

A Territorial Centennial Number
Iowa in 1838

The
PALIMPSEST

OCTOBER 1938

CONTENTS

The Ioways Bid Farewell 397

WILLIAM J. PETERSEN

Doctors, Drugs, and Dentists 401

WILLIAM J. PETERSEN

The Southern Boundary 413

BEN HUR WILSON

The Legal Profession 425

WILLIAM J. PETERSEN

A Commonplace Calendar 438

JOHN ELY BRIGGS

PUBLISHED MONTHLY AT IOWA CITY BY
THE STATE HISTORICAL SOCIETY OF IOWA

ENTERED AS SECOND CLASS MATTER JULY 28 1920 AT THE POST OFFICE AT IOWA CITY IOWA
UNDER THE ACT OF AUGUST 24 1912

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.

PRICE—10c per copy: \$1 per year: free to members of Society
ADDRESS—The State Historical Society Iowa City Iowa

THE PALIMPSEST

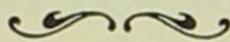
EDITED BY JOHN ELY BRIGGS

VOL. XIX

ISSUED IN OCTOBER 1938

No. 10

COPYRIGHT 1938 BY THE STATE HISTORICAL SOCIETY OF IOWA



The Ioways Bid Farewell

Stalwart wanderers of plain and woodland were the Ioway Indians: they had fished in the waters of Lake Michigan, trapped game in the forests along the Minnesota and Blue Earth rivers, quarried red pipestone in southwestern Minnesota, hunted buffalo beyond the Missouri, basked in the valley of the Platte, and tarried for a while on the Nishnabotna, the Nodaway, the Chariton, and the Grande. They had dwelt so long on the banks of the Iowa River that their name became forever associated with that stream.

The Ioways first came to the attention of the French in 1676, three years after Joliet and Marquette discovered the land that now bears the name of Iowa. They lived so far beyond the People of the Sunset that they did not visit Montreal and dance for Montcalm until 1757. Their contact with the American frontier was so slight that the first treaty between the United States and the Ioway tribe was not concluded until Septem-

ber 16, 1815, at Portage des Sioux. In the years that followed, the Ioways ranged the vast expanse of land between the Mississippi and Missouri, one of their favorite village sites being in the vicinity of Eldon on the Des Moines River.

The rights of the Ioway Indians to a part ownership in the land that is now Iowa was recognized by the confederated Sauk and Fox tribes in the Grand Council of 1825. The Ioways agreed to the arrangement of drawing the Neutral Line between the Sauks and Foxes and the Sioux. The Sauks and Foxes in turn admitted that the Ioways had a "just claim to a portion of the country" below this line. It was agreed that the three tribes should "peaceably occupy" this area "until some satisfactory arrangement can be made between them for a division of their respective claims".

Meanwhile, in 1824, the Ioways had journeyed to Washington and ceded all claims to their land in Missouri except the Platte District. Twelve years later, in 1836, in a treaty signed at Fort Leavenworth, the Ioways gave up all claims to this triangular piece of land, which lay between the Missouri River and the line running a hundred miles due north from the mouth of the Kansas River. They agreed to move west of the Missouri and settle with the Missouri band of Sauk and Fox Indians on a small reservation between the

Kickapoo Reserve and the Great Nemaha River. The title to their old hunting grounds in central Iowa was thus of no use to them.

The treaty whereby the Ioways gave up their possession of territory in what is now Iowa was signed at the Great Nemaha sub-agency on October 19, 1838. Thirteen Ioways made their marks on the treaty which was negotiated by Indian Agent John Dougherty, and witnessed by Sub-agent Anthony L. Davis, Vance M. Campbell, James M. Croke, and Jeffrey Deroin, interpreter. Frank White Cloud, the dissolute son of Mahaska and Rantchewaime, was the first to sign the treaty for the Ioways. No Heart, who was second in authority and had high regard for the welfare of his fellow-tribesmen, next made his mark. Older than Mahaska, No Heart was an excellent speaker, the real business head of the tribe, and a firm friend of the white man. Next in order came the Plum, the Great Man, He-that-has-no-Fear, Blistered Foot, Little Pipe, Little War Eagle, Cocked Nose, Heard to Load, Speckled Rib, the Iron, and Pile of Meat.

By the terms of the treaty the Ioways gave up their claim to all land lying north of Missouri between the Mississippi and Missouri rivers. In a report to the Commissioner of Indian Affairs dated October 23, 1839, Governor Robert Lucas

declared this region was "not surpassed by any lands in the United States" in fertility of soil. The whole region was "well watered and interspersed with timber and prairie land" and was "well adapted to agricultural purposes". Furthermore, the region abounded in coal.

In return for their rights to this land the Ioways received \$157,500 to be invested by the United States at a guaranteed interest of "not less than five per cent. thereon during the existence of their tribe." Each year such an amount was to be set apart as the chiefs and headmen required for the support of a blacksmith shop, agricultural assistance, and education. After allotting \$50 annually for Jeffrey Deroin during his natural life, the treaty provided that the balance of the income was to be delivered, "at the cost of the United States, to said tribe of Ioway Indians in money or merchandise, at their own discretion, at such time and place as the President may direct, *Provided always* That the payment shall be made each year in the month of October." The government also agreed to erect ten houses "at such place or places on their own land as said Ioways may select".

Such were the provisions of the treaty whereby the Ioway Indians reluctantly said farewell to their beautiful land.

WILLIAM J. PETERSEN

Doctors, Drugs and Dentists

Fever and ague shook the frontier in 1838. Disease stalked the Black Hawk Purchase and few pioneers escaped his "scorpion sting". On January 6th Mrs. Martha Rorer, the wife of David Rorer, died in Burlington. The number of deaths during the summer and fall was appalling. On October 1st the second death within a fortnight struck the home of James McKeel in lower Burlington, carrying away the son and namesake of the bereaved father. "The death of JAMES", declared the *Iowa Territorial Gazette*, "is particularly lamented, owing to the fact, that no one suspected his illness. On Monday morning, he was about the house as usual; in the middle of the day he was taken with a chill, and the following night was a corpse!"

Such gloomy notices were common. On the evening of September 15th William Janes died of apoplexy. His daughter and her husband had only recently been the "target for the shafts of the archer, Death", leaving the remaining members of the family "borne down by the deepest affliction." Well might a Burlington editor exclaim: "Awful fatality!"

The scourge of fever and ague was noted by many immigrants. "As we drew near Burlington, in front of a little hut on the river bank, sat a girl and a lad — most pitiable looking objects, uncared for, hollow-eyed, sallow-faced. They had crawled out into the warm sun with chattering teeth to see the boat pass. To mother's inquiries, the captain said: 'If you've never seen that kind of sickness I reckon you must be a Yankee; that's the ague. I'm feared you'll see plenty of it if you stay long in these parts. They call it here the swamp devil, and it will take the roses out of the cheeks of those plump little ones of yours mighty quick. Cure it? No, madam. No cure for it; have to wear it out. I had it a year when I first went on the river.'" Stricken by the dismal outlook, the immigrants decided not to locate near the river but moved inland.

