



Robert Lucas

GEN. ROBERT LUCAS,
First Governor of Iowa Territory, 1838-41.

ANNALS OF IOWA.

VOL. II. No. 6. DES MOINES, IOWA, JULY, 1896. THIRD SERIES.

GENERAL ROBERT LUCAS.

First Governor of Iowa, 1838-1841.

BY HON. T. S. PARVIN,

Private Secretary, 1838-39.

I have contributed (by special request) this paper to the ANNALS OF IOWA in the hope that thereby I may add not only a chapter to the early history of the State, but present more fully, and from a personal standpoint, an estimate of the personal character and great services to Iowa of her first governor, General Robert Lucas. Beside myself there remain, among the living, but two, Gen. Geo. W. Jones and Dr. Gideon S. Bailey, both very aged and feeble, who had any personal or official relation with my old friend.

Of all the pioneers of the early and formative period in our history, who "made Iowa," which, largely through their efforts and services, has become the observed of all observers for all the elements of a true and noble statehood, no one rendered more conspicuous and valuable services and no one has been so little understood as the subject of this sketch. It has ever been the light of "the rising rather than of the setting sun" that attracts the attention of the multitude.

By an act of Congress, approved by President Van Buren June 17, 1838, the territory of Wisconsin west of the Mississippi river, called "Iowa District," was separated

from Wisconsin and created into an independent territorial government to take effect on the 4th of July following. Immediately upon the approval of this act, President Van Buren, upon the recommendation of the Hon. Thomas L. Hamer (one of the ablest representatives Ohio ever sent to the national Congress and who later in the Mexican war distinguished himself as a valiant soldier in the field), appointed the Hon. Robert Lucas, of Ohio (who had but recently retired from his second term of service as governor of that State), governor of the new territory. President Van Buren was further moved to this appointment by his own personal knowledge of and friendship for the appointee. General Lucas, as he was then known, had presided over the national convention, which, at Baltimore, in 1832, had nominated Martin Van Buren, known as the "little magician" of New York, for vice-president, to serve with General Jackson (whose nomination was a foregone conclusion), during his second term in the presidency. A wiser or better choice could not have been made. It was clearly a case of the exception, which should be made the rule, in which "the office sought the man" and not "the man the office," as it came not only unsought, but as a surprise to the recipient in his farmer-home on the banks of the Scioto, where he had lived for more than a third of a century.

As the territory was to be organized on the nation's birthday—to become henceforth also the anniversary of the birth of Iowa as a political organization—it became necessary for the newly appointed governor to make prompt preparations for his departure for the "new country" as it had been called, or the "Black Hawk purchase" as it was then known, a *terra incognita* to him who was soon to become its ruler and its chief builder.

I had but recently been graduated from college and had a classmate by the name of Stephen Hulse, whose father had been sheriff of Hamilton county, of which Cin-

cinnati is the county seat, as well as the commercial capital of the State. The elder Hulse was at that time keeping a hotel on Front street in the city. Calling upon my young friend one evening he asked me if I would not like to meet the old governor of Ohio, who had but recently been appointed governor of Iowa—the creation of which as a territory I had just read in the daily papers in connection with the governor's arrival in the city. Of course I was like another boy of whom I had read, anxious to see a "live governor," and so I cheerfully accompanied my young friend to the parlor where I was introduced to General Robert Lucas.

He was of tall and spare form, with hair even then tinged with grey, the foretop turned upwards very much like that of President Jackson, whose portrait is so familiar to every school boy. He was a very quiet and reserved man, and while of but few words he was yet courteous and agreeable, and it seemed very much with us, as the story goes, that it was a case of "love at first sight," for the governor evidently, after hearing very briefly from both the father and son—whose guest he was—of my history, at once tendered to me the appointment of "private secretary," and invited me to accompany him to the new territory, of whose geographical position we were so ignorant that we really thought at that time we were going to make our new home on the east, rather than the west, side of the Mississippi river. The tender of the appointment came so unexpectedly and was such a surprise that I asked until the next day to consider the subject, when, after due reflection, I called upon him in the morning with my acceptance of the honor he had tendered me, an honor I have ever since appreciated, as it brought me into personal acquaintance and relationship with one whom the more I knew the more I learned to love, and to appreciate not only his past services to the public in Ohio but those which he later rendered to the people among

whom he was to make his future home. It was also the means, or the cause rather of my removal to the new territory, and becoming, as I ever since have been, so thoroughly identified with its history and people.

The biography of Governor Lucas for the next eight years would constitute very largely the early history of the territory of Iowa.

It has been well said that the time and place of a man's birth, and especially his early surroundings, exert a great influence upon his future character and destiny in life.

And, while it is the purpose of this paper to present the peculiar characteristics of the subject of this sketch as viewed by observing men of the period, it becomes quite necessary that I should, very briefly at least, present some sketches of his early life, education and pursuits, to the end that we may the better appreciate the services of the man whose career we are to consider.

