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## A Career of Energy

From the point of view that history consists entirely of the ideas and activities of great men, the name of William Penn Clarke would not figure prominently. He did not lead armies, or govern a State, or occupy any other high position which, in the not-far-distant past, would have been regarded as essential if he were to secure a place in the pages of history. But as a matter of fact much of history has been made by inconspicuous persons and even by the mass of the people. According to de Tocqueville, when "the historian of aristocratic ages surveys the theater of the world, he at once perceives a very small number of prominent actors, who manage the piece. These great personages, who occupy the front of the stage, arrest attention, and fix it on themselves; and whilst the historian is bent on penetrating the secret motives which make these persons speak and act, the others escape his memory." In a

democratic age, however, the importance of every individual is recognized, and history like everything else is democratized. It is therefore quite fitting and proper that the biographies of such men as William Penn Clarke should be given a place in the history of Iowa.

For almost a quarter of a century he was a resident of Iowa City and during that period his career was one of remarkable energy. An unusually successful lawyer, with a large and lucrative practice, he found time to engage in many other activities of a humanitarian or civic character. He was early interested in the movement to abolish capital punishment and in the late forties he served as secretary of the "Iowa Anti-Capital Punishment and Prison Discipline Society". From 1855 to 1860, he was a trustee and treasurer of the State Institution for the Deaf and Dumb, located at Iowa City. He also served as an alderman of Iowa City, being a member of the first council elected after the city was granted a charter by the General Assembly on January 24, 1853. As an alderman, and later in his career, he was active in promoting the building of railroads and especially in securing a line to Iowa City. He was a member of the first board of curators of the State Historical Society in 1857, and in 1867 he was president of the Society.

The activities mentioned give some indication of the varied career of William Penn Clarke, but they are of minor interest as compared with his work as

a politician, as Supreme Court Reporter, as a leader in the framing of the State Constitution, and as a friend of free Kansas and "conductor" on the "underground railroad".

William Penn Clarke lived a long life, covering a span of eighty-six years, but his career outside of Iowa is of no particular interest. He was born in Baltimore, Maryland, on October 1, 1817. When about ten years old, he moved to Gettysburg, Pennsylvania, where he spent a three years' apprenticeship learning the printing trade. Then he followed his trade at Washington, D. C., until 1838, when he went to live in Cincinnati. There he formed a partnership and began publishing a small newspaper, *The Daily News*. Later he was editor of the *Logan Gazette*, published at Logan, Ohio.

Attracted by the opportunities which Iowa seemed to offer, Clarke, late in 1844, emigrated to Iowa City, where he continued in newspaper work. He was first connected with *The Iowa Standard*, writing a series of special articles in opposition to the ratification of the Constitution of 1844. When A. P. Wood became the publisher of the *Standard* early in 1845, Clarke was selected as the editor, a position which he held for about a year.

In Ohio, Clarke had been attached to the Whig party, and when he came to Iowa he naturally affiliated himself with the Whig cause. So well did he serve the party through his connection with *The Iowa Standard*, that he quickly earned for himself a

place in the Whig Territorial organization. In June, 1845, he was appointed a member of the Whig central committee, and in the following year he was the unsuccessful Whig candidate for the Territorial Council to represent Muscatine, Johnson, and Iowa counties. During this early period in Iowa, he became well acquainted with Governor John Chambers, R. P. Lowe, and other prominent politicians.

Clarke was an ardent opponent of the extension of slave territory, so it was not surprising that he should desert the Whig party and cast his lot with the Free Soilers. In three elections he was on the Free Soil ticket as a candidate for office: in 1848, for Presidential Elector, in 1850, for Governor, and in 1852, for Congressman; but on none of these occasions did he poll a large vote.

