

*A Territorial Centennial Number*  
*Iowa in 1838*

# The **P**ALIMPSEST

FEBRUARY 1938

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JOHN ELY BRIGGS

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### THE PURPOSE OF THIS MAGAZINE

THE PALIMPSEST, issued monthly by the State Historical Society of Iowa, is devoted to the dissemination of Iowa History. Supplementing the other publications of this Society, it aims to present the materials of Iowa History in a form that is attractive and a style that is popular in the best sense—to the end that the story of our Commonwealth may be more widely read and cherished.

BENJ. F. SHAMBAUGH

*Superintendent*

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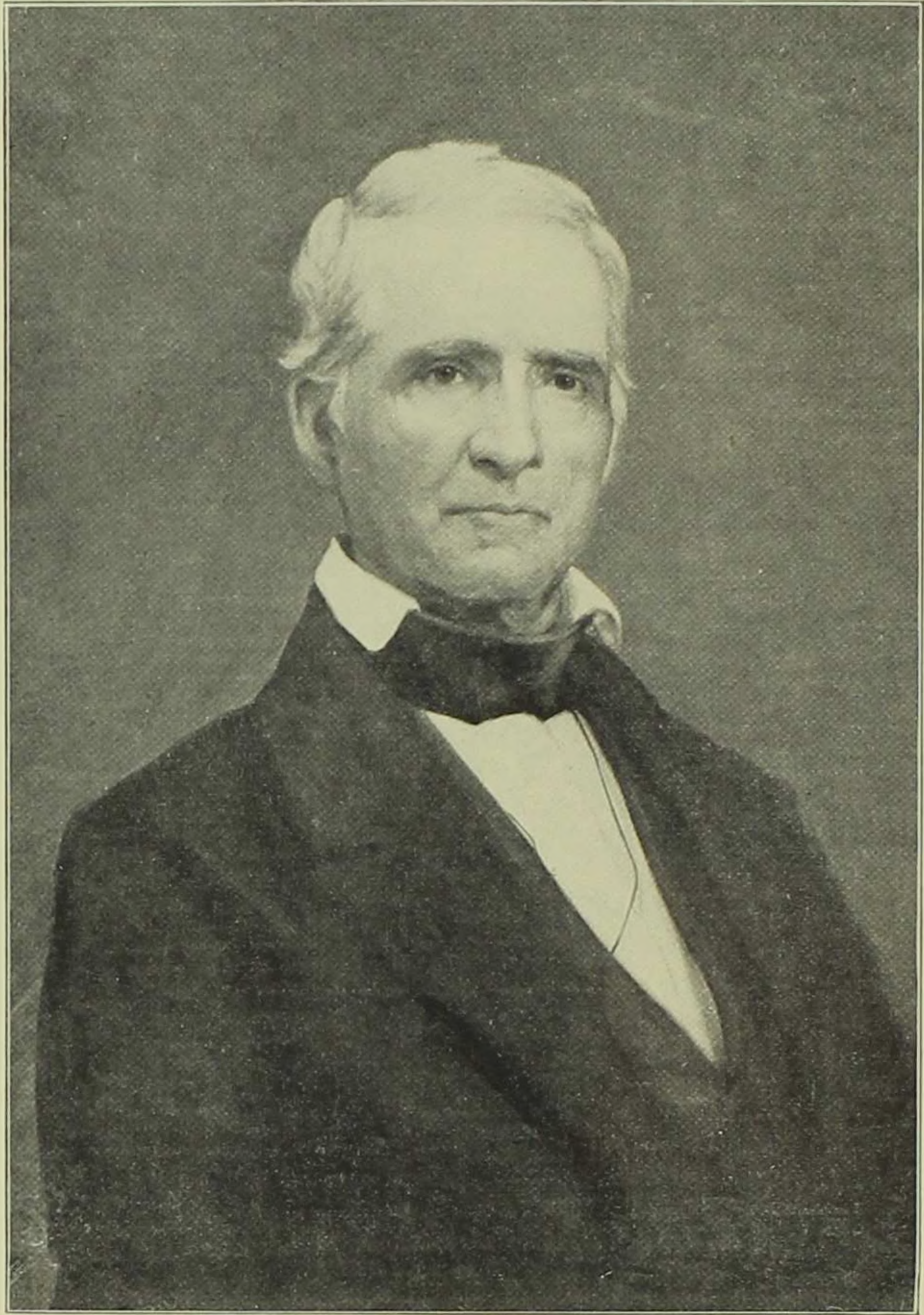
### THE MEANING OF PALIMPSESTS

In early times palimpsests were parchments or other materials from which one or more writings had been erased to give room for later records. But the erasures were not always complete; and so it became the fascinating task of scholars not only to translate the later records but also to reconstruct the original writings by deciphering the dim fragments of letters partly erased and partly covered by subsequent texts.

