

LOCATING THE STATE UNIVERSITY OF IOWA

By Harrison John Thornton

Authority to create an institution of higher learning for the people was included in the Constitution of 1846 that called the State of Iowa into being. Proceeding upon the authority of the enabling clause, the question of selecting a site for the University became a consideration of the First General Assembly which met in Iowa City. In 1838, following dispatch of a petition to Congress asking for a grant of public land, the territorial Legislative Assembly had passed an act authorizing the establishment at Mount Pleasant of an institution to be known as "Iowa University."¹ But although it was required that the trustees should make annual reports to the Assembly, no funds or other means of support were indicated, and the proposed institution appeared to be of a private rather than a public nature.²

Two measures were introduced into the House during January, 1847, providing for the location of the State University at Mount Pleasant and Fairfield respectively; both were referred to the committee on schools.³ The following month a petition was presented to the House calling for the establishment of the institution in the town of Washington, and another was framed by the trustees of Denmark Academy in Lee County "asking for a share of the funds to be appropriated for educational purposes."⁴

Two bills were also placed before the Senate, one asking for the creation of a university at Iowa City, the other naming Yellow Springs. The sponsor of the former proposal was Thomas Hughes of Johnson County,⁵ and in support of it, more than two hundred persons signed a petition

¹ J. L. Pickard, *Historical Sketch of the State University of Iowa* (reprinted from *Annals of Iowa*, April, 1899), 6.

² *Laws of the Territory of Iowa, 1839-1840*, 99-101.

³ Thomas H. Benton, Jr., *An Address Delivered at the Annual Commencement of the State University of Iowa, June 21st, 1867* (Davenport, 1877), 9; *Journal of the House of Representatives, 1846-1847*, 158, 339.

⁴ *Journal of the House of Representatives, 1846-1847*, 272-3, 340.

⁵ *Journal of the Senate, 1846-1847*, 246; Benton, *Address* . . . , 10.

which was placed before the House by Smiley H. Bonham.⁶ "Those who favored the location of the University at Iowa City," declared Thomas Hart Benton, Jr., who delivered the University's commencement address in 1867, "desired to see the question first tested in the House," so that if it should be defeated there, the Senate procedure could benefit by the experience.⁷

Evidently the supporters of the Iowa City location were determined to carry their point. The response of the House was to refer the petition to a committee with instructions that a supporting bill be prepared. This was done, its form following closely the measure placed before the Senate by Senator Hughes.⁸ It was then promptly introduced by Bonham. Upon the recommendation of the committee on schools the bill was favorably considered by the House, and on February 22 it was passed by a vote of twenty-one to eleven.⁹ Advanced to the Senate on the same day, it was immediately considered by that body's committee on schools and, with a single amendment, it was reported to the Senate with a recommendation for favorable action; at the same time the committee urged that the two Senate bills concerning the University's location be indefinitely tabled.¹⁰ The amendment was an important one in that it vested control of the federal land grant and the permanent funds to arise therefrom in the University's Board of Trustees. Had the bill been adopted without this amendment, "the sale of the lands and the investment of the fund [probably] would have devolved upon the county officers intrusted with the management of the common school fund and lands in the various counties."¹¹

In the Senate the issue became the subject of spirited debate. Samuel Fullinwider of Des Moines County vigorously contended for the Yellow Springs location, but several factors favored the claims of Iowa City. One important consideration was the use to be made of the Capitol building once the seat of government was removed from its first location. Conveyance to the projected university seemed to be a logical disposition. That

⁶ *Journal of the House of Representatives, 1846-1847*, 356.

⁷ Benton, *Address* . . . , 10.

⁸ *Ibid.*, 11.

⁹ *Journal of the House of Representatives, 1846-1847*, 265, 382, 383.

¹⁰ *Journal of the Senate, 1846-1847*, 270-71, 276-7.

