journal of History and Politics*, Vol. II, p. 524. See also Strong's *History of the Wisconsin Territory*, pp. 191-193.

Note. There are evidences of election of local officers in Iowa even before this time.—See Shambaugh's *Documentary History of Iowa*, Vol. III, p. 278.

² *Iowa News*, Vol. I, No. 4, June 24, 1837.

³ *Ibid.*, No. 5, July 1, 1837.

⁴ *Ibid.*, No. 6, July 8, 1837.

⁵ *Ibid.*, No. 7, July 15, 1837; No. 8, July 22, 1837.

The career of Mr. Alexander W. McGregor in the legislature is an interesting one; but the files of the newspapers of that time give only meagre and often faulty items concerning the bribery case with which his name is connected. And so the only official source of information regarding the details of the affair is the *Journal of the House of Representatives* of the Territory of Wisconsin.

Very prominent among the topics of discussion in the Assembly during this period were Territorial roads and ferry franchises.¹ Wherever a town grew up along the banks of the Mississippi, the Iowa, the Wapsipinnicon, or the Maquoketa rivers, there soon followed a request for ferry privileges at that place. The securing of a franchise, moreover, was frequently attended by considerable rivalry; for the right of establishing and maintaining a ferry was generally given in the nature of a monopoly grant. Mr. McGregor seems to have interested himself especially in this line of public improvements, and often presented petitions to and introduced bills into the House for the establishment of Territorial roads² or the granting of ferry rights.³

It was on December 28, 1837, that Mr. McGregor introduced Bill No. 32, entitled "A bill to charter the Davenport steam ferry company," which was read the first time and laid on the table.⁴ This was the first step in the series of events which led to his downfall. On December 2, a certain John Wilson, a rival petitioner for a ferry franchise

¹ Van der Zee's *The Roads and Highways of Territorial Iowa*—in *The Iowa Journal of History and Politics*, Vol. III, pp. 181-191.

² *Journal of the House of Representatives*, 1837-138, pp. 56, 75.

³ *Ibid*, p. 110.

⁴ *Ibid*, p. 113.

at Davenport, made charges of bribery against Mr. McGregor which were brought to the attention of the House of Representatives. Mr. Sholes, of Brown County, arose in the House on the following Monday and offered a resolution to the effect that a committee of three be appointed to investigate the charges brought by a certain John Wilson against a member of the House. The resolution was adopted and a committee, consisting of Messrs. Sholes, Engle, and Sheldon, was appointed with instructions to report as soon as practicable.¹ While the committee was in session the Assembly pursued the even tenor of its ways. Mr. McGregor attended regularly and took part in the proceedings, actively supporting Territorial roads² and on one occasion occupying the chair in committee of the whole.³

The charges which had been made against Mr. McGregor, and which were referred to the special committee, are perhaps best set forth in the deposition made by John Wilson at Burlington on December 2, 1837. It reads as follows:

"I, John Wilson, being duly sworn depose and say that previous to the election of Alexander McGregor, as a representative from the county of Dubuque, in the legislative assembly of Wisconsin Territory, I held a conversation with said McGregor in which I stated to him that I was desirous of obtaining from the legislature a grant of a ferry privilege from Davenport in said county of Dubuque, to Stephenson in the State of Illinois, upon which the said McGregor proposed to me that I should use my influence to procure his election, and stated that, if elected, he would exert himself to procure for me the grant from the legislature. After the said McGregor was elected and the Friday previous to the commencement of the session of the

¹ *Journal of the House of Representatives*, 1837-1838, p. 133.

² *Ibid*, p. 212.

³ *Ibid*, p. 236.

legislature, I conversed with him, and repeated my request that he would use his influence for me, and promised him that I would pay him one hundred dollars if the law passed. He then gave me his promise that he would lend me his influence, and drew up for me a petition at my request. To this petition I procured signatures and on Thursday after the commencement of the session, I presented to him the petition and other papers, at this place, when he again promised me his influence. I then proceeded to St. Louis on business, and returned to this place on Tuesday last, the 28th instant. On the evening of Tuesday, I called on McGregor, and inquired concerning my petitions. He stated to me that he had not presented them: that his reason for not doing so was, that he had received another petition for the same purpose from a company; that he had not presented this petition from the company (which I ascertained the next morning to be false, and that he had presented it,) but that he felt bound to present it, as it came from his friends, and that his brother was interested. I repeated my offer to pay him the \$100, if he would get my grant from the legislature; he replied that it was not enough, but that if I would pay him \$300, he would present the petition of the company, (for he felt bound to do so much for them,) and permit their bill to be lost, and exert his influence for me. To this I replied, that I thought he asked too much. He then answered that I was owner of some ferry boats, and that I had better pay him \$300, than to have the company to get a charter, and then run the risk of selling or not selling my boats. I told him that I would think of it, and see him in the morning. I saw him the next morning, and informed him that I would comply with his demand. He then advised me to get some other person to present my petitions and papers, and stated that he would let his bill be lost, and support mine. He then drew up a note for \$300, and annexed to it a stipulation that he wished me to sign. I signed them, and requested him to give me a copy of them. He then wrote a copy of them and handed them to me."¹

