CHAPTER IV.

FIRST SETTLER IN THE COUNTY—PIONEER LIFE—ORGANIZATION OF THE COUNTY—ESTABLISHING THE COUNTY SEAT—FIRST AND SECOND CENSUS—EARLY HIGHWAYS—TERRITORIAL DISTRICT COURT AND STATE CIRCUIT COURT—TERRITORIAL, STATE AND CONGRESSIONAL REPRESENTATION—PHOTOGRAPHING THE PIONEERS.

FIRST SETTLER IN THE COUNTY.

The first settler in what is now Columbia County was Wallace Rowan. On the 6th day of June, 1836, he entered, at the Green Bay Land Office, the northeast quarter of the southeast quarter of Section 34, Township 11 north, of Range 9 east, in what is now the town of Dekorra, adjoining the village of Poynette. This was the first land entered in the county, but it was then Brown County, in Michigan Territory; afterward Brown County, Wisconsin Territory; subsequently Portage County, Wisconsin Territory; then Columbia County, Wisconsin Territory; finally, Columbia County, State of Wisconsin, and so it remains. He moved from Dane County to his forty acres in what is now Columbia County. "I was at his house," says Moses M. Strong, "on the 19th day of February, 1837, and there was no appearance of his having just arrived there." He was living in a log house, built by himself, on his own land, and he went there to stay. There was no other settler (as the term "settler" is usually understood), within the limits of what is now Columbia County, so early as Rowan.

Rowan's house was a double log tenement, built for the purpose of trafficking with the Indians, and as a house of entertainment for travelers. It was on the military road that ran from Prairie du Chien by the way of Fort Winnebago, to Fort Howard. On this highway, there was considerable travel for a number of years. Rowan's tavern was a little south of what is now Dole's mill, near a large spring. Rowan was a kind-hearted man, perfectly honest, one in whom you would at first sight be persuaded you could put confidence. His wife, though not so refined as her husband, was equal to him in kindness to travelers and friends. Rowan was a man of medium height, rather thin in flesh and of a somewhat dark complexion. He had great conversational powers, was very social, and took great pains to make everybody who stopped with him as comfortable as his situation would permit. He carried on a small farm at the same time, raising corn, potatoes, oats, and the very best kinds of vegetables. He had a large family of children. His oldest daughter Mr. Rowan always called "Ducky." She was a splendid girl—handsome, smart and well-behaved. His second daughter was called "Pop." Rowan also kept a trading-house at Portage City, in 1838. In 1840, with a man by the name of Wood, he made a claim on the Baraboo River. They built a saw-mill just at the upper end of Baraboo Village.

They supplied the lumber that was used in building up the village, and rafted lumber down the river, which was so crooked that it caused them a good deal of trouble to reach the Wisconsin. In 1842, Rowan left Columbia County and took his family with him to Baraboo. He soon after died. His beautiful daughter quickly followed her father to the grave, and then the mother.

Rowan and his wife were from the State of Indiana, as is understood by a remark made by Mrs. Rowan, who, when asked to what tribe she belonged, answered, "Gol darn it, I don't belong to no *tribe;* I am from *Indianer.*"

There have been many stories told of Rowan's Hotel. An old settler relates this one: "I arrived there in 1837, at about 11 o'clock P. M., on horseback. The hostler, a Frenchman, was yet up, making fires to keep those comfortable who were sleeping on the floor. After taking care of my horse, I went into the house. There was a good fire, and the floor was covered with men, sleeping. I asked the French hostler for something to eat; so he went into the

kitchen and brought me a whole duck and two potatoes. He said that was all he could find cooked. After eating, I felt like lying down. He pointed to a place between two men. I took my blanket and crowded myself into it. Next morning, the teamsters got up to feed their teams, and, in taking out their corn, they scattered some inside and outside the house. James Duane Doty (afterward Governor) was lying next to the door, in his robes; I was next to him, in my blanket. A lean, long old sow found the corn that the teamsters had scattered outside the door. This encouraged her to follow up the corn that was scattered inside. Finding some amongst Doty's robes, she put her nose under him and rolled him over, when he exclaimed: 'Landlord! Landlord! you must postpone my breakfast for some time, as I have not yet got rested.' Instead of the landlord disturbing him, it was the old sow. Then I heard some curious noise outside, which kept me awake; so I got up, and found that the noise was created by a modern grist-mill, erected in front of the door, for grinding corn into meal. A pestle hung to the end of a spring-pole; there was a mortar made by burning out a hollow in the top of a stump. We all of us had the first mess made out of this mill, and you could compare it to nothing but the fine siftings of stonecoal, such as you find in a blacksmith-shop. We had good coffee and plenty of honey. We all made a hearty breakfast, and were thankful for it."

PIONEER LIFE.

Records of the olden time are interesting, and they are not without their lessons of instruction. By the light of the past we follow in the footprints of the adventurous and enterprising pioneer. We see him, as it were, amid the labors and struggles necessary to convert the wilderness into a fruitful field. We sit by his cabin fire, partaking of his homely and cheerfully granted fare, and listen to the accounts which he is pleased to give us of frontier life, and of the dangers, trials, hardships and sufferings of himself and others in their efforts to make for themselves homes in regions remote from civilization, and unexplored hitherto, save by wandering Indians and wild beasts. Through these ancient records we make our way along to the present. From small beginnings, we come to the mighty achievements of industry, the complex results of daring enterprise, subduing and creative energy, and untiring perseverance.

Following on in the path of progress and improvement, we see once waste places rejoicing under the kindly care of the husbandman; beautiful farms, with all the fixtures and appurtenances necessary to make the tillers of the soil and their families contented and happy, are spread out before us; villages and cities have arisen as if by magic, and by hundreds, thousands and tens of thousands human souls are congregated within their precincts; the mart of trade and traffic, and the workshop of the artisan are thronged; common schools, academies and colleges have sprung up; young and ardent minds—children of the rich and poor—may press forward together in the acquisition of science; churches are built, and a Christian ministry is sustained for the inculcation of religious sentiments and the promotion of piety, virtue and moral goodness; the press is established, whence floods of light and glory may emanate for the instruction and benefit of all; railroads are built to bring the products of every clime and the people from afar to our doors; and the telegraph, "upon the lightning's wing," carries messages far and near. Let the records of the olden time be preserved; in after years our children, and our children's children, will look over them with pleasure and profit.

The first important business of the pioneer settler, upon his arrival in Columbia County, was to build a house. Until this was done, he had to camp on the ground or live in his wagon—perhaps the only shelter he had known for weeks. So the prospect for a house, which was also to be a home, was one that gave courage to the rough toil, and added a zest to the heavy labors. The style of a home entered very little into his thoughts—it was shelter he wanted, and protection from stress of weather and wearing exposures. The poor settler had neither the money nor the mechanical appliances for building himself a house. He was content, in most instances, to have a mere cabin or hut. Some of the most primitive constructions of this kind were half-faced, or, as they were sometimes called, "cat-faced," sheds or "wike-ups," the Indian term for

house or tent. It is true, a "claim" cabin was a little more in the shape of a human habitation, made, as it was, of round logs, light enough for two or three men to lay up, about fourteen feet square—perhaps a little larger or smaller—roofed with bark or clapboards, and floored with puncheons (logs split once in two, and the flat side laid up), or with earth. For a fire-place, a wall of stones and earth—frequently the latter only, when stone was not convenient—was made, in the best practicable shape for the purpose, in an opening in one end of the building, extending outward, and planked on the outside by bolts of wood notched together to stay it. Frequently, a fire-place of this kind was made so capacious as to occupy nearly the whole width of the house. In cold weather, when a great deal of fuel was needed to keep the atmosphere above freezing point—for this wide-mouth fire-place was a huge ventilator—large logs were piled into this yawning space. To protect the crumbling back-wall against the effects of fire, two back-logs were placed against it, one upon the other. Sometimes these were so large that they could not be got in in any other way than to hitch a horse to them. The animal was driven in at the door, when the log was unfastened before the fire-place. It was afterward put in proper position. The horse would be driven out at another door.

For a chimney, any contrivance that would convey the smoke out of the building would do. Some were made of sods, plastered upon the inside with clay; others—the more common, perhaps—were of the kind we occasionally see in use now, clay and sticks, or "cat in clay," as they were sometimes called. Imagine, of a winter's night, when the storm was having its own wild way over this almost uninhabited land, and when the wind was roaring like a cataract of cold over the broad wilderness, and the settler had to do his best to keep warm, what a royal fire this double back-log and well-filled fire-place would hold! It was a cozy place to smoke, provided the settler had any tobacco; or for the wife to sit knitting before, provided she had any needles and yarn. At any rate, it gave something of cheer to the conversation, which, very likely, was upon the home and friends they had left behind when they started out on this bold venture of seeking fortunes in a new land.