¹¹ Jay B. MacGregor, "The Genesis and Growth of the Control and Administration of the State University of Iowa" (typescript thesis, State University of Iowa), 11.

some such discussion was in the air as early as the summer of 1846 appears from a letter to the *Iowa Standard* by William Penn Clarke.¹² Moreover, a certain sympathy existed for the eastern community because of its imminent deposition as capital of the State, and a desire to provide some compensation was discernible. Beyond these matters, it appears that the representatives from Johnson County and their supporters were better organized and led than the proponents of other regions.¹³ After vigorous discussion of the measure by the Senate, the bill was amended, passed, and returned to the House. Favorable action on the amended bill was there taken on February 24, 1847, and upon executive approval the following day, the last of the session, the "Act to locate and establish a State University" became law.¹⁴

The following summary of this historic enactment by Josiah L. Pickard, one of the early presidents of the University, is still preserved:

Section 1 Locates the institution under the title of "State University of Iowa" at Iowa City with such branches as public convenience may require.

Section 2 Donates the State Buildings and the lot upon which they stand to said University. (Note — An act had been passed looking to the removal of the State Capital, and the use of rooms temporarily was reserved for State officers.)

Section 3 Donates to the University the congressional grant of two townships of land.

Section 4 Provides for a Board of Trustees of which the Superintendent of Public Instruction shall be President.

Section 5 Names the Trustees and fixes the term of office at six years.

Section 6 Gives the Superintendent of Public Instruction the power to establish a professorship for the education of teachers of Common Schools as soon as he may deem it necessary.

Section 7 Authorizes Trustees to dispose of lands when selected.

Section 8 Makes the State Treasurer the custodian of University funds.

Section 9 Determines the quorum for transaction of business at meetings of Trustees.

¹² *Iowa City Iowa Standard*, July 22, 1846.

¹³ Vernon Carstensen, "The State University of Iowa: The Collegiate Department from the Beginning to 1878" (typescript Ph. D. thesis, State University of Iowa), 59.

¹⁴ *Laws of Iowa, 1846-1847*, 188-9; *Journal of the House of Representatives, 1846-1847*, 420; *Journal of the Senate, 1846-1847*, 278-81.

Section 10 Makes the University a non-sectarian institution.

Section 11 Provides for free instruction of fifty students annually in theory and practice of teaching, and in such branches of learning as are best calculated for the preparation of said students for the business of common school teaching.

Section 12 Gives the General Assembly full supervision of the University, its officers, and the grants made by the State.

Section 13 Requires the Trustees to keep a full record of their proceedings open at all times to inspection by the General Assembly.¹⁵

By the measure of February 25, 1847, the dispute over the location of the University had, for the moment, been settled in favor of Iowa City. But statutory action could effect a change, and partisans of other locations would gladly have brought this about. Indeed, efforts to provide for scattered branches of the University were persistent. The school committee of the House, in reporting back on the two bills seeking to place the institution at Mount Pleasant or Fairfield, recommended the tabling of the measures,¹⁶ and proposed the establishment of a "parent University" and the creation of "collegiate districts" throughout the State with claims on the University funds.¹⁷ Then, during the Senate debate on the bill that finally became law, an amendment had been offered providing for five branches, each to be granted one-fifth of the revenue from the University fund; this was defeated by a vote of 11 to 8.¹⁸ When the measure was sent to the House still another attempt was made to prevent the unity of both the academic and physical properties of the emerging institution. This was in the form of a suggested amendment to create four branches with an equal division of the revenue from the permanent fund. Like the previous similar proposals this too was rejected.¹⁹

Proposals for division were motivated by a simple sense of what was considered to be "fair play." For example, an Iowa City newspaper asked: "And is it designed to put the whole avails of the University lands into one institution? It would seem unfair to deprive the west end of the State of its quota. — This ought to be taken into view." This was an unselfish

¹⁵ Pickard, *Historical Sketch* . . . , 7-8. See also, Benton, *Address* . . . , 12-14.

¹⁶ *Journal of the House of Representatives, 1846-1847*, 145, 353; Benton, *Address* . . . , 9.

¹⁷ Benton, *Address* . . . , 10.

¹⁸ *Journal of the Senate, 1846-1847*, 279-80.

¹⁹ *Journal of the House of Representatives, 1846-1847*, 407-408.

sentiment, indeed, until it appears that the editor had concluded that the University was to go to Fairfield or Mount Pleasant.²⁰ Nevertheless, section one of the enactment of February 25 plainly stated that an undetermined number of branches of the institution could properly be established in other places. The term "as public convenience may require" was broad and elastic. Designed, presumably, as a concession to the extensive area of the new commonwealth, and the poor conditions and slow rate of travel, it was nevertheless a temptation and a stimulus both to local academic pride and practical considerations of sharing in the permanent fund to be built up from the sale of federal land grants.