¹ *Journal of the House of Representatives, 1837-1838*, pp. 249-251. The deposition includes also the note mentioned. It is certified to by David Hendershot, Justice of the Peace.

The committee which carried on its investigations for nearly a month summoned before it citizens of Davenport and the vicinity and took depositions regarding the reputation of John Wilson for veracity. A. H. Davenport, Jas. Davenport, and many other prominent men testified to the general honesty of the man; while Jonathan Parker, Andrew Russell, Mr. Powers, W. C. Enos, Jr., and others testified that his reputation was not good.¹

The proceedings before the committee show conflicting opinions, but the general trend of evidence is strongly against Mr. McGregor. Dr. Reynolds, a member of the House of Representatives, stated upon oath that he had had a conversation with John Wilson in regard to the note, in which Mr. Wilson made the statement that he had agreed to pay Mr. McGregor three hundred dollars (\$300) to procure for him a charter for a ferry across the Mississippi.² Mr. B. W. Clark swore that he was present at and heard the same conversation.³

Mr. McGregor's explanation of the note is very ingenious if not altogether satisfactory. He claimed that John Wilson, when he left for St. Louis, had taken with him several notes to collect in that place for Mr. McGregor; and that among these notes there was one by Mr. W. H. Eades for a little over three hundred dollars (\$300). This note was collected; and so, when John Wilson returned to Iowa he brought with him three hundred dollars (\$300) belonging to Mr. McGregor. Mr. McGregor then asserts that John Wilson,

¹ *Journal of the House of Representatives*, 1837-1838, pp. 251-252.

² *Ibid.*, p. 424.

³ *Ibid.*, pp. 422-423.

being in need of money, wished to keep the three hundred dollars (\$300). This he had been allowed to do, giving his own note for the amount. To prove this point the testimony of Mr. Eades was necessary; and it appears that Mr. McGregor used every effort to find him, but in vain. He therefore asked for a postponement of the case.

On January 2, 1838, the committee brought in a report which showed that they were strongly inclined to believe in the truth of the charges. They stated the defendant's request for more time, but expressed the opinion that due diligence had not been used by the one asking for time, and they desired the House to decide on the importance of Mr. McGregor's affidavit. Finally, the committee presented a resolution declaring "that in the opinion of this house, Alexander W. McGregor . . . has been guilty of recovering a bribe . . . and ought to be, and hereby is, expelled from his seat in this house."¹ At the same time a resolution was presented calling for a reprimand of John Wilson before the bar of the House.² The report and resolution were made the order of the day for the following Monday (January 8, 1838); and so the case appeared for trial before the final court, the House of Representatives.

It may at this point be interesting to note the names of two men connected with this trial. Mr. McGregor seems to have very largely conducted his own case; but John Wilson employed as his attorneys Mr. James W. Grimes³ and Mr.

¹ *Journal of the House of Representatives*, 1837-1838, p. 253.

² *Ibid.*, p. 253.

³ Mr. James W. Grimes was Governor of the State of Iowa from 1854 to 1858 and represented Iowa in the United States Senate from 1859 to 1869.—See Salter's *Life of James W. Grimes*.

William Henry Starr,¹ two of the most prominent men in the early history of Iowa.