The history of Iowa may be likened to a palimpsest which holds the records of successive generations. To decipher these records of the past, reconstruct them, and tell the stories which they contain is the task of those who write history.

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HENRY DODGE

# THE PALIMPSEST

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## Henry Dodge

Governor Henry Dodge, declared the *Wisconsin Territorial Gazette and Burlington Advertiser* at the end of the legislative session in January, 1838, is the "very best executive officer this Territory could possibly get". The "old Soldier" had "won golden opinions from all sorts of people". His "practical sense, firmness, courage, knowledge of the frontier character, and of the Indian character" were deemed indispensable for that office, and those qualities he possessed "in an eminent degree."

At Mineral Point soon after the Governor had returned home from Burlington, a public dinner was given in his honor. This was an occasion for acclaiming his achievements as Governor, soldier, and citizen. The secret of his executive success was revealed in the toast: "In having learned to govern himself, he furnishes the strongest evidence of his capacity to govern others."

Henry Dodge was born at Post Vincennes on

October 12, 1782. His father, Israel Dodge, a veteran of the American Revolution, had moved west and married Nancy Ann Hunter, a girl of the Kentucky frontier. As a lad of fourteen, Henry had rescued a woman from the scalping knife of a brawny savage. Fearing revenge from the other Indians, the Dodges fled to Ste. Genevieve, Missouri, where Henry grew to manhood. Fond of hunting and dangerous exploits, he nevertheless worked hard as a youth, assisting his father in the various frontier occupations of lead mining, farming, brewing, and distilling.

In 1800, at the age of eighteen, Henry Dodge married Christina McDonald, a girl of fifteen who lived a few miles west of Saint Louis. She was destined to bear him thirteen children. Five years later he succeeded his father as sheriff of the Ste. Genevieve district and held the office until 1821. Meanwhile he became active in military affairs. He rose to the rank of major-general in the Missouri militia. During the War of 1812 he won renown by leading troops to the relief of the Boone Lick settlement. Lured by reports of fabulous wealth, he left the lead mines of Missouri and migrated to the Upper Mississippi lead region in 1827. In that same year he commanded a force of mounted volunteers in the Winnebago War.

In the Black Hawk War campaign, Henry

Dodge played such a dramatic rôle that he won the approving notice of President Andrew Jackson, who appointed him major of a battalion of mounted rangers, recruited to patrol the frontier of the Upper Mississippi Valley. When this force was replaced by the first regiment of United States dragoons, President Jackson selected him as its colonel. The exploits of these dragoons were unique in American military history. In 1834 Dodge led his men on a gruelling march to the Pawnee Pict villages on the Red River and the following year he campaigned to the Rocky Mountains in Colorado.

George Catlin, who accompanied the expedition to the Pawnee country, declared that only the indefatigable efforts and indomitable courage of Colonel Dodge saved the command in "this most disastrous campaign". The Colonel himself wrote to his friend George Wallace Jones: "Perhaps their never has been in America a campaign that operated More Severely on Men & Horses. The Excessive Heat of the Sun exceeded any thing I ever experienced I marched from Fort Gibson with 500 Men and when I reached the Pawnee Pick Village I had not more than 190 Men fit for duty they were all left behind sick or were attending on the Sick the Heat of the Weather operated Severely on the Dragoon Horses there

was at least 100 Horses that was Killed or Broke down by the excessive Heat of the Weather the Men were taken with fever and I was obliged to Carry Some of my Men in Litters for Several Hundred Miles".

On April 30, 1836, President Andrew Jackson appointed Henry Dodge to the office of Governor of the newly-created Territory of Wisconsin. The position was not entirely unsolicited, for Dodge had written to Territorial Delegate George Wallace Jones in 1835 that the "best energies" of his life had been spent in the mineral region and if his friends and the President wished it he would retire from the army and "Honestly Serve them" to the best of his "Humble Abilities". Loyal friends in Congress and his own high merit were major factors in securing this appointment. The new post gave him an annual income of \$1500 for the Governorship and \$1000 additional salary for serving as Superintendent of Indian Affairs.

