

HARVEY BOYD DUNCAN

FROM MISSOURI TO IOWA

Considerable attention has been given to the boundary dispute between Missouri and Iowa which was officially settled by the United States Supreme Court decree of January 3, 1851.¹ Among the persons residing in the 2,600-square-mile area,² who were affected by the Court's decree, was a former Kentuckian who had recently served as Mercer County's State Representative in the Missouri legislature. This man was Harvey Boyd Duncan, who had settled in what is now the southwestern part of Wayne County, Iowa, a decade before the boundary controversy was adjusted. Having lost his status as a Missourian by judicial decree he found himself a resident of the State of Iowa. Less than two years later he took his seat as a member of the House of Representatives in the Iowa General Assembly.

Duncan was one of at least nine children born to a Revolutionary War veteran, John Duncan, and his wife, Mary Laughlin Duncan.³ Family tradition places his birthplace in either southwestern Virginia or southeastern Kentucky.

¹ A summarization of the literature on the boundary controversy is contained in Claude S. Larzelere's *The Iowa-Missouri Disputed Boundary in The Mississippi Valley Historical Review*, Vol. III, pp. 77-84. See also Erik M. Eriksson's *The Boundaries of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXV, pp. 163-235, and *Report Made by Albert Miller Lea on the Iowa-Missouri Boundary* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXIII, pp. 246-259. Additional references are given in Wm. J. Petersen's *A Reference Guide to Iowa History*, pp. 32, 51.

² Eriksson's *The Honey War in The Palimpsest*, Vol. V, p. 339.

³ This John Duncan was born in 1765 and died in 1832. Mary Laughlin Duncan was born in 1767 and died in 1846.—Flora Woltz's *The Duncan Family Made Early History* in the *Lineville Tribune*, March 24, 1932, p. 1.

This seems to be based on the fact that both his father, John Duncan, Jr., and his grandfather, John Duncan, Sr., who had died in 1817, had settled at Martin's Station, Kentucky, during the Revolutionary War. A granduncle of Harvey Boyd Duncan was Major Benjamin Sharp.⁴

Details of the early life of Harvey Boyd Duncan are exceedingly meager. His grave marker in Evergreen Cemetery at Lineville, Iowa, records that he was born in 1800. He seems to have been married before he reached his majority, for his marriage bond was executed in Whitley County, Kentucky, on October 12, 1820.⁵ His bride was his cousin, Eliza Laughlin, a daughter of Col. Thomas Laughlin. Other references to him in the Whitley County records indicate that he participated in some land transactions⁶ and served as an executor of two estates.⁷

One of the land transactions, dated January 11, 1827, mentions him and his wife as being residents of Monroe County, Tennessee, indicating that he may have left Kentucky after his marriage and lived for a time in Tennessee. In 1828, he bought land in Whitley County from his wife's kinsmen, John S. and Thomas Laughlin.⁸ There is no record of any political activity prior to his coming to Missouri and Iowa.

Duncan was one of the first permanent settlers in what is

⁴ *Will Book "B"*, p. 418, Washington County, Virginia; Woltz's *The Duncan Family Made Early History* in the *Lineville Tribune*, March 24, 1932, p. 1.

⁵ Original document on file in the office of the District Court, Whitley County, Kentucky.

⁶ *Record Book*, I, pp. 154, 267, in the office of the District Court, Whitley County, Kentucky.

⁷ Harvey Boyd Duncan was executor of the estate of his father, John Duncan, Jr., whose will was filed on April 4, 1832, and of the estate of Sarah Berry whose will was filed on July 27, 1834.—See *Index to Will Books*, Whitley County, Kentucky.

⁸ *Record Book*, I, p. 267, in the office of the District Court, Whitley County, Kentucky.

now Wayne County, Iowa. One source⁹ implies that he was the third head of a household to locate permanently in that locality, he and his family having arrived on November 13, 1841, after a two-months' journey from Kentucky. His predecessors, states this writer, were D. S. Duncan (a brother) and H. P. Sullivan who arrived in April, 1840. A slightly different account is given by B. F. Gue,¹⁰ who records that Duncan accompanied the other two men to Iowa in 1840. The author of the obituary of Duncan's son-in-law, Joseph Lovett, wrote in 1909 that the group, including H. B. and D. S. Duncan and Sullivan, left Whitley County in 1840 and arrived at their destination in 1841.¹¹