A poetic writer has said, that "the romance of *frontier life* with all its hardships has peculiar charms for the imagination. The log house; the primitive forest crowded with game of every variety; the crystal stream flowing by the door; the boundless prairie at one time a perfect wilderness of bloom, with its flowers of gorgeous hues, again blazing in sublime conflagration, and again covered with the wild deer and the buffalo whose numbers are counted by thousands; the Indian canoe floating like a bubble upon the sea; the bounds of the savage hunters and warriors in their picturesque costumes. All these combine to give attractiveness to men of imaginative mood."

It was amid such scenes as these that Governor Robert Lucas spent his early days, whether in the State of his birth or that to which he subsequently removed and where he spent the best years of his life.

He was born at Shepardstown, Jefferson County, Virginia—a place which had given birth to two, who subsequently became Presidents of the United States—on the

first of April, 1781, a period midway between the Declaration of Independence and the adoption of the National Constitution. His father was a descendant of William Penn, the Quaker founder of Pennsylvania, and his mother of Scotch extraction. The father inheriting in common the feelings of both his paternal and maternal ancestry, was a lover of human freedom, and at an early period freed every one of the adult slaves, which had become his possession by inheritance, and made humane provision for them all. This love of freedom was the son's inheritance.

It was at this period that the family removed to the Northwestern territory, which, through the instrumentality of Jefferson, had been organized into a territorial government, two years before the Nation's birth, under the famous Ordinance which bears the name of the year, 1787. The territory was consecrated to freedom, to education and to morality.

The removal of the family beyond the Ohio (the father locating in a small village on the banks of the Scioto) was in the closing year of the last century (1800), and when young Robert was but nineteen years of age. This was two years before Ohio became a sovereign State, and its settlements at that time were few and far between and of limited extent.

The father had given his boy the best education attainable to a man of his means. From a Scotch school-master he had learned the elements of the three "R's"—reading, writing and arithmetic—to which he added some advancement in mathematics, especially that of surveying. Surveying at that early period was an essential accomplishment to a young man, as we have learned from the history of Washington; and it was to the professional labor of a surveyor that the son devoted many of the subsequent years of his life. Being skillful in the line of his work, he found it remunerative, and engaged in the exploration of the unexplored territory about him.

Having secured a sufficient competence for the maintenance of a wife, and when about thirty years of age, in 1810, he married Elizabeth Brown, who died two years later, leaving an infant daughter. In 1816 he married Miss Amy Summers, whose family later removed to Iowa and located in Muscatine County. She was a native of Vermont, and had accompanied her parents in their migration from the rugged hills of New England to the fertile prairies and magnificent forests of the West.

Young Lucas had already for some years filled the position of county surveyor of Scioto County. His elder brother, Joseph, was at the time Associate Judge of the Court of Common Pleas. The younger brother received at the same time a commission as Justice of the Peace for Union Township in Scioto County, and so learned from the discharge of the duties of this important office, the points which he later, in his first message, presented to the Legislature of Iowa regarding its importance and its duties, in a new country.

The trouble with Great Britain was then the uppermost subject of interest to the people of the country, soon to develop in open warfare in 1812. Robert Lucas was of a military turn of mind, and early became identified with the military arm of the public service, and passed through its several grades to that of Major-General, which position he filled for many years, and in which capacity he rendered most valued services to his adopted State. Leading some twelve hundred of his division into service under General Hull, of Michigan, he accompanied him on the expedition into Canada and was a witness to his ignominious defeat and his inglorious surrender. The story has been often told that General Cass was so indignant that he broke his sword rather than surrender it to the foes of his country. So it is related that General Lucas escaped the surrender by putting his sword into his brother's trunk, exchanging his uniform for a citizen's dress and walking

into the town before the British reached it. After taking notes of all that was transpiring, he embarked on a small vessel and reached Cleveland in safety; and in consideration of his valuable services was commissioned as Captain* of the Nineteenth Infantry in the regular army, in March, 1812, and in February following was made Lieutenant-Colonel of the same regiment.

It is not my purpose to accompany him through the war and relate his services, but I have given what may be necessary to show his qualifications for treating military subjects to which he was later called in Iowa, as its Governor and "Superintendent of Indian Affairs."

He became a member of the Ohio Legislature in 1814, and for nineteen consecutive years served either in the House or in the Senate — most of the years as presiding officer of the latter. In 1820 and again in 1828 he was chosen as one of the presidential electors, and in 1832 he was honored with the chairmanship of the national Democratic convention which at Baltimore nominated General Jackson for his second term and Martin Van Buren as Vice-President. The same year (1832) he was elected Governor of Ohio, and re-elected in 1834, declining a third nomination.

The most important subject connected with his administration was that of the "boundary dispute" between the State of Ohio and Michigan Territory, to which we shall refer later in considering the boundary troubles between Iowa and Missouri. Before this, Governor Lucas had removed from Portsmouth, in Scioto County, to Piquette, in Pike County, where he continued to make his residence until his removal to Iowa twenty years later.

Governor Lucas, besides being the Governor of the Territory of Iowa, was, under the organic act, made the Superintendent of Indian Affairs for the Territory, a posi-

* The commission of Governor Lucas as Captain is now in the Historical Department of Iowa.—EDITOR OF THE ANNALS.

tion devolving upon him more labor and greater anxiety in the government of the aborigines than that of his executive duties in administering the government over American citizens.

