The Palimpsest

FEBRUARY 1927

CONTENTS

PUBLISHED MONTHLY AT IOWA CITY BY
THE STATE HISTORICAL SOCIETY OF IOWA

ENTERED AS SECOND CLASS MATTER JULY 28 1920 AT THE POST OFFICE AT IOWA CITY IOWA
UNDER THE ACT OF AUGUST 24 1912

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.

PRICE—10c per copy: $1 per year: free to members of Society
ADDRESS—The State Historical Society Iowa City Iowa

THE PALIMPSEST

EDITED BY JOHN ELY BRIGGS

VOL. VIII ISSUED IN FEBRUARY 1927 NO. 2

A Capital in Name Only

It was in 1839 that the First Legislative Assembly of the Territory of Iowa, having in mind the rapid advance of settlement and the future development of the country west of the Mississippi, made provision for the establishment of the "permanent" seat of government at some point within Johnson County. On May 4th of that year, the capital commissioners stood upon an eminence overlooking the Iowa River. It was as though they were upon the stage of a mighty amphitheater. Behind them flowed the river, swift with the waters of April showers, while in the background rose the wooded hills, fragrant with the odor of springtime. To the east, nearly parallel to the river, lay a little valley through which ran a delectable brook. Entering from the east between the hills, it flowed forward down what might have seemed the center aisle, joined a tributary coming from the north, and turned off southward to seek

the river. A high, wooded ridge, sweeping in a majestic semicircle with a radius of about a mile, quite enclosed the valley, like the seats of a vast stadium. What a site for the capital of Iowa! The commissioners sought no further but drove a slab into the ground to mark the spot. There the Old Stone Capitol was built.

For sixteen years, from 1841 to 1857, Iowa City remained the capital of Iowa. That thriving town beheld fourteen sessions of the legislature and three constitutional conventions convene, accomplish their work, and adjourn. It witnessed also, during those sixteen years, a constant stream of settlers who came to push the frontier farther and farther toward the setting sun. Thus the center of population shifted westward, while the boundaries of the new State placed the geographical center of population somewhere in the vicinity of the Raccoon Forks of the Des Moines River. Perhaps it was natural that the question of relocating the capital should have arisen in each of the constitutional conventions and all but two sessions of the legislature held in Iowa City.

Not until 1847, however, in the First General Assembly of the State, did the forces in favor of capital removal succeed in making any appreciable progress toward the accomplishment of their object. At that time a memorial to Congress was adopted representing that "in view of the extended limits of the State, and the rapid increase of our population, the

public mind is beginning to look forward to an ultimate change in the location of our Seat of Government''; that the ''selection of a new site, with a view to its permanent location, at as early a day as practicable is believed to be important''; and that an ''additional grant of five sections of land, to be selected under the direction of the General Assembly'' was desired. Nothing came of this memorial however. Perhaps it did not even reach Congress, for there is no reference to it in the records.

On February 2, 1847, Evan Jay of Henry County introduced in the Iowa Senate a bill to provide for the relocation of the seat of government and for the selection of the land granted by Congress on March 3, 1845, to aid in erecting public buildings. The bill passed the Senate on February 12th, but in the House of Representatives several attempts at amendment were made. Elijah Sells of Muscatine County proposed that after a new site for the capital had been selected the question of whether this new location or Iowa City should be the permanent seat of government should be decided by a vote of the people at a general election. This amendment having failed, Mr. Sells made a motion calling for the appointment of a select committee whose duty it should be to report three distinct sites from which the people should choose one as the permanent capital. Stewart Goodrell of Washington County submitted the proposition that Iowa City should remain the capital until 1858. Motions were also made to

locate the seat of government at Burlington and at Mount Pleasant, all of which failed. Finally, William E. Leffingwell of Clinton County, thoroughly exasperated with the persistence of the advocates of capital removal, moved to divert the appropriation of Congress of March 3, 1845 "from the purpose for which it was originally intended", and use it to build a "city in the Republic of the valley of the Desmoines." His sarcasm seems to have had no perceptible effect.

So imbued with the spirit of capital removal did one member of the First General Assembly become that he introduced a joint resolution to move the seat of government of the United States to the Raccoon Forks of the Des Moines River. The motion was tabled indefinitely, but the committee on agriculture took notice of the situation in reporting on a petition presented by numerous citizens of Iowa City and Johnson County who were exasperated by the perennial efforts to remove the capital, and begged "among other novelties, that the General Assembly permit the citizens of said county to enjoy reasonable health and abundant crops, together with other blessings denied them by nature and their own energies". When "your Committee take into consideration the growing importance of the country about the Raccoon Forks of the Desmoines river, and compare the same with the District of Columbia, they cannot refrain from expressing their belief that, although our Representatives may not be able to re-

move said Seat of Government 'immediately', the day is nevertheless not far distant, when this great object will have been accomplished, thus bringing the Seat of the Federal Government in juxtaposition with your petitioners; thereby affording them a more favorable opportunity to press their claims upon that august Body, the Congress of the United States.''

The bitter fight ended at last in a compromise whereby the State University was to be located at Iowa City whenever the capital should be moved farther west. The strong argument for the central location of the capital finally prevailed, but the opposition was doubtless right in the contention that immediate removal was premature. It was asked in derision what the word permanent meant in Iowa legislation. In the case of the location of the capital at Iowa City it had meant about eight years. The Iowa City Standard regretted ''exceedingly to see a premature agitation of the question of a permanent location of the Capital, and the University of Iowa. No good can result from it in our opinion. We have no doubt that the seat of government will some day be removed from Iowa City; and when the weight of population on the west shall require it, we shall have nothing to say against it. But Iowa City now occupies a central position to the population of the State, and will for a long time to come.'' It was believed in 1847 that ''a very large portion of the country lying west of the Desmoines and its tributaries, is a

barren waste, destitute of timber, made up of lakes, marshes, and sand hills, incapable of being inhabited, so that the weight of population for a long time to come, at least, if not forever, must preponderate in favor of that portion of the State in the more immediate vicinity of the Mississippi river, which is now, and must always be by far the most important portion of the State of Iowa."