At the time Harvey Boyd Duncan arrived in the area claimed by both the State of Missouri and the Territory of Iowa, neither Wayne County, Iowa, nor Mercer County, Missouri (south of the State line, opposite Wayne County), had been organized. In 1841, the Missouri legislature organized Grundy County and attached the area lying to the north, later included in Mercer County, to it for civil and military purposes. On February 14, 1845, Mercer County was organized and legal machinery was set up to enable this area to function as part of the State of Missouri. During this period Harvey Boyd Duncan considered himself a citizen of Missouri and in 1848 he was elected as Mercer County's second Representative in the Missouri General Assembly. In politics he belonged to the Whig party.¹²

⁹ *Biographical and Historical Record of Wayne and Appanoose Counties, Iowa* (Chicago, 1886), p. 491.

¹⁰ B. F. Gue's *History of Iowa*, Vol. III, p. 425.

¹¹ *Joseph Lovett, Pioneer Here, Host of Old Time Tavern*, in the *Lineville Tribune*, June 17, 1909, p. 1. It is possible that these men made two trips, as settlers often did, one to look at the land and a second when they moved their families to the new location.

¹² *History of Harrison and Mercer Counties, Missouri* (St. Louis and Chicago, 1888), pp. 189, 402, 403, 405, 411.

In the meantime the Territory of Iowa and later the State of Iowa had maintained its claim to a strip of land lying between the line it claimed as its southern boundary and the line claimed by Missouri as its northern boundary. Under the jurisdiction of Michigan Territory the area occupied by the Duncan family had been included in Des Moines County. Subsequent laws establishing counties in Iowa left this area without county government so far as Iowa was concerned until 1846 when Wayne County was created and attached to Appanoose County for judicial, revenue, and electoral purposes. Formal organization of Wayne County did not take place until February 13, 1851.¹³

By this time the United States Supreme Court decision of January 3, 1851, had settled the prolonged dispute between Iowa and Missouri.¹⁴ The land upon which Harvey Boyd Duncan had settled was declared to be part of the State of Iowa and consequently it was a part of Wayne County. Duncan at once took his place in the life of the new county to which he had been transferred. As a Missourian he had owned a number of negro slaves. When he learned that he was a resident of a free State, he notified these servants that they were free, but it is recorded that they remained with him and "received a good education for those times".¹⁵ This action on the part of the former slaves and the fact that Duncan evidently had not feared that they would take advantage of their proximity to freedom across the State line indicate that the master-slave relationship must have been of a rather satisfactory nature.

¹³ Jacob A. Swisher's *History of the Organization of the Counties in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XX, pp. 524, 525; *Biographical and Historical Record of Wayne and Appanoose Counties, Iowa*, pp. 491, 492.

¹⁴ *Missouri v. Iowa*, 48 U. S., 660; 51 U. S., 1.

¹⁵ *Biographical and Historical Record of Wayne and Appanoose Counties, Iowa*, pp. 555, 556.

Duncan was apparently a man of note in his community and the men who were organizing Wayne County recognized his ability. On January 27, 1851, only about three weeks after the Supreme Court rendered its decree the county commissioners divided the county into four electoral precincts and Duncan was named as one of the three judges in his precinct.

Some three months later, on March 17, 1851, he was named postmaster of Grand River, later Lineville. On August 4, 1851, the first election was held in Wayne County for county officers. Harvey Boyd Duncan was elected supervisor of roads, receiving 26 out of a total of 42 votes cast for that office. A year later he was elected school fund commissioner, receiving 69 votes.¹⁶

When the general election was held on August 2, 1852, H. B. Duncan was elected to the Iowa House of Representatives by voters in a district composed of Appanoose, Wayne, and Decatur counties.¹⁷ The capital of Iowa was then at Iowa City and thither Duncan traveled to attend the session which began on December 6, 1852. His work in the House began December 9 — three days after the convening of the legislature — when he gave notice of his intention to introduce a bill¹⁸ to authorize the residents of Decatur County to locate their county seat permanently. A careful reading of the House *Journal* indicates that this bill, introduced on December 14th, was the only one of the several

¹⁶ *Biographical and Historical Record of Wayne and Appanoose Counties, Iowa*, pp. 492, 497. The office of supervisor of roads was created as a county office by the *Code of 1851*, but was transferred to the townships in 1853.— *Code of 1851*, Sec. 96; *Laws of Iowa, 1852-1853*, pp. 79-83.

