

## SOME BEGINNINGS IN IOWA

[Within the present decade will occur the centennial of many events in the early history of Iowa. This article is intended to deal with some of the more important of these incidents. The period covered in the survey begins with the discovery of the Iowa country and ends approximately with the organization of the Territory of Iowa in 1838. It is the purpose of the writer to present only the various claims as to first events in Iowa. Many of these are definite and uncontested; others are based on hearsay evidence.—THE EDITOR]

The land which now forms a part of Iowa was first viewed by the eyes of white men on June 17, 1673. Propelled by their five rugged voyageurs, Marquette and Joliet drifted out of the mouth of the Wisconsin River and into the broad expanse of the Mississippi at the point where the latter empties into the Mississippi, just below McGregor, Iowa. The exploits of Jean Nicolle in 1634 had doubtless inspired Marquette and Joliet to leave the mission at St. Ignace on the Straits of Mackinac and seek the true outlet of the Mississippi. This venture had met with the warm approval of Count Frontenac.<sup>1</sup>

For eight days they drifted or paddled noiselessly down the mighty waterway, when suddenly, as they were gliding along close to the Iowa shore, the attention of one of the party was arrested by the sight of footprints in the yellow sand. The canoes were quickly beached and Marquette and Joliet set out alone to discover whither the footprints led. It was the 25th of June, 1673. Unfortunately, however, the exact spot of this incident is unknown. Some believe it occurred near the mouth of the Iowa River while others contend it was farther down near the mouth of the Des Moines River. In any event, after visiting an Indian vil-

<sup>1</sup> Weld's *Joliet and Marquette in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. I, pp. 3-16; Thwaites's *France in America* (*The American Nation Series*, Vol. VII), pp. 54-56.

lage, the intrepid Frenchmen continued their journey downstream past the Missouri and Ohio rivers as far as the mouth of the Arkansas River. There they stopped, thoroughly convinced that the great stream emptied into the Gulf of Mexico and not into the Pacific.

After their return to Lake Michigan by way of the Illinois and Chicago rivers, the two separated; Joliet set out for Quebec, while Marquette, ill and worn from the long voyage, rested for a short time with the Indians at Green Bay and died before he could reach the little mission at St. Ignace.

Curiously enough, neither Marquette nor Joliet thought of taking formal possession of the country they visited, and it was not until April 9, 1682, that La Salle formally annexed it in the name of Louis XIV, King of France. From that date until the ceremony on December 20, 1803, when the United States took possession, the title to Louisiana was a pawn whose ownership changed with the outcome of each continental struggle between the monarchs of Europe.<sup>2</sup>

France retained possession of the land from 1682 to 1762 when, at the conclusion of the Seven Years' War, she ceded Florida to England, and the island on which New Orleans stood and the territory west of the Mississippi River to Spain. It was not until 1769, however, that Spain secured actual possession of Louisiana, since her first governor, Don Antonio de Ulloa, was driven out by the irate inhabitants of New Orleans in 1768 after two years of tumultuous opposition. This mark of disrespect so angered Charles III of Spain that the following year he sent Don Alexander O'Reilly to take over the reigns of government. Spain retained Louisiana from July 24, 1769, until October 1, 1800, when Napoleon, during a brief lull in his continental strug-

<sup>2</sup> Parkman's *La Salle and the Discovery of the Great West*, pp. 285-287; *American State Papers, Public Lands*, Vol. V, p. 728.

gle, forced Spain to sign the treaty of San Ildefonso retroceding the Isle of Orleans and all territory west of the Mississippi to France.<sup>3</sup>

The ink on the treaty of San Ildefonso had hardly dried, however, when Napoleon's ephemeral dream of an empire in the West was rudely broken by the prospects of a fresh war with England. An immediate purchaser was needed to prevent England from seizing Louisiana, and Thomas Jefferson, alarmed at the possibility of a powerful French Empire to the rear and mumbling all the while about "marrying" the United States to the "British fleet and nation", acquired Louisiana in a treaty signed at Paris on April 30, 1803.<sup>4</sup>

On March 26, 1804, Congress provided for the government of the newly acquired territory between the Mississippi River and the Rocky Mountains by dividing it into two separate jurisdictions — the Territory of Orleans and the District of Louisiana. The Iowa country formed a part of the District of Louisiana, which was placed under the jurisdiction of the Governor and Judges of the Territory of Indiana.<sup>5</sup> A little later, in 1812, the Iowa country was included in the Territory of Missouri where it remained until Missouri was admitted into the Union as a State in 1821.<sup>6</sup> For the next thirteen years, the Iowa country was a political orphan, without a government of any kind. The real political history of Iowa, in so far as it relates to the establishment of counties, districts, judges, and actual representation of white inhabitants in Congress begins with

<sup>3</sup> Thwaites's *France in America* (*The American Nation Series*, Vol. VII), pp. 271-276; Gayarré's *History of Louisiana*, Vol. II, pp. 210-213, 284; *American State Papers, Public Lands*, Vol. VII, p. 576.

<sup>4</sup> Channing's *The Jeffersonian System* (*The American Nation Series*, Vol. XII), pp. 60-63; *United States Statutes at Large*, Vol. VIII, pp. 200-212.

<sup>5</sup> *United States Statutes at Large*, Vol. II, pp. 283-289.

<sup>6</sup> *United States Statutes at Large*, Vol. II, p. 743, Vol. III, p. 797.

its attachment to the Territory of Michigan on June 28, 1834.<sup>7</sup> Before that its history was merely a series of changes in sovereign and subordinate jurisdictions. Indeed it must be remembered that for thirty-three years after it became a part of the United States, the land which is now included in the State of Iowa lacked even a name. It was not until 1836 that Albert M. Lea used the term "Iowa District" in his little book entitled *Notes on the Wisconsin Territory* and thus made Iowa at least a "geographical expression".

#### EXTINCTION OF THE INDIAN TITLE TO IOWA

Although the Louisiana Purchase extinguished all foreign claims to what is now Iowa, it left unchanged the title which the Indians held in the land. Between April 30, 1803, and the outbreak of the Black Hawk War several treaties were made relating to the Iowa country. As early as November 3, 1804, Governor William Henry Harrison of Indiana signed a treaty with the Sac and Fox Indians at St. Louis, the provisions of which were in large measure responsible for the Black Hawk War. Twelve years later, on May 13, 1816, the Sac Indians of Rock River concluded a treaty of peace and friendship with the United States through its commissioners, William Clark, Ninian Edwards, and Auguste Chouteau, in which they agreed to accept the provisions of the treaty of November 3, 1804.<sup>8</sup>

It was not until August 4, 1824, however, that the first treaty was signed which definitely set aside a portion of what is now Iowa as a reservation for the half-breeds of the Sac and Fox nations. This Half-breed Tract was formed by continuing the boundary line of northern Missouri eastward across the Des Moines River until it inter-

<sup>7</sup> *United States Statutes at Large*, Vol. IV, p. 701.

<sup>8</sup> *United States Statutes at Large*, Vol. VII, pp. 84-87, 141, 142.

sected the Mississippi River. While the creation of this tract did not give the grantees a clear title to the land, it set aside approximately 119,000 acres in the jutting peninsula formed by the confluence of the Des Moines and Mississippi rivers, now a part of Lee County.<sup>9</sup>

On August 19, 1825, a treaty was signed at Prairie du Chien between the United States and the assembled representatives of Chippewa, Sac, Fox, Menominee, Winnebago, Ottawa, and Pottawattamie Indians. No cession of land was involved, the main purpose of the treaty being to allow the United States to draw a line which would limit the respective hunting grounds of two bitter foes, the Sioux on the north and the Sac and Fox on the south.

An agreement was finally reached and the United States government was commissioned to run the boundary line, commencing "at the mouth of the Upper Ioway River, on the west bank of the Mississippi, and ascending the said Ioway river, to its left fork; thence up that fork to its source; thence crossing the fork of Red Cedar River, in a direct line to the second or upper fork of the Desmoines river; and thence in a direct line to the lower fork of the Calumet river; and down that river to its juncture with the Missouri." Unless the Yankton Sioux concurred in that portion of the treaty dealing with the line to the fork of the Calumet this part of the treaty, however, was to be void.<sup>10</sup>

Five years later, a second meeting was called at Prairie du Chien, because it was plainly evident a thin line was an ineffective barrier against centuries of implacable hatred. On July 15, 1830, the second and third articles of the treaty between the United States and the confederated tribes of Sac and Fox, western Sioux, Omaha, Oto, and Missouri Indians created the "Neutral Strip", the Sac and Fox agree-

<sup>9</sup> *United States Statutes at Large*, Vol. VII, pp. 229-232.

<sup>10</sup> *United States Statutes at Large*, Vol. VII, pp. 272-277.

ing to surrender a strip twenty miles wide on the south of the line established by the Treaty of 1825, while the Sioux ceded a similar amount to the north of it. Thus, there was created a neutral territory forty miles in width between the Mississippi River and the Des Moines River.

Article one provided for the cession of almost one-third of what now constitutes Iowa along the Missouri slope, it being understood that "the lands ceded and relinquished by this Treaty are to be assigned and allotted under the direction of the President of the United States, to the Tribes now living thereon, or to such other Tribes as the President may locate thereon for hunting, and other purposes." In both instances, however, the land was not thrown open to white settlement and the phrasing of article one actually prevented such action in the western strip.<sup>11</sup>

Indeed any possibility which the second and third articles might have held out to future settlers was quickly extinguished by the treaty of September 15, 1832, when the Winnebago were granted the neutral strip in exchange for their lands in Wisconsin. This treaty was to take effect on June 1, 1833.<sup>12</sup>

In the meantime the Indian troubles that preceded the settlement of Iowa came to a head in the Black Hawk War. Although the battles were fought in Wisconsin and Illinois, this contest proved to be a decisive factor in the retreat of the red men from the lands across the Mississippi. The Sac and Fox had yielded their lands and cornfields in Illinois to the United States, removing to new villages to the westward, but in April, 1832, a large band, under the leadership of Black Hawk, returned to the valley of the Rock River, began to plant corn, and refused to obey orders to give up their old homes, and to surrender to Federal

<sup>11</sup> *United States Statutes at Large*, Vol. VII, pp. 328-332.

<sup>12</sup> *United States Statutes at Large*, Vol. VII, pp. 370-373.

justice several members of the band accused of murders the year before.

The last act in the tragedy was the attempt of Black Hawk and his surviving followers to recross the Mississippi at the mouth of the Bad Axe River on August 1, 1832. The steamboat *Warrior* fired on the Indian canoes during the crossing, disregarding an attempt made by Black Hawk to surrender, while the remnant left on the east side of the river was attacked by Brigadier General Henry Atkinson and General Henry Dodge with regulars and militia. The Indians, driven to the very water's edge, defended themselves bravely, but bullet and bayonet did their bloody work in a massacre where mercy was extended neither to age nor sex.<sup>13</sup>

Barely one hundred and fifty of the thousand Indians who crossed into Illinois in April were alive after the last bloody scene at the Bad Axe, and the despondent red men asked that a new treaty be made with them as quickly as possible. This was signed on September 21, 1832, with land-hungry settlers looking westward across the Mississippi at the rich lead mines at Dubuque and the choice farm lands along the western shore. Major General Winfield Scott and Governor John Reynolds of Illinois concluded a treaty with the confederated tribes of Sac and Fox Indians whereby the latter agreed to surrender a strip extending fifty miles westward from the Mississippi and stretching from the Half-breed Tract on the south to the southern boundary of the Neutral Ground.<sup>14</sup>

Indian land titles in Iowa were further complicated by a treaty signed on September 26, 1833, when the Ottawa, Pottawattamie, and Chippewa Indians were granted a district in the southwestern corner of Iowa in exchange for

<sup>13</sup> Stevens's *The Black Hawk War*.

