

The **P**ALIMPSEST

MARCH 1939

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JOHN ELY BRIGES

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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

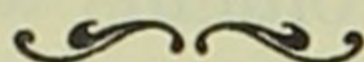
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Guides to Iowa Territory

The Iowa country was the western frontier in 1839. Moving in from the Old Northwest, from the South and from the East, down the Ohio and up the Mississippi, came thousands of pioneers eager to claim the land recently occupied by the Indians. United States dragoons patrolled the border, explorers made long expeditions to the sources of the rivers, and surveyors with rod and chain marked section lines and platted town sites.

Through the Territorial period, there were many factors which encouraged immigration. Besides the more obvious attractions, such as the beauty of the country and the fertility of the soil, lesser influences contributed toward rapid settlement. Without the emigrant guides, prospective pioneers would have been dismayed by the difficulties of western migration. The effect of the handbooks and colored maps can scarcely be measured, but no doubt they contributed to the popularity of the West. The Black Hawk Pur-

chase was not neglected. Indeed, the first Iowa publicity consisted of exuberant praise of the resources of the future Commonwealth. Promoters wrote their enthusiasm into emigrant guides; military explorers reported their journeys; and newspaper editors filled columns with enticing descriptions of the "beautiful land".

In several respects the most significant description of the Black Hawk Purchase resulted from the long march of three companies of the First United States Dragoons in the summer of 1835. According to a soldier in Company I, Captain Jesse B. Browne was sick, and so Lieutenant Albert Miller Lea commanded the company on the eleven-hundred-mile ride across the prairies of interior Iowa. When the dragoons returned to their barracks at Fort Des Moines on August 19th, the anonymous historian recorded that "upon the whole I can say we have had a pleasant Campaign."

The experiences of Lieutenant Lea on this "pleasant Campaign" resulted in an important contribution to the early literature of Iowa: Lea's *Notes on Wisconsin Territory, with a Map*. Impressed by the beauty and resources of the "Iowa District", he bought some land near the present site of Muscatine and began to promote the interests of a town he called Iowa — a town which he

thought might be the future capital of the State of Iowa. And "no place could be better adapted to the erection of buildings".

Lea obtained from the War Department the map he had drawn from data collected during the dragoon expedition in 1835. Elaborating a memoir which he had submitted with his map, Lieutenant Lea had a thousand copies of the book published in 1836 by H. S. Tanner of Philadelphia. The *Notes* were intended to retail for one dollar a copy.

The significance of Lea's contribution lies in the emphasis he gave to the term Iowa. On the blue paper cover of this fifty-four-page book is the title *Notes on the Wisconsin Territory; Particularly with Reference to the Iowa District, or Black Hawk Purchase*. But many copies of this description of climate, country, rivers, and towns met a strange mishap. While being shipped to a merchant in Burlington, half of the edition went to the bottom of the Ohio River with an ill-fated steamboat. Because of the rarity and significance of the little book, Lea's *Notes* were reprinted in the *Annals of Iowa* in 1913 and again by the State Historical Society (*The Book That Gave Iowa Its Name*) in 1935.

Nor was Albert M. Lea the only military man who contributed to the early literature of Iowa.

In the summer of 1837, Governor Henry Dodge made a journey to St. Peters in order to draw up a treaty between the United States and the Chippewa Indians. The treaty signed on July 29, 1837, does not bear the name of William R. Smith (although the well-known Iowans, Verplanck Van Antwerp and William W. Coriell, were noted as witnesses); but it is certain that he was present as an aide to Governor Dodge.

Partly as a result of this trip and partly from impressions gained through residence, W. R. Smith, the future president of the Wisconsin Historical Society, had E. L. Carey and A. Hart of Philadelphia publish in 1838 a book about the country he saw. The publication, *Observations on the Wisconsin Territory; Chiefly on that part called the "Wisconsin Land District"*, contains one hundred and thirty-four pages, ten of which are about Iowa. General Smith acknowledged that the "condensed view of the growing prosperity of the western side of the river Mississippi" was gathered from Peter H. Engle of Dubuque.

Explorers also contributed their share to the early history of Iowa. Joseph N. Nicollet in his report to Congress in 1840 on a survey of the hydrographical basin of the upper Mississippi River described the Iowa country. Captain James Allen's report of the march of his dragoons in the

Des Moines Valley during the summer of 1844 was published by the government in 1846. His *Journal* was a commentary upon land and weather. Though very matter-of-fact, it was in the romantic tradition of other explorers who travelled through the country and wrote about the conditions they observed.

John Plumbe, Jr., was not only a promoter of a scheme for a transcontinental railroad; he was an enthusiast for Iowa as well. In 1839, Plumbe had Chambers, Harris, and Knapp of St. Louis publish *Sketches of Iowa and Wisconsin, taken during a Residence of Three Years in those Territories*. The purpose of the volume, said Plumbe in the preface, was to "be the means of effecting some good, by assisting in directing the attention of Emigrants and others, to a portion of the United States, which all, who have examined it, unite in representing — to use the words of a distinguished English traveller — as 'one of the finest domains that nature ever offered to man.' "

Composed chiefly of quotations from Lea's *Notes* and from newspaper articles, Plumbe's *Sketches* described the topography and resources of the sister Territories. Of particular interest is a map which outlined the surveyed townships, it "being the only Map yet published, exhibiting the location of Iowa City the permanent Seat of Gov-

ernment of the Territory." In his description of towns, Plumbe said of Iowa City: "Its situation is a very beautiful one, having an abundance of timber near it; and a fine quarry of marble, of which the Capitol is to be constructed upon a very magnificent scale." This volume was reprinted in the *Annals of Iowa* for January and April, 1925.

