

Government Comes to Iowa

William Penn once declared that "Governments, like clocks, go from the motion men give them; and as governments are made and moved by men, so by them they are ruined too." There were Congressmen in the decade of the thirties who believed that the region west of the Mississippi River was being overrun with "land pirates", and, applying the philosophy of Penn, assumed that government in the Iowa country must be bad. But the political gloom which these men saw was the darkness that precedes the dawn. Occasional land pirates and ruffians there may have been, but the vast majority of settlers were sturdy, energetic, and honorable pioneers. In their hands political advancement on the frontier was assured.

When, in June, 1834, the Iowaland was attached to Michigan Territory, it was occupied by approximately three thousand squatters at little settlements along the Mississippi. Most of them were in the vicinity of the lead mines. If these people were to receive any specific benefits of the new political affiliation, it would be in the form of local government. Upon the recommendation of Governor Mason, the legislature of Michigan

established two counties west of the Mississippi River.

The area north of a line drawn due west from the lower end of Rock Island constituted Dubuque County, and the same area was also declared to be a township with the name of Julien. The region south of this line to the northern boundary of Missouri was organized as "Demoine" County and that area was also designated as Flint Hills Township. The frontier mining town of Dubuque constituted the principal settlement in Dubuque County, while in Demoine County were much smaller settlements at Keokuk, Gal-land, Montrose, and a little place commonly called Flint Hills and later known as Burlington.

The law which established the first counties in the Iowa country provided that local officers should be appointed by the Governor of the Territory, by and with the advice and consent of the Legislative Council. On the same day that the law was passed — September 6, 1834 — Governor Mason appointed Thomas McKnight as chief justice of Dubuque County — his name having been suggested by the residents of Dubuque. As associate justices he named Milo H. Prentice and Hosea T. Camp. As county clerk he designated Warner Lewis, and for the office of sheriff he selected Lucius Langworthy. Justices of the

peace, a notary public, and probate officers were also named.

McKnight, the appointee to the office of chief justice, was a prominent resident of Dubuque. In later years he was register at the Dubuque land office, and in 1846 he was a candidate for the office of Governor of the State. At the time of his appointment to the office of chief justice, however, he did not choose to become a public officer, and so declined the proffered distinction. In order to avoid delay in the administration of affairs, Governor Mason named Lorin Wheeler as chief justice. In this the Governor acted with dispatch, but he failed to consider the voice and will of the people at a time when popular government was a dominating power. Wheeler was a Whig and his appointment to office was the signal for popular protest. Learning of the local dissatisfaction, the indignant Wheeler tendered his resignation and expressed the hope that the Governor would "be pleased to accept it", and thus "quiet the minds of a few who think that the Executive has not power to make appointments" without their approbation.

Meanwhile a meeting of the citizens of Dubuque County was held "for the purpose of nominating a suitable person" for the office of chief justice. Woodbury Massey was named as

chairman of the meeting and William Myers was chosen as secretary. After some deliberation, John King was selected as the choice of the people. In order that there should be as little delay as possible in the organization of local government, "the proceedings of the meeting were sent by express, in advance of the mail, to Galena to be mailed there, as in so doing 2 or 3 days would be gained" in the time of their reaching the Governor's office at Detroit.

Milo H. Prentice and Hosea T. Camp, the two associate justices, also wrote to Governor Mason relative to the appointment. They declared that they had "no personal enmity" toward Mr. Wheeler, but they deemed it a duty to themselves and to their fellow citizens "to make a few plain statements of facts in the case" and to cordially and earnestly unite with their fellow citizens in the nomination of Mr. King for this office. It "does not become us", they said, "to say any thing in relation to the politics or private character of Mr. Wheeler", but they declared with emphasis that he was "*not* the choice of the people".