<sup>14</sup> *United States Statutes at Large*, Vol. VII, pp. 374-376.

lands ceded by them along the western shore of Lake Michigan.<sup>15</sup>

A treaty signed on the right bank of the Mississippi opposite Rock Island on September 28, 1836, provided for the cession to the United States of the four hundred sections of land which had been set aside as a reward to Chief Keokuk and his tribe for refusing to join Black Hawk in his war against the whites.<sup>16</sup> This was known as the Keokuk Reserve. It extended along both banks of the Iowa River to within a few miles of the Mississippi. Settlers were pushing westward so rapidly, however, that the acquisition of the Keokuk Reserve seems hardly to have been noticed.

Realizing that a larger tract of land would have to be acquired to absorb the heavy tide of immigration which was moving impatiently onward, the government called to Washington the principal chiefs and warriors of the Sac and Fox. A treaty was finally entered into on October 21, 1837, which is generally known as the Second Black Hawk Purchase.<sup>17</sup> In return for certain grants of land, annuities, and other favors, the Sac and Fox agreed to cede 1,250,000 acres of land lying west of and adjoining the original Black Hawk Purchase of 1832.

Despite the addition of this Second Black Hawk Purchase the frontiersmen continued to clamor incessantly for more lands. Finally, after four years of delay, the government again summoned the Sac and Fox into a conclave to be held this time at the Agency, about six miles east of the present city of Ottumwa on the Des Moines River. Doubtless both

<sup>15</sup> *United States Statutes at Large*, Vol. VII, pp. 431-441. Treaties relating to the cession of 1836 are to be found in Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, pp. 473, 479, 481, 495, 496, 497, 498, 500, 518, 557, and 565; *United States Statutes at Large*, Vol. VII, pp. 516, 524, 527, 540, 542, 543, 544, 547, 568, Vol. IX, pp. 853, 878.

<sup>16</sup> *United States Statutes at Large*, Vol. VII, pp. 517-523.

<sup>17</sup> *United States Statutes at Large*, Vol. VII, pp. 540-542.



parties to the treaties chose their best orators for this crucial occasion. The council lasted for days and many brilliant orations were delivered. Important as the acquisition was to the white settlers, it was doubly so to the once powerful Sac and Fox. To make the cession demanded would mean expulsion from Iowa. Finally, on October 11, 1842, the treaty was signed. By its terms the Indians agreed to give up almost one-third of the present area of Iowa and vacate the land as far west as the Red Rocks in Marion County by May 1, 1843. By 1845 they pledged to withdraw from the entire tract and move west of the Missouri to lands selected for them by the government as a permanent and perpetual residence.<sup>18</sup>

The seventh and last cession of land which finally extinguished all Indian titles in Iowa was the result of two famous treaties, both signed in Minnesota. By the picturesque treaty of Traverse des Sioux, concluded on July 23, 1851, the Sisseton and Wahpeton bands of Sioux Indians ceded all rights to lands claimed in northwestern and north central Iowa. The following month, on August 5, 1851, the Mdewakanton and Wahpekuta bands of Sioux concluded a similar treaty at Mendota.<sup>19</sup> Both treaties relinquished the claims of each tribe to the same territory and their culmination forever sealed the grip of the whites to the whole of Iowa.

#### THE FIRST SETTLERS

The use of superlatives, even when attended by the most painstaking research, is usually fraught with dangers. It is necessary, therefore, to approach the question of first things in any field with extreme care. The question of who first settled Iowa is attended with extreme difficulty. Not

<sup>18</sup> *United States Statutes at Large*, Vol. VII, pp. 596-600.

<sup>19</sup> *United States Statutes at Large*, Vol. X, pp. 949, 954.

only is the dearth of documentary evidence a serious handicap but the documents themselves often present such vague and conflicting evidence as to actually refute each other.

SETTLEMENT OF IOWA UNDER THE SPANISH LAND GRANTS

The settlement of Iowa may be divided into three fairly distinct periods. The first of these covers the time Iowa was under foreign domination and might be termed early settlement under the Spanish land grants.<sup>20</sup> The names of Julien Dubuque, Basil Giard, and Louis Honoré Tesson are the most prominent of those associated with this period. Each of these men received a grant of land from the Spanish Governor after having established a residence of several years on Iowa soil.

The settlement of Iowa by Julien Dubuque begins with the cession of a strip of land to Dubuque by the Fox Indians on September 22, 1788, several weeks before George Washington was elected president.<sup>21</sup> On October 22, 1796, Dubuque petitioned Carondelet, the Spanish Governor of Louisiana, for permission to work the "Mines of Spain". Governor Carondelet granted Dubuque's plea on November

<sup>20</sup> Pelzer's *The Spanish Land Grants of Upper Louisiana* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XI, pp. 3-37.

<sup>21</sup> For short accounts of the life of Dubuque see: Oldt's *History of Dubuque County, Iowa*, pp. 31-45; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 332-335; *American State Papers, Public Lands*, Vol. III, p. 678; Shiras's *The Mines of Spain* in the *Annals of Iowa* (Third Series), Vol. V, pp. 321-334; Ham's *The First White Man in Iowa* in the *Annals of Iowa* (Third Series), Vol. II, pp. 329-344; Ham's *Who Was Peosta?* in the *Annals of Iowa* (Third Series), Vol. II, pp. 470-472; Van der Zee's *Early History of Lead Mining in the Iowa Country* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XIII, pp. 3-52; Herrmann's *Julien Dubuque, His Life and Adventures* (Times-Journal Company, Dubuque, 1922). Keyes's *Spanish Mines: An Episode in Primitive American Lead Mining* in the *Annals of Iowa* (Third Series), Vol. X, pp. 539-546, gives an excellent survey up to and including the coming of Dubuque and his petition to Carondelet. Franquelin's map of 1688 showing Iowa for the first time is valuable. *Chouteau v. Molony*, 57 United States (16 Howard), pp. 203-242, gives a full and complete account of the claim of Dubuque and his heirs.

10, 1796, after making certain that the grant would in no way infringe on the rights of a merchant named Andrew Todd who held exclusive trading privileges with the Indians.<sup>22</sup> Eight years later — October 20, 1804 — Dubuque sold 72,324 arpents of this land to Auguste Chouteau of St. Louis for \$10,848.60.<sup>23</sup> Dubuque resided at his "Spanish Mines" for twenty-two consecutive years, the longest permanent settlement in the period under survey. At Dubuque's death on March 24, 1810, his estate was administered in St. Louis County, Missouri. After the mining land was opened to settlement on June 1, 1833, the heirs of Chouteau carried on a losing fight to establish their claims based on the Spanish grant to Dubuque, but their right to it was finally denied by a decision of the United States Supreme Court, handed down in December, 1853.<sup>24</sup>

Louis Honoré Tesson was granted a tract of land in what is now Lee County by acting Governor Zenon Trudeau of Upper Louisiana on March 30, 1799. Tesson took immediate possession of the tract and planted his famous apple orchard. Subsequent events indicate that times were hard, or Tesson most unfortunate, for on May 13, 1803, Joseph Robidoux obtained an execution on the property which was sold to him as creditor. Shortly afterwards, Robidoux died and his executor, Auguste Chouteau, sold the tract to Thomas F. Riddick. Although Tesson was neither the first to settle nor to receive a Spanish grant, much colorful history is woven about his tract. The Tesson tract, moreover, was accorded the distinction of being the oldest legal title to land in the State of Iowa when the United States Su-

<sup>22</sup> *American State Papers, Public Lands*, Vol. III, p. 678.

<sup>23</sup> *American State Papers, Public Lands*, Vol. II, p. 381; *Oldt's History of Dubuque County, Iowa*, p. 35.

<sup>24</sup> *Chouteau v. Molony*, 57 United States (16 Howard) 203-242; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 332-334.

preme Court in 1852 confirmed the ownership of Riddick's heirs.<sup>25</sup>

On October 15, 1800, Basil Giard petitioned Governor Charles Dehault Delassus of Upper Louisiana for 6808½ arpents of land situated directly opposite Prairie du Chien in what is now Clayton County.<sup>26</sup> Giard urged in his petition that he had occupied the tract of land for fifteen years, had constructed buildings thereon and improved the land at considerable expense, and was, moreover, an obedient and faithful subject to his Spanish Majesty. This humble petition was granted on November 20, 1800. Both the petition and grant, however, are dated subsequent to the signing of the Treaty of San Ildefonso, on October 1, 1800, which transferred all right to the land from Spain to France. If the petition is truthful and correct in every detail it gives Basil Giard the honor of having settled in Iowa in 1785. There is, however, no documentary evidence at hand to substantiate Giard's claim that he lived in Iowa as early as 1785.

Still further confusion is added to the question as to who was the earliest settler during the Spanish régime by the

<sup>25</sup> Wilson's *Tesson's Apple Orchard* in *The Palimpsest*, Vol. IV, pp. 121-131; Kilbourne's *Montrose Apple Trees* in the *Annals of Iowa* (First Series), Vol. II, pp. 370-372; Cruikshank's *Historic Sites to be Submerged* in the *Annals of Iowa* (Third Series), Vol. X, pp. 241-249; Van der Zee's *The Oldest Land Titles in the State of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIII, pp. 238-249; *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), p. 164; *United States Statutes at Large*, Vol. VI, p. 661; Samuel Marsh, William E. Lee, and Edward C. Delaven, Plaintiffs in Error, *v.* Edward Brooks and Virginia C., His Wife, Charles P. Billou, and Frances E., His Wife, formerly Frances E. Reddick, Walter J. Reddick, and Dabney C. Reddick, 49 United States (8 Howard) 223; and 55 United States (14 Howard) 513.

<sup>26</sup> Harlan's *Claim of Basil Giard* in the *Annals of Iowa* (Third Series), Vol. XVI, pp. 622-627; *History of Clayton County, Iowa* (Inter-State Publishing Co., Chicago, 1882), pp. 120, 121; *American State Papers, Public Lands*, Vol. II, pp. 439, 440; Pelzer's *The Spanish Land Grants of Upper Louisiana* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XI, pp. 3-37.

evidence found in the *Memoirs* of Father Samuel Mazzuchelli in which he relates a conversation held in 1835 with an old French Canadian who had worked for Julien Dubuque for twenty years.<sup>27</sup> Mazzuchelli was told that one, John Long, had first worked the mines at Dubuque, and that Jean Marie Cardinal, a resident of Prairie du Chien, had followed Long and preceded Dubuque in his mining operations near Catfish Creek.

