

*A Territorial Centennial Number*  
*Iowa in 1838*

The  
**PALIMPSEST**  
JUNE 1938  
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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*

### 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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# THE PALIMPSEST

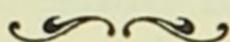
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## The Organic Act

In May, 1838, the Territory of Wisconsin extended from Lake Michigan westward to the Missouri River. The portions of that vast domain which were open for white settlement were rapidly filling with miners, farmers, and merchants. The population in the Black Hawk Purchase had doubled in two years. Congress had been asked to create a new Territory west of the Mississippi River. Not until the second session of the Twenty-fifth Congress was drawing to a close, however, did the measure receive serious attention. Passed by the Senate without debate, the bill to create the Territory of Iowa encountered stubborn opposition in the House of Representatives. Southern Congressmen contended that a new Territory in the North would disturb the "balance of power" to the disadvantage of the South.

Representative Charles Shepard of North Carolina presented the southern viewpoint. By creating the Territory of Iowa, he said, "a fresh rich

field might be opened to those who speculate in public lands, and a batch of new officials created for such as seek Executive favor". Opposed to any policy of westward expansion, he declared that "if the Territory of Iowa be now established, it will soon become a State; if we now cross the Mississippi, under the bountiful patronage of the Government, the cupidity and enterprise of our people will carry the system further, and ere long the Rocky Mountains will be scaled, and the valley of the Columbia be embraced in our dominion. This, then, is the time to pause".

Compensation of the Territorial officers was another subject of controversy. The original measure provided for a salary of \$2000 for the Governor and \$1500 additional for him as the Superintendent of Indian Affairs. An amendment was introduced to reduce these sums to \$1500 and \$1000 respectively. John Quincy Adams said he would always raise his voice against "extravagance" in government, but when the complaint was "merely against the salary of a Territorial Governor, whose jurisdiction extended over a great section of the country, and the effect was to save a thousand dollars" it was not the sort of retrenchment he favored. He did not think the salary proposed in the bill was too large. At length, however, the amendment was accepted.

In the Senate, Clement C. Clay of Alabama moved to extend the term of judges from four years to "good behavior". Senator Ambrose H. Sevier of Arkansas opposed the amendment, and spoke of the inconvenience of having officers for life, who must be continued in office, no matter how unqualified, unless they could be convicted under impeachment, which was an "exceedingly difficult" task. Senator John Norvell of Michigan favored the amendment and sought to clinch the argument by saying that if any defect or inconvenience resulted from the tenure for good behavior, the fault was in the Constitution of the United States, which, he contended, provided that all United States judges should hold office during good behavior. Territorial judges, Senator Norvell thought, were United States judges. "If they are not", he said, "they must be foreign judges, or no judges at all." Despite this argument, however, the amendment was lost.

The form of government was not questioned in Congress, for the organization outlined in the bill followed the traditional structure of Territorial governments. Accordingly, with minor differences reconciled, the House and Senate passed the organic act creating the Territory of Iowa on June 6th and the bill was signed by President Martin Van Buren on June 12, 1838.

The first section of the act provided that "from and after the third day of July next, all that part of the present Territory of Wisconsin which lies west of the Mississippi river, and west of a line drawn due north from the head waters or sources of the Mississippi to the Territorial line, shall, for the purposes of temporary government, be and constitute a separate Territorial Government by the name of Iowa".

After stipulating that nothing in the act should "be construed to inhibit" a further division by the Federal government, the organic act provided that the executive power and authority should be vested in the Governor. He should be appointed by the President of the United States, and hold office for three years, "unless sooner removed by the President". The Governor was required to reside within the Territory, be commander-in-chief of the militia, and perform the duties and receive the emoluments of the Superintendent of Indian Affairs. He could appoint inferior judicial officers, justices of the peace, sheriffs, and militia officers. It was also within his power to grant pardons for offenses against the laws of the Territory, and provisional reprieves for offenses against the laws of the United States.

An interesting innovation appears in the fact that the Governor was something more than the

chief executive. He was also a branch of the legislature. The organic act provided that "the legislative power shall be vested in the Governor and a Legislative Assembly". This arrangement was made effective by the stipulation that the Governor "shall approve of all laws passed by the Legislative Assembly before they shall take effect." Thus he was given the power of absolute veto, without designating the time or manner in which bills were to be approved or rejected.