The act creating the Territory of Iowa devolved upon the new Governor the duty of locating the temporary seat of government; the dividing of the Territory into three judicial districts, and the assignment of the Judges newly appointed thereto; and the issuing of a proclamation ordering an election, by the people, of members of the Legislature, to meet the following November.

Secretary Conway had reached the Territory a few weeks in advance of the Governor and repaired to Davenport, where he was closeted with Colonel Davenport and Antoine LeClaire, proprietors of the town, and through their influence had been persuaded that he was the "Acting Governor" under the law. Without waiting the arrival of the Governor or having any tidings in relation to his coming, he had proceeded to issue proclamations settling and defining the matters devolving upon the Governor by the organic act. After spending a few days in Burlington, Governor Lucas, with the writer of this sketch and Jesse Williams, who had accompanied the Governor from Ohio, and who had been a clerk in the Surveyor-General's (Lytle) office, and now appointed, by the Governor, clerk in the office of Indian affairs, made an extended tour through the river counties of the Territory, there being at that time only three or four interior counties. The object of this tour of visitation was to meet the people in their homes, become acquainted with their condition and wants as well as the needs of the Territory, the better to enable him to discharge his public duties, especially in relation to the three subjects we have named.

Returning to Burlington later, he selected that place, then a small village, as the Territorial Capital, until the Legislature should at a later date locate the Capital per-



OLD ZION CHURCH.
Capitol of Iowa Territory, 1838-41.

manently. He also issued his proclamation ordering an election and designating the time when the Legislature should convene—November 12th, following.

He approved and affirmed the proclamation of Secretary Conway (after setting aside his other acts) so far as his proclamation referred to "the division of the territory into judicial districts." This subject was the first cause of trouble, which afterwards grew to considerable magnitude between the Secretary and the Governor. The Governor had taken the ground, no doubt legally and properly, that there was no vacancy in the office and there could be none until such time as he had been qualified and entered upon the discharge of his official duties. The Secretary, in his eager haste and under improper advice, had before the arrival of the Governor presumed to be "acting governor" and proceeded to act upon that conviction. The breach was never wholly healed. The Secretary, however, died at an early period following his arrival.

The citizens of Burlington (I say "citizens," because at that time party lines had not been drawn and party men were unknown) invited the Governor to a public dinner—(this I have treated of elsewhere, under the title of "The First Banquet in Iowa")—at the Burlington hotel, Tuesday afternoon, September 4, 1838. The toasts given and the reponses made at this banquet foreshadowed somewhat the subsequent history of the territory, many looking to the early period when the territory would throw off its leading strings and become an independent State.

The Governor, in response to the toast to his honor, after returning thanks, remarked that "the occasion had made a most favorable impression upon his mind." "When he received his commission," he added, that "he had been most favorably impressed with the character of the people whom he had met. He had supposed that here the population was the same as was generally found in frontier settlements—hospitable but rude. During his

brief sojourn of a few months and his journey through a considerable portion of it, he had found himself in this respect most agreeably disappointed. For intelligence and enterprise it was," he said, "his firm conviction, based upon observation, that the people would compare favorably with any of the Western and many of the Eastern States in the high character of citizenship. With people of this character it would be his greatest pleasure," he added, "to co-operate in the forming of laws calculated to secure them in the exercise of their political rights, to develop the resources of their country, and secure the prompt and easy administration of justice." This was the *key-note* to his subsequent acts as Governor of the new Territory.

Sitting beside him at that banquet, and having already learned to know him somewhat, I was impressed with his appearance, as a tall and spare man, in very plain dress, assuming to himself no airs whatever of rank, but plain spoken, truthful in all his utterances, and with little of the adornments of a natural or cultivated orator. Yet his words rang out that clear autumn day with a meaning appreciated fully by all who heard him. At the conclusion of his speech he gave a sentiment characteristic of the man, as follows:

"The citizens of Iowa—hospitable, intelligent and enterprising—may their energies be united in support of such measures as are best calculated to advance the interests of the Territory, promote virtue, increase intelligence, and secure the lasting prosperity and happiness of the people."

More honorable sentiments were never uttered by mortal man. They were a true index of his character and became the watchwords of his official action, the guiding motives of his future conduct in all his subsequent relations with the people whose government he was administering, with whom he became identified in all their interests, and among whom he lived and died.

Notwithstanding these plain declarations of principle, his pathway was not bestrewn with flowers; they bloomed upon the prairies, though far away. There were those, many of them, impatient of all rule and restraint, with little knowledge of men and less knowledge of government, who sought to do things in their own way, and, to use a phrase of later date, "run the machine" after their own desires. The value of a long life of varied experiences in civil and military affairs availed with them but little; yet, strange to say, those who most bitterly opposed him in some of his early views and acts became the strongest advocates of those measures in future years, when they themselves attained to higher positions of honor and trust, and made them the main springs of action in their public life.

No better index of the character of the man or a better presentation of his peculiar characteristics could be given than that presented by himself in his first annual message.