Almost as romantic a figure in the history of Iowa as John Plumbe, Jr., was Isaac Galland. An adventurer in speculation, publishing, and religion, he was also by profession a physician, the compounder of "Dr. Galland's Family Medicines". Having settled in the Half-Breed Tract in 1829, he engaged in the fur trade and occasionally prescribed for ailing neighbors. He sponsored the first Iowa school. About the time he became agent for the New York Land Company in 1837, he began publishing the short-lived Montrose newspaper *The Western Adventurer*. On September 9, 1837, the *Iowa News* announced to its readers that the *Western Emigrant and Historian of Times in the West* was the title of a sixteen-page monthly periodical published at the office of the Montrose newspaper. "This periodical, as its title indicates," said the editor, "is devoted to the interests of the emigrant, and contains many selections of incidents in the West, as well as geographical descriptions." The price of

the magazine was two dollars a year "with liberal deductions to clubs".

While Galland was residing in Montrose he compiled and had William C. Jones of Chillicothe, Missouri, publish in 1840 a volume entitled: *Galland's Iowa Emigrant: containing a map and General Descriptions of Iowa Territory*. The guide was reprinted in the *Annals of Iowa* for January, 1921. Within the compass of thirty-two pages, Doctor Galland described the topography of the country, the character of the population, the animal life, and a list of civil and executive officers of the Territory. Of particular interest is his account of the Indians of Iowa. A descriptive work on Indian lore by Doctor Galland was published posthumously in the first *Annals of Iowa* in 1869. Soon after the Mormons settled at Nauvoo, he accepted that faith and served Joseph Smith in a secretarial capacity. In 1847, after the exodus of the Mormons to Utah, he published a few issues of *The Iowa Advocate and Half-Breed Journal*.

In contrast to the emigrant guides of a general nature was J. H. Colton's *Guide for the Territory of Iowa, with a correct map*. Published by the compiler at New York in 1839, the six-page guide seems incidental to the map, which was not really up-to-date. The demand for this first emigrant guide and map devoted exclusively to Iowa was

apparently so great that it was reprinted the next year.

In 1840 Jesse Williams had J. H. Colton of New York publish *A Description of the United States in Iowa* — being, said Williams, “a minute description of every section and quarter section, quality of soil, groves of timber, prairies, ledges of rock, coal banks, iron and lead ores, waterfalls, mill-seats”. And, concluded the compiler, “The book and map will furnish the possessor with more information concerning Iowa than can be obtained from any other source.”

Similar to the compilation of Williams was the volume by Willard Barrows, the United States Deputy Surveyor for Iowa. *Notes on Iowa Territory with a map* was published by Doolittle and Munson at Cincinnati in 1845. The *Notes* contain forty-eight pages of general information on the counties and a table of distances on the Ohio and Mississippi rivers. The map, which was colored, showed the counties and townships.

There were other maps and general guides incidentally touching upon the Iowa country. For example, William Guthrie published at London in 1819 *A Geographical, Historical, and Commercial Grammar; exhibiting the Present State of the World*, which indicated the trading posts along the eastern fringe of the land that was to be Iowa.

Ten years later R. W. Chandler of Galena, Illinois, compiled and had published in Cincinnati a detailed map of Wisconsin Territory west of the Four Lakes, "giving the location of the few Indian villages, and all the lead diggings of that day". And in 1838 Samuel Augustus Mitchell compiled a map of the settled part of Wisconsin and Iowa, and Henry I. Abel of Philadelphia published it as *A Geographical, Geological and Statistical Chart of Wisconsin and Iowa*.

Of the books which contained a passing reference to Iowa, the following may be found interesting: J. M. Peck's *A New Guide for Emigrants to the West* (1836); Rev. Robert Baird's *View of the Valley of the Mississippi, or the Emigrant's and Traveller's Guide to the West* (1831, 1836); J. Calvin Smith's *The Western Tourist and Emigrant's Guide* (1840) and a reprint of this volume by J. H. Colton in 1843.

But the chief promoter of Iowa's interest was Major John B. Newhall. Coming in 1834 on the first wave of immigration, he could truthfully say that he had "witnessed the great work of civilization in all its various stages, from the lone cabin of the frontier settler, to a happy and intelligent population of 170,000 souls!" Always actively concerned with new developments, Newhall contributed three guides to the literature of Iowa.

In 1841 J. H. Colton published his *Sketches of Iowa, or the Emigrant's Guide*. Within this two-hundred-and-fifty-two-page book was "a correct description of the agricultural and mineral resources, geological features and statistics" as well as "a minute description of each county, and of the principal towns and Indian villages". According to the title page, this volume was "the result of much observation and travel during a continuous residence of several years". The purpose of the guide was clearly stated in the preface. Said Major Newhall: "Perhaps no portion of this fertile valley at the present time excites more general interest, or in detail is less known, than the territory of Iowa." Of the volume T. S. Parvin wrote in his *Diary*: "Just finished reading Newhall — too flowery."