In order to put the new government in operation, the Governor was directed to fix the time, place, and manner of conducting the first election. For this purpose he could cause a census of the inhabitants to be taken, but this was not necessary because the population had been counted in May. The Governor had the duty of declaring elected those candidates for the legislature who received the largest number of votes cast in each county or district for the seats to be filled. In case of a tie the Governor was directed to call a new election.

There can be no doubt that Congress intended that the Governor should be the real head of the Territorial government. His power of appointment, control of elections, direction of Indian relations, command of the militia, and pardoning power, combined with his extensive legislative authority endowed the first Governor of the Terri-

tory with a "power and prestige not since enjoyed by any Iowa executive — State or Territorial".

The third section of the organic act created the office of Secretary of the Territory, who should reside therein, and hold office for four years, unless sooner removed by the President of the United States. This officer stood next to the Governor in importance. In case of the death, removal, resignation, or necessary absence of the Governor from the Territory, the Secretary was authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or necessary absence, or until another Governor should be appointed to fill the vacancy.

The Legislative Assembly was a representative body organized on the bicameral plan, and composed of a Council and House of Representatives. The Council consisted of thirteen members elected for terms of two years. The House of Representatives consisted of twenty-six members elected for terms of one year. The Legislative Assembly was required to meet annually, but no session could last longer than seventy-five days.

According to the organic act, the law-making power of the Assembly extended to "all rightful subjects of legislation". This appears to be a lavish grant of authority. Just what subjects were

contemplated is not clear, but judging from the Territorial laws that were passed and approved by the Governor, it is manifest that legislative competence included the establishment of local government, the creation of corporations, the protection of private property, the fulfillment of contracts, and the guarantee of personal security. Indeed, the sphere of legislation granted to the Territory was greater than that subsequently possessed by the State.

Legislative authority, however, was not unlimited. Specific prohibitions stipulated that "no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents." A general limitation provided that all laws be submitted to Congress for approval, and if disapproved by Congress they "shall be null and of no effect".

In addition to this there was a very brief bill of rights, which declared that the inhabitants of the Territory should be entitled "to all the rights, privileges and immunities heretofore granted and secured to the Territory of Wisconsin and to its inhabitants". Since the Territory of Wisconsin had been guaranteed the rights set forth in the Ordin-

ance of 1787, this instrument was by implication made a part of the organic act of the Territory of Iowa. Viewed in this larger sense, the organic act guaranteed that no man should "be deprived of his liberty or property, but by the judgment of his peers"; that there should be "neither slavery nor involuntary servitude" in the Territory, except in punishment for crimes; and that "religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

The judicial power of the Territory was "vested in a supreme court, district courts, and probate courts, and in justices of the peace." The Supreme Court consisted of a Chief Justice and two Associate Justices. They were appointed by the President for a period of four years, and were required to hold a term of court annually at the seat of government. The law further provided that the Territory should be divided into three judicial districts, that a district court should be held in each district by one of the judges of the Supreme Court, and that the judges should reside in the district respectively assigned to them.

At the national capital the Territory was represented by a Delegate who was elected by the people for a term of two years. The Delegate was

entitled to a seat in the House of Representatives where he could present memorials and participate in debate, but was not allowed to vote.

Touching the matter of salaries the organic act provided that the Governor should receive \$1500 a year as Governor and \$1000 as Superintendent of Indian Affairs. The Chief Justice and Associate Justices each received an annual salary of \$1500 and the Secretary was paid \$1200 a year. The compensation of members of the General Assembly was fixed at three dollars a day during attendance at the legislative session, and three dollars for each twenty miles traveled in going to and returning from the place of meeting, "by the nearest usually traveled route".

With regard to suffrage, the law provided that every free white male citizen of the United States, above the age of twenty-one years, who was an inhabitant of the Territory at the time of organization, should be entitled to vote at the first election, and be eligible to any elective office within the Territory. Subsequently the qualifications for electors were to be determined by the Legislative Assembly, subject only to the restriction that "the right of suffrage shall be exercised only by citizens of the United States."

As a whole the organic act was simple, direct, comprehensive, and effective. It was in the nature

of a constitution, drafted, however, by Congress, rather than by the residents of the Territory. Although subordinate to the Federal government, the Territory enjoyed a wide sphere of activity. The President of the United States was in theory the head of Territorial administration and exercised extensive appointive power. Notwithstanding this fact there was "a nice balance" between administration on the one hand and legislation on the other — a nice coördination between that which was supervised by the President and that which was controlled directly by the people of the Territory.