Whatever the individual motivations, several communities continued to aspire to become the locale of a section of the new university. At an extra session of the First General Assembly in January, 1848, a measure to establish branches was presented to the House of Representatives. This was read, passed, and sent to the Senate where it was indefinitely tabled, largely owing to the influence of Thomas Hart Benton, Jr., chairman of the committee on schools.²¹ During the second regular session of the General Assembly in the winter of 1848-1849, two bills were passed establishing sections at Fairfield and "in or near the city of Dubuque." These measures provided that the projected units be placed upon the same footing in respect to funds and all other matters as the University located by the act of February 25, 1847, at Iowa City. However, the Dubuque bill required that "no moneys shall be appropriated to the support of any branch of the University until the revenues to the parent institution shall exceed three thousand dollars per annum from the grant made by Congress."²² This, of course, was a trifling protection for the interests of the central unit and slight comfort for those who feared the early dissipation of its slender resources. In his University commencement address in 1867, Thomas Hart Benton, Jr., confessed his fear that the legislature by this action had created "three state universities, with equal rights," and endowed with the same powers, "in respect to funds and all other matters."²³

Others took note of the action of the General Assembly during this ses-

²⁰ *Iowa City Iowa Standard*, February 10, 1847.

²¹ *Journal of the House of Representatives, Extra Session, 1847*, 110, 117, 145-6; *Journal of the Senate, Extra Session, 1848*, 90, 91, 124.

²² *Journal of the Senate, 1848-1849*, 232-3. See *Laws of Iowa, 1848-1849*, 142-5.

²³ Benton, *Address* . . . , 15.

sion authorizing the establishment of normal schools at Andrew (home of Governor Ansel Briggs), Oskaloosa, and Mount Pleasant, and the requirement that the "sum of five hundred dollars is hereby appropriated, annually, to each school, to be drawn quarterly out of the University fund by the several treasurers. . . ." ²⁴ A supplementary measure called upon the Board of Trustees of the University at Iowa City "to give their order, from time to time, upon the Treasurer of State, for the quarterly payments due the Oskaloosa [sic] and Andrew Normal Schools from the University Fund. . . ." ²⁵

Development of the unit at Fairfield proceeded to the point of designation by the legislature of a board of trustees, selection of a site, and erection of buildings. The General Assembly appears to have been quite solicitous of the progress of this adventure.²⁶ By 1853, however, the trustees of the Fairfield institution came to the conclusion that this school could best be managed as a local enterprise and requested the legislature to terminate the State relation. The request was granted and provision so made. The projected unit at Dubuque was put under the control of the Superintendent of Public Instruction and a board of trustees was created, but organization of the proposed section of the University in the eastern city failed to occur. One branch was authorized by the parent trustees themselves when in December, 1848, they recognized a "voluntary association of Medical Gentlemen" at Keokuk as constituting "a Medical School to be known as the Medical Department of the University of Iowa." Though it was not permitted to draw upon the University funds, the school continued its activities at Keokuk for several years.²⁷

The conclusion is irresistible that the many attempts to disrupt the centralization of the infant University must have resulted in a wide distribution through the State of its structure and finances had not the supporters of unity been more forceful than the interests contending so persistently for branches and subdivisions.

²⁴ *Laws of Iowa, 1848-1849*, 93-4.

²⁵ *Laws of Iowa, 1854-1855*, 193.

²⁶ *Laws of Iowa, 1848-1849*, Joint Resolution No. 36, p. 194; *ibid.*, 1850-1851, Joint Resolution No. 24, pp. 249-50; *ibid.*, 1852-1853, Joint Resolution No. 6, pp. 202-203; "Report of the Superintendent of Public Instruction," in *Journal of the Senate, 1850-1851*, Appendix, 141-2.

²⁷ "Minutes of the Board of Trustees," December 7, 1848, University Archives, State University of Iowa.