From the *Journal of the House* it appears that the matter was postponed twice and finally came up for consideration on January 15, 1838. Mr. McGregor presented a statement explaining the connection of Mr. Eades with the three hundred dollar (\$300) note, and accompanied his statement with an affidavit from Mr. Eades himself, supporting the facts as Mr. McGregor had stated them.² This statement and affidavit were referred to the same committee which had previously had charge of the matter.³ An unsuccessful attempt was made on this day by Mr. Engle to have the investigation postponed to the next session of the Assembly.⁴

On the next day, January 16, the committee reported that the affidavit of Mr. Eades made the matter doubtful, and recommended the postponement of the matter until the personal attendance of that gentleman could be procured;⁵ and before adjourning for the day a resolution was carried by a vote of twenty to three which postponed consideration until the next session.⁶

On this same day the resolution reprimanding John Wilson was disposed of. Mr. Grimes and Mr. Starr defended Mr. Wilson, the discussions being very spirited. In the

¹ The *Journal of the House of Representatives*, 1837-1838, p. 332, gives his name as William Henry Starr. There was also in Burlington at this time a prominent attorney named Henry W. Starr.

² *Journal of the House of Representatives*, 1837-1838, Appendix, No. 7, pp. 399-402.

³ *Ibid*, p. 321.

⁴ *Ibid*, p. 320.

⁵ *Ibid*, pp. 330-331.

⁶ *Ibid*, pp. 335-336.

course of the debate Mr. Grimes made the remark "that he did [not] deny that his client (Wilson) had offered McGregor the hundred dollars, but that offer only proceeded from a generous heart, such a heart as he (Grimes) should be proud to possess."¹

A somewhat serious altercation occurred at this point between Mr. Starr and Mr. Patrick Quigley, one of the members from Dubuque County. Mr. Quigley had been very emphatic in his denunciation of John Wilson for corrupting legislators. He referred to the remark of Mr. Grimes (just quoted) and said that if the crime of which Mr. Grimes boasted that his client was guilty had been committed in a neighboring State (Missouri) "it would subject him to the penitentiary for the term of seven years." Here Mr. Starr interrupted the speaker with the statement, "It is false."² Naturally this created somewhat of a disturbance in the House, during which the Sergeant-at-Arms was ordered to take Mr. Starr into custody for contempt.

Later in the afternoon Mr. Starr appeared before the House with the statement that he had not intended to insult the dignity of the House, that he had said the words in an unguarded moment and now admitted his imprudence.³ Mr. Nowlin, one of Mr. Quigley's associates from Dubuque County, moved to discharge Mr. Starr from custody,⁴ whereupon Mr. Engle, another of the Dubuque delegation, moved a substitute motion to the effect that Mr. Starr be impris-

¹ *Iowa News*, Vol. I, No. 44, April 21, 1838.

² *Ibid*, No. 44, April 21, 1838.

³ *Journal of the House of Representatives*, 1837-1838, p. 336.

⁴ *Ibid*, p. 336.

oned twenty-four hours and fined one hundred dollars.¹ The substitute motion failed, however, and Mr. Starr was discharged. This action of the House incensed Mr. Quigley greatly and on the following morning he presented to that body his resignation.² Three days later the House adjourned and the members dispersed to their homes.

During all this time very little information concerning the case seems to have found its way into the columns of the newspaper of Mr. McGregor's home county. The *Iowa News* speaks of the affair on December 30, 1837, for the first time and then very guardedly because of lack of information. In a later issue,³ with all the righteous indignation of a partisan paper, it assumes a stronger tone, condemns Mr. McGregor as a man "lost to every sense of honor and propriety," and takes particular care to state that "McGregor is, and ever has been, a Whig."

A little over a month had elapsed when the following short but significant notice appears in the same paper:⁴—

"We learn from the *Miner's Free Press*, that Alexander McGregor has resigned his seat in the House of Representatives of this Territory. I say, stranger, is this the right road to *Texas*?"

Resignation between sessions while charges were pending, the investigation having been postponed at his own request, suggests strongly a confession of guilt on the part of Mr. McGregor himself.

¹ *Journal of the House of Representatives*, 1837-1838, p. 336.

² *Ibid*, p. 337.

³ *Iowa News*, Vol. I, No. 31, Jan. 20, 1838.

⁴ *Ibid*, No. 37, March 3, 1838.

On February 24, 1838, Governor Dodge issued a proclamation calling for a special election to fill the vacancies caused by the resignations of Patrick Quigley and Alexander W. McGregor.¹ The election was held on the 4th of May. Mr. Quigley received the warm support of his constituents and was reëlected; while Mr. Lucius H. Langworthy,² of the town of Dubuque, was chosen to fill Mr. McGregor's seat.³

The next session of the Assembly was an extra session which convened at Burlington on June 11, 1838. On June 16 the following resolution was offered by Mr. Childs in the House of Representatives:

“That, in the opinion of this House, the said Alexander McGregor stands charged and convicted before this house and the people of this Territory, of the offenses of bribing, extortion, and corruption, and in the opinion of this House is unworthy and undeserving of its confidence, or of the confidence of the people of the Territory of Wisconsin.”⁴

But here filibustering methods by Mr. Quigley began. The resolution was laid on the table until the next Monday.⁵ On Monday Mr. Quigley moved to postpone indefinitely,⁶ but the House refused to agree to this and made the resolution the order of the day for the Wednesday next

¹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 69-70.

