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The **P**ALIMPSEST

JANUARY 1931

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IOLA B. QUIGLEY

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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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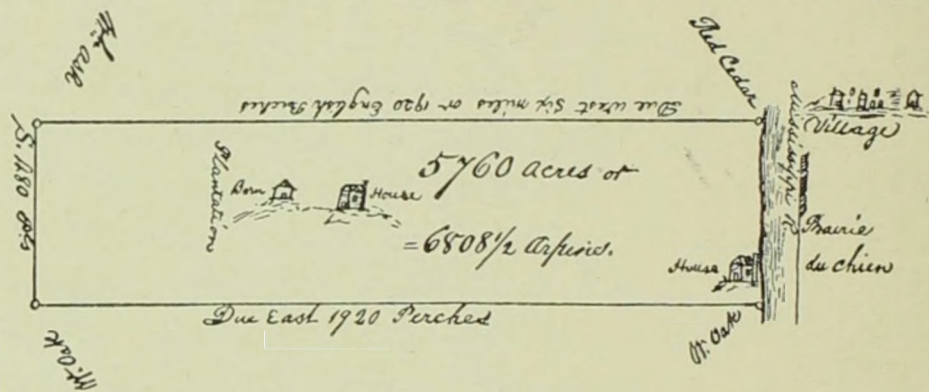
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The Giard Tract

Some years ago two young men from western Iowa found a farm crowning the Mississippi bluffs in Clayton County that seemed to them a desirable possession. They negotiated for its purchase; an abstract of title was furnished, the transfer was made, and the deed duly recorded. When the transaction was later reviewed by a lawyer, he questioned the validity of the title and suit was brought to test it. The judge, who was familiar with the findings in previous legal transactions of its kind, made the necessary explanations and dismissed the case.

The farm was a part of the old "Giard grant", one of the tracts lying within the boundaries of Iowa which were granted by the government of Spain to Frenchmen resident thereon. This grant was eventually recognized by the United States government as a legal transfer. Any freeholder who can trace a land title to Basil Giard is secure in the possession of his property.

Located on the west bank of the Mississippi River nearly opposite the original settlement at Prairie du Chien, the Giard grant contained 6808 $\frac{1}{2}$ arpents by the French unit of measure, or approximately 5760 acres. Beginning at a red cedar tree on the west bank of the river opposite Prairie du Chien, the northern boundary of the tract ran due west six miles to a white ash tree, thence the line ran south a mile and a half to a white oak tree, and from there due east to another white oak on the west bank of the Mississippi.



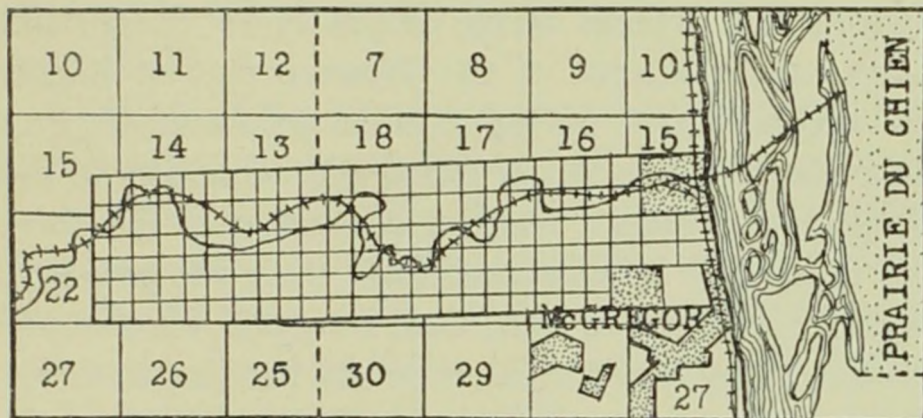
FROM THE ANNALS OF IOWA, VOL. 16, P. 625

FACSIMILE OF THE PLAT OF THE GIARD TRACT
DRAWN BY THE SURVEYOR IN 1807

Besides an extensive farming community, the town of Marquette and part of McGregor are now included in this area.

Probably as early as 1779, Basil Giard was trading with the Indians and trappers at Prairie du Chien. In the course of time, perhaps in 1785, he began cultivating a few acres across the river, enclosed his crops with a brush fence, and eventually built a cabin. By 1796

his plantation "on a bayou, nearly opposite to Prairie du Chien," was occupied by a farmer who raised some corn and had some stock on the place. Four years later as much as fifty acres was said to be under cultivation. During all these years, Giard had not been disturbed in the possession of his "plantation" either by white men or Indians. According to local opinion, the land belonged to him by right of occupation and cultivation.



THE GIARD TRACT AND VICINITY

Nevertheless Giard had no legal title to his claim. To remedy that deficiency he petitioned the government of Upper Louisiana on October 15, 1800, for a land grant. "Bazil Giard, subject of his Catholic Majesty, has since fifteen years, occupied a tract of land, situated about half a league from the river Mississippi, and has constructed buildings thereon, and made considerable expenses to improve the said land", he declared. "The petitioner, who has a wife and

three children, humbly asks for the said land, according to the privileges granted to the faithful subjects of his Catholic Majesty; and your petitioner, respectfully requests that you will inform yourself from the Citizens of St. Louis as to his Conduct and Character, since he became a subject of the King of Spain; and he hopes that said information will be such as to justify you in Granting his demand".