It was fortunate for the pioneers that a number of physicians had crossed the Mississippi. Not all were graduates of medical schools. Many had obtained their education by "reading" for a few months with some older physician and assisting him in his practice. When they felt they knew enough the young Aesculapians would then begin searching for openings, frequently choosing some new settlement on the frontier. Their stock of drugs and medicine was usually limited to a gen-

erous supply of calomel, some jalap, aloes, Dover's powder, castor oil, and Peruvian bark. In case of fever a patient was generally bled, every physician carrying lancets for this purpose. If a drastic cathartic, followed by letting blood, and perhaps a "fly blister", did not improve the patient, the doctor "would look wise and trust to a rugged constitution to pull the sick man through."

Some of these pioneer doctors had been educated at the best medical schools in America and one at least in Europe. Dr. Plumbe, who was a graduate of the University of Leyden, Holland, confidently informed Dubuque residents that he had "long adopted the European plan of practice" in bilious fevers and intermittent fever or ague, and would undertake their cure "in a few hours, without the use of a single grain of Calomel." So confident was Dr. Plumbe of his ability to cure that he agreed to return his "very moderate" fee to the patient "if the treatment should prove unsuccessful."

Another Dubuque physician, Dr. Frederick Andros, graduated from the Parsons Medical School of Brown University in 1826. Born in Berkeley, Massachusetts, in 1804, Dr. Andros gave up his five-year-old practice at Dubuque in 1838 and moved to Clayton County to engage in agriculture. He acted as the first clerk of the

court in Clayton County. He resumed the practice of medicine in 1845, serving as surgeon at Fort Atkinson and also as physician to the Winnebago Indian Agency.

John Linton of Kentucky managed the Winnebago Mission for the Reverend David Lowry from 1837 to 1842. Returning to Kentucky he studied medicine for two years at Springfield. After attending lectures at Saint Louis in 1845, Dr. Linton established an office at Garnavillo where he became associated with Dr. Andros.

Having graduated in 1836 from Jefferson Medical College at Philadelphia, Dr. Joel C. Walker came to Fort Madison in December of that year. When municipal government was established in Fort Madison in 1838, Dr. Walker was appointed health officer of the town. His office was at the post office on Market Street. He was clerk of the Territorial district court for five years, was elected mayor of Fort Madison in 1853, and served as collector of internal revenue for the first district of Iowa from 1862 to 1867.

Several doctors came from the medical schools in Cincinnati. Dr. John W. Finley, who came to Dubuque in 1836, was a native of North Carolina. He was a graduate of Jacksonville College and had read medicine in Missouri two years before receiving his medical degree from the Cincinnati

College of Medicine and Surgery in 1836. At Dubuque, where he practiced for forty-one years, he tendered his services in "all the branches of *Medicine, Surgery, and Midwifery*". Dr. Finley was elected coroner in 1838. Thirty-six years later he helped found the Dubuque Medical Society.

Another Cincinnati-trained physician was Dr. Enos Lowe, perhaps the best known and most popular of Burlington practitioners. Born in North Carolina in 1804, trained in Ohio Medical College at Cincinnati, Dr. Enos Lowe came from Greencastle, Indiana, to Burlington about 1836. His career is illustrative of the widespread interests of many members of the medical profession. He was appointed postmaster at Burlington in 1838. In 1844 he was elected a member of the first Constitutional Convention and presided over the Convention of 1846. When the United States land office was established at Iowa City he was appointed receiver. In 1853 he was named receiver at Council Bluffs, becoming one of the founders of Omaha that same year. Despite an intensely active career he lived to the age of seventy-six.

Some of the physicians who inserted their cards in the newspapers in 1838 made it clear that they did not care to extend their practice outside the

city limits. In sharp contrast, Dr. Campbell Gilmer, who settled three miles northwest of Fort Madison in 1835, covered a wide range of territory. Generous to a fault, Dr. Gilmer answered "all calls, day or night, no matter what the state of the weather, and never made inquiry as to whether the patient was able to pay the fee." He died on his farm near Fort Madison on July 9, 1865.

Many physicians living in the smaller inland communities served a large area. In Des Moines County the first doctor to locate in Yellow Springs Township was Dr. Samuel Fullenweider, while Dr. Jeremiah Hall was the first to practice in Danville Township. Dr. Hall came from Wisconsin in 1837. The circuit of this typical "Doctor on Horseback" embraced all the territory within a radius of ten or fifteen miles of Danville. In addition to faithfully discharging his professional duties, Dr. Hall helped build the first school. He was also an active Congregationalist. Of him it was said: "No one ever lived in Danville Township who was more loved, honored and respected".

At least three physicians were natives of Vermont and appear to have received their early training in that State. Dr. Stephen Langworthy had practiced in Vermont, New York, Pennsylvania, Ohio, and Illinois, before following his sons to the mineral region in Iowa. He became an in-

fluent Dubuque citizen, in 1838 serving as president of the day at the Fourth of July celebration.

Dr. Egbert S. Barrows of Vermont, came to Rockingham early in 1836, having been a surgeon in the Seminole Indian War. A rugged and resolute man, Dr. Barrows is said to have punished one patient, who forsook him for another doctor only to return uncured, by charging and actually collecting a fee of \$100 for a dose of Epsom salts. He numbered Antoine Le Claire among his patients.

Another Vermonter was Dr. S. S. Ransom, who came to Burlington in 1835. In his card in the *Gazette* of 1838, Dr. Ransom declared himself well qualified, having had ten years experience in treating the diseases common to the upper Mississippi Valley as well as considerable intern work in hospitals and infirmaries. He was supplied with surgical instruments and was ready to perform any operation committed to his charge.

There were others, like Dr. Ransom, who through training and experience, could lay claim to a degree of specialization. Dr. T. R. Lurton, who came to Dubuque from Alton, Illinois, expected to devote his special attention to the diseases of women and children and to operative and dental surgery. He believed his eight years of practice amply qualified him to combat the com-

mon diseases in the mineral region and hoped his private upstairs office would attract a "liberal share of the public patronage".

Although many doctors busied themselves in local and State activities, few physicians paid so little attention to their profession as did Dr. Isaac Galland. Galland came to Lee County in 1829 and settled at Nashville (Galland), a few miles below Montrose. Soon after the half-breeds were permitted to sell their lands in the Half-breed Tract, Galland was appointed agent for the New York Land Company. In 1839 he became a convert to the Mormon faith and for a year was private secretary to Joseph Smith. When Dr. Galland died at Fort Madison in 1858, he was described as a "tolerably good physician, a tolerably good lawyer" and a man who was "deeply learned in ancient as well as modern history, and had few superiors in the West either as a speaker or writer."

