

The **P**ALIMPSEST

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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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ASSOCIATE EDITOR OF THE STATE HISTORICAL SOCIETY OF IOWA

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The First Mississippi Bridge

In the third quarter of the Nineteenth Century a struggle was going on in the Mississippi Valley between the forces behind north and south traffic and similar forces whose direction lay across the continent from east to west. It was a contest between the old lines of migration and the new; between the South and the East; between the slow and cheap transportation by water, and the rapid but more expensive transportation by rail; and it arrayed St. Louis and Chicago against each other in an intense rivalry.

It was a struggle in which the river interests played a losing game. The steamboat could only follow the water systems, while the railroad companies could lay their rails almost anywhere. A crisis came when an audacious railroad flung its rails across the path of the Mississippi steamboats at Rock Island.

In the early fifties the firm of Sheffield and Farnam completed the construction of the Michigan

Southern Railroad into Chicago, and this was but the preface to the building of the Chicago and Rock Island Railroad by the same firm from Chicago to the Mississippi River. The first train on this line reached the bank of the river at Rock Island in 1854 — and came naturally and positively to a halt.

Mr. Joseph E. Sheffield, patron of the Sheffield Scientific School at Yale University, now retired from active construction work, but his partner, Henry Farnam, continued his interest and activity in railroad building. He associated himself with a group of men from Iowa, Illinois, and the East, who organized the Mississippi and Missouri Railroad. This company projected a railway beginning at Davenport, across the river from the railhead at Rock Island, and crossing the State of Iowa to the Missouri River at Council Bluffs.

In order to unite these two railroads and make continuous the line of rails across the Valley, it was necessary to bridge the Mississippi River. In all the length of the stream from St. Paul to the Gulf of Mexico no bridges existed. It was a navigable waterway consecrated by nature, so thought the steamboat interests, to the north and south commerce.

The railroad interests, however, were little disposed to give consideration to such traditions, and on January 17, 1853, they secured the passage of a law by the Illinois legislature incorporating the Railroad Bridge Company, and authorizing it to build, maintain, and use a railroad bridge over the

Mississippi River, or that portion lying within the State of Illinois at or near Rock Island.

Henry Farnam was president of the bridge company and was chief engineer in the construction work. The Railroad Bridge Company issued bonds which were guaranteed by the two railroad companies, and commenced operations. They had authority only to build across that portion of the river lying within the State of Illinois, but they made an agreement whereby they coöperated with the Mississippi and Missouri Railroad Company which could act under the authority of the laws of Iowa in the construction work on the Iowa side of the boundary. The latter company had secured from Antoine Le Claire a deed to the Iowa bank of the river at the required spot, and hence a right of way from the shore to the middle of the channel.

The construction really involved three portions: a bridge across the narrow arm of the river between the Illinois shore and the Island, a line of tracks across Rock Island, and the long bridge between the Island and the Iowa shore. The channel of the river passed the west side of the Island, and down the middle of this channel ran the boundary line between the two States. The bridge was of wooden superstructure and rested upon six piers between the Island and the western shore. Three piers were within the Iowa boundary and three on Illinois bottom. Of the latter three, the one nearest to Iowa was a large circular stone pier. It had a width of

45 feet and was prolonged up and down stream by guard piers until it reached a length of 386 feet. On this large pier rested the turntable or revolving section of the bridge which when turned at right angles to the rest of the bridge left an opening of 116 feet on the Illinois side of the pier and 111 feet on the Iowa side. Boats found the Illinois opening the more satisfactory because of eddies at the foot of the long pier on the Iowa side, and the latter was not used. The ordinary spans of the bridge had openings of 250 feet in the clear and through these went the lumber rafts — some as wide as 170 feet — and the boats without chimneys.

The opponents of this construction did not wait for the bridge to be built before beginning their attack. The Secretary of War directed the United States District Attorney for the northern district of Illinois to apply for an injunction to prevent the construction of a railroad across the Island and of bridges over the river. The case — that of the *United States v. Railroad Bridge Company et al.* — came before the United States Circuit Court in July, 1855. The presiding judge was John McLean, Associate Justice of the Supreme Court. The matter at issue was largely the right to cross the Island, which was government property, but the question of the obstruction presented by the bridges was also involved. Judge McLean upheld the right of the bridge company and overruled the demand for an injunction.

So the work proceeded. In the latter part of April, 1856, the bridge was completed and the first train pulled across to Davenport, much to the joy of the people of Iowa. Use of the new bridge, however, was soon interrupted. The steamboat *Effie Afton*, attempting to go through the Illinois opening on May 6th, was wrecked against the piers. The boat caught fire and was destroyed, the flames also consuming the wooden span east of the draw, thus putting the bridge out of commission. Over four months elapsed before repairs could be completed so as to allow trains to resume the crossing of the bridge.

