



First Territorial Librarian of Iowa.

THEODORE S. PARVIN  
at the age of 21.

(From Daguerreotype Loaned by Newton R. Parvin.)

# ANNALS OF IOWA.

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## PIONEER HISTORY OF THE TERRITORIAL AND STATE LIBRARY OF IOWA.

BY JOHNSON BRIGHAM, STATE LIBRARIAN.

The discovery of early manuscript reports of Territorial and State librarians, buried in the mass of old official papers transferred from the several departments of State to the new Department of Archives in the Historical Building, has suggested the propriety of completing, as far as possible, the historical record of Iowa's State Library, "from the earliest period to the present time."<sup>1</sup> After a thorough research through the papers on file in the Archives Department, the published Journals and departmental reports in the State Library, and documents and private papers loaned me by Mr. Newton R. Parvin, librarian of the Iowa Masonic Library, Cedar Rapids, I am now able to present the following historical sketch, supplemented by the hitherto unpublished papers referred to, thus filling a gap in the history of a State institution which from very small beginnings has grown to large proportions and has made for itself a firm place in the respect and esteem of every citizen of Iowa.

### WISCONSIN PIONEER LIBRARY LOCATED IN IOWA AND AN IOWA GOVERNOR ITS FIRST LIBRARIAN.

Before entering upon the pleasant task to which I am invited by the State Library Board,<sup>1</sup> let us go back of Iowa history to that of the Territory of Wisconsin. When in 1837 the capital of Wisconsin Territory was removed from Belmont to Burlington, one James Clarke, a newspaper pub-

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<sup>1</sup>Judge Deemer moved that the librarian collect and edit the territorial and early reports of the State Library and prepare them for publication in the earliest number possible of the ANNALS, and that reprints to the number which shall be designated by Mr. Brigham be published. Carried. *Minutes of the Iowa State Library Board, September, 1912.*

lisher, then twenty-five years old, made haste to found in the new capital the *Wisconsin Territorial Gazette and Burlington Advertiser*. When the Territorial Library of Wisconsin was founded by Congress, the Territorial Legislature appointed Peter Hill Engle of Dubuque, at the time Speaker of the Wisconsin House; to cooperate with Gen. George W. Jones of Dubuque, Wisconsin's delegate in Congress, and Senators John M. Clayton of Delaware and Lewis F. Linn of Missouri, in the selection and purchase of a library "for the use of the territory." When Governor Dodge of Wisconsin Territory looked the field over for librarian, he selected for that office his son-in-law, James Clarke, the Burlington publisher, who eight years afterward became Territorial Governor of Iowa. Thus it happened that the library interests of the State of Wisconsin, now so extensive, had their origin in what is now the State of Iowa, and in the initiative of men who were residents of the territory beyond the Mississippi which a few months later was included in the territory of Iowa.

There has recently come into the possession of the Historical Department of Iowa a time-worn copy of *The Western Adventurer and Herald of the Upper Mississippi*, Th. Gregg, editor, dated Montrose, Wisconsin Territory, August 5, 1837, —nearly a year before the Territory of Iowa was born. This newspaper contains an article copied from Mr. Clarke's paper, the *Gazette*, of Burlington,—doubtless written or inspired by the newly appointed librarian,—which presents an interesting picture of a library antedating by nearly a year the pioneer library of Iowa, and without doubt the first public library established within the limits of the present State of Iowa. It reads:

#### TERRITORIAL LIBRARY.

JAMES CLARKE, having been appointed by the Governor, Territorial Librarian, has just opened and arranged, in a convenient and handsome style, the new Territorial Library, in a large, airy and convenient front room, in the second story of the commodious house at the corner of Columbia and Main Streets, directly opposite the west front of the Ouisconsin Hotel, kept by that most worthy citizen and

excellent publican, Capt. J. C. Sleeth. This library is quite extensive, and extremely well selected, the chief credit of which is due to our estimable friend, P. Hill Engle, Esq., of Dubuque, who was one and the acting member of a committee appointed by the Legislature at their last session, for the purpose of drawing and expending the five thousand dollars appropriated by Congress, in the organic law, for the purchase of a library for the use of the Territory. The library cost nearly the whole of the amount appropriated, and contains about twelve hundred volumes, of law and miscellany. The law library, containing about eight hundred volumes, embracing important state papers, especially useful to the legislator, such as the Diplomatic Correspondence, Elliott's State Conventions and Debates on the Federal Constitution, Congressional Debates, Journals of Congress, &c. &c., is very complete—the best in the Territory certainly, and perhaps the best in the Upper Mississippi country. Indeed, considering the number of volumes—and it is large enough in all conscience for us—it could not well be surpassed. As we before stated, it has been selected with nice judgment and great care, and embraces everything which can well be desired by the Executive, Legislative and Judicial departments of the Territory, for whose especial use it was procured, and it contains no useless lumber. The miscellaneous department is about half as large as the legal, or as we shall term it, the legal and political. It is also well selected, and is an admirable foundation to build a library upon. It embraces standard works upon the most important subjects, among which we may mention a few of the principal, viz.: The North American Review, 35 vols.; Encyclopedia Americana, 13 vols.; Malte Brun's Universal Geography, 6 vols.; History of England, by Hume, Smollet and Miller, 4 vols.; Mitford's Greece, 8 vols.; Mill's British India, 6 vols.; Clarendon's History of the Rebellion, 6 vols.; British Essayists, embracing the Spectator, Tatler, Guardian, Rambler, Idler, Adventurer, World, Mirror, Lounger, Observer, Connoisseur, and others, in 5 vols.; Hume's Philosophical Works, 4 vols.; Burke's Works, 3 vols.; Bentham's Rationale, 5 vols.; with Stewart's, Paley's, Locke's, Malthus's, Goldsmith's, Sismundi's, Swift's, Sterne's, and many other works of reputation, in prose and poetry—in history and fiction.

With the help of this excellent library—for, as the learned Watts well terms them, "Books are a sort of dumb teachers," the labors of our public functionaries will be greatly facilitated and expedited the next session; and it is to be hoped that in many other respects, they will be far better provided for, both as respects comfort and business, the ensuing session, than they were the last. We mean nothing invidious in this remark; but our capacities for their accommodation are certainly greater than those of Belmont—the result, probably, of greater age, &c. &c.

## IOWA'S PIONEER LIBRARY FOUNDED BY CONGRESS.

The history of the Iowa State Library commences with the act of Congress dividing the Territory of Wisconsin and establishing the territorial government of Iowa. The act was approved June 12, 1838. It appropriated the sum of \$5,000 to be expended by and under the direction of the Governor of the Territory "in the purchase of a library, to be kept at the seat of Government, for the accommodation of the Governor, Legislative Assembly, judges, secretary, marshal, and attorney of said Territory, and such other persons as the Governor and Legislative Assembly shall direct."

In 1838, Robert Lucas, ex-Governor of Ohio, was appointed Governor of the new territory and Burlington was chosen by him as the territory's capital. Theodore S. Parvin came with Governor Lucas to Iowa and was appointed by him Territorial Librarian pro tem., until the Territorial Council should create the position and name the librarian. It is too much to assume that Mr. Parvin selected the books which constituted the original library; but not too much to assume that the Governor consulted Mr. Parvin, college-educated man, teacher and lawyer as he was, in the final selection of books for the library. The exact nature and extent of the assistance rendered is not made clear in the official papers of the Lucas administration, or in the diary left by Mr. Parvin.

The Life of Robert Lucas, published by the State Historical Society,<sup>1a</sup> states that while in Cincinnati, in July, 1838, the newly appointed Governor, noting the library clause in the organic act creating the territory, "made selection of volumes which he deemed suitable for the needs of a pioneer government and left the list with Edward Lucas & Company, booksellers."

Mr. Parvin, in his biographical sketch of Governor Lucas, published in 1896,<sup>2</sup> says that "while the Governor had not had the advantage in early life of access to books, he was a

<sup>1a</sup>Robert Lucas, by John C. Parish, Iowa Biographical Series, edited by Benjamin F. Shambaugh, State Historical Society, 1907, p. 161.

<sup>2</sup>General Robert Lucas, First Governor of Iowa, 1838-1841, by Hon. T. S. Parvin, Private Secretary, 1838-39. *Annals of Iowa*, July, 1896, pp. 425-26.

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."

Distinctly recalling a conversation with Mr. Parvin, early in the nineties, the writer of this sketch reconciles these conflicting statements by attributing to the venerable pioneer a lapse of memory which was afterwards corrected by him in the conversation referred to. The fact is that Governor Lucas and Mr. Parvin first met in Cincinnati and the Governor invited him to become a member of his political family,—first acting temporarily as private secretary; that the young man accepted the invitation and that together they made the journey to Burlington, Iowa, and that later Mr. Parvin was appointed by the Governor librarian of the Territory. Mr. Parvin informed the writer that while the books in the library were officially selected by the Governor, the list was submitted to him for final revision.

The after-trip east, in 1839, to which Mr. Parvin refers, was evidently taken with the double purpose of buying stationery for the Territory and of expediting the shipment of the books purchased for the library in 1838.

#### EXTRACTS FROM THE PARVIN DIARY.

Through the kindness of Mr. Newton R. Parvin, I have had access to the valuable diary written by his honored father, Theodore S. Parvin, first *de facto* librarian of Iowa, which throws an interesting light upon the circumstances leading down to Mr. Parvin's connection with the Territorial Library. Omitting much that is of interest in the diary—much which I trust will ultimately be published in book form—relative to the association of Mr. Parvin with the first Territorial Governor of Iowa, and confining myself to the all-too-brief references to the subject in hand, I note the following announcement of the new purpose which had come into the life of the young student, educator and lawyer:

July 27, [1838] I have now determined to "take up my bed and walk" to Iowa Territory—My reasons for doing so, in part are com-

mon to emmigrants—but a part will for the present remain a mystery to all but *one*.<sup>3</sup> Time may develop further—the present is to others rapt in darkness.

In accordance with this determination I packed up my books. Called on J. C. Avery & with him called to see Governor Lucas of the Territory who now is in the City on his way thither he being out did not see him. . . .

Then follows a brief reference to Mr. Parvin's introduction to Governor Lucas:

July 30. . . . Called with J. C. Avery Esq by whom I was introduced to Gov. Lucas here on his way to the new Territory of Iowa, where he is appointed Gov. Made arrangements to accompany him. . . .

Under date of August 1, Mr. Parvin notes his departure for the then "far West:"

At 2 P. M. I took aboard the Steam Boat, "Tempest" Capt. Burt my baggage consisting of Books Law Political & Miscellaneous etc. to near 300 vols.

At *half past 5 o'clock* in company with R. Lucas Gov. of Iowa and Mr. Jesse Williams of C. I left Home bound for the far West—Burlington Iowa presented to the Gov a letter of reccommendation drawn by T. Walker Esq and signed by several of our mutual friends. . . .

Here is an illuminating picture of the founder of the Territorial Library, Governor Lucas:

August 4. Laid too most of the night in repairing the flat which proved leaky.

While writing, my friend the Gov. is (as is generally the case with him) reading—Bucklands Geology a science of which he is very fond, he is a man of extensive information, possessing much knowledge of the country politically, geographically and historically. . . He is advanced in years [57] wears double glass specks of good size, well formed, erect and presenting a fine appearance of social qualities, plain and unassuming almost to a fault active and of business habits and well calculated for the station he holds which he will no doubt fill with honor to himself and country, having the experience of 2 terms of gubernatorialship of a great state the duties of lawgiver are familiar to him. . .

<sup>3</sup>A reference to his engagement to be married.

That Mr. Parvin came to Iowa well equipped for his time with working tools, is evidenced by the following:

Aug. 16. Posted my accounts found my self in the possession of \$135.00 a good & extensive wardrobe and a Library of near 50 Law & 250 Miscellaneous vols. worth \$500.00.

With this I commenced the world on my "own hook." . . .

Mr. Parvin's later trip to Cincinnati, already referred to, was, as it appears in the diary, for the purchase of stationery, et cetera,—the et cetera being undoubtedly an investigation of the progress of the booksellers in forwarding the books for the Territorial Library. He says:

Sept. 9. . . . My object in going to Cincinnati being to purchase stationary etc for the Territory preparatory arrangements had of course to be made with Sec. Conway. . .

It is interesting, in passing, to note that his return to Cincinnati was not via the Ohio river, but by the Mississippi to Galena, by stage from Galena to Chicago, by steamer from Chicago to Cleveland and by stage from Cleveland to Cincinnati. He arrived in Cincinnati September 27, having been eighteen days enroute.

