

C. C. CARPENTER IN THE 1858 IOWA LEGISLATURE*

By Mildred Throne

The frontier at mid-century offered a wide variety of careers to young men. Tradition has pictured the pioneer as a man with a hoe and an axe, hacking a farm out of the wilderness. Equally important to the opening of new lands, however, were the townsmen — merchants, lawyers, doctors, preachers, mill-owners, blacksmiths, newspaper editors — who brought the commercial products, the law, and the culture of the East to the new West. And all of them had one overriding interest — politics. National issues were argued on the frontier with no less enthusiasm than in the East, and in any new community a man with a flair for oratory — be he lawyer or blacksmith — might soon find himself campaigning for public office. Such a man was Cyrus Clay Carpenter of Fort Dodge.

In 1857 the political scene in Iowa was changing rapidly. Iowa's Republican party had been launched in February, 1856; the state capital had been moved inland from Iowa City to Des Moines; and a new constitution had been written. The legislature that would meet in 1858 would be the first to gather at the new capital of Des Moines, in the new statehouse on Iowa's "Capitol Hill," under a new constitution.

One of the members of this 1858 legislature — the Seventh General Assembly — was young C. C. Carpenter who was making his debut in politics. Carpenter, a native of Pennsylvania, had come to Fort Dodge from Ohio in 1854, at the age of twenty-five. He had been schoolteacher, surveyor, and land agent, and his many trips through northwestern Iowa had made him a host of friends. An interest in politics and his abilities as a stump speaker soon brought him to the attention of the Republicans, and his rise in the party began.¹ During 1857 Carpenter worked hard for

*This article is a chapter from a forthcoming full-length biography of Governor Cyrus Clay Carpenter.

¹Biographical sketches of Carpenter appear in *Biographical Record and Portrait Album of Webster and Hamilton Counties, Iowa* . . . (Chicago, 1888), 205-208; *The Biographical Record of Webster County, Iowa* (Chicago, 1902), 230-37; *Des Moines Register*, Sept. 27, 1871; *The United States Biographical Dictionary* . . .

the success of Iowa's burgeoning Republican party, and his reward was the nomination for the legislature from his district.

In 1856 Iowa Republicans had fought the presidential campaign with vigor, enthusiasm, and success. A majority of the 92,000 Iowans who had voted in that year had preferred Republican Fremont to Democrat Buchanan. Now, with 1857, came the contest for the governorship and for a legislature which would elect a new United States Senator. James W. Grimes, who had entered the Iowa statehouse as a Whig and was now leaving it as a Republican, had his eye on the United States Senate. It was, therefore, up to the "Grimes men" of the party to choose a legislature which would send him to Washington. Webster County's delegation to the state convention included Cyrus Carpenter.²

When the Republicans met at Iowa City on August 19 there were 158 delegates present to cast the 338 votes of the convention. Bad roads and long distances had kept many of the delegates at home, but those present held the proxies for the missing members, frequently the case in frontier conventions, so that the business of the meeting went forward as planned. Carpenter, aside from representing Webster County, had been designated as the alternate for the Hamilton County delegate, at that county's convention on August 13.³

The convention met, organized, nominated, and resolved in the manner of all political gatherings. Ralph P. Lowe, a lawyer from Lee County, won the nomination for governor, while Oran Faville from Mitchell County, a former teacher turned farmer, received the lieutenant-governor's place on the ticket. After adopting a platform that endorsed freedom, deplored slavery, and congratulated Iowans on their new constitution and their retiring governor, the convention adjourned and the members scattered to their homes.⁴

Hardly had Carpenter reached Fort Dodge than he was sending out a call, as chairman of the Webster County Republicans, for a district convention to nominate a candidate for the 1858 state legislature. The 13th

Iowa Volume (Chicago, 1878), 781-3; *Dictionary of American Biography*, 3:508-509. Carpenter was born at Harford, Pennsylvania, Nov. 24, 1829.

² Webster City *Hamilton Freeman*, July 30, 1857.

³ Report of Hamilton County convention, held on August 13, 1857, in *Carpenter Papers* (State Historical Society of Iowa, Iowa City).

⁴ For a report of the convention, see *Mitchell Mitchell County Republican*, Aug. 27, 1857; for the platform, see *Webster City Hamilton Freeman*, Sept. 3, 1857.

district consisted of the seventeen counties of Cerro Gordo, Worth, Franklin, Hancock, Wright, Winnebago, Kossuth, Webster, Hamilton, Calhoun, Pocahontas, Palo Alto, Sac, Buena Vista, Clay, Dickinson, and Emmet.⁵ The district convention met at Webster City in Hamilton County on September 9, with Charles Aldrich, Carpenter's close friend, as chairman. Thirty votes, divided among seven men, were cast on the informal ballot for representative, with Carpenter getting the largest number — fourteen. After several of the candidates had made "some very appropriate remarks," the first formal ballot was taken: Carpenter now received sixteen votes, while fourteen were divided among three other contenders. On motion, the nomination was made unanimous for Carpenter, and his political career was launched. The convention then endorsed the state platform and the administration of Governor Grimes and closed with "three hearty cheers" for the candidate.⁶

Carpenter wasted no time in opening his campaign. Even before the Democrats of the district had chosen their candidate, he had spoken at Algona where a "large audience" exhibited the "utmost enthusiasm." When the Democrats chose another Fort Dodge man for their candidate — John F. Duncombe — people looked forward to some rousing joint debates between the opposing candidates. But, defying accepted practice and tradition, Duncombe declined Carpenter's efforts to lure him into a face-to-face meeting. Rather, Duncombe relied on attacks upon Carpenter in his newspaper, the *Fort Dodge Sentinel*. Since Fort Dodge had no Republican paper at that time, Carpenter depended on the *Webster City Hamilton Freeman*, edited by his friend Charles Aldrich, for support. Aldrich was ever ready to meet the personal attacks made by the *Sentinel* and to return them with good measure. In this year of rising bitterness over the whole troubling issue of slavery, local considerations received little attention. Although Carpenter and Duncombe were running for a seat in a state legislature, where their job would be to legislate on local issues, the Republicans branded any attempt to bring up state or district problems during the campaign as mere "bogus" Democratic tricks. The Democrats, on the other

⁵ *Webster City Hamilton Freeman*, Aug. 27, 1857. Actually, there were 18 counties in the district. Humboldt County had been created out of Webster County by the 1856-1857 legislature, but had not been included by name in the law of that session that established the representative districts. See *Laws of Iowa, 1856-1857*, Chaps. 132, 147.

⁶ *Ibid.*, Sept. 17, 1857.

hand, brought in every local issue they could, probably to avoid defending the pro-slavery cause, a most unpopular subject in Iowa. Carpenter's campaign, commented his defender in Webster City, was conducted on a high level of statesmanship, in "shocking contrast to the cuddling, sneaking operations of the Democracy, who go around 'seeking who they can take in' with local clap-trap. . . ." ⁷

John F. Duncombe in many respects was a worthy and popular opponent. He, like Carpenter, was a native of Pennsylvania. Both men were of almost the same age, Carpenter being two years the elder. Duncombe had had many of the opportunities denied to Cyrus, who had been orphaned at the age of twelve, and had had to make his own way in the world. Duncombe had grown up on his father's farm and been sent to Allegheny College where he had studied law. After being admitted to the bar in 1855 he had migrated to the West, settling in Fort Dodge in April of that year. There he began the practice of law; in 1856 he had widened his activities by establishing the town's first newspaper, the *Sentinel*, in company with A. S. White. Webster County was, and would remain for many years, a strong island of "the Democracy" in the swelling tide of Republicanism, and some credit for this should go to Duncombe and his newspaper.

Democrat Duncombe and Republican Carpenter, who become the leaders of their respective parties in northwestern Iowa, were opposites in many ways — Duncombe, tall, cold, and formal; Carpenter, short, warm, and friendly; Duncombe, a financial success in everything he tried, from newspaper editing to railroading; Carpenter, a poor hand at money making. In only one field was Carpenter almost always the victor. Politically, he was on the right side at the right time, while Duncombe had the misfortune to back a party rapidly losing power in Iowa. Benjamin F. Gue, years later, wrote of Duncombe: "Had he been a Republican he might have attained the highest official positions in the State." ⁸

The campaign between these two men ran on through September, with charges and counter-charges. Although the voters were divided on the slavery question, no one disagreed on the need for railroads. Therefore, that was one of the "local issues" on which the Democrats attacked Carpenter, claiming that he did not support the proposed Dubuque & Pacific Railroad. Governor Grimes wrote to Carpenter after the election: "Jones [the

⁷ *Ibid.*, Sept. 17, 24, Oct. 8, 1857.