For doors and windows, the most simple contrivances that would serve the purposes were brought into requisition. The door was not always immediately provided with a shutter, and a blanket often did duty in guarding the entrance. But, as soon as convenient, some boards were split and put together, hung upon wooden hinges and held shut by a wooden pin inserted in an auger-hole. As a substitute for window-glass, greased paper, pasted over sticks crossed in the shape of sash, was sometimes used. This admitted the light and excluded the air, but, of course, lacked transparency.

In regard to the furniture of such a cabin, it varied in proportion to the ingenuity of the occupants, unless it was where settlers brought with them their old household supply, which, owing to the distance most of them had come, was very seldom. It was easy enough to improvise tables and chairs; the former could be made of split logs—and there were instances where the door would be taken from its hinges and used at meals, after which it would be rehung; the the latter were designed after the three-legged stool pattern, or benches served their purposes. A bedstead was a very important item in the domestic comfort of the family, and this was the fashion of improvising them: A forked stick was driven into the ground diagonally from the corner of the room, and at proper distance, upon which poles reaching from each were laid. The wall ends of the pole either rested in the openings between the logs or were driven into augur-holes. Barks or boards were used as a substitute for cords. Upon this the tidy housewife spread her straw tick, and, if she had a home-made feather bed, she piled it up into a luxurious mound, and covered it with her whitest drapery. Some sheets hung behind it for tapestry added to the coziness of the resting-place.

The house thus far along, it was left to the deft devices of the wife to complete its comforts, and the father of the family was free to superintend out-of-door affairs. If it was in season, his first important duty was to prepare some ground for planting, and to plant what he could.

The first year's farming consisted mainly of a "truck patch," planted in corn, potatoes, turnips and other vegetables. Generally, the first year's crop fell far short of supplying even

the most rigid economy of food. Many of the settlers brought with them small stores of such things as seemed indispensable to frugal living, such as flour, bacon, coffee and tea. But these supplies were not inexhaustible, and once used were not easily replaced. A long winter must come and go before another crop could be raised. If game was plentiful, it helped to eke out their limited supplies.

But even when corn was plentiful, the preparation of it was the next difficulty in the way. The mills for grinding it were usually at such long distances that every other device was resorted to for reducing it to meal. Some grated it on an implement made by punching small holes through a piece of tin or sheet-iron, and fastening it upon a board in concave shape with the rough side out. Upon this the ear was rubbed to produce the meal. But grating could not be done when the corn became so dry as to shell off when rubbed. Some used a coffee-mill for grinding it; and a very common substitute for bread was hominy—a palatable and wholesome diet—made by boiling corn in a weak lye till the hull or bran peeled off, after which it was well washed to cleanse it of the lye. It was then boiled again to soften it, when it was ready for use, as occasion required, by frying and seasoning it to the taste. Another mode of preparing hominy was by pestling. A mortar was made by burning a bowl-shaped cavity in the end of an upright block of wood. After thoroughly cleaning it of the charcoal, the corn would be put in, hot water turned upon it, when it was subjected to a severe pestling by a club of sufficient length and thickness, in the large end of which was inserted an iron wedge, banded to keep it there. The hot water would soften the corn and loosen the hull, while the pestle would crush it.

When breadstuffs were needed, they had to be obtained from long distances. Owing to the lack of proper means for thrashing and cleaning wheat, it was more or less mixed with foreign substances, such as smut, dirt and oats. And as the time when the settler's methods of thrashing and cleaning may be forgotten, it may be well to preserve a brief account of them here. The plan was to clean off a space of ground of sufficient size, and, if the earth was dry, to dampen it, and beat it to render it somewhat compact. Then the sheaves were unbound and spread in a circle, so that the heads would be uppermost, leaving room in the center for the person whose business it was to turn and stir the straw in the process of thrashing. Then, as many horses or oxen were brought as could conveniently swing around the circle, and these were kept moving until the wheat was well trodden out. After several "floorings" or layers were thrashed, the straw was carefully raked off and the wheat shoveled into a heap to be cleaned. This cleaning was sometimes done by waving a sheet up and down to fan out the chaff as the grain was dropped before it; but this trouble was frequently obviated when the strong winds of autumn were all that was needed to blow out the chaff from the grain. This mode of preparing the grain for flouring was so imperfect that it is not to be wondered at that a considerable amount of black soil got mixed with it, and unavoidably got into the bread. This, with an addition of smut, often rendered it so dark as to have less the appearance of bread than mud; yet upon such diet the people were compelled to subsist for want of a better.

Not the least among the pioneers' tribulations, during the first few years of the settlement, was the going to mill. The slow mode of travel by ox teams was made still slower by the almost total absence of roads and bridges, while such a thing as a ferry was hardly even dreamed of. The distance to be traversed was often as far as sixty or ninety miles. In dry weather, common sloughs and creeks offered little impediment to the teamsters; but during floods and the breaking-up of winter, they proved exceedingly troublesome and dangerous. To get stuck in a slough, and thus be delayed for many hours, was no uncommon occurrence, and that, too, when time was an item of grave import to the comfort and sometimes even to the lives of the settlers' families. Often a swollen stream would blockade the way, seeming to threaten destruction to whoever would attempt to ford it.

With regard to roads, there was nothing of the kind worthy of the name. Indian trails were common, but they were unfit to travel on with vehicles. They were mere paths about two feet wide—all that was required to accommodate the single-file manner of Indian traveling.

When the early settlers were compelled to make these long and difficult trips to mill, if the country was prairie over which they passed, they found it comparatively easy to do in summer when grass was plentiful. By traveling until night, and then camping out to feed the teams, they got along without much difficulty. But in winter such a journey was attended with no little danger. The utmost economy of time was, of course, necessary. When the goal was reached, after a week or more of toilsome travel, with many exposures and risks, and the poor man was impatient to immediately return with the desired staff of life, he was often shocked and disheartened with the information that his turn would come in a week. Then he must look about for some means to pay expenses, and he was lucky who could find employment by the day or job. Then, when his turn came, he had to be on hand to bolt his own flour, as in those days the bolting machine was not an attached part of the other mill machinery. This done, the anxious soul was ready to endure the trials of a return trip, his heart more or less concerned about the affairs of home.

Those milling trips often occupied several weeks, and were attended with an expense, in one way or another, that rendered the cost of the breadstuffs extremely high. If made in the winter, when more or less grain-feed was required for the team, the load would be found to be so considerably reduced on reaching home that the cost of what was left, adding other expenses, would make their grain reach the high cash figure of from $3 to $5 per bushel. And these trips could not always be made at the most favorable season for traveling. In spring and summer, so much time could hardly be spared from other essential labor; yet, for a large family, it was almost impossible to avoid making three or four trips during the year.

Among other things calculated to annoy and distress the pioneer was the prevalence of wild beasts of prey, the most numerous and troublesome of which was the wolf. While it was true, in a figurative sense, that it required the utmost care and exertion to "keep the wolf from the door," it was almost as true in a literal sense. There were two species of these animals—the large, black, timber wolf, and the smaller gray wolf that usually inhabited the prairie. At first, it was next to impossible for a settler to keep small stock of any kind that would serve as a prey to these ravenous beasts. Sheep were not deemed safe property until years after, when their enemies were supposed to be nearly exterminated. Large numbers of wolves were destroyed during the early years of settlement. When they were hungry, which was not uncommon, particularly during the winter, they were too indiscreet for their own safety, and would often approach within easy shot of the settlers' dwellings. At certain seasons their wild, plaintive yelp or bark could be heard in all directions at all hours of the night, creating intense excitement among the dogs, whose howling would add to the dismal melody. It has been found by experiment that but one of the canine species—the hound—has both the fleetness and courage to cope with his savage cousin, the wolf. Attempts were often made to capture him with the common cur, but this animal, as a rule, proved himself wholly unreliable for such a service. So long as the wolf would run the cur would follow; but the wolf, being apparently acquainted with the character of his pursuer, would either turn and place himself in a combative attitude, or else act upon the principle that "discretion is the better part of valor," and throw himself upon his back in token of surrender. This strategic performance would make instant peace between these two scions of the same house; and not infrequently dogs and wolves have been seen playing together like puppies. But the hound was never known to recognize a flag of truce; his baying seeming to signify "no quarter;" or, at least, so the terrified wolf understood it.