There were other physicians practicing in the Territory of Iowa in 1838. Dr. J. P. Stephenson settled near Denmark in Lee County some time before 1838. He served a wide circuit until paralyzed in 1853. He died five years later. Dr. Zachariah Grant had begun the practice of medicine at Davenport as early as 1835. Dr. L. W. Hickok came from New York to Burlington in

1835 and kept his office one door north of the printing office. Besides running for Congress and serving as the Iowa boundary commissioner in 1838, Dr. James Davis practiced medicine on Water Street in Burlington. Dr. E. B. Price had his office in the corner of Dr. Adreon's drug store in Burlington. At Davenport Dr. A. C. Donaldson was already very popular in 1838. Dr. Robert Wyman, who practiced surgery at Fort Madison, published his card in the *Fort Madison Patriot* of March 24, 1838.

Many of the Iowa pioneers chose to prescribe their own medicine, aided no doubt by the numerous nostrums which were advertised as sure cures for all ailments. By 1838 a number of drug stores had been established west of the Mississippi. At Burlington Dr. J. L. Adreon, late of Baltimore, invited ailing citizens to visit his drug store on Water Street at the sign of the Golden Mortar where his large stock of personally selected drugs and medicines were for sale at the "most reasonable terms". All orders from the country were "neatly and accurately put up". In addition to drugs Dr. Adreon sold paints, oils, dye-stuffs, perfumery, confectionaries, tobacco, "Segars", snuffs, and similar articles. He also offered citizens of Burlington and the vicinity his professional services in medicine and surgery.

William S. Edgar & Company advertised their new cash drug store as prepared to sell fresh drugs and medicines, paints, oils, glass, and dye-stuff. Citizens of Fort Madison were invited through the columns of the *Patriot* to patronize this enterprising Burlington drug store with its fancy line of goods.

Timothy Mason's Good Samaritan Drug Store advised the afflicted that Dr. John Sappington's Anti-Bilious Pills were a "certain remedy for the cure and prevention of Ague and Fever, Typhus Fever, &c. &c." At this time quinine pills were used so extensively throughout the upper Mississippi Valley that the supply was often exhausted. According to Dr. Barrows, Sappington's pills were "indirectly the power which worked steamboats up the river" and were used in many households. Each box contained four dozen pills and each pill contained two grains of quinine.

The claims of these quack medicines were well nigh unlimited. According to the *Iowa Territorial Gazette*, they apparently could "create an appetite in the most delicate stomach, or physic a horse." A single remedy was supposed to be good for any ailment. "One pill dissolved in a bucket of water," scoffed the editor, "will be found a perfectly winter-proof lining for canal embankments; placed in steamboat boilers, they will effectually

prevent their bursting, and greatly increase the speed of the boats."

Although many doctors doubtless extracted teeth, professional dentists had arrived in Iowa by 1838. At Dubuque Dr. T. A. Livermore informed the public that his four years of practice at Galena had won him many references for his skill as a surgeon-dentist. If decayed teeth were "plugged with gold or silver, in a proper manner" by Dr. Livermore, they could "almost invariably be preserved during life." Dr. Livermore also assured those who had lost the "roots or fangs" of their teeth that they could have teeth inserted "by means of a gold or silver clasp, of an indestructible substance, that will not change their color, which will answer in many respects, the purpose of natural teeth." He could also cure that "disagreeable disease" known as "Gum Scurvy". In extracting teeth Dr. Livermore generally used the "Forceps" which gave far less pain than the "Turnkey". The doctor was prepared to wait upon persons at their own residence.

Dr. C. F. Rowell, a surgeon dentist, had taken a room at Mrs. Parrott's Hotel in Burlington where he was prepared to wait on those needing his professional service. Dr. Rowell had a supply of "artificial teeth of superior quality" which he fastened on pivots or gold plates as the occasion

demanded. The durability of these teeth, which could be used for years without the "least change of colour", could not help but win general approbation. Dr. Rowell cleaned teeth, restoring them to their natural whiteness without the use of acid, or the least injury to the enamel. He filled teeth on a "new and improved plan with little or no pain which he warrants for life." His long and successful experience as a dentist led Dr. Rowell to guarantee general satisfaction or no charges would be made for services.

The medical profession performed heroic work on the Iowa frontier of 1838. Disease and sickness were present everywhere and patients were widely scattered. Times were hard and the professional men could rarely expect to receive cash for their services. Their work was all too often a labor of love, but despite their inadequate training they did it reasonably well. Nevertheless, the sum of human pain endured for lack of proper care must have been enormous.

WILLIAM J. PETERSEN

The Southern Boundary

At the time the Territory of Iowa was created, the Black Hawk Purchase had been open to settlement for five years. Many pioneers had crossed the Mississippi River and staked out claims. The Des Moines Valley was particularly attractive. On both sides of the river settlers had pushed farther and farther inland. By May, 1838, the population of Van Buren County exceeded three thousand. Across the border in Missouri the progress of settlement was almost as rapid.

With the influx of permanent white population, the precise location of the boundary between Missouri and Iowa became imperative. Settlers wanted to know with certainty what political jurisdiction they were living under, particularly those who were opposed to slavery. The old adage that "good fences make good neighbors" is equally applicable to political boundaries. Where disputes are common, animosities arise. Everybody assumed that the old Indian cession boundary surveyed in 1816 divided Iowa from Missouri, but this line was not clearly marked.

As the lower part of the Des Moines Valley became better known, certain discrepancies in

various descriptions of the northern boundary of Missouri became apparent. Intended to be identical, different designations were found to be ambiguous and contradictory. Recognizing this problem the State of Missouri appointed Joseph C. Brown to make an accurate survey of the line and extend it to the Missouri River.

Brown faced a dilemma. The original survey was made in 1816 when John C. Sullivan located a point one hundred miles north of the mouth of the Kansas River and thence ran a line east to the Des Moines River. He supposed that he followed a parallel of latitude but, "from want of proper care in making corrections for the variation of the [magnetic] needle", his line veered to the north about four miles where it intersected the Des Moines River. Here then were two boundaries — the parallel which was intended, and the actual line surveyed.

When Missouri was admitted into the Union in 1820 the northern boundary was described as the parallel of latitude "which passes through the rapids of the river Des Moines", corresponding to the Sullivan line. The surveyor's error had not yet been discovered. Furthermore a new element of confusion was introduced. Where and what were the "rapids of the river Des Moines"? Surveyor Brown had the task of solving this riddle.

Instead of starting at the old "northwest corner" of Missouri a hundred miles north of the mouth of the Kansas River, Brown sought the Des Moines rapids. Not until he had gone sixty-three miles up the Des Moines River to the Great Bend did he find any obstruction worthy of being called rapids even in low water. A rise of three feet obliterated the riffle entirely. Certainly, so negligible a landmark was poor tether upon which to hang a State boundary line. Nevertheless, Brown decided this must be the "rapids of the river Des Moines", construing *of* to mean *in*, and proceeded to run his line due west to the Missouri River about thirteen and three-fifths miles north of the old "northwest corner".

The problem was complicated by the formidable rapids in the Mississippi River extending for eleven miles north of the mouth of the Des Moines River, well known by rivermen and settlers alike for many years as the Des Moines Rapids. These were the only rapids associated with the Des Moines River which would have been marked on early maps or which would have been known in 1820 to the Congressmen who described the northern boundary of Missouri as passing through the "rapids of the River Des Moines". Surveyor Brown seems to have ignored this interpretation of the phrase. He completed his investigation in

1837 and his report was accepted by the State of Missouri.