The owners of the *Effie Afton* now brought suit against the bridge company for damages, the boat having been completely destroyed. This case — *Hurd et al. v. Railroad Bridge Company* — came to trial before Justice John McLean in the United States Circuit Court in September, 1857. Abraham Lincoln was one of the attorneys for the bridge company, and a report of his argument to the jury is printed in the pages following the present article. His colleagues as counsel for the defense were Joseph Knox of Rock Island and N. B. Judd of Chicago, while the counsel for the plaintiffs were H. M. Wead of Peoria and T. D. Lincoln of Cincinnati.

The testimony was voluminous, the plaintiffs relying largely upon the statements of steamboat pilots and captains who for the most part declared the

bridge a nuisance and a great obstruction to the navigation of the river. Prominent engineers were called upon the stand by both parties to the suit. In the end, however, the jury failed to agree and was discharged.

The feeling between river and railroad men was naturally not quieted by this outcome of the trial. The House of Representatives of the United States Congress, on January 4, 1858, instructed the Committee on Commerce to inquire if the railroad bridge across the Mississippi River at Rock Island was a serious obstruction to the navigation of that river, and if so to report to the House what action, if any, was necessary on the part of the government to cause such obstruction to be removed.

The committee made the investigation and came to the conclusion that the bridge *did* constitute a material and dangerous obstruction to the navigation of the river but they believed "that the courts have full and ample power to remedy any evil that may exist in that regard. At present they are disinclined to recommend any action by Congress in the premises".

Then came James Ward, a St. Louis steamboat owner, who on May 7, 1858, filed a bill in the United States District Court for the Southern Division of the State of Iowa asking that the bridge be declared a nuisance and ordered removed. Again voluminous testimony was taken. On the final hearing in November, 1859, Judge John M. Love gave his decision

upholding the complaint. He declared the bridge "a common and public nuisance", and ordered the Mississippi and Missouri Railroad Company to remove the three piers and their superstructure, which lay within the State of Iowa.

The attitude of Judge Love to the question of river versus railroad is shown in his opinion. "It involves", he said, "a question of public policy as well as private right. We must, therefore, continue the precedent which is to be established". He commented on the fact that Dubuque and Lyons were already contemplating bridges, and that probably McGregor, La Crosse, Muscatine, Burlington, Keokuk, Quincy, Hannibal, and St. Louis would follow. "Thus", he said, "if this precedent be established, we shall probably, in no great period of time, have railroad bridges upon the Mississippi River at every forty or fifty miles of its course." Such an impending catastrophe as this apparently had considerable weight in bringing him to a decision.

The piers, however, were not torn out, for the Mississippi and Missouri Railroad Company appealed the case to the United States Supreme Court. An interesting feature of Judge Love's decision lay in the fact that although the river commerce went largely through the Illinois opening and the difficulties of the steamboat men were in the passage of this regular channel east of the turntable pier, the outcome of the suit was to order torn out the Iowa part of the bridge, which side was not used by

steamboats, leaving the turntable and Illinois channel unchanged. The removal of the Iowa piers would in no way better steamboat traffic for the eddy would still exist on the Iowa side as long as the turntable pier was left untouched, and the latter could not be affected by Judge Love's court because it was upon the Illinois side of the boundary. Nevertheless the carrying out of the decree would have effectually put an end to the river crossing, for the old proverb "a half a loaf is better than none" does not apply to bridges.

The appeal came before the United States Supreme Court at its December term, 1862, and that court, though not by a unanimous decision, reversed the decision of the District Court and permitted the bridge to remain. The general attitude of the Court toward bridges is shown in the last paragraph of Judge Catron's opinion. Speaking of the insistence of the river men on the free navigation of the *whole* river from bank to bank, he remarked:

"According to this assumption, no lawful bridge could be built across the Mississippi anywhere. Nor could harbors or rivers be improved; nor could the great facilities to commerce, accomplished by the invention of railroads, be made available where great rivers had to be crossed."

The realization of the necessity of bridge crossings even over navigable streams had become widespread, and each year the railroads found less to fear in their contest on this point with the river interests.

The original bridge, however, did not have a long existence. In the sixties the United States Government resumed the use of the Island for military purposes. This led to an agreement in 1867 between government officials and the Chicago, Rock Island and Pacific Railroad Company, whereby the company was granted a new right of way across the western or lower point of the Island. A new bridge was to be built at this point, the government and the railroad each to bear half the cost, the bridge to be the property of the government and the railroad to have right of way over it. Upon the completion of the new bridge, the old bridge and tracks were to be removed. The new bridge was completed in 1873.