As Secretary Conway, in the course of his bitter controversy with Governor Lucas, denied Mr. Parvin's authority to represent the Territory in Cincinnati at this time, it is well to note the following passage from the Parvin diary:

Sept. 28. Called on Genl Haines in relation to the business which had brot me to the City viz. to attend to the Territorial Library and Stationary & Press for a Seal all for Iowa T. Called at Surveyor Genl Office and Messrs Lucas & Co's Bookstore for same purpose.

Under date of October 4, Mr. Parvin notes the reception of "a letter from W. B. Conway Sec. of Iowa Territory in relation to the business for which I came to the city."

Under date of October 8, he notes that Mr. Sam Williams assisted him "in purchasing Stationary &c for the Tery of Iowa."

On December 31, 1838, he notes a trip to St. Louis "after the stationary which I purchased in Cinti in Sept last. The Sec refused to pay till the goods were delivered."

Referring to the controversy between Governor Lucas and Secretary Conway, Mr. Parvin says:

Jan. 23. [1839] While absent the Sec. answered the Govs. letter & took occasion to use my name in a manner altogether unwarranted—look out. . .

His entry of April 9, 1839, notes the arrival of the books for the Territorial Library, they "having been detained last fall by the ice, etc."

His entry of the following day was briefly given as follows:

April 10. Appointed by Gov. Lucas Librarian. . .

April 15, he notes the renting of "a room for the library" and the fact that he is "making out a Catalogue;" and the following day he is "engaged at Catalogue."

That the library did not command his entire time and attention is implied from the entry of April 24, as follows:

Received from the Governor the office of District Prosecutor for the 2d judicial District of Iowa Territory.

On October 24, he notes his resignation as district attorney, because of "inadequacy of compensation and the uncurrency of the funds in which the payments were made."

In a review of the year 1839, dated December 31, Mr. Parvin refers to his trips to Cincinnati and St. Louis, and adds:

I returned to B.[Burlington] and resumed my station as private Secretary to Gov. Lucas—Received the appointment Librarian for the Terry.

The fact that Mr. Parvin acted as Private Secretary has been questioned, presumably by those who did not have access to all the data relating thereto; but no reader of this diary can question the fact that Mr. Parvin rendered service to the Governor in that capacity, even though there was no formal appointment. There are frequent references to the pressure of official business, the copying of messages, etc., etc. There are also frequent references to the trial of causes in court, the whole record showing that Mr. Parvin early in his twenties, as in fact throughout his later career, led an exceedingly strenuous life for one who was never physically strong. It may be mentioned in this connection that the diary contains many allusions to its author's interest

# Robert Lucas,

GOVERNOR OF THE TERRITORY OF IOWA.

TO ALL TO WHOM THESE PRESENTS MAY COME—GREETING:

**Know Ye,** That reposing special trust and confidence in the integrity and ability of *T. S. Parvin*

I have nominated, and by ~~and with the advice and consent of the Legislative Council~~ appointed him

*Librarian, of the Territory aforesaid—*

And I do hereby authorize and empower him to execute and fulfil the duties of that office according to law. TO HAVE AND TO

HOLD the said office, with all the rights, privileges, and emoluments thereto belonging, *until the end of*

*the next session of the Legislative Assembly,*

unless the Governor of the said Territory, for the time being, should think proper sooner to revoke and determine this Commission

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the

Great Seal of the Territory to be hereunto affixed

GIVEN UNDER MY HAND, at Burlington; *Tenth* day of

*April*

in the year of our Lord one thousand eight hundred and thirty-nine,

and of the Independence of the United States of America, the 63d.



BY THE GOVERNOR.

*Robert Lucas*

Theodore S. Parvin's Commission as Territorial  
Librarian of Iowa.

in literature. During these busy years he was a reader of Bancroft, Channing, Emerson, Brougham, de Toqueville, Niebuhr, Irving, and other authors of less note, besides nearly all the standard authors of law text-books.

#### REFERENCES TO THE LIBRARY IN THE LUCAS PAPERS.

That the trip east to which Mr. Parvin refers was only incidentally in the interest of the library is fully confirmed by a letter written by Governor Lucas to Secretary Conway, September 5, 1838. The Governor referred to the need of stationery for the use of the legislature and suggested that Mr. Parvin, who was expecting to start for Cincinnati in a few days, should there procure such supplies as Conway might deem proper to authorize. Other matters prevented an early consideration of the subject. Meanwhile Mr. Parvin had started for Cincinnati. On his way up the river, he met at Davenport the irascible Conway, and the two journeyed together as far as Galena. Conway refused to authorize the purchase of the stationery by Parvin and afterwards rebuked the Governor for commissioning his private secretary, simply because "the person last named" was going to Cincinnati and because the Governor "therefore thought stationery could be had cheaper in that place."

The matter was arranged and Parvin was commissioned to purchase the supplies. "He was also entrusted with the task of shipping to the Territory the library of books which Governor Lucas had selected in Cincinnati while on his way to Iowa. The extremely low water in the river prevented the materials being sent to the new Territory for some time. The delay occasioned further expressions of dissatisfaction from the Secretary of the Territory."

Referring to the discrepancy in the record, Mr. Parish, the biographer of Robert Lucas, in a note,<sup>5</sup> says the Parvin diary shows that Parvin did not select the Territorial Library, "as late in life he was wont to intimate," that the selection was made by Lucas himself; "while Parvin was simply employed

<sup>4</sup>Robert Lucas, by John C. Parish, State Historical Society, 1907, pp. 176-178.

<sup>5</sup>Parish—Robert Lucas—note 135, p. 322.

as an agent to purchase and ship the books to the new Territory." But the Governor's acknowledgment of aid from friends in the selection, coupled with Mr. Parvin's oft reiterated claim, warrants the inference that the Governor availed himself of his private secretary's ability to aid him in the final selection of the nucleus of the new library.

Governor Lucas in his first annual message,<sup>6</sup> dated November 12, 1838, says:

An appropriation of five thousand dollars was made by Congress to be expended, under the direction of the Governor, in the purchase of a library for the Territory. Previous to leaving Ohio, in June last, (with the assistance of several literary friends,) I made out a catalogue of such standard works as are deemed most important as the foundation of a public library, and put the catalogue into the hands of an agent in Cincinnati to make the purchase for me. Those books that could be procured in the western country, have been purchased and have been at Cincinnati for some time, waiting to be forwarded the first rise of water in the Ohio river. By advices from Cincinnati, I learn that the agent has been for some time in the eastern cities, where he will complete the purchases to the extent of the appropriation. So soon as the Ohio river is navigable, we may expect the arrival of those books that have been purchased, and the remainder of the library as soon thereafter as practicable.

The Governor notes the presentation, by Dr. O. Fairchild, of Cincinnati, of a valuable set of maps, which he in turn presents to the library—the first gift, of record, to a library which has been the recipient of many valuable donations. He adds:

So the library is expected in a short time. I would suggest the propriety of passing a law to provide for the appointment of a librarian, to define his duties, and to regulate the library. So soon as the library arrives, a catalogue of the books shall be immediately laid before you.

In his second message, dated November 5, 1839, Governor Lucas made this reference:

The appropriation made by Congress for the purchase of a Territorial Library has been expended, and the books received. The Legislative Assembly having failed, at the last session, to pass a law to regulate the Library, the Executive procured a room, had it

<sup>6</sup>Messages and Proclamations of the Governors of Iowa, compiled by Benjamin F. Shambaugh, State Historical Society, v. I, pp. 90-91.

fitted up as a library room, with cases for the books, in which they are now placed, and under the care of Charles Weston, Esq., who was, on the 18th of October last, appointed Librarian pro tem. This course was thought advisable by the Executive, so that the members of the Legislative Assembly might have the benefit of the Library at the commencement of the session. There being no provision made by law for paying the rent of the library room, and other incidental expenses connected therewith, Mr. John S. David, the proprietor of the building, agreed to fit up the room, and wait the pleasure of the Legislature to make him such an allowance as they might deem reasonable.

I would respectfully recommend to the Legislative Assembly the early passage of a law to regulate the Territorial Library—to provide for the appointment of Librarian—fix his compensation, define his duties, and provide for the payment of other necessary expenses of the Library. I think it also would be of great importance to provide for a gradual increase of the Library, by a small annual appropriation, to be expended by the Librarian in subscription to important periodical works, and the purchase of such other books as might be deemed most useful to the Territory, and diffuse the greatest degree of useful knowledge among the people. A catalogue of the books and maps in the library will be submitted to the consideration of the Legislative Assembly by the Librarian as soon as it can be conveniently made out.

#### THE LIBRARY'S FIRST CATALOGUE.

The books selected by Governor Lucas aided by "several literary friends," were cataloged by Mr. Parvin<sup>7</sup> in a little pamphlet of eighteen pages, forming the substructure of the present State Library with its one hundred and thirty-five thousand volumes.

This brief catalogue is interesting to the present-day student of history, literature and law, as showing not only the bent of mind of the original purchaser and his advisers, but also as throwing light upon what was then regarded as essential to a reference library for official and general use. While most of the law text-books named are still authorities, and most of the literary works named still have literary value,

<sup>7</sup>Mrs. Ada North, State Librarian in 1871, in a brief historical sketch of the library states that the catalog was "prepared by Judge McLean," but the statement runs directly counter to Mr. Parvin's positive claim, to which reference has been and will again be made.

nevertheless, the lists in their entirety give evidence of an evolution in the world of books.<sup>8</sup>

The title-page of this catalog is elsewhere reproduced, full-size, as it came from the press of Burlington's pioneer printer, James G. Edwards of the *Burlington Hawk-Eye*.

#### THE PIONEER LIBRARIAN OF IOWA.

Theodore S. Parvin's brief career as private secretary to Governor Lucas, and as acting librarian, may be said to cover the period between July 30, 1838, when Mr. Parvin decided to accompany Governor Lucas to Iowa, to April 10, 1839, when he was formally appointed librarian of the territory. His services as librarian by appointment doubtless continued from April 10 to October 18, 1839, when he, having been appointed United States District Attorney, was relieved by Charles Weston, who presumably held the office until his successor, Morgan Reno, was chosen. As he himself, years afterwards, stated in a note to the present librarian accompanying his presentation of the Catalogue of 1845, Mr. Parvin not only assisted in the selection of the books which formed the nucleus of the present State Library, but also, alone and unassisted, catalogued and shelved the books selected.

In a large minority of the States of the Union, including several otherwise great commonwealths, the institution known as the State Library is little more than a receptacle for law reports and state and national documents. It is a matter of pride and satisfaction to Iowans that away back in 1838, Iowa's first territorial governor had the far-sightedness to call to his aid as librarian a student of both literature and the law, and that the pioneer library of Iowa included not only law reports, but also standard works of literature, science and law. It is possible that but for this trend, thus early established, Iowa's library might now be classed with the non-progressive state libraries of Missouri, Arkansas and other States in the middle-West and South.

<sup>8</sup>This list of books is reproduced entire in the supplement to this sketch, marked "A."

Nor would we omit to draw another inference from Mr. Parvin's career. Honored, as few men have been honored, during a long life of public and semi-public service, it is scarcely too much to assume that during his brief career as library organizer and librarian, in the impressionable years of his young manhood, there then developed in his mind a love of public service in the purchasing and handling of books, and with it the book-lover's joy in collecting, which prompted him, late in life, to found the Masonic Library of Iowa—unique among the great libraries of the world—an institution with which the name of Theodore S. Parvin will ever be honorably associated.

Mr. Parvin was born in Cumberland county, New Jersey, January 15, 1817. He graduated from Woodworth College, Ohio in 1833, and from the Cincinnati Law School in 1837. Between these dates, he made for himself a reputation in Ohio as a successful educator. His association with Governor Lucas as private secretary and as territorial librarian has already been reviewed. After serving as United States district attorney for "the middle district" of Iowa, he filled three terms as probate judge. From 1846 to 1856 he served as clerk of the United States District Court. In 1857 he was elected Register of the Iowa State Land Office. He was one of the first trustees of Iowa's State University, and for ten years was professor of natural sciences in that institution. He was one of the organizers of the State Historical Society, and for several years edited the *ANNALS OF IOWA* (first series). He was one of the founders of the Masonic order in Iowa and for years was its Grand Master. He then became Grand Secretary, and held that office until his decease. He died at his home in Cedar Rapids, June 28, 1901, at the age of 84.

#### LEGISLATIVE INDIFFERENCE TO THE GOVERNOR'S RECOMMENDATION.

The first record of a legislative response to the recommendation of the Governor is found in the Journal of the First House of Representatives, November 21, 1838. Mr. Frierson, of Muscatine county, from a committee to prepare

a bill respecting the Territorial Library, reported House File No. 5, "a bill to provide for the safe keeping and management of the Territorial Library."