That Henry Dodge was a popular Governor was amply attested by the toasts in his honor at the boisterous Fourth of July celebration at Mineral Point in 1836. The same sentiments were echoed at similar occasions throughout the Territory. With his usual energy, Dodge quickly demonstrated that he merited this confidence. He ordered a census to be taken in July and called for

an election of the Legislative Assembly in October. Indian affairs commanded immediate attention. He secured the cession of four million acres of pine land from the Menominee, extinguished the claims of the Sauk and Fox tribes to what is known as the Platte Purchase in western Missouri, and acquired the Keokuk Reserve by a treaty negotiated on the present site of Davenport. When the legislature convened at Belmont in October, 1836, he delivered in person a "brief, clear, and sensible message". Forty-two laws were enacted on a variety of subjects: three banks were incorporated, many provisions for local government were made, construction of roads and bridges was authorized, and new counties were created on both sides of the river.

The Second Legislative Assembly met in Burlington. Governor Dodge outlined work for a busy session in his message: a codification of the laws, settlement of the boundary dispute with Missouri, provision for more jails, establishment of new counties, and many other recommendations. Over one hundred measures were adopted, but the Governor vetoed five bills.

Meanwhile, the movement to divide the Territory of Wisconsin was receiving serious attention in Congress. Governor Dodge was already weary of the rôle of Territorial executive. "I have Had



Offices Enough to Satisfy one man," he wrote George Wallace Jones, "and from my present feelings on that Subject I think I will never be a candidate for Any Public Office after I retire from my present Station". He urged that Jones be made Governor of the new Territory of Iowa.

But Henry Dodge's career was by no means over. He continued as Governor of Wisconsin Territory until 1841, when he was replaced by a Whig. The citizens of the Territory immediately elected him as their Delegate to Congress. There he served until President James K. Polk re-appointed him to the office of Governor of Wisconsin in 1845. Three years later, when Wisconsin was admitted into the Union, he was elected one of the State's first United States Senators. His son, Augustus Caesar Dodge, had served as Delegate to Congress from the Territory of Iowa during the four years his father had represented Wisconsin. In 1848 Augustus was elected one of the first United States Senators from Iowa. Unlike his son, who warmly favored the Kansas-Nebraska Bill, Henry Dodge fought vigorously against this measure. The result was that Henry Dodge was re-elected to the Senate in 1851, while his son went down in bitter defeat.

Henry Dodge was an old man when he retired at the end of his term in 1857. During his long

and active career he had impressed his character upon the frontier. A man of truth, courage, and great personal bravery, he was well qualified for pioneer leadership. While serving as colonel of Missouri militia, he captured a party of Miami. Dodge promised that the Indians would not be injured. But when the gun of a murdered white man was found in the possession of these Indians, Captain Sarshall Cooper threatened in behalf of his company to kill all the Indians unless the murderer was surrendered. The Miami warriors fell upon their knees and prepared for death. Dodge promptly intervened. "At this critical moment, Major Daniel M. Boone came dashing up to Gen. Dodge's side, and said he would stand by him to the last, and he taunted Cooper with the treachery of the act he proposed. Dodge was firm, never taking his eye from Cooper's. Boone presented a determined countenance, as brave men always do when actuated by noble purposes. At length Cooper yielded, and Dodge ordered him to take his place in the line, and march away. He doggedly obeyed, and his men rode by."

Henry Dodge displayed these same qualities in politics. As a chief executive he sometimes supported unpopular measures and vetoed bills fearlessly. As a Senator he adhered to the will of his constituents. When his colleague voted in favor

of slavery in California, Dodge rebuked him by having the clerk read the instructions from the legislature of Wisconsin to her Senators and then firmly voting "Nay".

It was his courage and resourcefulness that won the first decisive victory against Black Hawk's warriors in the Battle of Pecatonica. A small party of Indians, well sheltered by the river bank, were charged upon by Dodge's men. The fight occurred "on a piece of ground not to exceed sixty feet square." Not a single Indian escaped alive. "This little action", wrote Governor Thomas Ford, "will equal any for courage, brilliancy and success, in the whole history of Indian wars."

After enduring the hardships of war and fulfilling the duties of peace for three-quarters of a century, Colonel-Governor-Senator Dodge spent the evening of his life quietly at his old home in Wisconsin and at the home of his son Augustus Caesar in Burlington, Iowa. As an Indian campaigner and Territorial executive he contributed much to the development of the West. It was, however, during the eight years of his Governorship that Henry Dodge reached "the zenith of his career as a public man", in the opinion of Louis Pelzer, his chief biographer. "To this office he brought a record of long and efficient military service, a wide knowledge of frontier civilization, and ideas adapted to

its increasing population and its political progress."