#### SETTLERS DURING THE TERRITORIAL PERIOD

The second period in the settlement of Iowa dates from the time when Congress provided the first government for the newly acquired territory until June 1, 1833, when the land was thrown open to settlers. The treaty of 1804 guaranteed the Indians protection from white intruders, but a new situation seems to have been inaugurated in 1824 when the Half-breed Tract created a neutral zone upon which the more venturesome white pioneers might settle without inviting military expulsion.

In 1820 Dr. Samuel C. Muir gave up his post at Fort Edwards in order that he might enjoy the company of his Indian wife, moved over to the foot of the Lower Rapids, and built himself a cabin. This was four years before the creation of the Half-breed Tract. When the movement to the lead mines began to gain impetus, a few years later, Muir moved to Galena to practice medicine, leasing his claim and cabin to Otis Reynolds and John Culver, two enterprising steamboat captains of St. Louis.

The growth of steamboating to the lead mines required the appointment of an agent at this point and in 1827 Reynolds and Culver appointed Moses Stillwell to fill this position. Stillwell [died 1834] arrived at the foot of the Lower

<sup>27</sup> Mazzuchelli's *Memoirs*, p. 163; Parish's *Father Mazzuchelli in The Palimpsest*, Vol. I, pp. 101-110.

Rapids in the spring of 1828, accompanied by his family and Valencourt Vanorsdoll. These two men might be termed the earliest permanent settlers in Iowa since they both remained at this point until after June 1, 1833. Their occupation of the Half-breed Tract was apparently legal, since Stillwell was the regularly appointed agent of Reynolds and Culver whose lease from Muir and his Indian wife was doubtless a perfectly valid conveyance. In 1829, Dr. Isaac Galland moved across the Mississippi River from Edgar County, Illinois, and established the town of Nashville at the head of the Lower Rapids. The following year — 1830 — Isaac R. Campbell moved over to Nashville from Commerce — later Nauvoo — Illinois. There was no military interference in the Half-breed Tract as there was in the remaining part of Iowa.<sup>28</sup>

Meanwhile the rich mineral lands around Dubuque offered a temptation to the miners who pursued their task in Illinois and what is now Wisconsin. These men resented the restraining hand of the government and could see no justice in allowing a handful of Indians to dig out a niggardly amount of lead from the mines where they believed they could gain untold wealth in a few years. As early as 1829, James L. Langworthy had crossed the Mississippi River to Dubuque, made his way to the tattered Fox village at the mouth of Catfish Creek, and secured permission to travel through the interior for three weeks and explore the country. Langworthy returned to Galena when his period of grace had expired. The following February his brother,

<sup>28</sup> *History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 166-167, 329; Van der Zee's *The Opening of the Des Moines Valley to Settlement* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XIV, pp. 479-486; Campbell's *Recollections of the Early Settlement of Lee Co.* in the *Annals of Iowa* (First Series), Vol. V, pp. 883-895. Kilbourne's *Strictures on Dr. I. Galland's Pamphlet, Entitled, "Villainy Exposed"* (Fort Madison, 1850) gives an account of his transactions in lands of the Sac and Fox Half-breed Reservation in Lee County by a bitter opponent.

Edward Langworthy, and three others crossed the Mississippi for the purpose of securing the privilege of prospecting and working in the mines. The Fox received their advances coldly and Langworthy and his companions were forced to return.<sup>29</sup>

Fearful of a war with the Sioux, the Fox deserted their village in June, 1830, to the great joy of the hardy miners. Their departure was the signal for the invasion of the lead mines by some thirty miners of whom James and Lucius Langworthy were among the best known. Despite the fact that the Indians had deserted their village this intrusion was not legally sanctioned. When the steamboat *Planet*, Captain Butler commanding, arrived at Dubuque with three hundred Indians on board bound for the conference at Prairie du Chien, Colonel Willoughby Morgan read a proclamation of Brigadier General Henry Atkinson to the assembled miners warning them to remove within two weeks or penalties would be inflicted on them as trespassers on Indian soil. The miners immediately called a meeting to decide on future action, and when the troops arrived shortly afterward from Fort Crawford under command of Jefferson Davis, all but four of the miners had withdrawn. These were promptly arrested but were allowed to escape when the boat reached Galena.<sup>30</sup>

Troops remained at the mines until the outbreak of the Black Hawk War in 1832. At the conclusion of this struggle many of the miners who had been driven out during the

<sup>29</sup> Langworthy's *Dubuque: Its History, Mines, Indian Legends, Etc.* (Dubuque, 1855), pp. 3-24; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 335-342; Oldt's *History of Dubuque County, Iowa*, pp. 46-48. For a brief biography of James L. Langworthy see Oldt's *History of Dubuque County, Iowa*, pp. 513, 696.

<sup>30</sup> *Miner's Journal* (Galena, Illinois), July 3, 24, 31, 1830. The account varies from that given by Langworthy in his history of Dubuque and in the county histories. These give Zachary Taylor the credit for having read his own order of ejection to the miners.

summer of 1830 crossed the river and resumed operations on their former claims, but the land was not open to settlement, and Zachary Taylor soon arrived with a sufficient military force to expel them. Langworthy and most of the miners removed to an island near the west bank of the river, where they built rude shacks and, surrounded by heaps of mineral, spent the remainder of the winter and the following spring, suffering many privations.<sup>31</sup>

In the meantime, the pioneers who attempted the settlement of other sections of the Iowa country were also summarily expelled. A week after the news of the signing of the Black Hawk Treaty, Simpson S. White, Amzi Doolittle, and Morton M. McCarver crossed the Mississippi River and laid out claims in what now constitutes the present river front of Burlington. Twelve or fifteen families joined them before winter set in and built cabins in the surrounding locality, but Jefferson Davis arrived in February, 1833, drove the settlers away, and burned their cabins. White returned in the middle of May and spent three weeks erecting a second log cabin. Morton McCarver did not return until June when he also erected a cabin. Thus it happened that Simpson S. White was probably the first white man to settle in Iowa under the Black Hawk Treaty, since he entered the territory as a trespasser two weeks before it was legally open to settlement and had his cabin well under way before other settlers began to arrive.<sup>32</sup>

Peter Williams experienced the same misfortune at Fort Madison as did the pioneers at Dubuque and Burlington.

<sup>31</sup> Langworthy's *Dubuque: Its History, Mines, Indian Legends, Etc.* (Dubuque, 1855), pp. 23-24; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 344, 349; *Annals of Iowa* (First Series), Vol. III, pp. 512-519; Parish's *The Langworthys of Early Dubuque and Their Contributions to Local History* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VIII, pp. 315-422.

<sup>32</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), pp. 468-472.



Williams crossed the river in the spring of 1832 and laid out a claim and built a cabin on ground which is now a part of the present city of Fort Madison. Shortly afterwards troops arrived from Rock Island, destroyed his cabin, and escorted the luckless pioneer across the river. Williams did not return until June of 1833.<sup>33</sup>

Early in 1833 Benjamin W. Clark, who, a few years before, had established a settlement at Andalusia, Illinois, crossed over to what is now the present site of Buffalo, Iowa, planted a crop, and built a cabin, but did not move over until the following December. While Clark probably began the erection of his cabin earlier than Simpson S. White, his failure to remain doubtless takes away any right he might possess to share honors with White as the first settler under the Black Hawk Treaty.<sup>34</sup>

The treaty which closed the Black Hawk War and effected the purchase of a strip of land fifty miles wide stretching westward from the Mississippi set the date for the extinction of the Indian title to this part of the Iowa country as June 1, 1833. Scores of settlers must have swarmed across the river on that day and it would be a fruitless task to attempt to discover who arrived first. The movement to the lead mines around Catfish Creek and northward to Peru was especially great, but favorable locations in what is now Des Moines, Scott, and Lee counties also received a generous sprinkling of newcomers. Before the close of the year upwards of five hundred settlers had arrived at the lead mines alone. Unfortunately, however, there were no turnstiles which recorded the daily number of arrivals nor were the pioneers required to sign their

<sup>33</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), p. 592.

<sup>34</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 260.

names to a register, official or otherwise, the moment they stepped on Iowa soil. It is thus impossible to credit any particular individual with the honor of being the first to arrive on June 1, 1833.

THE MINERS' COMPACT  
THE FIRST WRITTEN CONSTITUTION IN IOWA

It has been said that if three Americans meet to talk over an item of business, the first thing they do is to organize. Nothing better illustrates this trait than the various land leagues, clubs, or claim associations which were formed in early pioneer communities. Of the many associations of one description or another that arose in Iowa no other is as old or was drawn up under such picturesque circumstances as that drafted by some thirty miners who entered Iowa in 1830 after the Fox Indians had deserted their village.

Finding themselves without a government and realizing that they must have some rules, the miners met around an old cottonwood tree on June 17, 1830. The meeting was organized in due form and the preliminary business disposed of, after which a committee on mining regulations was appointed. This consisted of J. L. Langworthy, H. F. Lander, James McPheeters, Samuel H. Scales, and E. M. Urn. The committee submitted the following report, written by James L. Langworthy on a half-sheet of coarse unruled paper on the log around which the miners had gathered.

We, a committee having been chosen to draft certain rules and regulations, by which we, as miners, will be governed, and, having duly considered the subject, do unanimously agree that we will be governed by the regulations on the east side of the Mississippi River, with the following exceptions, to wit:

ARTICLE 1. That each and every man shall hold 200 yards square of ground, working said ground one day in six.

ART. 2. We further agree that there shall be chosen, by a ma-

jority of the miners present, a person who shall hold this article and grant letters of arbitration on application having been made, and that said letters of arbitration shall be obligatory on the parties concerned so applying.

Dr. Francis Jarret was authorized to issue the papers of arbitration. The report was adopted and signed by all the miners present. The Miners' Compact is doubtless the first set of laws for the government of white men adopted on the soil of Iowa, and it occupies as important a position in early Iowa history as the Mayflower Compact does in the story of Massachusetts.<sup>35</sup>

#### GROWTH OF GOVERNMENTAL INSTITUTIONS IN IOWA

The influx of settlers into the Black Hawk Purchase on June 1, 1833, presented the novel phenomena of a people scattered over an immense domain two hundred miles in length and fifty miles in breadth without any regular machinery of government. The lawless nature of many of the newcomers made it imperative, however, that some form of civil government be instituted. Some violence occurred and out of it grew a petition to Congress asking for the protection of the Federal government. Congress answered the petition by an act approved on June 28, 1834, whereby the area now included in the State of Iowa was "for purposes of temporary government, attached to, and made a part of, the Territory of Michigan."<sup>36</sup>

At this time, however, the inhabitants of the Territory of Michigan were working for admission into the Union and an act of Congress of June 30, 1834, authorizing the holding

<sup>35</sup> Macy's *Institutional Beginnings in a Western State* in the *Annals of Iowa* (Third Series), Vol. III, pp. 321-350; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 338-341; Parish's *The Langworthys of Early Dubuque and Their Contributions to Local History* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VIII, pp. 315-319.

