

## Honorable James Grant

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# ANNALS OF IOWA.

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## HONORABLE JAMES GRANT.

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THE title page of this number of the ANNALS is embellished with a finely engraved steel-plate double portrait of the Hon. James Grant, of Davenport, and his wife. Mr. Grant is familiarly known throughout the north-west as Judge Grant, and by this title we shall designate him generally in this imperfect sketch, which has been hastily prepared to accompany the engraving.

James Grant was born on a plantation near the village of Enfield, Halifax county, North Carolina, December 12, 1812. His father, James Grant, was the son of James Grant, who belonged to the Highland clan of Grants, fought for the Pretender at the battle of Culloden, and was transported for the good of King George II. with fifteen hundred others, of like rebellious opinions, to the colony of North Carolina.

His mother, Elizabeth Whitaker (Grant), was the daughter of Mat. C. Whitaker, of Halifax county, who emigrated to North Carolina from Warwick county, Virginia, and who was a lineal descendent of the Rev. Alexander Whitaker, an Episcopal minister, who was one of the first Virginia colonists, and who baptized Pocahontas. Probably the portrait of Alexander Whitaker, in the act of baptizing Pocahontas, in the rotunda of the capital, at Washington,

is an imaginary one, but many people think that it bears a striking resemblance to the Whitaker family, now very numerous in North Carolina, and which numbers among its members Mat. Whitaker Ransom, a senator from North Carolina, and a son of a sister of James Grant's mother.

James Grant (the chief subject of this sketch), in size and personal appearance, in a broad forehead, with small features below, bears a marked resemblance to his mother, and from her inherits both mental and physical peculiarities. He bears no resemblance to his father, except in certain expressions of the countenance, when in repose. His father was a man of large body, six feet high, bony and muscular. He was born to affluence, and was fatherless from his infancy. Like most southern young men, he was not inured to labor; and without parents to guide him, and possessed of abundance, he studied no profession, followed the business of a planter, and lost his estate from sheer improvidence, before his son was twelve years old.

Judge Grant was the second of eight children. There was nothing peculiar about him in infancy. His first recollection is not unlike the picture we see of the boy in new boots. He remembers when his frock, as it was called, was discarded for breeches. He commenced going to school the January after he was eight years old. On Monday, before he began, his mother taught him his letters. In ten months he could spell every word in Walker's dictionary. He was precocious. It was no trouble to him to learn, no matter what the study. He would occupy no place in his class but first, and when his lessons were learned no boy was more ready for play. He was always ready to play, to fish, to hunt, to ride. He was never truant from school, or from any duty, but always wanted his own way. His plays were the amusements of men. He wanted a gun to shoot large game, not birds; to hunt the fox on horseback, and not the hare on foot. The schools at which he was taught were called academies, where boys were fitted for college, and where Greek and Latin were taught, to the exclusion

of many studies now properly deemed essential to a common education.

At thirteen he was prepared for college, and taken to the university of his native state, at Chapel Hill, to join the freshman class; but he was so small that the venerable president, who had taught his father, advised the latter to retain him at home for two years, and then have him join an advanced class. This advice was followed, and James Grant entered the sophomore class of 1828, having for school-mates among others, J. D. Hooper, Thomas Owen, Allen and Calvin Jones, Jacob Thompson, secretary of the interior under President Buchanan, and James M. Williamson, now of Memphis, Tennessee. Grant was taken sick in his senior year, and graduated, with a class of thirteen others, in 1831. As he was not a student for part of the year, the distinctions of the class, the highest of which would have been his, were conferred on Hooper and Calvin Jones.

Young Grant was a diligent student, and still in size a boy, with classmates young men. In the study of mathematics he had no equal, and his teachers pronounced him the best mathematician ever at the college, up to that time. Williamson,\* his classmate, whose speech at Grant's silver wedding we publish, says that Grant seemed to learn intuitively, and so rapidly that constant and diligent study was required on the part of his classmates, and sometimes on the part of his teachers, in order to keep out of his way.

It will be seen that Grant graduated while he was under eighteen. After graduating, he taught school three years at Raleigh, and emigrated to the west when he was twenty-one. He is the only one of his class who emigrated to the

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\*James M. Williamson, born in North Carolina, graduated at Chapel Hill in 1831. He was twice elected member of the legislature of his native state, the first time before he was of age, and twice a member of the state senate of Tennessee, after his removal thither. His home is now in Memphis, where since 1850 he has been an active business man, in the legal profession, as president of the Memphis and Little Rock railroad, and as president of the Bank of West Tennessee. He was an ardent supporter of President Jackson's administration and an uncompromising opponent of the rebellion.



north-west, and he emigrated because he hated to live in a slave state.

He reached Illinois in December 1833, obtained license to practice law in January 1834, and settled in Chicago, then a village of five hundred inhabitants, in April, 1834.

Shortly after he went to Chicago, a fist-fight about his first client brought him into notice, and he soon acquired reputation in his business. His combativeness has been sobered by age, but it has not left him entirely yet. He remained in Chicago until June, 1838, when he discovered that the lake winds impaired his health, and he emigrated to the territory of Wisconsin, selecting Davenport, in Scott county, for his future home, on the 18th of June, 1838. On the 23rd of June Congress created the territory of Iowa. On the 8th of July, 1839, he married his first wife, Sarah E. Hubbard, who was born within sound of the waves of Plymouth Rock; and thus the Puritan of Massachusetts and the Cavalier of Virginia were united in the cold country of the north-west.

His first wife gave birth to a daughter, who died in 1841, and the mother followed her to the grave in June, 1842.