The original bridge across the Mississippi River thus had a life time of less than twenty years. For a decade its stone piers and wooden spans were the focus of a struggle that involved large issues. In 1921 Mr. Henry W. Farnam, of New Haven, a son of the builder of the bridge, visited the scene of his father's construction work. He found on the Island an ancient stone pier overgrown with vegetation — the only relic and monument of the veteran bridge that first spanned the Father of Waters.

JOHN C. PARISH

Lincoln and the Bridge Case

[On May 6, 1856, the steamer *Effie Afton* was wrecked against the piers of the railroad bridge at Rock Island. This newly constructed bridge was the first to cross the Mississippi, and was a thorn in the flesh to the steamboat men and to the commercial interests of St. Louis. Suit was brought against the bridge company and when the action — entitled *Hurd et al. v. the Railroad Bridge Company* — came before the United States Circuit Court, with Judge John McLean presiding, Abraham Lincoln was one of the attorneys for the bridge company.

A copy of his argument in the case, in the possession of Mr. A. N. Harbert of Iowa City, was kindly loaned to the Society and, through the courtesy of the State Historical Society of Wisconsin, was verified with the original report which appeared in the *Chicago Daily Press* for September 24, 1857. In editing the article obvious typographical errors have been corrected but otherwise the newspaper account has not been changed.— THE EDITOR]

THIRTEENTH DAY.

Tuesday, September 22d, 1857.

Hon. Abram Lincoln's Argument.

Court met pursuant to adjournment.

Mr. A. Lincoln addressed the jury: He said he did not purpose to assail anybody, that he expected to grow earnest as he proceeded but not ill-natured. There is some conflict of testimony in the case, but one quarter of such a number of witnesses, seldom agree, and even if all had been on one side some discrepancy might have been expected. We are to try and reconcile them, and to believe that they are not intentionally erroneous, as long as we can. He had

no prejudice against steamboats or steamboatmen nor any against St. Louis, for he supposed they went about as other people would do in their situation. St. Louis as a commercial place, may desire that this bridge should not stand, as it is adverse to her commerce, diverting a portion of it from the river; and it might be that she supposed that the additional cost of railroad transportation upon the productions of Iowa, would force them to go to St. Louis if this bridge was removed. The meetings in St. Louis were connected with this case, only as some witnesses were in it and thus had some prejudice add color to their testimony. The last thing that would be pleasing to him would be to have one of these great channels, extending almost from where it never freezes to where it never thaws, blocked up. But there is a travel from east to west, whose demands are not less important than that of the river. It is growing larger and larger, building up new countries with a rapidity never before seen in the history of the world. He alluded to the astonishing growth of Illinois, having grown within his memory to a population of a million and a half; to Iowa and the other young and rising communities of the Northwest.

This current of travel has its rights, as well as that north and south. If the river had not the advantage in priority and legislation, we could enter into free competition with it and we would surpass it. This particular line has a great importance, and

the statement of its business during a little less than a year shows this importance. It is in evidence that from September 8, 1856, to August 8, 1857, 12,586 freight cars and 74,179 passengers passed over this bridge. Navigation was closed four days short of four months last year, and during this time, while the river was of no use, this road and bridge were equally valuable. There is, too, a considerable portion of time, when floating or thin ice makes the river useless, while the bridge is as useful as ever. This shows that this bridge must be treated with respect in this court and is not to be kicked about with contempt.

The other day Judge Wead alluded to the strife of the contending interests, and even a dissolution of the Union. Mr. Lincoln thought the proper mood for all parties in this affair, is to "live and let live," and then we will find a cessation of this trouble about the bridge. What mood were the steamboat men in when this bridge was burned? Why there was a shouting, a ringing of bells and whistling on all the boats as it fell. It was a jubilee, a greater celebration than follows an excited election.

The first thing I will proceed to is the record of Mr. Gurney and the complaint of Judge Wead, that it did not extend back over all the time from the completion of the bridge. The principal part of the navigation after the bridge was burned passed through the span. When the bridge was repaired and the boats were a second time confined to the

draw, it was provided that this record should be kept. That is the simple history of that book.

From April 19, 1856, to May 6 — seventeen days — there were 20 accidents, and all the time since then there has been but 20 hits, including 7 accidents; so that the dangers of this place are tapering off, and, as the boatmen get cool, the accidents get less. We may soon expect, if this ratio is kept up, that there will be no accidents at all.

Judge Wead said, while admitting that the floats went straight through, there was a difference between a float and a boat, but I do not remember that he indulged us with an argument in support of this statement. Is it because there is a difference in size? Will not a small body and a large one, float the same way, under the same influence? True, a flat boat would float faster than an egg-shell, and the egg-shell might be blown away by the wind, but if under the *same influence* they would go the same way. Logs, floats, boards, various things, the witnesses say all show the same current. Then is not this test reliable? At all depths too, the direction of the current is the same. A series of these floats would make a line as long as a boat, and would show any influence upon any part, and all parts of the boat.