Following the measure through the session, we find that on the 22d of the same month the House resolved itself into a committee of the whole for the consideration of the Library bill, Mr. Cox in the chair. The committee rose and reported the bill to the House with an amendment, in which the concurrence of the House was asked. The House promptly concurred and on the 23d the bill passed.

On the 26th, the House bill was committed to a committee of the whole, Mr. Hempstead in the chair. The committee reported the bill to the Council, with sundry amendments, in which that body concurred. On the 28th, the bill was, on motion of Mr. Inghram, referred to the Council Committee on the Judiciary. On the 10th of December it was reported out and considered in committee of the whole, Mr. Whittlesey in the chair. That committee reported the bill with sundry amendments, in which the Council concurred. On motion of Mr. Swazy, it was recommitted to the judiciary committee. On the 13th it again went to the committee of the whole, Mr. Clark in the chair. The amendments proposed by the judiciary committee were accepted by the Council. On the following day the bill was read a third time and passed.

Then began a game of see-saw between the two houses.

On the 17th, the House took up the bill as amended by the Council. Amendments to the first and second sections were concurred in; but the amendment to the third section was voted down.

The discredited measure came back to the Council and was referred to the committee on the Territorial Library. On the 20th, Mr. Hempstead, from that committee, reported back the bill without modification; and the Council concurred in the report.

A joint committee was created. That committee met and agreed to disagree. On the 28th, Mr. Hastings from the joint committee of the House reported the disagreement. The House sustained the contention of its committee, and so the bill failed to become a law.

But the Council made another attempt to procure a library law. On the 23d of January, 1839, near the close of the session, Mr. Parker obtained leave to introduce in that body a bill of similar import, which was considered in committee of the whole, Mr. Whittlesey in the chair. Sundry amendments were concurred in; the rules were suspended, the bill was read a third time and passed.

The bill was promptly messaged to the House, and on the same day read a first time. The bill was considered in committee of the whole, Mr. Grimes in the chair. It was reported back to the House with amendments, only a part of which were concurred in. On motion of Mr. Grimes, the bill was further amended by inserting after the fourth section the words: "Officers of the Legislature, and officers of the supreme court during the present session."<sup>9</sup>

It was further moved by Mr. Hastings, that the vote by which the salary of the librarian had been fixed at \$200, be reconsidered. Though the motion received 15 of the 23 votes in the Council, not having received the requisite two-thirds, it was declared lost.

The bill was laid upon the table until the first Monday in February. Thus, by the deliberate action of a large majority of the House, the first Library bill in the history of Iowa, was deliberately killed. Before the date fixed had been reached, the First Legislative Assembly of the Territory adjourned *sine die*.

It is humiliating even to refer to the apparent cause of the defeat of a measure patriotically conceived and carefully drawn, and rendered necessary by the action of Congress in appropriating money for a Territorial Library. The most charitable construction to be put upon the long quarrel over petty amendments and the final defeat of the bill, is that the opposition to the Governor, headed by Hempstead in the Council and Grimes in the House, had become so intense that other considerations were lost sight of, in the partisan movement to thwart and defeat the Governor.

<sup>9</sup>A reference to those to whom the library was to be made available.

## IOWA'S PIONEER LIBRARY LEGISLATION.

Let us now follow the response of the Second Territorial Legislature to the renewed recommendation of the Governor.

On the 7th of November, 1839, on motion of Mr. Hall, it was ordered by the House that so much of the Governor's Message as referred to the Territorial Library be referred to the committee on the Judiciary.

Four days later, Mr. Hastings, from that committee, reported House File No. 3, "a bill to provide for the appointment of librarian, and for other purposes."

On the 12th, the House went into committee of the whole for the consideration of the bill, Mr. Bailey in the chair. The committee reported the bill with amendments and the House concurred in the amendments.

On motion of Mr. Cox, the librarian was directed to "keep a catalogue of all books in the library, for the inspection of all concerned." Mr. Churchman offered a technical amendment to the 11th section which was adopted. A motion by Mr. Bailey to recommit was lost, and, on motion of Mr. Hastings, the bill was made the order of business on the 14th.

The bill was not reached, however, until the 16th of November. Though the House Journal omits the record of action on the measure, the Council Journal reports that on that day the bill was messaged from the House.

On the 18th, on motion of Mr. Browne, the standing committee on the Territorial Library in the upper house was instructed to wait upon Governor Lucas, "and respectfully request him to furnish them with a catalogue of the books composing the Territorial Library, together with the original inventory of purchase, for the information of the Council."

Next day the House bill was read a second time in the Council and considered in committee of the whole, Mr. Parker in the chair. The committee reported back the bill without amendment, and the Council concurred in the report. On motion of Mr. Inghram, the bill went to the Judiciary committee.

On the 21st, Mr. Payne, from the Council library committee, reported that the Governor had supplied the com-

mittee with a catalogue of books and with the original invoices for same, and these were submitted for the inspection of the Council.

One hundred copies of this first catalogue of the library were ordered printed in pamphlet form, and 100 copies of the Report and accompanying documents in sheet form.<sup>9</sup>

On the 25th of November, the bill as amended, again went to the committee of the whole, Mr. Lewis in the chair. As reported back, it included additional amendments in which the Council concurred. The first section was amended, placing the appointing power in the hands of the Governor, with the advice and consent of the Council. The amendment was lost. The bill as amended went to a third reading.

On the 26th, after a technical amendment had been agreed to, the bill was referred to a select committee appointed by the Chair, consisting of Messrs. Whittlesey, Parker and Swazy.

On the 28th the amended bill, as reported back from this committee, was read a third time. A motion by Mr. Lewis to increase the librarian's salary from \$210 to \$250 was lost. The bill then passed the House.

On the 2d of December, the bill as amended by the Council, came back to the House. A conference committee was created and on the 20th, an agreement having been reached by the joint committee, the measure passed both houses and was transmitted to the Governor for his signature.

On the same day Governor Lucas returned the bill with his veto,<sup>10</sup> declaring that he approved of all its provisions except the first section, which provided for the appointment of a librarian by joint ballot, "a mode of appointment entirely unprovided for in the organic law." He called attention to his opinion on that point expressed to the First Legislative Assembly, in communications to the House on January 17 and 21, 1839. The opinion then expressed was still held by the Executive, "and however unpleasant it may be to differ

<sup>9</sup>Of the hundred copies printed, Mr. Parvin's copy [marked "A" in supplement to this sketch] alone remains.

<sup>10</sup>Messages and Proclamations of the Governors of Iowa, v. I, pp. 175-6.

with the legislative assembly in opinion," he declared he could not conscientiously yield his assent to any bill that he believed to be contrary in its provisions to the organic law.

The House proceeded to reconsider, and the question, being put: "Shall the bill pass by the constitutional majority?" was decided in the negative by a vote of 6 to 16. So the bill failed to pass over the veto.

To the friends of the Library there remained but one thing to do. A new bill was prepared modifying the objectionable section. On the 24th, the Hawkins bill (H. F. 100) was introduced and read a first time.

Mr. Cox, one of the six who voted to pass the original bill over the veto, moved the rejection of the new measure. The motion was lost by a vote of 2 to 22—Mr. Langworthy alone voting with Mr. Cox.

From this point the record in the House Journal is not complete, but from the Council Journal it is clear that, on the last day of the year 1839, the House passed the Hawkins bill and, on the same day, the Council also passed it. On the 4th day of January, 1840, the bill was returned to the legislature with the Governor's full approval.

#### LEGAL STATUS OF THE TERRITORIAL LIBRARY.

Now, let us examine this long-delayed piece of constructive legislation, that we may note the original legislative conception of a Territorial Library, and mentally note, by contrast, the evolution of Iowa's Library in three-quarters of a century.

The law<sup>11</sup> provided for "the appointment of a librarian, and for other purposes"—signed by Governor Lucas on the 4th day of January, 1840, made the term of office one year, and gave the appointing power to the Governor, with the advice and consent of the Council. It placed the librarian under oath to serve faithfully and placed him under a bond of \$5,000.

The librarian was hedged in with limitations preventing him from loaning the books in the library except to legisla-

<sup>11</sup>Acts of the Second Legislative Assembly, Territory of Iowa, 1840-41, House File No. 100.

tors, the Governor, the Secretary of the Territory, the judges of the supreme court, the United States attorney, the marshal of the Territory, the delegate to congress, the clerk and attorneys of the supreme court and officers of the legislature during sessions.

No one of the officials named was permitted to take more than one volume of revised statutes at any one time, or to retain the same more than two days. Ten days was the time limit on all other loans, and 25 cents a day the fine for exceeding the limit. A receipt was to be given for every book loaned by the librarian. A forfeit of three times the value of a book was to be exacted of the borrower who should injure or fail to return a book, map or chart. The persons "privileged" to remove books, etc., were also privileged "to introduce citizens or strangers into the library;" and these favored ones were permitted, "during all seasonable hours, to read any of the books therein not required for the use of such privileged persons."

The librarian was given authority to appoint an assistant, though no provision was made for his salary.

The library was to be kept open only on Wednesday and Saturday afternoons, except during the sessions of the legislature and the supreme court, when it was to be kept open from 9 to 12 a. m., and from 2 to 9 p. m.

The librarian's salary was fixed at \$210.

#### PARVIN'S CLAIM DENIED BY THE THIRD TERRITORIAL LEGISLATURE.

In pursuance of request from the committee on expenditures of the Third Territorial House of Representatives, Theodore S. Parvin laid before that committee "in detail" his "claims against the Territory of Iowa," to which, early in the session he had called the attention of the House. He stated that from August 1, 1838, until the following spring, a period of seven months, he had acted as Private Secretary to Governor Lucas, and "performed all the duties appertaining to said office as well as many other duties foreign to its jurisdiction." He claimed that, owing to the break between the Governor and Secretary Conway, the duties of

the Secretary of the Territory devolved upon him, the filling of commissions, correspondence with officials in other States and of the General Government, etc. Continuing, Mr. Parvin recited the history of the Territorial Library, as already related, further clearing away any doubt as to his part in the matter. Without referring to any aid he may have rendered in the selection of the books purchased, he said:

After we learned that the agent had made the purchase as directed, he [Governor Lucas] forwarded to me at Cincinnati (where I was at the time) to check on the General Government [for \$5,000], with directions to negotiate it for cash and pay the Agent for the Books, and also to superintend their transmission, all of which I did. After the Books arrived at Burlington I again took them in charge and having, after I resigned my office of "Private Secretary," been appointed "Librarian," I filed my bond with the Territorial Treasurer and entered upon the duties of the office by superintending the fitting up of the Library Room and working out the *Catalogue of the Books* which it contained, all of which being done and before the Library was finally opened or the Catalogue published. I removed to Bloomington, having served but about six weeks, during which time, however, the most difficult and arduous part of the business was performed by me.

He declared that for all this service he had "never yet received the first farthing." He asked for regular services as private secretary, \$100; for extra services, \$150; for services rendered to Legislature, \$50; and "for services rendered in superintending library and as librarian, \$100."

The minutes of the Council Journal of February 15, 1842, show that the compensation (\$400) asked by Mr. Parvin was voted down. Messrs. Greene, Hastings and Parker voting aye; and Messrs. Bailey, Bambridge, Brown, Coop, Hall, Johnston, Kirkpatrick, Leffler, Springer and Wallace voting nay.

#### IOWA'S SECOND TERRITORIAL LIBRARIAN.

Charles Weston, who for a brief period served as Territorial Librarian, was born in Washington county, New York, in May, 1811. His father was Judge Roswell Weston, of the Court of Common Pleas of his county. The son early graduated from Rensselaer Institute, Troy, and in 1832 began reading law in the office of his father and Gen. Orville Clark. Two

years later, he continued his studies with Judge Esek Cowen, afterwards a justice of the Supreme Court of New York. For nearly a year after his admission to the bar the younger Weston practiced law with his father. He then came west, arriving in Burlington in December, 1837, on the first stage that made the through trip from Chicago to Rock Island. In crossing the Mississippi in a shaky flat-boat—the river being filled with floating ice—he nearly lost his life. He began the practice of law in Burlington, and remained in the capital of the Territory a year or more. After the death of Territorial Secretary Conway, Weston was appointed Fiscal Agent, and, in connection with his duties as such, acted as Secretary of the Territory. Governor Lucas appointed him Judge Advocate General, with the rank of colonel. He succeeded Mr. Parvin as librarian October 18, 1839, and presumably held the office until January 24, 1840, when his successor, Mr. Reno, was appointed. Mr. Weston's service as Territorial Librarian was only incidental, for on the death of United States District Attorney Van Alen, late in 1839, President Van Buren named Weston for the vacant position. This office he held until 1843. Meantime, in 1840, he removed to Davenport, and invested in land near the city. Unsuccessful as a farmer, he removed to the city, where he married and settled down for life. In 1851 he was elected Mayor of Davenport, and in 1857 he was elected County Judge<sup>12</sup>. The writer has been unable to obtain a later report of Mr. Weston.<sup>12a</sup>

#### LIBRARIAN RENO'S HERETOFORE UNPUBLISHED REPORTS.

Librarian Reno's first report<sup>12b</sup> to the Territorial Legislature, recently found among the Archives,<sup>13</sup> is dated Burlington, November 5, 1840. It begins with a mental suggestion to the legislator of the period which, if we may judge from the record, was well-timed—though ineffectual.