<sup>36</sup> *United States Statutes at Large*, Vol. IV, p. 701.

of an extra session of the Legislative Council of Michigan at Detroit. This body met on July 14, 1834, to consider certain steps leading toward admission into the Union. Among other matters Governor Stevens T. Mason called attention to the needs of the people west of the Mississippi and urged the establishment of counties, townships, and courts.<sup>37</sup>

When Michigan was admitted as a State, in 1836, an act of Congress, approved on April 20, 1836, immediately created the Territory of Wisconsin. The first meeting of the Territorial legislature was at Belmont. Pending the establishment of suitable buildings at Madison, it was agreed that the next session should be held at Burlington, and on November 6, 1837, the second session of the first Territorial legislature of Wisconsin assembled at Burlington. It was the first legislative body to meet in Iowa.<sup>38</sup>

By 1838, the country on the west side of the river had grown so rapidly, a petition to Congress led to the creation of the Territory of Iowa, and on June 12, 1838, President Martin Van Buren signed the bill by which Iowa Territory came into existence on July 4, 1838.<sup>39</sup>

#### COUNTIES AND TOWNSHIPS

In his message to the Legislative Council of the Territory of Michigan, Governor Stevens T. Mason wrote: "Spread over an extensive country, the immediate organization for them of one or two counties with one or more townships in each county, similar to the organization of other parts of the Territory is respectfully suggested and urged. A Cir-

<sup>37</sup> *United States Statutes at Large*, Vol. IV, p. 724; Fuller's *Messages of the Governors of Michigan*, Vol. I, p. 123.

<sup>38</sup> *United States Statutes at Large*, Vol. V, pp. 10-16; *Laws of the Territory of Wisconsin, 1836-1838*, pp. 13, 14, 49, 50; Gue's *History of Iowa*, Vol. I, p. 174.

<sup>39</sup> *United States Statutes at Large*, Vol. V, pp. 235-241.

cuit and County Courts will also be necessary, authorizing and making a special circuit for the Counties west of the Mississippi, in as much as it would be unreasonable to require the attendance of the inhabitants of that section at the Courts east of the river."<sup>40</sup>

The Legislative Council responded to the Governor's recommendation with a measure entitled "An Act to lay off and organize Counties west of the Mississippi River." This act, the first step in the formation of counties in Iowa, was approved on September 6, 1834, to take effect on the first of October of the same year. Two counties were created: Dubuque County was to embrace all that territory which is situated "north of a line to be drawn due west from the lower end of Rock Island to Missouri river"; Des Moines, the second county, was to constitute all land lying south of this line. Subsequent events prove that it was the intent of the legislature that the boundaries were limited to what constituted the Black Hawk Purchase. Des Moines County, as a matter of fact, was cut almost in two by the Keokuk Reserve, the title to which was not extinguished until September 28, 1836.<sup>41</sup>

The second step in the formation of Iowa counties was taken in the first session of the legislature of the Territory of Wisconsin which met at Belmont on October 25, 1836. It consisted of a law approved on December 7, 1836, entitled, "An Act dividing the county of Des Moines into several new counties." It was to take effect immediately. By its terms the former county of Des Moines, together with the newly acquired Keokuk Reserve, was divided into seven new counties, one of which retained the name of Des Moines. The six new counties created by this act were Lee, Van

<sup>40</sup> Fuller's *Messages of the Governors of Michigan*, Vol. I, p. 123.

<sup>41</sup> *Laws of Michigan and Wisconsin, 1834-1836*, pp. 278, 279; *United States Statutes at Large*, Vol. VII, pp. 517-523.

Buren, Henry, Louisa, Muscatine, and Cook. Due to the fact that the United States government survey of these lands had not been completed not one of these counties created had the same boundaries it has today. The act itself was tentative in character and according to the last section was to be in effect only "until the end of the next annual session of the legislative assembly, and no longer." On January 18, 1838, two days before the adjournment of this second legislative assembly, a new law was passed, which provided for the establishment "of the boundaries of the counties of Lee, Van Buren, Des Moines, Henry, Louisa, Muscatine and Slaughter."<sup>42</sup>

About one month previous to the establishment of these boundaries — on December 21, 1837 — a law was passed entitled, "AN ACT to establish the boundary lines of the counties of Dubuque, Clayton, Jackson, Benton, Lynn, Jones, Clinton, Johnson, Scott, Delaware, Buchanan, Cedar, Fayette and Keokuk; and to provide for the location of the seats of justice in said counties, and for other purposes." Eight of these — Dubuque, Delaware, Linn, Jones, Jackson, Cedar, Clinton, and Scott — were laid out with their original boundaries as they exist today. Since none of the counties which were cut from the original Des Moines County had their present day boundaries until the act of January 18, 1838, these eight counties can claim the honor of being the first to be established in their present day form.<sup>43</sup>

Thus twenty-one counties had already been brought into existence in Iowa when an act of Congress, approved on

<sup>42</sup> Gue's *History of Iowa*, Vol. I, p. 174; *Laws of the Territory of Wisconsin, 1836-1838*, pp. 76-78, 381-384.

<sup>43</sup> *Laws of the Territory of Wisconsin, 1836-1838*, pp. 132-138; Garver's *History of the Establishment of Counties in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VI, pp. 386-389, 443. The various changes in county boundaries is carefully chronicled by Mr. Garver in a series of maps, pp. 441-456.

June 12, 1838, divided the original Territory of Wisconsin. Of this number, ten had received their present boundaries, the area and boundaries of seven were almost identical with those of today, while the remaining four embraced huge tracts of land, much of which still belonged to the Indians.<sup>44</sup>

Township government was first inaugurated within the boundaries of the present State of Iowa on September 6, 1834, with the establishment of the townships of Julien in Dubuque County and of Flint Hill in Des Moines County by an act of the legislature of the Territory of Michigan. The same act designated the location of the polls for the elections to be held on the first Monday of November. Both townships were coterminous with the counties. The first polls designated for holding elections in Dubuque County were at "Lorimier's store in the village of Dubuque, and at Gehon's store in the village of Peru, at the dwelling house now occupied by Hosea T. Camp, near the head of Cat Fish creek, and at Lore's dwellinghouse on the Mukkoketta." Since the act provided for the selection of the county seat in Des Moines County by the judges of the county court, no specific polls could be designated in the law.<sup>45</sup>

The first supervisors in Des Moines County were Isaac Lefler, Francis Redding, and Ebenezer D. Ayers; while Francis Gehon, William Smith, and John Paul served as the first supervisors in Dubuque County. Warner Lewis

<sup>44</sup> *United States Statutes at Large*, Vol. V, pp. 235-241; Garver's *History of the Establishment of Counties in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VI, pp. 388, 391.

<sup>45</sup> Fuller's *Messages of the Governors of Michigan*, Vol. I, p. 123; *Laws of Michigan and Wisconsin, 1834-1836*, pp. 278, 279; *United States Statutes at Large*, Vol. V, pp. 10-16; *Laws of the Territory of Wisconsin, 1836-1838*, pp. 5-12. For an account of the combinations of county and township governments during the Michigan and Wisconsin Territorial period see Aurner's *History of Township Government in Iowa*, pp. 17-23, and Pollock's *Historical Background of the County in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXIII, pp. 3-57.

served as the first clerk for Dubuque County while Benjamin Tucker acted in a similar rôle for Demoine.<sup>46</sup>

## COURTS

Among the first men to cross the Mississippi River were many rough characters with scant respect for law where it did exist and none where there was no government machinery whatsoever. Such a one was Patrick O'Connor who moved from Galena to Dubuque in the fall of 1833, and formed a partnership with a young Irishman named George O'Keaf. Together they erected a cabin about two miles below Dubuque. The following spring, on May 19, 1834, O'Keaf returned to the cabin, accompanied by a friend, and found the door locked. Upon rapping for admittance they were told by O'Connor to wait. Rain began to fall and O'Keaf, impatient with the delay, applied his shoulder to the door and burst it in. O'Connor levelled a musket at him as he entered, fired, and killed him. He was promptly apprehended and taken to Dubuque.

The next day — May 20, 1834 — the first trial for murder in what is now the State of Iowa was held in the open air beneath the wide-spreading branches of a large elm tree. This was entirely outside the law. A Captain White was chosen to represent the mining community as prosecutor. O'Connor at first refused to name a counsel but after some delay he finally appointed David G. Bates of Galena to defend him.

Twenty-four men had been selected by the two counsels and from these the accused was requested to select twelve jurors. O'Connor chose Woodbury Massey, Hosea L. Camp, John McKensie, Milo H. Prentice, James Smith, Jesse M. Harrison, Thomas McCabe, Nicholas Carrol, John S. Smith, Antoine Loire, and two others whose names have

<sup>46</sup> Aurner's *History of Township Government in Iowa*, p. 19.



been lost. During the whole of the proceedings O'Connor maintained that the trial was illegal on the grounds that there were no laws in the territory and he could not therefore be tried, but the trial proceeded, and the case was quickly committed to the jury. That body, after deliberating an hour, returned with the following verdict and sentence, signed by all the jurors:

We the undersigned, residents of the Dubuque Lead Mines, being chosen by Patrick O'Conner, and empaneled as a Jury to try the matter wherein Patrick O'Conner is charged with the murder of George O'Keaf, do find that the said Patrick O'Conner is guilty of murder in the first degree, and ought to be, and is by us sentenced to be hung by the neck until he is dead; which sentence shall take effect on Tuesday the 20th day of June, 1834, at one o'clock P. M.

On the day appointed a body of 163 armed men escorted O'Connor to the scaffold. William Adams was employed as executioner, and at precisely one o'clock on June 20, 1834, Patrick O'Connor was competently, if not legally, hanged. It was a memorable date for it represented the first formal execution in what is now Iowa.<sup>47</sup>

Eight days after the execution of Patrick O'Connor, Congress passed an act by which Iowa was attached to the Territory of Michigan. By the same act which created the first counties and townships the legislature of Michigan made provision for the establishment of courts and the appointment of judges. This act provided that all the laws then in force in Iowa County, Wisconsin, should be extended to Dubuque and Demoine counties. County courts were to be established in both counties. At Dubuque these

<sup>47</sup> Price's *The Trial and Execution of Patrick O'Conner at the Dubuque Mines in the Summer of 1834* in the *Annals of Iowa* (First Series), Vol. III, pp. 566-574; Price's *The Execution of O'Connor* in *The Palimpsest*, Vol. I, pp. 86-97, Black's *Lynching in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. X, pp. 151-254.

courts were to be held annually on the first Monday in April and September while in Demoine County the second Monday of the same months was specified. "The oath of office of the chief justices of the county courts of the said counties", continues the act, "may be administered by the person appointed clerk of the respective counties, and the said chief justices shall then proceed to administer the oath of office to the said clerk and associate justices of the county courts according to law."<sup>48</sup>

Section six contained the following provision: "Process civil and criminal, issued from the circuit court of the United States for the county of Iowa, shall run into all parts of said counties of Dubuque and Demoine, and shall be served by the sheriff, or other proper officer within either of said counties. Writs of error shall lie from the circuit court for the county of Iowa, to the county courts established by this act, in the same manner as they now issue from the supreme court to the several county and circuit courts of the territory." Although passed on September 6, 1834, the act was to go into effect the first day of October of that year.<sup>49</sup> During the Michigan period the whole Iowa country formed an area which was subject to the jurisdiction of the Territorial circuit court for Iowa County. During the Wisconsin period, Dubuque and Des Moines counties were constituted the second judicial district and Judge David Irvin was assigned to this district.<sup>50</sup>

Following the creation of Dubuque and Demoine counties in 1834, a court was established in each county. In April of 1835, the first court was held at Burlington in the log cabin

<sup>48</sup> *United States Statutes at Large*, Vol. IV, p. 701; *Laws of the Territory of Michigan and Wisconsin, 1834-1836*, pp. 278, 279.

