The Palimpsest

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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

EDITED BY JOHN ELY BRIGGS

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Perrot's Mines

Seventeen years after the voyage of Joliet and Marquette, a band of forty scantily-clad but elaborately tattooed Miami Indians made their way from the banks of the Mississippi River to Green Bay. They sought a Frenchman, Nicolas Perrot, a sturdy, well-knit trader of whom they had heard stirring tales. Besides their regular equipment of guns, blankets, knives, and tomahawks, each warrior carried four beaver skins. It was sometime in 1690 that they met Perrot at the Jesuit Mission. After exchanging greetings the chief stepped forward and ordered his braves to pile the one hundred and sixty beaver skins in two heaps before Perrot. The chief himself presented the wondering Frenchman with a piece of ore which came from a very rich lead mine that he had found on the bank of a stream which emptied into the Mississippi.

Having given these tokens of friendship, the Miami begged Perrot to locate a trading post near their vil-

lage so that they could barter their peltries with him for knives, guns, powder, blankets, beads, and trinkets of all kinds. Their village stood on the eastern bank of the Mississippi about twenty-four leagues below the mouth of the Wisconsin River. Perrot promised that he would establish a post among them within twenty days and the Miami departed rejoicing.

Ever alert for new wealth and power, Perrot lost no time in repairing to the Miami village. Born in 1644, the intrepid Frenchman had begun his life among the Indian tribes of the Great Lakes region as early as 1665. During the next forty years or more he served as *engagé* to the Jesuit missionaries, *coureur de bois* and fur trader, explorer, and agent of the French government at Quebec. He had been with Daumont de Saint Lusson at Sault Ste. Marie on June 14, 1671, when that colorful soldier, with a piece of sod in one hand and a drawn sword in the other, took possession of all the "countries, rivers, lakes, and streams contiguous and adjacent" to that spot in the name of "the most high, mighty and redoubted Monarch, Louis XIV". His faithful service had won for him the title "Commander of the West" in 1685, whereupon he had begun the construction of Fort St. Nicolas at the mouth of the Wisconsin River and Fort Perrot and Fort St. Antoine on Lake Pepin. In emulation of Lusson, Perrot had taken possession of the land drained by the Mississippi on May 8, 1689, amid the chanting

of Latin hymns, shouts of "vive le roi", and salvos of musketry. Staring savages had viewed these strange performances with wonder and amazement.

Perrot located his post among the Miami Indians opposite some lead mines on the bank of the Mississippi "below the Ouiskonche [Wisconsin River], in a place very advantageously situated for security from attacks by the neighboring tribes". The lead mines of the Upper Mississippi were located in the region which now comprises northwestern Illinois, southwestern Wisconsin, and in that portion of eastern Iowa immediately adjoining the other two States. More precisely, deposits of lead were found in what are now Jo Daviess and Carroll counties, Illinois; Grant, Iowa, and Lafayette counties, Wisconsin; and Dubuque County, Iowa. It is possible that the lead mines of the Miami Indians were in the neighborhood of Galena: if so, the fort was built on the bluff at Têtes des Morts Creek in Iowa, ten miles below Dubuque. It is more likely, however, that these mines were located at the mouth of Catfish Creek just below Dubuque, which means that the post, according to the ambiguous record, was established in Illinois on the bluff overlooking present-day Dunleith.

The mine proved to be a rich vein, but one of Perrot's associates, Bacqueville de la Potherie, declared it was "difficult to obtain the ore, since the mine lies between two masses of rock — which can,

however, be cut away. The ore is almost free from impurities, and melts easily; it diminishes by a half, when placed over the fire, but, if put into a furnace, the slag would be only one-fourth." Perrot taught the Indians some crude mining methods but neither he nor the Miami remained long in that vicinity.

Later, other Indians learned to work deep mines by carrying down wood, building fires, pouring water on the heated rocks, and digging the mineral out with curiously improvised tools such as "buck horns, hoes, old gun-barrels and the like. Most of the labor was performed by the squaws, who drew out the ore thus extracted in birch-bark 'mococks', and then placed it in a crude furnace built of logs, set fire to the whole, and as the lead melted and ran down, scraped out a place large enough for it to settle and form the large flat pieces, known as 'plats', in which it was transported. Each of these bars weighed from thirty to seventy pounds, and hundreds of tons of lead were made by these crude methods."

During the short time that he remained at his post in the lead region, the crafty and energetic Perrot gained a powerful influence over the Indians. On one occasion, for example, he persuaded the incensed Miami chief to go buffalo hunting in the Iowa country instead of making war against the Sioux. Their method of hunting the shaggy monarch was unique. Having set fire to the grass in a wide circle around the

animals, they posted themselves with their bows and arrows opposite an open passage. The buffalo, in attempting to escape the flames, were compelled to pass the Miami, who killed large numbers of them.

Perrot left his post at the lead mines in 1692 but in the few years he resided in or near the Iowa country he left his name indelibly associated with the region. When Pierre Charles le Sueur passed by the lead district in 1700 his journalist, Penicaut, observed Perrot's lead mines on both sides of the river. Three years later, in 1703, William de l'Isle's map of New France noted the location of the same mines. Subsequent cartographers, enlightened by the journals of explorers, missionaries, and traders, added detailed information to their maps.

Although Perrot was the first white man known to have worked the lead mines, others had prior knowledge of the region. Radisson and Groseilliers were apparently aware of their existence as early as 1658, while Baron de Lahontan spoke of the mineral wealth of the Upper Mississippi thirty years later. Henry Joutel observed in 1687 that travellers who had visited the "upper part of the Mississippi affirm that they have found mines of very good lead there." Moreover, French traders on the Illinois River had purchased lead in 1690 from Indian mines on what afterwards came to be known as the Galena River.