⁸ Benjamin F. Gue, *History of Iowa* . . . (4 vols., New York, 1903), 4:81.

incumbent Senator, Democrat George Wallace Jones] & his friends had their hearts set upon electing Duncombe as he is a warm friend of Jones and an agent of his Rail Road. The whole influence of the Rail Road was brought to bear against you." So great was the pressure on this one issue that Carpenter felt called upon to state his position unequivocally at a Republican rally in Webster City on October 8, when he was under direct attack. The Webster City *Hamilton Freeman*, in reporting the meeting, underscored Carpenter's statement of his position: "He believes the state by all constitutional means should foster the D. & P. R. R. and hasten the day of its completion. Any such law which might be introduced would receive his hearty support if he was elected."⁹

As the time of the election drew near the *Sentinel* increased its criticism of Carpenter, accusing him of "abusing Duncombe personally," a charge which the *Freeman* indignantly denied. On October 6, C. B. Richards of Fort Dodge wrote to Carpenter, who was out on canvass, that ". . . the Dem are working like hell," getting up "bogus tickets with your name spelled wrong." Since each party printed its own ballots, this was an ever-present danger and a popular practice in frontier elections. Richards advised Carpenter to "blow on this like the Devil." Two days later the *Freeman* reported this trick to its readers, urging them to "Beware of Split Tickets," and claiming that "the Democracy have circulated about four cart-loads of split tickets throughout this District."¹⁰ Thus, in a whirl of accusations and denials, the campaign came to an end, and on October 13 the voters went to the polls.

"Glory Enough for One Day!" Thus the *Freeman* announced Carpenter's election.¹¹ In spite of headlines and enthusiasm, however, it had been a narrow victory. Because of the distances and difficulty of communication in northwestern Iowa, it was October 29 before the *Freeman* could print its triumphant headline. Up in Dickinson County on the Minnesota border, for instance, after the canvass of the ballots showed an almost unanimous vote for Carpenter, the question arose as to how the returns were to reach Fort Dodge. One man finally volunteered to make the long trip, but when

⁹ J. W. Grimes to CCC, Nov. 11, 1857, in *Annals of Iowa* (third series), 22:486 (October, 1940); Webster City *Hamilton Freeman*, Oct. 8, 1857.

¹⁰ C. B. Richards to CCC, Oct. 2, 1857, *Carpenter Papers*; Webster City *Hamilton Freeman*, Oct. 8, 1857.

¹¹ Webster City *Hamilton Freeman*, Oct. 29, 1857.

only part way to Webster County he met Emmett Carpenter, Cyrus' brother, who was on his way north to collect the returns from the isolated counties around the lakes. Since the election was close, every vote counted, and Dickinson County voters liked to believe that their returns swung the balance to their favorite.¹²

So close was the vote, in fact, that there was some talk that Duncombe might contest it, but it was soon evident, as the returns from the rest of the state came in, that the election had been a Republican victory and that one more Democrat in the House would not change the vote for United States Senator — the paramount issue in the campaign. The Republicans had elected all the state officers and had gained control of the General Assembly by a margin of 22 to 14 in the Senate and 41 to 31 in the House. The Republican victory had been a narrow one, however. In the presidential election of 1856 Fremont had carried Iowa by a majority of 8,000; in 1857 Lowe was elected governor by a margin of only about 2,500 votes. The Dubuque *Times* scolded the party for this lack of interest, accused the Democrats of producing a "feeling of indifference," and warned Republicans that they "must become better organized and turn out more fully, or they will lose the State." Such worries were far from the thoughts of Carpenter and his supporters, following the election. Webster City held a "Carpenter Supper" on November 4, with feasting, dancing, and the drinking of toasts. The local paper was at pains to point out that "no wines or liquors" were drunk during these toasts — a fact that would "astonish the 'rank and file' of Democracy, and probably the leaders." Carpenter made the traditional speech of thanks, concluding in properly glowing terms, and promising that he would look back upon the occasion as "the most cheering 'Oasis' in the Desert of my life."¹³

During the two months that ensued before the meeting of the Seventh General Assembly, Carpenter, like all members of that legislature, was besieged with advice, suggestions, and requests for support. The first big issue which attracted attention, as soon as the makeup of the legislature had been determined, was the election of a United States Senator. Iowa's first two Senators had been Democrats. Augustus Caesar Dodge had been

¹² R. A. Smith, *A History of Dickinson County, Iowa . . .* (Des Moines, 1902), 181-2.

¹³ Grimes to CCC, Nov. 11, 1857, *Annals of Iowa*, 22:486; Mitchell *Republican*, Jan. 14, 1858 (for make-up of House and Senate: Dubuque *Daily Times*, Nov. 5, 1857; Webster City *Hamilton Freeman*, Nov. 5, 12, 1857.)

replaced by Whig (later Republican) James Harlan in 1855; now a Republican legislature in Iowa had a chance to remove the other Democratic Senator, George W. Jones. Retiring Governor Grimes was spoken of most often and seemed to have the largest support not only among the legislators but throughout the state.

An impartial observer would have expected Grimes to be the unanimous choice of his party. He had been a popular governor; during his administration and under his guidance the Republican party had been organized and had now conducted two successful campaigns; and most of the minor Republican officials of the state — Carpenter among them — looked upon Grimes as the only possible choice to represent Iowa in Washington. However, as in all political parties — even new ones — strains and tensions had developed. Certain elements in the state were jealous of the position and influence of Grimes and his wing of the party. These elements offered various excuses for their opposition. The ever-popular "locality" question was agitated: most of Iowa's chief officials were from the southern half of the state — surely the next Senator should come from the north, in justice to the claims of geography. Another argument advanced was that all Republicans elected had been former Whigs; the other elements that made up the new party — Anti-Nebraska Democrats or Free-Soilers — now felt that one of their number should have the senatorship.¹⁴

There is also evidence that some of the Republicans were restive under what they considered dictatorial elements in the party. John Teesdale, editor of the Republican *Iowa Citizen* in Des Moines, was a supporter of Grimes and himself a candidate for the position of state printer. In his columns he consistently and sanctimoniously refused to discuss the senatorial question or to publish articles written by others. Two Republicans, writing under the pseudonym "Iowa," submitted their rejected comments to the Democratic editor of the Des Moines *Iowa State Journal* who, always ready to contribute to Republican disaffection, published them. The *Journal's* editor, William Porter, strongly opposed any "gagging" of the press, while "Iowa" compared Teesdale's action to the dictatorship of Louis Napoleon. Everybody knew, Editor Porter chimed in, that Teesdale was

¹⁴ Dan Elbert Clark, *History of Senatorial Elections in Iowa* (Iowa City, 1912), 114. See also David S. Sparks, "The Birth of the Republican Party in Iowa, 1848 to 1860" (Unpublished Ph.D. thesis, University of Chicago, 1951. Microfilm copy in State Historical Society of Iowa, Iowa City), 161-2.

"owned, body, soul and breeches, by one of the candidates for U. S. Senator," that he was "under the pay and committed to the fortunes of one of the candidates."¹⁵

Granting the political animus of the Democratic paper, there would still seem to be some evidence of a certain lack of harmony within Republican ranks. For many years the existence of what came to be known as the "Des Moines Ring" or the "Des Moines Regency" was the cause of many intra-party fights. The struggle for the senatorship in 1858 was one of the first of these squabbles.