In January, 1844, he was married to Ada C. Hubbard, who emigrated from Windsor, Vermont, to Scott county. She died in child-birth, in June, 1846, leaving a daughter, who survived her mother a year.

On June 10th, 1848, he was married to his present wife, Elizabeth Brown Leonard, whose silver wedding we commemorate by this sketch. She was born December 21st, 1825, in the town of Griswold, New London county, Connecticut. Her parents were James and Betsey K. (Brown) Leonard. Her father emigrated from Connecticut with his family in October, 1838. After a long and tedious journey of eight weeks by New York, Philadelphia, Pittsburg, the Ohio river, and St. Louis, they all crossed in safety the great Father of Waters on an ice bridge, from Savannah, Illinois, to Charleston (now Sabula), Iowa, the 12th of December, 1838. Sabula was the home of her father, James Leonard,

till his death, which occurred suddenly at Iowa City, in May, 1845, while a member of the legislature, then in session at this place, and was the home of his only daughter (Mrs. Grant) until her marriage in June, 1848.

Mrs. Grant is of fair size, with a tendency to *embonpoint*. During the early part of her married life her health was very infirm, and it is only within the last few years that she has become comparatively strong and vigorous.

She has a very large, well-balanced head, physically and intellectually. Her intellect is masculine, quite the reverse of her manners. Caution is developed in her character in a superlative degree; she never was known to utter a foolish expression, or be guilty of a foolish action. She is always grave and sedate in her deportment and manners, and treats life as a business, not a pleasure. She has no children of her own, but a benevolent heart and motherly instincts prompt her to seek her chief pleasure in watching over the tender years and directing the education of children not her own. But few women can be found, willing to devote their whole lives, as she does hers, to the care of other women's children.

Judge Grant has met with great success in his profession. In 1834, he was appointed, by Governor Joseph Duncan, prosecuting attorney for the sixth district of Illinois, comprising all the north part of the state from Chicago to Galena, to Rock Island, Peoria, Hennepin, La Salle, and Iroquois. He traveled this circuit on horseback, and rode about three thousand miles a year. In June, 1836, he resigned this office, finding that it interfered with his home business.

When he first emigrated to Iowa, he lived on a farm, near Davenport, and was disposed to give up his practice, but his profession would not leave him. In 1841, he was elected a member of the house of representatives of the fourth Iowa territorial legislative assembly, from the district composed of Scott and Clinton counties, his colleague being Joseph M. Robertson. In 1844 the people of Scott

county elected him to represent them, with Andrew W. Campbell and Ebenezer Cook, in the first constitutional convention, and in 1846 he was again sent by the people of Scott county as their sole representative, to the second constitutional convention, and in both sessions he drew up the section embracing the bill of rights.

The legislatures of territories are apt to have difficulties with an executive appointed by the president. Governor Robert Lucas had his, not only with the legislature, but with his secretary. Governor Chambers, a whig, who succeeded Lucas, a democrat, had a refractory council, who would not confirm his appointments, and in 1845 or 1846, when his quarrel with the council was at its height, he met Grant in the supreme court room. He knew that Grant, though a democrat, cared nothing for politics, and had no political ambition, and he sent his name to the council for prosecuting attorney in his district. The council confirmed the appointment, after rejecting several others, and Grant had to take the office, or offend both governor and council, the former of whom thought he was doing a gracious act and the latter, that one of their own party ought to accept their confirmation.

After the adoption of the constitution framed in 1847, under which Iowa was admitted into the Union as a state, Grant was elected, April 5, 1847, a judge for the district composed of the counties of Allamakee, Blackhawk, Bremer, Butler, Buchanan, Cedar, Clayton, Clinton, Delaware, Dubuque, Fayette, Grundy, Jackson, Muscatine, Scott, and Winneshiek, and held the office during the term of five years, declining a re-election. But although such a man as Grant can easily decline an office, it is not so easy to put off a title, and that of judge has clung to him ever since his elevation to the bench, and by it we designate him in this sketch. In 1851, Judge Grant gave life and vigor to the project of the Chicago and Rock Island Railroad, was its first president, and made a contract with Sheffield & Farnum to build it. In 1852, he was again a member of the house

of representatives in the Iowa legislature from Scott county, with Captain Leroy Dodge as his colleague, and was elected speaker. Since that time he has kept aloof from office.

During the years from 1853 until now, he has been engaged in the largest and most lucrative practice of any attorney in the north-west, and during the present year his firm has received and realized, in a single law suit, a fee exceeding \$100,000.

To the kindness of Hon. John F. Dillon, judge of the United States circuit court, who, as man and boy, has known Judge Grant from almost the first day of his arrival in Iowa, we are indebted for the following concerning Judge Grant's judicial and professional career in Iowa, which we give in Judge Dillon's own words:

"Judge Grant's life has been given essentially to the law. All outside of this has been merely accidental. His political career and his public services, except those upon the bench, are mere episodes in his life. Although he has kept alive his classical attainments in a degree quite unusual among men who have become eminent in the law, his main energies and his chief studies have been in the line of his profession. By this we do not mean that he has been divorced from the world and closeted in his law library; on the contrary he has always taken a lively interest in the current events of the day. Few men have a better practical knowledge of mechanics and of agriculture, or acquaintance with the wonderful achievements of modern science than he. If his professional life had been cast in some of the older states or larger cities, his tastes would probably have led him to have made the laws of patents for inventions a special study, and he would have become eminent in it to a remarkable degree.