I will now speak of the angular position of the piers. What is the amount of the angle? The course of the river is a curve and the pier is straight. If a line is produced from the upper end of the long

pier straight with the pier to a distance of 350 feet, and a line is drawn from a point in the channel opposite this point to the head of the pier, Col. Mason says they will form an angle of 20 degrees; but the angle if measured at the pier, is 7 degrees — that is, we would have to move the pier 7 degrees, and then it would be exactly straight with the current. Would that make the navigation better or worse? The witnesses of the plaintiffs seemed to think it was only necessary to say that the pier was angling to the current, and that settled the matter. Our more careful and accurate witnesses say, that though they have been accustomed to seeing the piers placed straight with the current, yet, they could see that here the current has been made straight by us, in having made this slight angle — that the water now runs just right that it is straight and cannot be improved. They think that if the pier was changed the eddy would be divided, and the navigation improved; and that as it is, the bridge is placed in the best manner possible.

I am not now going to discuss the question what is a material obstruction? We do not very greatly differ about the law. The cases produced here, are, I suppose, proper to be taken into consideration by the Court in instructing the jury. Some of them I think are not exactly in point, but still I am willing to trust his honor, Judge McLean, and take his instructions as law.

What is *reasonable* skill and care? This is a thing

of which the jury are to judge. I differ from them in saying that they are bound to exercise no more care than they took before the building of the bridge. If we are allowed by the Legislature to build a bridge, which will require them to do more than before, when a pilot comes along, it is unreasonable for him to dash on, heedless of this structure, which has been *legally put there*. The Afton came there on the 5th, and lay at Rock Island until next morning. When the boat lies up, the pilot has a holiday, and would not any of these jurors have then gone around there, and got acquainted with the place? Parker has shown here that he does not understand the draw. I heard him say that the fall from the head to the foot of that pier was four feet! He needs information. He could have gone there that day and have seen there was no such fall. He should have discarded passion, and the chances are that he would have had no disaster at all. He was bound to make himself acquainted with it.

McCammon says that "the current and the swell coming from the long pier, drove her against the long pier". Drove her towards the very pier from which the current came! It is an absurdity, an impossibility. The only reconciliation I can find for this contradiction, is in a current which White says strikes out from the long pier, and then, like a ram's horn, turns back, and this might have acted somehow in this manner.

It is agreed by all that the plaintiffs boat was

destroyed; that it was destroyed upon the head of the short pier; that she moved from the channel, where she was, with her bow above the head of the long pier, till she struck the short one, swung around under the bridge, and there was crowded under the bridge and destroyed.

I shall try to prove that the average velocity of the current through the draw with the boat in it, should be five and a half miles an hour; that it is slowest at the head of the pier,— swiftest at the foot of the pier. Their lowest estimate, in evidence, is six miles an hour, their highest twelve miles. This was the testimony of men who had made no experiment — only conjecture. We have adopted the most exact means. The water runs swiftest in high water, and we have taken the point of nine feet above low water. The water, when the Afton was lost, was seven feet above low water, or at least a foot lower than our time. Brayton and his assistants timed the instruments — the best known instruments for measuring currents. They timed them under various circumstances, and they found the current five miles an hour, and no more. They found that the water, at the upper end, run slower than five miles; that below it was swifter than five miles, but that the average was five miles. Shall men, who have no care, who conjecture, some of whom speak of twenty miles an hour be believed, against those who have had such a favorable and well-improved opportunity? They should not even *qualify* the result. Sev-

eral men have given their opinion as to the distance of the Carson, and I suppose if *one* should go and *measure* that distance, you would believe him in preference to all of them.

These measurements were made when the boat was not in the draw. It has been ascertained what is the area of the cross-section of the stream, and the area of the face of the piers, and the engineers say, that the piers being put there will increase the current proportionably as the space is decreased. So with the boat in the draw. The depth of the channel was 22 feet, the width 116 feet — multiply these and you have the square feet across the water of the draw, viz: 2,552 feet. The Afton was 35 feet wide and drew five feet, making a fourteenth of the sum. Now one-fourteenth of five miles is five-fourteenths of one mile — about one-third of a mile — the increase of the current. We will call the current $5\frac{1}{2}$ miles per hour.

The next thing I will try to prove is that the plaintiff's boat had power to run six miles an hour in that current. It has been testified that she was a strong, swift boat, able to run eight miles an hour up stream in a current of four miles an hour, and fifteen miles down stream. Strike the average and you will find what is her average — about $11\frac{1}{2}$ miles. Take the $5\frac{1}{2}$ miles which is the speed of the current in the draw, and it leaves the power of the boat in that draw at six miles an hour, 528 feet per minute, and 8 4-5 feet to the second.