With continuing enthusiasm, the Major lectured on "The Past, Present, and Future Resources of Iowa." Traveling abroad he talked to Englishmen at Birmingham, Liverpool, and London on the prospects of Iowa. And in 1844 he published a book of one hundred pages entitled *The British Emigrants' "Hand Book"*. This volume printed in London counselled that Wisconsin, Illinois, and Iowa were ideal for future settlements. "And if you do not happen to have a 'Home sick Wife', I can see no reason why, with

ordinary Good Luck, blessed with patience and perseverance, you should not prosper equal to your utmost expectations." There is little doubt but that this enthusiastic "Hand Book" was instrumental in attracting hundreds of British emigrants to Iowa in the years before the Civil War.

In 1846, Major Newhall brought out a second edition of his first book on Iowa. This one-hundred-and-twelve-page book was published by W. D. Skillman of Burlington, Iowa, and was entitled *A Glimpse of Iowa in 1846*. A brief directory of the leading cities and an appended copy of the new State constitution were features of the second edition.

Writing of *Sketches of Iowa*, Major Newhall said that "in little more than two months from the day of publication, to the final disposal of the entire edition, is, of itself, a sufficient commentary of its favorable reception, and affords the writer the most gratifying evidence that the spirit of inquiry is still abroad, to learn more and more of the condition and vast resources of this highly favored region."

Other evidence of the effect of these guides upon emigration might be inferred from the numerous letters and descriptions of the Iowa country printed in the newspapers. For example, "Veritas" wrote for the Burlington *Hawk-Eye* in

the summer and fall of 1843 a series of articles upon emigration. Obviously, these were intended to reach the eyes of eastern readers and were extensively reproduced in the eastern press.

Then too, the growth of Iowa during its Territorial period was phenomenal. Albert M. Lea in 1836 thought the Iowa country had a population of at least sixteen thousand. The census of that year, however, recorded only 10,531. In 1838 the population had reached 23,242, and two years later the number of inhabitants had again nearly doubled. When the Territory became a State, there were 102,388 persons in Iowa.

Can it be doubted that the numerous emigrant guides contributed their share to the founding of this Commonwealth? Having read the eulogies of Lieutenant Lea, Doctor Galland, and Major Newhall, the lusty pioneers perceived a vision of opportunity on the prairies beyond the Mississippi and joined the western migration. Indeed, the pen of the early promoters seems to have contributed as much as the sword of the frontier soldiers to the empire of Iowa.

JACK T. JOHNSON

In Defense of Claims

This month of March, 1939, marks the one-hundredth anniversary of the organization of a typical pioneer institution. Though extra-legal, its influence was extensive and the benefits it conferred upon the settlers were of inestimable value. The name of this organization was the Claim Association of Johnson County.

Until late in the thirties the area now known as Johnson County was a veritable wilderness which constituted a hunting ground for Poweshiek's Sauks and the Fox Indians. According to an act of Congress the "possession of, surveying, marking off, or occupation by any and all persons of any portion" of the public domain was forbidden until the Indians were removed and the land surveyed. By the treaty of 1837 the Indians were eliminated and eager pioneers ventured into the new country. Possession of the land was still without legal right, but settlers were tolerated by the government. In May, 1838, the sheriff counted 237 squatters in Johnson County.

The catalyst for the settlement movement in Johnson County was an American Fur Company trader by the name of John Gilbert, who, in 1836,

persuaded Eli Myers and Philip Clark that his sphere of operation was their promised land. These two men rode horseback from Indiana to investigate, and became the county's first white settlers. They so ably spread the gospel of rich soil, healthy climate, and abundant timber and stone for building that a number of their Indiana friends and neighbors packed, lock, stock, and barrel, and trekked forthwith to the banks of the Iowa River. Johnson County was created in December, 1837. In August, 1838, Governor Lucas appointed S. C. Trowbridge sheriff and instructed him to organize the county. Officers were elected on September 10th at Napoleon.

In the following winter the Territorial capital was located by law in Johnson County. This aroused the settlers. What was to prevent speculators and undesirable citizens from coming in and exploiting the area, depriving honest settlers, already on the land, of their homes? Unless concerted action was taken, every claim in the county would be jeopardized. The settlers talked over the situation, and on March 9, 1839, at a grand meeting, the constitution for the "Claim Association of Johnson County" was adopted. S. C. Trowbridge, the county sheriff, was elected the first president of the Association. Nearly every settler in the county was present, and 282 signa-

tures were affixed to the constitution. These included the names of the humblest squatters as well as the signature of Governor Robert Lucas.

Similar claim associations for the protection of the settlers were not unique, but the constitution of the Johnson County Claim Association was probably the most elaborate in Iowa. Close scrutiny of the faded pages of the original manuscript, which is now housed in the library of the State Historical Society of Iowa, will show with what care and foresight those early pioneers guarded their interests. As an organic law, the constitution was ideal. It named the officers and prescribed their duties — a president, vice president, clerk or recorder of claims, deeds, or transfers of claims, seven judges or adjustors of claims or boundaries, and two marshals. Samuel H. McCrory, one of the most prominent men in the community, was elected recorder, and he held this position throughout the life of the Association.

Most of the onerous duties fell to the adjustors of claims and the marshals. The duties and powers of the former were "to decide on all questions of dispute relative to the rights of claims or parts of claims as the case may be and settle all disputed lines or boundarys, between members of this association or members of this association and any other individuals". The marshals had "to serve

all processes that may be handed them", enforce the decisions of the judges, and "demand the assistance of sufficient number of the members of this association if they find it necessary to carry all decisions and laws in to effect." But these doughty officers had plenty of backing, as is shown by extracts from the minutes of a meeting held in 1842. On July 2nd it was resolved that, "more effectually to sustain settlers in their just claims according to the custom of the neighborhood and to prevent difficulty and discord" the members pledged their honor not to associate, trade, barter, deal, or neighbor with any "enemys of justice and good order" who refused to respect the claims of settlers. Moreover, the Association officially declared that any person who attempted to intrude upon the rightful claim of another and "take away a portion of the hard earnings of the enterprising and industrious setler is dishonest & no Gentlemen".