A month later, Don Charles Dehault Delassus, "Lieutenant Colonel of the armies of H. C. M. and Lieutenant Governor of the Western part of Illinois and dependencies", having received satisfactory reports as to the good conduct of Giard and his fidelity to the Spanish government, issued a concession of the claim "in order that he may peacefully enjoy his property, as well himself as his heirs, until he applies for the concession to my lord the Intendent by handing to us his petition, wherein he shall specify the number of arpens of land, he is settled upon, in order that a regular title may be furnished him, similar to all those which are granted in the name of H. C. M. to his faithful subjects."

Furthermore the Lieutenant Governor recommended that Giard "help with all means in his power, the travellers who should pass at his house, as he has done hitherto — and to preserve a good understanding between the Indian nations and our government, as well as to inform us with the greatest care of all the news

which he shall gather, and which could affect the peace and property of our settlements."

In compliance with the governor's recommendation, Giard apparently entered his claim to about four and a half sections of land, including the site of his farm, for the grant specified an area of 6808 $\frac{1}{2}$ arpents. The exact location and shape of the tract seems to have been uncertain for a number of years. Not until May, 1807, was the grant surveyed and the plat recorded. Meanwhile Giard and his family continued to occupy the land.

Even before the grant was consummated, Spain had retroceded Louisiana to France, but the treaty expressly provided that all titles to land legally held under Spanish grants were to be recognized by France. Three years later France sold Louisiana to the United States, and again the same covenant respecting the legality of Spanish land grants was made.

Shortly after the purchase of Louisiana, President Jefferson sent Lieutenant Zebulon M. Pike up the Mississippi River to explore the territory. In his journal, Pike mentions a little group of three houses on the western bank opposite Prairie du Chien. They were then occupied, probably by the Giard family. In 1808, however, the settlement was abandoned; Giard's application for confirmation of his title had been denied by the Recorder of Land Titles in 1807. Moreover, Giard wished to establish his claim to certain town

lots in Prairie du Chien. So he moved to the French town and soon after blandly swore that it had been his legal residence for many years.

At his death, Basil Giard left three heirs, his daughters Lizette and Mary, and a grandchild, Felicite Giard, daughter of Angelie Giard. In 1816 the Recorder of Land Titles at St. Louis recognized the validity of Giard's claim to his Spanish grant, and title was confirmed by an Act of Congress relating to Spanish grants in this territory. Meanwhile the family had scattered. Mary Giard married Tunis Bell, Lizette married Francis Chenevert, and Felicite married Paul Dussaume. In 1832 the Bells deeded an undivided one-half of the tract to James H. Lockwood, a prominent citizen of Prairie du Chien. When they realized later that Felicite was also an heir, this was changed to an undivided one-third. In 1836, the other two heirs deeded their shares to Lockwood and Thomas B. Burnett, in partnership. The deeds were all duly recorded. By that transaction the Spanish grant went out of possession of the Giard family.

IOLA B. QUIGLEY

The McGregor Estate

In the *North Iowa Times* on June 13, 1860, appeared an account of the arrest of certain prominent citizens of McGregor, Iowa, on a charge of "rioting". They were carried before Squire Watkins of Farmersburg, and "accused of the forcible ejection of one James Dymond from premises he claimed by virtue of a deed from James McGregor."

A bit of mediaevalism in the staid nineteenth century! What could influence men of wealth and dignity, respected for their judgment, to so behave? Why were the "rioters" not haled before a magistrate in their own community for a hearing? Probably the circumstances were such as to goad them beyond reason, and to convince them that there was small hope for redress through orderly channels. And such was the case!

The community of McGregor was twenty years old or more. It was at the peak of its prosperity, the center of a wholesale and retail trade stretching far to the west and even northwest into Minnesota. The business houses ranged along the river front and through a narrow coulee for more than a mile. The streets were jammed in favorable seasons. And yet scarcely a building stood on land to which its owner

had title, and there was no assurance that titles would be cleared with any great promptness.

All this had come of a family quarrel. On the one side was James McGregor, Jr.; on the other his brothers, Alexander and Duncan, and the brothers of Ann Gardner McGregor, wife of Alexander. A series of law suits both in New York and Iowa were the bitter fruits of this dissension.

The McGregor family home was in New York. In 1832 Alexander went west. He stopped for a time at Fort Dearborn, then went on to Prairie du Chien which he thought was more favorably located, and decided to cast his fortunes there. But he did not prosper. Among his enterprises was the operation of a horse ferry across the Mississippi River in partnership with Thomas Burnett. In 1837, when the ferry was installed, there was very little traffic. Settlers were not crossing north of Dubuque, partly because the tide of settlement was coming from the southeast and partly due to the rugged nature of the country in northeastern Iowa.

At the same time McGregor bought an interest in the ferry, he also acquired a half interest in Burnett's share of the Giard tract. Thus two-thirds of the original Spanish grant was owned by James H. Lockwood, one-sixth by Burnett, and one-sixth by McGregor. In 1841, McGregor and Burnett sold all but 160 acres of their interest in the land to Peter Powell

of St. Louis, who also bought Lockwood's interest in the tract which he shared with Burnett. In this manner Powell became the owner of approximately two-thirds of the tract, while Lockwood apparently retained the one-third he had owned independently.

The quarter section reserved for a ferry landing on the west bank of the river where the town of McGregor is now located, became known as the "Ferry Property". From a few squatters who had preëmpted claims adjacent to the Giard tract, additional land was purchased until the Ferry Property included about three hundred acres.