"Early in life he discovered the advantages to be derived from the possession of law books which are the most effective implements in a lawyer's vocation. It is a fact well-known that he is the owner of the most complete and valuable private law library in the west, perhaps in the United

States. But it is not so generally known that he commenced to gather this library years ago, when he was young and poor, and that a large portion of his surplus earnings went steadily into it from year to year, at a time when most lawyers, under similar circumstances, would have considered themselves unable to buy books. I cannot speak as to the exact value of his law library, but I suppose it cannot fall short of \$30,000, and may much exceed this sum. I cannot permit this occasion to pass without an expression of the sense of my great obligation to him for the free use of his library. This valuable privilege he has not only willingly extended, but the favor has been heightened by the warmth and courtesy with which the acceptance of it has always been invited. But my own experience in this respect is not singular, and I share it in common with hundreds. To every lawyer and to every judge his library doors stand always wide open.

“It illustrates his public spirit to recur to a fact well known in Iowa. When the legislature required a term of the supreme court of the State to be held twice a year at Davenport, it was made a condition that it should be without cost to the state,—a species of economy, by the way, which has nothing to recommend it. The better to accommodate the court and the bar, Judge Grant fitted up a room for the use of the court above his library, and set it apart for them for several years, neither receiving nor expecting compensation. The judges and bar of the state cannot but feel how much they are indebted to him for access to a library which was until recently the only one in the state at all complete.

“Judge Grant combines the essential qualities of a successful lawyer. And first among these I place *integrity*, without which no man can be a great lawyer, nor for any considerable length of time, a successful one. He is utterly incapable of consciously mis-stating to a court a fact, or the effect of a decision, or concealing adverse decisions.

“He has the zeal and courage necessary to great success

at the bar. In addition to this, nature has gifted him with most felicitous powers of expression. In the use of strong, pure, vigorous English, it is rare, indeed, to find one who equals him. I have heard him make a law argument of an hour's length, without, as it seemed to me, hesitating for a word, and without using a superfluous word. Every sentence was short, and, unconsciously to him, clearly cut and finely chiseled — in its way a work of art that I have often admired.

“He is a man of strong and tender emotions, and occasionally, when the subject is such as to enlist his feelings, truly eloquent in the highest sense of this expression. His eulogy of the lamented Stockton, which was unpremeditated, pronounced at a meeting of the bar of Scott county, brought tears to eyes unused to weep, and will never be forgotten by any who heard it. Though characterized by less feeling, and therefore not so impressive, his remarks on the death of the late chief justice of the supreme court of the United States, in the circuit court at Des Moines, were scarcely less happy. If nature had given him a more mellifluous voice, he would have gained distinction as a mere orator whether he coveted it or not.

“But his great success in his profession has not been alone owing to the qualities and gifts I have named. He has a *practical sagacity* so marked as justly to entitle it to the name of *genius*. I cannot descend into details, but it is this quality which enabled him so early to discern that the tide of municipal railway-aid-bond litigation taken at the flood would lead on to fortune and to fame. He fought that battle for years. Every inch of ground was hotly contested. The state courts were against his views. The lower federal courts were likewise against him; but in general he was sustained by the supreme court of the United States; but he had to carry his points one by one, and the contest extended through many years. Whatever may be thought of the legal merits of the controversy in its varied phases, all will agree that for Judge Grant it was a splendid pro-

fessional victory, one which has justly given him great distinction and a satisfaction which is not diminished by the more substantial rewards with which it has been attended.

“What I have called his genius is as strikingly exemplified by what is known as the Mark Howard case, arising out of the sale of the old Mississippi & Missouri railroad to the Rock Island company, in which his sagacity and prompt action secured to his clients near a million of dollars and to himself and his partner a fee which is understood to be not less than \$100,000.

“His success as a lawyer is by nothing more conclusively shown than by the circumstance that although living in a new state and comparatively small city, his legitimate professional income is probably not exceeded by that of any lawyer in the United States.

“He had ceased to be a judge before I was admitted to the bar, and hence I cannot speak of him in this respect of my personal knowledge. But it is the concurrent testimony of the bar that he evinced great capacity for the prompt dispatch of public business (a most valuable quality in a *nisi prius* judge) and that his decisions marked an independent mind, disposed to follow the law found in the books where it promoted justice in the particular case, but restive somewhat under precedent when not conducive to this end. Like Mansfield, he tempered the law with equity, and if a judge must err in this respect, this is an error on the right side, and one which it is easy to pardon, and not difficult even to admire.”

In referring to the personal characteristics and peculiarities of Judge Grant, we prefer, rather than give our own, to adopt the judgment and words of one long associated with him in the legal profession. We refer to the Hon. Geo. G. Wright (one of the present United States senators from Iowa), who says, in substance:—

“Judge Grant is a man of very strong feelings and convictions; quick, frank, and outspoken, and hence by some thought a man of strong *prejudice*. In his judicial capacity,

if convinced that wrong or oppression was attempted by one party, his detestation of it was so strong that if the least doubt obtained, he was apt to solve it in favor of the wronged.

“He conceals nothing; you know where he is all the time. He never leaves you in doubt. If you ask his opinion of friend or foe, with unequalled frankness he tells you, setting down, in his own judgment, ‘naught in malice,’ and withholding nothing from you.

“He is large-hearted and most liberal, and exceedingly devoted to his family. Without children of his own, he has always had his house filled with them, of relations on both sides, and upon them lavishes his large income, prouder of them than many fathers with the best of children. In this respect there is no one like him in all my acquaintance. He has absolutely added to his before large and most commodious house, to accommodate his adopted children, and no one can see the least thing in all his conduct toward them to show that they are other than ‘bone of his bone and flesh of his flesh.’ Constituted as I have hinted, he knows no such thing as denying them any want, or refusing them any request.