After the decline of the Free Soil party, he was for a time a member of the American or "Know-Nothing" party. He lent his influence to promoting a fusion of the "Know-Nothings" with the Republicans, which was practically completed when the Republican party of Iowa was formally organized by the convention which met at Iowa City on February 22, 1856. His interest in the Republican party at that time is shown by the fact that on the very day that the Iowa Republican convention was being held, he was in Pittsburgh, Pennsylvania, acting as one of the secretaries of the preliminary Republican national convention.

At first he held no official position in the Republi-

can organization of Iowa, but by 1857, he had become a member of the State central committee, the other members of which were Samuel J. Kirkwood, Henry O'Connor, George D. Woodin, and Hiram Price. On several occasions, Clarke sought further political preferment at the hands of the Republican party. In 1858, he was a candidate for the office of United States Senator, but was defeated by James W. Grimes. Again, in 1859, he was put forward as a candidate for the Republican nomination to a place on the State Supreme Court bench, but was defeated in the State convention held at Des Moines on June 22, 1859.

Considering his prominence in Republican party circles and his activity in promoting the cause of his party, it is rather surprising that Clarke was never elected to a high office. An explanation may be found, however, in his positive personality. He was an outspoken individual who never hesitated to express himself, regardless of the feelings of others. Another explanation of his failure to attain greater political success may be found in his aristocratic tendencies. Indeed, on one occasion, he was denounced by an opposition newspaper as a "codfish aristocrat". Furthermore, he was an intense partisan who put himself heart and soul into the cause he was advocating. Such a man could not avoid making bitter enemies, who would, and evidently did, successfully exert themselves to keep him out of power.

In spite of his lack of success in attaining an

elective office, Clarke was loyal to his party and took an active part in the various campaigns. He was a ready speaker and was always much in demand to address political rallies in Iowa City and vicinity.

At the Johnson County Republican convention held at the courthouse in Iowa City on the last day of the year, 1859, he was chosen a delegate to attend the State convention in Des Moines. There, on January 18, 1860, he was selected as the chairman of the Iowa delegation to attend the Republican national convention at Chicago. Favoring the nomination of William H. Seward for President, he cast his vote for him on all three ballots.

In connection with the first ballot, an anecdote was related by Charles C. Nourse, one of the delegates. While ordinarily Clarke was a fluent speaker, it seems that under the stress of excitement he spoke with difficulty. When he arose to announce the Iowa vote he could not utter a word, greatly to the astonishment of those who did not know him well. His embarrassment was finally relieved when another member of the delegation answered the roll call.

While actively participating in politics, William Penn Clarke was enjoying a lucrative law practice. Early in 1846 he had been admitted to the bar, and within a few years had gained a wide reputation as a lawyer. He was an unusually successful practitioner before the State Supreme Court, as is indicated by the fact that between 1850 and 1865 his

name appears in connection with one hundred and thirty-one cases brought before that court. Most of these cases he won.

During his law practice in Iowa City, Clarke was a party in three partnerships — with John C. Henley from 1856 to 1859, with Theo. M. Davis from 1860 to 1865, and with William C. Gaston from 1866 to 1867. Also during that period Clarke trained several young men in the law, notably William P. Hepburn, later an Iowa Congressman, and Samuel H. Fairall, who became a prominent judge.

Though he was involved in many cases both of a criminal and civil nature, two cases stand out with special prominence. In 1858 and 1859, he acted as special prosecuting attorney for the State in the notorious Boyd Wilkinson lynching case, in which some of the prominent pioneers of Johnson County were involved. The trials of the fifteen men indicted for the alleged murder were among the most bitterly fought in Iowa history, and without doubt occasioned more excitement than any other criminal case in the history of Johnson County. Clarke's part in these trials made some bitter enemies whose animosity was not softened by the passage of time.

One of the most interesting civil cases in which Clarke participated was the contest over the location of the county seat in Marshall County. With H. C. Henderson and W. P. Hepburn, Clarke represented Marshall (now Marshalltown) in the legal battle waged against Marietta where the seat of

justice was first located. The fight was ultimately carried to the State Supreme Court and Marshalltown won.