Smaller animals, such as panthers, lynxes, wildcats, catamounts and polecats, were also sufficiently numerous to be troublesome. And an exceeding source of annoyance were the swarms of mosquitoes which aggravated the trials of the settler in the most exasperating degree. Persons have been driven from the labors of the field by their unmerciful assaults.

The trials of the pioneer were innumerable, and the cases of actual suffering might fill a volume of no ordinary size. Timid women became brave through combats with real dangers, and patient mothers grew sick at heart with the sight of beloved children failing in health from

lack of commonest necessaries of life. The struggle was not for ease or luxury, but was a constant one for the sustaining means of life itself.

ORGANIZATION OF THE COUNTY.

On the 3d day of February, 1846, an act of the Territorial Legislature of Wisconsin was approved by the Governor, to divide the county of Portage and organize the county of Columbia. By that act, all that portion of country then embraced within a boundary beginning on the north line of Township 13, at Fox River, thence running southerly along that river to the south line of lands then owned by the Menomonee Indians; thence westerly on that line to the Wisconsin River; thence up the middle channel of that stream to the east line of Range No. 7 east; thence south by the east line of Range 7 east, to where it intersects the river just mentioned; thence down the middle channel of that stream to the county of Dane on the south; thence east, bounded by Dane County on the south, to Dodge County on the east; thence north, bounded by the county of Dodge on the east, to the county of (what was then) Marquette on the north; thence west, bounded by Marquette County on the north, to the place of beginning on the northwest, was set off into a separate county and called Columbia. The county, however, was near being called York, instead of Columbia. James T. Lewis presented a petition to the Legislature for "Columbia;" but Wayne B. Dyer, at Otsego, and some of the settlers at Portage forwarded another petition for "York," and the bill, so worded, was about to pass, when the first petitioner succeeded in inducing the members to vote for an amendment, striking out the latter and inserting the former.

It will be seen that the county thus "set off" was not identical, as to territory, with the present county. The northwest part was then owned by the Menomonee Indians, and remained a part of Portage County. The south line of their lands commenced at a point on the west side of Fox River (now within the city of Portage) just below the township line between Townships 12 and 13, of Range 9 east, as afterward surveyed by the General Government, running thence in a straight course to what is now the northeast corner of Block No. 185, of the city of Portage; thence to the Wisconsin River, on what is now Block 140 on Webb & Bronson's plat.

By the organic act, it was provided that the county should be organized on the 1st day of May, 1846, for all the purposes both of county and judicial government, and that it should enjoy all the rights, privileges, immunities and powers of the other counties of the Territory. It was further provided that an election should be held in the several towns, or precincts, of the county, such as were then, or as might thereafter be, established by law, on the 1st day of April of that year, for the election of all such town or county officers as the county, by virtue of its organization and the provisions of the organic act, should be entitled to, who were, severally, to hold their offices until the next general election and until their successors were duly elected and qualified, provided that nothing in the act should be so construed as to render the Sheriff of the county to be elected ineligible to a re-election at the ensuing annual election.

It was provided by the act just mentioned, that the first election to be held in the county should be conducted in all respects in the manner then provided by law for holding general elections, and the votes cast were to be returned and canvassed as therein provided; and the Judges of the election were authorized to issue certificates of election to any person duly elected to office, in the same manner as the Clerks of the Board of County Commissioners were then authorized to do in other counties.

But the act contained, also, this section: "Pursuant to the election herein provided for, it shall be the duty of some Justice of the Peace of said county, or Justices within the limits of the respective precincts of the same, if there be one or more in each precinct, to post up, or cause to be posted, notices of said election, the officers then and there to be elected, with all the purposes of the same, at two or more of the most public places in each precinct, at least ten days before the said day of election." But this provision of the act seems to have been entirely overlooked, and, as a consequence, it began to be generally understood that the election was illegal. Some of the officers, however, were sworn in.

Among these were two of the County Commissioners—Solomon Leach and J. Q. Adams; also, James C. Carr, Clerk of the Board. The two Commissioners organized on the 16th day of July, 1846, at the house of Elbert Dickason, in Wyocena; present, James C. Carr, as Clerk; also "Maj." Dickason, as lobby. Mr. Leach was called to the chair. The only business transacted was the formation of election precincts, "without any particular authority," as the Chairman afterward declared, for the ensuing fall election. It was

Resolved, That so much of Columbia County, commencing at the northeast corner of said county, embracing Townships 12 and 13 of Range 12, and all that part of Townships 12 and 13 of Range 11, lying east of the section line between 5 and 6, be set off in a precinct to be known by the name of the Le Roy Precinct; and that Nathan Griffin, James Buoy and Irwin McCall be Judges of Election in said precinct, said election to be held at the house of Oliver Langdon.

Resolved, That the portion of said county embraced in Townships 10 and 11, in Range 12, comprise a precinct to be known by the name of Columbus Precinct; elections to be held at the house of A. P. Birdsey, and that Asa Proctor, J. T. Lewis and Jeremiah Drake be Judges of said election.

Resolved, That Townships 10 and 11, of Range 11, comprise a precinct to be known by the name of Dyersburgh Precinct; and that the elections be held at the house of Landy Sowards, and that Landy Sowards, Jonathan E. Haight and Henry Pellet be the Judges of Election in said precinct.

Resolved, That Town[ship] 10, Range 10, south half of Town[ship] 11, Range 10, and east half of Town[ship] 10, Range 9, comprise a precinct to be known by the name of Lowville; elections to be held at the house of Jacob Low, and that William Young, Henry Herring and Stephen Brayton be Judges of Election in said precinct.

Resolved, That west half of Town[ship] 10, Range 9, Town[ship] 10, Range 8, Fractional Town[ship] 10, Range 7, comprise a precinct to be known by the name of Pleasant Valley Precinct; and Marston Bartholomew, Aaron Chalfant and J. Maynard be Judges of said elections, elections to be held at the house of Marston Bartholomew.

Resolved, That Township 11, Ranges 8 and 9, and the south half of Town[ship] 12, Range 9, and all that part of Town[ship] 12, Range 8, lying south of the Baraboo River, comprise a precinct to be known by the name of Dekorra Precinct; elections to be held at the House of La Fayette Hill, and that Joshua W. Rhodes, John Springer and Thomas Swearingen be Judges of Election in said precinct.

Resolved, That all that part of Town[ship] 12, north of the Baraboo River, and Town[ship] 13, and Fractional Town[ship] 14, Range 8; Town[ship] 13, north half of 12, Range 9, comprise a precinct to be known by the name of Winnebago Portage Precinct; elections to be held at the house of Gideon Low, and that Richard F. Veeder, Daniel D. Robertson and Henry Merrell be Judges of Election in said precinct.

Resolved, That Townships 13 and 12 and the north half of Town 11, Range 10, and one tier of sections on the west side of Town[ships] 12 and 13, Range 11, comprise a precinct to be known by the name of Wyocena Precinct; elections to be held at the house of Elbert Dickason, and that Charles Spear, Darius Bisbee and Harvey Bush be Judges of Election in said precinct.

On the 7th (first Monday) of September, 1846, the annual election was held. Two tickets—Whig and Democratic—were in the field. Persons were voted for to hold legislative, county and precinct offices. The Democratic nominees for legislative and county offices were: For the Council, Mason C. Darling, of Fond du Lac County; House of Representatives, Hugh McFarlane, of Columbia County, and Elisha Morrow, of Brown County; Delegates to the Constitutional Convention, Harvey Bush and James T. Lewis; Sheriff, Thomas C. Smith; County Commissioners, J. C. Axtell, William McDonald and John Newell, Clerk of Board of Commissioners, Alvin B. Alden; Register of Deeds, Elbert Dickason; County Treasurer, Solomon Leach; Collector of Taxes, John Swarthout; Judge of Probate, Josiah Arnold; County Surveyor, Elbert Dickason; Coroner, William Bradley; Assessors, Powell Austen, E. S. Smith and Hugh Muir; School Commissioners, John Converse, Isaiah Robinson and John Springer.

The Whig nominees were: For the Council, Israel Green; House of Representatives, Henry Merrill and Henry O. Sholes; for Delegates to the Constitutional Convention, Jeremiah Drake and Lafayette Hill; Sheriff, William C. Morgan; County Commissioners, Richard F. Veeder, Nathan Griffin and John Q. Adams; Assessors, Hiram B. Swift, Chauncey Spear and George M. Bartholomew; Clerk of the Board of County Commissioners, Nelson Swarthout; Treasurer, James C. Karr; Surveyor, Alfred Topliff; Register of Deeds, Sylvester L. Corbin; Coroner, Daniel E. Bassett; Collector, Wayne B. Dyer; Judge of Probate, Silas Walsworth; School Commissioners, Henry Merrell, John Langdon and Jeremiah C. Drake.