Dazzled by news of untold wealth, France entered

into an era of speculation in which the lead mines played no small rôle. On the eve of his departure from France following his appointment as Governor of New France, La Mothe Cadillac painted in brilliant colors the commercial possibilities of Louisiana for Antoine Crozat, a wealthy and influential capitalist. Cadillac succeeded in securing a charter for Crozat, valid for fifteen years, which granted exclusive trading rights in Lower Louisiana below the mouth of the Ohio. While the grant did not include the lead mines in the Iowa country it served as a stepping stone to a project which became not only a vital concern of France but attracted the attention of the entire financial world of Europe.

Crozat, after sustaining a loss of a million and a quarter livres, voluntarily gave up his charter. But in August, 1717, a new organization was chartered under the name "Company of the West", but better known as the Mississippi Company. Devised by the ingenious John Law, a Scotchman, gambler, and adventurer, this get-rich-quick scheme was in reality a complete trade monopoly of Louisiana. The company had sole ownership of all the mines that it developed, free disposal of forts, ports, and depots, besides innumerable other benefits and privileges. When the "Mississippi Bubble" burst it shook the very foundations of France. But in the three years of its existence, while frenzied speculation and fantastic hopes of enormous fortune were

rampant, Perrot's lead mines served as a tempting bait that ensnared many a hapless investor.

The sudden debacle of John Law's "Mississippi Bubble" served to curtail interest in the lead mines. Nevertheless, they continued to be worked intermittently by phantom white men and their no less shadowy red brothers. Concerning the wasteful methods of "eighteen or twenty" miners who were operating in the lead region in 1743, Major de Gruis, a French officer stationed at Kaskaskia, declared: "They cut down two or three big trees and divide them in logs five feet long; then they dig a small basin in the ground and pile three or four of these logs on top of each other over this basin: then they cover it with the same wood, and put three more logs, shorter than the first, on top, and one at each end crossways. This makes a kind of box, in which they put the mineral, then they pile as much wood as they can on top and around it. When this is done, they set fire to it from under; the logs burn up and partly melt the mineral. They are sometimes obliged to repeat the same operation three times in order to extract all the matter." The residue, after falling into the basin, formed a lump which was afterward melted into bars weighing from sixty to eighty pounds to facilitate its transportation to Kaskaskia. "This is done with horses, who are quite vigorous in the country", the observant French officer wrote. "One horse carries generally

four or five of these bars." Despite the wasteful methods of mining and the archaic means of transportation which existed in the lead region, some of the mines were said to have yielded over 2000 bars a year. Moreover, the men worked only four or five months each year.

The lead from Perrot's mines did not remain at Kaskaskia. By the close of the French régime considerable activity was noted on the west side of the Mississippi. "The French have large boats of 20 tons, rowed with 20 oars, which will go in *seventy odd days* from New Orleans to the Illinois", wrote Captain Henry Gordon in his journal in 1766. "These boats go to the Illinois twice a year, and are not half loaded on their return". If there had been "any produce worth sending to market," they could have carried it "at no great expence. They, however, carry lead, the produce of a mine on the French side of the river, which yields but a small quantity, as they have not hands to work it. These boats, in times of the floods, which happen only in May and June, go down to New Orleans from the Illinois in 14 and 16 days." Even though Captain Gordon may have been referring to the mines in Missouri, a great quantity of lead from the Upper Mississippi region must have found its way to the outside world through the port of New Orleans.

France retained possession of both sides of the Mississippi until 1762 when impending defeat by the

English in the French and Indian wars caused Louis XV to cede the land west of the Mississippi secretly to Spain. England acquired the territory east of the Mississippi from France but did not take possession until April 21, 1764. Thus the substance of French colonial dreams was lost. An empire whose limits were marked by Quebec and New Orleans — the mighty stage which, during a century and a half of exploration, had felt the tread of soldiers, traders, miners, and priests; whose wealth was the object of exploitation by the Hundred Associates, Antoine Crozat, and John Law and his "Company of the West" — this vast domain had melted away. Even Perrot's Mines were divided at a stroke of the pen to become the possession of both Spain and England.

WILLIAM J. PETERSEN

Jean Marie Cardinal

Jean Marie Cardinal was in a dilemma. For days he had paddled up the turbulent Mississippi with his Pawnee wife and his faithful Indian slave, searching for a suitable place to settle. Wild game was plentiful but, though he had ascended the Mississippi as far as the Cannon River, the only desirable home site he had seen was just above the mouth of the Wisconsin River. Should he go on or return? He decided to turn back and settle at what is now Prairie du Chien. Throughout their journey the three adventurers had often been forced to wait for the numerous herds of buffalo to swim across the stream before their canoe could pass in safety.

Legend has it that Jean Marie Cardinal was the first white man to settle at Prairie du Chien — probably about the time that the French and Indian wars began. In any event it is not likely that Cardinal welcomed the cession of all the rich land east of the Mississippi to England. Moreover, the sudden appearance of two aggressive English trappers, Abraham Lansing and his son, doubtless irked the Frenchman. Were these prosperous traders planning to secure a monopoly of the fur trade and drive the French out before their country had actually taken formal pos-

session? Grudgingly, perhaps, Jean Marie and a companion consented to act as guides and servants for Lansing on a trading excursion into the northern wilds. A quarrel ensued, hot words were exchanged, and Lansing and his son were killed. Fearful of English justice, Cardinal hastened southward, stole into Prairie du Chien to get his wife and family, and then fled into Spanish territory.