J. A. SWISHER

## Religion and Morality

The church was a vital force on the Iowa frontier in 1838. Clergymen had followed in the wake of the first settlers that crossed the Mississippi in 1833. Some were graduates of divinity schools while others got their religion at revival meetings and straightway went out to exhort their brethren to cast out the devil. By 1838 a number of churches had been established in the larger communities, usually with the coöperation of members from many faiths. Pastors of these congregations sought also to spread the Gospel to the scattered settlers. The circuit rider, the camp meeting, and the revival were characteristic of religious zeal a century ago.

Father Samuel Mazzuchelli, who spent much time preaching and administering the sacraments in the newly formed parishes in the Black Hawk Purchase, was amazed at the activity of Protestant ministers. "There is no corner, however remote," he declared, "that a settler has reached, where a minister of some sect has not made his voice heard, extolled the Bible as the sole rule of Faith, directed his enthusiastic prayers to Heaven and of course in one way or another vilified the

Catholic Church. The axe that hews down the first trees and clears the road for the emigrants cannot always boast of first breaking the profound silence of wild nature, for not seldom has it been preceded by the loud and boisterous voice of the religious fanatic."

The little log church erected by the Methodists at Dubuque in 1834 was still a center of religious, social, and political life four years later. William Weigley ministered to seventy-nine white and four colored members. He, like John Crummer at Bellevue, who preached to 139 members in 1838, was under the jurisdiction of the Galena district. The whole Black Hawk Purchase formed a part of the Illinois Conference of the Methodist Church. Such success prompted Mazzuchelli to declare: "The Methodist and Baptist sects which predominate over the most illiterate class, naturally have a greater number of preachers whose eloquence consists in much noisy speaking, in quoting the Bible in every sense that may suit them, in uttering the name of Jesus constantly, in inveighing furiously against sinners without explaining morality, in inviting every one to conversion through simple Faith in the Saviour, in extolling the word of the Gospel, and readily promising Paradise to their hearers."

Methodism was strongly entrenched in southern

Iowa. N. S. Bastion was pastor at Burlington. The adjacent territory was divided into the Mount Pleasant and Fort Madison circuits. Asa D. West, a "fair preacher", although handicapped by "some peculiarities of manner and address", was assigned to the Mount Pleasant circuit, which embraced all the land between the Skunk and Iowa rivers, except Burlington, and reported 192 members in 1838. Daniel G. Cartwright rode the circuit in the Fort Madison region. During the winter of 1837-1838, Cartwright faithfully traveled his circuit and never missed an appointment. "From West Point to Keokuk", Hawkins Taylor related, "there was nothing but a trail, and that, in the winter, was covered with nothing but ice and snow, and few settlers. Yet, rain or snow, he was always on time." Small wonder that Cartwright could report 226 members in his conference returns.

The Iowa River mission was apparently discontinued in 1837 and that area united with the Rockingham circuit to which Norris Hobart had been assigned. Hobart's task was not an easy one. He had to ride over the bleak prairies, and ford or swim the numerous tributaries of the Iowa and Mississippi rivers. For all this exposure and toil he received from his charge that year a total of \$69.03. But there were other compensations:

Hobart saw a class of eight members on the Wap-sinonock grow to 131.

No matter what his faith, the pioneer preacher endured many hardships. "It should be borne in mind that it required a ride of from two to three hundred miles each round, over a new country, destitute of roads, with the streams unbridged, to make all the appointments of a circuit. In that day, all this labor was required, and in most cases actually performed, on a paid salary of from one to two hundred dollars a year." The work of the Methodists yielded abundant fruit: Iowa membership totalled 738 in 1838, an increase of 353 over the previous year.

The Baptists had also entrenched themselves along the rivers and streams in Iowa. As early as October 19, 1834, Elder John Logan preached an evangelistic sermon in the rude hut of Noble Hously. On the following day eleven people organized the Long Creek (now Danville) Baptist Church. Another church was soon founded at Rock Springs, six miles southwest of Burlington. During the year 1838 the Baptists organized a church at Pisgah, twelve miles north of Burlington. The fourth Baptist church in Iowa was the Union Church in Lee County, conveniently located near the Des Moines River. Delegates from the Rock Springs and Pisgah churches met with the

Long Creek church in August of 1838 to organize a district association. The entire membership of these three Baptist churches at that time was less than ninety.

Presbyterians ranged the Black Hawk Purchase from Missouri to the Neutral Ground. The Cumberland branch blazed the trail, founding churches in present-day Allamakee and Des Moines counties before 1838. On June 24, 1837, an Old School Presbyterian church was established at West Point in Lee County. Another of the same bias was organized at Fort Madison in 1838 by Reverend J. A. Clark. The New School Presbyterians organized a church at Burlington on November 23, 1838. Preachers of the New School did most of their pioneering under the auspices of the American Home Missionary Society.