Next I propose to show that there are no cross currents. I know their witnesses say that there are cross currents — that, as one witness says, there are three cross currents and two eddies. So far as mere statement without experiment, and mingled with mistakes can go, they have proved. But can these men's testimony be compared with the nice, exact, thorough experiments of our witnesses. Can you believe that these floats go across the currents. It is inconceivable that they could not have discovered every possible current. How do boats find currents that floats cannot discover? We assume the position then that those cross currents are not there. My next proposition is that the Afton passed between the S. B. Carson and Iowa shore. That is undisputed.

Next I shall show that she struck first the short pier, then the long pier, then the short one again and there she stopped. Mr. Lincoln cited the testimony of eighteen witnesses on this point. How did the boat strike Baker [sic] when she went in! Here is an endless variety of opinion. But ten of them say what pier she struck; three of them testify that she struck first the short, then the long, then the short pier for the last time. None of the rest substantially contradict this. I assume that these men have got the truth, because I believe it an established fact.

My next proposition is that after she struck the short and long pier and before she got back to the

short pier the boat got right with her bow out. So says the Pilot Parker — that he “got her through until her starboard wheel passed the short pier”. This would make her head about even with the head of the long pier. He says her head was as high or higher than the head of the long pier. Other witnesses confirmed this one. The final stroke was in the splash door, aft the wheel. Witnesses differ but the majority say she struck thus. Court adjourned.

FOURTEENTH DAY.

Wednesday, September 23, 1857.

Mr. A. Lincoln resumed. He said he should conclude as soon as possible. He said the colored map of the plaintiffs, which was brought in during the advanced stages of the trial, showed itself that the cross currents alledged did not exist; that the current as represented would drive an ascending boat to the long pier, but not to the short pier as they urged. He explained from a model of a boat where the splash door is, just behind the wheel. The boat struck on the lower shoulder of the short pier, as she swung around, in the splash door, then as she went on round she struck the point or end of the pier, where she rested. Her engineers say the starboard wheel then was rushing round rapidly. Then the boat must have struck the upper point of the pier so far back as not to disturb the wheel. It is forty feet from the stern of the Afton to the splash door,

and thus it appears that she had but forty feet to go to clear the pier.

How was it that the Afton, with all her power, flanked over from the channel to the short pier without moving one inch ahead? Suppose she was in the middle of the draw, her wheel would have been 31 feet from the short pier. The reason she went over thus is, her starboard wheel was not working. I shall try to establish the fact that that wheel was not running, and, that after she struck, she went ahead strong on this same wheel. Upon the last point the witnesses agree — that the starboard wheel was running after she struck — and no witnesses say that it was running while she was out in the draw flanking over. Mr. Lincoln read from the testimony of various witnesses to prove that the starboard wheel was not working while she was out in the stream. Other witnesses show that the captain said something of the machinery of the wheel, and the inference is that he knew the wheel was not working. The fact is undisputed, that she did not move one inch ahead, while she was moving this 31 feet sideways. There is evidence proving that the current there is only five miles an hour, and the only explanation is that her power was not all used — that only one wheel was working. The pilot says he ordered the engineers to back her out. The engineers differ from him and say that they kept one [sic] going ahead. The bow was so swung that the current pressed it over; the pilot pressed the stern

over with the rudder, though not so fast but that the bow gained on it, and only one wheel being in motion, the boat merely stood still so far as motion up and down is concerned, and thus she was thrown upon this pier.

The Afton came into the draw after she had just passed the Carson, and, as the Carson no doubt kept the true course, the Afton going around her, got out of the proper way, got across the current, into the eddy which is west of a straight line drawn down from the long pier, was compelled to resort to these changes of wheels, which she did not do with sufficient adroitness to save her. Was it not her own fault that she entered wrong? so far, wrong that she never got right. Is the defence to blame for that?

For several days we were entertained with depositions about boats "smelling a bar". Why did the Afton then, after she had come up smelling so close to the long pier sheer off so strangely? When she got to the centre of the very nose she was smelling, she seemed suddenly to have lost her sense of smell and flanks over to the short pier.

Mr. Lincoln said there was no practicability in the project of building a tunnel under the river, for there is not a tunnel that is a successful project, in the world. A suspension bridge cannot be built so high, but that the chimneys of the boats will grow up till they cannot pass. The steamboatmen will take pains to make them grow. The cars of a railroad, cannot,

without immense expense, rise high enough to get even with a suspension bridge, or go low enough to get down through a tunnel. Such expense is unreasonable.

The plaintiffs have to establish that the bridge is a material obstruction, and that they managed their boat with reasonable care and skill. As to the last point, high winds have nothing to do with it, for it was not a windy day. They must show "due skill and care." Difficulties going down stream, will not do, for they were going upstream. Difficulties with barges in tow, have nothing to do with it, for they had no barge. He said he had much more to say, many things he could suggest to the jury, but he would close to save time.