Another argument advanced to confound the friends of capital removal was to the effect that the five sections of land for the completion and erection of public buildings had been granted by Congress under the Constitution of 1844, which declared Iowa City to be the capital until 1865, and had been revived under the Constitution of 1846, which also declared Iowa City to be the seat of government. The land, it was asserted, was therefore intended to be used only for the benefit of the public buildings at Iowa City, and the grant was not in the nature of a trust fund to be reserved to erect buildings at a new seat of government. Consequently, if any use was to be made of this land it must be for the purpose of completing the public buildings at Iowa City; while the funds for buildings at a new seat of government would have to come as private donations, unless Congress could be prevailed upon to grant more land. These arguments seem to have had but little weight, however, being based on an exceedingly slender technicality of the act of Congress.

After the bill providing for the appointment of

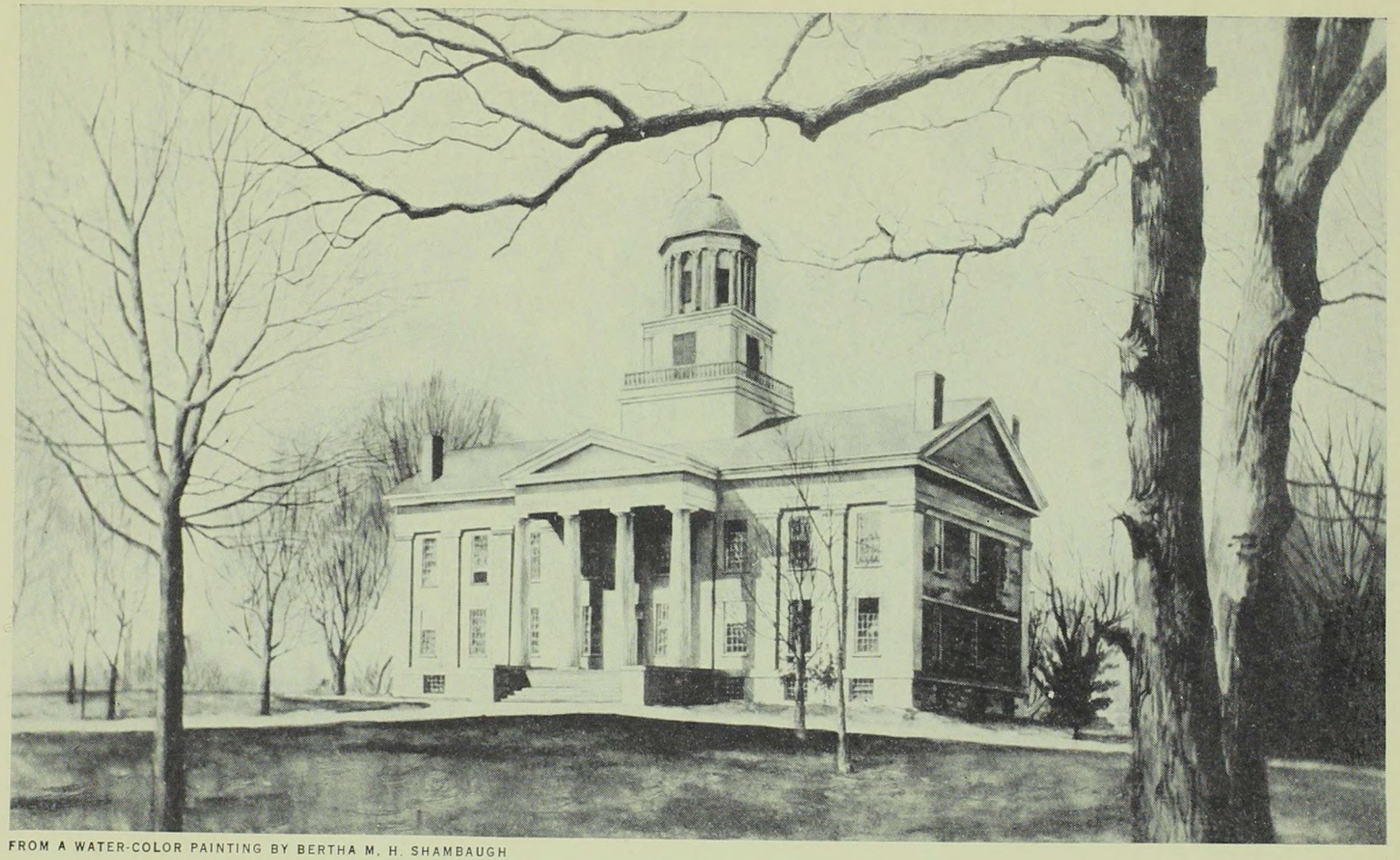
commissioners to locate a new capital had actually become a law the people opposed to it consoled themselves with the thought that further legislation would be required to move the capital from Iowa City, for the location made by the commissioners would be only prospective. They believed that the matter of expense would deter the people from permitting the actual relocation of the seat of government for many years to come, since they would not be willing to tax themselves a hundred thousand dollars to erect another capitol building so soon. Citizens of Iowa City were appeased by the promise of the University, feeling "very thankful that we have made so good an exchange. We would greatly prefer the University to the seat of government; and we now regard real estate in this city, as worth fifty per cent more than it was before the meeting of the General Assembly."

The act of February 22, 1847, appointed as commissioners John Brown of Lee County, Joseph D. Hoag of Henry County, and John Taylor of Jones County, who were to meet during May of that year, examine such parts of the State as were deemed suitable, select the amount of land appropriated by Congress, and locate the permanent seat of government "as near the geographical centre as, in the opinion of the commissioners, may be consistent with an eligible and healthy site, the general features of the surrounding country and the interest of the State generally." After selecting the land and locating

the capital, the commissioners were to have the town platted, causing a square to be laid off, containing not less than five acres, upon which to erect the capitol. Provision was made for a public sale of lots, the proceeds from which were to be used to defray expenses and erect public buildings. The commissioners were allowed three dollars a day and expenses for their services.