A portion of each of the tickets was elected as follows: Council, Mason C. Darling; House of Representatives, Hugh McFarlane and Elisha Morrow; Constitutional Convention, Jeremiah

Drake and LaFayette Hill; Probate Judge, Silas Walsworth;* Sheriff, T. Clark Smith; Clerk Board County Commissioners, Nelson Swarthout†; Treasurer, James C. Carr; Collector, John Swarthout; Register of Deeds, Elbert Dickason; Surveyor, Alfred Topliff; Coroner, Daniel E. Bassett; Assessors, Hiram B. Swift, Chauncey Spear, George M. Bartholomew; School Commissioners, Jeremiah C. Drake, John Langdon and Isaiah Robinson; County Commissioners, R. F. Veeder, Nathan Griffin, John D. McCall; Assessors, Hiram B. Swift, George M. Bartholomew, Chauncey Spear.

This election was believed to be void because it was held under the action of the Board of Commissioners elected at the previous spring election, dividing the county into voting precints, which action was without authority of law, even had the board been legally elected; so an act of the Legislature, approved February 11, 1847, amending the "Act to divide the county of Portage, and organize the county of Columbia," was passed, which provided "That the election held in the county of Columbia, in the month of April, 1846, be, and the same is hereby, legalized, and the acts of all officers elected are hereby declared to be as valid to all intents and purposes as if said election had been legal from the beginning, and said county had been properly organized, and said officers properly qualified.

"That the election held in said county, on the first Monday in September last, be, and the same is hereby, declared to be as valid to all intents and purposes as if said election had been legal from the beginning, and said county fully organized, and the persons elected to fill county and precinct offices, at the election held as aforesaid, are hereby authorized to qualify within thirty days from the passage of this act, and act accordingly."

In March, 1848, the people of Wisconsin adopted, by vote, a State Constitution that had been framed by a convention which assembled December 15, 1847, and adjourned February 1, 1848.

In the first session of the Legislature of the newly admitted State, which convened at Madison June 5, 1848, Henry Merrell, of Fort Winnebago, represented Columbia, Portage, Marquette and Sauk Counties in the Senate, and Joseph Kerr, of Randolph, represented Columbia County in the Assembly.

At this session, an act was passed for submitting to a vote of the people the question whether the territory lying west of the Wisconsin River should be detached from Columbia County and be annexed to Sauk. The latter county was desirous of acquiring this territory, and we believe the inhabitants of the territory proposed to be detached also favored it. At that time, there were no bridges or ferries across the Wisconsin River; the county seat was at Columbus, making it very inaccessible for them, and Baraboo was a more convenient point at which to transact county business.

At the election, it was opposed by the people of Fort Winnebago, as they were anxious to preserve territory that would naturally be their ally, and was supported at Columbus, with the view of making their own position as a contestant for the county seat more secure. The act provided that:

"On the Tuesday after the first Monday in November next, the legal voters of the county of Columbia are hereby authorized to vote in favor or against having all that part of said county lying west of the Wisconsin River stricken therefrom and attached to Sauk County."

The vote, as officially declared, stood as follows: "For division, 103; against division, 246."

The title of the Menomonee Indians having been extinguished, an act extending the northern boundaries of the county from Fox River to the Wisconsin River was passed in 1849, which brought into the jurisdiction of the county what is now known as the towns of Newport and Lewiston, also a port of the present town of Fort Winnebago, and a part of what is now the city of Portage. The act provided:

"That all that portion of the country contained in townships numbered twelve (12) and thirteen (13) north, in ranges numbered six (6), seven (7), eight (8) and nine (9), lying and

* Refused to qualify; James T. Lewis was appointed in his place. † Did not serve; his place was filled by Wayne B. Dyer.

J. J. Guthrey

PORTAGE CITY.

being north and east of the Wisconsin River, is hereby annexed to and made a part of the county of Columbia."

The territory thus added to Columbia County gave to it the form and area which it still retains.

ESTABLISHING THE COUNTY SEAT.

An election was held in Columbia County, on the first Tuesday of April, 1846, in accordance with the provisions of the act organizing the county, to vote for the location of the county seat. The following places were voted for, each receiving the number of votes stated: Columbus, 97; Winnebago Portage, 49; Duck Creek, 47; Dekorra, 33; Dyers, 10; Van Duer, 3 votes. No place received the majority of the votes; the act was found defective in not providing for such a contingency, and the county seat remained unlocated.

At the next session of the Legislature, the act was amended by declaring the county seat temporarily located at Wyocena, and providing for a vote on the question at each annual election, until some place should receive a majority. It provided: "That the county seat of the county of Columbia be, and the same is hereby, located at Wyocena, on the northeast quarter of section number twenty-one (21) in township number twelve (12) north of range number ten (10) east, until the next annual general election, at which time the location of the same shall be submitted to a vote of all white male inhabitants above twenty-one years of age, who shall have actually resided in said county thirty days previous to said election, and the place receiving a majority of all the votes cast, shall be taken and considered as the permanent location of the county seat for said county: *Provided*, that the same shall be temporarily established at Wyocena, until the same shall be located permanently by a majority of the voters of said county, which, unless determined at the next annual general election, shall be voted upon annually thereafter, until the same is settled and decided in favor of some one point, by a majority of the voters of said county: *And provided further*, that nothing herein contained shall be so construed as to authorize the raising of any tax for the erection of any public buildings, for three years after the next general annual election, until which time buildings suitable for county purposes shall be furnished free of cost or charge to the said county by the place, or proprietors of the same, at which the said county seat is, or shall be located, by virtue of this section, until the expiration of the time herein specified; *Provided further*, that if the proprietor of said town of Wyocena shall fail to furnish buildings as aforesaid, during its location at said town, then the commissioners of said county shall furnish the same at such place as they deem most suitable and convenient for the use of said county: The votes cast at said election for the location of the said county seat shall be received and kept in a separate box, and returned and canvassed as other votes are at said elections."

The Territorial Legislature in 1848, passed an act, approved March 6, of that year, temporarily locating the county seat at Columbus for the period of five years. The act declared: "That for the term of five years from, and after the passage of this act, the seat of justice of Columbia County shall be established at the village of Columbus, on section thirteen (13), township ten (10), range twelve (12), east; and all district courts to be held in and for said county, during said time, shall be held at the public schoolhouse in said village, until some other and more suitable place shall be provided for that purpose. The several county offices required by law, to be kept at the county seat, shall be removed to and kept at the said county seat as soon as suitable and convenient rooms or buildings shall be provided therefor, without expense or charge to the county; and that all acts and parts of acts heretofore passed, and contravening this act are hereby repealed."

But Columbus was not permitted to enjoy the honor for the full five years, for an act for the location of the county seat was passed in 1850, declaring "That at the annual town meeting, to be held in Columbia County on the first Tuesday of April, 1850, the people of said county shall be, and hereby are, authorized to vote for the permanent location of the county seat of said county at Wyocena, in said county; if said Wyocena shall receive a majority of all the votes cast on that

subject at such town meetings, then said Wyocena shall be and remain the county seat of said county.

"If said Wyocena shall not receive a majority of the votes at such town meetings, then it shall be lawful for the people of said Columbia County to vote at the annual election to be holden in November next, for the location of the county seat of said county at Fort Winnebago, in said county, and if said Fort Winnebago shall receive a majority of all the votes cast on that subject at such election, then said Fort Winnebago shall be and remain the county seat of said Columbia County.

"The votes shall be cast by ballot. At the town meeting above mentioned, the ballots shall have written or printed on them the words 'For Wyocena,' or 'Against Wyocena;' at the election in November next, the ballots shall have written or printed on them, 'For Fort Winnebago,' or 'Against Fort Winnebago.'

"The proprietors of the village where the said county seat may be located, shall make to the county a warrantee deed of land, sufficient to build all county buildings on and suitable for the same, to be selected by the Board of Supervisors of said county.

The vote being taken April 2, 1850, under the act just mentioned, the result was, for Wyocena, 580; against Wyocena, 511. The returns from several precincts were either not received within the time required by law, or were rejected for informalities.

The total votes polled in the various precincts was as follows: [Returns canvassed.] Columbus, for Wyocena, 12, against Wyocena, 142; Fort Winnebago (Portage), 16 for, 246 against; Fountain Prairie, 86 for, 3 against; Lowville, 54 for, 1 against; Marcellon, 4 for, 85 against; Otsego, 75 for, 10 against; Portage Prairie (Randolph, etc.), 81 for, — against; Scott, 51 for, 20 against; Springvale, 68 for, — against; Wyocena, 133 for, — against. Total for Wyocena, 580; total against Wyocena, 507. Four scattering votes against Wyocena were returned.