<sup>12</sup>Wilkie—Davenport Past and Present, pp. 197-99.

<sup>12a</sup>Mr. H. E. Downer, of Davenport, learns that Weston removed to Pennsylvania in the eighties, and there died.

<sup>12b</sup>Published entire in the supplement to this sketch, marked "B."

<sup>13</sup>The writer acknowledges his indebtedness to Mr. C. C. Stiles, Supt. Public Archives, for valuable aid in the search for the heretofore unpublished reports of Territorial and State Librarians.

"Doubtless you are all convinced," he tactfully remarked, "that well selected Libraries conduce greatly to the stability and force of a Nation, and that general information is the very fountain from which Republican principles emanate."

He called the legislator's attention to the fact that the Territorial Library was comparatively small. He conceded that Governor Lucas had selected wisely, but the collection of books could scarcely be called "well selected"—could "scarcely conduce to the stability and force of that portion of the nation called the territory of Iowa." The conclusion was obvious, the imperative need of an appropriation which should approximately attain that desirable end.

The legislative committee, through its chairman, Hon. Francis Springer, Whig member of the Territorial Council representing Louisa and Washington counties, responded to the logic of the librarian by reporting that the catalogue indicated the lack of many works, naming many of the statutes and reports of other States, and of the reports of the Supreme Court of the United States, also many standard works on science and literature—especially the works of American authors. He also called attention to the almost total lack of periodicals in the library. He concluded with a recommendation that the sum of \$500 be appropriated, maintaining that the expenditure of that sum was "demanded by the best interests of the Territory," and that it "would be approved by our constituents and cheerfully sanctioned by Congress."

The librarian's report was accompanied by a resolution appropriating the sum named, and including a list of books and periodicals which the Secretary of the Territory was authorized and requested to purchase, as far as the money would go and in the order in which they are named.

It is historically interesting to note the judgment of the committee, after consultation with the librarian, as to the more pressing needs of the library. Incidentally, we note the periodicals and standard works then presumably in demand. The list of periodicals is in the following order:

American Quarterly Review, Silliman's Journal of Science and Arts, the Knickerbocker, the American Jurist and Land

Magazine, the Democratic Review, the New York Review, and the American reprints of the standard English periodicals. Of the American periodicals named, Silliman's Journal is the only one—though its title has been changed to the American Journal of Science—which is now published. Of the English periodicals, the Westminster, the London Quarterly, the Edinburgh Review and Blackwood's Magazine are still published, and full sets of the same are to be found in the library.

The law text then recommended included Story's Conflict of Laws, and Cowen-Phillips on Evidence. Among the American classics recommended are Irving's and Bryant's. Jefferson's works and the Madison papers are included. The one English author on the list is Shakespeare. Stephens' "Travels in Arabia, Egypt," etc., and "a dictionary" are recommended.

The second annual report of Librarian Reno<sup>14</sup> is dated December 15, 1841. The librarian is happy to announce that "the Territorial Library is now arranged and in good order in the territorial capital, and that the books arrived uninjured."

His happiness gives way to keen disappointment over the defeat in the House of the modest library appropriation recommended by Mr. Springer. Nor is the librarian reticent in his reference to the painful subject. He feelingly states that no additions have been made to the library since the original purchase was made, and that the library is therefore, "far in the rear of the literary world." He is "unable to conceive how a small amount of funds could be otherwise more judiciously appropriated, than in the purchase of that which gives tone and stability to society, wisdom and force to legislation, peace and quietness to domestic regulations, and character to a free people."

Starting off quite moderately, as he nears the conclusion of his report, Mr. Reno grows indignant, declaring that he feels sensibly the dishonor of suggestions made in the lower House last session; but is "unwilling to urge the subject

<sup>14</sup>Published entire in the supplement to this sketch, marked "C."

much farther." He will, however, intrude once more the suggestion that he is "desirous of having this library not only a name but a substance," in view of the immediate prospect of statehood for the territory.

That the librarian had his full share of the florid rhetoric common in the forties is evident from his concluding sentence:

"We soon expect," said he, "to emerge from the condition of an infantine dependent of the general government, to a star of the first magnitude in the glorious constellation of American States."

Librarian Reno's third and final report is a brief accounting for books loaned and lost.<sup>15</sup>

#### SECOND CATALOGUE OF THE TERRITORIAL LIBRARY.

Through the kindness of Mr. Parvin, the State Library, in 1890, became possessed of a copy of the second printed catalogue of Iowa's Territorial Library, issued in 1845. On a page facing this rare pamphlet Mr. Parvin made in lead pencil the following inscription, throwing light not only upon the document itself, but also upon its predecessor:

The Catalogue,—on the opposite page—of 1845—is the Second Catalogue and was made by Morgan Reno the third librarian. His predecessor being Charles Weston who succeeded T. S. Parvin, the *first* Librarian who made the *first* Catalogue in 1839 printed by J. G. Edwards at the *Hawkeye* office, Burlington. The Classification in this follows that of the first exactly.

Feb'y 13, 1900.

T. S. PARVIN.

The catalogue of 1845 is nearly identical with that of 1839. It hasn't the dignity of a printed cover page, though bound in blue paper like the first. Between the date of the first and that of the second catalogue, the territorial capital had moved from Burlington to Iowa City, and with it the job-printing patronage. A. P. Wood, of Iowa City, was the printer of the second. The later catalogue shows that the books in the library had received no accessions in five years, except in documents and law exchanges, and had met with losses to the extent of a few volumes.

<sup>15</sup>Published in supplement to this sketch, marked "D."

## IOWA'S THIRD TERRITORIAL LIBRARIAN.

Morgan Reno, third and last Territorial Librarian, was the second Treasurer of the Territory, holding the office from January 24, 1840, to January 15, 1841. He was also the first State Treasurer of Iowa, elected to that office October 26, 1846, and serving two terms to and including 1850. He came to Iowa City in 1839 and there engaged in the banking business. He died in that city July 9, 1869. His widow died in 1899. His son and daughter are still living in Iowa City. His son, Charles M. Reno, born in 1846, has served as city treasurer, as county treasurer, and as mayor, and has held several other positions of public trust.<sup>16</sup>

The meager manuscript reports submitted by Mr. Reno bear evidence of the man's strength of character, and training for public service. They are written in a strong and legible hand, are methodical in their arrangement, outspoken in their reflections and insistent in their presentation of the needs of the library and the duty of the Territorial Legislature.

## PIONEER STATE LIBRARY LEGISLATION, 1846-47.

The First General Assembly of the State of Iowa early undertook the task of providing for "the management of the State Library, and the election of a State Librarian."

On the 12th of January, 1847, Mr. Sells introduced House File No. 37; and, two days later, the bill underwent several amendments. One amendment, offered by Mr. Day, showing the conservative lines on which the library was originally planned, provided that "no person shall be prohibited from reading in the library, at all times when the same is required by law to be kept open, under such rules as the librarian may impose." The bill was referred to the Committee on Schools. That Committee reported, adding several minor amendments. On the 18th the amended bill came up for consideration. Mr. Sells moved that the committee report be rejected. The motion was lost. The bill and the report were then, on motion of Mr. Sells, laid upon the table. Next day, the House

<sup>16</sup>The writer is indebted to Hon. Milton Rempley for data relating to Mr. Reno and his family.

proceeded to a consideration of the committee amendments. On the amendment making the librarian an appointee of the Governor, "with the advice and consent of the Senate," the House voted down the amendment, by a vote of two yeas and thirty nays.

Other amendments disposed of, the bill went over till the 21st, when it was read a third time and passed.

In the Senate, on the sixth of February, the bill was read a third time and passed. On the 15th, it received the Governor's signature.

The new law<sup>17</sup> was in the main a duplication of the territorial library law. It contained the same prohibitions relative to the loaning of books, with fines for violations of the librarian's rules; and with the same recital of "privileges" extended to "privileged persons." It designated Lemuel B. Pat[t]erson as librarian, fixing his term at two years and his bond at \$2,000; giving the librarian authority to appoint an assistant,—providing, that he "be paid out of the salary of the librarian,"—which salary was fixed at \$150! The Secretary of State was directed to bring suit on the bond of the librarian for any violations of the provisions of the law.

The Second General Assembly passed a law which went into effect on the 5th day of January, 1849, conferring upon the judges of the District Courts of Iowa the same privilege enjoyed by the judges of the Supreme Court, relative to the use of books in the State Library.

By joint resolution, approved January 13, 1849, Lemuel B. Patterson was re-appointed librarian, to hold office two years and until the appointment of his successor.

#### THE DAY OF CANDLES AND GOOSE QUILLS.

Among the valuable papers made available by the classification and filing system in operation in the Archives Department are several quarterly reports of State Librarian L. B. Patterson in 1848-50,—nearly a decade prior to the removal of the State Library and other departments from the old

<sup>17</sup>Acts of the First General Assembly, 1846-47, H. F. 37.

Capitol in Iowa City to the new and temporary State House in Des Moines.<sup>18</sup>

These reports throw a strong light upon the necessarily meager activities of the State Librarian less than seventy years ago. Even the items of expenditure have a historic interest, not only as showing "the little round of small economies" incident to that pioneer period, but also as revealing the general conditions under which the State's library was conducted late in the forties as compared with present conditions.

Note a few of the items in the report of February 24, 1848. That was decidedly the day of small things. To get back to that day, we must pass from the epoch of gas and incandescent light, back beyond that of the odorous kerosene lamp, to the epoch of the tallow candle—an era in which "early candle light" was the phrase commonly used in church, society and "show" announcements.

To reach that comparatively recent but already historic past, we must part company for the moment with the steam and hot-air furnace of the present era, and, ignoring the base-burner of a few yesterdays ago, must renew our early acquaintance with the wood-stove of our fathers, with the stove-pipe aggravations associated with house-cleaning time, and with the cord-wood and buck-saw in the back-yard and the armfuls of wood for the replenishing of the empty wood-box.

We must for the moment, forget the conveniences of the mucilage-sealed envelope and the blotting paper and pad, and hark back to the day of wafers and sealing-wax and no envelopes for letters, and the pepper-box of sand for absorbing the ink on the letter-page.

These reports remind us that only a few decades ago, there were no postal cards and the postage on a letter was ten cents. They take us back to a time when the fountain-pen was undreamt of and the steel-pen had not yet supplanted the goose-quill. In "the splendid idle forties" of which Mrs. Atherton has so interestingly romanced, the librarian

<sup>18</sup>Published in supplement to this sketch, marked "E."

looked after and shelf-listed and shelved and dusted the few hundred law books and State documents in the State Library, swept and scrubbed the floor, took up and put down carpet, and, in fact, "his heart the lowliest duties on itself did lay."

The items in this earliest of the quarterly reports, altogether involving an expenditure of only \$12.50, include "candles, \$1.25;" "dusting broom, .25;" "paid Camphere for helping to take down stove pipe, .25;" "laying hearth and fixing stove, .50;" "sand and wafers, .25;" "paid Camphere for cutting wood, \$1.00;" "gum and brush for pasting, .37," etc.

The principal expense item in the February and May reports is book-binding; but, instead of the hundreds of dollars annually expended in the three departments now under the present Library Board, the February binding item was only \$5.25, and that of May was \$6.25.

Instead of the several hundred periodicals which now figure in the reports from the three departments of the State Library, the one periodical mentioned in these early reports is *Niles' Register*, the subscription price of which was \$5.00, and the postage on which for the year 1844 was seventy-five cents. The items of expenditure in '48 and '49 include three letters sent to the editor of this periodical at an expense of thirty cents.

In February, '49, the librarian bought a bunch of quills for fifty cents, and in August of that year he expended \$3.50 more for quills.

In August, 1850, the item of envelopes makes its appearance, involving an expenditure of seventy-five cents; also penholders, taking the place of the quills, which with ink involved an outlay of forty cents.

In the three years, 1848-50, the chief items of expense were "candles" and "cutting wood."