As soon as the settlers in the disputed area heard that they were to be transferred to Missouri by an engineer's interpretation of a geographical ambiguity, they were very indignant. Indeed, the citizens throughout the southern part of the Black Hawk Purchase were filled with rage. At a convention of delegates from the settled portion of Wisconsin Territory west of the Mississippi River assembled in Burlington on November 6, 1837, Congress was asked to have the boundary surveyed "according to the spirit and intention of the act defining the boundary lines of the State of Missouri." Thus the controversy stood when the Territory of Iowa was created on June 12, 1838.

Six days later Congress passed an act authorizing the President to cause the southern boundary of the Territory to be ascertained and marked. The sum of \$4000 was appropriated to pay the expenses of locating the true line "in pursuance of the provisions of the act of March 6, 1820," authorizing the people of Missouri to form a constitution and State government. Three commissioners, representing respectively the United States, Iowa, and Missouri, were to make the new survey. President Van Buren appointed Albert M. Lea as commissioner for the United States and

Governor Lucas selected Dr. James Davis for Iowa, but the Governor of Missouri failed to appoint a commissioner. And so Lea and Davis began the work alone late in September.

Having determined "to make a full examination of all the localities concerned," Lea procured "instruments and equipage" after much delay, and proceeded to ascertain the exact latitude of the head of the Des Moines Rapids in the Mississippi River. Next he located the point at which Sullivan's line touched the Des Moines River. Following this he met Davis by appointment, "at the town of Van Buren, in the Great Bend of the Des Moines river," where he explained the details of all the preliminary work he had done. Dr. Davis approved and they went on to examine Brown's survey to test "its accuracy by astronomical observations".

Through October and well into November the commissioners were busily engaged in locating precisely the determining points upon which the controversy hung. Much sickness in the surveying party, however, and "the unusually early beginning of rigorous winter" prevented the verification of the whole length of Brown's line. Neither was the exact latitude of the old "northwest corner" determined, though Lea "devoted four weeks to that object alone."

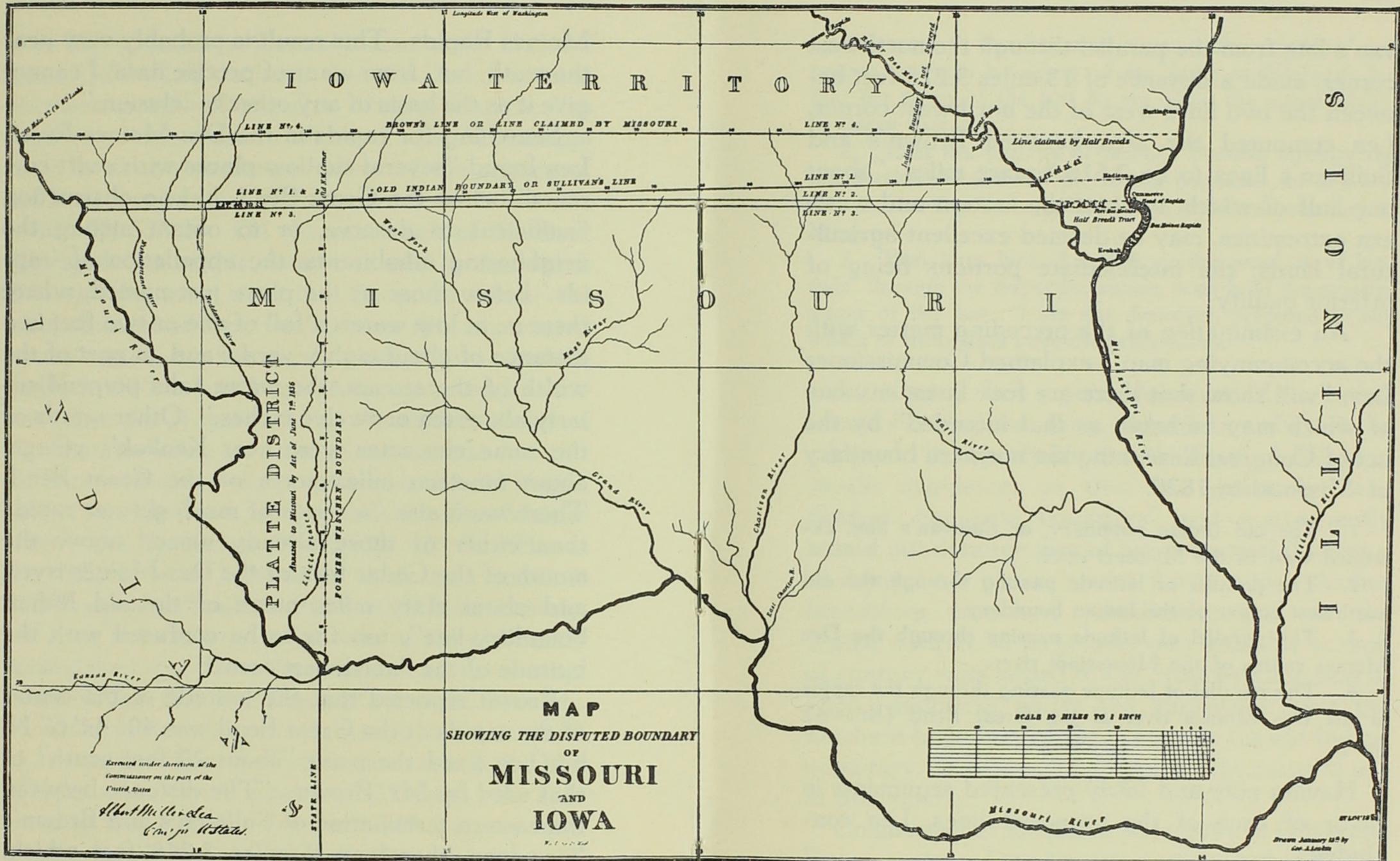
In his report to the Commissioner of the General Land Office, Lea declared that the "head or most northern point" of the Des Moines Rapids, "as seen from the western shore of the Mississippi river, is at the southeast corner of the square of old Fort Des Moines [Montrose], and its latitude is $40^{\circ} 30' 53''$ N. On the east bank of the river the rapids are visible about one mile farther north than on the west side; but the point where the main channel of the river becomes first obstructed by the rapids, is a few yards south of that of which the latitude has just been given, and which is assumed as the proper head of the rapids, as far as the boundary-line question is concerned.

"The latitude of the point where the old Indian boundary [Sullivan line] strikes the Des Moines river", Lea continued, "is $40^{\circ} 35' 43''$ N. Hence the difference of latitude of these two points is $4' 50''$, equal to 5 miles 2,919 feet. Unfortunately, we have not the precise latitude of the old northwest corner; but, from the results of recent surveys made on that line, and from data derived from Mr. Brown's survey, I have calculated that it is south of the point where Sullivan's line strikes the Des Moines river, by 4 miles and 27 feet. By subtracting this from the 5 miles 2,919 feet, we have 1 mile 2,892 feet for the distance that the old northwest corner is north of the head of the Des

Moines Rapids. This result is probably very near the truth, but, from want of precise data, I cannot give it as the basis of any other conclusion."