The votes of the following precincts were not canvassed: Lodi, for Wyocena, 1, against Wyocena, 36; West Point, 7 for, 19 against; Hampden, 9 for, 68 against; Kossuth (Leeds and Arlington), 30 for, 33 against; Dekorra, 7 for, 92 against; Port Hope (Fort Winnebago), — for, 73 against.

The total vote actually cast was 1,372, divided as follows: For Wyocena, 587, against Wyocena, 785—a majority of 198 against.

Proceedings were immediately commenced in court to obtain a decree in favor of Fort Winnebago as the county seat, in accordance with the actual vote, but, before it could be brought to a hearing, another act of the Legislature was obtained, re-submitting the vote to the people at the election in April, 1851.

The act provided "That at the annual town meeting, to be held in the several towns of Columbia County on the first Tuesday of April, eighteen hundred and fifty-one, the electors of said county shall be, and are hereby, authorized to vote for the permanent location of the county seat of said county at Fort Winnebago, in said county; if said Fort Winnebago shall receive a majority of all the votes cast on that subject, at such town meetings, then Fort Winnebago shall be and remain the county seat of said county.

"The votes shall be by ballot, and shall have written or printed, or partly written and partly printed, on each of them the words, 'Fort Winnebago—yes,' or 'Fort Winnebago —no.'

"If said Fort Winnebago shall not receive a majority of all the votes cast on this subject at such town meetings, then the county seat shall be permanently established at Wyocena.

"The proprietors of the village where the said county seat may be located shall make to the county a warrantee deed of land, suitable and sufficient, upon which to erect all county buildings, to be selected by the Board of Supervisors of said county.

"It shall be the duty of the Clerk of the Board of Supervisors, within ten days after the votes cast upon this subject have been canvassed, to notify the Clerk of the County Court of the result of such election for the location of the county seat; and, upon the receipt of said notice, the Clerk of the Court shall cause the same to be published in one of the newspapers

printed in the village of Madison, and also in the newspapers published in the said county of Columbia.

"From and after the publication of said notice, the county seat of said county of Columbia shall be located in accordance with said notice, namely, at Fort Winnebago, if all the votes cast on that subject are in favor of that place, or at Wyocena, if a majority of all the votes are not in favor of Fort Winnebago."

The following was the vote:

Portage Prairie, "Fort Winnebago—yes," 20; "Fort Winnebago—no," 43. Springvale, no, 82. Wyocena, yes, 1; no, 182. Dekorra, yes, 90; no, 22. Otsego, yes, 2; no, 79. Fountain Prairie, yes, 5; no, 95. Columbus, yes, 119; no, 50. Hampden, yes, 36; no, 35. Kossuth, yes, 47; no, 37. West Point, yes, 32; no, 7. Lodi, yes, 41; no, 6. Fort Winnebago, yes, 441; no, 9. Port Hope, yes, 73. Marcellon, yes, 92; no, 3. Scott, yes, 17; no, 57. Randolph, yes, 69; no, 32. Lowville, yes, 11; no, 57. Total: Yes, 1,096; no, 796—a majority of 300 for Fort Winnebago.

This vote definitely fixed the location of the county seat at Fort Winnebago (now Portage).

THE FIRST AND SECOND CENSUS.

The first census in the county was taken in June, 1846, by Hugh McFarlane, assisted by William Donaghue. The names of the householders only were taken, with the number of inmates of each household. The county was divided between the two as follows: The territory, the enumeration of which was taken by McFarlane, comprehended Townships 10 and 11 north, of Ranges 8, 9, 10, 11 and 12 east—or what are now the towns of Fountain Prairie, Otsego, Lowville, Dekorra, Lodi, Arlington, Leeds, Hampden and Columbus, also the south half of Caledonia and one tier of sections off the east side of West Point, together with the area now included within the boundaries of the city of Columbus. In this division of the county, there were 705 white males and 564 white females, making a total of 1,269 persons. The names of householders, with the number of inmates of each household, were as follows:

L. Pearsons, 10; Julius Higbie, 3; P. Underwood, 4; Mr. Ketchum, 2; John Boutwell, 5; Natt Kenyon, 2; Clark Heffron, 5; W. B. Dyer, 8; Harvey Bush, 5; Stephen James, 4; Samuel Gibson, 4; Athen Bow, 7; Calvin Martin, 8; James C. Carr, 4; Jacob Swarthout, 7; J. Q. Adams, 1; John O'Brien, 7; William Walker, 2; Benjamin Sage, 9; William Grout, 5; Alfred A. Brayton, 6; Thomas Swarthout, 6; J. McLegon, 7; Mr. Blodgett, 5; William Austin, 3; Charles D. Bradley, 2; H. B. Swift, 6; T. C. Smith, 6; E. J. Smith, 4; David King, 5; Henry Regue, 3; Nehemiah Allen, 10; R. W. Misner, 5; Wm. Randall, 9; Ira Randall, 3; Warren Loomis, 5; Jacob Dickenson, 9; Thomas Sawyer, 5; Noah Dickenson, 6; J. Slackley, 1; J. Newman, 1; Morris Burnour, 1; J. Loomis, 5; C. Johnson, 4; A. Lasher, 2; John Bentley, 7; Joel Badger, 2; Natt Jones, 4; Orrin Rogers, 4; Jonathan Gilbert, 8; S. Brayton, 12; S. W. Herring, 9; John Barmore, 5; Jacob Low, 8; Thomas I. Green, 2; Perry Lee, 5; Cephus Tillotson, 5; Elijah Lee, 4; Ever Peterson, 5; Erick Tossen, 6; Peter Munson, 3; William Michelson, 4; Evans Wilson, 6; John Johnson, 4; Owen Johnson, 3; Mr. Godlake, 8; Peter Leland, 6; Tossen Hanson, 5; Nelson Tossen, 3; Stark Evans, 4; Tossen Parr, 8; Tess. Pearson, 8; Nels Olson, 12; Sjur Sturken, 8; Oliver G. Chilson, 4; Thomas Dalziel, 6; Wm. T. Bradley, 3; Wm. Wells, 3; Sylvester Dutton, 2; Hiram A. Wheeler, 5; Nathan Stafford, 5; Ole, Peterson, 1; Gearge Bradley, 8; Stephen Brayton, 12; Joel Hubbard, 3; Justice Worden, 2; Elisha Town, 8; Christopher Hughes, 12; Smith Orton, 5; Asa Proctor, 8; M. R. Cobb, 4; Edward J. Smyth, 4; Henry Pellett, 6; Horace Dodge, 2; Albert Nichols, 3; Johnson King, 5; Dearborn Taylor, 6; LaFayette Hill, 5; Thomas Swearingen, 4; Christopher Randall, 7; John Springer, 5; Christopher Clark, 6; Elias Botman, 3; Joshua W. Rhoads, 2; Wm. McDonald, 2; Thomas Robertson, 9; Quintin Smith, 6; James Wilson, 11; Henry Botman, 12; Hugh Muir, 4; John Pate, 5; Allen Johnson, 6; Mr. Swan, 1; C. M. Young, 3; Wm. H. Young, 4; John A. Franklin, 5; Usual Young, 6; Michael Van Winter,

11; Horace Carver, 5; Miamy York, 6; James Ensminger, 3; Nathaniel Blood, 7; Alfred Johnson, 2; Nathan Palmer, 10; Wm. Green, 2; Thomas Robinson, 3; Mr. Linsley, 4; George M. Bartholomew, 6; Nancy Bowman, 5; Jacob Hurley, 5; Joseph Brown, 5; Samuel Palmer, 7; M. C. Bartholomew, 8; Garrett Palmer, 1; William G. Simons, 5; Henry Maynard, 10; Thomas C. Armor, 1; Thomas Robinson, 2; Aaron Chalfant, 5; James McCloud, 1; Hugh Downey, 1; Theodosus B. Northrup, 7; Mr. Diefendorf, 10; three families on Fox River, the names of whom could not be learned, supposed to be 18 in number.

The territory, the enumeration of which was taken by Donaghue, included Townships 12 and 13 north, of Ranges 8, 9, 10, 11 and 12 east; or, what are now the towns of Courtland, Springvale, Wyocena, Pacific, the north half of Caledonia, all of Lewiston except three tiers of sections off its west side, Fort Winnebago, Marcellon, Scott and Randolph; also, what is now the area included within the limits of the city of Portage. In this division of the county there were 438 white males, 261 white females, and 1 male of color, making, in all, 700 persons.