Hummer's Bell

Michael Hummer was the first regular pastor of the Presbyterian Church at Iowa City, coming to the little frontier capital in 1841. A faded photograph reveals a man similar in type to Robert Lucas, the first Governor. The face is thin with high cheek bones and an aquiline nose. Heavy and irregular lines cross the high forehead, and the tight-lipped mouth is drawn down at the corners as if he is determined not to smile at any one, least of all at his own mistakes. The deep-set eyes, overshadowed by heavy arched eyebrows express a surprised and pathetic disappointment over his treatment by the world. A serious minded, visionary, and erratic character he seems, a man little fitted for the practical every day life of the frontier. A contemporary characterized him as "a man of vigorous intellect & an orator, but of *ungovernable temper*."

It fell to the lot of Michael Hummer to organize the Presbyterian congregation at Iowa City and build a church in which they might worship and he entered upon his work with confidence and energy. The little group of Presbyterians, however, found it impossible to raise the five thousand dollars needed for the building and the pastor was sent east to raise money among the older and richer congregations, with the agreement that he was to receive his ex-

penses and ten per cent of the money collected. It appears that he made two or three trips on this mission and spent some two years and a half in the East.

Just how much money Mr. Hummer collected is not recorded, nor is it important in this connection. His sojourn in the East, however, had two important results. For one thing he secured the bell for the church building at Iowa City, a coveted possession of all early churches, and at the time of its installation, it is said, the only church bell west of the Mississippi River towns. Naturally the community was proud of its possession and the members of the Presbyterian congregation felt a thrill of pride as each Sabbath morning they listened to its call.

But the visits of Mr. Hummer in the East had another and less fortunate result. Always excitable and somewhat peculiar, an avowed infidel before his conversion, he now embraced Swedenborgianism and soon became a believer in spiritualism. These beliefs, together with his other peculiarities, soon made him unpopular with his congregation and charges of misconduct were preferred against him. He was tried before the presbytery, which he denounced as "a den of ecclesiastical thieves", and in 1848 was expelled from the ministry.

Before leaving Iowa City, however, he made a bargain with the church trustees by which he obtained possession of the communion service, two Bibles, the pulpit furniture, and other movable

property, as part payment of the church's debt to him for unpaid salary. In addition he also received a note for some \$650, secured by a mortgage on the real estate of the church.

Soon after this settlement, Michael Hummer went to Keokuk, where, it is said, he planned a spiritualistic temple or church. Perhaps it was the contemplation of this sanctuary which reminded him that he had forgotten the church bell at Iowa City. Here was an opportunity to revenge himself on the congregation which had rejected him and at the same time secure a bell for his new temple.

Accordingly Mr. Hummer returned to Iowa City late in the summer of 1848, accompanied by J. W. Margrave who had been one of the church trustees but had followed the former pastor to Keokuk. The two men went to the church and Mr. Hummer mounted into the belfry. He unfastened the bell and with ropes and tackle slowly lowered it to the ground.

But this took time and, Iowa City being a small place, a crowd soon collected to see what was happening. The two conspirators apparently did not anticipate so much publicity nor were they prepared for resistance. While Mr. Hummer was still in the belfry unfastening the tackle, Dr. Margrave left the bell unprotected and went off for the team and wagon which were to transport the bell to Keokuk. During his absence some of the spectators decided to play a practical joke on the would-be abductors of

the bell — and at the same time prevent the removal of the treasure from the city.

Having first removed the ladder, thus imprisoning the irate Mr. Hummer in the empty belfry, the Iowa City men, who, it is said, were not members of the congregation, quickly procured a team and having loaded the bell on the wagon, drove rapidly away leaving Mr. Hummer raving and gesticulating while the delighted small boys and other bystanders laughed and gibed at his helpless wrath. Driven almost to frenzy by this treatment the former minister delivered an impromptu sermon more remarkable for its emphatic language than for logic of thought and drove home his points by hurling pieces of scantling, bricks, and loose boards at the crowd below which with characteristic American levity considered the demonstration a huge joke. At last Dr. Margrave returned and released his tormented chief, but the bell was gone, whither Michael Hummer did not know.

Escorted by a number of Iowa City admirers, the bell had been taken up the Iowa River to a point near the mouth of Rapid Creek, where it was sunk in deep water, chained to an elm tree, there to await the settlement of the difficulties between the ex-minister and the congregation. Here the curtain descends on the first act of the comedy.

The incident, of course, attracted much attention in the little frontier community and incidentally had an important effect on the career of one of the

observers. A young man who had watched the proceedings at the church and perhaps followed the chagrined Mr. Hummer about during the remainder of his stay in town, drew a crude cartoon of the events on a sheet of brown paper. This attracted the attention of a man who decided that the rude drawing showed unusual talent. He looked up the artist and assisted him in the development of his talent. This boy was George Yewell, afterwards a noted portrait painter. His cartoon is still preserved in the library of the State Historical Society of Iowa.

