

CURTIS BATES

As the year 1854 approached, the election of a third Governor of the State of Iowa to succeed Stephen Hempstead confronted the voters. Under the Constitution of 1846, Iowa Governors did not, apparently, expect renomination. The Democrats viewed the prospect complacently. The party had been uniformly successful in Territorial and State elections ever since 1838 when the Territory of Iowa was established. There had been no serious difficulties in Governor Hempstead's administration to be explained away and the Democratic Party had won a notable victory in the national election of 1852. There seemed to be little to fear in Iowa in 1854. Consequently a number of Democratic citizens were willing to be called by the party to lead it as the candidate for Governor.

The Whigs were not so pleased with the outlook. That party was in the process of centrifugal decomposition. Its several parts were flying away from a center which did not exist. The Whig Party, since its beginning in 1832, had never been anything but "an opposition". It was composed of diverse components, whose one common purpose was to follow the liquid notes of Henry Clay's fluid oratory and to be against Andrew Jackson and everything for which he stood. Those parts had never coalesced into a party of positive principles. Even in the two instances of Whig national success in 1840 and 1848, the party leaders could agree on no statements of purposes or platforms; and they went through the campaigns with no positive creed or promises.

By 1854 the break-up was in sight. The Whigs were divided in factions and the slavery problem was one of the

powerful influences in that break-up. There were abolitionists and pro-slavery men in high places in the Whig Party. There were the "Seward Whigs" and the "Cotton Whigs". There were the "Conscience Whigs" and the "Silver Greys". The large measure of bitterness between these factions equalled in intensity the usual exchange of insults between the two parties. The *Burlington Hawk-Eye*, the most influential of the Whig papers in Iowa, denounced any attempt at coalition with the Free Soil Movement, which had appeared with a candidate for Governor in 1850 and polled 575 votes for William Penn Clarke. A threat in 1850, it had become a menace in 1854. The prospect was not promising for the Whigs.¹

Indeed, it was so unpromising that many Whigs advocated abandonment of any attempt at all. On February 16th, after a State convention had been called to meet at Iowa City on February 22nd, the *Des Moines Valley Whig* of Keokuk said that the call was a great blunder. The convention was held, however, and the delegates nominated James W. Grimes² of Burlington for Governor with a complete ticket consisting of Simeon Waters of Mt. Pleasant for Secretary of State, Andrew J. Stevens of Polk County for Auditor, Eliphalet Price of Clayton County for Treasurer, James W. Sennett of Scott County for Attorney General, and Dr. George Shedd³ of Denmark for Superin-

¹ For a more complete account of this campaign see Frank I. Herriott's "James W. Grimes Versus the Southrons" in *The Annals of Iowa* (Third Series), Vol. XV, pp. 323-356, 403-432.

² James W. Grimes was born in Deering, New Hampshire, on October 20, 1816. Franklin Pierce, sixteen years older, was a native of the adjoining town of Hillsboro, but he and Grimes did not meet until after Pierce's election as President in 1852. Grimes was graduated from Dartmouth in 1836. He was admitted to the bar the same year and came at once to Burlington, then in the Territory of Wisconsin, where he took an active part in politics.

³ Dr. George Shedd was the son of Curtis Shedd, who came west in 1836 and took a claim where Denmark now stands. In 1840 Curtis Shedd and other settlers laid out a town site, reserving one-half the lots for educational

tendent of Public Instruction. Shedd had already announced himself as an independent candidate for the office; and the nomination was an endorsement.⁴

The nomination of Grimes was made unanimously; but it was not received with unanimous favor by the party. He was a frankly outspoken Free Soiler and was dubbed abolitionist by the conservative wing of the Whig Party. The anti-slavery group, incidentally, was in complete control of the convention. The candidate for Secretary of State, Simeon Waters of Mt. Pleasant, had already been nominated for Governor by a convention of Free Soilers. He was a preacher, the first minister of the Congregational Church in Mt. Pleasant (1847-1850).

The *Davenport Gazette* of March 2nd, in a story of the convention, said that objection was raised to Waters' nomination for Secretary of State inasmuch as he was already the nominee of the Free Soilers for Governor. His friends from Henry County promised that he would decline the Free Soil nomination if given the place on the Whig ticket and would devote his efforts to the election of the Whig candidates. The *Hawk-Eye* was deeply incensed at this exhibition of radicalism. It denounced the alliance with the Free Soilers and described Grimes, a resident of its own city, as an abolitionist unworthy of confidence and

purposes. The Reverend Asa Turner found this to his advantage in establishing the famous Denmark Academy. Three of Curtis Shedd's sons — James A., H. H., and George — were listed among the students of the Academy who enlisted in the Union army. George Shedd, then a doctor, was killed in battle in the Civil War.— Mrs. H. B. Quinton's "Early Denmark and Denmark Academy" in *The Annals of Iowa* (Third Series), Vol. VII, pp. 3-11.