It appears that Alexander McGregor was not only unfortunate in some of his business ventures, particularly the ferry, but was improvident as well. His family, moved by Scotch clannishness or sympathy for Alexander's wife and children, sent his brother James out West in 1842 and again in 1845 to relieve his financial embarrassments. With this aid he purchased Burnett's share of the ferry and real estate for \$1500 and bought a preëmption claim of forty acres from Samuel Olmstead. In both deals James McGregor advanced the money. While these transactions were conducted in Alexander's name, he did not claim title to the property, probably because his affairs were so involved that he feared losing everything he held in his own name.

Meanwhile James McGregor seems to have become

interested in acquiring Iowa property. Certificates for most of his brother's holdings had been assigned to him. Moreover, when Olmstead purchased ninety-nine acres for James and Alexander, the transaction was in James's name. James also bought a tract from Solomon Wadsworth and another early settler named King which was thereafter included in the Ferry Property.

Evidently the seeds of trouble were sown early. In 1845 Samuel Murdock introduced a bill in the Iowa House of Representatives, authorizing Duncan McGregor to operate "a ferry across the Mississippi in the County of Clayton". In the next session Murdock introduced another bill to authorize James McGregor to "keep a ferry across the Mississippi River in the County of Clayton". Neither of these bills was passed.

There is nothing in the information to be gleaned from court decisions, newspapers, and such sources to explain whether the claims made later by James were the result of his own avarice or whether his acts were in retaliation for some grievance. But the facts are that, when the town of McGregor began to grow on the Ferry Property and the business of Alexander began to prosper, James laid claim to the entire holding, not only the land obtained from the Giard estate but tracts of the preëmptors as well. His claim was contested by other members of the family, however, and long and fierce was the struggle over right and title to the Ferry Property.

In 1845 a fourth brother, Gregor McGregor died in his New York home. He bequeathed \$2000 to be held in trust for Ann, wife of Alexander, "for her sole and separate use, and free from the debts, control or interference of her husband". James and Duncan McGregor, brothers of Alexander, were named as trustees. If children survived both Ann and her husband the principal was to be paid to them; if not, to the "next of kin". The intention of the donor seems obvious; but the trustees did not so dispose. They planned to invest the money in New York. James claimed that they did; the other members of the family declared that it was all turned over to Alexander McGregor — \$500 to build a tavern and \$1500 to pay for Burnett's share of the Ferry Property. When James McGregor came to Iowa the following year, no mention as to the source of this loan was made. Some years later, during a visit in New York, Duncan told Alexander and his wife that the money was the "trust fund", and they agreed to the arrangement. Later James denied that the trust fund had been so used; but whatever the disposition of the money, according to later testimony, Ann had no other benefit from its income.

Meanwhile the property steadily increased in value. A brisk town of six hundred persons, named for its founder, McGregor, was located on the property, with a business far beyond the scope of a town of its size

to-day. It boasted a newspaper, and a wholesale business in grain and commodities engaged the interests and resources of several firms. Alexander began to make sales to these business men for sites of stores and residences.

With this change in the affairs of his brother, James McGregor appears to have been dissatisfied. He seemed to regret that Ann was profiting so much from the trust fund and wished to share in the returns from the investments he had helped to negotiate. In 1851 he again came to Iowa and threatened to dispossess Alexander and his family. Finally, Ann agreed to purchase all his interests in the Iowa property for \$6500; James credited her with the \$2000 trust and took her note for \$4500. But this arrangement the family was determined should not stand; so Ann brought suit in the name of herself and minor children, Gregor and Gardner, both in Iowa courts and in New York, to restrain collection of the \$4500 note and to void the agreement of 1851 on the grounds that she and her husband were sole owners of the property at the time. The New York Supreme Court decided against her, inasmuch as the "trust fund" could not legally be invested in real estate or be paid to herself or her husband. The District Court of Dubuque had decided in her favor; but after the New York decision the Iowa Supreme Court reversed the Dubuque decision, and the case was retried. On the assumption

that the \$2000 had not been invested in the Ferry Property, a special master in chancery attempted to adjust the financial phases of the controversy. The sum of \$1700 was awarded to James as still due him on the various transactions with Alexander, but this settlement was not satisfactory. Before the case was appealed again, however, Alexander McGregor died, in 1858. His will provided that the case be defended with vigor; his wife, her brother George D. Gardner, and other executors took up the fight. A final award of \$3263 to Alexander's heirs for improvements was made. With the court's approval the lands were divided; lots were drawn by ballot, and the adjustment filed for record in Clayton County.

It is almost impossible to follow the currents and counter currents of litigation in this controversy. Alexander, acting under power of attorney, bought much property for James in Iowa, Illinois, and Wisconsin. On December 7, 1852, he conveyed by this power of attorney all of the Iowa real estate held in the name of James to his brothers-in-law Egbert and George D. Gardner. The consideration for the land in and about the town of McGregor was \$2000. A year later James brought suit to set aside the deeds as fraudulent. Although the State Supreme Court denied any intentional fraud on the part of Alexander, the deeds were set aside, and after a second appeal, in 1867, a rehearing was denied.