“He is a fine classical scholar. It is seldom one meets any one so thoroughly at home in the classics, and he has a memory which enables him to retain not only his early but his later studies and learning. With ancient as well as modern history he is quite familiar, using readily, and often with the best effect, the finest efforts and perorations of the best authors, whether of this or ancient times, of this country or abroad.

“Judge Grant has a *voice* which makes him notable wherever he goes. Clear, strong, ringing, he commands attention in any crowd and before any tribunal. It is said that he once led an unsophisticated officer—outside of a crowded court room—to believe that a fight was in progress or imminent, by his tone and manner in addressing a jury; and so excited was the official, and so active his efforts to



get in and separate the supposed combatants (court at that early day being held in a building used as a store room) that he stepped upon the top and sank to the bottom of a *molasses barrel*. Or, if this incident is not well authenticated, it is true that after he and Gen. James Wilson had defended the Indians charged with the murder of a white man, and after the chiefs had refused to pay the General anything more, they proposed to pay the '*little lawyer with the big voice*' three hundred dollars more. The judge laughingly says that this was the only time when his *voice* brought him any money. His friends, however, know better, and that it has been of not a little value to him all through his most active life. And he has led a real active life. He can do now more work than half the young men in the state. As a farmer — and he has had large interests as such ever since he has been in Iowa, if not before — actively engaged in breeding the best horses, sheep, cattle, and game chickens; as a member of a school board; as a lawyer, whether at *nisi prius*, in the supreme court of the state, or in federal courts; as a member of a deliberative body, — wherever he is or in whatever engaged, he has always been a leading, working man, allowing no one to do his part, always at his post, *always ready with his cases*, and yet always genial, accommodating, courteous, and polite. I doubt whether any one ever heard him, however sore his disappointment, say an unkind word of a court deciding against him, or knew him to do aught to bring the decisions of a judicial tribunal into reproach or disrespect.

“He was well fitted for pioneer life. Able, dignified, and fully imbued with that strong feeling of self-respect which makes the true gentleman, he could and did accommodate himself to his surroundings, taking life as he found it, and yet always laboring to elevate society and make it better and truer. If he could not have the most elegant court room, he nevertheless held his court and dispatched business, giving to all a hearing, and administering justice to the rich and poor alike. It is told of him that on one

occasion he could not reach the county seat of a new county, situated on a rising river and without houses, but could the opposite bank of the stream, which was too high to cross; that there was but one, and that a divorce case, on the docket; that he ordered the sheriff (on the other side of the stream) to open court, heard the testimony and arguments across the water, announced the decision, and adjourned the court, and then struck for the next court. For this I do not vouch, but it is not unlike him (if the circumstances rendered it necessary), nor the least to his disparagement.

“Judge Grant likes to make money, not for the money, but because he likes to contribute to the welfare and happiness of those dependent upon him, and because he is truly a liberal and public spirited man. Few lawyers in Iowa, by their profession, have made so much. His habits are the very best. He never dissipates in any way, either by the cup, dice-box, cards, or otherwise. In view of his active life, mixing or brought into contact with all kinds and classes of people, subjected to all the trials and inconveniences of pioneer life in his profession, not a member of a church, it may well be doubted whether this could be asserted with equal truth of any of his fellows. He is remarkable for his utter abhorrence of bad men — lewd society — and I verily believe he would rather have any young man dependent upon him go to an early grave than to fall into the habits of too many young men in drinking, gaming, and indolence, for he has a most sovereign contempt and dislike of all *laziness*. His influence has been largely for good on our institutions and laws. A man so active is always accomplishing something. More than once I have suggested to him that he should retire, quit work, and enjoy rest and quiet. But this I knew he could not do. He finds the most happiness, the most comfort, the *most rest, in work*. He will go on just as he has for much more than one-fourth of a century, until life’s pilgrimage is closed, always with head and hands full, doing more and resting less, than

any man around him. He appears as young and active as he did thirty years ago.

“Of his apparel he never seems to take a thought. If he had the most costly he would never look dressed. While he cultivates cleanliness of person, he never takes a second thought whether boots are polished or otherwise, whether collar or necktie is on or off, whether the hat is in style or not, or whether his clothes are old or new. In some respects he may be called eccentric, and yet he is ever true to himself and to his true nature.”

Such honored people as Judge and Mrs. Grant could not be without hosts of friends, eager to do them homage on so interesting an occasion as the completion of the twenty-fifth year of their married life, which occurred on the 10th of June, 1873. Accordingly, on the evening of that day the celebration of their silver wedding took place at their home in Davenport, with such profuseness of expenditure and preparation, and on so grand a scale, and withal was participated in by so vast a multitude, and with such zest and warmth, as to dwarf all previous social events in that fashionable metropolitan place. So that the Davenport newspapers of the next day, shorn of their telegrams and leaders, contained little else than incidents, orations, and letters of congratulation of the night preceding. From the *Davenport Democrat* of June 11th we copy the following well written account of the happy event:—

“That something more than ordinary was in contemplation might have been seen for days past in our city by those who watch the dry goods stores narrowly, and are on visiting terms with the milliner and mantua maker. It culminated last night in one of the most splendid ‘crushes’ ever given in our city, at the residence of Judge James Grant and his wife. At quite an early hour Fifth street became the attraction of all the *gamins*, idlers, and curiosity hunters, who gathered in crowds to see the arrival of the thousand and one guests who had received the much coveted invite to the silver wedding party. Carriage loads of elegantly

dressed ladies — one to the load — vehicles of every description bringing in old settlers by the score; side-walks crowded, four abreast, with citizens in evening costume, and hale, hearty old farmers — who thought a warm heart and an honest hand more to the Judge's taste than claw-hammer coats and lemoncholy kids — in any kind of costume, all hurried to the spot, and far before the fashionable hour at which *nous autres* arrived, to lounge languidly through the elegant *salons*, the judge's house was crowded. We wish we dare give an incident wherein a young lady of exquisite taste and high tone called her father to account for receiving without white kids, and his good-humored and thoroughly natural reply, but our mouth is sealed. It was so characteristic of the Judge, whose blunt honesty has always been addicted to handling things without gloves.