In the summer of 1849 there was a removal of the library—probably from one part of the old State House to another,—the expense, all told, amounting to \$5. The removal was followed by an expenditure of \$4.81¼ for shelving, .20 for carpet-tacks, \$10.85 for carpeting and desk-cover, and \$9.08 for new stove-pipe.

## LIBRARIAN PATTERSON'S FINAL REPORT, 1849-50.

The final report of Librarian Lemuel B. Patterson, dated Iowa City, January 9, 1851, covers two foolscap pages and is written in a small, legible hand.<sup>10</sup> It is unaccompanied by a list of purchases, for the reason that no purchases had been made since the admission of the State in 1846. The number of volumes reported in the library at the close of the biennial period 1849-50 is 1,670, exclusive of pamphlets, journals, reports, etc. About a third of these were law books. The remainder consisted of statutes of the several States, American state papers, congressional documents and miscellaneous works.

The librarian reported that there had never been an appropriation for the State Library, and consequently the only increase "(which is very small)" came from an exchange of books between the States, government documents, etc.

With the exception of a very fine set of "Wilkes' Exploring Expedition," ten volumes, "got up in the best of stile," the librarian is compelled to state that "the library is entirely destitute of late works that have been issuing from the press for the last ten years."

He reports that the books bought in 1839 are mostly broken sets which should be filled. He finds this is especially the case with the law reports, which are comparatively valueless unless complete.

He respectfully suggests for legislative consideration "the propriety of making a small appropriation for the increase of the library," modestly adding:

A small appropriation of say 1000 dollars would make it respectable and an honour and ornament to the State. Such appropriation, with a small yearly appropriation of two hundred dollars would keep it up with the progress of the age. [!]

He also calls attention to the fact that the State hasn't "a single decent map," and should remedy the defect.

He reports the contingent expenses of the library for the biennial period, not including the last quarter, for wood, candles, stationery, shelving, moving, painting, carpet, stove-pipe and freight, was \$138.83.

<sup>10</sup>Marked "F" in supplement following this sketch.

## IOWA'S FIRST STATE LIBRARIAN.

Lemuel B. Patterson, first State Librarian of Iowa, was born in Rushville, Indiana, September 12, 1824. He came to Iowa City in the spring of 1841, and was admitted to the State bar in 1846. He was a Democrat in politics; was city attorney in 1868-70, and again in 1874-76. He was a member of the city council in 1857-59. He held the office of State Librarian for two terms (1848-51). It is reported that while holding office he drew up the first homestead law passed by an Iowa legislature. In 1874, he won the railroad bond suit for his city in the Supreme Court of the United States, the case of Lucius Clark vs. Iowa City.<sup>20</sup> On May 10, 1851, while serving as State Librarian, he was married to Miss Jane Hazard, who, with an infant son, died of cholera in 1856. In 1860, he became a practicing attorney, in partnership with Levi Robinson. The firm of Patterson & Robinson, of Iowa City, was long reputed to be the oldest law-firm in the State of Iowa. Mr. Patterson accumulated some valuable city property and was to the last an influential citizen of the former State capital.<sup>21</sup> He died March 15, 1897.

1850-51.

On December 8, 1852, the Journal of the Senate mentioned the receipt of a report from the State Librarian, and a reference of the report to the committee on printing. This report has not been preserved.

Mr. Kister, librarian at the time, succeeded Morgan Reno as Treasurer of State, holding the office for a single term, 1850-52. The fact that while serving as librarian he was drawing pay as treasurer doubtless accounts for the smallness of the salary. It is probable that the smallness of the salary compelled the General Assembly to turn the office of librarian over to a State officer.

The Third General Assembly by joint resolution, approved January 24, 1851, appointed Israel Kister librarian for the term of two years.

<sup>20</sup>Wallace, U. S. S. C. R. p. 583.

<sup>21</sup>History of Johnson County, Iowa. 1838-1882. p. 891.

It also included in the "omnibus bill" an item of \$500 "for the purpose of increasing the State Library," the money to be expended "by the Governor, or under his direction," "in procuring books and maps."

GOVERNOR HEMPSTEAD BUYS "AMERICAN AUTHORS."

In his Message of December 7, 1852, Governor Hempstead makes brief mention of the State Library, and on the 22d of January, 1853, he sent to the Senate a communication, informing that body that he was transmitting therewith a list of books purchased by him, "in accordance with the directions of the General Assembly," and by him placed in the State Library. The sum authorized to be expended was \$500. The Governor adds that "with this amount it was impossible to do much towards filling up the library, and as it was very deficient in the writings of American authors," he concluded "to apply a portion of the appropriation for the purchase of works of that character." Then follows the bill of "Wm. W. Tafts, Agency to supply Libraries, 91 Washington st. Boston," dated November 16, 1852. As this is the first reported addition to the State Library since 1840, some may be interested in both the titles and the ruling prices sixty years ago.

Following are the items:<sup>21a</sup>

|  |                  |         |
|--|------------------|---------|
| 1 Prescott's Peru, 2v. 8°.                   | sheep.....       | \$ 3.60 |
| 1 do Mexico, 3v. 8°.                         | .....            | 5.40    |
| 1 do Miscellanies, 8°.                       | .....            | 1.80    |
| 1 Irving's Works, except Columbus, 12v. 12°. | .....            | 12.00   |
| 1 Cooper's Works, 33v. 12°.                  | sheep.....       | 24.00   |
| 1 Bancroft's United States, 4v. 8°.          | sp.....          | 7.20    |
| 1 Armstrong's Agriculture, 18°.              | .....            | .40     |
| 1 Davis' memoirs Aaron Burr, 2v. 8°.         | very scarce..... | 6.70    |
| 1 Aaron Burr's Journal, 2v. 8°.              | Not ready.....   | 0.00    |
| 1 Neander's Life of Christ, 8°.              | sheep.....       | 1.80    |
| 1 Pardoe's Louis XIV, 2v. 8°.                | .....            | 2.80    |
| 1 Brown's Trees of America, 8°.              | cloth.....       | 4.00    |
| 1 Neal's Puritan's, 2v. 8°.                  | sheep.....       | 3.20    |
| 1 Burk's Works, 3v. 8°.                      | sheep.....       | 4.00    |
| 1 Humbolt's Cosmos, 4v. Lond.                | .....            | 3.32    |
| 1 Kendall's Texas and Sante Fe, 8°.          | .....            | 1.60    |

<sup>21a</sup>Journal of the Senate, Fourth General Assembly, 1853, pp. 310-11. Verbatim copy.

|   |        |
|---|--------|
| 1 Grote's Greece, 6v. 12°. cloth.....   | 2.80   |
| 1 Stephen's Central America, 2v. 8°. cloth.....   | 4.00   |
| 1 do Yucatan, do .....  | 4.00   |
| 1 do Greece, 2v. 12° cloth.....   | 1.40   |
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| 1 North American Review, from vol. 22d, 53 vols. ½ sheep..  | 100.00 |
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| 1 Goethis Faust by Hayward, 12°. cloth.....   | .60    |
| 1 do Wilhelac Mister, 2v. 12°. cloth.....   | 2.00   |
| 1 Men of the Times, 12°. cloth.....   | 1.20   |
| 1 Webster's Works, 6v. 8°. sheep.....   | 12.00  |
| 1 Greenleaf's Evidence, 2v. 8°. sheep.....  | 8.80   |
| 1 Stephen's Nisi Prius, 3v. 8°. sheep.....  | 10.20  |
| 1 Smith's Leading Cases, 2v. 8°. sheep.....   | 8.00   |
| 1 U. S. Digest, 10 vols. royal 8°. sheep.....   | 50.40  |
| 1 do Equity, 2v. 8°. sheep.....   | 9.60   |
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| 1 Chickering's Population, 1v. 8°. 2.25.....  | 1.80   |

|   |          |
|---|----------|
| 1 Taylor's El Dorado, 12°. cloth, 1.25.....       | 1.00     |
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| 1 Walton's Lives, 12°. cloth.....                 | .80      |
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| 1 Olmstead's American Farmer in Eng.....          | .60      |
| 1 Saunder's Great Metropolis.....                 | .80      |
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| Insurance from Boston to Dubuque on \$500—1%..... | 5.00     |
|   | <hr/>    |
|   | \$483.52 |
| Western Annals .....                              | 3.00     |
|   | <hr/>    |
|   | \$486.52 |

1852-53.

The Fourth General Assembly by joint resolution, approved January 21, 1853, appropriated the sum of \$500 "for the purpose of increasing the State Library," the sum to be expended by the librarian in procuring a complete set of the supreme court and circuit court reports of the United States."

On the 11th of December, 1852, the office being vacated by the resignation of Mr. Kister, Governor Hempstead nominated Martin L. Morris, the newly elected Treasurer of State as State Librarian. The Senate concurred.

REPORT OF LIBRARIAN MORRIS.

The report of Martin L. Morris, Treasurer of State, as State Librarian, published in the Senate and House Journals of 1854, dated January 17, 1855, covers less than two pages. It notes the expenditure of \$500 appropriated by the last General Assembly and adds:

"I can, however, say that \$500 purchased a small number of the law books usually found in State Libraries."

It suggests "that an appropriation be made for the purpose of supplying the volumes necessary to the filling out of

the deficient sets [of reports from other States], at least of the reports of those States which are regarded as most important."

It notes valuable contributions to the library, "the National History of New York," "Smithsonian Contributions to Knowledge," "United States Exploring Expedition," etc., which the librarian regards as "not only an ornament but a credit to the Library."

It reports the purchase for the use of the Library, from funds received from the sale of Greene's Reports, the Collins Map of the United States and the Colton Map of Europe.

It reports "the expenses of the Library the present session" as \$30.

It reports also, a list of law books purchased with the appropriation above referred to. These include:

U. S. Condensed Reports, 6v.; Peters' U. S. Con. Reports, 16v.; Denio, New York, 4v.; Ohio, 14v.; Wilcox's Digest, 1v.; Hill's New York Reports, 7v.; Barbour S. C., 7v.; Barbour, Ch., 3v.; Phillips Evidence, 5v.; Comstock's, 3v.; Select Equity Cases, 1v.; Exchequer Reports, 3v.; Howard, 14v.; McLean, 4v.; Story, 3v.; Greenleaf Overruled Cases, 1v.; Story, Equity Jurisprudence, 2v.; Greenleaf on Evidence, 3v.; White's Leading Cases in Equity, 2v.; American Leading Cases, 2v.; Stephens' Nisi Prius, 3v.

These he totals at \$570.50—with a discount of \$20.50. The process by which he makes his subtraction leaving the net sum paid an even five hundred dollars—the sum appropriated for the purchase—is not apparent to the reader.

The report concludes with the hope that the then present legislature "will not fail to make an appropriation for Miscellaneous as well as Law Books, as it is well known the Library is very deficient in this department."

1854-55.

On the 10th of January, 1855, Mr. Hamilton, in the Senate of the Fifth General Assembly, introduced a bill for the regulation of the State Library. The bill was referred to

# CATALOGUE

OF THE

IOWA TERRITORIAL LIBRARY.

By  
J. S. Parry  
Librarian

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MDCCCXXXIX.

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BURLINGTON:  
PRINTED BY JAMES G. EDWARDS.  
—  
1839.

Facsimile of Title Page of the First Catalogue Issued from the Territorial  
Library of Iowa in 1839.

the Library Committee, consisting of Senators Clark, MeAchran, Love, Hogin and McCrary.

On the 15th, Chairman Clark, from that Committee, reported a substitute for the Hamilton bill, recommending its passage.

On motion of Mr. Browning, the substitute was amended by adding a provision that during the terms of the Supreme Court of the State and the Federal Court, the judges and attorneys be permitted to take and use any number of books needed in the trial of causes, provided they be not taken from the seat of government, and are returned according to law. The substitute thus amended was read a third time and passed.

The Senate bill was messaged to the House and was referred. On the 23d of January the committee on the State Library through its chairman, Mr. Oakey, reported recommending the passage of the bill. It was read a third time and passed. Two days thereafter it received the signature of Governor Grimes.

A joint resolution, approved January 25, 1855, appropriated \$1,000, to be expended by the Governor "for the increase and improvement of the State Library." Of this sum \$400 was to be expended in law books, \$500 in miscellaneous works, and \$100 in binding.

#### THE STATE LIBRARY LAW OF 1855.

The law passed by the Fifth General Assembly,<sup>22</sup> made the State librarian an appointee of the Governor, by and with the advice and consent of the Senate. It placed the librarian under bond in the sum of \$5,000, an amount absurdly out of proportion to the meager salary of \$150 provided by the law.

It required that the library be kept open during the sessions of the General Assembly and the Supreme Court, from 9 to 12 a. m., and from 2 to 9 p. m.; but, at other times, only during the afternoon of each Wednesday and Saturday.