A committee of Friends from Illinois set up the first Monthly Meeting of Quakers in Iowa at Salem according to the following minutes: "Salem Monthly Meeting of Friends, first opened and held in Salem, Henry County, Iowa Territory, on the 8th day of the 10th Month 1838". This same meeting then proceeded to conduct the first regular business of the Society of Friends west of the Mississippi.

The organization of a church at Denmark in 1838 was a memorable event in Congregational

history. Asa Turner and Julius A. Reed examined thirty-two individuals at Denmark as to "their Christian experience, the ground of their hope, and their motives in wishing to constitute themselves a branch of Christ's visible Church." It was a pleasant day, Asa Turner recalled, "and the occasion one of great interest to the little immigrant band. They were the first to unfurl that banner on the west side of the Mississippi which more than two hundred years before their fathers unfurled over the Plymouth Rock; the first to profess those doctrines and embrace that church polity beyond the 'Father of Waters', which has blessed New England from generation to generation. The infant church stood alone on the outskirts of civilization, farther west than any other that bore the family name, cherishing the hope that their doctrines and polity might roll west with the wave of emigration."

Although outnumbered by their Protestant brethren the Roman Catholics had also laid firm foundations in Iowa. "We must not be astonished", Father Mazzuchelli declared in his *Memoirs*, "if everywhere in the New World, we meet so many ministers and so few Priests. This results from different causes; for instance, the greater number of Protestants, and the assistance supplied by their various societies to those who leave

the populous cities for the purpose of exercising the ministry of preaching in the most remote districts of the Republic."

Despite these handicaps the Catholics in Dubuque County already numbered eight hundred in 1837. Father Mazzuchelli was busily engaged completing St. Raphael's Church which he described as "built all of stone in the most solid manner". A beginning had also been made in Davenport where ground was broken for St. Anthony's Church in April, 1838. The first church building in Keokuk was also erected in 1838. It was a frame building known as St. John's Roman Catholic Church.

The privations of the priest were comparable to those of the circuit-riding preacher. "I board in various houses", Mazzuchelli wrote, "for I have no means to pay regular boarding, a bad table now and then. I have now good beds but no furniture. No salary — baptisms and marriages will give enough to buy the clothes".

Even though churches were taking root there were strong evidences of the difficulties that priest and preacher encountered. At Dubuque one who signed his name "Philo" called the attention of readers of the *Iowa News* to the fact that some of his good neighbors were not attending Sabbath preaching as they hitherto had done. "On meet-

ing many of them last week," Philo explained, "I concluded to propound to each one separately a few questions, something like the following: All well at home? Quite well! Quite well! I thought some one of the family might be ill, as you have not been at Church for half a dozen Sundays. Some gave one excuse and some another — here they are. The gentlemen — Oh Sir, I have to look over my drawers ev'ry Sunday — no other time to myself — letters to write — tied to business six days in a week — intend dozing to-day — forgot to shave in time — don't like to hear Mr. ——— preach — reproves people when they go out — says man is wicked — no one to pitch the tune — all pitch at once — don't keep time — Mr. ——— don't pray extempore — have to electioneer."

Philo found the ladies presenting similar excuses. "The Ladies — Could not dress in time — too warm — too dusty — too windy — promised to take a walk — can't breathe in Church where there are so many people — expect company to dinner — New bonnet not come home — Borrowed a novel — no other time to read the Anti-snuff-and-chewing-tobacco Society."

Newspaper editors did all in their power to stimulate an interest in church activities. They announced church services and revivals. Educators very generously opened their schools to religious

meetings of all kinds. On August 4th the *Iowa Territorial Gazette* noted that several elders were expected to attend a "protracted meeting" of the Rock Creek Church at the Rock Spring school-house. Religious services were frequently held in J. P. Stewart's Academy at Burlington. Soon after the school opened, Principal Stewart himself lectured one Sunday on "Universal Salvation". On October 20th, according to the *Gazette*, the Reverend Mr. Frazer of Macomb, Illinois, was expected "to preach at the School Room of Mr. Stewart, this afternoon at 3 o'clock, it being the commencement of a Communion Season, in the 1st Presbyterian Church of Burlington. The school bell will be rung twenty minutes before, and at the hour of meeting."