<sup>49</sup> *Laws of the Territory of Michigan and Wisconsin, 1834-1836*, p. 279.

<sup>50</sup> *Laws of the Territory of Wisconsin, 1836-1838*, p. 8; Clark's *Judicial Districting in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. V, pp. 455, 456.

belonging to William Ross. William Morgan acted as presiding judge, while Henry Walker and Young L. Hughes were his associates. In 1836 Isaac Leffler succeeded Morgan as presiding judge.<sup>51</sup>

The first term of the district court for Dubuque County met at Dubuque on May 1, 1837. David Irvin acted as presiding judge and Warner Lewis as clerk. The impression of a quarter of a dollar was adopted as the seal of the court. One of the first acts of the court was to grant Henry F. Landers permission to maintain a ferry across the Mississippi at the mouth of Turkey River.<sup>52</sup>

#### SURVEYS AND LAND SALES

The first surveys and plats of town sites, like so many other acts of the frontier, were made through the initiative of individuals and not by authority of the government. To protect their claims against "claim jumpers" the first settlers made surveys themselves or secured the services of someone in a neighboring community. Thus, in the fall of 1833, the first survey of the city limits of Dubuque was made by George W. Harrison, an engineer from Galena. Harrison ran the lines of his survey between what is now First and Seventh streets and between Bluff Street and the river.<sup>53</sup> During November and December of 1833, shortly after Harrison had completed his survey of Dubuque, Benjamin Tucker and William R. Ross surveyed the front line of two blocks at Burlington.<sup>54</sup> These surveys at Burling-

<sup>51</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), p. 384.

<sup>52</sup> Oldt's *History of Dubuque County, Iowa*, p. 448; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 384.

<sup>53</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 353.

<sup>54</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 473.

ton and Dubuque were made while Iowa was still an unorganized territory without a government of any kind. Unfortunately, however, no record remains of the first two plats in Iowa.

Various other towns were surveyed before the government authorized an official survey. Late in 1833, John H. Knapp and Nathaniel Knapp arrived at the present site of Fort Madison and in the fall of 1835 they staked out a town with the aid of a surveyor named Adolphus Allen.<sup>55</sup> The present site of Davenport was laid out during 1835 and 1836 on the reserve belonging to Antoine Le Claire.<sup>56</sup> Finally, on July 2, 1836, the President of the United States approved a bill which had been passed by Congress entitled "An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Belleview, Dubuque and Peru, in the county of Dubuque, Territory of Wisconsin, and for other purposes." The act read in part:

That the tracts of land in the Territory of Wisconsin including the towns of Fort Madison and Burlington, in the county of Des Moines; Belleview, Du Buque and Peru, in the county of Du Buque; and Mineral Point, in the county of Iowa, shall, under the direction of the Surveyor General of the public lands, be laid off into town lots, streets, avenues, and the lots for public use called the public squares, and into out-lots, having regard to the lots and streets already surveyed, in such manner and of such dimensions as he may think proper for the public good and the equitable rights of the settlers and occupants of the said towns; *Provided*, The tracts of land so to be laid off into town-lots, &c. shall not exceed the quantity of one entire section, nor the town-lots one-half of an acre; nor shall the out-lots exceed the quantity of four acres each. When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within six months

<sup>55</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 592, 595.

<sup>56</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), pp. 718, 719.

thereafter the lots shall be offered to the highest bidder, at public sale, under the direction of the President of the United States, and at such other times as he shall think proper; *Provided*, That no town-lot shall be sold for a sum less than five dollars: *And provided further*, That a quantity of land of proper width, on the river banks, at the towns of Fort Madison, Belleview, Burlington, Du Buque, and Peru, and running with the said rivers the whole length of said towns, shall be reserved from sale (as shall also the public squares,) for public use, and remain for ever for public use, as public highways, and for other public uses.<sup>57</sup>

Recognition was thus given the earliest surveys made and, to avoid confusion, government surveyors were instructed to take due care in observing the lines which had formerly been laid out. Davenport was laid out in thirty-six blocks and six half-blocks by United States Surveyor Gordon during the spring of 1836.<sup>58</sup> The whole town of Burlington was surveyed by Gilbert M. Harrison in 1837.<sup>59</sup> Le Claire was laid out in the spring and summer of 1837 by William R. Shoemaker and Henry S. Howell, United States surveyors.<sup>60</sup> The government survey of Iowa began in the autumn of 1836, when Scott County was surveyed by A. Bent and son from Michigan. Both were deputies from the Surveyor General's office at Cincinnati. The survey was completed in March of 1837.<sup>61</sup>

Branches of the United States Land Office were not established in Iowa until after the creation of Iowa Territory in 1838,<sup>62</sup> but the first sale of public land took place in Iowa in

<sup>57</sup> *United States Statutes at Large*, Vol. V, pp. 70, 71.

<sup>58</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 720.

<sup>59</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 477.

<sup>60</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 1099.

<sup>61</sup> *Annals of Iowa* (First Series), Vol. I, p. 8.

<sup>62</sup> *United States Statutes at Large*, Vol. V, pp. 243, 244.

June of 1837, in that cradle of first events in Iowa history, the Half-breed Tract.

It will be recalled that the Treaty of 1824 had set aside the triangular section of land in Lee County for the use of the half-breeds of the Sac and Fox Indians. They were not, however, granted a fee title in the land and were therefore unable to sell it. Finally, on June 30, 1834, the half-breeds were given a clear title to the land and the Wisconsin Territorial legislature appointed a commission to lay out town plats and survey the land. It was then to be brought into the market and sold.<sup>63</sup>

Speculators were plentiful in the tract as soon as word had been passed around that the lands were to be offered for sale. Rival agents from New York and St. Louis fought each other bitterly and the ignorant owners were quickly shorn of their possessions — often for a jug of fire-water. Dr. Isaac Galland, who represented the New York Land Company and had settled in the tract as early as 1829, was one of the first to effect a purchase, securing Isaac R. Campbell's potato patch for his company. Here he laid out the town of Montrose in 1837. In the litigation which arose as a result of conflicting titles in the Half-breed Tract, Francis Scott Key, author of the "Star Spangled Banner", was one of those who represented the New York interests.<sup>64</sup>

#### POST OFFICES

A cloud of confused documentary evidence hovers over the question of the establishment of the first post office in

<sup>63</sup> *United States Statutes at Large*, Vol. IV, p. 740; *Laws of the Territory of Wisconsin, 1836-1838*, pp. 244-252.

<sup>64</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 164-166. Kilbourne's *Strictures on Dr. I. Galland's Pamphlet, Entitled "Villainy Exposed,"* is a rare pamphlet in which much is told of the methods of furthering land sales by eastern companies.

Iowa. In answering the question one is confronted with the problem of defining the exact meaning of a post office. Substantial evidence indicates that the first official post office was not established in Iowa until April 19, 1836, but records of delivery of mail and use of buildings for post offices occurred as early as 1833. In the fall of that year, George Ord Karrick was delivering a weekly mail from Galena to Dubuque. Milo H. Prentice was the first postmaster and the mail was delivered from a candle box in the store kept by Mr. Pfozter.<sup>65</sup>

At this early date, with the influx of settlers coming in chiefly from Galena and the surrounding lead region, it was natural the metropolis of the lead region should act as the center from which rural routes radiated outward into the outlying territory. It appears that the initiative of the pioneers supplemented the government in this matter as well as in courts and land titles, and it is sometimes difficult to say whether this was a private or government enterprise. The first delivery of mail within the original limits of Burlington in 1834 was through the private enterprise of William R. Ross who later became postmaster in 1835. In the spring of 1834 Ross had written Postmaster General William T. Barry asking for the establishment of a post office at Flint Hills. He was granted a route between "Flint Hills, Ill.," and Sho-ko-kon, seven miles from Burlington on the east side of the Mississippi. The mail was delivered on horseback and the compensation consisted of the proceeds of the office. At that time envelopes were a luxury, for the charge was twenty-five cents for each sheet of paper and an envelope was considered a separate sheet.

<sup>65</sup> Card index to post offices in Iowa, prepared by Newton D. Mereness; *Annals of Iowa* (Third Series), Vol. II, p. 394; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 353.

EARLY POST OFFICES ESTABLISHED IN IOWA <sup>66</sup>				
NAME OF POST OFFICE	COUNTY	DATE ESTABLISHED OR CHANGED	FIRST POSTMASTER	DATE DISCONTINUED
Gibson's Ferry changed to Augusta	Des Moines	April 19, 1836 Sept. 22, 1837	J. B. Brown	
Iowa changed to Montpelier	Muscatine	April 19, 1836 Jan. 4, 1839	Wm. Gordon	Feb. 11, 1846
Peru	Dubuque	Dec. 7, 1836	Michael W. Power	May 28, 1842
Wapello	Louisa	Aug. 15, 1837	C. A. Ballard	
Wyoming changed to Fairport	Muscatine	Feb. 13, 1838 Aug. 29, 1845	John Sherfey	
Davenport	Scott	Feb. 15, 1838	Duncan C. Eldridge	
Cedarville	Muscatine	March 24, 1838	John Conklin	Mar. 4, 1840
Clarks Ferry changed to Glendale changed to West Buffalo changed to Buffalo	Scott	April 12, 1838 June 26, 1839 Oct. 4, 1841 July 15, 1857	Mather N. Bosworth	
Burlington	Des Moines	May 21, 1838	Enos Lowe	
Geneva	Muscatine	July 5, 1838	Amos Walton	June 22, 1841
New London	Henry	July 5, 1838	John H. Kinkade	
Deventersville	Jackson	July 13, 1838	Wm. H. Vandeventer	July 18, 1840
Mount Pleasant	Henry	Aug. 23, 1838	Alvin Saunders	
West Point	Lee	Sept. 7, 1838	Orrin Dodd	
Benton's Port	Van Buren	Oct. 5, 1838	Seth Richards	
Fort Madison	Lee	Oct. 18, 1838	Johnston I. Phares	
Pleasant Valley	Scott	Oct. 27, 1838	Austin B. Lathrop	
Camanche	Clinton	Dec. 17, 1838	Simeon Gardner	
Salem	Henry	Dec. 22, 1838	Aaron Street, Jr.	
Rock Creek changed to Rochester	Cedar	Jan. 8, 1839 March 20, 1854	Elisha E. Edwards	June 15, 1903
Jefferson changed to Fairfield	Jefferson	March 2, 1839 May 25, 1839	Henry Pitzer	
Napoleon changed to Iowa City	Johnson	March 2, 1839 Nov. 14, 1839	John Gilbert	

<sup>66</sup> Data compiled by Newton D. Mereness from records at Washington, D. C.