It continued the strict rules prohibiting the loaning of books to other than officers of State, legislators and practicing

<sup>22</sup>Acts of the Fifth General Assembly of Iowa, pp. 232-235.

attorneys during term times; and even these were limited to a ten-days loan. No one was permitted to remove books from "the seat of government." No one was permitted to borrow more than two books at a time, except judges and attorneys during the terms of the Supreme Court of the State and the Federal Court.

A fine of \$10 was to be imposed upon the librarian for permitting any person not authorized by law to remove a book or other property from the library, and it was the duty of the Governor to direct a strict enforcement of this penalty.

Any person not authorized by law who should take a book or other property from the library, "either with or without the consent of the librarian," was "deemed guilty of petit larceny," and must be punished for the offence by due process of law.

The librarian was directed to prepare for publication a report to the Governor, before the first day of the following April, which should include an alphabetical catalogue of all the books in the library; and the Governor was directed to publish the report. The librarian was also directed to cause every book in the library to be labeled "Iowa State Library," with the number of the volume in the catalogue, and to write the same words at the bottom of the thirtieth page of each volume. All additions to the library were to be treated in the same manner.

A sum twice its value was to be exacted from any person defacing, destroying or losing a library book. In case the book was a volume of a set, the sum exacted was to be the full value of the entire set. It was the duty of the librarian to prosecute such persons, on such loss or injury coming to his knowledge. But should the offending party, within reasonable time, replace the book injured or lost, he was not liable to fine or prosecution.

It was incumbent on the Governor, the Secretary of State and the Librarian to adopt any further regulations, consistent with the provisions of this act, which might be deemed necessary for the preservation and management of the li-

brary; forfeitures recoverable in the name of the State, the same to be for the use of the library.

The librarian was directed to make a full and specific report to the General Assembly on the first of its sessions, and, on call, to make a special report to the Governor giving a list of books missing, also an account of fines and forfeitures imposed and collected and the amount uncollected, also a list of accessions to the library since the last report, and any other information in relation to the library which the Governor might call for.

The Governor, the Secretary of State and the Librarian were to determine what books and articles might be taken from the library and what should remain in the library for reference.

The room in which the library was kept was, under no circumstances, to be used for any other purpose.

Other sections of the law cover details for the carrying out of the provisions outlined above.

1856-57.

The only library record made by the Sixth General Assembly is a joint resolution, approved January 27, 1857, conferring upon the members of the Constitutional Convention of 1857 the same right and privilege of taking books from the State Library which had been conferred upon legislators.

The Sixth General Assembly received from "the members of the Iowa Bar, either residing or temporarily sojourning in Iowa City" a memorial from a committee appointed at a meeting held in Iowa City one evening during the session, the trend of which was a request that certain much-needed legislation should be passed.<sup>23</sup>

That portion of the memorial relating to the library, recited that the law library of the State was "in wretched condition," in fact, "about worthless in the investigation of law questions." The committee reported that there was hardly a complete set of reports in the library. It continues:

A lawyer can hardly do justice to his clients, so barren are his means of examination. Our Supreme Court that finally decides

<sup>23</sup>Preserved in the Archives of the State.

great questions of life, liberty and property is without the means of thorough investigation. The liberty of one citizen is worth more than the small sum requisite to rectify the evils. The members of the Bar, consulting the real good of the people of the State, as well as the interests of the Courts and the Profession at large, ask the Legislature—

First, an appropriation of \$1,500 annually, for the improvement and enlargement of the library; secondly, that a committee of three lawyers from the Iowa Bar be appointed to select suitable law books for the library without compensation; and, thirdly, an early publication of the Iowa Supreme Court Reports.

The memorial was signed by Charles H. Phelps, J. W. Rankin, W. M. Stone and J. C. Hall. Nothing came of the movement.

#### GOVERNOR GRIMES BUYS BOOKS.

In a special message dated Iowa City, January 7, 1857, Governor Grimes reported that in obedience to instructions of the General Assembly, he had purchased of Banks, Gould & Co., New York, 101 volumes of law books at a cost of \$330, and of Daniel Appleton & Co., 303 volumes of miscellaneous books at a cost of \$564.66, and had deposited same in the State Library. He had been instructed by the resolution to expend \$400 in law books; but as the catalogue furnished by the Judges of the Supreme Court of such books as they desired amounted in value to only \$274, he did not think it proper to expend more than the amount before stated for that purpose, and therefore expended the balance of \$64.66 for miscellaneous books. He had drawn from the Treasury \$900, and had expended \$894.66, and turned the balance, \$5.44 into the Treasury.<sup>24</sup>

1858-59.

In the Seventh General Assembly—the first to convene in Des Moines—a joint committee on the State Library, of which N. J. Rusch was Senate chairman and H. Anthony House chairman, made a report, February 16, 1858, that having examined the matters touching the condition of the State Library they find that the legal works do not meet the wants

<sup>24</sup>Messages and Proclamations, v. 21, pp. 99-100.

of our State judicial officers, and that those officers are laboring under many disadvantages, resulting in much uncertainty and lack of uniformity in legal determinations and decisions of the Supreme Court, this handicap proving "deleterious to the best interests of suitors whose rights are to be adjudicated." As judges and attorneys are dependent to a great extent on the library for facilities by which to prepare briefs, with full references to authorities, "they find it impossible to do so on account of the absence of reliable authorities."

The Committee found that the State's library did not contain "a full and complete set of law or equity reports of any of the States, . . . thus rendering it almost impossible to trace with certainty the general current of authorities, and thereby rendering decisions uncertain, and often not in unison with the established rules, which by proper references could at all times be obviated."

In view of these facts the Joint Committee recommended an act appointing some suitable person to act as agent for the State, whose duty would be to check the reports and purchase all found necessary to complete the sets, so far as it might be necessary to meet the wants complained of, and that an appropriation be made to that end.

Mr. Rusch, from the Senate Committee, supplemented the joint report with a briefer report in which the statement was made that at the time there was no sufficient appropriation, nor had there been one, sufficient "to secure in a proper manner the discharge of duties resting upon the State Librarian." The salary then paid was \$150. In view of the fact that the State had invested a large amount of money in the library, and was about to invest more, in justice to the State its library "should be cared for and guarded in a proper manner." The salary paid the librarian was "grossly inadequate to the services required," and the committee recommended that a law be passed fixing a reasonable salary for the State Librarian, also that provisions be made in the bill by which the librarian should be liable on his bond for all loss of books through his negligence or carelessness.

Mr. Rusch moved, and the motion was adopted, that the Committee on Ways and Means be instructed to report a bill at an early day for the appointment of an agent to examine into the Law Department of the State Library and empowered to purchase all the legal works necessary and appropriating a sum sufficient for that purpose.

A joint resolution passed the session requiring the State Librarian and the State Superintendent to turn over to the State University such books as they might select from duplicates in the State Library.

The salary of the librarian for the years 1858-59 was fixed at \$600.

#### LIBRARIAN J. P. COULTER'S REPORT FOR 1858-59.

Speaking from the historiographer's standpoint, the darkest period in the history of Iowa is, perhaps, that which immediately precedes the removal of the capital from Iowa City to Des Moines, between 1851 and 1858. The archives, now for the first time available for historical research, will doubtless throw much light upon the official history of the State covering that period; but the data which should contribute to make those years alive with events and occurrences will in all probability forever remain inadequate.

The official history supplied by State papers is wanting to make complete the early history of the State Library.

A bond and oath of office on file in the Archives Department indicate that J. P. Coulter was appointed Librarian March 30, 1858.

The next unpublished manuscript report found covering the activities—or inactivities—of the library is that of State Librarian J. P. Coulter, made December 12, 1859, and covering the years ending with that date.<sup>25</sup>

The report, addressed to Governor Lowe, begins, with a reference to a complaint made by the Judges of the Supreme Court and the members of the Bar, that the Reports of the several States are not in the library, their absence rendering it "almost impossible for them to trace up their authorities on important points of law."

<sup>25</sup>Marked "G" in supplement to this sketch.

The steady increase in the business of the courts of the State makes "more and more apparent every year" the necessity of a complete Law Library. In '59 there were in the library only two complete sets of State Reports, whereas at the present time the sets of State Reports in the library are nearly all complete.

The librarian respectfully asks for a binding fund, that valuable pamphlets and worn-out books may be preserved.

The number of volumes in the library in 1859 was reported as 5,855. Of this number about 150 volumes were subject to the selection of the Secretary of the Board of Education for the State University Library, as per a joint resolution of the previous year.

Then follows a list of donations and exchanges from several States, societies and individuals, showing much progress toward that goal so nearly attained at present, when the fullest cooperation, including inter-state and inter-society exchange and inter-state and inter-society loans, is the library policy everywhere.

1860-61.

The chief attention paid the Library by the Eighth General Assembly was in the nature of an attempt to discredit that department and minimize its importance to the State.

On the 13th of January, 1860, the Speaker presented to the House the report of the State Librarian. On motion the report was laid upon the table and 200 copies of same were ordered printed for the use of the House.

On the 20th of March, 1860, Mr. Bowen introduced in the Senate a bill for an act to abolish the office of State Librarian, and devolving his duties on the Clerk of the Secretary of the Board of Education. The bill was read twice, and on motion of Mr. Watson was referred to a special committee of three. The President appointed as that committee Senators Watson, Bower and Duncombe.

On the following day, Chairman Watson of that Committee reported the bill back "with the recommendation that it do not pass." Mr. Bowen moved that the committee's report be not concurred in; which motion prevailed.

Mr. Mann moved the indefinite postponement of the bill. Mr. Bowen called the yeas and nays. The motion carried by a vote of 23 to 18.<sup>26</sup>

On the 22d of March, Mr. Robb, in the House, submitted a report from the committee on public library, together with a resolution by Mr. Baker, the nature of which is not indicated in the House Journal of that date, or elsewhere. Mr. Kellogg moved that the report with the resolution be referred to the committee on ways and means, with instruction to report "by bill, joint resolution, or otherwise." Mr. Cleggett moved to amend, and the amendment carried, instructing that committee "to inquire into the expediency of requiring the State Librarian to be accountable for all books lost from the library, and requiring said librarian to take semi-annual inventories of all books in the library." The House Journal has no record of any action recommended by the ways and means committee.

On the same day, Mr. Clark, of Johnson, offered a resolution to the effect "that the committee of ways and means be instructed to inquire into the expediency of purchasing the law library of Mr. J. Grant, for the use of the State, and to report by bill or otherwise."

Mr. Bereman offered a resolution of inquiry as to what security the State had against loss by fire "and to report by bill or otherwise for the insurance of the library and other property of the State, if deemed necessary." The matter was referred to the committee on public buildings, where, presumably, it died.

In the report of J. W. Cattell, Auditor of State, April 18, 1860, the Librarian's salary is itemized as \$700.

In an act approved April 3, 1860, making appropriations for the pay of State officers, etc., the salary of the Secretary

<sup>26</sup>The yeas were—Senators Ainsworth, Bailey, Buechel, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Sherraden, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—23.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Scott, Wilson of Jefferson—18.

of the Board of Education, for the term of two years, was placed at \$3,000; "for traveling expenses and for the pay of deputy for the term of two years, . . . the sum of \$1,800" or \$900 a year.<sup>27</sup> Evidently the sum of \$200 was intended to be used for traveling expenses, and the balance of \$700 went to the acting librarian.

#### LIBRARIAN L. I. COULTER'S REPORT FOR 1860-61.

The seven-page, coverless report of L. I. Coulter, who had succeeded his father as State Librarian, dated Des Moines, January 13, 1862, covering the years 1860 and 1861, was issued "in compliance with Section 704 of the Revision of 1860."<sup>28</sup> It reports the number of volumes in the library at the close of the year 1859 as 5,810. Since that date the librarian had delivered to the library of the State University, in accordance with Joint Resolution No. 6, passed by the Seventh General Assembly, 415 duplicate volumes. By exchanges with other States and donations of scientific societies and private individuals, additions during the years 1860 and 1861 amounted to 6,433. To shelve these accessions, an additional alcove had been constructed. Then follows a list of the duplicates sent the State University. This is followed by a list of the accessions during the years 1860-61. These consist of documents from thirty-two States and two territories, also government documents and scientific publications from Berlin and Vienna, one valueless donation and sixteen law-text books received in exchange for Iowa reports.

#### 1862-63.

The Ninth General Assembly had little time for legislation other than that of providing men and means for the prosecution of the War for the Union. The librarian's report was received January 27, 1862, and on motion of Mr. Ainsworth was ordered laid on the table and printed. Copies of this report are scarce.

<sup>27</sup>Acts of the Eighth G. A. Sec. 7, p. 102.