The Legislature, which had convened (pursuant to his proclamation) November 12th, 1838, met in "Old Zion Church," a building which, while it should have been preserved as a relic and a memorial of the past, was, pursuant to the vandalism so universal among Americans, years ago, removed to give place to a more modern building. The Governor appeared in person and administered the oath of office, both to the members of the Council (as the Senate was then termed) and of the House of Representatives; then in Joint Assembly, he delivered his message in person, as Washington and the elder Adams had in the National Congress before him.

In my judgment that message is the most important State document ever issued from the executive department of the Iowa government, Territory or State. It embodies within it more of human wisdom, forethought, and a better presentation of a greater number of important subjects,

than can be found in any similar document of a subsequent date, and while the State has made most commendable progress in its growth and development, physical and social, its advancement would have been still more rapid and still greater had the wise recommendations of its first Governor been then adopted and followed later.

The Governor, while a person of limited education, was yet a man of most profound judgment and varied and extensive knowledge of men. He had been long identified with public interests and was therefore capable of taking a very comprehensive view of public measures, with a judgment unerring and intuitive to suggest wholesome measures for the consideration of the Legislature. Probably no Territory had been organized at that period under more favorable auspices or that commanded more largely the attention of people abroad than Iowa, as is evidenced from an opening paragraph in the message, in which the Governor says:

“When we consider that the eyes of the people of the United States are upon us—that they have an interest in this Territory and feel an anxious solicitude for its prosperity (which must either be advanced or retarded by our acts), and view the immense importance of laying a good foundation of jurisprudence, and preparing a system of laws wisely adapted to our situation and interests, and reflect that the convenience, prosperity and happiness of the people are intimately connected with the local organization of the Territory, in all its various ramifications—we are impressed with a sense of the weight of responsibility imposed upon us, and are led to ask aid from that Providence who has hitherto sustained us.”

The Governor was a Christian man and had, in the opening paragraph of his message, referred to “the intervention of the Divine Providence” through which they had been permitted to convene for the purpose of organizing the Legislative Assembly. He was not ashamed to

own his Christianity; he was a devout Methodist, a regular attendant upon divine service, and often at the close of the sermon, by invitation of the minister, would address the congregation by way of exhortation, and close with a prayer, convincing the people that he was a Christian without guile.

The first and one of the most important recommendations made by the Governor was that relating to the "organization of townships." This he considered of the first importance, and almost indispensable in the local organization of the government. "Without proper township regulations," he said, "it will be extremely difficult, if not impracticable, to establish a regular common school system."

This subject he argued at considerable length, and his recommendations have never yet been fully and thoroughly adopted, and as a consequence our "common school system" has failed to reach the high standard it should to-day occupy. Conflicting sentiments between the people of a New England origin and others hailing from the Western and Southern States have prevented the thorough engrafting of the *township system*, so essential to our civil and school government, even to this hour; but this recommendation of the Governor shows the wisdom of the man and his interest in a great, vital cause. His misfortune was, that he was half a century ahead of his time. It has taken all these years to eliminate from public sentiment opinions adverse thereto, and to assimilate the views of our Legislators to the only system of practical utility.

Here, and in this, we recognize Governor Lucas as a man not only of sound judgment, but as having a thorough knowledge of the subject of government in its best conditions.

The provisions of the great "Ordinance of 1787," under which subsequently the States of Ohio, Indiana, Illinois, Michigan and Wisconsin, were admitted to the

Union, were of such a high character that it was a very wise forethought on the part of General Jones and others instrumental in the introduction and passage of the bill separating Iowa from Wisconsin and creating it into an independent Territorial government, that the essential provisions of that ordinance were secured to the people of Iowa in its organic act. The section reads thus:

"The citizens of Iowa shall enjoy all the rights, privileges and immunities heretofore granted and secured to the Territory of Wisconsin and its inhabitants."

The third article of that celebrated ordinance declares that "religion, morality and *knowledge* being necessary to good government and the happiness of mankind, *schools* and the means of education shall forever be encouraged." This the Governor quoted in his message, and urged upon the Legislature.

In order to carry into effect this wise provision, Congress had granted the new Territory "one section of land in each township for the purpose of schools therein." It was in order to give greater and more lasting effect to this wise provision that he urged an organization of townships at an early date as essential, preparatory to the creation and establishment of a well-digested system of "common schools."

The Governor, as I have heretofore stated, had enjoyed in early life only the advantages of a common school education, and in that part of Virginia in which he was born and raised the common schools had not then, if since, attained to the high importance they had in the New England commonwealths. The Governor was not personally favorable to "collegiate education"; indeed, it was his boast that without a collegiate education he had been able to accomplish more than probably I might aspire to with the higher education I had secured. He was inclined, indeed, to look rather lightly upon a collegiate education, and I would retaliate upon him by saying that "had he

possessed my education as a supplement to his great natural ability and good common sense, he might have become President of the United States, instead of the Governor of a new Territory," at which he would laugh and pass it by.