Meanwhile Spain, with characteristic tardiness, did not assume command of the western portion of Louisiana until 1769. Possession of land in the Mississippi Valley, including the Iowa country, placed the Spanish government in the peculiar position of ruling over a French population and attempting to ward off intruding French and British Canadians and colonial Americans. Between 1763 and 1803 the French formed a preponderant element in this domain. Unswerving loyalty was essential if any foreign power were to rule so large a territory.

Early in 1770 Governor Don Alexander O'Reilly published twelve regulations which exhibited the general intention and policy of Spain regarding the disposition of the public domain by means of land grants. These were to be made in the name of the king by the governor-general of the province who was to appoint a surveyor to fix the boundary of the grant in the presence of three witnesses. Copies of the survey signed by the witnesses and surveyor were to be de-

posited with the government, the governor-general, and the grantee.

While these regulations were particularly important in Lower Louisiana, the Iowa country and the lead mines were an object of regard for many an avaricious eye. Indeed, on July 5, 1769, even before the publication of the regulations, Martin Miloney Duralde petitioned Louis St. Ange de Bellerive, French Captain-Commandant of the Illinois country, for a grant of land about a hundred and sixty leagues above St. Louis or eighty leagues above the Des Moines River. This site must have been in the vicinity of Dubuque. Duralde declared that he was a resident of St. Louis and had been informed by several traders of the discovery of a lead mine on the bank of the Mississippi in French territory. He asked for a tract "three arpents in front, by the ordinary depth, in order that he might explore it, make a garden, and procure the necessary fuel" for his workmen without being interrupted in his operations. St. Ange granted the petition but apparently Duralde never settled upon his grant or mined for lead.

At least two other men seem to have mined lead in Iowa before Julien Dubuque arrived. Father Samuel Mazzuchelli, a missionary who came to the Upper Mississippi Valley in the early eighteen thirties, wrote in his memoirs: "The lead mines to the west of the Mississippi as far as 42½° N. had been worked at first

by Mr. Long, then by his successor in the Indian trade, M. Cardinal, followed then by Mr. Dubuque. This account was given in 1835 by an aged Canadian, an octogenarian, who during the course of about twenty years had been in the service of the last mentioned gentleman." Nothing more is known of the mysterious Mr. Long but it has been suggested that possibly he may be identified with the L'Ange family of Prairie du Chien whose name was often spelled in the old records as Lange or Longe.

But Jean Marie Cardinal! What strange fate had led him to return so close to the scene of the murder of Abraham Lansing and his son? Following his flight to the Illinois country in 1763, Cardinal had lived for a time at St. Phillippe but later had moved to St. Louis, the rapidly growing fur-trade center of the West. There Cardinal established his family. He was happy with his Indian wife, Marie Anne, whom he had found years before, probably while on a trading expedition up the Missouri. On May 30, 1776, his marriage was formally solemnized in the church at St. Louis, and his children were baptized. At that time Paul was only a little more than a year old while Genevieve was twenty-one. Of the others, Charlotte Ursule was eighteen, Margarete was ten, Suzanne and Catherine were eight, and Felicete and Jean Marie were five.

From St. Louis, Cardinal ranged deep into the

Upper Mississippi country and far up the valley of the Missouri. During the course of his wanderings he probably stumbled upon Perrot's old mines and determined to work the diggings. The outbreak of the American Revolution may have served as a spur to such activity although it is possible that he began his activity even before 1776. In any event evidences of his work were found by Julien Dubuque upon his arrival. Substantial roads, the Indians declared, had been built for transportation of ore by Spaniards.

Cardinal apparently remained in this vicinity unmolested for several years. In the spring of 1780, with Spain aiding the colonies in the war for American independence, the British determined to attack Spanish Louisiana. St. Louis was to be the objective of an expedition which was planned by Lieutenant-Governor Patrick Sinclair at Michilimackinac. Captain Emmanuel Hesse was ordered to collect a force of men and supplies and proceed to the attack of St. Louis without delay.

The British bent every effort to insure a victory. Learning of the presence of an armed boat on the Upper Mississippi, Hesse sent some troops to intercept it. Led by Lieutenant Alexander Kay, they easily captured the boat and its crew of "twelve men & a Rebel Commissary" at the mouth of the Turkey River. Kay and his motley array of Indian allies then proceeded to the lead mines where they surprised and

captured "seventeen Spanish & Rebel Prisoners, & stopp'd Fifty Tonns of Lead ore" from falling into the enemy's hands. An assortment of provisions, peltries, tobacco and rum was also seized in the two skirmishes. Lieutenant-Governor Sinclair was jubilant and immediately dispatched a letter to his superior imparting the news and adding: "A part of the Menominis who are come here, some Puants, Sacks & Rhenards go immediately to watch the Lead mines. Orders will be published at the Illenois for no person to go there, who looks for receiving Quarter, and the Indians have orders to give none to any without a British Pass." Iowa and the lead mines were playing a colorful rôle in the American Revolution.

Fortunately for the Americans, a number of miners escaped down the Mississippi to St. Louis. Jean Marie Cardinal was probably among them, though his wife and small son seem to have been captured. Hastening down stream, they arrived at St. Louis in time to warn the inhabitants of the impending invasion and enable the citizens to throw up a "Breastwork round a Store House" in preparation for the defense.