King, who was soon appointed in accordance with the will of the people, was a native of Virginia, an early resident of Ohio, and one of the first settlers to arrive in the Iowa country. Exploring "with varied success" at the Dubuque

mines in the early thirties, he had become one of the substantial citizens of that frontier region. Regularly constituted courts were not actually organized in Dubuque County until 1835. Prior to their establishment, however, Judge King played a conspicuous part in the maintenance of peace and order. At a public meeting, he took a prominent part in driving evil-doers across the river, where courts and laws were operative. King was always an advocate of honesty and integrity. To the rich he was just; to the poor he was generous to a fault. It was frequently said that he might have left a larger estate if he had not "always leaned to the side of kindness and charity".

In the fall of 1835, Judge King, having determined to make Dubuque his permanent home, returned to Ohio and purchased a printing press, which in the spring of 1836 he shipped to Dubuque. On May 11th of that year he published the first issue of the *Dubuque Visitor* — the only newspaper then published north of Missouri and west of the Mississippi River. The motto which this paper displayed — "Truth our guide, the public good our aim" — was indicative of the character of the editor.

Into the office of clerk of Dubuque County, in 1834, came the able and aggressive Warner

Lewis, who was destined in later years to become prominent in State and Federal affairs. Lewis had served in the Black Hawk War as an aid to Colonel Henry Dodge, and in the spring of 1833 he had come to Dubuque. His duties in the office of county clerk were not burdensome, but they were exacting and served as a stepping stone to further advancement. Later as Speaker of the House of Representatives in the Territorial Assembly and as a member of the State legislature he acquitted himself well. Appointed as Register of the United States Land Office by President James K. Polk, he was advanced to the office of Surveyor General by Franklin Pierce and retained in that office by James Buchanan. Judge George G. Wright declared that Lewis was "as chivalrous as a prince of royal blood", and that after many years he passed from the scene of public service "without a stain upon his record".

Lucius Langworthy, who received the appointment to the office of sheriff, was one of four brothers who were among the early settlers in the lead-mine region. Indeed, two of the brothers, Lucius and James crossed the Mississippi and commenced mining upon forbidden soil in 1830. They were at the mines on June 17th of that year when the Miners' Compact — the first semblance

of law — was signed by the miners. Twice they were driven out of the region by United States troops, but as soon as the lands were opened for settlement they again entered. In the advancement of government and business the Langworthy brothers were conspicuous. Not only was Lucius the first peace officer in Iowa, but he and his brothers were the first in many local enterprises. A history of Dubuque which did not mention the Langworthys and their interests would be like a history of America in 1934 without reference to Roosevelt and the "New Deal".

The advance of local government into the area designated as Des Moines County in 1834 was most welcome. In the spring of that year Lieutenant George H. Crosman with a small attachment of soldiers was engaged in building the first Fort Des Moines at the present site of Montrose. A short time after the attachment of the Iowa country to Michigan Territory word was received that the men should assemble to hear the reading of a message from Governor Stevens T. Mason. The proclamation was read by Morton M. McCarver of Flint Hills, and conveyed the significant information that the laws of the United States and of Michigan Territory in particular had been extended over the Black Hawk Purchase. At the conclusion of the reading, Lieuten-

ant Crosman drew his gleaming sword and, as a soldier of the Republic, in appropriate words acknowledged the supremacy of the civil law. He declared that with his small force he should be found ever ready to aid the authorities in the maintenance of law and order.

As at Montrose so also at the frontier village of Flint Hills there were those who had a high regard for law. Perhaps some looked upon it merely as a necessary protection against the evildoer. But wholly aside from the maintenance of order, William R. Ross and William Morgan and his family had come to value government for the opportunities and advantages which it afforded. Ross, youthful and full of adventure, had brought a shipment of goods to Flint Hills in 1833 and established a store on the frontier. Morgan was a man of mature years whose daughter, Matilda, was known in the village for her grace and beauty. Ross, who became a frequent visitor at the Morgan home, proposed a union with Matilda. But in a country without government and law, how could a wedding ceremony be performed? In this plight the young couple procured a flatboat and crossed the river. Illinois furnished the license, the officiating officer, and a sycamore tree as a bridal arch. The Iowa country furnished only the personnel.