Within a few months after the Association was formed, the marshal utilized the full power of his office and called forth all the members. This unprecedented muster was deemed necessary because a man named Crawford had brazenly taken possession of a claim lying about one mile north of Iowa City belonging to Association-member William Sturgis. At ten o'clock on the morning of

November 7th about sixty stalwart frontiersmen marched in a body to the claim-jumper's cabin. The company surrounded the place and then called a parley. Crawford, busy putting some finishing touches on his house, was asked to abandon his claim, but he refused and warned his visitors against molesting him. Sturgis then offered to pay him for all labor performed on the property if he would leave peaceably and relinquish his claim; but Crawford emphatically refused. "Without a moment's delay," related a witness, "the men ascended the corners of the house, and in fifteen minutes there was not a vestige of it left standing. Mr. Crawford was left in amazement, with axe in his hand, in the center of the vacant space once occupied by his cabin." Having administered this warning, the company dispersed.

Not long afterward another "call-to-arms" was issued. Crawford had rebuilt his house and moved in with his wife and family. This time the settlers determined to stop at no half-way measure. Whatever their plan may have been, it was not put into effect, for when they arrived upon the scene a meek and humble Crawford met them. After a short conference with Sturgis a peaceful agreement was reached. Afterward, it is related, Crawford tried to substantiate his claim in court, but nothing came of the proceedings.

The only other disciplinary measure recorded was a whipping administered to Charles Berryhill for claim jumping. By order of the club Joseph Stover gave the lashes.

Article 3, Section 1, of the constitution, gave explicit directions to the members for making and recording their claims. "All members of the association shall be required in making claims to stake them off or blaze them in such a manner that the lines of such claims can be easily traced or followed". Corners marked by a tree or stake were to be identified by the initials of the claimant. In no uncertain terms did William H. Harris describe his claim: "Commencing at a certain Oak Tree at the North East corner Running South 1 Mile to a certain Stake at the South East Corner thence west $\frac{1}{2}$ mile to a Certain stake at the south west corner thence North 1 mile to a certain Bur Oak Tree at the North west corner thence East $\frac{1}{2}$ mile to the place of beginning containing 320 Acres."

Many of the claims recorded were described in much more detail, and the claimants used every device imaginable in locating their property. Some of the entries, however, were very short, for instance: "Walter Clark has this day made the following Claim Towit all of that party of the N W qr of Sect 15 in Township 79 N R 6 west

which Lyes west of the Iowa River in Johnson County”.

During the four years of the Claim Association's history there were but two government land sales. One was held at Dubuque in 1840; the other at Marion in 1843. When the date of the first sale was announced, the Johnson County Claim Association elected a “bidder” and “assistant bidder” for townships seventy-nine north, ranges five and six west of the fifth principal meridian (the township containing Iowa City and the one directly east). The settlers arrived at Dubuque early enough to make all necessary arrangements for the sale on Monday, August 3rd.

As Cyrus Sanders, a member of the association, related: “When the time came for the sale to begin, the crier stepped out on the platform, and inviting the bidder and assistant to take places on the platform beside him, took hold of one side of the plat,” and began to sell the land in eighty-acre pieces. “When he came to a tract with a name written on it, he would strike his hammer down, and give the name to the clerk. He thus proceeded, taking the sections in numerical order. The two townships were offered in less than thirty minutes. During this time the claimants stood in a compact semicircle in front of the platform in breathless silence, not a sound being heard except

the crier's voice. The purchasers were then admitted, two or three at a time, to pay for the land and receive their certificates."

The second sale, held at Marion, was probably conducted in much the same manner. Again the Claim Association was prepared to act in behalf of its members. Minutes of a meeting just before the sale contain the following resolution: "where as for the purpose of protecting the claimants and securing to him his just right & for the purpose of preventing the speculator from takin from the settler the hard earned fruits of his Labour — Therefore be it Resolved. that the members of this association hereby pledge themselves to unite their influence, to secure to each and every member of this association any claim to which he is justly entitled by preventing any other person or persons from entering the same without the claimants consent".

Soon after the land sale at Marion, the Claim Association of Johnson County disbanded. Its usefulness was over. For four years it had kept a record of land holdings, listed transfers, prevented claim jumping, and kept order in the community until civil government was established. It was a remarkable demonstration of the capacity of the pioneers for self-government.

FRED C. BATTELL

Samuel H. McCrory

The formal history of a community is mainly concerned with those individuals who have contributed the most conspicuous service and achieved the greatest success. But the ordinary citizens who participate in the building of their community and lay the substantial foundation upon which the "great" men are able to erect the spectacular superstructure seem to be forgotten. Many of the pioneers who helped formulate and execute the policies that transformed a frontier settlement into a stable, orderly community, the men who gave freely of their time and energy that their community might grow and flourish, have become mere names, incidentally mentioned in the record of facts that is called history. They were too busy with the every-day responsibilities of life and the common welfare of the group to court personal fame.