On the second of May "Seven Hundred & fifty men including Traders, servants and Indians" left Prairie du Chien and proceeded down the Mississippi to St. Louis. They must have formed a shifting scene of color — the brilliant scarlet uniforms of the British soldiers, the picturesque homespuns and furskins of

the traders, the splash of savage finery emblazoned in every conceivable fashion on blankets, canoes, naked bodies, and equipment. Only the glint of rifle and sabre in the sunlight would have divulged the true character of the expedition to a possible witness at the lead mines as they passed.

When the flotilla reached St. Louis on May 25, 1780, they found to their surprise a Spanish-French force of twenty-nine regulars and two hundred and eighty-one villagers behind strong entrenchments. A furious assault was launched, hand-to-hand fighting occurred at several points, but in the end the British were repulsed on all sides and forced to retreat northward. In front of the village fought Jean Marie Cardinal, unmindful of his own safety in his desperate effort to defend St. Louis and perhaps secure revenge upon the hated British. During the course of the struggle he was taken prisoner by some Indians and was mortally wounded while attempting to make his escape. Recaptured, he remained a prisoner but a short time, for he died at the "Beaver Pounds" a few miles from St. Louis. Jean Marie Cardinal was probably the only Iowan to give his life in the cause of American independence.

WILLIAM J. PETERSEN

Julien Dubuque

A light canoe skimmed swiftly down the Mississippi from Prairie du Chien. In it sat a lone French Canadian, skillfully plying his paddle. He was not a large man, but had the appearance of being able-bodied and alert. Neatly tucked away in the bow of his tiny craft was a bundle containing many presents of blankets, brilliantly colored cloth, combs, broaches, armbands, wristbands, earbobs, and many other trinkets. Some guns and scalping knives might also have been seen. Under his steady, powerful stroke, the light craft darted by the Turkey and Little Maquoketa rivers and on to the mouth of Catfish Creek. There stood the Fox Indian village of Kettle Chief with smoke curling lazily upward from the many lodges.

By the treaty of September 3, 1783, the victorious American colonies had acquired the land east of the Mississippi while Spain retained the lead mines and the territory west of the great river. Most of the Indians, who had been sent to guard the mines during the American Revolution, had returned to their homes. Only the Foxes remained under their leader Kettle Chief. Delighted with their surroundings and stimulated by the discovery of a rich lead mine, they determined to settle permanently on Catfish Creek. They

laid absolute claim to the entire mineral region west of the Mississippi and steadfastly refused to permit any white man to work the mines.

Still the Foxes did not feel unfriendly to this gay young Frenchman who had beached his canoe at their very door. The happy Indian children, tumbling about with their pets or imitating their elders in the hunt or at war, paused in their play to greet him. Even the busy squaws looked up from their work and smiled while the old men cast an approving eye after the friendly Frenchman as he entered Kettle Chief's lodge and deposited his presents. The Foxes called him La Petite Nuit, or Little Night, because of his swarthy complexion. His real name was Julien Dubuque.

Dubuque was born on the banks of the majestic St. Lawrence River on January 10, 1762. Of Norman descent, he sprang from several generations of hardy Canadian pioneers. Jean Dubuque, the first of his line to settle in New France, married Marie Hotot at Quebec in 1668. Their son Romain married Anne Pinel in 1693 and became the father of a boy, Augustin, in 1707. Julien Dubuque was the youngest of a family of thirteen who blessed the union of Augustin Dubuque and Marie Maillot. He was born at St. Pierre-les-Becquets, Nicolet County, in the district of Three Rivers.

Little is known of the early life of Julien Dubuque. It is said he was well educated as a youth, having at-

tended the parish school as well as classes at Sorel. Following his father's death in 1783, he settled at Prairie du Chien and soon made the acquaintance of Kettle Chief's band. Spurred by the possibility of wealth hidden in the hills about their village and possibly encouraged by Marie Anne Cardinal, Dubuque made "many voyages" to the Fox village on Catfish Creek. He lavished presents upon the Indians and appeared ever eager to serve them. Legend also associates his frequent visits to the village with a pretty Indian maiden, Potosa, shy but evidently responsive to the young man's wooing. The beautiful Potosa, it is said, finally became his wife. Little Night himself was adopted by the tribe.

Dubuque steadily ingratiated himself into the good will of the Foxes and on September 22, 1788, they granted him possession of the mines. The contract permitted Julien Dubuque "to work at the mine as long as he shall please, and to withdraw from it, without specifying any term to him; moreover, that they sell and abandon to him all the coast and the contents of the mine discovered by the wife of Peosta, so that no white man or Indian shall make any pretension to it without the consent of Mr. Julien Dubuque; and in case he shall find nothing within, he shall be free to search wherever he may think proper to do so, and to work peaceably without any one hurting him, or doing him any prejudice in his labors. Thus we, chiefs

and braves, by the voice of all our villages, have agreed with Julien Dubuque, selling and delivering to him" the privileges cited in the contract.

Jubilant over his success, Dubuque hastened to the lead mines with ten white laborers. He improved the land, cleared an extensive farm, and constructed upon it houses and a horse mill; he raised crops; he dug lead ore and smelted it in a furnace constructed for that purpose. His activity and enterprise were said to be varied and amazing. Moreover, he exercised such influence over the Indians on both sides of the Mississippi River that not only the Foxes but the Winnebagos as well habitually consulted him on matters of importance.