However, he yielded to my suggestion and recommended the Legislature respectfully to "memorialize Congress for a grant of land for literary purposes," referring to a State University, "equal to that made by Congress in a grant at the last session to the Territory of Wisconsin." This memorial was duly passed and presented, and in response thereto Congress gave to Iowa a very liberal grant (some seventy-two sections) of choice land for the establishment and endowment of a "university." And, but for the acts of a subsequent Legislature, when we became a State, authorizing the sale of this land and robbing the University of its just due, that institution would not to-day be a biennial beggar at the door of the General Assembly, not for appropriations in the common sense of the term, but for the refunding of its honest dues, of which it had been improperly and illegally robbed, through the avarice of members living in the counties where such lands were located. He had no relish for the technicalities of the law and the subterfuges of lawyers; he recommended and urged that the Legislature unite its efforts in simplifying not only the laws, but the rules of practice and proceedings in the various courts of justice in the Territory, and eliminate therefrom, as much as possible, everything of a fictitious or ambiguous character. He further urged upon their consideration, as a matter of great importance to the future prosperity of the Territory, the appointment of a committee of three persons of known legal experience and weight of character, "to prepare a complete Code of laws during the recess of the Legislature," and to report it for consideration and enactment at the ensuing session.

To this recommendation no heed was given, the members considering themselves better able to enact a Code than any three men of the Territory who could be selected. It was not until 1850 that a State Legislature rose to the dignity of giving due consideration to this subject, and the result of their action was the first Code of Iowa — 1851 — which has become the basis of all subsequent codifications of our laws, to be culminated in that which was reported to the last (1896) session of the General Assembly.

Another recommendation in which he was a century ahead of the times, and one to which it is most unfortunate, indeed, that no heed has been given—for the necessity of such action becomes every day more and more important—was this: "I would recommend", he said, "and urge upon your consideration the propriety of adopting a general *road system*, defining the manner of laying out and establishing territorial and county roads, and to provide for opening and *keeping them in repair*." No improvement of a physical character is so important or fraught with such grand results to a country and a people as a well-established system of public roadways. The introduction of the bicycle and of the "horseless carriage" of the present day are making this more apparent than ever.

Governor Lucas was not a man to conceal his views on public measures; he had no fear of offending friends, much less the disaffection of enemies, and neither would keep him from saying what he thought should be done in the way of legislation. In his first message we find severe denunciations of the drunkard-making business, as well as the indulgence of the crime of gambling and other practices most detrimental to good society. In preparing a system of criminal jurisprudence he recommended that punishments be attached to each offence in proportion to its injurious effects upon society, "because," he said, "we frequently see the most disastrous consequences proceed from practices that in some places are considered as only fashionable vices — *gambling and intemperance*."



The Grave of Gov. Robert Lucas, in the Cemetery at
Iowa City.

"These two vices may be considered," he said, "the fountain from which almost every other crime proceeds," and he argued the question more forcibly than any of the temperance lecturers or moral teachers from the pulpit or rostrum to whom I have listened in later years.

He then declared that "the recent transactions in this city (Burlington) that deprived the Legislative Assembly of one of its members elect, as well as other transactions of a similar character, should meet with the indignant frown of every friend of morality and good order in the community; and the practice of wearing concealed weapons about the person should not only be considered disreputable, but criminal, and punished accordingly. There certainly cannot be a justifiable excuse offered for such a practice; for in a civil community a brave man never anticipates danger, and an honest man will always look to the laws for protection." He looked with disapproval and horror upon mob law and violence, whether instigated by one or many individuals.

These sentiments, however, were not in accord with the public sentiment of *that* day, and the Governor was looked upon as a moralist of extreme views; but his morality was founded upon Christian precepts and measures of the greatest public good.

He was the friend of the "red men," and opposed to every trespass upon their territorial rights, defended them as best he could, protecting them from the vices of the white man, especially from the sale to them of spirituous liquors.

It was upon his recommendation that commissioners were selected to locate the future Capital of the Territory, of whose acts the public is well informed.

While the Governor had not had the advantage in early life of access to books, he was a warm friend of libraries, and especially fostered the organization of a territorial library. Congress having made an appropriation of \$5,000

for this purpose, he commissioned the writer to go east and make the purchase. In his message he suggests the propriety of passing a law to provide for "the appointment of a librarian, to define his duties, and to regulate the library. As soon as the library arrives a catalogue of the books shall be immediately laid before you."

Under that law the writer received the appointment, rented a room, placed the library therein, properly classified, and prepared a catalogue which was published, but which unfortunately has become "lost, strayed or stolen" from public view. The copy I had retained was loaned many years ago to a state librarian and that was the last of it, so far as I know. For a third of a century this library of the State practically received little or no consideration or attention at the hands of the General Assembly. Many of its most valuable works were lost or carried away, and it is only within about ten years that the library has assumed anything like state importance; and even now, its usefulness and value is materially marred from the fact that the librarianship is made a *political office*, the librarian becoming the foot-ball of contending parties or even of Governors of the same party. This should not be. The General Assembly should take the appointment out of politics and place it in the hands of the Judges of the Supreme Court with the Superintendent of Public Instruction as chairman of the board—or some other measure not so thoroughly political as the present practice.

The subject, however, in which the Governor was to come in most serious collision with the peoples' representatives in the first Legislature was that of appropriations. The appropriation made by Congress for "the support of the Government of the Territory of Iowa, paying the salaries of territorial officers and providing for the printing of the laws, taking the census, and the incidental and contingent expenses of the assembly, was \$——" (naming the sum).