The names of the householders in this district, with the number of inmates of each household, were as follows: Elijah Bowman, 7; Patrick Griffith, 5; James Buoy, 11; Perry Griffith, 5; Richard Jones, 10; Robert Edwards, 5; George W. Orr, 1; Wm. Wolf, 1; Perry Fisher, 1; John Rogers, 9; John Merchant, 4; Joel Galer, 1; Rose Robinson, 8; Wm. A. Buoy, 4; Jacob Towman, 3; Wm. Harris, 6; Owen Jones, 6; John R. Evans, 1; Otis Hubbard, 1; Wm. N. Ilsley, 5; T. B. Enos, 1; Nathan Griffin, 9; Robert Williams, 4; Nathan Benjamin, 1; Wm. Williams, 4; Elias L. Williams, 3; John L. P. Jess, 12; Alonzo Johnson, 4; John Johns, 1; Dexter Blanchard, 1; John Blanchard, 1; N. F. Coolidge, 1; S. A. Coolidge, 1; Robert Cloyd, 4; Wm. Jones, 3; Hugh Edwards, 7; Samuel Langdon, 3; James Wamke, 1; Francis Drahity, 2; Samuel Drahity, 2; Moses Rogers, 1; Rachel Coil, 4; Thomas B. Newland, 1; John Hagadore, 8; Leonard H. Newton, 1; John Prentice, 1; Milton Chadcey, 1; M. D. Nunson, 6; Leonard Steward, 1; Charles E. Mosher, 1; E. Alphert, 6; J. Tupper, 4; Owen Powderly, 8; Benjamin Dodge, 11; Charles Spear, 1; Elbert Dickason, 9; Chancey Spear, 1; Darius Brisbey, 7; Mr. Battey, 6; Solomon Saulsbury, 2; Christopher Bredenburg, 4; Wm. Bredenburg, 4; John Robinson, 8; John R. Williams, 4; Robert Closs, 6; David Robertson, 3; Evan Edwards, 7; Jane Thomas, 5; Hugh Edwards, 6; John Dodge, 2; Ervin McCall, 4; Samuel McConochie, 10; John Smith, 5; James Smier, 8; Wm. King, 3; Abner Case, 5; Daniel Bachen, 3; Horace Austin, 4; Palmer Peacham, 2; Aaron Powell, 10; Francis Langdon, 5; Simeon Hamlin, 3; John Hamlin, 7; Sylvester Langdon, 1; John Madden, 8; Gideon Low, 9; H. Carpenter, 24; Wm. Chalfinch, 4; Wm. Jones, 13; M. W. Patton, 8; Milo Bradley, 2; John Dunlap, 2; Daniel Plumley, 5; Powell Stein, 8; Wm. Meades, 7; John Englehart, 4; Edward Root, 3; Samuel Torbert, 4; Henry Dence, 6; Isaac Morris, 3; Jonas Evans, 3; David Roberts, 5; Thomas Roberts, 7; John Roberts, 7; Job W. Perry, 13; Levi W. Perry, 4; James E. Knowles, 8; Pearson Lowell, 3; Philip Hartwell, 3; Alvin B. Alden, 4; George Colben, 5; John Converse, 8; H. Dickenson, 1; Thomas Kelsey, 1; Frank Roberts, 3; Ephraim Blood, 11; Lemuel Aiken, 1; Oliver Bush, 3; Francis L. Smith, 1; Oliver Rablin, 1; Lewis Havens, 1; Robert Lindsey, 1; Stephen Wood, 1; Wm. B. McEwen, 1; Neil McFee, 1; Captain Harvey, 1; Elijah Francisco, 1; John G. Potter, 1; George Lawrence, 1; Richard F. Veeder, 8; Charles Gliders, 1; O. F. Waggoner, 3; Jesse Boynton, 1; Wm. Lawrence, 1; Silas Walsworth, 3; D. D. Robinson, 6; Richard Downing, 3; Charles Lavigne, 4; Henry Lewis, 7; Terry Smyth, 2; John T. De LaRonde, 4; Leo Ambrose, 2; Fred Gilbrew, 1; O. P. Williams, 1; Charles Temple, 4; Thomas Getty, 1; Wm. Weir, 5; N. St. German, 2; O. Bellrude, 1; H. Hansen, 1; John Champlain, 4; Manchy Rangg, 1; H. McFarlane, 30; Clark Whitney, 4; Wm. Logan, 3; Bassil DuBay, 2; Louis DuBay, 2; Stranger (unknown), 1; James Porter, 2; Henry Morris, 6; S. S. Torbert, 2; Kennedy Anderson, 1.

Recapitulation: First District—White males, 705; white females, 564; total persons, 1,269. Second District—White males, 438; white females, 261; male of color, 1; total persons, 700. The entire population of the county was, therefore, 1,969.

The census of the county was taken the second time in June, 1847. The enumerator was James T. Lewis, assisted by Nathaniel Blood, Harvey Bush, John Converse, Elisha Lynn and Emerson Thayer. Lewis took Columbus Precinct; Blood, Dekorra; Bush, Wyocena; Converse, LeRoy; Lynn, Dyersburg, and Thayer, the three precincts of Winnebago Portage, Pleasant Valley and Lowville. The following was the result:

	White Males.	White Females.	Colored Males.	Total.
Columbus Precinct	514	435	.....	949
Dekorra	104	97	.....	201
Wyocena	253	222	.....	475
LeRoy	515	464	1	980
Dyersburg	238	228	.....	466
Winnebago Portage	102	61	1	164
Pleasant Valley	110	93	.....	203
Lowville	190	163	.....	353
Total	2026	1763	2	3791

EARLY HIGHWAYS.

The first regularly laid out highway or road Columbia County had was called the "military road," and was built at Government expense for the transportation of supplies from Fort Howard, as the army "post" was then called, at Green Bay, to Fort Winnebago, and on to Fort Crawford, at Prairie du Chien. In summer, provisions were transported, in batteaux, by water from Fort Howard to Forts Winnebago and Crawford, but in winter this could not be done. Therefore, early in 1835, Lewis Cass, then Secretary of War, sent out orders to open, lay out and bridge a road from Fort Howard to Fort Crawford, by the way of Fond du Lac and Fort Winnebago. The soldiers at Fort Crawford were ordered to build and bridge the road to Fort Winnebago; those stationed at Fort Winnebago, from their post to the Fond du Lac River and bridge that stream, and those at the "Bay," or Fort Howard, to open the road from their post to Fond du Lac. The soldiers at these three posts were under command of Brig. Gen. George Mercer Brooke, and composed the Fifth Regiment of the standing army. The road was laid out by Lieut. Centre and James Duane Doty. Mr. Doty was appointed because he knew the road better than almost any other man in the Territory. It entered Columbia County from the south, on Section 31, Township 10, Range 9 east (town of Arlington), and ran in a northeasterly direction to "Pauquette," now Poynette, in the town of Dekorra; thence, almost due north, to Fort Winnebago. From Fort Winnebago, it ran through the southern tier of sections of the present towns of Fort Winnebago, Marcellon, Scott and Randolph, to Fox Lake; thence, to Waupun and Fond du Lac, to its terminus—Fort Howard. It was a crude affair, and constructed by cutting through timber-land, clearing a track about two rods wide, and setting mile stakes. On the prairies, the mile stakes were set and small mounds thrown up. Where stone could be had, it was used; otherwise, the earth was thrown up. On the marshes and other low places, corduroy roads were made by crossing timbers and covering with brush and earth.

In 1837, a Territorial road was opened from Fort Winnebago, running east through the town of Fort Winnebago, into Marcellon; thence, in a northeasterly direction, through the town, into Marquette County, intersecting the military road in Fond du Lac. This road has often been mistaken for the old military road, from the fact that, during certain seasons of the year, it was traveled more than the other.

About the same time, two roads were opened from the village of Dekorra—one taking an easterly course, intersecting the military road near Fox Lake; the other running east, through Horicon, Dodge County, and thence to Lake Michigan, at a point then called Sauk Harbor. This last road was surveyed by the General Government.

Another road was opened from Swan Lake, taking a southeasterly course, into Jefferson County. From "Pauquette" (now Poynette), a road was opened south, to the City of the Four

Lakes; also one to Madison. These comprised all the roads laid out in the county previous to 1838.

TERRITORIAL DISTRICT COURT AND STATE CIRCUIT COURT.