His ten white companions served as teamsters, smelters, storekeepers, woodsmen, boatmen, and overseers of the mines. The work was done entirely by the old Indians and squaws, the warriors and young men considering such labor to be beneath their dignity. The methods used at the diggings were of a primitive nature: the shovel and the hoe, the pickaxe and the crowbar were used, but no blasting was done. No shafts were sunk and the windlass and bucket were unknown. Drifts were run into the hills as far as possible and the mineral was then dragged out in baskets to the smelter where it was reduced to bars or pigs.

Not content with confining his activities to what

is now Iowa, Dubuque appears to have sent his prospectors to the east side of the Mississippi in the Fever River country. Indians were also employed in this capacity, and as soon as a discovery was reported Dubuque would send a Canadian or half-breed to prove the claim and sometimes work it. Usually, however, the Indians were allowed to dig out the ore and drag it to his trading house on the west side of the river. They piled their ore at the bottom of the shaft into tough deer-skins. These were hoisted to the surface or dragged up inclined planes by long thongs of hide. When mining became too complex for their simple tools the Indians abandoned their leads which were afterward worked by white men with improved appliances and found to be the best in the region.

In the spring and fall Dubuque went to St. Louis with his lead and exchanged it for goods for his Indian trade. Two or three boats were required to convey the heavy freight and several of his Canadians were needed to man them. His arrival at St. Louis was the occasion of genuine rejoicing in that frontier community and he was cordially received by the leading citizens of the town.

Julien Dubuque was a man of striking appearance. According to James G. Soulard of Galena, who knew and conversed with him at St. Louis, Dubuque was a "man below the usual stature, of black hair and eyes, wiry and well built, capable of great endurance, and

remarkably courteous and polite, with all the suavity and grace of the typical Frenchman. To the ladies he was always the essence of politeness." His popularity and versatility was demonstrated at a ball given in his honor and attended by leading citizens of St. Louis. "At one point of the festivities," an eye witness observed, "Dubuque took a violin from one of the performers, and executed a dance to the strains of his own music, which was considered a great accomplishment, and was received with tremendous applause."

A significant characteristic of the enterprising Frenchman was his extreme caution in fortifying his claims to the mines that the Foxes had granted him permission to exploit. Late in September, 1788, he secured permission to erect markers or monuments at the confluence of the Little Maquoketa and the Têtes des Morts with the Mississippi. These were to serve as concrete evidence of the upper and lower boundaries of his domain. Eight years later he humbly petitioned Governor-General Carondelet for the confirmation of his title to the land:

> Your excellency's very humble petitioner, named Julien Dubuque, having made a settlement on the frontiers of your government, in the midst of the Indian nations, who are the inhabitants of the country, has bought a tract of land from these Indians, with the mines it contains, and by his perseverance has surmounted all the obstacles, as expensive as they were dangerous, and, after many voyages, has come to

be the peaceable possessor of a tract of land on the western bank of the Mississippi, to which [tract] he has given the name of the "Mines of Spain," in memory of the government to which he belonged. As the place of settlement is but a point, and the different mines which he works are apart, and at a distance of more than three leagues from each other, the very humble petitioner prays your Excellency to have the goodness to assure him the quiet enjoyment of the mines and lands, that is to say, from the margin of the waters of the little river Maquanquitois [Maquoketa] to the margin of the Mesquabysnonques [Tetes des Morts], which forms about seven leagues on the west bank of the Mississippi, by three leagues in depth, and to grant him the full proprietorship ["peaceable possession" is the proper translation of the original] thereof, which the very humble petitioner ventures to hope that your goodness will be pleased to grant him his request. I beseech that same goodness which makes the happiness of so many subjects, to pardon me my style, and be pleased to accept the pure simplicity of my heart in default of my eloquence. I pray Heaven, with all my power, that it preserve you, and that it load you with all its benefits; and I am, and shall be all my life, your Excellency's very humble, and very obedient, and very submissive servant.

J. Dubuque.

What a consummate plea by the adroit Frenchman! Small wonder that Baron Carondelet, after being assured that affirmation did not entail any encroachment on the exclusive trading privileges which a robust young Irishman named Don Andrew Todd had in the Upper Mississippi Valley, granted the petition of this hard-working owner of the Mines of Spain. It was

a princely tract which Julien Dubuque had gained. Even the trading restrictions were of small consequence, for Todd fell a victim of yellow fever and died late in 1796.

Dubuque quickly became familiar with all the superstitions and beliefs of the Fox Indians and apparently did not hesitate to practice weird tricks of magic and incantations upon them. It is said the Indians idolized him, placing greater faith in Little Night than in their own sorcerers and medicine men. The wily Frenchman claimed to be immune from the bite of poisonous snakes and handled them with perfect impunity.

One local tradition relates that on a certain occasion Dubuque got into a quarrel with the Indians who were not inclined to grant a request. Incensed at their stubborn refusal, Dubuque threatened to set Catfish Creek on fire. Still the Foxes remained obdurate. Little Night was nonplused and went to his cabin to find a way out of this quandary. That evening under cover of darkness a couple of Dubuque's white companions carried a dark object up Catfish Creek. Just above the bend that hid their actions from the village they halted and poured the contents of the barrel into the water. Dubuque, now in perfect control of himself, again called the Indians into council and repeated his demand. Still the Foxes sullenly refused. For a moment Little Night and his red brothers glared defiantly at each other. Then the Frenchman stooped, snatched

a firebrand from the fire, and hurled it into Catfish Creek. In a twinkling the entire creek burst into flames as the brand struck the surface of the stream and ignited the oil that floated by. Terrified at Little Night's cool announcement that he would burn their villages and even the Mississippi, the Indians capitulated and granted every request.