The influence of religion is attested by the standard of morality that prevailed in the Black Hawk Purchase. Drunkenness was not uncommon, for the frontier attracted many dissolute men. Despite the heterogeneous character of the population and the stimulus of the occasion, no liquor was drunk by the 500 citizens who celebrated the Fourth of July at West Point. The observance of Independence Day at Denmark by eighty pioneers seemed like a temperance meeting. While these communities were composed largely of straight-laced New Englanders, Fort Madison

contained a more cosmopolitan population. Nevertheless, "although wine was placed on the table, not more than two bottles were drunk by a very large company. The majority drank their sentiments in cold water." Even at Dubuque the editor of the *Iowa News* was "pleased to say that the immoral practices of drinking spirits to excess, was unknown" on the Fourth. "We have often said", James G. Edwards declared, "that the morality of the people on the west side of the Mississippi would compare with that of older states. The manner in which the Fourth of July was celebrated, as far as we know any thing about it, bears us out in this position. We have not heard of a single case of drunkenness or fighting that occurred on that day."

Enthusiastic temperance meetings in Dubuque, Burlington, and Fort Madison indicated the attitude of many pioneers on the liquor problem. Judging by the variety and quantity of alcoholic beverages offered for sale, drunkenness must have been common in some communities. Indians particularly were addicted to the use of firewater, and had to be protected by law against unscrupulous traders. On June 22, 1838, Keokuk and Appanoose inserted a notice in the Burlington paper cautioning "any person or persons against purchasing two notes of \$400 dollars each, executed

by James Fowler" because they were "signed by us when intoxicated, and we will not acknowledge or pay them."

Charles Heckman informed readers of the *Burlington Gazette* early in March that his New Exchange Coffee House was in "complete readiness for the accommodation of customers." The saloon was "newly and neatly fitted up in handsome style" and was prepared to serve up the "very best quality" liquors in "Ice Lemonades, Punches, Ju-leps, Cherries, &c &c., or plain, in a style to gratify the most fastidious palate." Perhaps as a challenge to this business, the Reverend P. B. Russell, Agent for the American Temperance Society, delivered a lecture on "Temperance and Reform" at Burlington on April 2nd. He spoke "at early candle-light, at the Methodist meeting room, in the house of Col. W. W. Chapman."

Not long afterward Timothy Turner, agent of the Illinois State Temperance Society, gave a temperance lecture at the Methodist Church in Dubuque. The Iowa Temperance Society had been organized there on March 4th. After speaking at Galena and Prairie du Chien this fiery "Apostle of Temperance" proceeded down the Mississippi to Fort Madison where he spoke in the spacious dining room of Cope's Hotel before the largest crowd ever assembled there. Thirty-seven signed a

pledge to abstain from use of all intoxicating drinks and others later professed a willingness to do so. Largely as a result of this meeting, a temperance society was organized at Fort Madison on April 27, 1838. The fifty charter members who signed the constitution agreed "not to use intoxicating Liquor as a drink, nor provide it as an article of refreshment for their friends". Samuel B. Ayres was elected president, Henry Eno was chosen as vice-president, and the name of Philip Viele appeared among the directors.

While Turner and Russell were crusading in the various Mississippi River towns, D. G. Cartwright was pleading the cause of temperance in the hinterland. He succeeded in forming a large society on the Des Moines River.

The local temperance movement received a stalwart supporter when Robert Lucas became Governor of the Territory of Iowa. In his first message to the legislature, Lucas took a firm stand against both intemperance and gambling. "These two vices", he declared, "may be considered the fountains from which almost every other crime proceeds, as the statistical reports of many of the penitentiaries conclusively show. They have produced more murders, robberies, and individual distress, than all other crimes put together . . . Could you in your wisdom devise ways and means to

check the progress of gambling and intemperance in this Territory, you will perform an act that would immortalize your names and entitle you to the gratitude of posterity." The Governor steadfastly refused to appoint to public office any one addicted to intemperance or gambling.

The legislature responded with important liquor legislation. It granted Davenport and Bloomington power to regulate the sale of ardent spirits; it authorized a heavy fine on any one found guilty of selling spirituous liquors to the Indians; it enabled counties to collect a grocery license of \$100 in incorporated towns and \$50 in other places. A "grocery", according to the meaning of this act, was a place where intoxicating liquor was sold. Venders of unwholesome liquors could be fined not more than \$500 nor less than \$30. Another statute prohibited the sale of liquor within two miles of a worshipping congregation, unless the seller possessed a license and sold in his regular place of business.