The public buildings at Iowa City and the ten acres of land on which they were situated were granted to the State University of Iowa, but the sessions of the General Assembly were to be held and the offices of the State officials were to remain there until otherwise provided for by law.

The commissioners met as directed and proceeded to examine some of the settled as well as unsettled parts of the State. Indeed, the entire summer and autumn were spent in the work, so that each of the commissioners was actually employed approximately one hundred and forty days, and thus their services alone cost the State over $1250. First a thorough examination of the Des Moines Valley was made without a suitable location being found. In August it was reported that the commissioners were to explore the country along the upper part of the Iowa River, near the geographical center of the State. There was a rumor that if they met with no better success there, the whole project of capital removal might be again thrown before the General Assembly. Later, however, public opinion seems to have settled



FROM A WATER-COLOR PAINTING BY BERTHA M. H. SHAMBAUGH

THE OLD STONE CAPITOL

upon Oskaloosa and Tool's Point, as the places most likely to be chosen for the capital.

Adam Tool, in company with a few other pioneers, had made the first settlement in Jasper County, staking out his claim in Fairview Township. Mr. Tool's house, being large and on the trail from Oskaloosa to Fort Des Moines, soon earned the title of "Tool's Tavern". As the settlement grew a town was platted which was called Tool's Point. A few years later the name was changed to Monroe.

About the middle of September the site was agreed upon, consisting of sections four, five, eight, nine, the west half of section three, and the west half of section ten in township number seventy-eight, of range twenty west of the fifth principal meridian. It was described as "a point unrivaled in natural beauty", situated "on a beautiful prairie in Jasper County, between the Des Moines and Skunk rivers, about six miles from the former and five from the latter, in the most beautiful and fertile section of country in Iowa." Excellent timber extended to within a short distance on either side, while there was an abundance of stone and coal in the immediate vicinity. Monroe City, as the place was named by the commissioners, was some twenty-five miles east of the present city of Des Moines, thirty-three miles from Oskaloosa, and eighty-four miles west of Iowa City. It was about two miles southeast of the present town of Prairie City and four miles northwest of Monroe.

In August, 1847, five or six hundred Hollanders established a colony at Pella, about fifteen miles southeast of Monroe City. This event, in connection with the location of the new capital, led to a general rush of speculators to that region. It was said that the country for a considerable distance above Tool's Point was literally all staked off.

The sale of lots in Monroe City lasted six days, beginning on October 28, 1847, and four hundred and fifteen lots were sold at prices ranging all the way from one to three hundred and one dollars. The amount received from the first payment was $1797.43 — a sum which lacked $409.14 of being enough to pay the expenses and salaries of the commissioners. John Brown and Joseph D. Hoag, it seems, felt so much confidence in the new city that they invested heavily in lots and adjacent land; and thus they cherished dreams of even more ample remuneration for their services.

The capital city had not been located at the much-talked-of Raccoon Forks of the Des Moines River, neither was it within thirty-five miles of the geographical center of the State. Yet, aside from an opportunity for speculation, the action of the commissioners in choosing such a location caused little comment. Even the people in Iowa City felt "but little interest in this movement at present, being satisfied that the legislature will not remove the seat of government from this place, until the population shall have so increased in the west as to render it an

act of justice to do so." Every one seemed content to hope that the act for relocating the capital passed by the First General Assembly in 1847 would be repealed at the following session.

In January, 1848, an extra session of the First General Assembly was called, chiefly for the purpose of revising the school laws and electing United States Senators. Immediately, however, one hundred and twenty-two citizens of the State seized the opportunity to encourage the repeal of the law of the previous session providing for the relocation of the capital. A bill to that effect was introduced in the Senate on January 22nd and passed that body two days later, but failed to come to a vote in the House of Representatives. A resolution instructing the committee on county and township organization to inquire into the expediency of accepting Monroe City as the location for the new capital was tabled. The report of the commissioners was submitted to the Senate.

The Second General Assembly had been in session only eight days when a resolution to investigate the propriety of vacating Monroe City was adopted by the Senate. At the request of the House of Representatives the Governor transmitted the report of the Monroe City commissioners to that body on December 15, 1848. After being read the report was referred to a select committee with instructions to report "how much of said city of Monroe was under water and how much was burned up." On the

eighteenth of December, Joseph F. Harrison, the Representative from Muscatine, Johnson, and Iowa counties and a member of the select committee, introduced a bill to repeal the act of the First General Assembly providing for the relocation of the seat of government. L. W. Babbitt, representing Marion, Polk, Dallas, and Jasper counties, wanted to amend the bill so as to locate the capital at Fort Des Moines, provided the citizens of Polk County should refund to the purchasers of lots in Monroe City all money paid thereon. When this amendment failed Babbitt suggested that the citizens of Iowa City refund the money paid by owners of lots in Monroe City if they wished to retain the capital. The bill finally passed the House unaltered, but the Senate substituted another plan which was agreed to by the House of Representatives.

By the terms of this law the Treasurer of the State was instructed to refund all money paid by purchasers of lots in Monroe City, except to the commissioners who had invested there, and the site of the proposed future capital of Iowa was declared vacated, being relegated once more to the rattlesnakes, gophers, and prairie dogs.