Carpenter, as a freshman legislator, was only on the outskirts of this fight, but he felt the repercussions. On November 1 he had written to Grimes, asking for a report on the Des Moines River Improvement lands. In his reply Grimes discussed the various problems facing the state, assured Carpenter that "we shall not allow you to be ejected from your seat," should Duncombe try to contest the election, and closed with the statement — hardly a surprise to Carpenter — that "Perhaps you are aware that I am a candidate for the Senate in lieu of Gen Jones," adding that he would be pleased if Carpenter could support him. Carpenter, who admired Grimes tremendously, undoubtedly answered with the proper assurances, as he did to Secretary of State Elijah Sells, who wrote on November 17, also asking Carpenter's support for the retiring governor.¹⁶

The second issue that claimed Carpenter's attention, in the months before the legislature met, was one that plagued him for most of the years of his political life. This was the question of the disposal of the lands along the Des Moines River, originally granted to the state by Congress in 1846 for improvements on the river to increase its navigability. The state had at first appointed a board to administer the lands, but in 1853 the grant had been transferred to the Des Moines Navigation and Railroad Company. Very little had been accomplished by way of "improving" the river, either by the state board or by the new company, with the exception of a few dams. By 1857, with the railroads moving into Iowa, interest in river navigation waned, and various railroad interests were clamoring for a transfer

¹⁵ Des Moines *Tri-Weekly Citizen*, Jan. 12, 1858; Des Moines *Tri-Weekly Journal*, Jan. 15, 18, 20, 1858. These tri-weekly papers were special editions, published during the sessions of the General Assembly.

¹⁶ Grimes to CCC, Nov. 11, 1857, *Annals of Iowa*, 22:485-7; Elijah Sells to CCC, Nov. 17, 1857, *Carpenter Papers*.

of the remaining lands of the grant to them. In addition to this contest, there was considerable doubt as to the exact extent of the grant, owing to the faulty wording of the original act. Some claimed the lands extended only from the mouth of the Des Moines to the Raccoon Forks at Des Moines, while others, particularly in the counties north of Des Moines, insisted that the grant extended northward to the Minnesota border.¹⁷ Whatever the extent of the grant, several railroads wanted it, in particular the Dubuque & Pacific, the road in which Senator Jones and John F. Duncombe were most interested, and the road which, according to Grimes, had worked against Carpenter's election because of his declared position in favor of granting the lands to a proposed north-south line along the river — the Keokuk, Fort Des Moines & Minnesota Railroad. Aside from a desire for the land grant, the east-west railroads were also determined to stop a north-south line which would be a trade rival for the products of the Iowa farmers.¹⁸

Carpenter's district, the 13th, favored the transfer of the lands to the north-south railroad, rather than to any of the east-west lines that had already profited by the 1856 railroad land grant. On December 19, 1857, the citizens of Fort Dodge held a meeting "for the purpose of memorializing the Legislature of the state upon the subject of the Des Moines River grant." Resolutions were adopted, asking that the lands be granted "for the construction of a Railroad from the city of Keokuk on the Mississippi river through the Des Moines valley, said Railroad to be co-extensive in length with said land grant." The committee which drew up the resolutions consisted of Carpenter, Charles B. Richards, Samuel Rees, John M. Stockdale, and Robert K. Wilson.¹⁹ On the day of the meeting Carpenter wrote to Iowa's representatives in Washington, asking their support for the transfer of the congressional land grant to this projected road. Senator Harlan answered cordially, promising his support; Timothy Davis of Dubuque, Representative from Iowa's second district, promised "any Service in my power to divert the Grant to a more useful and patriotic purpose. . . ." ²⁰

¹⁷ Roscoe L. Lokken, *Iowa Public Land Disposal* (Iowa City, 1942), 210-19.

¹⁸ Grimes to CCC, Nov. 30, 1857, *Annals of Iowa*, 22:488-9; Sparks, "Birth of Republican Party in Iowa . . .," 187.

¹⁹ Webster City *Hamilton Freeman*, Dec. 24, 1857.

²⁰ James Harlan (Dec. 29, 1857) and Timothy Davis (Dec. 31, 1857) to CCC, *Carpenter Papers*.

There is no record of Representative Curtis' reply, but he probably sided with his Republican colleagues. Naturally, help was not solicited or expected from Senator Jones.

With the ball rolling on the Des Moines River grant project, and with his position as a Grimes man fully established, Carpenter departed early in January of 1858 for Des Moines, "a little shabby frontier town of less than 3,000 inhabitants."²¹ It took two days to make the journey by stagecoach from Fort Dodge to the new capital city. Hoyt Sherman, a Des Moines banker whose brother William Tecumseh would soon win fame in the Civil War, had arranged rooms for Carpenter at the home of Willson Alexander Scott on the east side of the river near the new statehouse, "at \$8 per week." Most of the hotels on the west side charged as much as \$2.00 per day, Sherman explained, and although they would furnish "Omnibuses or Carriages to the Capitol," they would probably charge extra for such service. The quarters at Scott's would be "first rate," he assured Carpenter.²²

The space between the river and the capitol was a muddy swamp, although it had been marked out in streets, lots, and alleys in the optimistic days before the crash of 1857 had called a halt to real estate booms. But the people of Des Moines tried to make up for the shortcomings of their little town by a lavish hospitality — at least as lavish as the frontier could afford. On the west side, at the "only hotel of much pretensions" — the Demoine House — stagecoaches daily "deposited the members, strangers, and gentlemen of the 'Third House' [lobbyists], as they came to the new capital on their various missions." There Governor Grimes had rooms, and Ralph P. Lowe awaited his inauguration, and the "soft coal stoves glowed with a red heat" to welcome the shivering passengers who had ridden for long hours "through the great snow drifts that filled the sloughs and ravines" of the primitive roads surrounding the capital.²³

Among the thirty-six Senators and seventy-two Representative who made up the Seventh General Assembly of Iowa were many men who would later make their mark in state and nation. There were two future governors:

²¹ B. F. Gue, "The Seventh General Assembly," *Pioneer Lawmakers Association of Iowa. Reunion of 1898* (Des Moines, 1898), 87. The population of Des Moines was probably closer to 4,000, since the census of 1856 gave the town's population as 3,830. *Iowa Historical and Comparative Census, 1836-1880*, 564.

²² Hoyt Sherman to CCC, Dec. 2, 1857, *Carpenter Papers*.

²³ Gue, "The Seventh General Assembly," 88.

Samuel J. Kirkwood and Cyrus C. Carpenter; two lieutenant-governors: Benjamin F. Gue and Nicholas J. Rusch; and a Senator, James F. Wilson of Fairfield. Many future Congressmen were also starting their political careers in 1858. The clerk of the House was twenty-two-year-old William P. Hepburn, whose long career in Congress made him one of the best-known of Iowans. There were, in addition, two future cabinet members: William W. Belknap, Grant's Secretary of War, who resigned in disgrace; and George W. McCrary, Secretary of War under Rutherford B. Hayes. Kirkwood would also serve as a Senator and as Secretary of the Interior under Garfield and Arthur. There was J. B. Grinnell, who had founded the town and college of that name, and who later joined forces with the Liberal Republicans. Samuel E. Rankin was serving in the House; his "defalcation" when State Treasurer during Carpenter's first gubernatorial administration would cause the latter no end of embarrassment.²⁴ In the Senate there was Alvin Saunders of Henry County, later to become territorial governor of Nebraska and a United States Senator from that state.

The leader of the Democrats in the House, Dennis Mahony, former editor of the *Dubuque Express and Herald*, was only thirty-seven in 1858, but because of a palsy that caused his head to shake, he appeared much older. "When he rose to speak," Carpenter wrote years later, "he stood with the tips of the fingers of both hands touching the desk before him. He never made a gesture, but just talked with an accuracy of diction and a force of logic which always gave him the undivided attention of House."²⁵

The statehouse, where the legislature assembled on January 11, 1858, was a three-story brick building, 56x100 feet, erected at a cost of about \$40,000 by a group of East Des Moines businessmen known as the Capitol Building Association. It stood south of the present Capitol Square, on the site now occupied by the Soldiers and Sailors Monument. This was then known as "Scott's Addition," a real estate development of Carpenter's

²⁴ For the membership of the Seventh General Assembly, see *House Journal, 1858, 5; Senate Journal, 1858, 3-4; Mitchell Republican, Jan. 14, 1858; Des Moines Tri-Weekly Citizen, Jan. 28, 1858.*

²⁵ C. C. Carpenter, "Reminiscences of the Winter of 1858 in Des Moines," *Pioneer Lawmakers Association of Iowa. Reunion of 1892* (Des Moines, 1893), 53-63. The *Dubuque Herald* was established in 1851; in 1854 it was consolidated with the *Miners' Express* and became the *Express and Herald*, with Mahony one of the editors. Mahony retired from the paper in 1855, but in 1860 the old name of *Herald* was resumed, and Mahony returned as editor and owner. See David C. Mott, "Early Iowa Newspapers . . .," *Annals of Iowa* (third series), 16:178-9 (January, 1928).

landlord, W. A. Scott. The first and second floors of the statehouse were divided into offices for the state officials, the Supreme Court, and the State Library, while the third floor contained the House and Senate chambers.²⁶ Here, in this modest structure, Iowa's government was carried on for twenty-six years. When, during the session of the Twentieth General Assembly in 1884 the legislature, with due ceremony, moved into the present capitol, one of the leading members would be Iowa's elder statesman — Cyrus Clay Carpenter.