The Territorial legislature also passed an act to "prevent and punish gambling" and fixed heavy fines for violators. Meanwhile, local authorities legislated against games of chance: the Burlington council passed an ordinance imposing a fine upon a gambler who should bet "win or lose" any sum of money or valuable thing. In addition there

were ordinances against steamboats discharging freight on Sunday, against playing ball or running foot races on a wager on the Sabbath, and against disturbing the peace.

Though happy marriages were common, domestic bliss was not universal among the pioneers. Men complained of wives who left their "bed and board" and women petitioned for divorces. The Territorial legislature considered many demands for marriage annulment. Sex offenses sometimes appeared on court dockets. On one occasion "a few of the off-scourings of the earth" at Dubuque visited the Indian lodges for "base purposes" and upon meeting resistance inflicted "mortal wounds on an aged squaw".

Crimes of violence shocked the law-abiding pioneers. They were intolerant of horse thieves, claim jumpers, and murderers. Nevertheless, hot tempers led to quarrels that sometimes ended in tragedy. For example, David Rorer shot down his political opponent Cyrus S. Jacobs on the streets of Burlington in broad daylight. An argument between two lawyers over the possession of a hotel bed resulted in the murder of Colonel Nathaniel Knapp of Fort Madison by Isaac Hender-shott of Burlington. "Kelly, alias Anderson," was convicted of horse stealing". To protect themselves against claim-jumpers, speculators, and horse-

thieves, the citizens of the North Fork of the Maquoketa adopted a constitution on February 17, 1838, "to preserve order, peace, and harmony" and protect the settlers' claims. Local jails were only make-shift prisons. Congress was asked to build a penitentiary.

Life on the frontier was neither simple nor easy for many of the early settlers. Far removed from the help of relatives and friends, they had to wage their own struggle against vice and win their own peace in religious salvation. New conditions and situations confronted the pioneers that forced a readjustment in the ways of life. Ideas and traditions were changed under the broadening influence of the rolling prairies of Iowa. But the basic things of life still governed the ways of man. Religion formed the strong bulwark for the moral and spiritual life in the Black Hawk Purchase. The typical pioneer arrived with the family Bible in one hand and a spade in the other. In preparing the ground for the harvests of this world he did not forget to sow seeds for the life to come. Measured through the vista of a hundred years, the pioneers of 1838 sowed wisely and well. Who can gainsay Iowa's claim to the title of the Corn and Bible Commonwealth?

WILLIAM J. PETERSEN

## An Iowa Anecdote

BY ANY OTHER NAME

Sixteen of the twenty-six members were present when Peter H. Engle of Dubuque called the House of Representatives to order in the spacious room over Webber and Remey's store in Burlington. Meeting in special session on the second Monday in June, 1838, the First Legislative Assembly of Wisconsin Territory proceeded to organize for business. Isaac Leffler of Burlington, who had presided in the House during the previous regular session, took the chair as Speaker *pro tem*. When permanent officers were elected, however, William B. Sheldon of Milwaukee received fifteen votes and Leffler only one. Apparently the Representatives east of the Mississippi were in control of the House.

Among the Representatives from the southern part of the Iowa District was David R. Chance, a minister of the Church of Christ. He was "as rough as a bear, but a man of ability, and great activity and earnestness." During the first session of the Legislative Assembly at Belmont, he had protested against the connivance of politicians to locate the capital of Wisconsin Territory. "I

have waited patiently 'till the doctors and lawyers get through, to make a speech on the location of the seat of government. I was raised in the wilds of Illinois, and used to wear a leather hunting shirt and sleep under a buffalo rug. I was educated in the woods. The early part of my life was spent in tracking Indians; but it is harder tracking these gentlemen." When he discovered the scheme of the Dubuque and Fond du Lac factions to share the seat of government and the appropriation for public buildings, he warned "the boys" from Des Moines County to "look out for snakes!"

By the time the special session of the legislature met for the purpose of reapportioning members, the bill dividing the Territory of Wisconsin had passed Congress. Though the news apparently did not reach Burlington until June 22nd, the probability that the region west of the Mississippi would soon become a separate Territory must have influenced the deliberations of the Legislative Assembly. The first days were consumed with the appointment of committees, presentation of petitions, introduction of bills, and special investigations. A committee of one from each county was appointed in the House to study the problem of reapportionment. There was talk of holding the next session of the legislature at Madison, which irked the Iowans.