In 1853 James McGregor, Sr., died in New York. Two wills were produced, the later will showing distinct preference for his son, James, Jr., and a grandson, James Buell. This will was rejected by the courts of New York, and a will written before the death of his son Gregor was admitted to probate. This will named three sons, James, Gregor, and Duncan as executors. Gregor had died; James was then living in Iowa; only Duncan was left in New York. When James appealed to the surrogate of Saratoga County, New York, in 1861 for letters testamentary, Duncan resisted on the grounds that James had forfeited his rights when he contested the will, that he was not a resident of New York, and that he was "subject to mental aberrations". The court decided that James, although "of a high and rash temper" was not insane, that he was not an alien in the sense of the law, and might properly act as executor of his father's estate.

Of all the ramifications of this bitter feud, the suit brought to test the title to the Giard tract was the most amazing. Although Alexander McGregor and James Lockwood had sold a large portion of the Giard tract (excepting the Ferry Property) in 1841 to Peter Powell of St. Louis, in some manner Alexander McGregor acquired this land again. Powell and Burnett had both died in 1846. In his will Alexander McGregor provided that a mortgage of \$12,000, secured by the Giard tract, be speedily paid to John Powell. No doubt this

indebtedness was concerned in his reacquisition of the tract.

In 1854, James McGregor, Jr., in an effort to secure this property for himself, induced the heirs of Giard to re-sell their inheritance to him in order to test the validity of the transactions which took place prior to the award of government patent on July 2, 1844. The case went to the Iowa Supreme Court; in rendering decision the court sharply rebuked James McGregor. "To our minds it would be a reproach upon the principles of the law — a premium paid for cunning and duplicity — a reward offered to those who would stir up and maintain litigation to permit him to take advantage of any defects in this deed." The alleged sale of the land to James McGregor in 1854 had been for a very small consideration, a few dollars, gift of a "patent coffee pot" to each heir and interest in a company to manufacture them. Unpleasant notoriety developed over the "coffee-pot patent" during the course of the suit.

The cases of *McGregor v. McGregor* and *McGregor v. Gardner* were appealed and reappealed. Suit was brought in the United States Circuit Court. Every phase of the dispute was tested : the disposition of the "trust fund", the intent of James as to the disposal of the Ferry Property when he received the patent for it, the value of improvements, and the rights of Alexander under his "power of attorney". Final division

of the property by the court allotted to James a considerable share, but not until his death in 1867 did the heirs of Alexander cease their persistent efforts to dispossess him.

But troubles were not over for the citizens of McGregor. In 1845, \$1500 was considered a fair price for a half interest in the Ferry Property. When Alexander McGregor attempted to transfer the property to his brothers-in-law in 1852 the price was set at \$2000, while James McGregor had contracted to sell the property to Ann McGregor for \$6500 in 1851. But meanwhile, the "City of McGregor", so called in the special charter under which it was governed, had prospered. Every bit of land where a house could perch along the rugged hillside was occupied. North and south along the river stretched an imposing line of warehouses and grain elevators; the "Main Street" was crowded with traffic, for McGregor had become a center for wholesale trade; the town lots were valuable.

What is more, public opinion was sharply partisan; Alexander and his family had fostered the town and the great majority of his neighbors wished him to succeed. They firmly believed he had been defrauded by his brother. By his will Alexander bequeathed \$5000 to build a road through the Giard tract to Monona, and he had previously donated a plot for a cemetery. James, who had transferred his residence

to McGregor, must have often met coldness if not actual antagonism on the part of his neighbors in his new home.

After the favorable Iowa Supreme Court decision in 1860, James began to exert pressure to force the townsmen to buy the property upon which their buildings stood. But the heirs of Alexander McGregor were in court again, and the citizens refused. Then came the determination to offer the lots for sale to whomsoever would buy, without consideration for the occupants. A "riot" was the consequence. A citizens' committee was formed to protect the interests of claimants. Every member of the committee had more than local fame for ability and fairness; they did what they could to prevent open rupture between the citizens and James McGregor.

Late in 1861 the proposal was made that five hundred lots be sold to the citizens for the lump sum of \$190,000, and a committee of appraisal was appointed to assess the lots. But their findings were not satisfactory to Mr. McGregor, who changed the appraisals to suit himself. Again the citizens held a mass-meeting, the third in a fortnight, and resolved not to purchase any property of James McGregor or of heirs of Alexander McGregor until the true ownership was finally adjusted. They arranged for funds to resist sales to third parties and appointed able counsel of the town to protect their interests.

Court records of Clayton County abound with cases relating to titles to town lots in McGregor — foreclosures, damage suits, and efforts to recover under title bonds. Many residents asserted their squatters' rights under the "Occupying Claimant Law". In some few instances clouds upon title were cleared by allowing the lots to be sold for taxes and repurchasing from the holders of tax titles. The Iowa law was soon changed, however, to prevent fraud in tax sales, so this legitimate use of the scheme was no longer possible. Many titles remain clouded to this day, but if traceable to transactions with the McGregor family they do not often defeat sales. And the claim that title is still vested in the Giard heirs is a pure myth.

Alexander McGregor and one of his family were buried in the tract proposed for a cemetery, on a beautiful knoll now included in the property of the McGregor Heights Association. When this portion was awarded to the heirs of James McGregor, the bodies were removed to the cemetery in Prairie du Chien. James McGregor died in New York, but was buried in McGregor in the exact center of a beautiful little formal park a block square, under an imposing shaft of granite.

What long litigation had left of the fortune of Alexander was gradually dissipated by his heirs. The affairs of James Buell, however, nephew of James McGregor, prospered mightily and as a result most of the

beautiful bluff lands about McGregor remained in the family. These have been recently presented to the government of the United States to be included in the "Wild Life Refuge". What more lasting monument could be conceived to perpetuate the name and fame of the family that was so closely associated with the early fortunes of the community!