² Lucius H. Langworthy came to Iowa in 1830 and engaged in mining in the old Dubuque mines. He was very prominent in the early history of Dubuque County. He died in 1865.—See Gue's *History of Iowa*, Vol. I, pp. 155-157, Vol. IV, pp. 162-163.

³ *Iowa News*, Vol. I, No. 50, June 2, 1838.

⁴ *Journal of the House of Representatives*, Extra session, 1838, pp. 28, 29.

⁵ *Ibid*, p. 29.

⁶ *Ibid*, p. 34.

following. Again the matter came before the House, and again Mr. Quigley tried to put off consideration by a motion to lay the resolution on the table until the 4th of July; but he was out-voted and the resolution with a few changes in the wording was finally passed on June 20, 1838.¹ Upon the announcement of the vote Mr. Quigley immediately moved a like resolution condemning John Wilson; but this motion was disagreed to by the House.

Thus the bribery case of Alexander W. McGregor ended in a vote of censure. As for Mr. McGregor, the blow was by no means fatal. Indeed, the directories of Davenport show that he lived for nearly twenty years after his resignation from the House.² Nor does he seem to have lived in disgrace, prevented from receiving office by the "frown of every honest man," as the *Iowa News* had predicted.³

In January, 1840, the first agricultural society of Scott County was organized and Mr. McGregor was chosen its President.⁴ At a Democratic Whig meeting in Davenport on March 30, 1841, he was in attendance and took a prominent part in committee work.⁵ In the August election of 1847, he was chosen Prosecuting Attorney for Scott County;⁶

¹ The vote as recorded stood twelve for and nine against the resolution. The entire Des Moines County delegation voted against Mr. McGregor with the exception of Mr. Reynolds, who had appeared as witness before the investigating committee. The only man from Mr. McGregor's home county who voted against him was Mr. Nowlin.—See *Journal of the House of Representatives*, Extra session, 1838, p. 44.

² Fleming and Torrey's *Twin Cities Directory*, 1856-1857, p. 72; see also Power's *Davenport City Directory*, 1863, p. 110, for notice of Mr. McGregor's widow.

³ *Iowa News*, Vol. I, No. 31, Jan. 20, 1838.

⁴ Wilkie's *Davenport, Past and Present*, p. 84.

⁵ *Iowa Standard*, Vol. I, No. 25, April 9, 1841.

⁶ Barrow's *History of Scott County*—in the *Annals of Iowa*, Vol. I, July, 1863, p. 102.

and to this office he was reëlected in 1849¹ and again in 1850.²

John Wilson in the meantime had obtained his ferry franchise, the bill having been approved before the Assembly adjourned in January, 1838.³ The House also allowed him one hundred twenty dollars (\$120) "for expenses incurred in relation to the case of Alexander W. McGregor."⁴ At first Wilson operated a flat boat with oars, then a horse ferry, and in 1843 he established a steam ferry.⁵ He became a well known figure in Davenport, and lived until 1853 when he died a victim of the cholera.⁶

Mr. McGregor outlived his accuser by four years. Before he died in 1857,⁷ he had so far regained the confidence of the people that besides being chosen President of the school district⁸ he was made Treasurer of the Congregational Church of Davenport.⁹

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¹ Barrow's *History of Scott County*—in the *Annals of Iowa*, Vol. I, July, 1863, p. 113.

² *Ibid*, p. 116.

³ *Laws of Wisconsin*, 1836-1838, pp. 439, 440.

⁴ *Journal of the House of Representatives*, 1837-1838, p. 360.

⁵ Barrow's *History of Scott County*—in the *Annals of Iowa*, Vol. I, January, 1863, p. 46.

⁶ *Ibid*, p. 47.

⁷ Wilkie's *Davenport, Past and Present*, p. 206.

⁸ Fleming and Torrey's *Twin Cities Directory*, p. 109.

⁹ *Ibid*, p. 112.