Senator George G. Wright of Van Buren County was among those who were opposed to the scattering of the University's substance. On February 1, 1851, he introduced a resolution calling for the repeal of all laws "on the subject of Normal schools and branches of the State University," and providing for the unification of all "these branches and schools at one point." The resolution was adopted, though no further action appears to have been taken.²⁸

A sturdy friend of unification was Thomas Hart Benton, Jr. As Superintendent of Public Instruction he urged the General Assembly to consider the wisdom and practicability of an undivided university. In one of these reports his argument against divisiveness had the force of *reductio ad absurdum*: "By the terms of the grant, we have seventy-two sections, or 46,080 acres of land for the support of the [University] which at \$1,25 [sic] per acre would amount to \$57,600. The annual interest on this sum, at ten per cent. per annum, would be \$5,760. Of this amount \$1,500 (\$500 to each) is to be paid annually to the Normal Schools, leaving \$4,260 for the support of a University and two branches, being \$1,400 [sic] for each. . . ." Such a sum, Benton wrote with quiet irony, would not be regarded as "a very rich endowment for an institution dignified with the title of State University." In objecting to what he believed was the error of evoking the normal schools, he pointed out that "New York, with the experience of fifty years, and about two millions and a half of inhabitants, has but one normal school, while Iowa, with an existence of only four years, and less than one-twelfth of the population, has three. Other western States find it difficult, with the same facilities we possess, to establish one University, while we are attempting to foster three. If the existing stipulations are perpetuated," he continued, none of Iowa's feeble institutions could ever attain "a very enviable degree of celebrity. . . ." While asserting his complete lack of hostility to any of the units in question, knowing, in the discharge of his official duties, "neither north, south, east or west," the state of Iowa only, from "center to circumference," being the object of his esteem, he would solve the problem by having the General Assembly appropriate a definite sum for each of the subordinate units and then deprive them of any further claim upon the University.²⁹

²⁸ *Journal of the Senate, 1850-1851*, 272.

²⁹ "Report of the Superintendent of Public Instruction," in *Journal of the Senate, 1850-1851*, Appendix, 143-4.

Benton's successor as Superintendent of Public Instruction, James D. Eads, expressed himself with equal sturdiness on the unwisdom of dividing the resources of the parent University. The entire University fund, he maintained in his report to the Fifth General Assembly, should be

concentrated upon one object, and the building up of one Institution, and not have it squandered by dividing it on different schools in various parts of the State. . . . One Institution of Learning, well sustained, is of more advantage to the people at large, than twenty only in name, as many of our Colleges are in this State. One University, with an able corps of Professors, and properly managed, will be sufficient for the accommodation of all the students who will attend a State University, and besides that, will be a credit to the State.³⁰

Among those who proved to be warm and powerful friends of centralization was Governor James W. Grimes. During January, 1857, he expressed himself firmly on the point when he vetoed and returned to the House an "Act for the relief of the Medical Department of the State University." The measure, which provided for a grant of \$5,000 from the interest of the University fund to the College of Physicians and Surgeons at Keokuk, was, the Governor held, "an unwarrantable diversion of the fund, and a virtual violation of the law of Congress, granting the land to the State, from which the fund was derived. . . ." Accepting the definition of a university as "'an assemblage of colleges established in any place,'" Grimes did not consider that it was the intent of Congress that professional schools throughout the State should be supported from this fund. In relation to this particular measure, the Governor found added strength in his conviction that it was not "the policy of any State to furnish young men with professional educations," yet at the same time he did not believe "that it is in the power of the General Assembly, to disserve the institution, and appropriate the funds arising from the sale of the University lands to the support of various colleges and schools scattered over the State, although they may be called branches of the University." The Governor took occasion to express his disapproval of the previous action of the General Assembly in undertaking to erect the units at Fairfield and Dubuque, the normal schools at Andrew and Oskaloosa, and the medical college at Keokuk. He also reported with alarm that "bills are now in various stages of progress before the General Assembly, creating

³⁰ "Biennial Report of the Superintendent of Public Instruction to the Fifth General Assembly," in *Senate Documents, 1854-1855*, 7.

other branches at Glenwood, . . . Fort Dodge, . . . and an agricultural branch at Delhi. . . ." To him all of these were unwise attempts "to fritter away the University fund. . . ." ³¹

Friends of centralization were not lacking among the newspapers. Curiously, an editor in Keokuk (where the medical unit was established) disapproved the creation of branches of the University and also of normal schools. He called for the termination of these sub-divisions, and urged that the parent institution should remain fixed at one place and there be permitted to develop without fear of periodic dissipation of its resources.³²