IOLA B. QUIGLEY

A Metropolis of the Fifties

Northeast Iowa had been open to settlement twenty years and more before it was connected with the East by rail. The railroad reached Dunleith, opposite Dubuque in 1856. Not until 1857 was connection made at Prairie du Chien. But for many years steamboats had plied the Mississippi, and river ports had sprung up wherever natural passes through the bluffs gave access to the rolling prairies beyond. North of Dubuque, Clayton City, McGregor, and Lansing gave most promise.

A description of Clayton County in the *North Iowa Times* of 1856 accredits the county seat, Guttenberg, with a thousand residents, while McGregor and Clayton City with five hundred each had more business than Guttenberg. Perhaps the coming of the railroad to Dubuque diverted trade from the southern town. Navigation of minor streams had been attempted, but with no success, save for a few scows and flatboats that brought produce down stream. Ferry-boats at every port were busy; not the old rope and windlass type or the barge propelled with poles or many oars, but smart, fussy little steamers.

The rich soil of the region, open and easily worked was very tempting to the home seekers; and how they

came! They had been coming for twenty years, by boat, by rail, buckboard and covered wagon, ox teams and horses, some even afoot. Three horse ferries in operation at or near McGregor; one hundred and fifty wagons in Prairie du Chien at one time waiting to ferry to Iowa; increasing immigration after the railroad was completed! Norwegians in colonies of one or two hundred, middle aged and young, in quaint dress, bringing their great carved chests filled with household wares; "frugal, intelligent, good business men", "with piles of gold" bound for northern Iowa or Minnesota; stolid Germans with sleek ox teams; New Englanders, farmers, merchants, and professional men; fine young manhood from Pennsylvania, New York, and Ohio; an occasional southerner for good measure. In the spring of 1860, ninety teams, two or three yokes of oxen each in a single day; five hundred cows and oxen by steam ferry in one week.

Districts which were accessible from the river filled up rapidly. Tremendous difficulties were encountered, yet they did not stem the tide of immigrants. And McGregor was their market. Wagons loaded with wheat set out for a two-hundred-mile haul over swampy lands, with tracks but poorly marked, with no bridges, with houses so far apart that nights often had to be spent on the open prairie in all sorts of weather. There was danger of miring hub deep in the summer, of being lost in a blizzard in the winter. And the prices

of produce were so low at river ports that, if the farmer were to realize anything at all for his work, he must choose the best time to go to market, spend as little time as possible on the road, and sleep under his wagon to obviate hotel bills.

Dubuque was the oldest of the northeastern towns and easiest of access from the interior. But for some years the vigorous young rival, McGregor, showed an active, healthy growth. The most marketable commodity was wheat, but corn, rye, and oats, live stock sent to market in droves, dressed meat, and hides found their way through McGregor to the South or East. Before 1857 the grain went inevitably South, to the elevators of Cairo or New Orleans.

The character of the population of McGregor was perhaps unusual. Because of the promise of future growth, in which every one believed, merchants and professional men of superior ability had been attracted thither, and already in 1856 the little group contained a number of such men. At this time railroad affairs began to interest them. The Milwaukee and Mississippi was creeping toward Prairie du Chien. Agitation was immediately begun for tributary lines from McGregor westward. But whether these roads were to be built sooner or later, the eastern line was bound to affect the business interests of McGregor. "The neigh of the iron horse cannot yet be heard", wrote Editor A. P. Richardson of the *North Iowa Times* in the first

issue of that paper, "but we see the influence of his approach in the increased activity of every man among us." Two lines from McGregor were already projected, "both sure to be built" and with "a country to sustain [them] that knows no equal".

In April, 1857, the new road sent its first train into Prairie du Chien. It was a gala day. Citizens from McGregor, Clayton, and other Iowa towns joined in fêting the excursionists from the Wisconsin towns along the route. It was a great day for them as well as for their neighbors! And their speeches of welcome showed that they were quite alert to their own economic advantages which were to be derived from the new railroad.

Fulfillment seemed commensurate with the promise. The improved mail service alone was of great benefit. Hitherto the busy Dubuque office had prepared the mail for delivery at the northern river ports in Iowa but three times weekly, and this service was subject to many interruptions. A steamer was chosen in season for a "mail boat"; if the mail arrived at Dubuque by rail or steamboat from the South or East without delay, service was fairly prompt—unless the office was swamped with mail. But when the river was ice-locked it was quite another matter. Even McGregor was without mail for a week at a time and points west, dependent upon stage delivery, were even more unfortunate. Henceforth the mail for northeastern Iowa

would be routed by way of Prairie du Chien to McGregor and there be made up daily, or biweekly, or triweekly for service westward as circumstances warranted.

Improved ferry service was inaugurated at once. A fine new steamer, the *Alexander McGregor*, plied to and fro eight times daily. Within three years the *Allamakee* was visiting Lansing, Johnsonsport, Nezeke, Clayton, and Guttenberg on a regular schedule. From these points were gathered the grain and minor products of Iowa and Minnesota; to them were ferried vast quantities of merchandise, "only limited by space in storage", to be conveyed inland by wagons. "The times about McGregor and the railroad station," wrote the editor, "partake of the nature of a protracted Fourth of July"; and no doubt the business of these other ports increased proportionately.