Searching for rapids in the Des Moines River, Lea found "several shallow places with swift currents" below the Great Bend, but no obstruction "sufficient to deserve, or to obtain among the neighboring inhabitants, the appellation of 'rapids,' below those at the place just named, where there is, at low water, a fall of one or two feet in a distance of about eighty yards; and, in part of the width of the stream, the water falls perpendicularly about ten or twelve inches." Other rapids of the same character were near Keokuk's village, about nineteen miles north of the Great Bend. There were also "a series of much greater rapids than either of those already named above the mouth of the Cedar fork of the Des Moines river, and about sixty miles north of the old Indian boundary-line", too far to be confused with the latitude of the "northwest corner".

Brown reported that the latitude of the center of the rapids at the Great Bend was $40^{\circ} 44' 6''$ N, but Lea fixed the point "about 20 feet south" of that used by Mr. Brown. "The distance between the eastern termination of Sullivan's and Brown's lines was, therefore, 9 miles 3,248 feet which, added to the 4 miles 27 feet divergence of Sulli-



37th Meridian

38th Meridian

39th Meridian

40th Meridian

41st Meridian

I O W A T E R R I T O R Y

M I S S O U R I

S
I
O
N
I
L
L
I
S

PLATTE DISTRICT
Assigned to Missouri by Act of June 14th 1820

FORMER WEBBER BOUNDARY

West Fork

Grand River

Chariton River

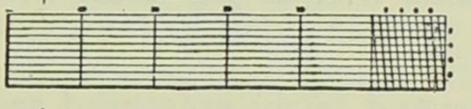
Salt River

Mississippi River

Illinois River

MAP
SHOWING THE DISPUTED BOUNDARY
OF
MISSOURI
AND
IOWA

SCALE 10 MILES TO 1 INCH



Executed under direction of the
Commissioner on the part of the
United States
Albert Miller
Com. in Charge

Drawn January 1850 by
Geo. A. Lincoln

van's line from the parallel through the northwest corner, made a distance of 13 miles 3,275 feet between the two lines west of the northwest corner. Lea computed the area between Brown's and Sullivan's lines to be 2,616 square miles, "about one half of which, lying at the eastern and western extremities, may be deemed excellent agricultural lands; the intermediate portions being of inferior quality."

"An examination of the preceding matter with the accompanying map," explained Commissioner Lea, "will show that there are four lines, any one of which may be taken as that intended" by the act of Congress describing the northern boundary of Missouri in 1820.

1. The old Indian boundary, or Sullivan's line, extended west to the Missouri river.
2. The parallel of latitude passing through the old northwest corner of the Indian boundary.
3. The parallel of latitude passing through the Des Moines rapids of the Mississippi river.
4. The parallel of latitude passing through the rapids in the Des Moines river at the Great Bend [Brown's line].

Having ably and fairly presented arguments in favor of each of the proposed lines, Lea concluded:

1. That the old Indian boundary, or line No. 1, ex-

tended west to the Missouri river, is the equitable and proper northern boundary of the State of Missouri; but that the terms of the law do not allow the commissioner to adopt that line.

2. That the parallel of latitude passing through the old northwest corner of the Indian boundary, or line No. 2, is neither legally or equitably the northern boundary of Missouri.

3. That lines Nos. 3 and 4, or the parallels of latitude, through the respective rapids, *both* fulfil the requirements of the law. I am not, however, prepared to say which of these lines have the preferences.

In closing his report, however, Lea rather adroitly remarked that, should line No. 1 be adopted, "it is probable that the State of Missouri would acquiesce; as that has generally been deemed her true boundary, and consequently would not derange any of her municipal divisions, or deprive her of any territory over which she has heretofore exercised jurisdiction; and as the 'Platte district,' a large and very valuable section of country, was added to the State by Congress in 1836, doubtless under the impression that the northern boundary of the State was the old Indian boundary, as represented upon all the maps in use in the country."

Commissioner Davis, in his report to Governor Lucas, reviewed the historical evidence bearing on the dispute. He also collected testimony from

early settlers, officials, and river men. All the information he could find clearly proved, in his opinion, that the rapids mentioned by Congress in 1820 were the Des Moines Rapids in the Mississippi. The recent effort to claim the rapids in the Des Moines River at the Great Bend as determining the boundary was, he believed, due to the cupidity of purchasers of land in the Half-breed Tract. This area would be greatly enlarged if the Brown line could be established. Davis concluded that Sullivan's line was the true, time-honored, and just boundary.

Although Lea suggested that Congress immediately designate which line should constitute the boundary, Missouri did not wait for such action. On February 16, 1839, the State legislature passed an act declaring that the jurisdiction of Missouri extended to the Brown line. This brought the controversy to a crisis which nearly ended in war. Finally, in 1848, the Supreme Court of the United States decided that the old Sullivan line was the true boundary between Iowa and Missouri.

BEN HUR WILSON

The Legal Profession

When James W. Grimes landed at Burlington early in April, 1836, he found four lawyers already there. "No minister in town", he wrote. "We had one but he died a few days ago." The presence of only one attorney at Dubuque in May, 1836, was considered a "good omen" by the *Du Buque Visitor* but before many months half a dozen had hung out their shingles. Twenty lawyers were admitted to the bar when the first Territorial Supreme Court met at Burlington on November 26, 1838.

An abundance of legal talent was available at the Territorial capital. Chief Justice Charles Mason resided in Burlington. There, too, was James W. Grimes, then only twenty-two years old, but destined to become the third Governor of the State and the father of the Republican Party in Iowa. His partner in 1838 was William W. Chapman, who was elected the first Delegate to Congress from the Territory of Iowa. David Rorer, Cyrus S. Jacobs, James W. Woods, William H. Starr, and Henry W. Starr, Milton D. Browning, and Isaac Van Allen were also practicing law at Burlington.

A bitter political feud snuffed out the life of Cyrus S. Jacobs when he was shot by David Rorer on the street in Burlington. Jacobs, the erstwhile editor of the *Gazette* and successful candidate for the Territorial House of Representatives, had a vituperative tongue. His invectives against Rorer were sharply answered by that thoroughly pugnacious man. On October 29, 1838, Jacobs met Rorer and demanded an explanation of certain charges. When Rorer refused to explain, Jacobs undertook to cane him, whereupon Rorer got a pistol and shot his adversary. Jacobs died three days later, and Rorer, appalled at the violence of his deed over a political quarrel, swore never to run for office again.

Short of stature but strongly built, Rorer was a veritable dynamo in action. He built the first brick house in Burlington, held the first meeting to incorporate the town in his office, drafted the city charter, and assisted in laying out and naming the streets. In 1839 he successfully defended the negro Ralph before the Territorial Supreme Court. His name was attached to thirty-five cases in the first volume of the *Iowa Reports* and continued to appear until two years before his death in 1886. For years he was counsel for the Burlington railroad.