John Taylor, who had purchased no lots in Monroe City, was allowed the balance of his salary, $204.40, by the Second General Assembly, but John Brown and Joseph D. Hoag experienced much difficulty, not only in securing reimbursement of the money spent in purchasing lots, but in securing their

salaries as commissioners. Time and time again they petitioned the General Assembly without success. That body took the attitude that they had been governed more by private considerations than by a determination to advance the interests of the State, and that therefore they deserved no relief. Finally, in 1855, the Fifth General Assembly allowed John Brown the sum of $292.70 as payment in full for his services as a commissioner to locate the seat of government and as a return of all money paid by him for lots at Monroe City. On his part he was to relinquish to the State all claim to the lots he had purchased. Joseph D. Hoag, however, was less fortunate. Until 1860 he continued to petition one house or the other of the General Assembly. The committee on claims in the House of Representatives of the Eighth General Assembly (1860) reported favorably on his claim and recommended the passage of a bill allowing him the balance of his salary, the $80.15 he had invested in Monroe City lots, and interest at six per cent on the whole amount from the time the report of the commissioners had been filed in 1847. The bill was tabled, however, and Hoag, discouraged in his long and futile efforts, seems to have given up in despair.

Capital removal did not subside with the Monroe City fiasco. Successive General Assemblies continued to be showered with petitions signed by thousands of citizens anxious to have the State capital located at some place which would be to their per-

sonal advantage. Various towns like Mount Pleasant, Oskaloosa, Pella, and Fort Des Moines seized every opportunity of pressing their claims to be selected as the seat of government. Numerous bills and resolutions on the subject were considered by the legislature, while special and standing committees made exhaustive reports. Still Iowa City remained the capital.

Gradually, however, public opinion seemed to be drifting toward Fort Des Moines at the Raccoon Forks as the logical location for the capital of the State. It was not surprising, therefore, that the Fifth General Assembly succumbed to popular demand and the powerful Des Moines lobby. In 1855 a bill was passed relocating the capital within two miles of the juncture of the Des Moines and Raccoon rivers. While a temporary capitol was being erected, sessions of the General Assembly continued to be held and the State officers retained their offices in the Old Stone Capitol at Iowa City. All efforts to have this law repealed or modified were unavailing, and the question was finally settled by the Constitutional Convention of 1857. "The seat of Government", declares the Constitution of Iowa, "is hereby permanently established, as now fixed by law, at the City of Des Moines, in the County of Polk; and the State University at Iowa City, in the County of Johnson."

JOHN ELY BRIGGS

Flashlights on Vicksburg

Over on Bank Street in Webster City is a plain, two-story dwelling whose lines bespeak the architecture of pioneer days. Old settlers point to this house and say, "There is the first courthouse of Hamilton County." But in this locality the story of the man who now lives in the old seat of justice is of far more interest than his historic habitation.

On a summer day, John V. Kearns, now an aged man, may be seen sitting on the lawn. His shoulders are bowed. One sleeve is empty. But his eyes are clear and his cheerful stories of the past never fail to attract a circle of attentive listeners. Sometimes the group around him is composed of children; but most often it is men of maturity, who attend the court of a genial and entertaining story teller.

That empty sleeve arouses curiosity. When and how did this veteran of the sixties lose his arm? What were the terrible vicissitudes through which he passed? As nearly as may be, this is his account.

It was in the spring of 1862 that I enlisted in the Thirteenth United States Infantry — General Sherman's regiment at the beginning of the war. I was nineteen years old. A good many of the Dubuque boys had joined the Sixteenth Iowa Volunteers and left for the front in March. But it was not until

after the bloody battle of Corinth that the first battalion of the Thirteenth arrived at Memphis, Tennessee, and joined the fifth division under General Sherman at Fort Pickering.

These forces, together with some forty thousand other troops scattered along the northern border of Mississippi, were under the command of General Grant. Opposed to us was a Confederate army of about the same size under General J. C. Pemberton. The Mississippi River was open as far south as Vicksburg which remained the principal strategic stronghold of the enemy in the West. If the Union forces could gain complete control of the river, the power of the Confederates would be seriously reduced. Sherman was prepared to advance by boat while Grant marched south by land. The coöperation of Admiral Farragut's gunboats from below would contribute to the success of the campaign. Thus the plans were laid.

But who would carry the information to the naval forces on the Gulf and lower Mississippi? The messenger would have to pass through unbroken Confederate territory and must, therefore, be able not only to act but to talk like a Southerner. Sherman asked for volunteers. There were three of us fellows who tried out for the dangerous job, but my mother had come from North Carolina and I had grown up in Indiana along the Wabash, so that my inflection and accent were found to be more typically southern than the others, and I was chosen to go.

Dressed in citizen's clothing, I started out, mounted on a mule. Supposedly I was a mule trader and, having brushed up all my knowledge of the tactics of mule traders to good advantage, I arrived safely, delivered the dispatch, and started back with the reply that Farragut would assist in the attack by water.

Hurrying as fast as it was possible to go without attracting attention by my haste, I got about half way back without trouble. Then one day, being very hungry, I stopped at a restaurant. A group of roistering rebel soldiers came in, some of them quite drunk. Of course they noticed me and, seeing my clothing was plain, at once began to question me. "Seems to me you're old enough to be in the army", said one of them. "Yes, fellers, here's a recruit." They quite surrounded me. I didn't get much to eat, but I tried to bluff them by expressing my willingness to join, only I wished first to go and say good-by to my folks who lived thirty miles away. This ruse did not work, however, as they sent two of their number along with me. Of course they soon detected my deception and arrested me as a spy.

I was hustled off to a small log prison on the bank of a river. My cell was about seven by ten feet in dimensions, and its walls were thickly lined with railroad ties, while there was a partition, also of ties, separating me from a fellow prisoner. The floor was of stone, and the man in the next room said he was chained to this floor. I expected to be chained

thus, but the old man who brought our meager supply of food did not fasten me to anything, though he left the chains on my feet.

Fortunately for me, I had the use of my hands and my captors had not discovered my dispatch and a small knife that I carried. Creeping about the floor on the side nearest the river, I found a stone that could be moved. With much effort I slipped it out and began digging. The earth was carefully padded into my old hat and transferred to a toilet in one corner. The days and nights passed quickly, and my tunnel grew very slowly, but at length I broke through the earth to the edge of the river. Bound as I was and unable to do more than crawl, my joy was nevertheless greater than my fear. I had tried to get to the other man but he was chained tightly and told me to go on and save myself.