¹⁷ *Journal of the House of Representatives, 1852-1853*, p. 4. The complications which grew out of attempts to recognize shifts in population are illustrated by the fact that at the same election "Abraham Putman" (Abram B. Putnam) was listed as representing the district composed of Davis, Appanoose, Wayne, and Decatur counties.

¹⁸ *Journal of the House of Representatives, 1852-1853*, pp. 29, 55, 391.

bills sponsored by Representative Duncan to be passed and sent to the Governor for his signature during the session. Another measure he sponsored was one to promote improved roads in southern Iowa.¹⁹ On December 28th he gave notice of his intention to introduce a joint resolution asking Congress to establish a mail route from Lineville in Wayne County to Chariton in Lucas County, and also a route from Lineville to Princeton, Missouri.²⁰

Like other members of the House at this time, Duncan displayed interest in railroad promotion and on January 5, 1853, gave notice of his intention to introduce a bill to grant a right-of-way to a company which was to build a railroad from Lineville to Fort Des Moines.²¹ There is no record that he presented any petition or memorial. It may be of interest to note that one of Duncan's colleagues in the House was James W. Grimes, later to become United States Senator and who refused to vote in favor of the impeachment conviction of President Andrew Johnson.

After adjournment of the legislature on January 24, 1853, Duncan returned home from Iowa City and resumed his duties as postmaster of Grand River. He served until December 6, 1855.²² He was unsuccessful in his candidacy for the office of State Senator in 1856, being defeated by John W. Warner by a margin of 82 votes. When the township system of supervisors was restored in 1861 he represented his township on the county board of supervisors.²³

¹⁹ *Journal of the House of Representatives, 1852-1853*, pp. 79, 87.

²⁰ *Journal of the House of Representatives, 1852-1853*, p. 115.

²¹ *Journal of the House of Representatives, 1852-1853*, p. 166.

²² Communication from Ambrose O'Connell, First Assistant Postmaster General, Washington, D. C., dated February 8, 1941. This post office continued to be known as "Grand River" until August 16, 1872, when the name of the post office was changed to Lineville, the name long used for the town. Later, another post office named Grand River was established in Decatur County.

²³ *Biographical and Historical Record of Wayne and Appanoose Counties, Iowa*, pp. 498, 506.

He died on May 11, 1861, following an illness for which he had received medical attention since the beginning of the year. According to the inventory filed by the executors of his will, he left notes and accounts due him totaling \$1609 and personal property valued at \$1342. In addition to his widow, Eliza Laughlin Duncan, there were nine other heirs.²⁴

He was buried first in the Duncan family burying ground, one and one-fourth miles northeast of Lineville, on the farm of his son John. Here the body lay until about 1890 when the remains were exhumed and transferred to the Evergreen Cemetery in Lineville where they were interred beside the grave of his wife who died "about 1879".²⁵ The plain, old-fashioned slab-type marker that had marked his grave in the Duncan burying ground was not re-erected until June 25, 1939, about a half-century later. At that time several collateral relatives of Duncan, including the writer, transferred the marker from its place of storage and erected it to mark their kinsman's grave, acting in accordance with directions furnished by Mr. Samuel Vandel and Duncan's granddaughters, Mrs. Josie Duncan Judd and Mrs. Ellen Duncan Cravens.²⁶

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MICHIGAN STATE COLLEGE
EAST LANSING MICHIGAN

²⁴ *Probate Record Book*, "B", pp. 448-460, Wayne County, Iowa.

²⁵ Interview with Samuel Vandel, Lineville, on June 25, 1939; affidavit made by B. B. Cravens on January 8, 1912, filed in the recorder's office, Wayne County, on January 26, 1938, in *Recorder's Miscellaneous Book*, No. 6, p. 384.

²⁶ Credit for the discovery of the grave marker, on the farm originally owned by Harvey Boyd Duncan, should be extended to Mr. Samuel Vandel. Those who aided in erecting the stone were Mr. Harvey G. Duncan and Mr. Henry G. Duncan.