“The report of a festive gathering is no proper vehicle for introducing long historical memoranda and biographical reminiscences, or we could fill a column with anecdotes of the pioneer, who, last night, entertained his friends so royally; we therefore pass at once to the business of the evening. The mansion, large as it is, had to be supplemented by a hundred foot wigwam, substantially built, and gaily decorated for the use of those who threaded the mazy and whirled the fantastic, and right merrily they did it too, under the soul-stirring strains of Strasser's band, while every knot-hole which could be made a coign of vantage, was turned into an opera glass by the outside crowd, and several skirmishes took place for possession of an eyelet hole to see the festivities. We could not give a complete list of the people present, therefore confine ourselves to a few of the foreign visitors, among whom were Rev. Oliver Emerson, who officiated at the marriage of the judge; Mrs. Leffingwell, seventy-three years of age, and her daughters; Rev. Thomas R. Owen, of Tarborough, North Carolina; and Hon. James M. Williamson, of Memphis, Tennessee, classmates of the judge, Mr. Williamson being accompanied by two daughters; Hon. A. R. Cotton, M. C.; Hon. J. B.

Hawley, M. C.; Judge Brannan, Judge Ellis, and District Attorney Ellis, while Rock Island sent a numerous delegation of old friends, and Clinton, Lyons, Muscatine, Burlington, and other points were fully represented.

“At an early hour after gathering, speeches were, of course, in order, commencing with the following excellent oration of welcome from the founder of the feast:—

“LADIES AND GENTLEMEN:—The circumstances under which we meet you this day mark a great event in the history of our lives.

“It falls to the lot of few persons to live a married life of twenty-five years. It happens to a still smaller number to live a married life of twenty-five years, and devote the larger part to the care and nurture of children not their own. There is something in our history of this long life, of happiness or misfortune in its event, that is peculiar to us. We meet to-night the clergyman who joined us in marriage. We meet here to-night, after a lapse of forty-two years, those who were school-mates and graduates of the same college in the state of North Carolina where I was born. We meet to-night old settlers in the territory of Iowa, when we came to it in 1838, a wilderness of vast, uncultivated prairie. We meet to-night old settlers, members of my profession, whom I met in Illinois when I first came to the west, in the winter of 1833 and 1834. We meet to-night men who lived in Rock Island in 1835, when I was prosecuting attorney over a district of country comprising one-third of Illinois. We meet to-night a judge of the circuit court of the United States, who was a boy when I first came to Scott county, hardly large enough to lead my horse to his father's stable, when I stopped at his hotel. He is the son of my friend, an old settler of this county, Thomas<sup>v</sup> Dillon, who loved me as his own brother, and that boy, John F.<sup>v</sup> Dillon, has achieved a name in the history of the law which is honored wherever the common law is read, or its principles enforced. We meet to-night people from various parts of the United

States, who had attained name and estate before Iowa was called a territory in this Union.

“Our memory passes in review, wives, children, relatives, and friends, during this long period of forty-two years, who have been called before us to the spirit land. Thirty-five years in Iowa — how insignificant when we first knew it, how populous and great at this day! Forty years in Illinois and Iowa! What mighty nations have they become in that period!

“We have lived in the greatest age of the world’s progress — the steamboat, the railroad, the telegraph, the photograph have all been invented or utilized in our day. Egypt, in the time of the pyramids, may have been more grand; Greece, in the days of her greatness, more beautiful with paintings, statues, and poetry; and Rome more imperial with her military power, which extended her empire to our ancestor land. But what was there ever in the Egypt of Herodotus to compare with the Suez canal, that is navigated by the largest ships the world ever knew, propelled by the breath of vapor. And what, in all ancient Greece and Rome, to compare with our instruments of peace and of war, with our arts of railway, of printing, even with sunlight, of speaking by and controlling the lightning of the heavens, our improvements and discoveries in chemistry, geology, substitutes for hand labor — in fine, in everything that increases the comfort and enlarges the humanity of man.

“We greet you to-day with hearts full of gratitude that our lives, like your own, have been passed in a period full of civilization, such as the world has not known before. Thankful that we have lived with you and known you, and been permitted to enact our humble part in the grand drama of life along by your side.

“We, you, even the greatest of you, sink into insignificance, when we identify ourselves and yourselves with the great world of which we have been a part. We have not been without many sorrows, but we have had many, count-

less blessings, and when we compare the former with the latter, they sink into nothing, as we do, in the midst of the great events which we have known and seen in the lives which have been so long spared to us.

“ We thank you for the good opinion and neighborly kindness which has prompted you to accept our hospitality this day, and to join us in gratitude that we have lived so long, and have not been useless to ourselves or the human family with whom our lot has been cast.