In 1858 the young legislator was not the wise politician of 1884. Twenty-six years would not dim his idealism, but it would harden him to the ways of politics. In 1858, however, Carpenter's first contact with "practical politics" was something of a shock. He wrote to Kate Burkholder (his future wife) in Fort Dodge:

Well for one week I have been in the legislature and I find that it is no such great thing after all. There is something about every thing done in this place cold and formal and designing. After all I had rather spend an hour with good warm hearted friends than to meet with business committees and prepare the cold formalities of legislation. You will perceive by the newspapers that I keep doing something tho' I believe my ambitious ardor will begin to cool down a little after I have seen a little more of the sad selfishness of legislation. The usual excitement and turmoil incident to the election of a U S Senator now agitates the Gen Assembly and I almost fear that Gov Grimes is going to be sacrificed on the altar of some other mans selfishness. While I am writing to you, in the adjoining room I hear half a dozen men concurring and attempting to concoct a plan whereby they can secure the defeat of Grimes. And when I think of the base schemes they are willing to resort to in order to defeat the man who has done more for the Republican party and our State than any other man living, my very heart sickens at the name of politics.²⁷

Carpenter had also written to his friend, Major William Williams, the founder of Fort Dodge, in the same vein. The Major wrote him with an air of fatherly if cynical wisdom:

²⁶ For descriptions of the Old Brick Capitol, as it came to be known, see H. B. Turrill, *Historical Reminiscences of the City of Des Moines . . .* (Des Moines, 1857), 86; H. W. Lathrop, "The Capitals and Capitols of Iowa," *Iowa Historical Record*, 4:111-12 (July, 1888); Jacob A. Swisher, "The Capitols at Des Moines," *IOWA JOURNAL OF HISTORY AND POLITICS*, 39:52-7 (January, 1941). For a contemporary description, see *Dubuque Daily Times*, Jan. 7, 1858.

²⁷ CCC to Kate Burkholder, Jan. 15, 1858, *Carpenter Papers*.

I have no doubt as you say there will be a great deal of fuggleing among the polititians [sic]. Which to you will be very tiresome — but you must put into the puddle with the crowd and learn to know that politics of the present day is but a game & he that plays his hand best will come out best — you must learn to do as you would in a game of *Uchre* — know when to *Stand* your hand and when to *pass*.²⁸

The efforts to halt the Grimes nomination were most disturbing to Carpenter. Traditionally, the party caucuses to name candidates for the senatorship were held almost as soon as the legislature had organized. But Grimes's opponents waged a campaign of delay in order to marshal the forces against him, and repeated caucuses were held before an agreement was finally reached. True to its campaign of silence — the Democrats called it censorship — the Republican *Iowa Citizen* made no mention of the political maneuverings behind the scenes at Des Moines. The Democratic *Journal*, however, lost no opportunity to jibe at the Republican factions who were delaying the vote. In his letter to Kate Burkholder on January 15, Carpenter mentioned that he had just returned from "an exciting caucus of the Republican members of the Legislature." The *Journal* described this caucus in more detail:

The Republican members of the Legislature, together with the candidates, and the members of the "Third House," have a good time of it in caucusing together. The members had had a number of meetings, but brotherly love will not prevail, and the meetings so far have not answered the question as to "who shall be U. S. Senator?" On Friday evening [January 15] a caucus was held, and as we learn from our special messenger, some nice sparring in a quiet way was the result. A motion to proceed to balloting as soon as possible for a candidate for Senator was promptly negatived, and afterwards it was agreed to hold a caucus this evening for the purpose of deciding *when* the nomination should be made. . . . Grimes and his friends want to go into a nominating caucus immediately, but his opponents are determined to delay it as much as possible. While every day Grimes is losing strength, the opposition are gaining, and organizing and harmonizing their forces. The Ex-Governor's chances are growing beautifully less and smaller by degrees, and the arrogant tone adopted by himself and friends now begins to quaver with the fear of approaching defeat.²⁹

²⁸ Major William Williams to CCC, Jan. 16, 1858, *ibid*.

²⁹ Des Moines *Tri-Weekly Iowa Journal*, Jan. 18, 1858.

A reporter of the Dubuque *Herald* held the opposite position. He commented on January 13 that "the opponents of Gov. Grimes for the Senatorship are doing their utmost to put off the day of election with the hope of defeating him," but the reporter was sure they would not succeed.³⁰

At last, when the rebel faction was unable to delay longer or to develop a winning combination against Grimes, the Republicans caucused on Monday, January 25, fourteen days after the legislature had met, and nominated James W. Grimes for the Senate, to succeed George W. Jones. Grimes received thirty-eight of the sixty-two votes cast on the first formal ballot, and his election was at once declared unanimous. His unsuccessful opponents were James Thorington of Davenport, Judge William Smyth of Linn County, and Timothy Davis of Dubuque. Other serious contenders, especially Fitz Henry Warren of Burlington, William Penn Clarke of Iowa City, and F. E. Bissell of Dubuque (whom Grimes had earlier expected to show the greatest strength against him), had dropped out of the contest.³¹ Grimes reported his success to his wife:

I have just been nominated by the Republican caucus for United States Senator, for six years from March 4, 1859. I received the nomination on the first ballot, by five majority. My vote would have been much larger, and nearly unanimous, on the second ballot — as many voted for persons in their own counties on the first ballot by way of compliment, who would have voted for me on the second ballot, and for me on the first had their votes been necessary.

The closing words, "had their votes been necessary," indicate that the Grimes forces had things well in hand, and that all plots against them had failed.³²

³⁰ Dubuque *Express and Herald*, Jan. 17, 1858.

³¹ Clark, *Senatorial Elections in Iowa*, 117-18; Des Moines *Tri-Weekly Journal*, Jan. 27, 1858. Grimes had earlier written CCC: "My principle [sic] competitor will be Mr. Bissell of Du Buque. He runs on the geography question. I understand him to be a very good man but he is a man I have never even seen." Grimes to CCC, Nov. 11, 1857, *Annals of Iowa*, 22:486. Grimes also believed that Bissell was backed by the Dubuque & Pacific RR. Sparks, "Birth of the Republican Party in Iowa . . ." 162.

³² Grimes to Mrs. Grimes, Jan. 25, 1858, in William Salter, *The Life of James W. Grimes . . .* (New York, 1876), 113. Further evidence that Grimes was sure of his nomination appeared in a letter of Feb. 15, 1858, to Elihu Washburne of Illinois: ". . . there was not enough of a contest about it to entitle it to the dignity of that name — a few men made a great deal of noise and resorted to a great many base devices to compass my defeat, but there was no time in the contest when I was not

The Democrats, who had been watching the Republican fight from the sidelines, met and named Benjamin M. Samuels of Dubuque — a purely honorary nomination, since the majority of Republicans in the legislature made the election of Grimes by that body a mere formality, once the caucus had reached agreement.³³

Meanwhile, the work of the legislature progressed, interspersed with the festivities incident to a new government. The citizens of Des Moines had entertained the members of the legislature in what Carpenter called "a whole-souled western 'blow-out.'" The inauguration ball was "a great 'scrounge,'" but the inauguration itself was, to the idealistic young man, "a solemn and impressive ceremony."³⁴ On the evening of January 25, complying with tradition, Senator-elect Grimes entertained at the Des Moines House. He described the occasion to his wife:

There were one hundred and seventy-eight guests. All the rival candidates were present. The best feeling prevailed. The only drawback was the laudations of me by the speakers. They were Governor Lowe, Lieutenant-Governor Faville, Hon. Lincoln Clark, Finch, Grinnell, and others. I inclose a bill of fare. It was got up, as you see, on temperance principles. Every one says that he never attended a more harmonious, well-conducted, or sumptuous feast.³⁵

All was not feasting and parties, however. In the brick capitol the formalities of legislation and the informalities of party strife went forward as usual. The opening days of the legislature were taken up not only with the senatorial contest, but with the discussion of a resolution dealing with the government of Kansas. The Iowa legislature, of course, had nothing to do with the admission of another state into the Union, but the whole nation had been stirred by antislavery, "Bleeding Kansas," and the Dred Scott Decision, and now by the efforts to make Kansas a slave state under the

sure of fifty-five of the sixty-four [*sic*. There were only 63 Republicans in the Assembly, of whom 62 voted in the caucus] republican votes. . . ." Quoted in Sparks, "Birth of the Republican Party in Iowa . . .," 168.