McGregor was absorbing business that belonged, logically, to her northern neighbor, Lansing. Howard, Winneshiek, Floyd, Cerro Gordo, and Mitchell counties in Iowa, and Mower, Freeborn, Faribault, and Blue Earth counties in Minnesota contributed to the steady procession that at certain times of the year wound in and out from the McGregor hills actually day and night. For a mile up the river bank the warehouses extended, fourteen of them at the "peak" of prosperity. The grain brokers contended sharply for the produce, and at certain times McGregor merchants claimed that

they equaled Chicago prices for wheat and corn. The city maintained lines of scales and a market master to assure fair play. A teamster might stand all day long in line before his turn came at the scales; then he would unload speedily at a warehouse, enter one or more of the wholesale houses, and make ready for the return trip, freighting lumber, hardware, dry-goods, and groceries to the interior.

The first attempt at railroad extension westward from McGregor was the project of local and western capitalists. "The necessities of the world are to be supplied from the West", Judge Jedediah Brown, an ardent promoter, declared in a speech in October, 1856, "and ox-teams are too slow for the rescue of half famished Europe." O. C. Lee, a McGregor banker; H. D. Evans, Aaron Newell, and other McGregor merchants; Frank Teabout, builder and inspiration of Frankville; E. E. Cooley, attorney for the road; and W. F. Kimball of Decorah were all prominent in the development of northeastern Iowa and the railroad. The new company was incorporated on June 2, 1856, under the name "McGregor, St. Peter's and Missouri River Railroad Company".

The preliminary survey was made in July, 1856. The route of the old "military road" connecting Fort Atkinson with Fort Crawford through the Yellow River Valley was advocated as the most favorable route to the hill-tops. McGregor men had hoped

earnestly that a route would be found through one of the several precipitous coulees, the natural outlets for their trade with the table lands to the west. But the valley of the "Bloody Run", formerly Giard River, was chosen by the engineers.

Then a lively campaign for finances began. The new project was given publicity through the press of northeastern Iowa, and of Dubuque, Milwaukee, and LaCrosse. Promoters counted upon aid from the counties through which the new road would pass. Not only business men would subscribe, but farmers. "Let each man feel", wrote a correspondent from New York, "that he can afford to give the value of his farm or village lot as a bonus for the railroad, as it will be the means of quadrupling his Real Estate if he wishes to sell, and in the same proportion increase his facilities to cultivate his land, dispose of his produce and to procure the comforts and luxuries of life if he wishes to keep it." Deacon Clinton of Waukeshaw, Wisconsin, solicited aid for the road; he advised the farmers to subscribe half of their lands. Some did, to their sorrow!

Then too, the counties would engage to bond themselves and take stock in the new enterprise. To be sure, the experience of neighboring States in financing projected railroads had been rather disastrous. Moreover, the message of Governor James W. Grimes, on December 2, 1857, had questioned not only the wis-

dom of the policy but its legality in spite of a favorable court decision in 1853. He urged legislation for the control of such "perversion" of authority and warned the people that much of the seven million dollars already voted by Iowa counties was bound to be lost. Nevertheless the legislature, within sixty days, passed an enabling act, approved by the Governor, authorizing Clayton County "to issue bonds to aid in the construction of certain railroads therein mentioned."

In accordance with this act the County Judge, Eliphalet Price, duly advertised the project for aid to the Dubuque and Turkey Valley Railroad and the McGregor, St. Peter's and Missouri. In April, 1857, the bonds were voted, \$100,000 for each road, bonds to bear ten per cent interest and the terminus of both lines to fall within Clayton County. Everywhere town meetings were held; stock was subscribed, but payable only if the road connected with the town! As for McGregor, whether the road should wind through the valley of the Yellow River or the Bloody Run was not of much consequence. Would not the depot be placed at the foot of her main street, and sites for warehouses treble in value!

The year 1857 was bad for any project, and 1858 was the year of devastating floods in Iowa. How could a gangling little railroad, poorly financed at best, prosper? The promoters were congratulating them-

selves upon being able to avoid "Eastern incumbrances" in spite of the fact that, poorly built as the road was bound to be, they estimated its cost at \$42,000 a mile!

Troubles came speedily. The directors sought alliance with the Milwaukee and Mississippi by lease or sale, but that line was having troubles of its own and the Iowa road was sold under the hammer. Its fortunes may be followed under various names: Northern Iowa, building to the state line of Minnesota; McGregor Western; McGregor and Sioux City.

Work progressed haltingly; a new and better survey was made, but the road bed was unsubstantial and no iron was laid. In 1861 Timothy Dwight, the contractor constructing the road bed, left town suddenly without paying his men. They waited a few days and then raided the company store at Monona, seized blankets and food, and marched to McGregor to demand their wages. "Jack" Thompson was at the bank negotiating for funds; thither they went, a noisy mob; Father Nugent, priest of the parish, mighty in body and in will, quelled the riot; when assured they would be paid, the men dispersed. The first engine arrived in October, 1863; a crew trained in steamboat service was chosen, and in March, 1864, the first train entered Monona. In 1864 the road was awarded a grant of land, and work progressed more rapidly.