“ *Gentlemen of the Bar of Scott County* :— You have been running a race with me for thirty-five years. All of the men who commenced that course with me have been distanced by Father Time; I alone am left. New candidates for the crown have arisen, run their distance, fallen away, and others have taken their places. You are now to the Scott county bar what I once was. Not so fleet of foot as in days of yore, I have at last met with the fate of Atalanta. Mythology says she was the fleetest of mortals, and that the contestant for her in the race forfeited his life, by his defeat. Melanion, furnished by Venus with golden apples, and disciplined by the goddess of love for the course, reached the goal and won the prize, when she tarried to pick the golden fruit.

“ You, tutored by love and equipped with honor, have dropped a silver prize, and to you I make an unconditional surrender.’

“ A burst of unadulterated, genuine feeling from his fellow legal leaders followed the apt allusion to the classics, referring to the massive silver set they had poached into the house, in defiance of the law and the prophets, and which was engraved, ‘The Scott County Bar to Judge Grant.’ The following reply to the judge’s happy effort was made by Judge Dillon :—

“ JUDGE AND MRS. GRANT :— I have been selected to speak on this pleasant occasion for the old settlers of Scott county. In some respects my selection for this grateful office is not, perhaps, inappropriate, for in this beautiful city you, sir (to Judge Grant), and I have had our home for

five and thirty years. Many thoughts press to-night for utterance, and my memory goes back to the period when I saw you in my father's house, his companion and not mine, for at that time there was between us the wide interval which separates the boy from the busy man. But time has brought me nearer to you, and under your eye I have passed through the vale of youth and early manhood, and to-night I stand in my journey on the 'divide' of life, with the currents of memory and feeling flowing back over the route I have traversed, rather than towards the region which lies in advance. I have reached, indeed, a point where my shadow, like yours, has reversed its direction, and stretches its lengthening course eastward.

“Here, in the midst of neighbors and friends, who have been called together on this festive occasion by your hospitality, we have lived and practiced our profession, and as judges have had seats upon the same bench, and held court in the same district.

“Though a boy at the time, yet distinctly do I recollect, when on your election to the bench, the late lights that burned in your room in the old court house, when it was said, and doubtless truly, that you gave with unwearied diligence your hours to the study of the law, and sought the relaxation of the scholar by reading in the original, with more than youthful ardor and delight, the *Iliad* and *Æneid*. And, may I refer to it?—that day is so distinct in my memory that it seems as of yesterday—when you brought to the city from the circuit as your wife—doubtless the most substantial reward of your judicial labors—the woman who now stands by your side, and who, for twenty-five years, has shared your cares, and to-night, with the indisputable title of the true wife, rejoices in your prosperity.

“But I may not dwell too long on the pleasant retrospect, for there are others here with fitting words to say.

“You have well sketched the unexampled progress which the world at large has made in the arts of civilization since our settlement here, and the marvelous growth and



development of which our own eyes have been the witnesses. It is utterly impossible for a stranger or new comer to realize the great changes which have been wrought here during our short history. Thirty-five years ago a few houses and a few score of people made this city. We witnessed its feeble beginnings, but have watched day by day and year by year its progress, and to-night we feel grateful to the kind Providence that enables us to behold it in its growing beauty, the metropolis of a great and enlightened commonwealth.

““ Yesteday I was between three and four hundred miles distant, holding court in a state (Kansas) now containing over half a million of people, which, within the past twenty years, was organized as a territory, and within the past fifteen years admitted as a state; and yet to-day I am here — a journey that twenty-five years ago would have taken weary weeks to have accomplished. As I rode towards my home, in a region which a few years ago was a vast expanse of unoccupied prairie, and in all the glory of June saw, in the light of the morning sun, farm bordering on farm, without break or interval as far as the eye could reach on either side, my memory ran back to the pioneer period. I thought of you, sir, of the old settlers of Scott county, the survivors of whom meet you *en masse* to-night, and who are types of the hardy class now to be found only in distant Colorado, Kansas, or Nebraska, and who opened the way to all these bounties and blessings.

““ You are an old settler and know their privations and hardships, and however much the duties of active life may engross you, and however bountifully Providence may yet bless your store, I stand here to give expression to the universal sentiment of old settlers of Scott county, that in you they have ever had a fast and sincere friend, and with all their hearts they congratulate you and your wife and your children upon the auspicious event, which, under so many fortunate circumstances, your friends at home and from abroad have met to mark and signalize.

“ Since, with a well spent life, it is not true that—

“ ‘ Years steal fire from the mind as vigor from the limb,  
And life’s enchanted cup but sparkles near the brim,’

we join in wishing you lengthened years of usefulness, and many happy returns of your wedding anniversary.’

“ After the address of Judge Dillon, Dr. Gregg made a peculiarly happy speech, on behalf of the old settlers of Rock Island, which, from its racy manner, anecdotal character, punning allusions, humorous method, and general attic salt, we feel ourselves positively unable to do justice to in a report, and so will leave it as some painter did somebody’s dad who had been killed by somebody; he found he had exhausted every feature of grief in painting the other faces, so he threw a mantle over the chief mourner.

“ The Hon. James M. Williamson, of Memphis, Tenn., then took the floor, and in behalf of the Judge’s college mates, including himself, spoke in these words:—

“ ‘ FRIEND GRANT, LADIES AND GENTLEMEN:—Your success in life is not surprising to your class-mates.

“ ‘ An ambitious and studious boy, addicted to no dissipation, taking but little pleasure in college sports and pranks, you were intent only on getting your lessons. This *boyish habit* many of your compeers at the bar have doubtless found to their cost, has followed you through life.