Christina Dodge, his wife and companion for sixty-five years, died at Burlington in 1865. Two years later, on June 19, 1867, Governor Henry Dodge himself answered taps. On his monument overlooking the Mississippi is engraved the simple epitaph: HE SERVED HIS OWN GENERATION BY THE WILL OF GOD. "It is a fitting resting place for the man", writes Professor Pelzer. "The strong and ceaseless flow of the great Mississippi symbolizes his aggressive pioneer spirit. Its turbulent waves from the north reëcho forever the tales of his Indian conflicts and conquests. And in its more peaceful moods it reflects his civil and military career during which he helped to make and to mould two mighty Mississippi Valley Commonwealths."

WILLIAM J. PETERSEN

## Guilty or Not Guilty

On the second day of December, 1837, John Wilson, a ferryman from Stephenson (now Rock Island), Illinois, appeared before David Hendershott, justice of the peace at Burlington (the capital of the Territory of Wisconsin), and made a sworn statement charging a member of the legislature with having solicited and received a bribe and with failure to do what he had agreed to do in return for the bribe. The man accused was Alexander W. McGregor, a lawyer and real estate dealer residing near Davenport, but then in Burlington as a Representative of Dubuque County.

According to Wilson's affidavit, McGregor had asked for his support in the election and promised to assist him in securing a charter for a ferry from Stephenson to Davenport. (Wilson had purchased this ferry from Antoine LeClaire in 1836, but his charter had expired.) After McGregor was elected, Wilson had promised him \$100 if the legislature granted him the desired charter. After giving McGregor a petition with the signatures of several persons, Wilson had left on a trip and did not again see McGregor until the legislature had convened at Burlington.

At that time McGregor told him that a group of Davenport men, including his brother, were interested in establishing a ferry at Davenport and that he felt he should present their petition, but he offered to promote Wilson's charter instead if Wilson would give him \$300. Wilson objected to the amount (apparently not to the bribery), but McGregor insisted and pointed out that Wilson would lose much of the value of his ferry-boats and equipment if he did not get the charter.

After thinking it over and consulting several advisers, Wilson asserted, he gave McGregor his note for \$300 dated November 29th, due in thirty days. Below the note McGregor added the following notation: "The above note is not given in consideration of any account said McGregor may have against me up to this date for professional services, neither on any settlement between him and I; but the accounts shall stand unsettled." At the same time, according to his deposition, Wilson asked for and was given a copy of this note.

This affidavit soon came to the attention of the House — indeed, it was apparently intended for that body. On the following Monday, December 4th, just after McGregor had presented a petition, Representative Charles C. Sholes of Brown County offered a resolution providing for the appointment of a committee to investigate the

charges. Sholes, P. H. Engle of Dubuque County, and W. B. Sheldon of Milwaukee County were appointed on the committee. The members apparently carried on their regular legislative duties during the day and devoted their evenings to the investigation.

On December 5th the committee interviewed John Wilson. His testimony was essentially the same as the statements in the deposition. He told the committee that McGregor had suggested that he (Wilson) join the proposed Davenport company and that they had agreed that Jeremiah Smith should present Wilson's charter in the Council. The affidavit accusing McGregor had been drawn up by W. Henry Starr. Wilson's ire had been aroused, he testified, because he had been informed that McGregor, when asked whether Wilson's charter bill in the Council would harm the one he presented in the House on behalf of the Davenport company, had replied that the Council petition was from an old rascal whom nobody thought anything of.

A number of other witnesses were examined. McGregor was an active participant in the questioning and must have given some explanation on his own part, but no statement by him to this committee was reported. Wilson was represented by W. Henry Starr and James W. Grimes, both

young lawyers in Burlington. Some witnesses asserted that Wilson's reputation for veracity was good, some that it was bad. Some said McGregor was considered trustworthy, others that they would not believe him. Some witnesses had quarreled with Wilson; others were personal enemies of McGregor. Two witnesses — B. W. Clarke and Dr. Reynolds — testified that Wilson had consulted them concerning McGregor's proposition and that they had advised him to accept it.

The members of the committee apparently did not believe whatever explanations McGregor may have made, for the report, submitted on January 2, 1838, was definitely unfavorable to the accused Representative. It did, however, explain that McGregor had asked for delay in order to get in touch with W. H. Eades who was, he claimed, a material witness for his defense. In concluding its report, the committee proposed the following resolutions:

“Resolved, That the conduct of John Wilson, in offering to a member of this house a bribe, for the performance of certain legislative services, is highly reprehensible; and that the said John Wilson be brought before the bar of this house, to be reprimanded by the speaker.

“Resolved, That in the opinion of this house, Alexander W. M'Gregor, a member of this body,



has been guilty of recovering a bribe, in the shape of a note drawn for \$300, from John Wilson, of Stephenson, Illinois, for services to be performed in a legislative capacity, and that, in consequence thereof, the said Alexander W. M'Gregor ought to be, and hereby is expelled from his seat in this house."