It is not strange then that William R. Ross stood ready to aid in the advancement of law and government when opportunity was afforded. In the spring of 1834 he had been "commissioned Postmaster, and Carrier for Flint Hills to the nearest Post Office in Illinois" — trips being made once a week at his own expense until a regular route was established by the government. In this position he received a copy of the laws and instructions from Governor Mason notifying the people to select suitable persons for appointment by the Governor to the various county officers. Nominations having been made, Governor Mason on December 26, 1834, named William Morgan as chief justice; Ezekiel Smith and Young L. Hughes, associate justices; William R. Ross, county clerk; and Solomon Perkins, sheriff. To perfect an organization in due form Ross, the clerk, administered the oath of office to Chief Justice Morgan, who in turn administered the oath to Ross and the other appointees.

Morgan served as judge for only a brief period, and during a time when courts as such had not yet fully developed in the Iowa country. His duty was that of maintaining peace and order as best he could with the facilities at hand. On one occasion it is said that he ordered the sheriff to take into custody an offender, to place him in a cabin

improvised as a jail, "to barricade the door" securely with rails, and to retain the prisoner "until the further order of this court".

The first court actually held in Demoine County was in April, 1835. It was convened in a log cabin on the banks of the river north and east of what later came to be the Burlington public square. At about that time Judge Morgan resigned and was succeeded by Young L. Hughes, one of the associate justices.

In the office of county clerk was the active William R. Ross. In coming to this office he had added more laurels to his already extensive list of positions of "first" rank. He was the first merchant at Flint Hills, the first surveyor, the first postmaster, and the first benedict, as well as the first clerk. History records, however, that Ross not only was first to serve as clerk but also that he "discharged faithfully and impartially the duties of the office and that he was a man of good character & upright deportment". Few settlers of that early day were more widely known than Mr. Ross and few lived longer to tell of his exploits.

Solomon Perkins, the first sheriff appointed in Demoine County, was a pioneer among the pioneers. In November, 1832, he had crossed the Mississippi River at Oquawka and wandered in his travels down to Flint Hills where he remained

for three days. Then he located, "stepped off", and "staked" a claim of 320 acres some five miles from the present site of Burlington, and erected a small cabin. Meanwhile, Simpson S. White, Amasa Doolittle, and Morton M. McCarver, three fellow adventurers at Flint Hills, had built a ferry boat. Perkins helped them launch it and returned to Illinois. In the months that followed, soldiers destroyed some of the cabins west of the river — the land not yet being officially opened to settlement — but no damage was done to the Perkins homestead. On June 1, 1833, when this area was opened for settlement, Perkins returned to occupy his cabin unmolested.

The first two arrests which he made were upon charges of murder. He served as sheriff for six years and continued to reside in the county for almost a decade. Then for a period of forty years he passed from the scene of local affairs. Again in 1883 he reappeared at Burlington — a veritable Rip Van Winkle. Returning "to my old tramping ground", he pondered, "what do I see? All is changed. I go down to the old ferry I used to run, and find in its stead a wonderful structure of iron, a bridge instead of a ferry. I view the surrounding country near by, and it is built up solid with stone and brick blocks. I can hardly realize that forty years can make such miracles.

I inquire for my old friends and comrades, and I find that nearly all are gone; those I do find are changed; in place of the dark locks, they are gray." Courts, and laws, and governments, too, had advanced. Yet Perkins remembered well the days when there were none of these.

Such were the men and events in the Iowa country a century ago. Stevens T. Mason was the bold leader. His commands, "Attention", "Forward March", were clearly heard on the western front, and the voices of those who cried "land pirates" and "ruffians" were lost in the sound of advancing footsteps. The Mississippi was no longer an impassible barrier. Rather, it was as if the waters of the great river were divided to encourage the march of civilization to the western shore. Two counties appeared west of the river, each with its stalwart men. Courts and representation in legislative halls came a little later. But in 1834 — the year of the establishment of civil government in the land that is now Iowa — there were great strides forward. "Governments, like clocks, go from the motion men give them . . . Let men be good, and the government cannot be bad", and if men be bold and vigorous and alert, governments can not fail to advance.

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