By this time, although citizens of McGregor were reaping mighty harvests in business because of the

Prairie du Chien terminal, they began to realize that the extension of the railroad westward was not an un-mixed blessing. While the retail trade enjoyed by local merchants was bound to follow the road westward, the future hope lay in the wholesale business and for that the situation was ideal. Every year from 1857 to 1864 showed a vast increase. Seven barges bore the loads of grain and merchandise to and from Prairie du Chien. Tracks were laid through the warehouse for easy transfer of goods. Four hundred, five hundred, even a thousand teams in a day were recorded. Three million bushels of wheat passed through McGregor in 1861. "In all human probability [McGregor] will never encounter a dangerous competitor west of the Great Lakes", wrote the editor of the Freeborn County (Minnesota) *Standard*, and McGregor citizens thought so too. Rash prophesy! Ill-placed hopes! By the time the road had reached Ossian in April, 1869, McGregor merchants were fully aware of the disasters to come.

The land grant of 1864 stipulated that the road should start from the foot of Main Street, McGregor. The directors of the McGregor Western meant to comply, and the citizens looked forward to the day when a bridge would span the Mississippi at McGregor. And then — the depots at Prairie du Chien were transferred northward, opposite the valley of the Bloody Run! North McGregor was to have the main depot and the elevator! McGregor business men felt

that they had been betrayed. Their representatives attempted to get a bill through the Iowa Assembly to bar the construction of a bridge at North McGregor; they sought the favor of the river men who did not want bridges at all.

When the McGregor Western Railroad failed to make sufficient building progress, the State transferred the land grant to the McGregor and Sioux City Railway Company in 1868. The line was to be completed in 1875, but this company was scarcely more successful than its predecessor. From Calmar to Algona the rails were laid in 1869 and 1870 and there building stopped. Another reorganization was effected and the land grant was assigned to the McGregor and Missouri River Railroad Company. Eventually the road came under the control of the Chicago, Milwaukee and St. Paul and in 1878 the State transferred the land grant to that road. "Eastern incumbrances" were necessary to make the railroad possible, but the consequences to McGregor were calamitous.

The Chicago, Dubuque and Minnesota had meanwhile extended its line beyond McGregor; but it had not received the "furious support" of the early days. A tax was voted and stock subscribed but the road was regarded with a suspicion that it scarcely deserved. Nor was the popularity of the railroad increased when the grade along the levee was raised so high that the city was compelled to fill the street to the level of the

second story of the buildings, a very costly proceeding. The city retaliated with an injunction which, though it did not stay the work, did arouse the animus of the company against McGregor. This road also became a part of the Milwaukee system.

In 1869 the first temporary "pontoon" bridge was constructed. Piles were driven on the islands and permanent tracks were laid; in the winter the track was laid across the ice. This development was resisted by McGregor because of its portent. The citizens kept demanding the depot which they did not get; when a permanent bridge was proposed they blocked its construction and succeeded in suspending awards of land until the depot was promised. They refused to donate a right of way or build a depot. All this bore bitter fruit.

It would be unfair to indict the railroad for the misfortunes of McGregor. The location of the town, ideal for river trade, was wrong for railroad traffic. There was no room for trackage and warehouses or for the manufacturing interests needed to foster growth. But that the decline of this potential metropolis was hastened by the policies of the railroads is surely true. Discrimination was obvious and persistent. The freight rate to Clayton, Lansing, and LaCrescent was sixty-five cents; to McGregor, seventy cents. "If there ever was a city or community", wrote the editor of the *Prairie du Chien Courier*, "taxed, deceived, murdered

by railroad extortion then is the city of McGregor, Iowa, that same."

One of the first cases to come before the new Iowa Railroad Commission was *W. and J. Fleming, McGregor v. C. M. and St. P. Railway*, because of discrimination in rates on lumber shipped from Wisconsin towns and from McGregor. The railroad company was forced to readjust rates. Iowa and national laws were enacted to prevent pools and discrimination; but by that time "big business" had absorbed or crushed most of the smaller wholesalers.

In May, 1864, the editor of the *North Iowa Times* had written: "McGregor is badly hurt by a railroad west that already keeps two hundred and fifty teams a day out of our town; and one of these fine mornings both sides of the river will be waked up by the rattle of a train on a bridged Mississippi and then a *whistle* will be the most that any of us will know of the present local benefit of the railway." And so it came to pass! In the list of pioneers of Mason City, Algona, Emmetsburg, and "points west" are found the names of many of the builders of McGregor; but enough remained, sharing the fortunes of their town for good or ill, to stamp upon McGregor the intelligent appreciation and fine culture of the East, and to lay the foundation for development of modern McGregor, which offers to its environs, not staples, but food for the soul in beauty of scenery and hearty welcome to the sojourners with-

in its bounds. And how they come! North, South, East, and West meet upon her streets. And when the "bridge" shall finally span the Mississippi "at or near the foot of Main Street, McGregor" the hurrying tourists can not change the fate of the "Pocket-City", for only rarely are to be found the things which she now offers.

IOLA B. QUIGLEY

Horse Railways

When and how the propaganda for horse railways in Iowa began, would be hard to trace. An old historical sketch of the McGregor Western Railway states that the scheme was tried on the road bed built a short distance for that line, but the venture was short lived. A correspondent from Ossian to the *North Iowa Times* on April 2, 1862, refers to "Bowman's Horse Railway plan"; but the moving spirit in northeastern Iowa seems to have been Richard P. Morgan, a civil engineer of St. Ansgar, Iowa. His first propaganda, in that paper at least, appeared on October 10, 1860, and urged the operation of a horse railroad from McGregor to the interior of northeastern Iowa.

McGregor was smarting with resentment because the new steam road was to follow the valley of "Bloody Run" a mile north. The railroad engineers retorted that no broad-gauge road could ever ascend the steep hills that led from the Pocket City. But a horse railway could!