Closely related to Clarke's profession as a lawyer was his position as Supreme Court Reporter, which he held from the June term in 1855 to the June term in 1859, inclusive. During his régime as Reporter, eight volumes of opinions were issued, as compared with five volumes in all the previous history of Iowa. The *Reports* which he published were very creditable and won deserved praise from the legal profession. For the first time the title *Iowa Reports* was applied to the volumes by Clarke, a precedent which has been followed since, the volumes being numbered consecutively. Another improvement was the publication of the decisions in the order in which the opinions were filed, accompanied by the date of opinion. Taken altogether Clarke's work as Reporter was praiseworthy and his eight volumes of *Reports* exist to-day as a permanent monument to his efficiency and industry.

William Penn Clarke undoubtedly rendered his outstanding service to Iowa as a member of the Convention of 1857 which framed the present Constitution of Iowa. He was a leader in debate and far surpassed any other delegate in the Convention in the amount of committee work that he performed. Many of his suggestions were incorporated in the completed document, though other provisions which he desired were rejected. The Constitution of Iowa



which has endured for nearly three-quarters of a century with only six amendments is a fitting memorial to the remarkable foresight of the framers.

Another interesting phase of William Penn Clarke's life was his connection with the movement to make Kansas a free State and his association with such men as James H. Lane, J. B. Grinnell, and John Brown in the conduct of the "underground railroad", whereby negro slaves were transported to Canada. He was chairman of the Kansas Central Committee of Iowa, which included in its membership Dr. Jesse Bowen, H. D. Downey, C. W. Hobart, John Teesdale, J. N. Jerome, M. L. Morris, L. Allen, and G. D. Woodin. In this capacity he was instrumental in forwarding arms and other supplies, as well as men, to Kansas in the struggle against slavery interests.

It was also largely through his efforts that the National Kansas Aid Convention at Buffalo in July, 1856, adopted the "Lane Trail" as the official route for free-state settlers going to Kansas. This route passed through Iowa City, Sigourney, Oskaloosa, Indianola, Osceola, Sidney, and Quincy, and thence to Topeka, Kansas. As Iowa City was then the western terminus of the Mississippi and Missouri Railroad, it naturally became an important point for the assembling of Kansas-bound emigrants.

Clarke was also concerned with securing freedom for negroes kidnapped by John Brown and others in Missouri and Kansas. As long as John Brown was

active in the West he was aided by J. B. Grinnell at Grinnell and especially by Clarke and Dr. Bowen at Iowa City. After Brown transferred his operations to the East and undertook his ill-fated Harper's Ferry venture, Clarke continued to be closely associated with Grinnell in operating the "underground railroad" until the outbreak of the Civil War.

After Abraham Lincoln assumed the office of President in 1861, Clarke attempted unsuccessfully to secure an appointment as Judge of the Court of Claims. He then sought a commission in the Union army, and early in 1863, mainly through the influence of his friend, Senator James Harlan, he was appointed a paymaster with the rank of major. Promotion to the rank of lieutenant colonel is testimony that his work of disbursing about \$3,000,000 to the soldiers was satisfactory to his superiors.

Early in the spring of 1866 he was mustered out of military service, and for a few months thereafter served as chief clerk in the Department of Interior of which James Harlan was then Secretary. However, as Clarke was a Radical Republican he could not agree with President Andrew Johnson's policies, so he withdrew from the government position and returned to Iowa City in September, 1866.

But he was no longer satisfied to live in Iowa City, and after about a year he returned to Washington, to follow his profession there, specializing in cases before the Court of Claims. From that time until the close of his life there was little in his career to

interest Iowans. The man who had been so energetic in Iowa became merely one of the many lawyers attracted to the national capital, and was soon practically forgotten in his former home. When he died on February 7, 1903, his passing was scarcely noticed by Iowa newspapers. Certainly the reader of the scanty accounts of his death would not have guessed that William Penn Clarke had once played a leading rôle in Iowa history.

ERIK MCKINLEY ERIKSSON