This resolution aroused much feeling, and House action on it was postponed from time to time on McGregor's plea that he was unable to locate W. H. Eades, his key witness. In the meantime Wilson published a notice in the Burlington paper in which he printed the wording of the note and the explanatory supplement, and then added: "The public are hereby notified that I shall not pay said note, as it was fraudulently obtained and is without consideration. They are also warned against receiving any note of the above amount; as the stipulation appended to the note may be torn off.

"N. B. the Editors of the Iowa News [Dubuque] and the Backwoodsman [Grafton, Illinois], are requested to give the above one insertion and send their bill to this office."

On the fifteenth of January, McGregor presented to the House a sworn statement of his case. He had, he explained, acted as Wilson's attorney in several matters connected with the ferry previous to his election as Representative. After his

election Wilson had asked him to draw up a petition for a charter, and he had complied, but he had explained to Wilson that he was in favor of giving the charter to Davenport residents. Soon after the legislature convened, Wilson made a business trip to various places along the Mississippi and McGregor asked him to take along some notes and collect what money he could. Among these notes, but inadvertently omitted from the receipt slip, so McGregor declared, was a note for three hundred and some odd dollars given him by a man named Eades. Wilson collected and sent to McGregor by J. W. Parker a little more than eighty dollars on some of the listed notes. On this much McGregor and Wilson agreed.

In addition to this, McGregor swore, Wilson had brought him three hundred and four dollars and some cents which he had collected from Eades and had then asked if he might keep this money for a month. McGregor agreed, gave him the odd four dollars for his trouble, and took his note for the \$300 payable in thirty days. The explanation was added so that this note would not be considered as having been given in payment for his professional services. Later in the day (but not at the time the note was made out and signed) Wilson had asked for and received a copy of this note.

With this explanation McGregor filed an affi-

davit signed by W. H. Eades on January 2, 1838, in which Eades deposed that "sometime about the month of May" (1837) he had given A. W. McGregor a note for "three hundred and four dollars and some cents, payable twelve months after date, which I paid in Saint Louis, Missouri, to a Mr. Wilson, as he called himself, about the last of November, one thousand eight hundred and thirty-seven, and he surrendered my note to me." This affidavit was sworn to before a justice of the peace in Cass County, Illinois, and the clerk of the county commissioner's court of Cass County certified the official status of the justice of the peace. This affidavit gave some support to McGregor's defense, but it was, it must be admitted, a little indefinite, particularly as McGregor seems never to have been able to produce Eades as a witness. He remains throughout a mysterious and shadowy figure in the case.

On the sixteenth of January the House, not satisfied with McGregor's statement and the Eades affidavit, but willing to give the accused Representative every possible opportunity to produce Eades, voted twenty to three to postpone consideration of the charges until the convening of the extra session in June. It decided, however, to take up at once the resolution of censure directed at John Wilson, although it would appear that his

guilt was inextricably connected with the guilt or innocence of McGregor. Wilson was represented by two lawyers, W. Henry Starr and James W. Grimes. The resolution was first amended to read "giving" in place of "offering" a bribe, and the words "according to his own statement on oath" were added.

During the debate, Representative Patrick Quigley of Dubuque emphatically urged that the House go on record in condemnation of Wilson. "Sir", he declared, "if we this day pass over the first opportunity of this nature which our infant Legislature has had of expressing its deep indignation at a crime so baneful, corrupt, and blighting, what injury will we not inflict by our example upon millions yet unborn? To acquit this man we cannot. He is either guilty of bribery or he is guilty of perjury, and at all events he is guilty of contempt." At one point in Quigley's remarks, Starr interrupted him with the blunt statement, "It is false". Quigley was much incensed and Starr was arrested by the sergeant at arms on the charge of "contempt". The House then went on with the discussion. Finally, after much jockeying of votes and motions, the resolution to censure John Wilson was rejected by a vote of 17 to 7.

More discussion then occurred concerning what should be done with Starr, who was technically a

prisoner of the House. He was permitted to speak, explained his hasty remark, and apologized; but Quigley was not mollified. P. H. Engle introduced a resolution that Starr should be fined \$100 and imprisoned for twenty-four hours, but this was rejected and the crestfallen Starr was discharged. Quigley was highly incensed at the refusal of the House to reprimand Wilson for his conduct and to punish Starr for having (in effect) called him a liar, and on the following day he resigned his seat.