⁴ *The Dubuque Herald*, February 25, 1854. For numerous quotations from the *Herald* the author is indebted to Mr. Ora Williams, Curator of the Iowa State Department of History and Archives. See also the *Burlington Telegraph* (daily), February 25, 1854. Miss Elsie Schingel of the Burlington Public Library assisted in finding the citations to this paper. The *Telegraph* was started in Burlington on June 11, 1850, with James M. Morgan as editor. It was sold in 1855 to the *Burlington Hawk-Eye*.— David C. Mott's "Early Iowa Newspapers" in *The Annals of Iowa* (Third Series), Vol. XVI, p. 176.

support.⁵ The Democratic *Dubuque Herald* of February 24th conceded, "A pretty strong ticket this so far as our acquaintance with the gentlemen nominated extends."

The Free Soilers held another meeting at Crawfordsville on March 28th, withdrew Waters' candidacy for Governor and endorsed Grimes. This strategy might well have been fatal, for it turned many right wing Whigs, those who were pleading for "the old time Whig principles", whatever they thought such principles were, into a frenzy of opposition. In the heat of this discussion, Waters also withdrew as the candidate for Secretary of State on the Whig ticket and Price and Shedd also did not "choose to run". It looked like a bobtailed ticket and so it remained.

The Democrats manifested considerable glee over the embarrassment of the enemy; and the Whig papers were upset over what looked like a bad start. On March 30th, the *Fairfield Ledger* called for another convention to fill up the ticket; and other papers were blaming the whole sad situation on Grimes. No attempts to fill the vacancies in the Whig ticket have, however, been discovered. Waters did not decline the nomination because he did not like Grimes' politics; he got off the Free Soil Party ticket for Governor in order to give Grimes the right of way, since they thought alike on the slavery question.

Nor was Dr. Shedd a "Cotton Whig"; he had grown up under the tutelage of the Reverend Asa Turner in Denmark, who, like George F. Magoun, William Salter⁶, and

⁵ *History of Henry County, Iowa* (Western Historical Company, 1879), p. 524; Herriott's "James W. Grimes Versus the Southrons" in *The Annals of Iowa* (Third Series), Vol. XV, p. 328.

⁶ Dr. Salter was a member of "The Iowa Band", made up of preachers who came from New England to carry Congregationalism to the new Territory. Following a short pastorate in Maquoketa, he went to Burlington where he was pastor of the First Congregational Church for sixty years. He and Grimes were close friends although Grimes was not a church member. Salter officiated at the marriage of Grimes and Miss Elizabeth Neally.

other New England preachers in Iowa, was actively anti-slavery. That faction of the Whig Party hailed the nomination of Grimes with great joy. Editor Alfred Sanders of the *Davenport Gazette* declaimed floridly on March second that Grimes was the head of the legal profession in Iowa; that he was one of the oldest residents of the State (if that statement had reference to his age, it is interesting to note that he was thirty-eight years old); that he was a reliable temperance man competent to fill creditably to Iowa and honorably to himself the high office to which he had been named. On March 9th, Sanders spoke of Grimes as "a sound, reliable, and ardent Whig". Some members of the party considered him a "new dealer"; Sanders wanted to reassure them.

Although the Whigs had nominated Grimes, a Free Soiler, the leaders would have been glad to avoid the slavery question. The *Davenport Gazette* of March 9th explained that a "hastily drawn" resolution was presented at the convention endorsing the Compromise of 1850. Little opposition to the sentiment of the resolution was expressed, but the delegates decided not to act upon it since it was considered impolitic to raise the slavery question.

It had been raised; it had come up "like thunder across the bay", although the Whigs in their convention did not yet realize that. On January 4th, five days before the Democratic convention, Senator Stephen A. Douglas presented his theory of "Squatter Sovereignty" to the United States Senate. News traveled slowly in those days; there was no radio, no ubiquitous commentators, and the telegraph was not used very much. In the end slavery became the big issue in the campaign, so big that the Whig orators and editors forgot everything else but that. It became so basic that when the election was over, the *Davenport Gazette* on August 26th, in reporting the results of the elec-

tion of members of the General Assembly of the State classified them not as Whigs and Democrats, but as "Anti-Nebraska" and "Nebraska".