I crawled along the bank of the river until I came upon an old plow. With the file I found in the tool box I made short work of my chains. When my stiffened ankles were freed, I swam the river, walked northward, then went swimming again, and landed about dawn. Seeing a man ahead in the dim light, I did not know what to do, but as it became lighter I saw that he was a negro and called to him. He said he knew I came from the "hen coop over the river" and consented to hide me safely at his house during the day.

I was not slow in reaching the cabin, where a trap door admitted me to the cellar. I stayed very quiet,

for they told me not even to touch the floor above. I was very hungry, but the good mammy passed down some delicious corn bread and 'possum which I devoured eagerly.

Staying in this place until about ten that night, I then crept out, and the faithful negro walked north with me until two o'clock. When the poor fellow left me he begged that I should not tell who had aided me if I were captured. I heartily assured him that I would keep the secret. I kept my course northward all night and by daybreak found myself in a dense woods. Climbing a big tree, I perched there all day, thankful that I was sitting on the limb, not hanging from it.

The next night I went on as before, guided by the stars, and sought the shelter of another tree before dawn. After a while I heard mules and feared that I had strayed into a rebel camp. Keeping very quiet, I dozed on my perch, but awakened suddenly at the sound of a bugle call. There, through the trees, floated the stars and stripes!

Climbing down, I walked into the Union camp where they were at first suspicious of me, but when I produced my report I was given a horse and guide and sent with all haste to Memphis. What a pleasure it was to be among my own comrades again. Before long the whole command started on the expedition against Vicksburg. The Thirteenth Infantry battalion embarked on the steamer *Forest Queen* with General Sherman and the headquarters staff.

Before New Year's we had fought our first battle at Chickasaw Bayou.

It is history now — this story of one of the many attempts to seize Vicksburg which proved fruitless, for Grant could not get through, Farragut could not pass Port Hudson some two hundred miles down the river, while Sherman fought for two days and a night against insuperable odds before retreating up the Yazoo River. Mr. Kearns and his comrades occupied an advanced position where they acted as sharpshooters.

From the repulse at Chickasaw Bayou, the attention of Sherman's army was directed to the reduction of Arkansas Post on the Arkansas River, a Confederate stronghold that threatened the control of the Mississippi River. The Thirteenth Infantry was in the thick of the fighting which ended victoriously. Thereafter the campaign against Vicksburg proceeded slowly but invincibly. Canals were dug, levees constructed, and roads built. Occasional skirmishes with the enemy contributed an element of excitement to the otherwise laborious routine. The low, swampy condition of the country made military maneuvering unusually difficult and bred no end of malarial disease.

Just before the battle of Grand Gulf, Mr. Kearns was made captain of a negro regiment, a position which he held for only four days and then resigned, because the "rooky niggers" were so easily flus-

tered that they were as apt to shoot friend as foe. The captain had no desire to be their target or to waste his energy in trying to make this "Ben Butler contraband" into soldiers.

While stationed below Vicksburg, he acted as cook for a time. A negro woman came every morning and begged for the coffee grounds. Supposing that she steeped them for her own use, he gave her all there were. At length, however, he questioned her and discovered that she dried and sold them again to the soldiers, sometimes making as high as four dollars a day.

During the first fortnight in May, Grant crossed the river below Vicksburg, captured Grand Gulf, beat the enemy at Port Gibson, pressed forward to Jackson, and on May 14th established his headquarters in the State House of the capital of Mississippi. Meanwhile Pemberton advanced to assail the Union army at Champion's Hill, only to be repulsed with heavy losses. Thereupon Grant swung westward, occupied the high ground at Haines's Bluff, and laid siege to Vicksburg.

Within three days after the battle at Champion's Hill, the Confederates had been driven behind their fortifications and Vicksburg was completely invested. The campaign had progressed so swiftly that Grant felt justified in attempting to capture the city immediately by a sudden spirited assault. But the Confederate entrenchments were strongly manned, and the enemy fought stubbornly.

At the extreme right, General Sherman sent G. A. Smith's brigade, including his favorite Thirteenth regulars, to storm the works. At three o'clock on May 19th, after some heavy cannonading, the order to advance was given. Under a heavy fire the line moved across a succession of deep and wooded ravines which were almost impassable. A few succeeded in reaching the very parapet of the enemy's position while others, becoming entangled in the brush and fallen timber, took such shelter as the ridges, stumps, and logs afforded. There they remained until darkness ended the engagement. The intrepid first battalion of the Thirteenth United States Infantry reached the Confederate breastworks in a body, planted their colors, and held their ground, sustaining a loss of more than forty-three per cent of their numbers.

The gallant battalion commander, Captain Edward C. Washington, fell mortally wounded on the parapet. After dark some Confederate soldiers came out with the evident purpose of plundering the dead and wounded.

"Hello, boys," called the leader, "here's old Sherman." The captain, being yet conscious, informed them of their mistake and gave his name.

"What? You ain't old General Washington, be you?"

"No, but I am a descendant of his kin," replied the captain.

Being ordered to surrender, he gave up his side

arms, but refused to hand over his money. He declared that he had surrendered as a prisoner of war and did not propose to be robbed. Nevertheless they proceeded to remove his clothing. Suddenly he drew a derringer from his pocket and shot the rebel at his feet. One of the others lunged at him, intending to run him through with a sword, but another knocked the weapon aside, saying, "No! You can't murder such a man as that."