This drawing is in seven sections, the first picture portraying the scene at the church, where Michael Hummer is hurling missiles at his tormentors while small boys dance in glee and even one of the horses turns its head in astonishment at the commotion. This is labelled "The Outbreak". The remaining drawings are entitled "The Parson in a Rage", "The Ghost Appearing unto Michael", "Arrival of the Attorney", "Clairvoyance", "The Missionary Sermon", and "The Attorney 'Slopes'".

Below the drawing is a written explanation of the events in the following language:

And it came to pass that Michael did ascend unto the housetop and commence taking down the bell — And the multitude cried out unto him to show by what right he did so: but he did hold his peace.

Now when Michael had lowered the bell even unto the floor of the building lo! the people laid hands on it and carried it away. Then Michael waxed wroth and did say

many naughty things and did cast pieces of wood among the multitude who cried unto him to stop lest he should kill some one. Then Michael raised his voice aloud and cried "Verily, verily, will I kill more of you."

Now when evening was come Michael and his serving-man did go into a room in a public inn. And Michael's wrath was great and he did kick over the chairs and stools insomuch that his serving-man did quake and tremble.— And Michael bade him take a horse and ride to a distant town and hasten back with a cunning man who was a lawyer and then he would fix the rebellious multitude.

When the serving man had departed and night was come, Michael did retire to his bed and lo! about the middle watch he was awakened by a rushing noise. He leaped from his couch and saw a bright light at a far distance coming towards him. And Michael watched it and trembled. It suddenly became of the shape of a huge bell such an one as he did try to take the day past. And it stopped, and a huge face did appear on the top of the bell and did say unto him "*Michael! Michael!! Michael!!!*" And Michael answered "What wilt thou" and it answered "Verily verily will I visit thee in thy slumbers until thou forsake thy wickedness."

Now when the serving man did arrive in the morning with the lawyer, Michael was much down cast because of the visit of the ghost on the past night. Nevertheless they did set themselves to work to devise means to find where the multitude had hid the bell. Finally the serving man did remember that he had a sister who by the means of Clairvoyance could give unto them the information.

And straightway they journeyed unto Keokuk and did hire a learned man who did put the young woman in a

state of Clairvoyance. And then he spake to her saying, "Where is the bell." And she forthwith answered "Verily it is in a well five miles distant S. W. from the town wherein it was placed."

Now Michael's spirits did revive and straightway he sent the cunning man to the town to preach unto the natives and to threaten them.

And he did so and the multitude did laugh at and persecute him. Nevertheless he threatened the wrath of the law, and of the law-loving Michael, but they only laughed the greater until with a sad heart and sorrowful countenance he bade adieu and straightway mounted his horse and without a hat did journey no one knew whither and has not been heard of since.

And also of Michael and his serving-man nothing more can be found. Verily, verily, they shall have their reward.

The serving man in this narrative was probably J. W. Margrave, the attorney was Ralph P. Lowe, afterwards Governor of Iowa, who represented Michael Hummer in the litigation which followed, and the young woman seer was Mary Margrave, a sister of J. W. Margrave. Much seeking failed to reveal the presence of the bell in the Iowa City wells, as suggested by the clairvoyant. It was also rumored that it was buried under the Old Capitol, but the bell was not found.

In the meantime the litigation concerning the church debt dragged on until 1853 when the trustees made a settlement with Mr. Hummer, for whom a guardian had been appointed on the ground that he was "a Monomaniac upon the subject of Communi-

cations with the Spirits of another world and is *therefore* incompetent to take care of his property''. By this agreement Hummer received four hundred dollars in cash, one hundred dollars in one year with interest and costs up to fifty dollars. The missing bell was, however, charged against him so that he became legally the owner of the bell.

But where was the bell? When some of its abductors went to get it, the bell was gone — like many another hidden treasure — and it was not until a number of years afterwards that the mystery was explained by news from Salt Lake City. According to this story, two Mormons who were living in Iowa City at the time and knew the whereabouts of the bell decided to take it with them on their trip to Utah. They resurrected the bell, packed it in sawdust, headed it up in a hogshead, loaded it on an ox wagon, and made off with it across the plains. The clapper, however, was left behind rusting in a cellar.