Another Burlington lawyer was James W.

Woods, a native of Massachusetts, and a generous, kindly, fun-loving man. He came to Burlington in 1833 but did not settle there immediately, spending much of his time across the Mississippi in Illinois. In 1838 he was a law partner of William H. Starr and subsequently a trusted legal adviser of the Mormon prophet, Joseph Smith. Iowa owes its Missouri River boundary in a large measure to the vigorous campaign that "Old Timber" Woods waged against the adoption of the Constitution of 1844.

William H. Starr, a New Englander and Yale graduate, came to Burlington in 1837 and was promptly appointed prosecuting attorney for the first judicial district by Governor Henry Dodge. Starr was an able lawyer and a forceful speaker.

To Burlington in 1837 came a second William H. (Cock Eye) Starr to join David Rorer as a junior partner. The two Starrs were cousins and to avoid confusion Rorer's partner agreed to change his name to Henry W. Starr. Born at Middlebury, Vermont, in 1815, Henry W. Starr graduated from college when he was nineteen. He came to Burlington with a degree from the Cincinnati Law School in 1837. Later he and James W. Grimes became partners, their names appearing together for years in the *Iowa Reports*. A man of genius and a great orator, Henry W.

Starr won his greatest forensic triumph over Francis Scott Key before the United States Supreme Court in the trial over the patent covering the original Spanish land grant to Louis Tesson.

Milton D. Browning was born in Kentucky in 1810 and came to Iowa in 1837. One of the seven Burlington lawyers admitted to practice by the Supreme Court of the Territory of Iowa in 1838, he had little inclination for politics. Nevertheless, he served as Representative in the Territorial Assembly and was subsequently elected to the State Senate four times.

Little is known of Isaac Van Allen, who was admitted to the bar in 1838. A native of Albany, New York, Van Allen served as United States District Attorney for the Territory. He died at Rockingham in 1839.

A galaxy of lawyers practiced before the Dubuque bar in 1838. The metropolis of the mineral region was the home of Associate Justice Thomas S. Wilson of the Territorial Supreme Court. Stephen Hempstead and B. Rush Petrikin were admitted to the bar at Burlington in the fall of 1838. In addition to these men, Peter H. Engle, James Churchman, Richard Farwell, William W. Coriell, R. D. Parker, Edwin Reeves, and John V. Berry, were also practicing at Dubuque.

Next to Thomas S. Wilson, the name of

Stephen Hempstead is written boldest in the annals of Dubuque. Born in Connecticut in 1812, Hempstead moved to a farm near Saint Louis in 1828. He clerked in Galena, enlisted in the Black Hawk War, attended Jacksonville College, and studied law under Charles S. Hempstead, a relative and successful Galena lawyer. In 1836 Stephen Hempstead was admitted to practice before the courts of the Territory of Wisconsin. He is said to have been the first resident lawyer of Dubuque. Hempstead represented Dubuque, Jackson, and Clayton counties in the first Legislative Council of the Territory of Iowa in 1838. Subsequently he served as President of that body, was a member of the Constitutional Convention of 1844, and assisted Charles Mason in preparing the *Code of 1851*. In 1850 he was elected second Governor of the State of Iowa. Although not a brilliant man, Hempstead was a sound lawyer and an influential legislator.

Described as an "old-fashioned Democrat" by his contemporaries, B. Rush Petrikin was born in Pennsylvania and practiced at Bloomington before coming to Dubuque. In 1838 he was appointed the Register of the United States land office at Dubuque. After holding this office four years, he returned to Pennsylvania.

Peter H. Engle was one of the most talented

among Dubuque's early settlers. He was speaker of the House at the First Legislative Assembly of the Territory of Wisconsin at Belmont in 1836. Two years later, in 1838, William W. Chapman defeated him for Delegate to Congress by a small plurality. Parvin described Engle as the "ablest" of the candidates, his defeat being attributed to a rumor that he had been drowned. After this defeat he moved to Saint Louis where he rose to high distinction as a lawyer and judge.

Another able Dubuque lawyer was James Churchman who gave the Fourth of July oration at Dubuque in 1838. William W. Coriell, one of the owners of the *Iowa News*, was also practicing law in 1838. He was one of the commissioners appointed to lay out the towns of Fort Madison, Bellevue, and Dubuque. Richard Farwell, one of the founders and officers of the Dubuque literary association, had inserted his card in the *Iowa News* as early as October 7, 1837.

Phillip Viele, Henry Eno, Alfred Rich, and Edward Johnstone were displaying their professional shingles in Fort Madison. Viele, of Dutch-French descent, was a graduate of Union College and a classmate of William H. Seward. Admitted to the New York bar in 1824, he soon surpassed all rivals in oratory. When he came to Fort Madison in 1837 he won the hearts of the pioneers and

the verdicts of the jury by his extraordinary eloquence. On at least one occasion, however, his fervent plea failed. He had just painted a touching scene of a wife and children awaiting the return of his client. The vote of the jury was eleven to one in Viele's favor. When the lone dissenter was asked the reason for his decision he replied: "Well, I know that man has no wife and children. He keeps 'bach' in a log cabin. I believe the whole claim is a fraud." The eleven other jurors promptly reversed their views.

Viele served as prosecuting attorney before the district court at Fort Madison in 1837 and 1838. Long an ardent Democrat, he turned Whig in 1840 and stumped the Territory for Harrison. He was one of the organizers of the Republican Party, and was chosen president of its first convention at Iowa City in 1856. Three years later he became a member of the State Board of Education.

Henry Eno, another New Yorker, was a leader in the movement to divide the Territory of Wisconsin. He drafted the call for a meeting of the citizens to prepare a petition to Congress to establish the Territory of Iowa. Not an especially good pleader before a jury, Eno was nevertheless a good lawyer. Later he moved to California where he was at one time an unsuccessful candidate for Lieutenant Governor.

With a name that belied his poor and friendless condition, Alfred Rich landed at Fort Madison during the winter of 1836-1837. Disappointed in a love affair, the gifted but eccentric young Kentuckian taught school for a short time until his legal training was accidentally discovered. In 1839 he was elected to the legislature. As the Whig candidate for Delegate to Congress, he was defeated by A. C. Dodge in 1840. Two years later he died of consumption, probably induced by his habits of dissipation.

Edward Johnstone, whose massive frame won for him the title of "the kingliest man in Iowa", came to Fort Madison in 1837. He was born in Pennsylvania in 1815 and was a talented lawyer, but had no great love for his profession. With Thomas S. Wilson and David Brigham he served as a commissioner to settle the land titles in the Half-breed Tract. A Democrat in politics, he served as Speaker of the House and was twice elected to the Council. He was a member of the Constitutional Convention of 1857. Later he moved to Keokuk and engaged in banking.