Mr. Kearns fell close to his commander, also grievously wounded in five places. Five bones were broken. Sometime in the night his comrades carried him back to the military hospital where his condition was thought to be hopeless. Upon the yellow parchment of the certificate of "First Honor" awarded to members of the first battalion of the Thirteenth United States Infantry for conduct and loss "unequalled in the army" is written the official statement of his terrible experience in these words:

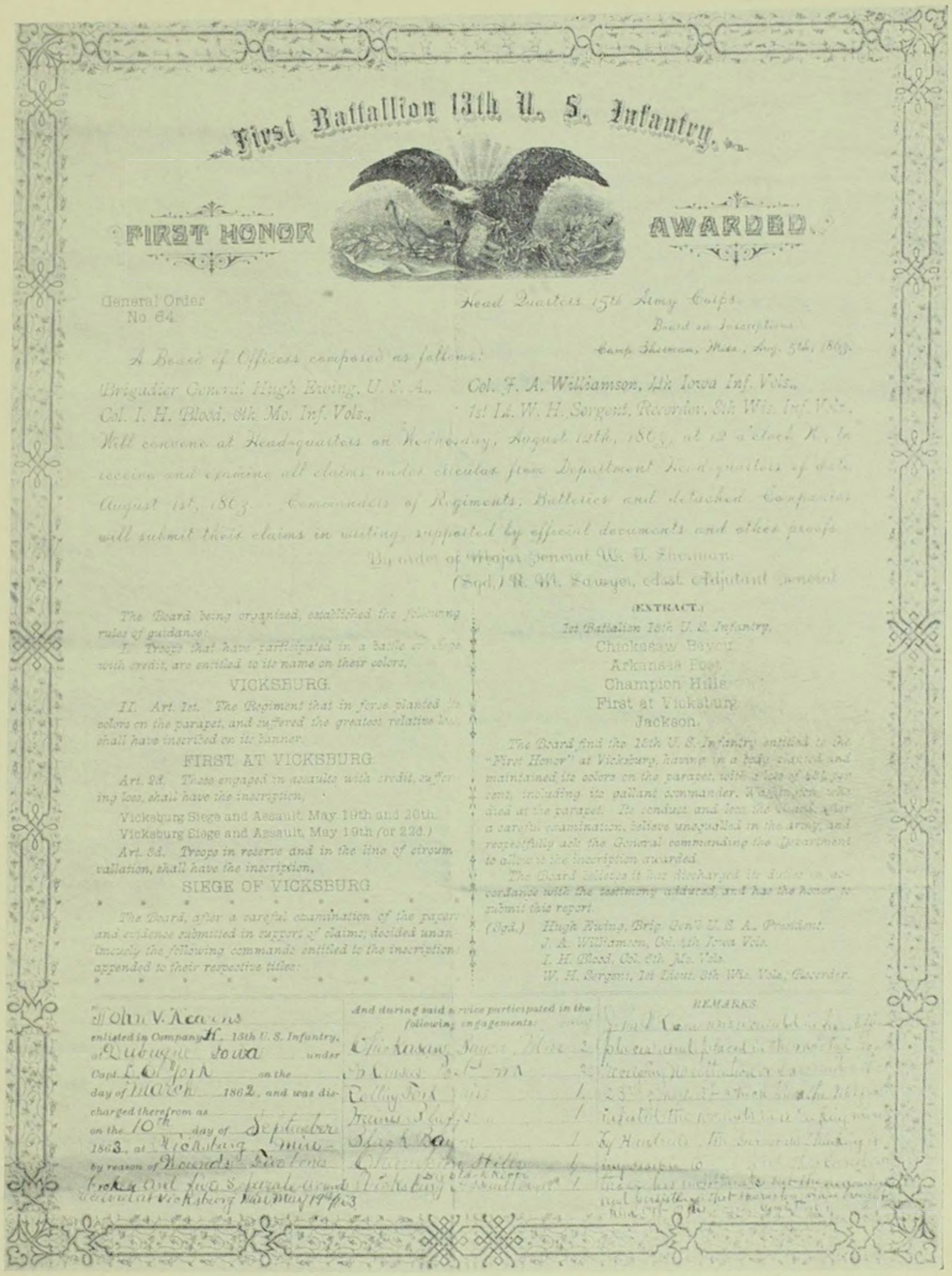
"John V. Kearns was wounded in five different places and placed in the mortal row, receiving no attention or care until the 23rd of May, at which time the maggots infested the wounds in a reeking mass by hundreds. The surgeons, thinking it impossible [for him] to get well, they cared for those less unfortunate but the indomitable courage and persistence that characterized him brought him out of this fearful condition."

When the surgeons at last turned their attention to his case, since he persisted in living, they decided

to amputate his arm and both legs as the only possible chance of saving his life. In spite of his suffering, Mr. Kearns emphatically protested, though the surgeons were inclined to ignore his desires. At this juncture he managed to send a negro boy with a note to General Sherman whose reply was to the effect that the legs should not be taken off without Kearns's consent. That consent was never obtained, and for more than sixty years he has enjoyed the use of the condemned legs. But one sleeve has hung empty, for the arm could not be saved.

Little wonder that the old courthouse on Bank Street is now really a court of honor, with Uncle John Kearns presiding. And those who sit reverently in his presence, listening to his stories of the war between the States, see him as a youthful hero-patriot who went to the edge of the grave for his country.

Bessie L. Lyon



First Battallion 13th U. S. Infantry.

FIRST HONOR AWARDED.

General Order
No 64.

Head Quarters 15th Army Corps.
Board on Inscriptions.
Camp Sherman, Miss., Aug. 5th, 1863.

A Board of Officers composed as follows:

Brigadier General Hugh Ewing, U. S. A., Col. J. A. Williamson, 4th Iowa Inf. Vols.,
Col. I. H. Blood, 6th Mo. Inf. Vols., 1st Lt. W. H. Sergent, Recorder, 8th Wis. Inf. Vols.,

Will convene at Head-quarters on Wednesday, August 12th, 1863, at 12 o'clock M., to receive and examine all claims under circular from Department Head-quarters of date August 1st, 1863. Commanders of Regiments, Batteries and detached Companies will submit their claims in writing, supported by official documents and other proofs.