The act establishing the Territorial Government of Wisconsin provided for the division of the Territory into three judicial districts, and for the holding of a district court by one of the Justices of the Supreme Court in each district, two terms in each year in each organized county in the district. The three Justices were Charles Dunn, David Irvin and William C. Frazer. By an act of the Territorial Legislature, approved November 15, 1836, the counties of Brown and Milwaukee were constituted the Third District, and assigned to Justice Frazer; the counties of Crawford and Iowa the First District, and assigned to Chief Justice Dunn. As, at that date, what is now the county of Columbia was then portions of the four counties just named, it was, of course, in both the Third and First Districts. However, there being no population except what clustered in and around Fort Winnebago, the region was understood to be, judicially considered, a part of Brown County, and so it had been ever since the county became a part of Michigan Territory. The people at the Portage were considered as amenable to the court which sat at Green Bay. Nor was this state of things changed by the setting apart, in December, 1836, of pretty nearly what is now Columbia into a county by itself, called Portage, as the latter was attached to Brown County for judicial purposes, and it so remained until February 18, 1841, when it was attached for the same purpose to Dane County, then in the Second Judicial District presided over by Judge Irvin. It so continued until the fall of 1844, when Portage County was fully organized; and on the first Monday of April, 1845, was held the first district court for the county. Portage County was still in the Second Judicial District.

The first term of the District Court in Columbia County, began August 30, 1847, with David Irvin as Judge of the Second Judicial District. The court was held at Fort Winnebago, in a store attached to the Franklin House, kept by Gideon Low. Doubt as to the legality of the elections in Columbia County in 1846, was the cause of there being no court held therein during that year. The names of the first grand jury for the United States and Columbia County were as follows; Morrell Stroud, Jerome B. Fargo, La Fayette Hill, Edward J. Smith, John Converse, Benjamin F. Stanton, Isaac B. Hancock, Jonathan E. Haight, Perry Griffith, Chancey Spear, Samuel Gibson, Joseph Edwards, Albert Pease, Horace Dodge, Enos Grant, F. K. Haskins, Job W. Perry, W. B. Dyer, William W. Drake.

On the first day, Owen Powderly was naturalized. The first case on the docket was Lorenzo Bevans vs. Andrew Dunn, in assumpsit; the case was continued generally. The next case was also in assumpsit, Youngs Allen vs. Miami York; the plaintiff recovered, by default of the defendant, a judgment for $64.73.

Upon the admission of Wisconsin as a State into the Union, it was divided into five judicial circuits. Columbia County was included in the Third. By an act of the State Legislature, approved April 22, 1855, the county was attached to the Ninth Judicial Circuit, and has ever since remained in that circuit. At the election on the first Monday of August, 1848, Charles H. Larrabee was chosen Judge of the Third Judicial Circuit, his term expiring at the close of the 31st day of December, 1854. At the previous April election, in 1854, he had been elected for a full term of six years, commencing January 1, 1855, and to end at the close of December 31, 1859, but Columbia County was taken out of his jurisdiction by being attached, in April, 1855, as previously mentioned, to the Ninth Judicial Circuit.

The first term of the Circuit Court commenced May 21, 1849, Chief Justice Stow presiding. The first case tried was John Converse vs. Martin Hoffman, in error from a justice's court; judgment affirmed.

The grand jury was as follows: John Hasey, Thomas D. Wallace, Cornwall Esmond, Isaac Requa, William G. Simons, Benjamin A. Hagamen, Sylvanus Langdon, Dearborn Taylor, Linus Blair, Martin Porter, Hugh McFarlane, John Q. Adams, Lucius Warner, Thomas Swarthout, Oscar F. Hamilton, Benjamin Sage, Cyrus Smith, Joseph Farrington, Edward J. Smith and Israel Sales.

There was no court, either district or circuit, held in Columbia County during the year 1848.

When, in 1855, Columbia County was taken out of the Third Judicial Circuit and attached to the Ninth, it came into the jurisdiction of Judge Alexander L. Collins, but, on the 5th of September, 1858, he resigned, and Luther S. Dixon was appointed in his place until a successor was elected and qualified. Before the next April election, however, Judge Dixon resigned, being elevated to the Supreme Bench, and Harlow S. Orton was elected Judge of the Ninth Judicial Circuit, to fill out the full term for which Judge Collins was elected, which expired December 31, 1860. On the 3d day of April, 1860, Judge Orton was elected for a full term of six years, but he resigned January 28, 1865, when Alva Stewart was appointed to hold until the next April election. In April, 1865, Judge Stewart was elected to fill out the full term of Judge Orton, which expired December 31, 1866. In April, 1866, he was again elected, but this time for a full term of six years, which began January 1, 1867, and ended December 31, 1872. In April, 1872, he was re-elected for a full term, commencing January 1, 1873, and to end December 31, 1878. However, on April 2, 1877, upon the increase of the Ninth Judicial Circuit by the addition of three counties, Juneau, Adams and Marquette, Judge Stewart resigned, but was appointed on the 5th of the same month, as his own successor, to fill out his full term. In April, 1878, he was re-elected for another full term of six years, which commenced January 1, 1879, and will end December 31, 1884.

TERRITORIAL, STATE, AND CONGRESSIONAL REPRESENTATION.

The First Legislative Assembly under the Territorial Government of Wisconsin, convened at Belmont, Lafayette County, in October, 1836. The counties of Brown, Crawford, Iowa and Milwaukee then embraced, as previously stated, the whole territory of what now constitutes Wisconsin, and a portion of the present county of Columbia was contained in the limits of each of the above-named counties. In 1846, as already narrated, the county of Columbia was organized from the county of Portage.

(*I.*) *Territorial Representation.*—[District—Brown, Calumet, Columbia, Fond du Lac, Manitowoc, Marquette, Portage and Winnebago.] Council—1847–48, Mason C. Darling, of Fond du Lac. Representatives—1847, Elisha Morrow, of Brown, and Hugh McFarlane, of Columbia; 1848, Geo. W. Featherstonhaugh, of Calumet, and Moses S. Gibson.

(*II.*) *State Representation.*—First Constitutional Convention, 1846, Jeremiah Drake and LaFayette Hill. Second Constitutional Convention, 1847–48, James T. Lewis.

Senate—1848–49, Henry Merrell, of Fort Winnebago; 1850–51, George DeGraw Moore, of Prairie du Sac; 1852, James S. Alban, of Plover; 1853, James T. Lewis, of Columbus; 1854–55, John Q. Adams, of Fall River; 1856, John Q. Adams, of Fall River; 1857–58, Moses M. Davis, of Portage; 1859–60, Moses M. Davis, of Portage; 1861–62, Gerry W. Hazleton, of Columbus; 1863–64, Jonathan Bowman, of Kilbourn City; 1865–66, Jonathan Bowman, of Kilbourn City; 1867–68, Robert B. Sanderson, of Arlington; 1869–70, Wm. M. Griswold, of Columbus; 1871–72, Wm. M. Griswold, of Columbus; 1873–74, Evan O. Jones, of Cambria; 1875–76, Levi W. Barden, of Portage; 1877–78, Levi W. Barden, of Portage; 1879–80, Charles L. Dering, of Portage.

Assembly—1848—Joseph Kerr, of Randolph. 1849—Joseph Kerr, of Randolph. 1850—Hugh McFarlane, of Portage. 1851—Wm. T. Bradley, of Leeds. 1852—James T. Lewis, of Columbus. 1853—Orrin D. Coleman, of Marcellon; John Q. Adams, of Fall River. 1854—Alfred Topliff, of Columbus; Asa C. Ketchum, of Portage. 1855—Alfred Topliff, of Columbus; William T. Whirry, of Randolph. 1856—Moses M. Davis, of Portage; Oliver C. Howe, of Lowville. 1857—George M. Bartholemew, of Lodi; Oliver C. Howe, of Lowville; Henry Converse, of Wyocena. 1858—Alvin B. Alden, of Portage; Wm. M. Griswold, of Columbus; Jonathan W. Earle, of Pardeeville. 1859—Gysbert Van Steenwyk, of Newport; Wm. M. Griswold, of Columbus; John O. Jones, of Springvale. 1860—Henry B. Munn, of Portage; William M. Griswold, of Columbus; Marcus Barden, of Scott. 1861—Harvey W. Emery, of Portage; Nathan Hazen, of Arlington; James H. Bonney, of Marcellon. 1862—