The long and troublesome disputation between the proponents of unification and the supporters of dispersal of the University's resources was finally resolved in the convention that created the new state constitution of 1857. Gathering in Iowa City in January of that year, committees were established to deal with the primary phases of government; one of these was the committee on education. To guide its deliberations, the convention adopted a resolution calling for the application of the entire University fund to the "support of a State University, one and indivisible."³³ The committee responded with major and minor reports, though each was conformable to the instructions contained in the resolution.³⁴ However, both before the committee of the whole and the convention proper the question encountered stormy sailing. There were still those who wished to remove the University from Iowa City to some other location. The region of Monroe City, Jasper County, was one of the alternate sites proposed because there the State owned five sections of land granted by Congress for construction of a capitol building. Upon this land, one of the delegates urged, the University could be established and have land contiguous to it "sufficient for a model farm to be connected with this institution." Then, he further urged, the sale of lots would provide the means of paying for "a better building than this one [the present Old Capitol at Iowa City where the convention was meeting] can ever be, one better adapted to the wants of a University than we can ever make this."³⁵

³¹ *Messages and Proclamations of the Governors of Iowa* (7 vols., Iowa City, 1903-1905), 2:78-9, 82-3.

³² *Keokuk Des Moines Valley Whig*, January 24, 1855.

³³ *Debates of the Constitutional Convention of the State of Iowa . . . 1857* (2 vols., Davenport, 1857), 1:39-40.

³⁴ *Ibid.*, 1:78-80.

³⁵ *Ibid.*, 2:839.

Joining in the plan for the Jasper County location, another delegate described the region's "beautiful, high, dry, rolling prairie lands, conveniently situated to timber, stone and coal." He considered it to be a virtue that it was remote from a commercial or manufacturing center. An institution of this character, he held, "should be located in a quiet, rural place, where those influences felt in large cities would not be brought to bear upon the students." The delegate disclaimed that he harbored any disparagement of Iowa City, yet it was "a well-known fact that cities situated like this and other cities, are productive of influences to which parents, as a general thing, would not desire to have their children exposed."³⁶ There were other delegates in the convention who objected to the naming of any place as the permanent home of the University on the ground that matters of local concern had no place in the organic law of a state.³⁷

William Penn Clarke of Johnson County expressed the impatience of many delegates at the seemingly interminable debate, now recorded on scores of pages of the convention proceedings, as he spoke in support of his own motion to secure the University permanently to Iowa City. "This proposition has reference," he said, "not only to the location of the State University, but to keeping it a separate and single institution." The multiplication of branches and the consequent division of funds, he declared, had "been attempted in almost every general assembly we have had in this State, and the success of [this effort] was only prevented, during the last session of our general assembly, by the exercise of the veto power. It is my desire and object," Clarke continued, "to take from the legislature the power to trifle with this institution and its funds, as they have heretofore been trifled with." Asserting that it was the general sentiment of the convention that the University remain at Iowa City, he urged the delegates to have an end of log-rolling and "to use the most efficient means to build up . . . an institution which will be an honor to the State, and . . . acquire a reputation abroad, which will increase from year to year as the State itself increases and prospers."³⁸ Such sentiments in the end prevailed, and an affirmative vote of 22 to 12 was taken on March 4, 1857. The new constitution provided that "The State University shall be established at one place without branches at any other place, and the Univer-

³⁶ *Ibid.*, 2:840.

³⁷ *Ibid.*, 2:839.

³⁸ *Ibid.*, 2:838.

sity fund shall be applied to that Institution, and no other." A later portion of the organic law fixed Iowa City as the "one place."³⁹

The community to which the University was now committed came into existence in 1839 in the course of rivalry for the location of a territorial capital. Burlington, seat of the first government, was compelled to yield to the demand for a central site. Bloomington (later renamed Muscatine) and Mount Pleasant also aspired to the honor, but a proposal in the legislature by Thomas Cox led to the decision to create a new settlement on the virgin prairie, and commissioners were appointed and instructed to "lay out a town, to be called 'Iowa City.'"⁴⁰ On May 1, 1839, Chauncey Swan, one of the three commissioners designated by the statute, set out on an exploratory journey from Napoleon, in Johnson County, "a place of only two or three log cabins, one mile and a half south of the present Iowa City." Joined by John Ronalds, these two of the three commissioners within the next few days staked out a location on the east bank of the Iowa River.⁴¹ Lots were soon plotted and offered for sale, and by 1840 some thirty families had settled in the Territory's new capital.⁴²