Slaughter changed to Washington	Washington	March 2, 1839 Aug. 1, 1839	James Baker	
Trenton	Henry	March 14, 1839	John S. Green	April 30, 1915
Parkhurst changed to Berlin changed to Parkhurst changed to Le Claire	Scott	May 8, 1839 Dec. 23, 1839 Dec. 3, 1845 May 14, 1847	Thomas C. Eads  Jacob Emeigh	
Millerville	Clayton	June 4, 1839	Joseph B. Quigley	
Rome	Henry	June 14, 1839	Joseph Jeffers	
Florence	Louisa	July 5, 1839	John Deihl	Feb. 11, 1846
Sanbornton changed to Hermitage	Clinton	July 17, 1839 Oct. 10, 1839	Joseph D. Denson	July 1, 1840
Montrose	Lee	July 27, 1839	David W. Kilbourne	
Dubuque	Dubuque	Aug. 7, 1839	John King	
West Liberty	Muscatine	Aug. 21, 1839	Wm. A. Clark	
Fredonia reestablished	Louisa	Sept. 11, 1839 Feb. 18, 1860	Truman G. Clark Jacob D. Van Dyke	May 10, 1842
Hickory Grove	Scott	Sept. 11, 1839	Vincent S. Carter	May 16, 1845
New Lexington changed to Bonaparte	Van Buren	Oct. 4, 1839 Jan. 19, 1842	John Cox	
Moscow	Muscatine	Oct. 9, 1839	Wm. I. Hughes	
Pottsville	Washington	Oct. 9, 1839	David Goble	Oct. 6, 1860
Grand View changed to Grandview	Louisa	Oct. 15, 1839 June 20, 1892	Gabriel Walling	
Toolsborough changed to Toolsboro	Louisa	Nov. 9, 1839 Aug. 27, 1892	Elisha Hook	Dec. 31, 1903
Bellevue	Jackson	Nov. 14, 1839	James K. Moss	
Prairie Laporte changed to Jacksonville changed to Garnavillo	Clayton	Dec. 5, 1839 Dec. 12, 1843 May 27, 1846	James McClelland  John Banfill	
Lyons	Clinton	Dec. 6, 1839	Chalkley A. Hoag	
Bloomington changed to Muscatine	Muscatine	Dec. 6, 1839 June 26, 1849	Levi Thornton	Dec. 16, 1843
Tete de Mort	Jackson	Dec. 6, 1839	Daniel Brown	March 24, 1852
Lowaville	Van Buren	Jan. 11, 1840	John D. Baker	

To avoid this extra charge, most persons folded the letter, sealed it, and then wrote the address on the outside.<sup>67</sup>

Colonel George Davenport was the first postmaster in the vicinity of Davenport, being appointed to the office at Rock Island in 1824. Previous to this time the mails came at intervals which were regulated by the movement of troops and supplies up the Mississippi to Rock Island. This was sometimes but once a year. The nearest post office was 300 miles away at the little town of Atlas near the mouth of the Illinois River. During the next few years the post roads were gradually extended until Quincy became a duly constituted office. From here the mail service was performed by Rev. Peter Williams, a Methodist minister. "Meager as to education, but chuck full of zeal", declared a local writer of Williams, "he faithfully served Uncle Sam and his Divine Master at the same time, delivering his mail and his rousing old backwoods Methodist sermons at the same time. Despite the well-known text upon the subject, he did serve two masters, and did it well."<sup>68</sup> About 1830 the Quincy route was suspended and mail then came from Chicago and Galena by horseback to Rock Island. Davenport held office several years before he was duly sworn in by Judge David Irvin.

According to a local historian, Antoine Le Claire received a commission as first postmaster at Davenport on April 19, 1836. He received his mail from Stephenson (now Rock Island), Illinois, and brought the letters to Davenport in his coat-tails. Le Claire, it is said, received an actual income of seventy-five cents for his first quarter's work.<sup>69</sup>

<sup>67</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), pp. 527, 528.

<sup>68</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 726.

<sup>69</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 727.

It will be seen that this appointment does not agree with that of a compilation made by Dr. N. D. Mereness, who lists Duncan C. Eldridge as the first postmaster. Eldridge received this appointment largely through the influence of George W. Jones of Dubuque. In all probability Le Claire held a position somewhat akin to that of a rural carrier. This will seem to be much the same situation that existed in many of the towns along the Mississippi. Private individuals seem to have taken on the duties in a semi-official way. By horseback, by wagon, by steamboat, indeed often by foot, the mails arrived at their destination with a disconcerting and aggravating irregularity. Since mail could be sent collect and the recipient was not always in a position to pay for a letter, it often behooved the self-appointed postmaster to carry the letter about until such time as he was able to secure the postage due on it.<sup>70</sup>

The little town of Augusta was the first post office in Iowa which still exists. It was officially created as Gibson's Ferry on April 19, 1836, but the name was changed on September 22, 1837. Wapello, established on August 15, 1837, is the oldest post office in Iowa that has not changed its name. A list of the post offices officially established in Iowa down to January, 1840, is given on pages 34 and 35.

#### EARLY HOMES IN IOWA

The designation of the first home built in Iowa is as difficult as naming the first settler. Many of these early habitations<sup>71</sup> were only temporary in character, the settler usually planning on erecting a real cabin as soon as possible. Moreover some account must be taken of the first frame and

<sup>70</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 727; *The Iowa News* (Dubuque), September 30, 1837. Compare the account given in this source with the compilation of Newton D. Mereness.

<sup>71</sup> Sharp's *Early Cabins in Iowa* in *The Palimpsest*, Vol. II, p. 16, contains an excellent short description of pioneer cabins.

brick homes for these were certainly more permanent in character and were the object of comment by travelers.

The cabins of Julien Dubuque, Basil Giard, and Louis Honoré Tesson were erected during the Spanish land grant period. The log cabin which Dr. Samuel C. Muir erected in 1820 at Puck-e-she-tuck no doubt provided a welcome shelter for him and his Indian bride, although a good description of it is unavailable. This cabin must have had the elements of permanence for Isaac R. Campbell moved into it in March, 1831, after spending the first year in Iowa at Dr. Galland's settlement at Ah-wi-pe-tuck. Early in the spring of 1828 Moses Stillwell moved across the river with his family and occupied one of two cabins he had built during the previous winter. It is quite probable that Stillwell constructed creditable buildings since he was a carpenter by trade and a steamboat agent by appointment.<sup>72</sup>

Following the death of Julien Dubuque in 1810 the Indians burned his cabin and would allow no one else to occupy his possessions. It is doubtful whether another white man slept in the vicinity of the Fox Indian village until 1830 when Edward Langworthy and a companion were permitted a night's shelter in a rude wigwam on Catfish Creek. Temporary shacks were erected by the miners during the summer of 1830 when the Fox Indians deserted their village, but a month later the troops arrived and destroyed all the shacks which they themselves did not occupy.<sup>73</sup>

It would be impossible to select as the first house any of the rude huts erected on the island opposite Dubuque during that memorable winter of 1832-1833. Nor would it be

<sup>72</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 166, 167, 328-333.

<sup>73</sup> Langworthy's *Dubuque: Its History, Mines, Indian Legends, Etc.* (Dubuque, 1855), pp. 12-24; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 335-342.

possible to credit as the first any one of the scores of homes erected during the fall of 1833. Only one pioneer house, known as the Newman cabin, remains as a memorial to frontier days at Dubuque's Mines. Such names as Hosea T. Camp, Thomas McCraney, and the Langworthy brothers, however, should be remembered as among the first to erect cabins in the lead mining region of Iowa.<sup>74</sup>

The name of Simpson S. White is associated with the building of the first cabin in Burlington. Though confronted by the blackened ruins of his first home which had been destroyed by the troops early in February, White commenced the erection of a second cabin about the middle of May, 1833. It was, so far as known, the only cabin in the process of erection when the land was legally thrown open to settlement and was completed the first week in June.<sup>75</sup>

The historic cabin of Antoine Le Claire is especially interesting to Iowans. One of the provisions of the treaty which closed the Black Hawk War set aside for Antoine Le Claire the section of land on which the treaty was signed, on the express condition that he build a home thereon. This he did, erecting a pretentious house of hewn logs one and one-half stories high with three gables. This preceded the beginnings of the city of Davenport.<sup>76</sup>

It was the frame and brick buildings, however, that became the particular object of notice for travelers through the region. Indeed a community's growth and progress was often measured by the number of frame and brick houses it had erected or under construction. The memoirs

<sup>74</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 344. A picture of the Newman home was printed in the photogravure section of *The Des Moines Register*, December 29, 1929.

<sup>75</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), pp. 469, 470.

<sup>76</sup> Sharp's *Early Cabins in Iowa* in *The Palimpsest*, Vol. II, p. 28; *United States Statutes at Large*, Vol. VII, p. 375.

of early settlers carefully record the appearance of the first frame and brick dwellings as a new page in the history of the community. Early newspaper files also note the construction of such dwellings.

Francis Gehon probably occupied the first frame house in what is now Iowa. It was prepared at Galena during 1833, and set up at Dubuque after his arrival there. Edward and Lucius Langworthy probably built the first two-story frame house in the State on what is now the present corner of Central and Rhomberg avenues in Dubuque.<sup>77</sup>

Arriving at Burlington in January, 1834, John B. Gray had finished a frame house and filled it with merchantable goods by the spring of that year. That same summer two frame houses were built by Lyman Chase for Amzi Doolittle and Simpson S. White.<sup>78</sup> Judge Jacob Cutler bought the first frame house in Fort Madison of John H. Knapp in 1835.<sup>79</sup> The first frame house in Davenport was erected in 1833 on the Watkin's place a little above East Davenport.<sup>80</sup> William Gordon landed at Muscatine on September 28, 1836, and began work on the first frame structure in that district. This building was designed as a hotel and stood for many years.<sup>81</sup>

Brick dwellings commenced to make their appearance shortly after the advent of frame houses. John Johnson built a two-story brick building in Dubuque in 1836. The first brick dwelling house was erected in 1837 by LeRoy

<sup>77</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 353, 382.

<sup>78</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), pp. 473, 476.

<sup>79</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), p. 595.

<sup>80</sup> *Annals of Iowa* (First Series), Vol. III, pp. 463, 464.

<sup>81</sup> *The History of Muscatine County, Iowa* (Western Historical Company, Chicago, 1879), pp. 501, 502.