³³ Clark, *Senatorial Elections in Iowa*, 118. For the career of Samuels, see Owen Peterson, "Ben Samuels in the Democratic National Convention of 1860," *IOWA JOURNAL OF HISTORY*, 50:225-32 (July, 1952).

³⁴ Carpenter, "Reminiscences of the Winter of 1858 in Des Moines," 55; CCC to Kate Burkholder, Jan. 15, 1858, *Carpenter Papers*.

³⁵ Grimes to Mrs. Grimes, Jan. 26, 1858, in Salter, *Life of James W. Grimes . . .*, 113-14.

Lecompton Constitution. Such was the widespread agitation over these issues that mere "localisms" were forced into the background in the northern states. Certainly this was the case in Iowa, where most of the candidates for the General Assembly had campaigned on national issues — as had Carpenter — in spite of efforts of the Democrats to introduce state problems into the discussions.

On January 19 John W. Rankin of Lee County introduced into the Senate a "Preamble and Joint Resolution" condemning the admission of Kansas under the Lecompton Constitution. The two Iowa Senators were "instructed" and the two Congressmen (Samuel R. Curtis of Keokuk and Timothy Davis of Dubuque) were "requested" to oppose the admission of Kansas; furthermore, the Senators were "requested" to resign "unless they can support the foregoing resolves." This latter was, of course, directed against Senator George W. Jones. In addition, the resolution was an effort to force the Democratic members of both houses of the legislature to defend an unpopular measure.

In the Senate, however, the Democrats refused to debate the issue at all. Senator Rankin delivered a long speech favoring his resolution. At its close, a deep silence fell upon the chamber. Republicans stirred restlessly, waiting for some Democrat to rise in rebuttal. "The Democratic Senators," reported an editor, "sat behind their desks smiling complacently upon the uneasiness of their Republican friends, and displaying no intention of replying to the lengthy speech just delivered." When taunted by the Republicans in an effort to anger them into debate, the Democrats still refused to answer. Frustrated in their attempt to start a rousing fight, the Republicans surrendered and allowed the resolution to come to a vote, when of course it was passed on a strict party basis.

In the House, on the same day, the Democratic members were not so reticent. Mahony offered a substitute which was voted down by the majority. When the printed record appeared the following day, there was no mention of Mahony's proposal; in fact, the only space given to the whole debate was the following: "At four o'clock and 30 minutes the committee [of the whole] rose, and by its Chairman, reported the resolutions back without amendment and recommended their passage." When Mahony protested this omission, the Speaker replied that it was "in accordance with parliamentary rule and the usage of this House," and his decision was sustained. Needless to say, Democratic editor William Porter made the most

of this "Tyranny of the Majority" in the columns of his paper. With the exception of this argument, the resolutions passed both houses, by a party vote in each case, without setting off the fireworks the Republicans had expected and intended.³⁶ A note of warning was sounded, however, when Lincoln Clark of Dubuque announced in the House, immediately after the vote, that he would "on tomorrow or some future day, present a protest against the passage" of the resolution.³⁷ Several weeks passed, and nothing further was heard from Mr. Clark.

The subject was not closed, however. On February 17, catching the Republican majority unawares, twenty-two Democrats, headed by Lincoln Clark, introduced a "Protest" and moved that it be "spread upon the Journals of this House."³⁸ The ensuing debate resulted in such a parliamentary tangle, with motion following motion, with demands for the previous question, with points of order raised, that finally even the Speaker had lost all hold over the proceedings. "Several appeals were made to the good sense of the House to put an end to these disgraceful proceedings," reported Editor Porter. "The House at the time, had no 'good sense,' or if it had it had forgotten its possession of that enviable qualification; so no one would withdraw his motion or call." When at last a vote was reached, as to whether the protest could be entered in the Journal, only eight voted against its inclusion. Dennis Mahony promptly gave notice that he would "at some future day" present a protest against both the original resolution and the protest of his fellow-Democrats. With that, the House adjourned.³⁹

An anticlimax came the next morning. Overnight Clark had studied his law and had found that the whole controversy was unnecessary, since any member could enter a protest in the Journal without a vote of the House.⁴⁰

Of more significance, as indicating the trend within the Democratic party, was the "Protest," signed by Dennis Mahony and four other Democrats, which was entered on the Journal without comment.⁴¹ These two Democratic pronouncements were an indication of the growing split in the

³⁶ *Senate Journal, 1858, 81, 82-3, 84, 90, 93, 96, 103, 105, 108; House Journal, 1858, 104-105, 108; Des Moines Tri-Weekly Journal, Jan. 22, 27, 1858.*

³⁷ *House Journal, 1858, 108.*

³⁸ *Ibid., 311-14.*

³⁹ *Ibid., 314-17; Des Moines Tri-Weekly Journal, Feb. 19, 1858.*

⁴⁰ *Des Moines Tri-Weekly Journal, Feb. 19, 1858.*

⁴¹ *House Journal, 1858, 322-5.*

party — a split which would eventually lead to the defeat of 1860. The Republican Resolution had, aside from opposing the admission of Kansas under the Lecompton Constitution, condemned the President and all others in the government who had consented to that constitution. Clark and his Democratic group objected to this condemnation, claiming that the General Assembly of Iowa had “no jurisdiction in law over the President of the United States,” and no power or right to condemn Senators of other states for their actions. Then followed the statement to which Mahony and his four associates took exception: Clark had, in effect, agreed with the Republicans that there was something very wrong with the adoption of the Lecompton Constitution in Kansas, that the people did not have a chance to “pass their judgment” upon it, and therefore Congress had the right to “go behind the Constitution” as presented and inquire into its legality. Mahony, on the other hand, took the extreme position that the people of Kansas had the right to delegate their powers to their state legislature, and that Congress had no right to “go behind the Constitution” as presented to them by the duly constituted power of the people of Kansas.⁴² Thus were the lines drawn, not only between Republican and Democrat, but between Democrat and Democrat.

This conflict within the Democratic party of Iowa was a reflection of the larger battle going on in Washington between the followers of Stephen A. Douglas, who opposed the admission of Kansas under the Lecompton Constitution, and those who stood behind President Buchanan in his insistence that the provisions for voting on the Kansas document should stand. The “Little Giant” from Illinois was waging a valiant fight to wrest control of his party from the President — known as “Old Obliquity” — and the Southern Democrats. “By God, Sir, I made Mr. James Buchanan,” Douglas said, “and by God, Sir, I will unmake him.”⁴³ The result was the ill-fated geographical split among the Democrats, with Northerners following Douglas, and Southerners supporting Buchanan. In Iowa every Democratic paper except the Dubuque *Northwest* rallied behind the Illinois Senator. Lincoln Clark and his supporters were of this wing of the Democratic party, while

⁴² *Ibid.*, 311-13, 322-5.

⁴³ George Fort Milton, *The Eve of Conflict: Stephen A. Douglas and the Needless War* (New York, 1934), 273. For the break of the Democrats over Lecompton, see also Roy Franklin Nichols, *The Disruption of American Democracy* (New York, 1948), 117-31; John Bach McMaster, *A History of the People of the United States . . .* (8 vols., New York, 1914), 8:303-316.

Mahony and his four colleagues stood behind the President. The *Dubuque Express and Herald*, formerly edited by Mahony, was a Douglas paper; its attacks on the rival *Northwest* were quite as virulent as those traditional between Democrats and Republicans. The *Northwest* editor, in the opinion of the *Express and Herald*, was "base hearted and unprincipled," "an imported scavenger of political filth," "a poor nincompoop."⁴⁴ In the face of this violence of language, it is not surprising to find that the *Herald* found no room in its columns for a report of the Mahony protest, which supported the administration's position. Mahony was taking a stand different from that of his one-time associates; therefore, rather than attack him personally, they chose to ignore him. A further indication of the state of flux in which the Democratic party found itself is that in 1860 Mahony, again editor of the *Herald*, would become a strong "Douglas Democrat," in contrast to his position in 1858.