Despite his energy, perseverance, and chicanery, Dubuque did not prosper. In some way he became heavily indebted to Auguste Chouteau, a wealthy merchant of St. Louis. Unable to meet his obligations Dubuque sold seven undivided sixteenths of all the Mines of Spain for $10,848.60. This embraced a tract containing 72,324 arpents taken from the southern part of Dubuque's estate. Dubuque was to retain complete possession of the land during his lifetime when all the "works, furnaces, buildings, improvements", made by him were to come into the full and peaceful possession of Chouteau, his heirs and assigns. Following the transfer, a statement dated November 12, 1804, showed a balance of $4,855.82 due to Dubuque, half of which was to be payable the following year in deer-skins, merchandise, taffeta, and the country's productions. The remainder was due in 1806 — four hundred dollars in deer-skins and the balance in "merchandise, taffetas, whiskey, etc."

A fortnight after Chouteau gained this concession, on November 3, 1804, William Henry Harrison, then

Governor of the Territory of Indiana, signed a treaty with the Sauks and Foxes whereby the Indians agreed to give up all lands east of the Mississippi and south of the Wisconsin. Appended to this treaty was an additional article declaring it must not be construed to "affect the claim of any individual or individuals who may have obtained grants of land from the Spanish government, and which are not included within the general boundary line laid down in this treaty, provided that such grant have at any time been made known to the said tribes and recognized by them."

Dubuque apparently enjoyed the peaceful possession of his claim throughout the remainder of the Spanish régime in Iowa. The retrocession of Louisiana to France in October, 1800, together with its sale by Napoleon to the United States in April, 1803, gave the Americans jurisdiction over the entire region west of the Mississippi.

Ever affable and polite, Dubuque was none the less adroitly evasive when silence was demanded. Thus, when Lieutenant Zebulon M. Pike arrived at the lead mines on September 1, 1805, he was "saluted with a field-piece, and received every mark of attention". But Dubuque was suspicious. Noticing that Pike was apparently ill, he persuaded the young lieutenant not to inspect the mines, since they were six miles distant and no horses could be provided. Pike reluctantly agreed and proposed instead a series of questions.

Dubuque's answers, however, seemed "to carry with them the semblance of equivocation".

1. What is the date of your grant of the mines from the savages?
   Ans. The copy of the grant is in Mr. Soulard's office at St. Louis.
2. What is the date of the confirmation by the Spaniards?
   Ans. The same as to query first.
3. What is the extent of your grant?
   Ans. The same as above.
4. What is the extent of the mines?
   Ans. Twenty-eight or twenty-seven leagues long, and from one to three broad.
5. Lead made per annum?
   Ans. From 20,000 to 40,000 pounds.
6. Quantity of lead per cwt. of mineral?
   Ans. Seventy-five per cent.
7. Quantity of lead in pigs?
   Ans. All we make, as we neither manufacture bar, sheet-lead, nor shot.
8. If mixed with any other mineral?
   Ans. We have seen some copper, but having no person sufficiently acquainted with chemistry to make the experiment properly, cannot say as to the proportion it bears to the lead.

Fortune no longer seemed to smile on Julien Dubuque. Each year he encountered financial reverses and sank more deeply in debt. On June 3, 1807, he penned a letter from Prairie du Chien to the firm of Rochebleve and Porlier, two enterprising merchants

at Mackinac, apologizing for the meager invoice of thirty-two packs of furs he was enclosing.

"Probably you will be astonished at so small returns this year", he wrote. "It is true, but consider the circumstances which have caused this small result. For seeing the fine appearance of last autumn I arranged with 8 men to trap beaver on the Missourye. I had sent them An Outfit to make their entrance into the village and entrench it etc. When they had gone ten days journey or had camped ten times they met the Sioux of Des Moines river, and had a little Broil with them They all gave up the enterprise and came to pass the winter opposite their village eating up their maize since they had no meat to eat. This spring they came to return to me what remained, their guns, traps and Kettles, and I refused to accept them only replying that the loss was total. I told them that these credits remained for another year, which they must make up. But this Misfortune makes me wish to give up trading and I will really quit it when affairs have become settled up.

"I pray you not to be apprehensive for the Balance that remains against me — it is true that I am on the wrong side of the account. But when I die I have funds that belong to me that will more than equal the balance that is owing you. For all the small debts that I owe you I would much prefer to pay in peltry than to draw on you for money."

But Dubuque's efforts to retrieve his fortune seemed to be hopeless. Already deeply involved with Auguste Chouteau, he found it increasingly difficult to meet his obligations. At the time of his death in 1810, the proud owner of the Mines of Spain was pronounced bankrupt.

When the Indians learned of the death of Little Night they were thunderstruck. For years he had been a brother to them. They sought his advice in time of danger and had implicit faith in him as a great medicine man. They exhibited the deepest grief at his loss. Indians came for miles around to attend his funeral, while chiefs and warriors vied with each other for the honor of carrying his remains to the grave. Tradition has pictured a sorrowful procession filing its way to the top of the high bluff on the north bank of Catfish Creek overlooking the mighty Mississippi. After a number of brilliant funeral orations the Indians chanted the death-song of a brave and returned mournfully to their village. Soon afterward his faithful French Canadians placed a cedar cross over his grave. On it they inscribed in French: "Julien Du Buque, Mineur de la mine d'Espagne, morait le 24 Mars, 1810 — age de 45½ annees."