This seems to have ended the case of McGregor *vs.* Wilson in the regular session in the winter of 1837-1838. Wilson was, however, granted an exclusive ferry charter for ten years, the bill having originated in the Council and passed the House without a record vote. No explanation for the complaisance of the House in regard to John Wilson's confessed part in the alleged bribery has been found. The resolution of censure was rejected, he was given the charter (for which he asserted he had given McGregor the discredited note) although he was not at the time a resident of Wisconsin Territory, and Quigley asserted in his published explanation of his resignation that the House gave Wilson \$120 for his attendance during the investigation. The official record of such expenditures does not, however, appear in the *House Journal*.

During the interval between the adjournment of the regular session and the convening of the special session, A. W. McGregor resigned his seat in the House of Representatives; and in the election to fill vacancies, Lucius H. Langworthy was chosen in his place. Quigley was again elected to the seat he had resigned. The bribery charge against McGregor was not dropped, however, although he could not be expelled from a seat he had already resigned. On June 20th the House adopted the following resolution:

"Whereas, Alexander W. McGregor, late a member of this House, from the county of Dubuque, was arraigned before the bar of this House, on the affidavit of John Wilson, charging him with having taken a bribe in his official character of legislator: and whereas, the said McGregor plead innocence of the charge, & occupied much of the time of this House in introducing testimony to that effect, none of which was satisfactory: this House postponed a decision upon this case till this session, that the said McGregor might have ample time for his defence, and to prove his innocence: and whereas pending the resolution offered by the committee selected to investigate said charge, said McGregor has resigned his seat in this House: Therefore,

"Resolved, That, in the opinion of this House,

the said Alexander W. McGregor stands charged before this House and the people of this Territory, of the offences of receiving a bribe, extortion and corruption, and is unworthy and undeserving of its confidence."

This resolution was adopted by a twelve to nine vote. Representative Quigley immediately offered a second resolution charging John Wilson with corrupting and bribing A. W. McGregor, a member of the House, but again the House refused to censure Wilson.

This vote is the last record found concerning the bribery episode in the first legislative assembly held on Iowa soil. One hundred years have passed since A. W. McGregor and John Wilson stood arraigned before the bar of the House at Burlington. We can not see these men and their witnesses to judge their characters. We can not know the open and the secret jealousy and rivalry which so often directed the current of official and legislative action. On this incident we have no clue to that elusive public opinion, often unpublished, which explains so many decisions. Why did the House hold McGregor guilty of receiving a bribe but clear Wilson of giving the bribe? Was it a case of "State's evidence"? Most elusive of all is the question, what became of the mysterious W. H. Eades? Was he a non-existent person created to

furnish testimony; or did he die or move beyond the jurisdiction of the Wisconsin legislature? Did McGregor ever attempt to collect the \$300 due on the note? We do not know.

It appears that the majority of the House members felt that McGregor had used coercion to secure the note and that Wilson was more the victim of an unscrupulous official than the originator of the bribe. Yet the fragments of information gleaned from the papers, records, and histories of the next few years do not picture McGregor as a man deprived of the respect of his fellow citizens. Apparently he continued to reside near Davenport until his death about twenty years later. He served as president of the Scott County Agricultural Society in 1840 and his name appears among those of nine men who gave a bond to erect a courthouse and jail free of charge to the county if Davenport were made the county seat. His reputation, however, must have suffered severely from the bribery charge. Whether he was "guilty" or "not guilty" is still an enigma.

RUTH A. GALLAHER



## Twixt Rockingham and Davenport

In the fall of 1837 the Legislative Assembly of the Territory of Wisconsin provided for the establishment of Scott County, and stipulated that the "seat of justice" in the county should be established "either at Davenport or Rockingham" as might be decided by the qualified voters of the county, at an election to be held for that purpose. The law also provided that this election should be held on the third Monday in February, 1838, that polls should be open at H. W. Higgins's hotel in Rockingham, at John H. McGregor's hotel in Davenport, at the home of J. A. Richards, and at the home of E. Parkhurst in the village of Parkhurst (now the town of LeClaire). The returns of the election were to be made and certified to the clerk of the district court of Dubuque County, and, in turn, certified by him to the Governor of the Territory. Persons residing in any county attached to Scott were specifically not authorized to vote.

Pursuant to this statute, the election held in Scott County on February 19th aroused tremendous interest. For weeks before election day, the partisans of Davenport and Rockingham campaigned assiduously. Davenport was located on

the river opposite the west end of Rock Island, while Rockingham was inland about three miles farther west. The advantages to be acquired by the town selected as the seat of justice were of sufficient importance to be worthy of no small sacrifice. Appreciative of this fact, the inhabitants of both pioneer communities entered into the contest with a determination to win. So insistent were they, indeed, that temporary residents were permitted to vote. Ballot boxes were "stuffed", and illegal tactics were employed.