Jonathan Bowman, of Kilbourn City; William Dutcher, of Columbus; Robert B. Sanderson, of Springvale. 1863—A. J. Turner, of Portage; John Q. Adams, of Fountain Prairie; Yates Ashley, of Pardeeville. 1864—A. J. Turner, of Portage; Edwin W. McNitt, of Otsego; Yates Ashley, of Pardeeville. 1865—Levi W. Barden, of Portage; Jesse F. Hand, of Lowville; William Owen, of Randolph. 1866—A. J. Turner, of Portage; Robert B. Sanderson, of Arlington; Evan O. Jones, of Cambria. 1867—W. Scott Schermerhorn, of Lodi; Ira H. Ford, of Hampden; Evan O. Jones, of Cambria. 1868—Alanson Holly, of Kilbourn City; Ira H. Ford, of Hampden; David C. Davies, of Cambria. 1869—A. J. Turner, of Portage; Thornton Thompson, of Otsego; Freeman M. Ross, of Scott. 1870—Jonas Narracong, of Lodi; Winslow Bullin, of Arlington; Carmi W. Beach, of Marcellon. 1871—Stillman E. Dana, of Portage; Thos. Sanderson, of Leeds; George G. Marvin, of Randolph. 1872—Wm. W. Corning, of Portage; Henry C. Brace, of Fountain Prairie; Jacob Low, of Lowville. 1873—Samuel S. Brannan, of Portage; Henry C. Brace, of Fountain Prairie; John L. Porter, of Pacific. 1874—Jonathan Bowman, of Kilbourn City; Samuel Hasey, of Hampden; Hiram W. Roblier, of Wyocena. 1875—Marcus Barden, of Scott; John R. Rowlands, of Springvale; John B. Dwinnell, of Lodi. 1876—Michael Griffin, of Kilbourn City; John G. Griffin, of Randolph; Augustus O. Dole, of Poynette. 1877—David Owen, of Portage; Harmon J. Fisk, of Fall River. 1878—Josiah Arnold, of Portage; Lester Woodard, of Pardeeville. 1879—Charles R. Gallett, of Portage; John Sanderson, of Cambria. 1880—Addison Eaton, of Lodi; Matthew Lowth, of Columbus.

(*III.*) *Congressional Representation.*—The act of Congress, approved April 20, 1836, organizing the Territory of Wisconsin, conferred upon the people the right to be represented in the National Congress by one delegate, to be chosen by the votes of the qualified electors of the Territory. Under this authority the Territory was represented by the following delegates: George W. Jones, elected October 10, 1836; James Duane Doty, September 10, 1838; James Duane Doty, August 5, 1840 (Doty afterward resigned, he having been appointed Governor of the Territory by President Tyler, September 13, 1841); Henry Dodge, September 27, 1841; Henry Dodge, September 25, 1843; Morgan L. Martin, September 22, 1845, and John H. Tweedy, September 6, 1847.

By the Constitution, adopted when the Territory became a State, in 1848, two representatives in Congress were provided for by dividing the State into two Congressional Districts, the First District being composed of the counties of Milwaukee, Waukesha, Jefferson, Racine, Walworth, Rock and Green; the Second District, of Washington, Sheboygan, Manitowoc, Calumet, Brown, Winnebago, Fond du Lac, Marquette, Sauk, Portage, Columbia, Dodge, Dane, Iowa, La Fayette, Grant, Richland, Crawford, Chippewa, St. Croix and La Pointe. Under this authority, an election was held May 8, 1848, and William Pitt Lynde was elected member of Congress from the First District; Mason C. Darling, of Fond du Lac, for the Second District. The people, therefore, then residing within the limits of Columbia County, were represented in the Thirtieth Congress by Dr. Mason C. Darling.

At the first session of the State Legislature, which continued from June 5 to August 21, 1848, the State was divided into three Congressional Districts, Columbia County falling into the Third District, composed of the counties of Washington, Sheboygan, Manitowoc, Brown, Winnebago, Calumet, Fond du Lac, Marquette, Dodge, Jefferson and Columbia. This apportionment continued unchanged until 1861. The Third District was represented during that period as follows: Thirty-first Congress, 1849–51, James Duane Doty; Thirty-second Congress, 1851–53, John B. Macy; Thirty-third Congress, 1853–55, John B. Macy; Thirty-fourth Congress, 1855–1857, Charles Billinghurst; Thirty-fifth Congress, 1857–59, Charles Billinghurst; Thirty-sixth Congress, 1859–61, Charles H. Larrabee; Thirty-seventh Congress, 1861–63, A. Scott Sloan.

At the fourteenth session of the Legislature of Wisconsin, continuing from January 9 to May 27, 1861, the State was divided into six Congressional Districts, Columbia County falling into the Second District, composed of the counties of Rock, Jefferson, Dane and Columbia. For

the next ten years, the Second District was represented in Congress as follows: Thirty-eighth Congress, 1863–65, Ithamar C. Sloan; Thirty-ninth Congress, 1865–67, Ithamar C. Sloan; Fortieth Congress, 1867–69, Benjamin F. Hopkins; Forty-first Congress, 1869–71, Benjamin F. Hopkins, who died January 1, 1870, and was succeeded, February 15 of the same year, by David Atwood; Forty-second Congress, 1871–73, Gerry W. Hazleton.

The present Congressional apportionment was made at the twenty-fifth session of the Legislature of Wisconsin, continuing from January 10 to March 27, 1872, when the State was divided into eight districts, Columbia County again falling into the Second District, composed of the counties of Jefferson, Dane, Sauk and Columbia. In the Forty-third Congress, 1873–75, the district was represented by Gerry W. Hazleton; in the Forty-fourth, 1875–77, by Lucien B. Caswell; in the Forty-fifth, 1877–79, by Lucien B. Caswell; in the Forty-sixth, 1879–81, by Lucien B. Caswell.

PHOTOGRAPHING THE PIONEERS.

Some time ago, a plan was inaugurated to preserve photographs of pioneers of Columbia County. The result is the collection, in what is now the gallery of S. L. Plumb, in Portage, of a considerable number of negatives, which are to be preserved for future generations. The "counterfeit presentments" of the following persons have, up to the present time, been secured:

J. J. Guppey, Henry Merrell, C. C. Britt, O. P. Williams, Hugh McFarlane, Israel Holmes, A. Chamberlin, Josiah Arnold, George Payne, Samuel M. Carr, E. L. Jaeger, Volney Foster, Thomas Drew, Sr., G. M. Oddie, John Williamson, Joseph Ludwig, George Wall, Carl Hærtel, D. T. Eastman, J. F. Hand, G. C. Prentiss, Elbridge Curtis, Solomon Leach, Elisha A. Wells, J. W. Roades, M. M. Ege, Fred C. Curtis, R. O. Loomis, Benjamin Dey, W. P. St. John, Job Purnell, Alexander Carnagie, William Sylvester, S. Race, R. C. Rockwood, V. Helmann, W. H. C. Abell, Jesse Van Ness, H. S. Haskell, Jonathan Whitney, S. S. Brannan, Samuel Edwards, John Orthman, E. Hagan, William Wier, Henry Carpenter, Gordon H. Merrell, H. B. Munn, Jacob Township, C. Collipp, William Armstrong, S. S. Johnson, Earl A. Fargo, Thomas Raynolds, John Peterson, Thomas Lee, B. J. Pixley, Thornton Thompson, A. J. Turner, N. H. Wood, James Prentice, Hiram Sexton, D. H. Langdon, George Shackell, D. A. Goodyear, G. C. Jackson, Mr. Larmouth, H. M. Ayer, E. F. Lewis, Theodore Thomas, S. M. Smith, Horace Rust, Samuel Berry, Alexander McMillan, Thomas Walker, M. W. Patton, Hugh Doherty, Alva Stewart, B. F. Flower, C. C. Dow, John Reedal, Joseph Hartman, Sat. Clark, Mr. Shulze, A. Bates, A. Brown, P. S. Hollenbeck, Peter Houston, L. S. Dixon, G. W. Webb, Emmons Taylor, William Bates, John Leatherman, S. W. Herring, Charles Spear, P. Pool, Elijah Johnson, F. B. Langdon, William McDonald, William Holden, Marcus Barden, Charles Baker, G. T. Morrison, John Converse, D. Buchanan, Peter Drake, D. Vandercook, G. N. Richmond, F. L. Henry, D. B. Peck, A. McDonald, A. O. Green, James Wilson, J. R. McMillan, Seth Allen, S. Calverly, A. Voertman, A. A. Bull, C. R. Gallett, J. T. Clark, Robert Balentine, John Foot, William McKenzie, Samuel Herriman, John N. Kind, T. L. Kennen, Chauncy Roberts, Donald Ferguson, George W. Morrison, John Palmer, George W. Bennett, W. Tillotson, Hans H. Tongen, James Patterson, D. C. Berry.