Indeed, not only at McGregor was the proposition launched. A horse railroad was proposed from Dubuque, through Elkport, Elkader, and Clermont. The editor of the *North Iowa Times* announced that

the idea "seemed very popular" in the "rival town" down stream.

And what was the scheme which was to surmount the impossible! A two-column newspaper article published in 1862 described such a railroad. The track was to be laid on a macadam base, the ties far apart and the rails of light weight with a six-foot gauge. Station houses with dining rooms and sleeping quarters were to be maintained at convenient points. Cars, each five and one-half by sixteen feet in dimensions and made of wood, were to have a capacity of one hundred and twenty-five bushels. The wheels, also of wood, were to have three-inch tires, with detachable flanges so that the car might travel by road or street to the railroad. These cars, to be owned when desired by the farmers themselves, could be used for freight or passengers. They could be drawn by the farmers' own teams at a speed of from eight to ten miles an hour. The author also suggested that passenger coaches with a capacity of thirty persons might be run on regular schedule, horses to be relayed every ten miles.

The estimated cost of building one hundred miles of such a road was \$500,000; maintenance \$10,000 a year. Nicholas Wood of Manchester, England, was alleged to have computed for the British government the relative value of horse and steam power, and proved that when speed was not demanded "the horse was

the cheapest by over fifty percent". Furthermore, "cheap transportation is what wheat and lumber always have, and always will demand."

In April, 1862, the McGregor and Fort Atkinson Horse Railway Company was incorporated. Its capital stock was \$500,000 in fifty-dollar shares. All stock was to be legal tender for freight tolls. Meetings were held and diligent efforts made to interest McGregor citizens. Some considered it feasible; some ridiculed it. Old "Bill" Hardin, landlord of the famous Elkhorn Hotel some six miles or more from McGregor, informed the correspondent of the *Times* that he thought it a very fine plan; he suggested that the road circle his tavern and return to town on a second track!

But the matter did not rest. In 1864, a "Tram or Horse Railway" was proposed from Johnsonsport to Waukon "with every prospect of success". The correspondent declared that many of the steam railroads of Indiana were trams first, and prophesied that the same development would occur if the scheme were tried in Iowa. Even as late as 1873, Governor C. C. Carpenter was quoted as being in favor of a government-owned series of freight railroads to be used by any one who wished to put his vehicles thereon. He believed the plan feasible for Iowa. This must surely have referred to some sort of horse railroad.

As for northeastern Iowa, little was accomplished.

But Mr. Morgan was a good propagandist; he was aware of the farmers' difficulties in transporting their produce to the distant steam railroads. By 1866, when there was no longer any hope of building horse railroads, he began fostering narrow-gauge roads with light engines, able to surmount difficult grades. That scheme seemed more practical. Such a road was projected from McGregor to Des Moines, and was partly constructed. For many years it did service before being transformed to standard-gauge proportions.

IOLA B. QUIGLEY

Comment by the Editor

THE WILD LIFE SCHOOL

"I salute you and your collegiate colleagues on having started the first School of Wild Life Protection and Propagation ever started anywhere on this round earth, so far as I am aware", wrote W. T. Hornaday, Director of the Zoological Park in New York City, to George Bennett in response to an invitation to become a patron of the school. "I wish for the Founders of this school all the success and permanent satisfaction that your enterprise so fully deserves."

Inspired by the beauty of the landscape and charmed with the story of nature as revealed by the scientists at the Sunday session of the Iowa Conservation Association held on Pike's Peak near McGregor in July, 1918, Mr. Bennett suggested that a part of the program for the following year be designated as a "Summer School of Wild Life Protection and Propagation".

For several years he had been dreaming of a school of conservation for people interested in nature study. With a zeal that never relaxed, he aroused the interest of conservationists everywhere. The wild life program of the Association in 1919 met such an enthusiastic response that the American School of Wild Life Protection and Propagation was established in 1920.

At the first session of this unique venture, which lasted a whole week in August and attracted students from distant parts of the country, Dean George F. Kay and Professor Bohumil Shimek of the State University of Iowa, Professor L. H. Pammel of Iowa State College, Professor Charles R. Keyes of Cornell College, and Rev. Le Roy T. Weeks of Emmetsburg constituted the faculty. Year after year these men and other distinguished naturalists have returned to the campus of the Wild Life School on the Heights above McGregor. And year by year the enrollment has increased.

From the beginning the policy of the school has been not to "burden the minds of students with technical detail or puzzling formulae" but to furnish an "intimate knowledge of the out-door world" so that "an intense love of wild life everywhere and under every condition" may be kindled. Among the hills and valleys of the "Switzerland of Iowa", students of various ages and many walks in life — business men, school teachers, doctors, lawyers, ministers, stenographers, sportsmen, farmers, nurses, club women, college students, boy scouts, and camp fire girls — all have found pleasure and inspiration in observing the birds and flowers, the rocks and streams, historical sites and the archeological evidence of an ancient civilization. The region abounds in the treasures of nature no longer ignored.

The early promise of the Wild Life School is finding rich fulfillment in the breadth of its influence. Not only

has it taught the lessons of conservation to hundreds of people, but its existence has had much to do with the establishment of a national Wild Life Refuge in this wonderland of the upper Mississippi, where the white man first saw Iowa. As for McGregor, its location in this natural paradise is far more important than its commercial potentiality ever was.

J. E. B.

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