"Monday last was the day specified in the act of the Legislative Council", reported the *Dubuque Iowa News*, "for the people to select Davenport or Rockingham as the seat of justice for Scott County. Great interest was felt by friends of both places, and we are sorry to say that it was so great as to induce men to use the most unfair means for the selection of Davenport. Men were engaged, who employed conveyance and paid the expenses of men from this county [Dubuque] to go down and vote for Davenport. This is barefaced injustice, and should never be countenanced by the Council. The bona fide residents of the county are the ones who should make the selection, and the only selection which ought to be considered legal."

Vigorous editorials and indignant communica-

tions appeared in the press. An extract from a letter from Rockingham, which was evidently intended only for the eyes of the editor, was of sufficient interest to be given a place in the news. The writer commended the editor for having "freely animadverted" upon the manner of conducting the election in Scott County. He believed that "such unwarrantable and illegal proceedings" should be exposed, and expressed a willingness to furnish "all the facts and all the minuti" if such were desired. "More than 200 illegal votes were polled at Davenport, for Davenport", he said, "and 10 for Rockingham, which the judges would not receive at the Rockingham precinct". In the county, he added, "there are 270 votes only — 165 of those voted for Rockingham."

From Davenport came comments expressing quite a different viewpoint. One writer regretted that a judgment had been given before both parties were heard, "because in nine cases out of ten, an opinion made up from the first and *ex parte* report of any matter is an incorrect one." The statement that "*Falsehood* travels faster than *Truth*", he said, "is eminently verified in this case." It had traveled very quickly to Dubuque, and had gone on "in *tandem* haste" to the Governor. The means used by the friends of Davenport, whatever they may have been, were "not unfair". There was "a

majority of 106 for Davenport. The people of Scott County are satisfied. That majority speaks the voice of the county." The writer also declared that several individuals from Rockingham were reported to have gone to the Governor with affidavits seeking to annul the election. Moreover, there were those, he suggested, who thought the friends of Davenport ought also to go to the Governor with affidavits. "I think not", he concluded. "They have too much respect for Gov. Dodge to trouble him with what he may conceive unnecessary, and too much confidence in him to believe he will do anything without giving them a hearing."

As a matter of fact, the results of the election were reported to Governor Dodge according to law. Facts concerning the illegal conduct of the election must also have been presented. Indeed, the stories of corruption and the influence of liquor could scarcely have escaped his attention. On the basis of common knowledge he declared the election void.

Almost twenty years later, when Franc B. Wilkie published *Davenport Past and Present*, he retold the story of the election in vivid detail. "The matter probably began," he said, "by each party counting noses, and a discovery upon one side or the other that there was a deficiency." Which side first became aware of its shortage and resolved to

supply its needs from abroad is not clear. Before the day of election, however, "both parties were engaged in recruiting *legal voters* — Rockingham in Cedar County, and Davenport in Dubuque." It further appears that an individual named Bellows, holding "a *carte blanche*" from seven residents of Davenport who had suddenly discovered that their town was in need of laborers, started to Dubuque "in the capacity of recruiting Sergeant." That Bellows proved himself a most efficient officer is evident from the fact that "a day or two prior to the election he returned with *eleven sleighloads* of miners, who, in consideration of one dollar per diem, food and whisky, and all other expenses, had agreed to *labor* a few days in Davenport, where they had understood there was a scarcity of hands at that particular juncture." The arrival of this motley crew marked the beginning of "a grand carnival". Houses were illuminated, bonfires lighted, processions formed, gunpowder exploded, and whisky served as "men with tumblers in hand, and elbows bent, were everywhere looking skyward."

On the "memorable nineteenth of February" the town was filled with miners — "roaring patriotically drunk". They were Americans who believed that voting is not only a privilege but a "glorious, blood-bought, inalienable right", and so

they voted. "They were the fiercest, raggedest, most God-forsaken crowd under the heavens." To challenge them was useless, for to them perjury was nothing. To attempt forcible resistance was madness. What could the good citizens of Davenport do but let them vote?

The miners voted, and were soon again on their way. It is recorded that during their brief sojourn they drank "three hundred gallons of whisky, and other liquors, and cost those who brought them, for transportation and other expenses, over \$3,000!" Nevertheless, all this was to no purpose, for Governor Dodge annulled the election.