By order of Major General W. T. Sherman:
(Sgd.) R. M. Sawyer, Asst. Adjutant General.

The Board being organized, established the following rules of guidance:

I. Troops that have participated in a battle or siege with credit, are entitled to its name on their colors,

VICKSBURG.

II. Art. 1st. The Regiment that in force planted its colors on the parapet, and suffered the greatest relative loss, shall have inscribed on its banner,

FIRST AT VICKSBURG.

Art. 2d. Those engaged in assaults with credit, suffering loss, shall have the inscription,

Vicksburg Siege and Assault, May 19th and 20th.
Vicksburg Siege and Assault, May 19th (or 22d.)

Art. 3d. Troops in reserve and in the line of circumvallation, shall have the inscription,

SIEGE OF VICKSBURG.

* * * * * * * *

The Board, after a careful examination of the papers and evidence submitted in support of claims, decided unanimously the following commands entitled to the inscriptions appended to their respective titles:

* * * * * * * *

(EXTRACT.)

1st Battalion 13th U. S. Infantry.
Chickasaw Bayou.
Arkansas Post.
Champion Hills.
First at Vicksburg.
Jackson.

The Board find the 13th U. S. Infantry entitled to the "First Honor" at Vicksburg, having in a body planted and maintained its colors on the parapet, with a loss of 43½ per cent, including its gallant commander, Washington, who died at the parapet. Its conduct and loss the Board, after a careful examination, believe unequalled in the army, and respectfully ask the General commanding the Department to allow it the inscription awarded.

The Board believes it has discharged its duties in accordance with the testimony adduced, and has the honor to submit this report.

(Sgd.) Hugh Ewing, Brig. Gen'l U. S. A., President.
J. A. Williamson, Col. 4th Iowa Vols.
I. H. Blood, Col. 6th Mo. Vols.
W. H. Sergent, 1st Lieut. 8th Wis. Vols., Recorder.

John V. Kearns enlisted in Company H, 13th U. S. Infantry, at Dubuque Iowa under Capt. E. C. York on the [illegible] day of March 1862, and was discharged therefrom as [illegible] on the 10th day of September 1863, at Vicksburg Miss. by reason of Wounds two bones broken and five separate wounds received at Vicksburg [illegible] May 19th /63

And during said service participated in the following engagements:

Chickasaw Bayou, Miss	2
Arkansas Post, Ark	2
Colliers Fork	1
[illegible] Bluffs	1
Black Bayou	1
Champion Hills	1
Vicksburg [illegible]	1

REMARKS

[illegible]

COURTESY OF JOHN V. KEARNS

THE CERTIFICATE OF HONOR

Comment by the Editor

A LIFETIME AGO

Three score years and ten, according to the psalmist, is the normal span of human life. A lifetime, though but a moment in eternity, is yet long enough to witness the rise or fall of nations, the conquest of natural forces, and the well-nigh universal acceptance of new ideas or institutions. It is well to pause occasionally and take thought of what has transpired within the memory of the living.

Since 1857 America has engaged in three wars and several other military exploits. Meanwhile the opinion that international disputes should be settled by adjudication is gaining general approbation. Railroads have crossed the continent, and now the mail is carried from New York to San Francisco in the air, while a human voice may be broadcast instantly to multitudes of auditors throughout the land. Just seventy years ago the Constitution of Iowa was framed in the Old Stone Capitol at Iowa City. Now it is the seventh oldest constitution of an American Commonwealth still in force. For seventy years Des Moines has been the capital of the State. During this period of a lifetime the State Historical Society of Iowa, organized in February, 1857, has been enthusiastically engaged in the pres-

ervation of materials and the dissemination of information concerning the history of the State.

HISTORY IN THE MAKING

It was not by accident that the State Historical Society was organized in the eventful winter of 1857. Iowa even then had a venerable past. A vanishing race had left numerous traces of former presence. For more than a hundred and seventy-five years explorers and traders had paddled their canoes on Iowa streams or marched across the rolling prairies. Permanent settlement had been in progress almost a quarter of a century. Many of the first settlers had reached the age of reminiscence. Already they were talking of their experiences in the good old early days. More than two decades ago they had crossed the Mississippi to make their permanent homes in the most promising land they had ever seen. As they blazed the bounds of their homesteads upon the primeval oaks or drove their claim stakes deep into the prairie soil they must have dimly sensed their part in a great movement.

During the score of years that followed, the pioneers saw the hills stripped of forests and thousands of acres of prairie land turned into corn fields. While they endured privation and hardship, they beheld the evolution of the transient frontier into a conventional and firmly rooted social order. As they toiled to earn a meager living, they had the rare and inspiring experience of helping to found a

great Commonwealth. Being law-abiding people, they maintained order upon their own authority until regularly established political institutions of their own devising could be set up. Twice in the forties they rejected a constitution for the proposed State because they did not like the boundaries it prescribed. Under a new organic law, Iowa was admitted into the Union in 1846 as the first State west of the Mississippi River in which slavery was forever prohibited. Ten years later a new political party was born in Iowa — a party that has dominated both State and national politics almost continuously ever since. Finally, in 1857, these pioneer statesmen were engaged in drafting anew their code of fundamental law.

THE STATE HISTORICAL SOCIETY

All of this the fathers of the State Historical Society had seen and been. Justly proud of the Commonwealth they had founded and fully conscious of the marvelous transformations they had witnessed, the unschooled pioneers realized that their own humble lives were a part of history and the record of their achievements was worthy of being rescued from oblivion.