Jackson. In 1838 James and Edward Langworthy erected two brick dwellings in Dubuque.<sup>82</sup> The first brick dwelling at Burlington was constructed by Judge David Rorer in July, 1836. Shortly afterwards Isaac Leffler built a one-story brick house.<sup>83</sup> It was not until the summer of 1837 that D. C. Eldridge built a brick house in Davenport,<sup>84</sup> and Muscatine could not boast of a brick building until 1839.<sup>85</sup> The first brick yard in what is now Iowa was begun at Davenport by Harvey Leonard in the spring of 1837.<sup>86</sup>

## WHITE WOMEN AND CHILDREN

The first white women in Iowa came with their husbands into the Half-breed Tract. Maria Stillwell, wife of Moses Stillwell, was probably the first white woman to make a permanent residence in Iowa. It will be remembered that Mrs. Stillwell and her husband came to what is now Keokuk in 1828. The following year, Dr. Isaac Galland brought his wife and family from Edgar County, Illinois, and settled at Nashville. In 1830 Isaac Campbell came with his wife, and by the close of that year several families were clustered about Nashville.<sup>87</sup> Two women lay claim to the honor of being the first to settle at Dubuque's Mines. In September of 1832, Hosea T. Camp moved with his family into a log hut on the island adjoining Dubuque. But it is said that

<sup>82</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 382, 386.

<sup>83</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 476.

<sup>84</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 793.

<sup>85</sup> *The History of Muscatine County, Iowa* (Western Historical Company, Chicago, 1879), p. 504.

<sup>86</sup> Barrows's *History of Scott County, Iowa*, in the *Annals of Iowa* (First Series), Vol. I, p. 60.

<sup>87</sup> *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 328-334.

Mrs. Noble F. Dean was rowed over to Dubuque in the fall of 1832, and spent the night in a cabin there.<sup>88</sup>

As the first white men and their families settled in the Half-breed Tract, so, too, the first white children were born in this historic triangular section. On November 22, 1829, the first white child — a girl — was born in Iowa to Moses and Maria Stillwell. She was named Margaret. On February 4, 1830, Dr. Isaac Galland announced, from the door of his little cabin at Ah-wi-pe-tuck to the handful of waiting neighbors, the birth of a daughter, Eleanor.<sup>89</sup> John H. Ludlow, the first white male child born in Iowa, was born at Muscatine, Iowa, on September 30, 1831. He was doubtless the first white child born outside the Half-breed Tract.<sup>90</sup> Mr. and Mrs. Thomas McCraney became the parents of a daughter, Susan Ann, born at Dubuque on January 10, 1833.<sup>91</sup> Late in the same year Mr. and Mrs. Simpson S. White became the parents of the first white child born in Burlington and Des Moines County.<sup>92</sup> These commonplace happenings were momentous events in the lives of the frontiersmen and each addition awakened the community's interest and pride. Even as late as 1836, the birth of a child at Heeb's Bottoms, near Dubuque, was the signal for two hundred miners to march in a body to the home and personally congratulate the mother and child.<sup>93</sup>

<sup>88</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 344.

<sup>89</sup> *Annals of Iowa* (Third Series), Vol. II, pp. 394, 642.

<sup>90</sup> *Annals of Iowa* (Third Series), Vol. II, p. 394.

<sup>91</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 350.

<sup>92</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 474.

<sup>93</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 373.



## MARRIAGES

Since there were no county seats or justices of the peace in Iowa prior to the annexation of the Iowa country to the Territory of Michigan, most of the early marriages of Iowa residents were performed across the Mississippi in Illinois. The itinerant preachers who made transitory visits to Iowa could not perform the ceremony without the necessary legal authority. Sometimes the services were performed at the county seat where the license was procured, but as often it took place on the bank of the Mississippi opposite the Iowa shore.

The first marriage in the vicinity of Dubuque by residents of that settlement occurred at Jordan's Ferry, Illinois,<sup>94</sup> in 1833, when Emily Willoughby became the bride of William Dudley. The license was procured at Galena and the ceremony was performed by Justice Cormack of that city. On August 1, 1833, Jesse P. Farley and Mary P. Johnson were also married by Justice Cormack. It was not until June, 1834, that the first marriage was performed in Dubuque County, when Mary Arnold was united with James McCabe of Galena, at Nicholas Carroll's tavern, just southwest of Peru. Following the benediction the assembled guests danced till dawn to the music of Charles La Pointe's string band.<sup>95</sup>

A similar situation existed at Burlington. In the fall of 1833 William R. Ross and Matilda Morgan became engaged. Mr. Ross then went to Monmouth, Illinois, where he secured a license and engaged Judge Allen to meet the young couple on the east bank of the river opposite Flint Hills to perform the ceremony. On the appointed day, December 3, 1833, Mr. Ross and Miss Morgan embarked on a cumbersome flatboat

<sup>94</sup> Later Dunleith but now known as East Dubuque.

<sup>95</sup> *The History of Dubuque County, Iowa* (Western Historical Company Chicago, 1880), pp. 354, 359.

as a preliminary to their voyage on the sea of matrimony. Landing on the Illinois shore they "plighted their troth" before Judge Allen beneath a friendly sycamore tree.<sup>96</sup> In the years immediately following 1834, it was often more convenient to cross the river to secure a license for this purpose than to journey to a distant county seat, although marriages could be performed in Iowa. John P. Cooper and Jane Pace, two residents of Buffalo Township, were married in Illinois by Justice of the Peace Daniel Edgerton, because Burlington was too far distant.<sup>97</sup>

Sometimes these pioneer marriages were not successful. On one occasion a young woman was influenced by her parents to marry a much older man. History does not narrate whether this was the first marriage of its kind in Iowa, but the incident did lead to the first elopement, which occurred at Dubuque in September, 1835. While her husband rested, lulled to sleep, it is said, by the bewitching strains of "Coming thro' the Rye", the young woman made ready for her departure with a younger man. A local bard has thus best expressed her feelings in a parody on the Scotch ballad:<sup>98</sup>

Every lassie has her laddie;  
Nane they say have I,  
And yet there's one — (I hear his step,  
I'm off, old chap — goodbye.

#### DEATHS

Birth, marriage, death — thus, fate has decreed the way of all flesh, and the frontier played no favorites in the game

<sup>96</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 473; Negus's *The Early History of Iowa in the Annals of Iowa* (First Series), Vol. VII, p. 146.

<sup>97</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), p. 977.

<sup>98</sup> Price's *Dubuque in Early Times* in the *Annals of Iowa* (First Series), Vol. III, pp. 538, 539.

of life. The first white man known to have died in the Iowa country was Sergeant Charles Floyd, a member of the Lewis and Clark expedition, who died near the present site of Sioux City on August 20, 1804. Sergeant Floyd's grave is undoubtedly the first white person's grave known in Iowa.<sup>99</sup> The date of Julien Dubuque's death was March 24, 1810. Asiatic cholera took terrific toll during the Black Hawk War, and later the mining center at Dubuque's Mines had heavy losses. The first in Dubuque County to die of this disease was a man by the name of Fox, who was buried on what is now South Avenue. This was also, without doubt, the first death to take place in what is now Iowa after the land was open to settlement on June 1, 1833. The next was James Frith, a swarthy blacksmith who had his shop on Fourteenth and Bluff streets. A few days later a Mrs. Cullom and her infant were taken by the scourge, and before winter set in fully fifty had died.<sup>100</sup>

Since none of the other communities along the Mississippi grew with the rapidity of Dubuque their losses were not so great. At Burlington, the aged father of William R. Ross, one of the first settlers at Lexington, Kentucky, and a veteran of the Revolutionary War, died in his son's home from chills and fever. This was the first death of a white person in Des Moines County.<sup>101</sup>

#### SCHOOLS

“Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”

<sup>99</sup> Thwaites's *Original Journals of the Lewis and Clark Expedition*, Vol. I, pp. 114, 115.

<sup>100</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 334, 351.

<sup>101</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 475.

This splendid statement in the Ordinance of 1787 may be termed the criterion which future legislators of Iowa embodied in laws relating to education in Iowa, although it referred particularly to the government of the Old Northwest Territory.<sup>102</sup>

In his message to the legislature of the Territory of Michigan, Governor Stevens T. Mason explained the need for township organization similar to that of Michigan to facilitate the establishment of schools. The same policy was pursued by the original Territory of Wisconsin, when, by an act of 1836, it provided that each of the new counties was to constitute a township. Governor Robert Lucas saw the need for the organization of townships when he declared before the Territorial legislature of Iowa at Burlington, on November 12, 1838, that "without proper township regulation it will be extremely difficult, if not impracticable, to establish a regular school system."<sup>103</sup>

It was not, however, the act of a Territorial legislature which provided Iowa with its first school. By the treaty of November 3, 1804, provision was made for the establishment of the first agricultural school in Iowa. True, this school was to be among the Sac and Fox Indians but it represents a link in the chain of events which makes up the history of education in Iowa. William Ewing was appointed as the first teacher among the Indians.<sup>104</sup> It was not until 1830 that the need for a school among the whites became pressing. Then, as in so many other early events in

<sup>102</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, p. 53.

<sup>103</sup> Fuller's *Messages of the Governors of Michigan*, Vol. I, p. 123; *Laws of the Territory of Wisconsin, 1836-1838*, p. 64; *Journal of the House of Representatives, 1838-1839*, pp. 5, 6; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 77.

<sup>104</sup> *United States Statutes at Large*, Vol. VII, pp. 84-87; Salter's *The Eastern Border of Iowa in 1805-6* in the *Iowa Historical Record*, Vol. X, p. 109.

Iowa history, we must turn to the Half-breed Tract for the actual beginnings of education in Iowa.

Almost three years before the Black Hawk Purchase officially opened the Iowa country to settlement the first school was established at Ah-wi-pe-tuck, in the Half-breed Tract. Settlers had followed Dr. Isaac Galland to his settlement at Nashville and by 1830 a typical pioneer community had sprung up, with such prominent families as those of Isaac R. Campbell, James and Samuel Brierly, W. P. Smith, and Abel Galland as the nucleus. These people realized the educational needs of their children and, as in most activities on the Iowa frontier, private initiative took the place of governmental activity.

The first school teacher in Iowa was Berryman Jennings. Born in Kentucky on June 16, 1807, he established himself at Commerce, Illinois, when he was only twenty years old. Three years later Dr. Isaac Galland invited him over to his new settlement to teach a school for three months. Jennings received lodging, fuel, furniture, and board at the Galland home as compensation, as well as the privilege of using the doctor's medical books. The school was opened early in October, 1830. Two months later, in December, 1830, I. K. Robinson began to teach the second school in Iowa at Keokuk.<sup>105</sup>

According to Jennings the first schoolhouse in Iowa, like all other buildings in that new country, was a log cabin "built of round logs, or poles, notched close and mudded for comfort, logs cut out for doors and windows, and also for fire-places. The jamb back of the fire-places was of packed dry dirt, the chimney topped out with sticks and mud. This cabin like all others of that day was covered with clapboards. This was to economize time and nails, which were

<sup>105</sup> Grahame's *The First Iowa School in The Palimpsest*, Vol. V, pp. 401-407.

scarce and far between. There were no stoves in those days, and the fire-place was used for cooking as well as for comfort."<sup>106</sup>

The cabin was situated in a clearing on the banks of the Mississippi River at the head of the Des Moines Rapids. A small creek found its way through the line of timber clad hills which closely hemmed in the little settlement and helped to fence the schoolyard.