And so the rivalry of Rockingham and Davenport continued and Scott County remained without a seat of government. At the special session of the Legislative Assembly in June, another election was authorized to be held on the first Monday of August "for the purpose of deciding whether the town of Davenport or the town of Rockingham, shall be the seat of justice". Only free white male citizens of legal age and residents of Scott County for sixty days were eligible to vote. Any non-qualified person convicted of participating in the election was subject to a fine of not less than \$100 or more than \$500. The returns were to be counted by the sheriff of Dubuque County in the presence of the county commissioners.

At this election Rockingham seems to have "laid aside all conscientious scruples", and resolved to win by fair means or foul. The struggle was harder than before, and the fraud greater. Non-residents were sworn in as "old settlers", and more votes were cast than the population warranted. All of which, however, seemed to be in strict conformity with the oath taken by some of the judges: that they should "to the best of their ability, see that votes were polled to elect Rockingham the county seat."

When the votes were counted it was found that Rockingham had a majority, but the Dubuque county commissioners took the liberty of "purging the polls" by throwing out a sufficient number of votes to give Davenport a majority of two. Thereupon the Rockingham party applied to the Supreme Court for a writ of mandamus to compel the county commissioners to report the result in favor of Rockingham. The court, however, refused to act for lack of jurisdiction, and thus the contest continued.

At the next session of the legislature another election was ordered. Rockingham eventually withdrew from the contest. Davenport won the final election and erected a courthouse free of cost to the county.

J. A. SWISHER

## A Commonplace Calendar

*A chronicle of ordinary incidents in the lives of folks who lived in Iowa a hundred years ago.*

*Thursday, February 1.* Cold weather continued. The thermometer fell as low as sixteen degrees below zero at Dubuque. § Nevertheless, the mail was coming regularly, and so the settlers west of the river were "once more in the world".

*Friday, February 2.* George Cubbage, the Adjutant General of Wisconsin Territory, ordered the election of regimental officers in each militia district. § The second street "west of, and leading parallel with, the Mississippi River in the Town of Burlington," was named Main Street.

*Saturday, February 3.* William Sawtell and Robert Loderdale, cabinet makers at Augusta, dissolved their partnership by mutual consent. § Tailor George Temple wanted two or three apprentices "between the ages of 14 and 18." § Chauncey Swan made a "fine discovery of lead ore" near Dubuque.

*Sunday, February 4.* The Reverend Aratus Kent preached at the Methodist Church in Dubuque.



*Monday, February 5.* George H. Beeler was elected the first mayor of Burlington under the special charter adopted on January 30th.

*Tuesday, February 6.* The Dubuque Lyceum adopted a resolution suggesting that the "American Corps Editorial" devote more attention to "diffusion of correct information" upon the important subject of the "early development of the FAR, FAIR WEST". § Representative Isaac H. Bronson reported a bill in Congress to establish the Territorial government of Iowa.

*Wednesday, February 7.* The January *Lady's Book* was reported to contain "sprightly articles, plates of fashions, illustrations and music" which would, "undoubtedly, obtain the favor of its fair patrons."

*Thursday, February 8.* The editor of the *Dubuque Iowa News*, who got a "sumptuous piece of the wedding cake", hoped the marital path of Loring Wheeler and Susan Harrison would "be strewn with flowers".

*Saturday, February 10.* Scott, aged 22, a laborer who had come to Fort Madison in the fall, "committed suicide by throwing himself into the Mississippi." § Sheriff G. W. Cummins, by court order, sold at the stable of Henderson Palmer in Belleview: one horse, one set of single harness, one set of double harness, one sleigh, one string of

bells, sixteen bushels of corn, and ten tons of hay.

*Tuesday, February 13.* Representative Thomas Shanley of Iowa County married Melinda Rachael, the daughter of Arthur Inghram, President of the Council. § At Dubuque the temperature went down to twenty-five degrees below zero, but at Burlington the thermometers were "all too short" to measure the cold. Everything was "friz up", including the pockets of newspaper subscribers and the hearts of creditors.

*Friday, February 16.* "Stolen, I expect," advertised John W. Markle, "But missing any how, a small black 'Fiste,' or if that ain't spelt right, a *little dog*, well known by the name of 'TONEY,' with a plain, smooth, honest countenance, dressed in a blue stockinet jacket, decorated with ribbons; but as he took all his clothing with him, it is quite likely he may change his dress."

*Monday, February 19.* A public meeting at the Methodist Church in Dubuque sent a memorial to Congress asking for increased mail facilities. § More votes were cast for Davenport than for Rockingham as the seat of justice in Scott County.

*Tuesday, February 20.* Prominent citizens of Burlington met in the room over Webber & Remey's store and unanimously petitioned Congress for a land grant with which to build a peni-

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