"In disbursing this appropriation," the Governor said, "we should avoid parsimony in its application to defray necessary expenses; but at the same time should use *strict economy*, and be careful in our expenditures never to exceed the appropriation made by Congress."

A great political leader of later years has said that "he considered public prodigality (in the voting of public monies) a good thing." In this monstrous sentiment he was anticipated by the prodigal action of Iowa's first Legislative Assembly.

Immediately upon the organization of these two bodies they set at naught this recommendation and proceeded to act upon a different basis. A member declared upon the floor, in my presence, "Uncle Sam (referring to the U. S. Government) is a cow, and we will milk her freely." The friends of the Governor, on the contrary, acting upon his suggestions, said that "in the disbursement of public monies we should exercise the same good judgment and the same discretion we would if we were disbursing our own funds, or if this money was raised by taxation of our own people."

The Legislature at once launched into a system and practice of wild extravagance, which greatly shocked the Governor, and led him to declaim in private conversation somewhat bitterly; for a house of twenty-six members and a council of thirteen, had elected about twice the number of officers that they had in the Legislature of Ohio when he retired from the presidency of the Senate, after the State had passed through a third of a century of its existence; and he thought if a given number could transact, as they did, in a thoroughly satisfactory manner, the business in Ohio, certainly it did not require double that number to transact one-half the business in Iowa. But, his suggestions were not heeded. They even proceeded so far as to make appropriations out of the money that had been appropriated by Congress for the expenses of the *second*

territorial legislature,—and this evoked the first veto of the executive, at which the members raised a great *howl*, and the war commenced. The result was that when the legislature adjourned they had not only used up all the money appropriated by Congress but had so run in debt, and the members had individually been so improvident, that many of them were compelled to borrow money to enable them to return to their territorial homes—a fact of itself sufficient to show that the wisdom and the good sense of the Governor far outweighed the want of both qualities in the majority of the two houses of the first Legislative Assembly of Iowa.

When Iowa became a State quite a number of those who had been among the most prominent in the early territorial Legislature were elected members of the General Assembly, and then they became as strong and earnest advocates of *strict economy* as ever the Governor of the territory had been, showing most conclusively that they were wrong and he right in the views expressed by him in the message we are considering.

There are other provisions and recommendations in that message worthy of thoughtful attention by every one connected with the administration of public affairs, but we have given enough to show the independence of thought and action of the governor, the very commendable views he entertained upon practical subjects, his resoluteness in presenting them, and his firmness in adhering to them, as he did through life.

When I was revising his message for the Legislature, I asked him why he gave such prominence to the subject of “common schools,” making it the first subject of consideration in his message, adding, that we had no children to educate and no money to spend for their education. The Governor replied, that he made the recommendation from two considerations: First that a good common school education was essential to the welfare of any people, and

that when children came provision should already have been made for imparting to them that knowledge without which they never could discharge the duties of citizenship. The other was that Iowa was an inviting field for immigration and we must show eastern people that we had started out in our political life with proper views of the great and all-important subject of education,—both of which showed his good judgment and excellent sense.

He also, while a very plain man in dress and in speech, had an eye to the propriety of things and the views of people elsewhere. At that early period almost every citizen wore either an overcoat of fur, generally a buffalo robe, or one made of Mackinaw blanket. The Governor himself wore one of the latter which reached down, like Aaron's beard, "to the skirts of his garment," and at the bottom there was a broad red stripe which made him, with his tall, commanding figure, a very conspicuous object on the street.

I too wore an overcoat of the same material at that time, and when I started out on my journey, by way of Chicago, eastward to purchase the library, he enjoined especially upon me that when I reached that city (for I journeyed through Chicago, Cleveland and Cincinnati to Baltimore), I should throw aside the blanket overcoat and purchase one of more fashionable material and make, remarking that—"men will judge very much of the people of Iowa by your appearance among them as our literary representative." Following his advice I procured in Chicago an overcoat of different material and pattern, and so went east, appearing in a garb less like that of a frontiersman, no doubt leaving the impression, as the Governor said, that we were a well-dressed people, of good manners and cultivated intellects. The world will even to this hour judge by appearances and pass their opinions accordingly, and I believe that in the case referred to their judgment was favorable, owing to the sensible advice of Governor Lucas

In my statement of the Governor's services to the people of Ohio I referred to the fact of the boundary contest between the State of Ohio and the territory of Michigan, over a strip of territory extending from the mouth of the Maumee River, where it empties into Lake Erie at Toledo, westward. That controversy was very bitter and led to the assembling of a warlike host upon the border. Governor Lucas at the head of six hundred men was confronted by Governor Mason of Michigan at the head of a thousand men, and a conflict appeared imminent, when the arrival of two commissioners from Washington, representing the National Government, restored peace, both parties retiring to their homes and leaving the adjudication of the matter to the Supreme Court, which decided in favor of Ohio.

While Michigan lost a strip upon her southeastern border with a lake port at Toledo, she gained very largely by the subsequent liberal act of Congress which ceded to her the "upper peninsula," including the valuable copper mines upon the southern shore of Lake Superior, now containing the great cities of Marquette, Houghton, Ontonagon and others—an accession of far more value to the State than the contested border-land which she lost.