According to Judge George G. Wright, the first member of the legal profession to settle in Van Buren County was H. H. Buckland, but he soon left Bentonsport and went back East. Isaac N. Lewis seems to have been the first lawyer ad-

mitted to the bar in Van Buren County — on November 12, 1838.

Early in April, 1838, when Judge Irvin came to Farmington to hold court, he was followed on the circuit by a coterie of lawyers from other counties. Among those present was Nathaniel Knapp of Fort Madison. Knapp had taken a room at the hotel with a friend and had gone out "to have a time with the boys". Later in the evening Isaac Hendershott, a resident of Burlington, arrived at the hotel. There being no unoccupied bed except the one engaged by Knapp and his friend, he was assigned to it. About midnight Knapp and his companion returned, and, taking a candle, proceeded to their room. Finding their bed occupied, Knapp threatened violence, whereupon Hendershott sprang from the bed, pulled a dagger from his cane, and ran it through Knapp's body in the vicinity of the heart. Knapp sank to the floor and died instantly. Hendershott made his escape and was reported to have died of bilious fever at Lexington, Missouri, while fleeing to Mexico.

George W. Teas and Joseph B. Teas, brothers who had formerly practiced in Burlington, inserted a card in the *Iowa Territorial Gazette* on October 27, 1838, notifying the public that they were then associated in the practice of law at Mount Pleasant. Later George abandoned the

legal profession for the Methodist ministry. His brother Joseph had represented the settlers west of the Mississippi at the seventh Legislative Council of the Territory of Michigan at Green Bay and in 1836 was elected president pro tempore of that body. Joseph B. Teas was in the Council that met at Belmont while George served in the House. It was Joseph Teas who proposed to make Burlington the capital of Wisconsin Territory until the public buildings in Madison were ready.

Bloomington, now Muscatine, could count several able lawyers in 1838. Associate Justice Joseph Williams had selected Bloomington as his home. Theodore S. Parvin had been favorably impressed with Bloomington when he accompanied Governor Lucas on his tour of the Territory. To Bloomington from New York came Seranus Hastings in the spring of 1837. Hastings was elected to the House of the first Legislative Assembly in 1838. Thereafter he served in the Senate almost continuously until his appointment as Chief Justice of the Iowa Supreme Court in 1848. During the following year he moved to California, where he served as Chief Justice in the highest court of that State.

Stephen Whicher arrived at Bloomington aboard the *Ariel* in the fall of 1838. He is said to have been the "finest and profoundest" Blooming-

ton lawyer of his time. Irad C. Day and Ralph P. Lowe were admitted to the Iowa bar in 1838. Lowe was a member of the Constitutional Convention of 1844, was the first Republican to be elected Governor of Iowa, and served also as a Justice of the Iowa Supreme Court.

Conspicuous among the lawyers practicing at Davenport were Gilbert C. R. Mitchell and Jonathan W. Parker. Mitchell was born in Tennessee and graduated from East Tennessee University at Knoxville. Having practiced law in Alabama for a decade, he purchased a squatter's claim at Davenport in 1835, and began practice in the courts at Davenport and Stephenson. During his later years he served his constituents as a legislator, a mayor, and a district judge.

Jonathan W. Parker was admitted to the bar at the first term of court presided over by Judge Joseph Williams at Davenport in the fall of 1838. A native of Pennsylvania, Parker was active in local and Territorial affairs, serving as President of the Territorial Council at Burlington in 1839. He is said to have done much in framing the code of laws for the Territory. In 1844 he left Davenport, traveled extensively, then studied medicine, and finally died of cholera at Cincinnati in 1850.

Another lawyer who was destined to write his name large in the history of Davenport was James

Grant who arrived on June 18, 1838. Born in North Carolina in 1812, Grant graduated from the University of North Carolina in 1831. He taught school at Raleigh, then served as prosecuting attorney in northern Illinois. Later he developed into a successful railroad lawyer, at one time having more cases before the United States Supreme Court than any one else. Of his brilliant arguments Justice Dillon once said that every sentence was "clearly cut and finely chiseled".

Ebenezer Cook and John P. Cook, brothers and natives of New York, had achieved considerable prominence in Davenport by 1838. Both took an active part in the county seat fight between Davenport and Rockingham. Ebenezer had served as clerk of the court in Scott County under Judge David Irvin and this appointment was continued under Judge Joseph Williams. He was a member of the Constitutional Convention of 1844. A leader in bringing the railroad to Iowa, Ebenezer Cook rose to the position of acting president of the Rock Island company before his death in 1871. John P. Cook was active in politics and business, serving in several sessions of the legislature.

Among the other attorneys located at Davenport in 1838, were Simeon Meredith, J. W. Drury, William B. Conway, Alexander McGregor, and W. J. A. Bradford. The latter was a native of

Massachusetts and the first reporter of the Supreme Court of the Territory of Iowa. He remained in Iowa only a few years. Returning east, he published a volume entitled *Notes on the Northwest, or Valley of the Upper Mississippi*. In this book Bradford bewailed the low standards of the bar. "A young man", he declared, with "a schooling of one year, and the same amount of reading in law, frequently without instruction or direction, sometimes by an apprenticeship, is made a lawyer; such, at least, he is designated by legislative enactment, and the license of the court, but he is often, in a double sense, an infant in law. . . . Judges have been appointed here of less than twenty-five years of age, and of only two or three years' practice at the bar; and a judge of that green age sits *alone* on a trial involving life or death! In this way, the laws are administered, under the sanction of Congress and the government of the United States."

While professional standards were not very high in 1838, public welfare does not appear to have been seriously jeopardized. The youth and inexperience of the legislators was unfortunate, but, as Bradford pointed out, the "most objectionable enactments of the territories will stand comparison with the laws of Maryland."

WILLIAM J. PETERSEN

A Commonplace Calendar

During the hazy days of Indian summer a hundred years ago, while politics ebbed and river traffic almost ceased, the Iowa settlers wondered where to find the cash to buy their claims.

Monday, October 1. The Burlington land office opened for business and John H. Murphy was the first to buy the land he had preëmpted. § Stockholders of the Miners' Bank at Dubuque elected John Wharton president, a difficult position because the notes of the bank were not acceptable at the land office or at Davenport in payment for goods. Editor Logan hoped no "more of these pernicious institutions" would be established. § Drs. Ransom and Knapp formed a partnership the better to perform "any of the operations in surgery" with their "full setts of instruments". § Young James McKeel, who was playing about the house as usual in the morning, had a chill at noon and died in the evening. § Hundreds of uncalled-for letters were advertised by the Iowa post offices.

Tuesday, October 2. Robert E. Lee was making rapid progress in blasting reefs to deepen the channel over the Des Moines Rapids.

Wednesday, October 3. Old Chief Black Hawk died of "a violent bilious attack" in his lodge beside the Des Moines River near the agency. § A man was found dead on the river bank near Peru. He had been struck on the head with a stone in a fight the night before. § The Reverend Charles Burnham married Miss Adaline E. Jagger at Danville. § At Burlington Bradford Leonard married Ann E. Janes less than three weeks after her father died of apoplexy.