WILLIAM J. PETERSEN

Chouteau *v.* Molony

The Fox village on Catfish Creek was in a tumult. Sixty white men had just arrived in a keelboat to take possession of the lead mines. Already these invaders had begun their digging and smelting. Rude buildings began to rise despite the red men's protest. Little Night had scarcely been laid in his grave when these noisy strangers appeared to disturb him.

The Foxes were assembling their warriors, intent on ousting the miners and demonstrating that white men, no matter how many, would not be allowed to work the mines of Julien Dubuque. Colonel John T. Smith contended that he had bought an interest in Little Night's mines from the Chouteaus. The Indians scouted the statement. Their chiefs wisely pointed out that their brother, Little Night, had merely received permission to work the mines and had not been granted an absolute title to the land. Finally, turning a deaf ear to all further arguments, the warriors set fire to the buildings and drove the intruders pellmell across the Mississippi.

For a score of years the Foxes defiantly and successfully warded off all attempts on the part of white men to work the mines. Observant travellers such as Major Stephen H. Long, Henry R. Schoolcraft, and Major

Thomas Forsyth were in accord on the jealousy with which the Foxes guarded their mines. Indeed, in 1823 the Italian exile and judge, Giacomo Constantine Beltrami had to resort to a bribe of influential whisky in order to obtain permission to visit the mines. Arriving on the steamboat *Virginia,* Beltrami found the Indians carrying on just enough mining to satisfy their needs in trade. They melted the lead into holes dug in the rock and reduced it to pigs in this manner. It was then carried across the river, for they would permit no white man to come to the mines to get lead. Beltrami was amazed to discover that Julien Dubuque's body was enclosed in a leaden chest in a wooden mausoleum situated on the top of a hill overlooking the Mississippi.

Meanwhile, the lead mines on the east bank of the Mississippi were being worked more and more extensively. In 1810 the Indians had melted 400,000 pounds of lead at Fever River, and in 1815 there were twenty rude Indian furnaces in the neighborhood of what was later to be the site of Galena. In 1816, the first flatboat cargo of lead to emanate from the Fever River mines was sent to St. Louis by George Davenport, and by 1821 it was not uncommon to see these unwieldy craft heavily laden with lead slowly making their way down the Mississippi. By 1830 Galena was the center of the trade and contained over a thousand inhabitants.

But the white men were not satisfied with being restricted to the east side of the Mississippi in Illinois. They cast longing glances at the west bank, but the big Indian village served as a reminder that they were not wanted. In 1829 James L. Langworthy was said to have crossed the Mississippi and explored the region near the site of Dubuque. Early in 1830 the Indians deserted their village and James and Lucius Langworthy crossed over and commenced mining. Others were not slow to follow and soon the number was sufficiently large to feel it incumbent on themselves to draw up a set of rules to govern the community.

On June 17, 1830, a prophetic event occurred near the mouth of Catfish Creek when a group of rugged miners met around an old cottonwood tree and drew up a set of rules to govern their mining operations. The meeting was organized in due form and the preliminary business disposed of, after which a committee drew up the following regulations:

> We, a committee, having been chosen to draft certain rules and regulations, by which we, as miners, will be governed, and, having duly considered the subject, do unanimously agree that we will be governed by the regulations on the east side of the Mississippi River, with the following exceptions, to wit:
>
> ARTICLE 1.—That each and every man shall hold two hundred yards square of ground by working said ground one day in six.
>
> ART. 2.—We further agree, that there shall be chosen by the majority of the miners present, a person who shall hold

this article, and who shall grant letters of arbitration, on application being made, and that said letter [of] arbitration shall be obligatory on the parties concerned so applying.

Written by James L. Langworthy on a half-sheet of coarse unruled paper on the log around which the miners had gathered, this "Miners' Compact" was the first set of laws for the government of white men adopted on the soil of Iowa.

The land west of the Mississippi had not been opened to settlement, however, and troops drove the interlopers away. At the conclusion of the Black Hawk War in 1832, the miners who had been driven out during the summer of 1830 crossed the river and resumed operations on their former claims. But the land was not yet open to settlement, and Zachary Taylor soon arrived with a military force to expel them. Langworthy and most of the miners removed to an island near the west bank of the river where they built rude shacks and, surrounded by heaps of mineral, spent the remainder of the winter and the following spring, suffering many privations.

The treaty which closed the Black Hawk War and effected the purchase of a strip of land about fifty miles wide stretching westward from the Mississippi set the date of June 1, 1833, for the extinction of the Indian title to this part of the Iowa country. All of the land embraced within Dubuque's Mines of Spain was included in the cession. Scores of settlers must

have swarmed into Iowa on that day. The movement to the lead mines around Catfish Creek and northward to the Little Maquoketa was especially great and apparently no attention was paid to the possibility of their claims being illegal. Had not the Foxes clearly demonstrated their feelings in regard to the claims of Chouteau?

The settlement at Dubuque's Mines increased rapidly in population. Strategically located on the Mississippi, Dubuque had a distinct advantage over Galena which lay some miles up the Fever or Galena River. But the persistent manner in which the heirs of Chouteau presented their claims before Congress and carried the contest for possession of the old land grant from a lower to a higher court caused the settlers to become nervous and wonder if their titles to the land they occupied were really valid. For two decades the claims of the Chouteaus hung like a sword of Damocles over the lead mines. It can hardly be doubted that the natural growth of the region was retarded as long as this situation existed.