Actuated no doubt by such considerations, the movement to form a society for the preservation of local history was brought to a climax by an act of the Sixth General Assembly appropriating two hundred and fifty dollars annually "to a State His-

torical Society, formed or to be formed". This money, according to the law and the constitution of the Society, was to be spent "to collect, embody, arrange and preserve in authentic form, a library of books, pamphlets, maps, charts, manuscripts, papers, paintings, statuary and other materials illustrative of the history of Iowa; to rescue from oblivion the memory of its early pioneers; to obtain and preserve narratives of their exploits, perils and hardy adventures; to secure facts and statements relative to the history, genius, progress or decay of our Indian tribes, to exhibit faithfully the antiquities, and the past and present resources of the State; and to promote the study of history by lectures, and diffuse and publish information relating to the description and history of Iowa." Fifty bound copies of all documents published by the State were to be transmitted by the Society to M. Vattemere at Paris in furtherance of his system of international literary exchange — a practice which was soon found to be "a complete failure" and discontinued.

In accordance with the act of the State legislature, a meeting of prominent citizens was held in Iowa City and a constitution for the "State Historical Society of Iowa" was adopted on February 7, 1857. James W. Grimes, then Governor of the State, was chosen president. Samuel J. Kirkwood, H. W. Gray, F. H. Lee, C. F. Clarkson, and Eliphalet Price were the vice-presidents, while among the curators appear the names of such eminent men as D. W. Price,

S. H. Langworthy, F. W. Ballard, T. S. Parvin, Wm. Penn Clarke, G. W. McCleary, and LeGrand Byington. During the first year the energies of the Society were devoted mainly to the formulation of plans for the future. There can be no doubt that the founders fully appreciated the nature of history as well as the need and opportunity for preserving authentic records of the past.

The original purpose and work of the Society is perhaps best explained in an "Address to the Public" issued in 1861 by order of the Board of Curators. "A correct understanding of the real history of a community or people," the address began, "is derived less, from an account of the *prominent* public transactions, than from a knowledge of the springs and influences which have wrought the changes, or led on to the event, or condition described."

Sudden or decisive changes in human affairs are almost invariably produced by slow and steady influences working upon elementary factors. "Unfortunately for each successive generation, the real history of its predecessors as thus described, has been transpiring so silently, and so little felt and appreciated by their participants, as to fail to attract the eye or pen of contemporaneous authors, until much of the most important material has passed from the reach of history.

"And yet these inconspicuous influences, these little facts of the passing hour, these half matured

suggestions of the unheralded author, the individual exploit of the remote neighborhood, and a multitude of similar subjects, which have taken shape, and tone, and direction to the public thought and mind; or laid the foundation upon which great public interests have been erected, are the real basis of its history — the real history of which prominent incidents are but the manifestation.

"To catch and hold these transpiring events, while yet fresh in the memory of their actors, or while they can be drawn from the pens of those personally cognizant of their occurrence, to lay in store the material, which shall give to those who come after us a truthful impression of every phase of condition, physical and moral; the ratio of progress; and whatever of particular in any of its concerns will give a true representation of the age, has come to be regarded as a matter of weighty importance by the present generation of our countrymen."

One of the functions of the Society, as conceived by its founders, was the collection of historical materials. But the idea seemed to prevail that the library would grow by voluntary contributions. State publications could be exchanged for similar documents. Books, pamphlets, maps, manuscripts, and newspapers were solicited, and thus the substance of local history would filter into the reservoir of the Society without expense. It was hoped that "pioneers" from every locality would contribute their "experiences" of early times, and that Iowa

authors would deposit autographed copies of their books for preservation in the library.

How much was accomplished during the first years is indicated by the report in 1859 that the library then contained about two thousand volumes, together with "a large number of pamphlets, maps, manuscripts, engravings and curiosities". This collection compared favorably with the libraries of much older historical societies in other States.

Since then members of the Society and others have donated many valuable items, while more liberal appropriations from the State treasury have made possible the accumulation of seventy thousand volumes. The large collection of books by Iowa authors is particularly noteworthy.

To "diffuse and publish information relating to the description and history of Iowa" has always been one of the principal objects of the Society. Not content with the mere collection of a library of historical materials, the officers of the Society, emulating the progressive spirit of the pioneers, have from the beginning blazed the trail for similar organizations elsewhere in telling the story of the Commonwealth so that all who will may read it. The realization of the significance of local history among scholars has been due in no small measure to the influence of the State Historical Society of Iowa. In no other State has the field been so thoroughly cultivated and the bounteous harvest of information so generally distributed. Carefully prepared and

well printed volumes have been issued on almost every aspect of State history. Political issues and activities have been explained, so that the experience of the past may point the way to better government in the future. Social and economic conditions have been studied, wartime endeavors have been recounted, particular subjects like education have been exhaustively treated, important documents have been published, and the biographies of illustrious Iowans have been written.

First to emphasize the dissemination of historical information, the Iowa Historical Society has also pioneered in the publication of periodicals devoted to provincial history. The *Annals of Iowa* appeared in January, 1863, the first quarterly magazine issued by a State Historical Society. Suspended in 1874 for lack of funds, it was followed eleven years later by the *Iowa Historical Record,* which in turn was superseded in 1903 by the *Iowa Journal of History and Politics,* which established a new type of quarterly journals of history throughout the country. Finally, in response to the need of presenting Iowa history in a more popular form "to the end that the story of our Commonwealth may be more widely read and cherished", the publication of a monthly magazine was begun in 1920. The *Palimpsest* remains unique among the publications of historical societies.

J. E. B.

THE STATE HISTORICAL SOCIETY OF IOWA

Established by the Pioneers in 1857
Located at Iowa City Iowa

PUBLICATIONS OF THE SOCIETY

The Quarterly Journal of History
The Palimpsest—A monthly magazine
The Public Archives Series
The Iowa Biographical Series
The Iowa Economic History Series
The Iowa Social History Series
The Iowa Applied History Series
The Iowa Chronicles of the World War
The Miscellaneous Publications
The Bulletins of Information

MEMBERSHIP

Membership in the State Historical Society may be secured through election by the Board of Curators. The annual dues are $3.00. Members may be enrolled as Life Members upon the payment of $50.00.

Address all Communications to

THE STATE HISTORICAL SOCIETY
Iowa City Iowa