National issues occupied only a small part of the time of the General Assembly, in spite of the excitement over the Lecompton question. Probably the most important legislation before the Seventh General Assembly was the enacting of Iowa's first banking laws. Iowa's 1846 constitutional convention, dominated by anti-bank Democrats, had succeeded in prohibiting any banks of issue in the new state. The Constitutional Convention of 1857, with changing times and changing party emphasis, had provided for the legalizing of banks in the state, though not until after a considerable struggle with the Democratic members.⁴⁵ Even then, Governor Grimes in his farewell message, warned the legislators of the General Assembly "that banks are to be established to secure the *public welfare* and not to promote the purposes of the stockholders and capitalists, and that it is far better that banks should realize small profits, than that the public should be liable to injury by their suspension or failure."⁴⁶

The result was a "Free Banking Bill" so complicated and involved that no bank was ever established under it; in 1870 the law was repealed. The legislature of 1858 seemed satisfied with its work, however, since the bill

⁴⁴ *Dubuque Express and Herald*, March 4, 1858.

⁴⁵ Constitution of 1846, Article 9, in Benjamin F. Shambaugh (ed.), *Documentary Material Relating to the History of Iowa* (3 vols., Iowa City, 1895-1901), 1:205; Constitution of 1857, Article 8, *ibid.*, 244.

⁴⁶ Benjamin F. Shambaugh (ed.), *The Messages and Proclamations of the Governors of Iowa* (7 vols., Iowa City, 1903-1905), 2:45. See also Howard H. Preston, *History of Banking in Iowa* (Iowa City, 1922), 70-82.

passed the House by a vote of 40 to 25, the Senate by a vote of 23 to 5. Those in opposition were largely Democrats, but there were a few Republicans among them. P. B. Bradley, a Democrat of Jackson County, had the last word in the House: immediately after the bill's passage, he moved an amendment to the title of the bill, substituting the word "swindling" for "banking." Needless to say, his motion lost.⁴⁷

The bill to establish a "State Bank and branches" was introduced into the Senate, where it was debated, off and on, for about four weeks before passage by a vote of 28 to 4; the House concurred, with a slight amendment, 45 to 18. Carpenter, as a loyal Republican, voted with the majority in the House. Both bills were accepted by an overwhelming majority of the voters at an election on June 28.⁴⁸

Banks and railroads were both exciting topics of conversation and legislation during 1858. But while tangled financial arguments for and against banks may have confused many voters, there was no mystery about a railroad. It was something that every town wanted; every county was willing to vote aid to a prospective railroad; every legislature besieged Congress with petitions for larger land grants. Iowa's first railroad land grant had come in 1856, but ten years before that date Congress had granted lands in the Des Moines River valley for the "improvement" of the river. By 1858 the four east-west railroads that had benefited by the 1856 federal grant were building into the state as fast as local aid and eastern financiers made it possible. The southernmost — the Burlington & Missouri River Railroad — had reached Mount Pleasant from its starting point at Burlington, and was now nearing Fairfield. The Mississippi & Missouri Railroad had completed its main line from Davenport to Iowa City, had pushed branches southwest to Muscatine and Washington, and was trying to get construction under way west of Iowa City. The Iowa Central Air Line Railroad, starting from Clinton, was pushing toward Clarence, some forty miles away. To the north, the Dubuque & Pacific had reached only across Dubuque County to Dyersville in its race for the far Pacific. With east-west roads assured, Iowans turned their attention to north-south lines, and the one that attracted the most attention in the spring of 1858 was the Keokuk, Fort Des Moines & Minnesota, which planned to build along the Des Moines valley and wanted the unused land grant of the Des Moines Navigation Company to help

⁴⁷ *House Journal, 1858, 587; Preston, History of Banking in Iowa, 74-82.*

⁴⁸ *Preston, History of Banking in Iowa, 84.*

them do so. By 1858 the road had reached Bentonsport in Van Buren County.⁴⁹

By this time it had become obvious to all that the Des Moines Navigation Company, which had taken over the task — and the land grant — of the Des Moines Valley Improvement project, was a complete failure. There was no doubt that the Seventh General Assembly would cancel its agreement with the Navigation Company and would transfer the land grant to a railroad. Webster County, as has been indicated, had already stated its preference for the Keokuk, Fort Des Moines & Minnesota road. When the House committee of five on the "Improvement of the Des Moines" was appointed, Carpenter of Webster County was made chairman. His Republican colleagues were Thomas Mitchell of Polk County and C. E. Millard of Warren; the Democrats were Squire Ayers of Van Buren County and Cornelius Beal of Boone.⁵⁰

In response to a request from this committee, Governor Lowe on February 16 sent the House a message on the status of the Des Moines River grant, with the suggestion that a joint committee be appointed to settle with the Navigation Company. Carpenter and Belknap from the House and William Loughridge from the Senate were chosen.⁵¹ That the committee was "stacked" in favor of transferring the grant to the Keokuk, Fort Des Moines & Minnesota Railroad is obvious, since the three members came from counties along the Des Moines valley — Carpenter from Webster, Belknap from Lee, and Loughridge from Mahaska. Mahony at once protested the Senate's choice of Loughridge, and the House agreed with him. Certain other Senators also doubted the advisability of placing Loughridge on the committee, but a compromise finally was reached by adding a fourth member, J. W. Jenkins from Jackson County.⁵²

The real struggle within the legislature on the whole question of the lands originally granted for the improvement of the Des Moines River was

⁴⁹ For brief accounts of the various roads, see Mildred Throne, "The Burlington & Missouri River Railroad," *The Palimpsest*, 33:1-32 (January, 1952); Dwight L. Agnew, "Iowa's First Railroad," *IOWA JOURNAL OF HISTORY*, 48:1-26 (January, 1950), and "The Mississippi & Missouri Railroad, 1856-1860," *ibid.*, 51:211-32 (July, 1953); *History of Clinton County, Iowa . . .* (Chicago, 1879), 491-5 (for Iowa Central Air Line RR); and Franklin T. Oldt (ed.), *History of Dubuque County, Iowa . . .* (Chicago, n. d.), 240-50 (for Dubuque & Pacific).

⁵⁰ *House Journal*, 1858, 60.

⁵¹ *Ibid.*, 304-305, 310-11.

⁵² *Ibid.*, 311; *Senate Journal*, 1858, 246, 250, 254, 256.

a geographical, rather than a political, contest, although party strife could seldom be quelled for long. Cornelius Beal, Democrat of Boone, a county through which both the east-west Iowa Central Air Line and the north-south Keokuk, Fort Des Moines & Minnesota would pass, combined political hostility with a partiality for the Air Line road into an attack on the River Lands settlement in general and C. C. Carpenter in particular. This hostility finally flared into a collision — certainly verbal and possibly physical — over a debate on quite another issue, resulting in the publication of a letter by Beal in the *Des Moines Journal*, in which he accused Carpenter of lying. Rumors in Fort Dodge had it that the two had come to blows, and Kate Burkholder chided Cyrus, in true ladylike fashion: "La! Mr. Carpenter how indiscreet in you indeed to conduct so in the Hall of Representatives. Talk about command of self after this will you. . . ." ⁵³ In the debate over members of the special committee for the Des Moines River settlement, Beal had tried to have W. W. Belknap, then a fellow Democrat, replaced by Horace Anthony, a Republican but a resident of Clinton County where, it must be inferred, the interests of the Air Line road would have received more support. Beal's effort in this failed, undoubtedly increasing his animosity toward the whole scheme. ⁵⁴

A great deal of mystery surrounds the final settlement between the state and the Navigation Company. That there were behind-the-scenes deals is fairly certain, but just what these deals were and who participated are matters of conjecture. Though two writers later stated that the Navigation Company and the Railroad Company were actually one and the same, not even a hint of this appeared at the time. ⁵⁵ Had such been the case, surely some of the opponents of the settlement would have brought it out during the lengthy debates in both the House and Senate. Since they did not, either the allegation is false or it was a wonderfully well kept secret in 1858.