Such a man was Samuel Henry McCrory who, through his genuine interest and real desire to help in the evolution of Johnson County from a frontier settlement to orderly government, had the satisfaction of realizing the goal for which he worked. Born in Virginia on August 6, 1807, he

migrated westward while still a young man. After staying in Illinois a short time, he came to Iowa in the summer of 1837 and spent the remainder of his life here. As a young tree transplanted from one place to another takes root and grows, so Samuel McCrory established himself on the frontier. From the time he settled on a choice claim in the valley of the Iowa River, he participated in all phases of the life of a new settlement as it grew into a populous center of political and cultural interests.

Wherever action was being taken to establish law and order, Samuel H. McCrory was present and assumed his share of responsibility. When the pioneers organized an association to protect their land claims, they elected him clerk and recorder, an office which he held the entire four years that the association existed. The completeness and neatness of the records of the Claim Association of Johnson County are excellent proof that he was qualified for this position. He kept the minutes and recorded over 200 claims and nearly as many quit claim deeds. His book contained the proof of title to every piece of land in Johnson County until government certificates were issued. Intolerant of trespassers, he was no doubt among the "sixty stalwart men" who helped tear down the cabin of Mr. Crawford who tried to

"jump" a claim. Thus did McCrory and others like him institute law and order by their own initiative, anticipating the formal establishment of government.

McCrory was chosen "bidder" to represent members of the Association at the government land sales. Forty or fifty settlers of Johnson County arrived at Dubuque "in two-horse wagons, supplied with provisions and camp equipment", ready for the sale on August 3, 1840. McCrory and the assistant bidder, Cyrus Sanders, had large plats of the two Johnson County townships that were to be sold, with each claimant's name written on the tract of land he wanted to purchase. They stood on the platform beside the crier who began with section 1 and called out each eighty-acre tract as rapidly as he could speak.

The first district court in Johnson County was opened by Joseph Williams at Napoleon in Gilbert's trading house on May 13, 1839. There were no windows in the log building and so the sheriff and his deputy had to keep the doorway clear to let in enough light to dispense justice. The grand jury, of which Samuel McCrory was foreman, inquiring "into such matters and things" as were presented on behalf of the Territory, found that Andrew J. Gregg, a horse thief, was

charged with "passing counterfeit money". The jury assembled outside and was addressed by the judge from a saw-log. With McCrory as their spokesman they returned a "true bill" of indictment against the accused man, who was bound over to the next term of court.

State as well as local affairs came within the orbit of McCrory's public service. When the convention was called in 1844 to draft a State constitution, he was elected as one of the three delegates from Johnson County. He served on the committee appointed to prepare articles dealing with Education and School Lands. It is interesting to note his stand on some of the issues before the convention. He voted in favor of opening the daily sessions with prayer. He did not think aliens should be allowed to vote, even if they had declared their intention to become citizens. Popular election of district judges did not meet his approval. He favored a four-year term for the Governor and reasonably generous compensation for State officers.

That his interest in good government continued throughout the years is exemplified by his service in the House of Representatives in the Fifth General Assembly (1854-1855). He was on the committees on Elections and Federal Relations. In the interests of his own community he introduced

several bills. One resulted in the donation of a lot to the First Presbyterian Church of Iowa City, of which he was a trustee for many years. Another became an act "to encourage agriculture and mechanic arts in Johnson County".

McCrory participated in practically every community activity. The first record in regard to roads in Johnson County (May 15, 1839) "orders that Samuel H. McCrory be appointed as a commissioner on the part of the county, to locate a territorial road leading from opposite Oquawka, Illinois, to Napoleon". From July 4th to November 14, 1839, he was postmaster of Napoleon. The office was in his own home, but as soon as possible he moved it to Iowa City, locating in Charles S. Foster's log store, just north of Capitol Square.

Education was one of Samuel McCrory's special interests. He, who obtained his own education "away from school and after business hours" while working in his uncle's store, was treasurer of the Iowa City school district for many years. The records of the board of directors which are available reveal his faithful participation in the meetings for almost two decades. He not only served as treasurer for the district but also helped formulate the rules for the government of the board and the schools.

At the very beginning of the State University (1847-1851), as one of the members of the Board of Trustees, he did much of the "pioneering" in an effort to get the University started. He was on the committee to examine the laws touching the interests of the University to find out at what time and in what proportions the University funds could be made available. The reports record his urging that the lands granted for the support of the University be located as quickly as possible. He helped formulate a plan for the establishment of a law department of the University.

Despite all these public activities, McCrory did not allow his economic welfare to be overshadowed by his civic interests. When the Iowa City Manufacturing Company was established in 1843, he was elected to the committee on stock sales. He considered himself a farmer, however, and devoted his major efforts for three decades to agriculture. His success was reflected in his own well-improved farm and the prizes he won at the early Johnson County fairs.

It is not to be assumed that Samuel McCrory had no "personal" interests, for certainly his home and farm meant much to him. "The gallant, young bachelor", as he was called, "batched it" in a one-room log cabin, located about half way up the hill south of Ralston Creek, when he first came

to Iowa City. But he was not destined to remain single. One of his granddaughters, now living in Iowa City, tells the story — a family tradition — of the fateful day when Samuel McCrory was visiting with George Andrews in Iowa City. Mrs. Andrews's cousin, Elizabeth McCloud, arrived from Muscatine the same day. McCrory saw her alight from the coach. "There's my girl", he announced. On April 6, 1841, they were married at the Andrews home.