Representative Chance was still wary of reptiles and unsavory politics. When a group of prodigal citizens proposed that the Territory borrow \$3,000,000 for internal improvements, he moved to reject the petition. A bill to give William S. Hamilton the right to operate a ferry across the Wisconsin River was defeated on his recommendation. Perhaps the deal by which Burlington had become the temporary capital until buildings could be erected for the permanent seat of government at Madison suggested an analogy of names. Or maybe he thought the beautiful valley in which he lived deserved a more appropriate appellation. Whatever his motives may have been, the Reverend David R. Chance, "noted for his love of humor", introduced a bill on June 15th to change the name of Skunk River to Madison.

Sensing the import of the measure, Patrick Quigley of Dubuque proposed an amendment that "every person who shall hereafter be known to call it Skunk, shall forfeit and pay the sum of \$500." Thereupon, a Representative from across the Mississippi suggested that the fine be applied only to persons west of the "big drink". Immediately a man from Iowa was on his feet insisting that the penalty be confined to "citizens of Lee County". This aroused the opposition of Representative John Box of Fort Madison, who declared

that "it did not become gentlemen 'up stream' to legislate in this manner for his constituents."

At this juncture, Peter H. Engle, who was "always ready on such occasions, very adroitly moved the previous question," which closed the debate. A motion by Isaac Leffler to postpone the bill indefinitely was adopted "with many a broad grin".

JOHN ELY BRIGGS

## A Commonplace Calendar

*Politics rather than romance characterized the month of June in 1838. The separation of the Territory of Iowa from Wisconsin might be regarded as the public analogue of the many petitions for divorce considered at the special session of the Territorial legislature.*

*Friday, June 1.* The bill to create the Territory of Iowa was debated, amended, and passed by the United States Senate.

*Saturday, June 2.* The eight companies of the fifth regiment of militia met at designated places in Des Moines and Henry counties to elect officers. § John Cameron declared that persons owing for goods from his store at "Taney Town prairie" would save themselves cost by settling before June 20th.

*Sunday, June 3.* Milton Kimball of Augusta, Illinois, preached in the schoolhouse on Water Street near Miller's landing at Fort Madison.

*Monday, June 4.* Governor Henry Dodge arrived at Burlington from Washington aboard the *Rolla*. § Instruction began in J. P. Stewart's Academy of Science and Literature in Burlington. § Judge Charles Dunn opened a two-weeks term of district court at Dubuque.

*Tuesday, June 5.* In the Committee of the Whole House of Representatives, the insistent arguments of western Congressmen for the bill to create the Territory of Iowa prevailed against Southern oratory.

*Wednesday, June 6.* After considerable debate, a few amendments, and much parliamentary maneuvering, the House of Representatives voted 118 to 51 in favor of establishing the Territory of Iowa. Toward the end of the afternoon the Senate concurred in the House amendments. § A meeting was held at the courthouse in Dubuque "for the purpose of obtaining a free and unequivocal expression of public sentiment on the leading questions of national policy, and adopting such preliminary measures as will ensure the organization of the Democratic party."

*Thursday, June 7.* The sound of the saw and hammer was heard in Burlington where about forty dwellings were being erected, including "several fine brick houses, some of which will be three stories high."

*Friday, June 8.* Though it was still cold in southern Iowa, "refreshing showers" broke the drought in Dubuque.

*Saturday, June 9.* The *Burlington Gazette* was limited to two pages because a new supply of paper did not arrive in time. § James Gipson de-

clared that he would not pay his note for \$200 to Elijah Turner because it was given without consideration.

*Monday, June 11.* The legislature of Wisconsin Territory convened in Burlington to reapportion the members according to the recent census. § George W. Brown warned everybody not to harbor his wife Elizabeth, or trust her on his account, because he would pay none of her debts.

*Tuesday, June 12.* President Van Buren signed the bill creating the Territory of Iowa. § "The sound of the music and tripping of the light fantastic toe, together with the splendor of the boat," elicited envy of the excursionists to the Falls of St. Anthony on the *Brazil*. § Joseph Ducoste, a short, dark, pockmarked French Canadian, accused of murdering a Winnebago squaw, escaped from the Dubuque jail. § Judge Dunn married George W. Girton and Miss Charlotte Maria Gear. According to the local editor, George was "determined to GIRD-ON the pleasures of double blessedness, and we hope the GEAR-ing may be well suited to his shoulders — that they may pull together in harmony through the journey of life, and neither wish their mutual engagements un-DUNN."

*Wednesday, June 13.* About sixty men were constructing boats to use in deepening the chan-

nel over the Des Moines Rapids between Keokuk and Montrose. § S. B. Parker, who lived four miles above the Narrows on Big Cedar Creek, reported the loss of a dark bay horse. § A legislative committee was appointed to see what books were missing from the Territorial Library.