So, too, upon his arrival in Iowa the Governor found himself confronted with a like difficulty and contest. This time he represented a territory in conflict with the State of Missouri, about a strip of some half dozen miles in width from the Mississippi to the Missouri river, upon our southern border.

The Governor in his first message referred to the fact that a commissioner had been appointed under the provisions of an act of Congress, passed the day following the passage of the organic act creating the territory of Iowa, entitled "an act to authorize the President of the United States to cause the southern boundary lines of the Territory of Iowa to be ascertained and marked." Under this

act Albert M. Lea—who afterwards became famous in our history as our *first* historian, and for whom a town in southern Minnesota was named—was appointed U. S. Commissioner and Dr. James Davis then of Davis County, (not named for him, however), later of the city of Keokuk, was the Commissioner for Iowa. Governor Boggs of Missouri did not appoint a Commissioner, consequently the boundaries were not located and defined by that commission.

Later, the county officers of the border counties of both Missouri and Iowa proceeded to levy and collect taxes in the disputed territory, which led to a conflict of legislative and executive action and came near leading to an open conflict of arms. That event has ever since been termed "the Missouri war," and is an interesting episode in the history of Iowa, to which we need not refer farther than to say, that, as in the case of Ohio so it was here, due to the determination of Governor Lucas that the Territory of Iowa won the battle. By his firmness and judicious action and great knowledge of men and of public affairs Iowa eventually secured, through the Supreme Court of the United States, to which the matter was referred for final adjustment, the absolute control of the contested strip of territory. If he had rendered no other service to Iowa than this alone he would be entitled to the public thanks of her citizens of to-day as well as of future times.

The Executive and Judicial officers of the territory had been appointed for four years (in July, 1838), so that early in the administration of President Tyler, who upon the death of President Harrison succeeded to the presidency, their terms of office would expire.

General Lucas had often said to me that he would be the first person removed by President Harrison after his inauguration, which occurred the 4th of March, 1841. Between the Governor and President Harrison there was an

alienation of feeling, bordering upon bitterness. If the Governor ever gave me the particular reasons, I do not remember them. They have passed out of my mind. I only remember full well that the Governor said to me upon more than one occasion that General Harrison was a very much over-estimated man, that he was neither the general nor the statesman he was credited with being. President Harrison, however, did *not* remove him. The statement, which has on more than one occasion appeared in print in Iowa, that his was the first removal, was "father to the thought."

General Harrison of course made many changes during the brief month he survived his inauguration, and Governor Lucas was booked for removal and his successor named upon a sheet which fell into the hands of his successor, Tyler. Acting upon this, President Tyler removed him and appointed in his stead Major John Chambers, of Maysville, Kentucky, who had been a member of Congress from that district, and who was one of the aids of General Harrison in the battle of "Tippecanoe." Another aid of the General at that battle was Colonel Hiram C. Bennett, who became a resident of Burlington before Governor Lucas' administration, and was elected Justice of the Peace for the city, and became the first Master of the first Masonic Lodge (of which the writer was a member) organized in the Territory of Iowa, in November, 1840.

After his removal Governor Lucas took up his residence upon a farm he had entered adjoining Iowa City. He continued to reside thereon, except for a brief period in which he returned to Ohio, until his death, February 7th, 1853.

The Governor was an earnest advocate of the early admission of Iowa into the Union as a State and became a member of the Constitutional Convention, which met at Iowa City in May, 1844, having been elected from Johnson County. In that Convention he was made chairman of the

Committee on the Executive Department of the Government, and a member of the Committee on Boundaries, both positions being especially congenial to him, showing the good judgment of the President of the Convention, Hon. Shepard Leffler, who was the first representative in Congress after Iowa's admission into the Union. Governor Lucas' long experience as an executive officer both in Ohio and Iowa admirably qualified him for the discharge of his new duties in Constitution-making,—and his experience also in boundary matters, which was very conspicuous in both the State and Territory named, secured, so far as his efforts could secure them, the territorial rights of Iowa in her natural limits.

The Constitutional Convention of 1844 adopted the boundaries as suggested by Governor Lucas in his message to the extra session of the Legislative Assembly in 1840, in which he recommended the calling of a Convention to form a State Constitution. The Convention having concluded its labors forwarded to Congress the Constitution with the boundaries it had adopted. Congress materially curtailed the boundaries as defined by the Convention, cutting the new State off from about one third of its territorial limits bordering on the Missouri river, whereupon the Constitution was, on account of its boundaries, rejected by the people both at the spring election in April and again in August, 1845. I assert from a full knowledge of the subject, that the Constitution was rejected by the people solely on account of the curtailed boundaries prescribed by Congress, the people of Iowa being determined that their State when formed should extend to the Missouri river. Two years later they secured the accomplishment of their wishes.