A little over a decade later, Samuel H. McCrory built an eleven-room house on his farm and named the place "Virginia Grove". Carrie McCrory, one of his four surviving children, tells of her father's love of trees and the fine orchard he raised west of the house. He planted sugar maples on both sides of the quarter-mile lane leading to the house. They still stand as a landmark of the McCrory farm. High among the branches of one of the large trees in the front yard he built a seat for the children with steps leading up to it. When they were older they sat up there with special friends, cozy and secluded. Miss McCrory recalls her home as "the scene of many pleasant and happy gatherings of friends and students". There were eight girls and five boys in the family.

It was in 1866 that the pioneers who had seen a frontier settlement develop into a thriving com-

munity gathered to form a permanent Old Settlers' Association. They could view with satisfaction the neighborhood to which they had so richly contributed. It was Samuel H. McCrory who drafted their constitution. In 1869 he was elected president.

With this event, the public record of Samuel H. McCrory fades. He was growing old, and the years of toil and pioneering were showing their effect. Though he lived to be over seventy, the remainder of his life was spent quietly at home with his family and among old friends. He died on March 11, 1878.

The information about McCrory to be gleaned from official records and the files of newspapers is singularly devoid of dramatic incidents and personal opinions. In the legislature he seldom spoke, and his services in other organizations were usually secretarial or financial in nature. But his calm and thoughtful advice must have carried weight for he occupied many positions of trust. The imprint of his character, though now obscure and half-forgotten, is nevertheless indelibly affixed to the history of Iowa City.

GLADYS MALBIN

County Evolution in 1839

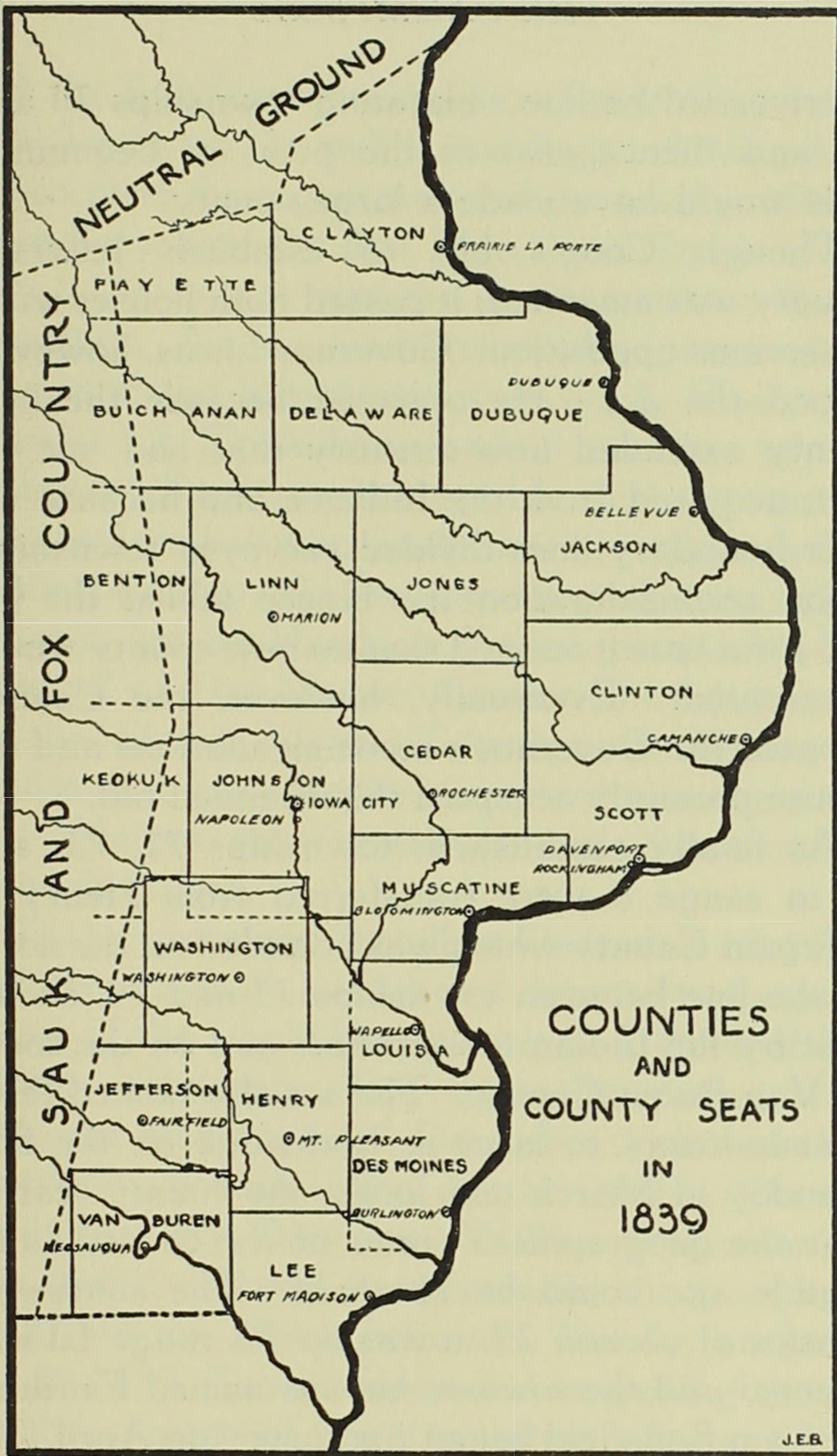
In consideration of "the local excitements that frequently arise in neighborhoods, on the subject of division of counties, the alteration of county lines, and the location of county seats," Governor Robert Lucas declared in his first message to the Territorial legislature that much benefit would result "were the whole of the surveyed part of the Territory laid out into counties of a uniform size, and so bounded as to preclude any subsequent subdivision, or alteration of the boundaries; and the seats of justice established in each [where they had not already been fixed by law] by disinterested commissioners to be appointed for the purpose." The Governor proposed the enactment of a general law on this subject.