Simplicity marked the equipment of Iowa's pioneer school. The furniture consisted of benches made of long pieces of puncheon, with sticks inserted into slanting auger holes for legs. There were few books, while globes and maps were unheard of. Crude make-shift desks "fastened against the wall under the windows" afforded those "interested in learning the art of writing" an opportunity to stand up and practice. Reading, writing, and arithmetic probably constituted the curriculum. There were no educational "fads" in those days.

Prior to June 1, 1833, no schools were taught outside the Half-breed Tract. After that date, however, the influx of settlers was so great that the demand for schools and teachers became greater with each succeeding year. Over forty schools had been established in Iowa by the time the Territory was created in 1838.<sup>107</sup>

The erection of the first schoolhouse in Dubuque was begun in November, 1833, and completed in December of the same year. The first teacher was George Cabbage, a resident of Wisconsin. On one occasion during the Black Hawk War, Cabbage and Henry Gratiot were captured by the Indians. Both men were bald, and it is said that the Indians

<sup>106</sup> Parvin's *The Early Schools and Teachers of Iowa* in the *Annals of Iowa* (Third Series), Vol. III, p. 448.

<sup>107</sup> Parvin's *Early Schools in Iowa* in the *Annals of Iowa* (Second Series), Vol. III, pp. 3-16.

were so disgusted with their prisoners that they sold them to a trader for a plug of tobacco apiece.<sup>108</sup> Thus, it would seem that the "noble redman" placed even less value on a pedagogue than many of the pioneer communities. At this time Barrett Whittemore also taught school during the week in the first Methodist church in Dubuque. In 1836, Mrs. Louisa King opened a school for young ladies in Dubuque which lasted until 1839. Her daughter, Louisa F. King, assisted her as a member of the teaching staff. In 1839, Miss King became instructor in modern languages in the first classical school in Iowa, Thomas H. Benton, Jr., being in charge.<sup>109</sup>

#### CHURCHES

The erection of the first church in Iowa is authenticated by concrete documentary evidence. Prior to its erection, small groups of people had gathered in private dwellings to listen to the exhortations of traveling preachers or priests of various denominations. The Reverend Aratus Kent preached the first sermon ever delivered in Dubuque on the second Sunday in August, 1833. The services took place in an unfurnished log cabin put up by Ezekiel Lockwood on Locust Street, and was doubtless the first of its kind in Iowa. The first Roman Catholic service was held at Dubuque in the cabin of a Mrs. Brophy during the summer of 1833 by Father Quickenbaum of the Jesuit College at St. Louis. On April 24, 1834, John Johnson presided over the first prayer meeting in the county. A week later Reverend Aratus Kent preached in a log cabin erected by Noble F. Dean and occupied by Warner Lewis and family. The first

<sup>108</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 353.

<sup>109</sup> *Iowa Historical Record*, Vol. VI, p. 442; *Annals of Iowa* (Second Series), Vol. III, pp. 8-10.

Methodist Society in Dubuque was organized on May 18, 1834, by Reverend Barton Randle.<sup>110</sup>

By this time Reverend Randle had become tired of preaching "anywhere" and decided to erect a meeting house of his own. The original subscription paper for this humble structure reads as follows:

Subscription for a Chapel for the Methodist Episcopal Church, in the Town of Dubuque.

Plan of the house.— To be built of hewn logs; 20 by 26 feet in the clear; one story, 10 feet high; lower & upper floors; shingled roof; pointed with lime & sand; one batten door; four 20 light & one 12 light windows— cost estimated for completing in good plain style \$255.00. The above house is built for the use of the Methodist Episcopal Church— but when not occupied by said Church, shall be open for Divine service by other Christian Denominations; and may be used for a common school, at the discretion of the Trustees. Woodbury Massey, John Johnson, Wm. Hillery, Marcus Atchison, and Orin Smith are the board of trustees, who are authorized to receive subscriptions and control the interests of said house, for the uses above mentioned.<sup>111</sup>

Seventy donors contributed to this historic edifice, their subscriptions ranging from \$25 by Woodbury Massey to 12½ cents by Caroline Brady. A study of the names reveals the cosmopolitan character of Dubuque's population. Dutch, French, Irish, German, Americans,— even negroes who were or had been slaves — contributed their "mite" to the beginnings of a spiritual life in the little frontier community. Among the donors on the subscription list are those of Woodbury Massey, Warner Lewis, Ezekiel Lock-

<sup>110</sup> *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), pp. 354-356; Oldt's *History of Dubuque County, Iowa*, p. 871; Gallaher's *The First Church in Iowa in The Palimpsest*, Vol. VII, pp. 1-10; Parvin's *Early Schools in Iowa in the Annals of Iowa* (Second Series), Vol. III, pp. 8, 9.

<sup>111</sup> The original of this subscription list is preserved in the library of the State Historical Society of Iowa at Iowa City.



wood, L. H. Langworthy, Milo H. Prentice, and Eliphalet Price, men who later became leaders in the community.

Five men and seven women made up the membership of this, the first church in Iowa. They were John Johnson, Susan Johnson, Woodbury Massey, Susan Massey, Robert Bell, William Hillery, Susan A. Dean, Abigail Wilder, Mary Ann Jordan, Patrick Smith, Frances Anderson, and Charlotte Morgan, a colored woman.

The first Methodist quarterly meeting in Iowa was held in this log building on August 23, 1834. Changes in ministers were frequent. Five preachers — Barton Randle, Nicholas S. Bastion, Wellington Weigley, Garrett G. Worthington, and I. I. Stewart — faithfully served their flock before a new and larger structure was erected in 1840. During this time the structure had been used as a place of worship for various denominations, served several terms of court under the jurisdiction of Michigan Territory, acted as a schoolhouse, held the meeting to consider the incorporation of the town of Dubuque — in a word functioned as a center of religion, education, and law.

On August 15, 1835, the cornerstone of the first Catholic church in Iowa was laid at Dubuque and in 1836 the completed structure was dedicated as St. Raffael's Church. The edifice was of stone, 40x79, and completed at a cost of \$3000.<sup>112</sup> The cornerstone for the first Presbyterian church was laid on July 18, 1836.<sup>113</sup> When the Territory of Iowa was created in 1838, churches of various denominations were sprinkled along the Mississippi from the Half-breed Tract to Dubuque, attesting the growth of communities and the character of the people who resided therein.

<sup>112</sup> Kempker's *The First Priests in Iowa* in the *Iowa Historical Record*, Vol. IV, pp. 17-21; Parish's *Father Mazzuchelli* in *The Palimpsest*, Vol. I, pp. 101-110; Oldt's *History of Dubuque County, Iowa*, p. 871; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 603.

<sup>113</sup> Oldt's *History of Dubuque County, Iowa*, pp. 434, 435.

Just as the rough structure of an early Dubuque church met the varied demands of the community, so also did similar humble edifices throughout pioneer Iowa. When the Territorial legislature met at Burlington, the Old Zion church served as a temporary meeting place.<sup>114</sup> The pioneer churches erected during the Territorial period were also important because of the part they played in serving the needs of the community as schoolhouses — during the week — at a time when no provisions existed for the establishment of schools. William R. Ross, for example, built a cabin for religious and school purposes at Burlington during the fall of 1833.<sup>115</sup>

#### NEWSPAPERS

The settlement around the Dubuque lead mines had experienced a phenomenal growth during the first few years of its existence. Cabins had sprung up like mushrooms from Catfish Creek to Eagle Point. Saloons, a bakery, shops and stores of various descriptions, hotels and taverns, even churches, lined its narrow streets while several frame and brick houses were the object of genuine civic pride. One thing was lacking, however. This was a newspaper. Almost three years had passed since the land had been opened to settlement and still no one had ventured to bring a press into Iowa.

Seeing the need for a newspaper John King, a resident of Ohio who had spent the past year in the mining district, returned to his native State and purchased a Washington hand press, manufactured in Cincinnati by Charles Mallet. Then he hired two assistants. One was William Cary Jones, a Whig, who was to assist King in editing the paper.

<sup>114</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 393.

<sup>115</sup> *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), p. 473.

The other man, Andrew Keesecker, was a typesetter and a Democrat. A two-story cabin was secured to house their press and the three men worked quickly on the first issue. On May 11, 1836, *The Dubuque Visitor* made its initial appearance, bearing the heading, "Dubuque Lead Mines, Wisconsin Territory", although the Territory of Wisconsin had not yet been organized.

*The Dubuque Visitor* was neutral in politics and bore the motto "Truth our Guide; the Public Good our Aim". Six months after its first appearance King sold the paper to W. W. Chapman who in turn disposed of it to William H. Turner. In April, 1837, it was again sold, this time to W. W. Coriell, John King, and John B. Russell. In May of 1837, at the end of the first volume, the name was changed to *The Iowa News*, and the paper then became Democratic in policy.

A romantic history clings to this first Iowa press. After six years of service at Dubuque it was removed to Lancaster, Wisconsin, where H. A. Wiltse used it in printing the *Grant County Herald*. In 1849, J. N. Goodhue took it to St. Paul to print the *Minnesota Pioneer*, the first newspaper in Minnesota Territory. Historians differ as to the final disposition of the press. According to one it was carried across the prairie in 1858 to Sioux Falls where it printed the *Dakota Democrat*, the first newspaper in Dakota Territory. Others contend that it remained in Minnesota and now forms a valuable part of the museum of the Minnesota Historical Society.<sup>116</sup>

The second newspaper in Iowa was *The Western Adventurer* published by Dr. Isaac Galland at Montrose. The

<sup>116</sup> Parish's *Three Men and a Press in The Palimpsest*, Vol. I, pp. 56-60; *The History of Dubuque County, Iowa* (Western Historical Company, Chicago, 1880), p. 584. Mott's *Early Iowa Newspapers in the Annals of Iowa* (Third Series), Vol. XVI, pp. 161-233, gives a fairly comprehensive survey of the early newspapers of Iowa.

first issue appeared on June 28, 1837. Lack of support caused its suspension and the press was then sold to James G. Edwards who began publishing the *Fort Madison Patriot* on March 24, 1838.<sup>117</sup>

Originally established in Grant County, Wisconsin, as the *Belmont Gazette*, the third newspaper in Iowa was moved to Burlington in July, 1837, by James Clarke (later the third Territorial Governor) who renamed it the *Wisconsin Territorial Gazette and Burlington Advertiser*. This paper continues to this day, through various changes in names, as the *Burlington Gazette*.<sup>118</sup>

At Davenport on August 5, 1838, appeared the first issue of the *Iowa Sun and Davenport and Rock Island News*, with Andrew Logan as editor. This paper enjoyed only a few years of life.<sup>119</sup>

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<sup>117</sup> Fulton's *Early Journalism in Iowa* in the *Annals of Iowa* (Second Series), Vol. II, pp. 100, 101; *The History of Lee County, Iowa* (Western Historical Company, Chicago, 1879), pp. 531, 532.

<sup>118</sup> Salter's *James Clarke* in the *Iowa Historical Record*, Vol. IV, pp. 2-6; *The History of Des Moines County, Iowa* (Western Historical Company, Chicago, 1879), pp. 413, 414.

<sup>119</sup> *History of Scott County, Iowa* (Inter-State Publishing Co., Chicago, 1882), pp. 573-575.