“ ‘ A ripe scholar in the classics, you joined us in the *angustia itineris* of college life the junior class year, full of algebraic formulæ, sines, and co-sines, conic sections, elliptic curves, the parabola, hyperbola, and the *mystic* asymptote. Then came Enfield’s natural philosophy, calculating the motion of sound, and the speed of the lightning’s flash, analyzing the rainbow, triangulating space, and measuring the distance of the sun from the earth with the same accuracy you would measure a yard of tape. In all of these you were *au fait*. The differential calculus was your poetry of mathematics. Being also a North Carolinian by birth, and a Scotchman by descent, failure was impossible.

“ ‘ In Memphis we had a re-union of some of the survivors

of the class of Chapel Hill graduates in 1831, in March last. This is but an adjourned meeting, with the grace and embellishment of your silver wedding. 'Apples of gold set in pictures of silver.' At that meeting, purely social, our hearts were naturally turned to the halcyon days of boyhood, to Chapel Hill and her classic shades. The memory of those days made us boys again. The rainbow tints of time threw a soft and mellow light upon every scene, every character, every event. Over and over were they recounted and dwelt upon, and as often pealed out the merry laugh. But in the midst of our joy we learned with pain and sorrow that our *alma mater*, the old institution itself, was sinking into decay. Having lost her magnificent endowment in the fortunes of the 'Lost Cause,' she was stricken and paralyzed, and the silence of death reigned in those halls and corridors that were wont to be vocal with the merry laugh of students, or the busy hum of recitation.

"Under these circumstances the suggestion was made by me, that some plan be devised at once to restore that venerated seat of learning to her pristine glory and usefulness. In short, that the state of North Carolina be humbly petitioned to turn over the institution to the regency of her alumni, of whom a vast number remain in North Carolina; others are scattered over the middle, western, and south-western states, and some in the north. Could her destiny be placed in safer or better hands than those of her children? This being accomplished, let them hold a grand convention at Raleigh, N. C., invite every student and friend of the university, select from their number a board of trustees, appoint an able faculty, and pledge themselves that each one individually will send one or more students to enter college and matriculate. Thus it might become at once self-sustaining and a live institution.

"But our commission to-day, ladies and gentlemen, is to greet you as friends, and join hands and hearts with you on this brilliant and festive occasion. We come, many of us, from a distant clime, but it is your country, as this is

ours. We come to do honor to our friend, not as a North Carolinian, but as a citizen of Iowa. We come to claim that which once seemed to be lost — our birthright, our inheritance, in this beautiful country; its vast and fertile prairies and magnificent lakes — to look out upon our boundless domains in the west to the golden gates of California.

“ ‘ We have another claim upon the old settlers. It is a remarkable fact that the Black Hawk war was fought out, and Black Hawk captured by Gen. Henry Atkinson, of North Carolina, a brother of my uncle. Under his command were Col. Zachary Taylor, Capt. Abraham Lincoln, and Capt. Harney. The first two were afterwards each president of the United States, and the last a major general of the United States army.

“ ‘ In compliment to my native state, I meet here among your earliest friends — the men who conquered the wilderness — citizens hailing from the old North State — and amidst this brilliant galaxy of beauty, a bonnie brunette of North Carolina is among the fairest of the fair.

“ ‘ We claim our share in your great national works now being erected at Rock Island, and in your great national highway. At your very door, sir, we can mount the Pacific railroad train, and go bounding merrily along through the snow-capped peaks and everlasting glaciers of the Rocky mountains, and as they echo back the hoarse and unearthly voice of the locomotive, they proclaim a triumph of American art more wonderful than the Suez canal.

“ ‘ Indeed, sir, talk as we may, differ as we must in opinion, we are one people, and must have one destiny, now and forever.

“ ‘ I repeat, sir, we come to congratulate you on this, the most auspicious era of your life, and our prayer is that you and your kind lady may live to celebrate your golden wedding.’

“ ‘ Some of the old settlers thought this ‘ just a leetle bit too strong,’ and said it was a furrow, and not a heliocentric

curve, the Judge measured, and a corn-cob instead of a conic section, which was best understood, but all these remarks were, of course, in a Pickwickian sense.

“A letter from Chief Justice Beck was then read, as follows:—

“‘FORT MADISON, June 7, 1873.

“‘HON. JAMES GRANT, DAVENPORT:—

“‘*My Dear Sir*—Your kind favor of the 3d instant, addressed to the justices of this court, expressing a strong desire that we be present, in response to invitations before received, on the occasion of the twenty-fifth anniversary of your marriage, was received at Des Moines. Having been called home by the serious illness of my wife, I avail myself of the first opportunity to reply, expressing my regrets that I will be unable to be present and partake of your hospitality. If my good wife's health is such that it will be proper for me to leave her, I feel that the business of the court at the present demands that my place upon the bench be at that time filled. I would be unwilling to attend, leaving my brothers at work while I should be partaking of the great pleasure of your hospitality, and of the interchange of social greeting with so many esteemed and distinguished friends as will, on the occasion, fill the house. It would greatly retard the business of the court, and would especially subject attorneys, in attendance from distant parts of the state, to great inconvenience and disappointment for the court to adjourn over for two or three days, which would be required that all of us might be with you. These considerations will prevent myself and the other members of the court from responding personally to your kind invitation and letter. In making this announcement, I feel that you will be assured of our regrets for its necessity, and that you have been so long connected with the courts in the administration of justice, either as an attorney or judge, that you can well understand and appreciate the public duties, and obli-

gations which they impose, forbidding us the pleasure of meeting you and your friends.

“The occasion demands that I do not close this letter with expressions of regrets that I am deprived of the great privilege and pleasure of extending to you and your honored wife my congratulations in person. It is proper that I say more.