Finally, by mutual agreement the case was put into the form of a suit of ejectment against a farmer named Patrick Molony, who held his land under a patent from the government. Judge John J. Dyer of the United States District Court for Iowa rendered judgment in favor of Molony. The case was then carried to the Supreme Court of the United States. Reverdy

Johnson of Maryland together with able St. Louis attorneys represented Henry Chouteau. The settlers at Dubuque, through Patrick Molony, were represented by Attorney General Caleb Cushing and by Thomas S. Wilson and Platt Smith. In March, 1853, the judgment of the lower court was affirmed. When the news reached Dubuque there was general rejoicing — bells rang, bonfires were kindled, and citizens extended mutual congratulations to each other.

The major points in the decision as rendered by Justice J. M. Wayne of Georgia in the case of Chouteau *v.* Molony were clearly stated. Spanish law granted the Indians a right of occupancy but did not allow them to sell or part with any land except as provided by the laws of Spain. These laws and usages did not sanction such a grant as the one from Carondelet to Dubuque. The Foxes had merely sold Dubuque a permit to work the mines and restricted all others from making any pretension to it without the consent of Dubuque. It would be unreasonable to think the Indians had intended to sell their own village site — an act which was itself illegal according to Spanish law. Dubuque, in his petition to Carondelet, had asked for the "peaceable possession" of the mines and this was simply "granted as asked" with definite restrictions pertaining to the Indian trade. Thus, the Spanish grant did not convey full title but only confirmed such rights as Dubuque had previously received

from the Indians. No survey had been made nor had Dubuque obtained an order for one from Carondelet or his successor. Since this grant was not a complete title to land, making it private property, the Dubuque tract was automatically conveyed to the United States by the Louisiana Purchase on April 30, 1803. Chouteau was perfectly familiar with the documents and had simply engaged in speculation when he bought seven-sixteenths of the Mines of Spain. All he had acquired was Dubuque's right to "peaceful possession" which, so far as the Indians were concerned, Dubuque had no right to sell.

WILLIAM J. PETERSEN

Comment by the Editor

LEAD

All the way up from St. Louis the Mentor, who was a prospector by nature, had informed the Stranger of the lure and importance of lead. Bluffs of Galena limestone commanded attention as the steamboat neared the Fever River, gateway to the region of lead mines. What treasure lay concealed in the fissures of those ancient rocks! Though the Stranger's previous opinion of lead may have been somewhat colored by his prejudice in favor of silver and gold, he began to realize the tremendous influence of the baser metal. He caught the zeal of the men who crowded the boat, eager to be at work in the diggings and find a fortune ready-made. Pioneers they were, but they came with pick and shovel instead of axe and plow.

Long before the white men came in quest of a shorter route to India (and stayed to win salvation in the service of the Lord), the Mentor explained, Indians had beautified their calumets with inlaid lead. They offered leaden ornaments and chunks of glittering ore in exchange for calico and trinkets. Not the dense forests or the rich soil of the prairie, not even beaver pelts, but rumors of fabulous mineral resources intrigued the daring soldiers of fortune who first ven-

tured into the Great Valley and claimed an empire in the name of France.

Nor were they disappointed in their dreams of riches. From the time when the Indians invited Perrot to help them with their mining until Dubuque laid claim to the Mines of Spain, lead had been the chief allurement of the Fever River country. While energetic traders dealt primarily in staple goods like fur and knives, they also speculated in the sale of lead for larger profits. A century of desultory exploration and intermittent mining by legendary figures, who left no trace except the refuse of their digging, served none the less to advertise the district.

The Stranger was curious to know when permanent settlement began and whether mines or farms attracted those who came to make their homes in the valley of the Upper Mississippi.

The settlers did not come until the twenties, said the Mentor, but even then they came for lead instead of crops. On July 1, 1825, there were a hundred miners at the Fever River diggings, and the number increased fourfold within a year. By 1830 the population of Galena was almost a thousand. A newspaper was established there in 1826 (the only one in the whole vast region north of Vandalia), while across the river ten years later the Dubuque *Visitor* was the first paper published in Iowa. Even as late as 1838 the settlers in the vicinity of Catfish Creek did not

produce enough grain and live stock for their own consumption. "The People in the mining country will have to kill all their Cattle & eat Corn Bread", wrote H. L. Dousman, wealthy merchant-trader at Prairie du Chien. The river froze early in November that year and stopped the boats which were bringing winter supplies. In 1844 Ephraim Adams, of the Iowa Band, declared that if the labor of digging for lead at Dubuque "had been expended on the surface of the ground, about six inches deep, the people generally would be better off."

How much ore have these mines produced? The Stranger still conceived of Iowa, Illinois, and Wisconsin as predominantly agricultural.

Nobody knows exactly, responded the Mentor. During the first hundred years no records were kept and Julien Dubuque's production is uncertain. His estimate of 20,000 to 40,000 pounds a year in 1805 was probably more conservative than accurate. In the period of greatest activity between 1835 and 1850, no less than 400,000,000 pounds were mined. David Dale Owen, who made a careful geological survey in 1839, estimated that the annual production at that time was 30,000,000 pounds, one-tenth of which came from the mines in Iowa. This was as much lead as all Europe then produced and nearly a third as much as England. A single fissure in a mine northwest of Dubuque contained three million pounds of ore. In

1843 the value of the exports from Galena and above was $1,250,000, more than three-fourths of which was contributed by lead and less than four per cent by agricultural products.

The Stranger was impressed, but he was also in a quandary. Should he invest in a lead mine or purchase a steamboat? The Mentor had said that the freight on a cargo of lead sometimes paid for a boat in one round trip. Years later the Stranger was glad that he did neither.

J. E. B.

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