Thursday, October 4. Bradford Leonard took charge of settling the estate of his bride's father and that of her sister and brother-in-law who had died in August. § Thomas J. Taylor of the Du- buque firm of Scott and Taylor married Miss Sarah J. Cook.

Friday, October 5. A post office was established at Bentonsport with Seth Richards as postmaster. § The river at Burlington rose five or six inches.

Saturday, October 6. Though election returns from Slaughter and Johnson counties were not yet reported, Chapman was leading Engle by fourteen votes. Editor Clarke assured the *Saint Louis Republican* that Chapman was not a Whig but "a friend of the administration". § David Lowry advertised that a "large brown OX" had strayed from the Winnebago school on Yellow River.

§ Sheriff Cummins declared that citizens of Dubuque County would have to pay their taxes in October, without "further indulgence".

Sunday, October 7. "Providence permitting", L. G. Bell preached in Stewart's schoolroom. In the afternoon he made a "statement of attitude" of the Presbyterian church. § William Kelley died, aged five years and seven months.

Monday, October 8. Quakers at Salem held a "Monthly Meeting", the "first regular business of the Society of Friends west of the Mississippi."

Tuesday, October 9. Jonathan Morehouse, "much esteemed by his neighbors", died at Iowa in Scott County. § Work on the Des Moines Rapids was practically suspended because laborers refused to go into the cold water, "even for \$3 a day".

Wednesday, October 10. Sheriff Cameron auctioned at the residence of John Meldrom three horses, one cow and calf, ten acres of corn, and twenty-six hogs to satisfy the claim of Mathew W. Latty.

Thursday, October 11. Dr. Joel C. Walker married Miss Martha M. Stewart near Fort Madison. § A small boy, who fell off the *Science* a few miles below Burlington, was soon pulled out of the water, "but the vital spark had fled."

Friday, October 12. From Bellevue and the

mines "several sporting fellows" went to hunt elk and buffalo at the head of the Maquoketa and Turkey rivers.

Saturday, October 13. The weather was delightfully clear and balmy, though on account of having no rain "worth talking about" for two months the Mississippi was very low, small streams were dry, the soil was parched, and dust was "something less than ten cubic feet deep" in Burlington. § Jeremiah Lamson foreclosed a mortgage on lot 89 in Burlington for a note of \$279 given by Thomas S. Easton in March. § Bradford Leonard offered to pay cash for 10,000 bushels of corn and potatoes and 1500 dozen eggs.

Sunday, October 14. Martha Temple, the three-year-old daughter of George Temple, died.

Monday, October 15. Citizens of Dubuque were respectfully invited to attend a lecture on temperance. § Anxious to make Burlington the "most eligible point for the seat of Government", the *Gazette* urged that the deep gullies in the streets be filled up so that strangers would not break their necks at night in the dark of the moon.

Tuesday, October 16. The "multitude of dogs which nightly" patrolled the streets managed "to steal their own maintenance — and imitating the example of other public *servants*, after having pro-

vided for themselves" howled "most horribly to show their watchful care of the community."

Wednesday, October 17. Frosty weather had done wonders to improve health. Soon, ague patients predicted, the doctors would have nothing to do. § Completion of the Methodist Church in time for the legislature seemed doubtful.

Thursday, October 18. All the counties finally reported the results of the election. Governor Lucas proclaimed that Chapman had been elected to Congress by a plurality of thirty-six votes. § The government annuity was paid to the Winnebagoes at Painted Rock in Iowa twelve miles north of Prairie du Chien.

Friday, October 19. Edward Langworthy got a writ of attachment "against the lands and tenements, goods and chattels, rights and credits" of John Walsh and Wesley Parker for \$1339.41.

Saturday, October 20. In anticipation of the legislative session, J. B. Wiley opened the Tremont House in Burlington. His bar was "supplied with the choicest liquors". § John Harris died, "leaving a numerous family to mourn his loss." § J. S. Kirkpatrick of Bellevue was convinced that the "large sorrel mare" he lost in July and another in September had been stolen. "I had rather have the thief than both horses", he declared, offering a reward of \$100.

Sunday, October 21. A coroner's jury decided that Mr. Tyler had died of delirium and exposure. § Levi Anderson married Ame Carmichael.

Monday, October 22. The weather was "squally" with a prospect for rain. § John H. Rose threatened to contest the election of Thomas Cox to the legislature because he said Cox was not a citizen of the Territory on July 4, 1838.

Tuesday, October 23. Peter Lloyd borrowed William Luster's bay mare to ride a few miles.

Wednesday, October 24. Farmers were much interested in a variety of corn developed by Thomas N. Baden of Maryland. James Clarke saw Baden corn in Muscatine County fourteen feet high capable of yielding 150 bushels to the acre.

Thursday, October 25. The *Palmyra* arrived at Dubuque with a heavy cargo from Saint Louis. The *Pavilion* passed Burlington eight days up from Saint Louis.

Friday, October 26. The *Relief* passed Burlington, freighted for the upper country.

Saturday, October 27. The *Burlington Gazette* was a "dull paper indeed" because the editor had received few exchanges, partly due to poor mail service. § The weather was "charming — delightful" as everybody knew, and the river "too low" for mention. § W. W. Coriell sold his in-

terest in the *Iowa News* to Edwin Reeves whose law partner, John V. Berry was to be an assistant. § Legislators in the northern counties were afraid navigation would close before the Assembly convened. § A post office was opened at Pleasant Valley with Austin B. Lathrop as postmaster.

Sunday, October 28. The river was gradually rising. § A. K. Trollinger lost his pocketbook.

Monday, October 29. David Rorer shot Cyrus S. Jacobs. The wounded man was taken home and the ball, which had lodged against his spine, was extracted. § The arrival of the *Pavilion, Relief,* and *Ariel* at Dubuque probably prevented profiteering in flour and other staple groceries.

Tuesday, October 30. Jacobs suffered terribly. § If the "little rivulet upon which our town is situated should rise so as to permit keel-boats to float", good accommodations such as the new Land Office Hotel afforded would be needed in the capital.

Wednesday, October 31. According to Coriell, "Booby Stephen" Hempstead spent the day "toiling under the weight of a large bundle of handbills, and going about from house to house," distributing calumny. § Jacobs could scarcely endure the pain of his wound.

JOHN ELY BRIGGS

THE STATE HISTORICAL SOCIETY OF IOWA

Established by the Pioneers in 1857
Located at Iowa City Iowa

PUBLICATIONS OF THE SOCIETY

The Quarterly Journal of History
The Palimpsest—A monthly magazine
The Public Archives Series
The Iowa Biographical Series
The Iowa Economic History Series
The Iowa Social History Series
The Iowa Applied History Series
The Iowa Chronicles of the World War
The Miscellaneous Publications
The Bulletins of Information

MEMBERSHIP

Membership in the State Historical Society may be secured through election by the Board of Curators. The annual dues are \$3.00. Members may be enrolled as Life Members upon the payment of \$50.00.

Address all Communications to

THE STATE HISTORICAL SOCIETY
Iowa City Iowa