Local politicians were quick to capitalize opportunities to win the favor of communities which were dissatisfied with the existing county boundaries or the location of the county seats. Members of the legislature promised to respect the wishes of their constituents and vote for the changes favored by the most numerous petitioners. In anticipation of such legislation a standing committee on township and county boundaries

was appointed in the House of Representatives.

Perhaps in response to the Governor's recommendation or in an effort to avoid the continual log-rolling characteristic of special legislation, Jonathan W. Parker proposed a general law to regulate the size of counties and provide a uniform method of locating county seats. This bill was passed by the Council early in January, 1839, but failed to be considered in the House. Meanwhile, the proponents of particular changes were active in securing the enactment of measures calculated to satisfy certain localities and factions.

According to an act of the Territorial legislature in 1838 the jurisdiction of Henry County had been extended to the Indian country on the west. In response to the demand of the inhabitants of the attached area, William G. Coop introduced a bill in the House to establish the new county of Jefferson. Hoping that his own town of Lockridge might be made the county seat, he proposed to include a slice of Henry County. As the bill was originally framed the eastern boundary probably began at the southeast corner of township 71 north, range 8 west, followed the township line north to the Skunk River, thence up the river to the line separating townships 74 and 75, thence west to the line between ranges twelve and thirteen, thence south to the Des Moines River, down



the river to the line separating townships 70 and 71, and thence east to the point of beginning. This would have made a large county.

Though Coop's bill to establish Jefferson County was amended, it passed both houses without serious opposition. Governor Lucas, however, vetoed the act. He objected because the new county extended into territory that had not yet been acquired from the Indians, and because the river boundary lines divided surveyed townships. Upon reconsideration the House tabled the bill and for a time it seemed that no new county would be created. Eventually, however, the Council adopted the Governor's recommendations and the House promptly accepted the amended bill.

As finally established, townships 71, 72, and 73 in range 8 were transferred from Henry to Jefferson County which was bounded on the north by the line between townships 73 and 74, on the west by the Indian cession line, and on the south by Van Buren County. The act also named three commissioners to meet at Lockridge on the first Monday in March and locate the county seat as near the geographical center of the county as an eligible site could be obtained. The southwest quarter of section 25, township 72, range 10 was selected and the town-to-be was named Fairfield. William Bonafield began the survey on April 17th

and the first lots were sold on June 15th to provide funds for the public buildings. Meanwhile, to complete the organization of the county, officers were elected on the first Monday in April.

In 1838 Louisa was the smallest county in the Territory. Among the citizens who were anxious to extend the boundaries was W. L. Toole, the founder of Toolesboro and a member of the House of Representatives. He hoped to annex the northern half of the adjacent townships in Des Moines County. At the same time a faction in Lee County, led by Hawkins Taylor, planned to acquire all of Des Moines County which lay south of the Skunk River. Together the forces of Louisa and Lee counties conspired to outvote the Des Moines representatives and thus achieve their objectives.

Taylor presented his bill on December 15, 1838, and about a week later it was debated in the committee of the whole House with C. J. Price of Lee County presiding. The opponents managed to table the measure until December 28th and then postponed consideration another week. On the following day, however, William Patterson of Lee County moved to reconsider the postponement, but the House refused. Finally, on January 2, 1839, Taylor succeeded in getting the favorable report of the committee of the whole

adopted by a vote of 17 to 7. John Frierson of Muscatine, James Hall of Van Buren, and Robert G. Roberts of Cedar, joined four Representatives of Des Moines County in opposition.

George Hepner of Des Moines County led the fight against the bill in the Council, but his motion to strike out the enacting clause was defeated, the rules were suspended, and the bill was passed 7 to 6. L. B. Hughes and J. D. Payne of Henry and J. W. Parker of Scott voted "No" with the three Des Moines Councilmen. The next day Hepner introduced a bill to redefine the boundaries of Des Moines County, probably in the hope of retrieving some of the lost territory, but his proposed boundaries were so amended that he moved to table the bill and thus the contest ended.

Contrary to the advice of Governor Lucas, the revised boundary between Lee and Des Moines counties followed the Skunk River all the way up to the intersection of the line between ranges four and five, thus dividing townships 69 in ranges three and four and transferring the parts south of the river to Lee County. A small corner of township 69 in range five north of the Skunk River was left in Lee County instead of being transferred to Henry or Des Moines. The Governor signed the act on January 23, 1839, and the boundaries then established have remained permanent.

Meanwhile, Representative Toole introduced his bill to move the boundary of Louisa County south three miles where it had originally been located in 1836. When he tried to enlist the Governor's support, however, he was rebuffed. "No, sir," declared Robert Lucas, "I will allow no townships to be divided in that manner." And so the proposal was not pressed in the House.

A few days later a similar bill appeared in the Council. Robert Ralston of Des Moines County immediately moved to table it, but others insisted on the first and second readings. Hepner next presented a remonstrance of Des Moines County citizens against being attached to Louisa County and moved in vain to refer the bill to the standing committee on county boundaries. Then Arthur Inghram of Des Moines County suggested that the proposed boundary be shifted from the line between sections 18 and 19 in townships 72 to the line between townships 72 and 73, thus leaving it exactly where it was. This amendment was defeated 8 to 3. Hepner's motion to table was also lost and the bill passed.