For the rejection of that first Constitution with its boundaries, because the boundaries could not be rejected without the Constitution, the people of Iowa were and are indebted to the late Lieutenant-Governor Eastman, Major

Frederick D. Mills, then young practicing lawyers of Burlington, and T. S. Parvin, another young lawyer of Bloomington (now Muscatine), who stumped the Territory, that is, the first and second of the three districts, in opposition to the Constitution. They were influenced in their actions solely by the consideration of the boundary question. This subject I have fully and thoroughly discussed in my history, which will soon go to press, of the failure and success of Iowa in her efforts to secure admission to the Union as an independent State. That was the last public service rendered by the Governor to the people of Iowa in whose interest and public welfare he manifested a warm feeling through life.

Upon entering upon his public duties in Burlington he took up his abode in the Burlington Hotel kept by Leander J. Lockwood (whose wife later, as the wife of Jos. T. Fales—Iowa's first auditor—rendered such conspicuous service during the Rebellion as a member of the "Ladies Relief Corps"), and occupied the parlor upon the lower floor, sharing it with his private secretary, so that I was an inmate of his family while filling that position. The Governor's family did not follow him until late the following year, while the eldest daughter, Miss Abigail, joined him the coming spring, and later married Col. Charles Nealey a leading merchant of Burlington.

During the winter evenings the Governor's office was the general rendezvous of the territorial officers and his friends in the legislature, where they freely met and mingled in general conversation. The Governor was a good talker, a great "home-body," never going out except when specially invited, or to church, so that he had the reputation among the people of being a very reserved man, difficult of approach, neither of which was true. He was pleasant and social with his acquaintances and callers, a man of such general and varied information that his company was always enjoyable. When alone he used

often to amuse himself and instruct the writer by relating incidents in his early history, both in Virginia and Ohio, for his life had been a series of backwoods adventures. While through middle and later life the Governor was a most devout and consistent Christian, he had, like many another, at a more youthful period, "sowed his wild oats," and used often to use such incidents as "a moral to adorn a tale," upon such occasions warning the writer, his youthful protege, against like waywardness.

Showing how trifling circumstances may influence the future conduct of life I will relate the following incident given from his own lips: While a widower, returning from a session of the Legislature at Columbus to his Picketon home, in company with a fellow member (riding as all had to do at that time, on horseback), at the close of the day, they neared a farm house. A sprightly young woman came from the house and hastened toward the barn with a milk-pail in each hand. She would either have to climb over, let down, or jump the bars. The Governor (then President of the Senate) said to his travelling companion (whether in earnest or jocularly he did not state) that "if that young lady sprang over the bars he would marry her." Sure enough, the young lady showed her natural spryness by leaping the bars and entering upon her evening work. The companion laughed and enjoyed what he supposed to be a joke. But they reined up at the front gate. The farmer came to the door, seeing strangers in the highway. They inquired whether they could tarry for the night, and he bade them a cordial welcome, had their horses taken in and cared for, and they were soon seated before the comfortable March fire. The farmer proved a very intelligent and well-read man, and they had an enjoyable conversation on public affairs. When supper was announced the young lady appeared with a clean white apron, clad in other respects as a country girl of her station. She was introduced to—her

future husband, and his companion. After supper the mother and daughter joined the company and the evening passed most pleasantly. Not strange perhaps to relate, at a later hour, when the companion retired to rest, he left his friend entertaining the young lady, who in due time became his wife and the mother of a family of children. A daughter and two sons survive the father and mother. One of the sons subsequently became a member of the Iowa Legislature, the other a member of the Legislature of Nebraska. Neither of them, however, developed into the man of experience, enlarged views and statesmanship, or of general citizenship, that the father had reached by reason of long and laborious services in varied and widely extended fields of public usefulness.

Associated, as I was, for years with the Governor, I learned to know him, as perhaps few others did, to love him as a man, and to entertain for his judgment and his services the highest appreciation. The influence of such a man at that early formative period of my history was of incalculable benefit. He left the impress of his character for uprightness, purity, and enlarged views, upon the generation with which he lived and acted,—and while he did not live to see all his wise recommendations carried into effect, he did witness the consummation of many of his hopes and the good results growing therefrom. Iowa need not in any respect be ashamed of her first Governor; on the contrary, as his character shall become the better known his influence and services will be the more highly appreciated and valued. In life his views were often times misunderstood and his motives impugned, but results have shown the wisdom both of his suggestions and his acts.

“O for a tongue to utter

The words that should be said

Of his worth!”—

And yet, in speaking of him as of others who have passed away, all words of warmest commendation—tributes of praise most worthily bestowed—seem dull and tame:

“What worth is eulogy’s kindest breath,
When whispered in ears that are hushed in death?”

So large an army as the Government has now on foot was never before known, without a soldier in it but who has taken his place there of his own free choice. But more than this there are many single regiments whose members, one and another, possess full practical knowledge of all the arts, sciences, professions, and whatever else, whether useful or elegant, is known in the whole world, and there is scarcely one from which there could not be selected a President, a Cabinet, a Congress, and perhaps a Court, abundantly competent to administer the Government itself.—*Message of President Lincoln, July 4, 1861.*

EACH year that passes adds to the value of all works that depict the pioneer life of the early part of the century. To have set foot in Kansas or Nebraska when the Indians and buffalo alone possessed it, is coming each year to have a greater value.—*Hamlin Garland.*

Copyright of *Annals of Iowa* is the property of State of Iowa, by & through the State Historical Society of Iowa and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.