Having arrived at Salt Lake City the men sold the bell to Brigham Young. Some time later a rumor of the missing bell at Iowa City having reached Salt Lake City, Brigham Young instructed one of his clerks who had a brother at Iowa City to write to him that the owners of the bell might have it, if they proved their ownership and paid the expenses of its return, or he would pay them a "reasonable & fair" price for it. This notice seems to have aroused no enthusiasm at Iowa City. Probably they considered

that the bell now belonged to Michael Hummer. In 1868 Brigham Young himself wrote to S. M. Osmond, then the minister at Iowa City, that the bell "is still laying here idle, as it always has done, and is at your disposal on the same conditions, whenever you please to send for it, accompanied with sufficient evidence that you are authorized to receive it for the congregation for whom it was manufactured". An attempt was made to raise funds for the return of the bell, but the plan failed and the bell remained with the Mormons.

The story of its career, however, has been told and retold for over seventy years. It has even been the inspiration of a song, which was evolved in the following manner. One evening while a group of lawyers were assembled in the bar room at Swan's Hotel in Iowa City, John P. Cook announced that he had prepared a parody on Moore's "Those Evening Bells" and proceeded to sing his composition. The following evening a rival appeared in the person of William H. Tuthill of Tipton who had written three additional verses. These also were sung by Mr. Cook. Here then is the story of the bell as told in song.

"Ah, Hummer's bell! Ah, Hummer's bell!
How many a tale of woe 'twould tell,
Of Hummer driving up to town
To take the brazen jewel down,
And when high up in his belfre-e,

They moved the ladder, yes, sir-e-e;
Thus while he towered aloft, they say,
The bell took wings and flew away.

“Ah, Hummer’s bell! Ah, Hummer’s bell!
The bard thy history shall tell;
How at the East, by Hummer’s sleight,
Donation, gift and widow’s mite,
Made up the sum that purchased *thee*,
And placed *him* in the ministry;
But funds grew low, while dander riz,
Thy clapper stopped, and so did his.

“Ah, Hummer’s bell! Ah, Hummer’s bell!
We’ve heard thy last, thy funeral knell,
And what an aching void is left,
Of bell and Hummer both bereft.
Thou deeply sunk in running stream,
Him in a Swedenborgian dream,
Both are submerged, both, to our cost,
Alike to sense and reason lost.

“Ah, Hummer’s bell! Ah, Hummer’s bell!
Hidden unwisely, but too well;
Alas, thou’rt gone, thy silver tone
No more responds to Hummer’s groan;
But yet remains one source of hope,
For Hummer left a fine bell rope,
Which may be used, if such our luck,
To noose our friend at Keokuk.”

RUTH A. GALLAHER

Comment by the Editor

HISTORY FANS

Many friends have helped us with encouragement and information, with suggestions as to the existence of material, and with material itself. That this support is not entirely local is shown by the fact that two of our history fans — Mr. John P. Irish and Mr. August P. Richter — are now residents of California. Nearer home is Mr. A. N. Harbert of Iowa City. For a generation he has been collecting books and pamphlets upon the history, the literature, and the general interests of the State of Iowa. In particular he has searched far and wide for Iowa railroad material and probably has the largest private collection of such items in existence. He is planning a history of the railroads of the State and has secured data on hundreds of railroads, dead and alive, which have appeared on paper if not always on the prairies of Iowa.

With the materials in his collection he has always been generous. The report of the pleading of Abraham Lincoln in the Rock Island Bridge Case, printed in this number, was loaned to the Society by him, and much of the material upon which the article on the First Mississippi Bridge was based was obtained through his kindness. A number of pamphlets dealing with the bridge cases were tempo-

rarily in the hands of Mr. Harbert, having been loaned by Mr. Henry W. Farnam of New Haven, a son of the president of the bridge company who supervised the construction of the bridge.

Another collector of pamphlets — though long since dead — has given us assistance. James W. Grimes, Governor of Iowa from 1854 to 1858 and United States Senator from 1859 to 1869, gathered and preserved fugitive pamphlets on education, naval affairs, the Civil War, and railroads. Many are out of print and quite unobtainable. In this collection, now in the custody of the State Historical Society of Iowa, are a number of items which, dovetailing into the Farnam collection, enable one to work out a rather consecutive story of the old bridge and its struggle for existence in the United States courts.

THE DESPISED PAMPHLET

A word for the unappreciated pamphlet, the shirt sleeve publication that can not appear to advantage in society on the bookshelf, the bane of the librarian who curses it for its miscellaneity and its slovenly appearance and finally in despair stows it away with its own and other kinds in a pamphlet box grave. It deserves a champion for it tells a story that is too short for a book and too long for a newspaper. Who can doubt the influence of the pamphleteers of the French Revolution, the American Revolution, or the World War? Who can tell rightly the story of re-

ligion without a consideration of the despised tract, of politics without the campaign literature, of business without the advertising circulars and the annual reports.

Many events too slender for a book, and many separate phases of important movements, find expression only in unbound pages, and often the gaps and disproportions of history are due to their disappearance. There is no decline of birth rate in pamphlet literature but the high mortality is a matter to be viewed with some anxiety.

J. C. P.

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