The final agreement provided that the Navigation Company should pay the state the sum of \$20,000 and should receive all of the lands of the

⁵³ Kate Burkholder to CCC, Feb. 25, 1858, *Carpenter Papers*. Beal letter in *Des Moines Tri-Weekly Journal*, Feb. 27, 1858.

⁵⁴ *House Journal*, 1858, 311.

⁵⁵ "As it afterwards developed the navigation company was really the Keokuk, Fort Des Moines & Minnesota Railroad Company, and instead of improving the river it had been devoting a portion of its time to the building of the railroad which, at the time of the settlement, was completed to Benton's Port, a distance of about forty

grant that had so far been certified in return for cancelling their contract. According to Governor Lowe's message to the General Assembly, the original size of the 1846 grant from Congress was 853,430 acres, of which 593,430.87 acres had been certified to the state. Of these, the state had sold 205,489.23 acres, while some 230,000 more had been transferred to the Navigation Company since it had taken over the work, leaving a total of some 37,000 acres yet to be sold.⁵⁶ This is only one set of figures, however. Many variations of the totals appeared during the long struggle over the lands.

The location of the lands was another point at issue, since nobody, either in the state or federal governments, could agree as to just where the grant should be located. No less than four or five different decisions had come from Washington over the years, each contradicting the preceding. Did the grant extend only to the Raccoon Forks of the Des Moines River, or did it extend to the source of that river? Several clear-cut answers had been given, only to be reversed within a year or so by a different official or a new administration. Meanwhile, squatters had moved into the area above Des Moines, locating on odd or even sections as they made their choices. Herein lay the seeds of a tragedy of errors in which the innocent victims of the shifting government decisions lost the lands which they had improved and paid for in good faith.⁵⁷

The people above the Raccoon Forks looked with suspicion on the claims of the Navigation Company to their lands, since any "improvements" the Company might be effecting were far away. As early as January 20, 1858, Carpenter received an agitated letter from a constituent in Dakota City in Humboldt County north of Fort Dodge:

Our Neighbourhood has been the scene of Considerable Excitement for a few days past. A Mr Warner from Fort Demoin Purporting himself to be agent of the Demoin River Co has been up here and appointed old Billy Miller Sub agent or Rather a (Spy)

miles." N. E. Goldthwait (ed.), *History of Boone County, Iowa* (2 vols., Chicago, 1914), 1:141. This same paragraph appears in a Webster County history, published one year earlier, in a chapter credited to C. L. Lucas. H. M. Pratt, *History of Fort Dodge and Webster County, Iowa* (2 vols., Chicago, 1913), 1:236.

⁵⁶ *House Journal*, 1858, 304-305.

⁵⁷ See C. L. Lucas article, "The Des Moines River Land Grants," in Pratt, *History of Fort Dodge and Webster County, Iowa*, 1:231-7. See also Jacob A. Swisher, "The Des Moines River Improvement Project," *IOWA JOURNAL OF HISTORY AND POLITICS*, 35:142-80 (April, 1937).

and we are having quite a time over it. We have all made up our minds that we will pay no attention to the *damed* old Skunk he has skinned all the odd Sections about here of all the Best of the Timber and now he is turning traitor against us. We will give him *Hell* under the shirt before he gets through with it. Now Friend C. I want you to see the Gov or Sec of State . . . and ask what Decisions have been made if any. Whether the River Company have any Title or are they like to have any to the lands up here Can they do any thing with us as the thing stands Is the legislature doing any thing about the Matter. . . .⁵⁸

This letter was more profane than most of the correspondence received by Carpenter on the River Land question, but all carried the same tone — do something about having the lands transferred to a railroad to be built up the Des Moines valley. Whereas the Navigation Company was completely discredited, and the giving of any lands to that company was violently opposed, yet a grant of the same lands to a railroad — as yet an unknown evil — was heartily approved. Letters and petitions “praying for a diversion” of the land grant were numerous.⁵⁹

Although his constituents seemed to be of one mind as to the disposal of the land grant, Carpenter’s colleagues in the House were not nearly so unanimous. The joint committee, the officers of the Navigation Company, and the state commissioner for the lands, Edwin Manning of Keosauqua, finally reached agreement, and the result was placed before the Senate on March 10, before the House on March 15, 1858. In addition to providing for the financial and land settlement with the Navigation Company, this resolution also stipulated that the residue of the congressional grant, with the approval of Congress, should go to the Keokuk, Fort Des Moines & Minnesota Railroad to aid in building that road. Of these lands, one-fourth were to be applied to building the road above the city of Des Moines.⁶⁰ To the majority of the legislators, and to a majority of the people of the state, this was a logical disposition of the grant. Lands for railroad purposes were to lie along the line of the track — such had been the case with the 1856 grant. A minority of the members, however, sought to change this

⁵⁸ John L. Lewis to CCC, Jan. 20, 1858, *Carpenter Papers*.

⁵⁹ Carpenter presented a number of petitions to the House during the session. *House Journal*, 1858, 86, 96, 125, 207. He also received a number of private letters on the same subject: Elijah Sells (Dec. 8, 1857), Isaac Whicher (Dec. 4, 1857), S. H. Lunt (Jan. 15, 1858); Asa C. Call (Feb. 17, 1858), *Carpenter Papers*.

⁶⁰ *Laws of Iowa*, 1858, 427-9.

admittedly short-lived tradition and divide the lands among certain other roads in which they may or may not have had a financial interest.

The issue was debated in the Senate for several hours on March 10. J. B. Grinnell of Poweshiek County, on the projected line of the Mississippi & Missouri Railroad, objected to the diversion of the lands to the "Des Moines Valley Railroad," as the Keokuk road was coming to be popularly called, and argued in favor of dividing the grant among other roads. Samuel J. Kirkwood of Iowa City — also on the line of the M & M — opposed the settlement, as did several others in the final vote in which a stalwart nine stood out against the diversion.⁶¹

Grinnell's argument was repeated when the resolution came up for consideration in the House on March 15. There the opponents were more vocal; they forced debate on the measure through four days of bitter controversy, voting of amendments, recommitting to the committee, and all the usual parliamentary delays. Ellsworth N. Bates of Linn County argued strenuously for a diversion of the lands to railroads throughout the state. The rights of all the people had been "outraged" by the Navigation Company, he argued, therefore all should benefit in the settlement. George W. McCrary replied that such a suggestion was "contrary to all the customs of the State heretofore," that lands had always been given to the roads "through which they run." The officials of the Navigation Company, argued W. H. Seevers of Mahaska County, were "a set of scoundrels and swindlers," but "we are in their clutches" and must accept this agreement. T. W. Jackson, representing Tama and Marshall counties, said that diversion of the lands to any road but the one in the valley would be "the grossest injustice ever done in Christendom." Not to be outdone in superlatives, Bates countered that the course proposed was "unprecedented in the annals of parliamentary tactics." Finally tempers cooled, Mahony proposed several minor amendments that were accepted, and the resolution passed with only one vote in opposition.⁶²

One of Mahony's amendments had stipulated that the Navigation Company be given sixty days to accept the agreement. The alacrity with which the company agreed to the terms would seem to indicate that they had made a good bargain and wished to take advantage of it before the legis-

⁶¹ *Des Moines Tri-Weekly Citizen*, March 11, 1858. *Senate Journal*, 1858, 430-32.

⁶² *Des Moines Iowa Weekly Citizen*, March 17, 24, 1858. *House Journal*, 1858, 692.

lators changed their minds. The measure was signed by Governor Lowe on March 22; on April 15 the officers of the Navigation Company met in their New York offices and accepted the terms.⁶³ Meanwhile, a bill had been introduced into Congress to permit the transfer of the lands originally granted for river improvement. Moving ponderously, Congress at last agreed to the transfer to the railroad company on July 12, 1862.⁶⁴

Carpenter, while serving on the joint committee for the settlement, had taken little part in the debate, except to speak out for the interests of his section, and incidentally of the north-south railroad, when he strongly opposed giving part of the lands to any road except that to be built up the Des Moines valley.⁶⁵ The attitude of the people "above the Raccoon Forks" was mixed as to the whole transaction. At Boone the editor of the *News* lashed out bitterly, "in the most approved billingsgate," at Carpenter and others for their stand, according to Aldrich in the *Webster City Freeman*. Aldrich advised the Boone County people to "cork up their wrath and keep their shirts on. It will be cooler by-and-bye."⁶⁶ According to "One of the People," writing in a Des Moines paper, much of this discontent could be traced to the Mississippi & Missouri Railroad, which wanted some of the land grant, and he warned the road to be careful or they would "raise an excitement" in Polk County that would "sweep away" the \$300,000 county loan which the road was asking.⁶⁷ But the rumblings and grumblings continued, and Carpenter received his share of the barbs.