The opposition was stronger in the House. On Thomas Blair's motion to table until March 4th there was a tie vote. James W. Grimes then moved indefinite postponement and the House agreed, 14 to 8. That was the end of the Council

bill, but on January 5th the original House bill was revived, amended, and passed. Apparently the attempt to extend Louisa County southward was abandoned and three townships on the west were annexed from Slaughter County. The Council also accepted this change and the act was approved by the Governor on January 12, 1839. The Louisa County boundaries have not been altered since.

In compliance with the law fixing the boundaries, an election was held in Louisa County on March 4, 1839, to locate the seat of justice. A majority voted for Wapello just north of Lower Wapello which had previously been designated by law. The new town, located in the southeast quarter of section 27, township 74, range 3, was surveyed and platted in May. Over \$9000 were raised from the sale of lots to build the courthouse.

Following the revision of the western boundary of Louisa County, Slaughter was left with only nine townships. Apparently in anticipation of this contingency, J. M. Clark of Louisa introduced a bill to expand Slaughter toward the north and west. Though the Council adopted "sundry amendments" and a few citizens remonstrated against any changes, some action seemed necessary and so the measure was passed with no serious opposition. The House approved without

argument or amendment and Governor Lucas signed the act on January 25th.

By this law the name of the county was changed to Washington, substituting in honor the first President for a former Secretary of Wisconsin Territory. In area the limits were extended one tier of townships farther north and one range farther west, thus making a square county containing sixteen townships. As Louisa County had gained three townships from Slaughter, so Washington acquired three from Johnson. The inclusion of the four townships on the west was in accord with the Governor's recommendation to organize all the territory that had been acquired from the Indians.

Three commissioners were named to locate the county seat for the convenience of "the future as well as the present population of the county." Meanwhile, the seat of justice was to remain at Astoria. When two of the commissioners met on June 1, 1839, they disagreed on the site. One preferred the geographical center of the county and the other a place two or three miles southeast. They finally compromised on the southwest quarter of section 17, township 75, range 7, and named the town Washington. Lots were sold in August to provide funds for public buildings.

Although several other changes in county

boundaries were proposed, none was adopted. A bill to redefine the boundaries of Clinton and Scott counties was vigorously opposed by the Representatives of Muscatine, Cedar, and Louisa counties. It must have encroached upon Muscatine County because Frierson offered an amendment to establish the existing boundary between Scott and Muscatine. An amendment by Chauncey Swan to transfer townships 87 in ranges 3, 4, and 5 east from Jackson to Dubuque County was adopted. In this form the bill passed the House. Meanwhile, however, many protests were sent to the legislature. After careful examination of public opinion in these petitions, the Council indefinitely postponed the bill, and the boundaries in question have remained unchanged ever since.

Another bill provided for completing the boundaries of Clayton, Fayette, and Buchanan counties and modifying those of Delaware and Dubuque. Among other things, those northeast townships of Jackson County would have been added to Dubuque. The Council passed the measure without much trouble. In the House, however, Thomas Cox of Jackson County first tried to extend the Jackson line six miles farther south and when that proposal was defeated he argued successfully in favor of the existing line between Jackson and Dubuque. With that

amendment the House passed the bill, but in the Council Stephen Hempstead of Dubuque County insisted on the original provisions and so the measure was lost. Dubuque and Delaware county boundaries have remained as they were in 1838.

Besides the settlement of boundary questions, two statutes authorized the organization of government in existing counties. By legislative assertion Jones and Linn counties were organized on June 1, 1839. Three commissioners were named for each county to locate the county seats with "particular reference to the convenience of the county and healthfulness of the location." If the commissioners accepted any reward for locating the county seat or bought a lot there within six months, they would be guilty of a high misdemeanor and lose forever their right to vote or hold office. In Linn County the seat of justice was established at the geographical center of the county and named Marion in honor of the Revolutionary general. The commissioners for Jones County failed to act, and so the county seat was not located until 1840. At that time a site one-half mile north of the center of the county was selected and named Edinburg.

Agitation for relocation of the county seats in Scott, Lee, and Van Buren counties was reflected in the legislature. Early in the session the House

resolved to investigate the election in which Davenport had been made county seat because eighteen votes for Rockingham had been rejected. A bill was finally passed to purge the polls, but the Council rejected it on the motion of J. W. Parker of Davenport.

The controversy in Lee County was particularly serious. A strong faction was hostile to Fort Madison and wanted the county seat nearer the center of the county — perhaps at West Point. After much bitter discussion and parliamentary maneuvering a bill to create a commission to relocate the seat of justice passed both houses. The vote in the Council was 7 to 6. Warner Lewis of Dubuque County then moved to reconsider and changed his vote from Yea to Nay. So narrowly did Fort Madison retain the county headquarters.

At the election in September, 1838, the voters of Van Buren County decided to move the county seat from Farmington to Van Buren (later named Keosauqua). Many citizens, however, were not willing to accept this result as final, and so the Territorial legislature named three commissioners to meet at Keosauqua in May and relocate the county seat — *unless* Keosauqua would give land, cash, or materials worth \$5000 to provide public buildings. Apparently the Keosauquans raised the money, for no other place was selected.

JOHN ELY BRIGGS

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