Population growth was slow, the number being less than 1,000 at the time Iowa became a state.⁴³ With the coming of the railroad, settlement was noticeably accelerated and by 1860 the number of residents was listed in the federal census as 5,214.⁴⁴ Iowa City became an incorporated community in April, 1853. Apart from the wagon trains rolling toward the new capital an effort was made to reach it by water. It was in June of 1841 that Captain D. Jones made a landing there from the steamboat *Ripple*. Other attempts were made to establish Iowa City as a port of entry but without avail, and reliance continued on overland transportation.⁴⁵

Rail connection with the outside world was achieved on New Year's day, 1856. Racing against time, the first locomotive chugged into the community just ahead of a deadline involving an incentive bonus. "The town,

³⁹ *Ibid.*, 2:1017; *Constitution of the State of Iowa, 1857*, Article IX, Section 11, Article XI, Section 8.

⁴⁰ *Laws of the Territory of Iowa, 1838-1839*, 437.

⁴¹ Cyrenus Cole, *A History of the People of Iowa* (Cedar Rapids, 1921), 149-50.

⁴² Theodore S. Parvin, "Diary," MS in Iowa Masonic Library, Cedar Rapids, Iowa.

⁴³ *Census of the County Assessor, 1846*. See also, Benj. F. Shambaugh, *The Old Stone Capitol Remembers* (Iowa City, 1939), 236.

⁴⁴ *Eighth Census of the United States, 1860: Population*, 147.

⁴⁵ *Iowa City Daily Iowan*, April 11, 1944.

and all the settlements round about," wrote William J. Haddock, "were wild with joy; they held a public ball in the State House there, and all were merry and happy that livelong New Year's night."⁴⁶ It was only a few weeks later that Haddock himself arrived at the scene of his future labors over the hastily-constructed roadbed. Laid on the frozen ground, the track had now sunk into the soft earth, and the car and engine wheels were heavy with mud.⁴⁷ The newcomer found the streets all but impassable, but he noted that "the city was well laid out on fine rising grounds over-looking the river." Its "many fine residences" and store buildings gave the settlement a "comfortable and prosperous" appearance. Though wooden structures predominated, brick and stone dwellings were surprisingly numerous. Overhead, wild geese, ducks, and pigeons were flying, and beyond the town, many farmhouses "were snugly ensconced in nice situations among groves of young trees . . . where clearings had been . . . made."⁴⁸ By those who made the first appeal for University students in a specially prepared circular, Iowa City was declared to be "easy of access . . . beautifully situated upon the Iowa river, at the point of junction between an extensive forest on the north, and wide rolling prairies upon the south." It possessed "at all times, a fine bracing atmosphere, and a degree of health rarely, if ever, enjoyed by any other city of its size."⁴⁹

In this "beautifully situated" pioneer community, the builders could now set about the actual establishment and operation of a state institution of higher learning. Through the multiplying years the University would have to deal with many crises on the sound solution of which its life and growth depended. It would find itself seriously beset with major problems of finance, campus buildings, student housing, economic depression, academic function, administrative method, faculty friction, and the consequences of the nation's involvement in civil and foreign wars. But one basic matter had been finally determined: the locale of physical existence. Never again would the University's peace be disturbed on this supremely important question by political bargaining or community rivalry. Not only was the organic law a firm protection against the revival of the problem of

⁴⁶ William J. Haddock, *The Prairies of Iowa and Other Notes* (Iowa City, 1901), 13.

⁴⁷ *Ibid.*, 14.

⁴⁸ *Ibid.*, 16-17.

⁴⁹ *First Circular of the State University of Iowa*, 8.

placement, but the mounting value of the University's expanding superstructures, and the increasing reservoir of sentiment and tradition associated with Iowa City, provided secure defense against even the remote likelihood of change by constitutional amendment.

Ca
as
Ca
let
an
18
Te
Cit
con
Af
fro
the
Cap
F
affa
Sep
in
he
1
Gov
Pap
sent
2
(Iow
of J
"Sup
signe
3
Rapi
4 J