Although the part Carpenter played in the River Land settlement would rise to plague him for many years, another action of the legislature in 1858 had more bearing on his immediate political future. This was a squabble in the legislature over four ranges, 27, 28, 29, and 30 west, of township 90 north. This row of four townships along the northern border of Webster County had been separated from Webster and given to Humboldt when that county was created by the Sixth General Assembly in 1857. That, at least, was the memory of the legislators and the evidence of the newspapers. However, when the act creating Humboldt was published, it failed to list "Township 90." A further complication arose from the fact

⁶³ *Report of the Register of the State Land Office, 1859* (Des Moines, 1859), 25-6.

⁶⁴ Lokken, *Iowa Public Land Disposal*, 221.

⁶⁵ *Des Moines Iowa Weekly Citizen*, March 17, 1858.

⁶⁶ *Webster City Hamilton Freeman*, March 18, 1858.

⁶⁷ *Des Moines Tri-Weekly Journal*, March 19, 1858.

that between the meetings of the Sixth and Seventh General Assemblies a new constitution had been written and adopted providing that no county boundaries could be changed without a vote of the people of the counties involved. When, therefore, a bill was introduced into the Senate to correct the act of 1857 by adding the four townships known collectively as "Township 90" to Humboldt, the citizens of Webster County rose in wrath and bombarded Carpenter with letters, pleas, threats, and petitions.

Satan and his abode seemed to play a large part in the excitement, judging from the letters received. A. M. Dawley, in a letter considered by J. J. Barclay as "impertinant & uncalled for," warned Carpenter that if he did not work against the bill "all hell wont save you from the chg. [charge] of being bought." Barclay suggested that all those who were "finding fault" with Carpenter should "go to *Hell* with their opinions." J. D. Burkholder (Carpenter's future father-in-law) assured him that he had been right in his course of action, and therefore he "need not fear the combined powers of men & Devils."⁶⁸

When the bill in dispute, which had passed the Senate without any dissent, came up in the House, Carpenter presented an amendment calling for an election in the counties concerned to decide the issue. His motion lost and the bill passed the House by a vote of 40 to 21. That Carpenter was right in his amendment was confirmed by the State Supreme Court in 1860, when it declared the act of 1858 void and the act of 1857, as printed, correct.⁶⁹ But this vindication was two years in the future; in 1858 Carpenter bore the brunt of the attack at home. Aside from the usual Democratic carping, there was a split among the Republicans, which resulted in numerous accusing letters that left Carpenter in the middle of a family quarrel. Dark and unsubstantiated hints of bribes and of shady dealings among land speculators as a background of "Town 90" were bandied about. Small wonder, then, that Carpenter returned to Fort Dodge somewhat embittered with politics.

Before that return, however, Carpenter had played his role as legislator conscientiously if quietly. Aside from the hot arguments over Lecompton

⁶⁸ Letters to CCC from A. M. Dawley (March 2, 1858), J. J. Barclay (March 14, 1858), and J. D. Burkholder (March 17, 1858), *Carpenter Papers*. For the boundary dispute, see Frank Harmon Garver, "Boundary History of Iowa Counties," *IOWA JOURNAL OF HISTORY AND POLITICS*, 7:53-4 (January, 1909).

⁶⁹ *Senate Journal*, 1858, 275; *House Journal*, 1858, 572-3; *Des Moines Tri-Weekly Journal*, March 12, 1858.

and the River Lands, the Seventh General Assembly had been accomplishing worthwhile and lasting, if not spectacular, work. Sparked by the enthusiasm of three young legislators — Benjamin F. Gue of Scott, Robert A. Richardson of Fayette, and Ed Wright of Cedar counties — a reluctant legislature was induced to provide for the establishment of an "Agricultural College and Farm."⁷⁰ This was the genesis of Iowa's famous agricultural college at Ames. Of equal importance was the long-awaited general education bill, upon which previous legislatures had had the advice of Horace Mann.⁷¹ A commission was appointed to codify the laws of Iowa to conform with the new constitution of the state. An asylum for the blind was established at Vinton; the boundaries of the state's judicial districts were revised; and all the other matters, large and small, which come before a state legislature were handled with a greater or lesser degree of "politics," depending on the importance of the issue.

In all this, Carpenter played an unspectacular role. He voted with his party on party issues, with the majority on noncontroversial issues. His first term as a state legislator, like his later two terms as a Congressman, indicated that as a lawmaker he did not have the necessary fire and force to play an outstanding role. In his quiet way he made many friends; his lack of aggressiveness made few enemies. That some of his constituents were not entirely happy with his record is evident from attacks on him in the press, but since most of the anti-Carpenter papers were Democratic, that was an expected hazard of political life.

That Carpenter had not been able to secure one of the state institutions for his district left many disgruntled. Although he had tried to push a bill for the establishment of a deaf and dumb asylum "at or near Fort Dodge," an economy-minded legislature, faced with a mounting business depression, refused to consider it. During the 1857 campaign one of the "local" issues had been a demand by Webster City that their representative do something about getting an insane asylum located there, and Carpenter, in a letter to the Webster City paper in October, had promised to do what he could.⁷² That he made no effort to fulfill this pledge, and instead worked

⁷⁰ Earle D. Ross, *A History of the Iowa State College of Agriculture and Mechanic Arts* (Ames, 1942), 16-21.

⁷¹ Clarence Ray Aurner, *History of Education in Iowa* (5 vols., Iowa City, 1914-1920), 1:49-54.

⁷² Webster City *Hamilton Freeman*, Oct. 29, 1857.

for a state institution at Fort Dodge, did not add to his popularity in Hamilton County. This, coupled with the suspicions aroused by the River Land settlement, and the discontent over the boundaries of Humboldt County, left a cloud upon Carpenter's first venture into politics. He could get some comfort from a letter to him from Elijah Sells, secretary of state: ". . . I hope you may not find it a difficult task to induce your constituents to forget your 'Short comings' I apprehend that they will not be able to find any man that will serve them more faithfully."⁷³ But Carpenter needed more than Sells's endorsement to win again in a still strongly Democratic district.

The Seventh General Assembly adjourned on March 23, and the members scattered to their homes, some to mend their political fences, some to return to their neglected occupations. Carpenter, who had entered his first term of state service with high hopes, returned to Fort Dodge wiser in the ways of politics and anxious to improve his finances, which were in their usual precarious state. A fellow legislator, John W. Thompson of Davenport, gave him some consolation when he wrote that "to speak plainly I do not believe either you or I are dishonest enough for such life at present, however others might differ as to this." A California friend regretted that Carpenter had not found "as much fun" in the legislature as he had expected, adding that he "would to God more of those we trust to make our laws would follow your course & work in a manner which would in future leave us free from debt & the disgraceful scenes which are too often enacted therein."⁷⁴

Even though Carpenter's first experience in government had not been too happy, he never could stay far from the political arena, in spite of frequent resolutions to the contrary. After an interval of gold-seeking in Colorado, three years' service in the Civil War, and two terms as Register of the State Land Office, he went on to become governor of Iowa for two terms (1872-1876)⁷⁵ and Congressman for two terms (1879-1883). He closed his career of office-holding by another term in the General Assembly in 1884. Carpenter's declining years were spent in that haven of retired poli-

⁷³ Elijah Sells to CCC, Apr. 8, 1858, *Carpenter Papers*.

⁷⁴ John W. Thompson (May 6, 1858) and H. H. Fassett (Apr. 15, 1858) to CCC, *ibid.*

⁷⁵ For Carpenter's election as governor, see Mildred Throne, "Electing an Iowa Governor, 1871: Cyrus Clay Carpenter," *IOWA JOURNAL OF HISTORY*, 48:335-70 (October, 1950).

ticians — a postmastership. It was during this period that he performed perhaps his greatest service to the state in his role as political godfather to one of Iowa's great Senators — Jonathan Prentiss Dolliver. Although Carpenter's career was not spectacular, it was above the average in honesty and integrity, and when he died in 1898 all state offices were closed and the leading members of the government journeyed to Fort Dodge to pay him a last tribute.