“Yourself and wife occupy a position that may well call forth congratulations and expressions of sincere respect and honor. Success has attended you in a long professional career, and honor and wealth have rewarded the struggles, toils, and dangers incident to a pioneer life. Your professional course began in youth in the obscurity of the western prairies. Hardships, with inadequate rewards, were your early experience. To-day, having passed the meridian of life, you have attained distinction throughout the land in your profession, which, in late years, has bountifully rewarded the diligence and industry of your earlier life, as well as the learning and ability you have displayed in the management of causes in the courts wherein you have appeared. Your honorable deportment has secured you the good will and confidence of the bar and the courts. These are grounds for earnest and sincere congratulations, and I express them with candor and emphasis.

“My intercourse with you while at the bar and on the bench has been of such character as to create for yourself, personally, sentiments of the highest respect, and to demand that I honor you as a friend as well as an eminent member of the profession.

“I express the hope that the future life of yourself and wife may be as bright and as useful as the past, and that no clouds or storms may obscure, with sorrow and care, the sunset of your days.

“I am, with great regard,

“Very truly, your friend,

“J. M. BECK.”

“Judge Beck’s letter was followed by one equally cordial, though shorter, from the Rev. George F. Magoun, which we give below:—

“‘HON. JAMES GRANT—*Dear Sir*:—It was not till this morning that Mrs. Magoun and myself—being at Burlington, at the General Association—could decide whether to return by Davenport and give ourselves the very great pleasure of attending your silver wedding or not. We found ourselves obliged to come directly home by another route, and, on reaching home, found one of our daughters sick with the measles, and others likely to be soon.

“‘Will you and Mrs. Grant accept our united thanks for your courteous and esteemed invitation, and our sincere regrets that we are deprived of the pleasure of being present on an occasion to be enjoyed by troops of your friends; and be pleased, also, to take written congratulations on your having reached, together, the quarter-century point of domestic life with abounding prosperity and sources of happiness, in place of spoken ones, which would have been equally hearty and thoroughly sincere.

“‘A multitude of your brethren of your own profession will offer their congratulations, to which your long, and able, and successful career at the bar, will add meaning and weight, and for myself, I should really have enjoyed illustrating ‘the harmony of the professions,’ by adding mine as a member of another profession.

“‘Very truly yours,

“‘GEO. F. MAGOUN.’”

“After congratulations and general hand-shakings all round, the merry music opened up, and the feet of the dancers were heard on the floor. Everybody knows that Judge Grant never does anything other than well, so it is needless to make mouths water by a description of the banquet; it would not have disgraced Lucullus, and Brillat Savarin would have been satisfied with it.

“The following is a copy of the address from the Scott county bar, to which the Judge so neatly alluded at the close of his address :—

““ DAVENPORT, June 10, 1873.

““ HON. JAMES GRANT — *Dear Sir*:—Your brethren of the Scott county bar, uniting with your many other friends in the congratulations appropriate to this occasion, avail themselves of the opportunity it affords to ask your acceptance of a slight testimonial of their warm regard and esteem for you, and of their appreciation of the many kindnesses and courtesies which you, so many years their senior at the bar, have constantly extended to your junior brethren. They can hope for nothing more than that this little tribute, viewed as a sincere expression of the kind feelings of your brothers in the profession, may afford you the same pleasure in its reception as they feel in offering it.

“That you and your amiable and excellent wife may enjoy together many more years of happiness, is the sincere wish of your friends and brothers :

““ C. E. PUTNAM,	JOHN C. BILLS,
““ JNO. N. ROGERS,	D. H. TWOMEY,
““ ABNER DAVISON,	JAMES T. LANE,
““ GEO. E. HUBBELL,	J. D. CAMPBELL,
““ S. E. BROWN,	J. W. STEWART,
““ JOHN ACKLEY,	J. W. GREEN,
““ JOHN W. THOMPSON,	JOHN N. CRAWFORD,
““ J. H. MURPHY,	JOSEPH A. CRAWFORD,
““ E. E. COOK,	WM. K. WHITE,
““ J. SCOTT RICHMAN,	LUDWIG BRUNING,
““ HERMAN BLOCK,	H. M. MARTIN,
““ ERNST CLAUSSEN,	J. H. MELVILLE,
““ H. R. CLAUSSEN,	J. HOWARD HENRY,
““ WM. T. DITTOE,	FOSTER & GABBERT.’”

Judge Grant and his wife are childless, but they have for many years devoted much of their time and fortune to the



care and education of children of their relatives, and have had as many as seventeen under their control, and have thus made to society good returns for the large estate which their industry and prudence have gathered up during a life of toil, if not of privation. The concentration of wealth in such hands is a benefaction and not an evil to community.

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### THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

(Continued from page 332.)

THE first session of the legislature of Iowa, after adopting the constitution, convened on the 30th of November, 1846, and continued until the 25th of the following February. But the members were so much occupied in the controversy about electing senators and supreme judges, that the real wants of the people received but little attention until the last of the session.

One of the first and most important considerations to the members of the legislature was to provide the means to compensate themselves for their services. The territory had become a state with a debt of about twenty thousand dollars hanging over it. The members of the constitutional convention had not been paid, and there was no money in the treasury with which to meet the expensss of the present legislature. To meet these emergencies, the legislature passed an act authorizing a loan of fifty thousand dollars to be made to the state, and appointed W. F. Coolbaugh, of Burlington, to negotiate the loan; so the first state legislature imposed a debt on the state of one-half the amount to which it was limited by the constitution.

About this time there were great efforts being made

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