<sup>28</sup>Not mentioned in the Check List of State Publications.

On March 4, 1862, Mr. Teter introduced in the Senate a resolution which, had it passed, would have been of incalculable value to the recently created Legislative Reference Bureau and to legislators. It was that the Secretary of the Senate and the Chief Clerk of the House severally preserve a file of all bills printed by order of their respective Houses, and that at the end of the session they deposit such files with the Secretary of State who was directed to bind same and place them in the State Library. On motion of Mr. Holmes the resolution was laid on the table.

Mr. Jennings introduced in the Senate, April 2, a concurrent resolution reciting that, whereas a large number of valuable works in the State Library, in pamphlet form, were suffering damage; and, whereas it was "the duty of the General Assembly to look to the preservation of said library," that the Secretary of State be authorized and directed to have the important pamphlets "neatly bound into proper separate volumes in half binding with leather tips." The resolution was referred to the committee on Library. On the 8th, that committee, through Mr. Woodward, reported. The committee had visited the Library and noted its condition. It was found that there were various valuable works of and relating to the laws, etc., which were bound in pamphlet form, "two or three copies of which should be on the shelves of the Library, and should be preserved;" also that there were publications of other States in pamphlet form, one copy of which, at least, shall be bound for preservation. Then followed a few details not essential to the record. The committee reported a bill embodying these recommendations. The bill was at once taken up, and passed by a vote of 27 to 12.

The House promptly took up the bill messaged from the Senate, and, on motion of Mr. Shipman, it was indefinitely postponed.

#### LIBRARIAN L. I. COULTER'S REPORT FOR 1862-63.

A manuscript report has been found, signed by L. I. Coulter, State Librarian, dated January 11,<sup>29</sup> 1864. This, the first of a new series of separately printed reports, men-

<sup>29</sup>Marked "H" in supplement to this sketch.

tioned in the Check List of State Publications, covers only seven pages, copies of which are scarce. This report covering the years 1862-63 is devoid of interest beyond the list of additions to the library during the period, and this list is chiefly interesting because of its revelation that not a single general work was added to the library during the years covered by the report. The only additions were exchanges with the several States in the nature of laws, law reports and State documents, Smithsonian Institute collections and donations from foreign literary and scientific associations, made through the agency of the Smithsonian Institute. The total of receipts for the period was 835 volumes.

1864-65.

Governor Kirkwood in his second biennial Message, January 12, 1864, declares that "the absolute necessity for a good Law Library, to a court of last resort, must be apparent to all." He adds: "It is as unreasonable to expect learned and correct decisions from a court deprived of a good library, as it is to expect good and well finished work from a mechanic without tools. The Reports of other States contain the well considered opinions of their most learned Judges; the elementary works contain the principles upon which our whole legal system is based, and to require our Judges to decide cases involving questions affecting the most vital rights and interests of our people without the opportunity to consult these fountains of law, is unreasonable in itself, and tends to render doubtful and uncertain the principles controlling and protecting these rights and interests."<sup>30</sup>

#### THE GENERAL ASSEMBLY RESPONDS.

The Tenth General Assembly responded to Governor Kirkwood's appeal with a generous appropriation. That portion of the Governor's Message relating to the library was promptly referred and on the 23d of January, 1864, Mr. Hailey from the Senate Committee on Library, reported that a bill appropriating money for the State Library had been

<sup>30</sup>Messages and Documents, v. 2, pp. 335-36.

under advisement, and he had been instructed to recommend its passage and its immediate publication. February 1, the bill came to a vote and passed with only ten opposing.<sup>30a</sup>

On the 11th the bill came back from the House, amended by a reduction of the appropriation from \$5,000 to \$3,000, and substituting "Auditor of State" for "Governor," as the officer to whom the Judges of the Supreme Court should give an account of their purchases of books.

Two days later, on motion of McCrary of Lee, the Senate refused to concur in the House amendments. A conference followed. Messrs. Stiles, Moir and Mills for the House and McCrary, of Lee, Hatch and Gue for the Senate. Chairman McCrary reported to the Senate recommending that that body recede from its refusal to adopt the House amendments, and concur in said amendments.

On the 8th of March the question of concurrence was settled affirmatively, by a vote of 40 to 1, Senator Burdick alone voting in the negative. The bill, as passed,<sup>31</sup> appropriates \$3,000 "for the purpose of increasing the law part of the State Library," the funds to be expended under the supervision of the judges of the Supreme Court.

#### LIBRARIAN L. I. COULTER'S REPORT FOR 1864-65.

The scarce report of Librarian L. I. Coulter, dated January 8, 1866, and covering the years 1864-65, is simply an inventory of additions made to the State Library during the biennial period by exchange and by donations from scientific sources and individuals and by purchase. The list includes the books purchased by the judges of the Supreme Court with the money appropriated by the Tenth General Assembly.

<sup>30a</sup>Yeas—Bassett, Burdick, Brunson, Brayton, Boardman, Bridges, Crookham, Clark, Cutts, Foote, Gray, Gue, Hart, Hogin, Hillyer, Hunt, Hatch, Hilsinger, King, McJunkin, McCrary of Lee, McCrary of Van Buren, Moore, McMillan, Merrill, Parvin, Saunders, Shippen, Wharton and Woolson—30.

Nays—Brown, Clarkson, Flaugh, Hesser, Hilsinger, Jennings, Knoll, Patterson, Ross, Udell—10.

<sup>31</sup>Laws of the Tenth General Assembly, Ch. 42, p. 41.

## WITHROW, WRIGHT AND DILLON'S INTEREST IN THE LIBRARY.

The papers of 1865 bring out the active interest taken by several famous Iowa jurists in the upbuilding of the Law Library.

Hon. Thomas F. Withrow, representing the judges of the Supreme Court, submits a report on the purchase of books "for the law part of the State Library, to the total amount of \$2,985.42." "The expense of making these purchases (aside from freight and express charges) . . . amounted in the aggregate to \$149.02." Evidently the buyer then sought the seller—not the seller, the buyer, as at the present time.

Hon. George G. Wright, chief justice, makes a supplemental report, in which he declares the appropriation "insufficient to purchase all the books needed for the Library"—a condition not entirely unique in the library's history! The judges deemed it advisable to purchase the leading text books and such reports as were deemed necessary to fill up broken sets, many of which were even then "difficult to obtain." Judge Wright adds: "Indeed, they were only secured by correspondence and personal interviews with most of the law publishing houses of the United States." And even those purchased "were found to be out-of-print and had to be picked up in private libraries where they were duplicates, or the owners were willing to sell." The Judge with what seems to be a touch of his well-remembered humor—"the humor of understatement" as Lowell terms it—concludes with the remark: "We deem it not improper to state that the Library is still incomplete!" He recommends that some means be adopted at an early day to round it out into completeness. That "early day" has not arrived, though the State has since dealt liberally by its library. When a librarian, or a board, pronounces a State Library complete, the time will have fully come for a change, for a working library is essentially incomplete, and the most a library board or a librarian, can expect to do is to approximate toward completeness as closely as its maintenance fund and favoring opportunities will permit.

The name of Judge John F. Dillon appears on a voucher of this year as having bought for the State twelve volumes of the American Law Register at \$5 per volume, with 20 per cent off.

It is notable, in a country of frequent changes in the commercial world, that the two business houses from whom these purchases were made, namely: Banks, Gould & Company, succeeded by Banks & Bros., New York, and Callaghan & Cutter, succeeded by Callaghan & Company, Chicago, are still the leading handlers of law-books in the United States. The presence of the 2-cent revenue stamp on the receipts of one of these firms, with the absence of the stamp on those of the other, suggests either an evasion of the internal revenue law by one, or excessive conscientiousness on the part of the other!

1866-67.

In his first biennial message of January 8, 1866, Governor Stone incidentally refers to the State Library as "a valuable auxiliary to a Law School," presenting this as one of the "peculiarly strong reasons for the location of this school at the Capital." The Governor seemed to be satisfied with the meager equipment of the library, as he makes no recommendation for increased appropriation therefor.<sup>32</sup>

1866-67.

In the Eleventh General Assembly an effort was made by Senator Brayton "to provide for increasing the State Library, and to levy and collect taxes for the purpose." But the Brayton bill never even reached the House. It was introduced January 29, 1866, and referred to the committee on State Library. Three days later that committee, through its chairman, J. H. Smith, reported the bill back recommending its indefinite postponement. Mr. Brayton presented a minority report amending the bill and recommending its passage as amended. On the 27th of February, the majority report was adopted, and so the bill was indefinitely postponed.

But Senator Brayton persisted. By consent he at once introduced Senate File, No. 157, presumably eliminating the

<sup>32</sup>Messages and Proclamations, v. 3, p. 44.

objectionable features of the original measure. The bill was referred to the committee on ways and means, was reported out and, on the 19th of March, was put upon its passage, receiving 26 votes, with 15 nays.

In the House, March 20, the bill went to the committee on Library. March 16, Mr. Tisdale from that committee reported a new bill to the same end. This bill, in effect a substitute for the Senate bill, was referred to ways and means. It was reported by the "sifting committee" too far down the revised calendar to be reached, and hence the bill "lost out."

The only other legislation attempted in the interest of the library was a Senate joint resolution appropriating funds for the purchase of 300 copies of Stewart's "Iowa Regiments and Colonels," to be used by the State Library and the Historical Department as a basis of exchange for the laws and documents of other States. This also failed.

#### LIBRARIAN L. I. COULTER'S REPORT FOR 1866-67.

The next unpublished manuscript report<sup>33</sup> found among the Archives is by Librarian L. I. Coulter, and dated January 13, 1868. This report like the rest is simply a list of laws, documents, translations, etc., received during the years 1866 and 1867, the total number of which was 928 volumes. The librarian respectfully suggests that the publication of foreign scientific and literary societies be transferred to the Library of the State University. The report includes a number of purchases made by Judge C. C. Cole, namely copies of North Carolina, Tennessee, Mississippi, South Carolina and Vermont reports with a view to completing the sets of State Reports necessary to the practice in Iowa.

1868-69.

The Twelfth General Assembly's only contributions to the interests of the State Library were a series of provisions to facilitate free exchanges with the libraries and societies of other States. By separate statutes, 100 copies of the Adjutant General's report were turned over to the librarian for ex-

<sup>33</sup>Marked "T" in the supplement to this sketch.

change purposes; the Secretary of State was directed to distribute two copies of the Session Laws, as they appear, to the librarian of each State and Territory; and to supply the Iowa librarian with ten copies of the annual reports of the Iowa State Agricultural Society. It adjourned without making any provision, whatever, for the librarian's support.

On the 30th of January, 1868, a communication from the State Librarian was taken up in the Senate and on motion was referred to the Committee on State Library. This communication is doubtless the Librarian's Report covering the years 1866-67, to which reference has been made.

#### THE COULTERS—FATHER AND SON.

There appears to be no official record of the appointment of J. P. Coulter's son, L. I. Coulter, as State Librarian. As stated, the elder Coulter was appointed in 1858, and his first and only report, dated December, 1859, covered the previous year. The Eighth General Assembly practically eliminated the elder Coulter by a clause in the salary appropriation bill permitting the Secretary of the Board of Education to appoint a deputy for two years, "provided said deputy shall act as State Librarian."<sup>34</sup> The son, formerly a clerk in the office of the Clerk of the Supreme Court, was appointed deputy and served until the provision of the appropriations committee was withheld in 1868. He served two years more in the office of the Board of Education, and then secured a position with the book-publishing house of Iveson, Blakeman & Co., of Chicago. The elder Coulter, Capt. John P., is dead. The younger is still living in Chicago and actively engaged in the service of the American Book Company.<sup>35</sup>

1870-71.

#### GOVERNOR MERRILL'S PLEA FOR THE LIBRARY.

In Governor Merrill the State library found an enthusiastic supporter. In his first biennial Message, January 11, 1870, the Governor noted the fact that the general library had received

<sup>34</sup>Chapter 84, Laws of Eighth G. A., p. 102.