*Thursday, June 14.* Frequent showers and a warm sun calmed the fears and excited the hopes of "industrious husbandmen".

*Friday, June 15.* Secretary W. B. Slaughter submitted the census returns to the legislature. § Citizens of Fort Madison met at the Madison Hotel to plan a celebration of Independence Day. § A flock of wild pigeons lighted in Dubuque on the building occupied by the preëmption commission.

*Saturday, June 16.* Members of the new military company met at the Exchange Coffee House to elect officers and select a uniform. § District court at Dubuque adjourned until September with many cases still on the docket. § J. Lamson advertised low prices for cash on 100 kegs of lard, 50 barrels of mess and prime pork, 15 hogsheads of sugar, 10,000 cigars, and 50 kegs of nails that he had just received.

*Sunday, June 17.* James S. Clark preached in Mr. Webster's new building in the west end of Fort Madison.

*Monday, June 18.* The marriage contract be-

tween James L. Thompson and Catherine Thompson was annulled by the Territorial legislature. § John King sold his interest in the *Iowa News* to his partners, W. W. Coriell and J. B. Russell. § A meeting to prepare for a Fourth of July celebration in Dubuque was postponed because a "violent storm" prevented attendance.

*Tuesday, June 19.* Caleb H. Booth of Dubuque and Miss Henrietta Eyre of Macomb were married at Burlington. § A flatboat, heavily loaded with stone and lime, sank when it was struck by a squall while crossing the river between Appanoose and Fort Madison. Two of the crew swam ashore but the third, Samuel Oliver, was drowned.

*Wednesday, June 20.* James G. Edwards was so busy lobbying the legislature for a printing contract that he was "obliged to omit publishing" the *Fort Madison Patriot*. § A public sale of lots was held at Richfield on the Big Maquoketa near the center of Jackson County. § A "large and respectable meeting of citizens" in Jackson County proposed Thomas S. Wilson for Delegate to Congress.

*Thursday, June 21.* Cyrus S. Jacobs was so ill with inflammatory rheumatism that he could not attend to the editorial department of the *Burlington Gazette*. § Permelia Emeline Adams was "released and divorced" from Richard Evans. The

legislature also annulled the marriage contract of James and Letitia Gilbert.

*Friday, June 22.* Governor Dodge approved a law to organize the government of Johnson County and locate the county seat at Napoleon. § The incorporation of the trustees of the Methodist Episcopal Church in Burlington was authorized by law.

*Saturday, June 23.* Abigail and Jonathan King of Burlington were divorced. § James Claiborne was authorized to run a ferry across the Mississippi at Camanche for ten years. § By order of Colonel Paul Cain the companies of the fourth regiment of militia were paraded "with arms and accoutrements" within their "respective beats".

*Sunday, June 24.* Persons who went for a Sabbath stroll in Fort Madison might have observed that "notwithstanding the hard times, between thirty and forty buildings" were going up. The river landing was also being improved by the construction of several wharves.

*Monday, June 25.* The Legislative Assembly adjourned. § The Dubuque Guards met at the schoolhouse to elect company officers. § At the "ringing of the bell" citizens of Dubuque met at the Washington Hotel and appointed committees to arrange a Fourth of July celebration.

*Wednesday, June 27.* A bad storm did "con-

siderable damage to the standing grain" in southern Iowa. Some of the hail stones that fell at Montrose were "*ten inches in circumference,*" and very few "could be got into a *common sized tumbler!*"

*Thursday, June 28.* A "large and respectable meeting of the Mechanics of the city of Burlington and vicinity" nominated George Temple to represent them in the first Iowa legislature.

*Friday, June 29.* Thomas S. Wilson was "unanimously nominated" for Delegate to Congress by a public meeting in Dubuque. A "vigilance committee" of sixteen was named to correspond with other counties in Wilson's behalf. § Eliphalet Price and J. H. D. Street at Little Turkey River in Clayton County dissolved their partnership.

*Saturday, June 30.* Rachel Goda left the "bed and board" of Alixy Goda at Peru "without any just cause or provocation". § In spite of the late spring, crops looked better than in any season since the country was settled. § William T. Sterling announced that forty-seven volumes, including many law books, Turner's Chemistry, an Essay on Truth, Byron's poems, and novels by Cooper and Sterne, were missing from the Territorial Library.

JOHN ELY BRIGGS

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