<sup>35</sup>The writer is indebted to Messrs. W. H. Fleming and John M. Davis for information concerning the Coulters.

no additions "since the removal of the capital from Iowa City," except a few donations. He urged that the 10,961 volumes in the library "should be replenished." He noted the addition of 1,631 volumes, by exchange and donation, during the biennial period. He referred with satisfaction to the act of the previous General Assembly, "reviving a law of 1864, giving the Secretary of State authority to dispose of Supreme Court Reports in exchange for books on law and equity to be selected by the Judges of the Supreme Court." This system of exchange he finds "has caused an accession to the law library of 542 volumes of valuable and needed works"—with more coming. He optimistically concludes that from this source the library might rely on receiving about a thousand dollars' worth of books a year, and these with exchanges and donations would add to the library about 2,000 volumes during the next two years. He then calls the legislature's attention to the fact that the library apartments are too small even for present demands, adding that "a great number of books are boxed up and otherwise put away," for want of room. He urges the necessity of providing more shelf-room for the library. He suggests that "the room now occupied by the Supreme Court might be taken, and other provision be made for the accommodation of that tribunal." He also recommends a revision of the law relating to the State Library, adding:

The present act was passed many years ago, when the number of volumes in the library was quite small, and when one of the State officers could readily attend to it without neglect of his other duties. Now, the proper care of the room and books requires the time and attention of one person, who should receive appropriate compensation therefor, and be held responsible for the safe keeping of the property. He should also have charge of the reception and distribution of all books connected with the library under the laws of the State.<sup>30</sup>

Through the active exertions of Justice Cole, of the Supreme Court, the General Assembly enlarged the library's facilities for exchange and purchase by authorizing the sale of 200 copies of Greene's Reports for the benefit of the library.

<sup>30</sup>Messages and Proclamations, v. 3, pp. 274-5.

In 1871 the library was moved into the vacated Supreme Court room in the old capitol, and was thus given nearly double the floor and shelving space it had before. With one of those inconsistencies incident to legislation by the many, the General Assembly neglected to act upon the Governor's suggestion that the separate office of librarian should be restored and that the incumbent should receive appropriate compensation for his services. The Governor's appointee, John C. Merrill, filed his bond May 16, 1868; but the Twelfth General Assembly, while relieving the deputy of the State Superintendent from duty as librarian, adjourned without making any provision for the librarianship. Consequently Mr. Merrill was appointed by the Census Board an extra janitor.<sup>37</sup> He continued to receive pay as a janitor until his death, which occurred in September, 1871. Mr. Merrill served the State with rare fidelity, industry and intelligence, preparing the way for the eminently successful administration of Mrs. Ada North, who succeeded him, and, upon whom the title, "State Librarian," was worthily bestowed.

The subsequent history of the State Library is a matter of record and the records are complete, though several of the Librarian's reports are scarce.

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#### STATE LIBRARY LEGISLATION SINCE 1870.

The writer's original purpose—that of tracing the history of Iowa's State Library from the beginning of its career in 1838 down to 1870, the date at which separate reports began to be regularly issued by the librarian—has been accomplished, thereby filling a small gap in the official history of the State.<sup>37a</sup> Inasmuch as many of the regular biennial reports which follow the year 1870 contain little outside of lists of

<sup>37</sup>Mrs. North's Historical Sketch of the Iowa State Library, 1875.

<sup>37a</sup>Mention should be made of the brief historical sketch of the State Library by Mrs. Ada North, librarian, in 1875. New light thrown upon the subject by reports found among the State Archives do not detract from the value of this sketch.

In 1893, Mrs. Mary H. Miller, then librarian, made Mrs. North's sketch the starting point of a historical sketch extending State Library history down to her own time. This brief sketch—only a single copy of which remains in the library—has also proved valuable as a starting point for research.

books added during the several biennial periods, it seems best to summarize briefly the legislation affecting the State Library which has been enacted since the close of the year 1869.

1870.—The Thirteenth General Assembly in an act approved April 14, 1870, took the State Library out of the hands of the Governor and placed it with the judges of the Supreme Court, styling them Commissioners of the State Library, and as such placing in their hands the management and control of the library in the selection and exchange of books. The commissioners were to receive no compensation for their services.

The librarian's exchange facilities were strengthened by the purchase of 200 copies of Greene's Reports of the decisions of the Iowa Supreme Court, the books to be retained by the librarian for distribution and exchange.

1872.—An act approved April 23, 1872, "in relation to the State Library and the duties of the State Librarian," re-organized the Library Board upon its present basis, made up as it is of the Governor, the Judges of the Supreme Court, the Secretary of State and the Superintendent of Public Instruction. The new law continued the old territorial prohibitions and limitations as to the loan of books. It made the librarian the appointee of the Governor, and gave him a two years term, fixing his bond at \$5,000 and his salary at \$1,200, and prohibiting the payment of an extra amount for an assistant librarian. It provided for a biennial report to the Governor, containing a list of books acquired during the previous biennial period. It appropriated \$100 annually to be expended by the Board in the purchase of books for the library. Other details are in the main a repetition of former regulations.

1878.—The Code of 1873 fixed the salary of the State Librarian at \$1,200, and prohibited the payment of any extra amount for an assistant librarian. The Seventeenth General Assembly, in a law approved March 21, 1878, amended Section 3762 of the Code reducing the State Librarian's salary from \$1,200 to \$1,000. It fixed the annual appropriation for books at \$1,000.

1880.—The Eighteenth General Assembly in an act approved March 20, 1880, prohibited the removal of books, maps, charts or papers belonging to the State Library from the Capitol, except a removal from the old to the new Capitol—practically a repetition of laws and resolutions passed by previous legislatures. By an act approved March 27, 1880, Section 1899 of the Code, fixing at \$1,000 the appropriation for the purchase of books for the State Library, was amended increasing the annual appropriation for purchase of books to \$2,000. The act also appropriated the sum of \$500 annually for the salary of an assistant librarian, when in the judgment of the trustees such assistant should be appointed.

1884.—The Twentieth General Assembly passed an act, approved April 14, 1884, raising the appropriation for the State Library from \$2,000 to \$6,000, to be expended in the purchase of miscellaneous books to improve the character and supply the omissions in the miscellaneous division of the library. It also authorized the librarian to employ a first assistant at \$500 per annum, a second assistant at \$500, and a messenger at \$300. To pay said salaries, also to provide for extra assistance in rearranging the library on the completion of the upper shelves, there was appropriated the further sum of \$1,500 per year for two years. The salary of the State Librarian was restored to \$1,200.

1886.—The Twenty-first General Assembly in an act approved April 12, 1886, raised the salary of the librarian's first assistant from \$500 to \$600.

1888.—The Twenty-second General Assembly in an act approved April 11, 1888, appropriated the following sums for the following purposes: For matting for the first floor and first gallery, \$450; tin rollers for maps, \$100; book elevators, \$100; five tables for rooms in the galleries, \$50; \$1,000 for re-binding old books, periodicals and pamphlets. Total \$1,700.

1890.—The Twenty-third General Assembly made an additional appropriation of \$1,000 (approved April 24, 1890), \$1,500 to complete sets of the Session Laws of the States and

Territories; \$500 to complete sets of periodicals and to procure new sets.

1892.—By an act approved April 9, 1892, the Twenty-fourth General Assembly reduced the appropriation for books for the State Library from \$6,000 to \$5,000.

1894.—The Twenty-fifth General Assembly, recognizing the mission and the growing importance and usefulness of the Historical Department, by an act approved April 2, 1894, authorized the trustees of the State Library to turn over to that department the county histories and files of newspapers in the State Library. It also authorized the expenditure of \$3,000 during the year 1894, in excess of the regular appropriation, for the purchase of books for the library.

1896.—The Twenty-sixth General Assembly gave birth to the Traveling Library of Iowa, now one of the principal activities of the Iowa Library Commission. By an act approved April 8, 1896, the State Library trustees were empowered to establish associate libraries in school and college libraries throughout the State. The State Librarian was directed to issue to such local libraries certificates as such. The law left to the trustees and the State Librarian the development of the details of a loaning system, including the loan of books, in response to a taxpayers' petition, to communities and organizations where no library existed. The sum of \$4,000 was appropriated "for the purchase of books and equipment of collections of books," and collections to be loaned were to be designated as "Iowa Traveling Libraries."

1898.—"To further extend the use of the Iowa Traveling Libraries," the Twenty-seventh General Assembly passed an act approved April 7, 1898, appropriating annually the sum of \$2,000. The same body by joint resolution No. 5, created the position of Assistant to Librarian, fixing his salary at \$720.

1900.—The act consolidating "the miscellaneous portion of the State Library with the Historical Department," amendatory of Chapter 17, title 13, of the Code, was passed by the Twenty-eighth General Assembly and became a law March 12, 1900. The law made several radical changes. The State

Library trustees had long been the trustees of the Historical Department. By this act they ceased to act as separate boards.

Section 1 empowered the trustees of the two boards "to consolidate the miscellaneous portion of the Iowa State Library (exclusive of the law section) or so much thereof as shall be regarded by said board as advisable, with the Historical Department, the consolidation to take effect upon the beginning of the new year."

Section 2 decreed "that after such consolidation the State Librarian shall have general charge of the Historical Department and of the consolidated and law libraries. The curator of the museum and art gallery shall have charge of the museum, the art gallery, the newspapers and historical periodicals. The assistant to librarian shall have charge of the law library, under the direction of the state librarian." The term of each official named was extended from two to six years, and his appointment was transferred from the Governor to the board of trustees.

Section 3 authorized the Executive Council to procure necessary furniture and fixtures to carry the consolidation into effect.

Section 4 gave the trustees "control of the respective departments above named," and directed them to "assign rooms to be occupied by each of said officers."

Section 5 appropriated \$10,000 "for the use of the state library and historical department and museum, and \$2,500 for the law department."

The practical working out of the law was an equal division of the appropriation of \$10,000 between the General Library and the Historical Department, and the removal (in April, 1908) of the General Library to the East wing of the new Historical Building.

Section 6 placed the salary of the State Librarian at \$2,000; that of the curator of the Historical Department at \$1,600, and that of the curator of the Law Department at \$1,200.

The same body, by a separate act approved April 6, 1900, raised the salaries of the State Librarian's assistants as fol-

lows: first assistant, from \$600 to \$1,000; second assistant, from \$500 to \$800; third assistant from \$400 to \$700.

In response to a demand for a Library Commission, the Twenty-eighth General Assembly created such body making the State Librarian, the State Superintendent of Public Instruction, and the president of the State University each an ex-officio member, and empowering the Governor to appoint four other members. By implication, the trustees of the State Library deemed themselves authorized to turn over to the new commission the Traveling Libraries purchased by them and operated by the State Librarian.

1902.—The Twenty-ninth General Assembly by joint resolution No. 5, created the position of cataloguer for the State Library at a salary of \$1,000.

1904.—The Thirtieth General Assembly added to the State Librarian's office force a stenographer and bookkeeper at a salary of \$720.

1906.—The Thirty-first General Assembly, by joint resolution, awarded the assistant to librarian in charge of law library and documents the sum of \$300 in addition to his regular compensation of \$720.

1907.—The Thirty-second General Assembly, by an act approved February 22, 1907, appropriated and turned over to the State Librarian \$150 to be used in the procuring of legislative references to and indexes of current legislation.

The salaries of the State Library force were placed upon their present basis by the Thirty-second General Assembly, by an act approved April 10, 1907. By this act, the librarian's salary was fixed at \$2,400; the assistant to librarian at \$1,800; the librarian's first assistant at \$1,100; second assistant \$1,000; third assistant, \$900.

1909.—This was followed, in 1909, by the inclusion of an item of \$1,000 for a "legislative and general reference assistant," thus enabling the librarian to organize a Legislative Reference Bureau in connection with the Law and Document Department.

1911.—By the action of the Thirty-fourth General Assembly, approved April 1, 1911, the appropriations for the State Library and Historical Department were increased to their present status—to the great relief of all three departments. The Law Department and Legislative Reference Bureau together were given \$6,000. The Miscellaneous, or General, Library was given \$6,000, and the Historical Department the same amount. Theretofore, the three departments were together allowed \$14,000; the Law, \$4,000; the General Library, \$5,000; the Historical Department, \$5,000.

(The supplemental matter referred to in the foot notes to this article will be published in the next number of the ANNALS.)

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GENERAL W. DUANE WILSON.—We had occasion to state some weeks since that the report of General W. Duane Wilson, Secretary of the State Agricultural College, would be found to contain a vast amount of practical information for our farmers. Since the publication of that notice the reports have been distributed to a considerable extent, and they have been received by the people with the most flattering attention. It is due to Secretary Wilson to say that, since he was appointed in 1858 to the position which he now occupies he has labored intelligently and devotedly in his office, his labors have been untiring. He has been active and liberal in the distribution of seeds. He has won many friends by the intelligent interest which he takes in agriculture, and by his genial and accommodating manners.—*Daily State Register*, Des Moines, March 27, 1862.

Doctor Witter, surgeon of the Seventh Iowa Regiment, fancied in the delirium of his last moments that he was on the battlefield, and exhorted the soldiers who he imagined were in his presence to deeds of heroism for their country. A good man has gone, but his memory will live with the freshness of immortality.—*Daily State Register*, Des Moines, March 27, 1862.

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