In the meantime the Democrats had met in convention in Iowa City on January 9, 1854. The *Dubuque Herald* printed a long story of the convention with a detailed account of the transactions, which appears to be a copy of the official minutes. The Des Moines *Iowa Star*, of which Curtis Bates was the editor, also printed the proceedings.⁷

There were four serious contenders for the nomination for Governor, and it took five ballots, with an adjournment for supper before the fifth, to reach a conclusion. The balloting finally resulted in naming Curtis Bates of Fort Des Moines as the Democratic candidate, although his name did not appear on the first ballot which gave Verplanck Van Antwerp the most votes.⁸ Bates and George Gillaspay of Wapello County came in on the second ballot; Gillaspay withdrew on the fifth and Bates was nominated.

His running mates were named only after considerable balloting. They were: George W. McCleary of Louisa County, for Secretary of State (re-nominated); Joseph L. Sharp of Mills County, for Auditor; Martin L. Morris of Polk County, for Treasurer (re-nominated); David C. Cloud of Muscatine County, for Attorney General; and Dr. James D. Eads of Lee County, for Superintendent of Public Instruction. The election for Superintendent of Public Instruction occurred on April 4th and Eads was

⁷ The author is indebted to Mr. Ora Williams, Curator of the Iowa State Department of History and Archives, for a copy of the proceedings from *The Dubuque Herald*. Mrs. Bertha Baker of the Department has also been generous with assistance in locating needed material, particularly data on Curtis Bates's family and that of his wife.

⁸ For data on Ver Planck Van Antwerp see Charles E. Snyder's "Two Sons of New York in Iowa" in *The Annals of Iowa* (Third Series), Vol. XXV, pp. 147-163.

elected only to run into a storm of trouble before his term expired.⁹

Curtis Bates, like his opponent, James W. Grimes, was a Yankee by birth; and like Governor Hempstead, whom he was ambitious to succeed, he was born in Connecticut.¹⁰ The date was March 8, 1806, and the town was Hartland. When he was three years old, his parents moved to Ohio, in which State he grew up, went to school, and studied law. The family lived in or near Tiffin and just prior to young Bates's migration west, he lived in Defiance.¹¹ He was elected to the Ohio State Senate in 1831; but inasmuch as he had not reached the constitutional age of eligibility, which was twenty-five years, his election was disallowed, and a special election was called. By the time it was held, Bates had passed his twenty-fifth birthday, so he was again elected by a large margin and served the remainder of the term.¹²

He came to Iowa in 1841, settling in Iowa City, where he opened a law office. The little capital city was a favorite hunting ground for young pioneer lawyers,¹³ and Bates soon became engaged in the happy sport of those young lawyers, the pursuit of politics. For example, the Democratic Territorial central committee¹⁴ met in Bates's office on Tuesday, May 2, 1843. In 1846 he represented Johnson

⁹ For the family of James D. Eads see Charles E. Snyder's "The Eads of Argyle" in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XLI, pp. 73-90.

¹⁰ L. F. Andrews' *Pioneers of Polk County, Iowa*, Vol. I, p. 421, and from the inscription on the Bates monument in Woodland Cemetery, Des Moines, as cited by Mr. H. H. Griffiths of that city, whose parents are buried in the adjoining lot.

¹¹ Information from Mrs. Bertha Baker.

¹² Andrews' *Pioneers of Polk County, Iowa*, Vol. I, p. 421.

¹³ Benj. F. Shambaugh's *The Old Stone Capitol Remembers*, pp. 303-307.

¹⁴ Shambaugh's *The Old Stone Capitol Remembers*, p. 266.

County in the convention which wrote the constitution under which the State of Iowa began its operations. He was also named as one of the original trustees of the State University of Iowa in 1847 and reappointed for a six-year term in January, 1849.¹⁵

In 1849 Bates put up the money to start a newspaper in Fort Des Moines, with Barlow Granger as the manager. The little paper, christened *The Iowa Star*, appeared first on August 24, 1849, from an editorial sanctum in a log cabin at Second and Vine streets, which had been recently vacated by United States soldiers. The press and other equipment had been hauled overland from Iowa City.¹⁶ In February, 1850, Granger quit and Bates formed a partnership with Luther Johnson, another young lawyer who also moved from Iowa City to Fort Des Moines in May, 1851. Johnson died of smallpox and Bates then moved to Fort Des Moines, opened a law office, and took charge of the paper himself. The practice of the law and the conduct of the *Star* left him time to give some attention to politics and some more to the development of a town site about seven miles from Council Bluffs. The place was called Traders' Point. This project did not last long, for the Missouri River took one of its spells of anger at the attempted interference by human beings, and washed the town downstream.¹⁷

¹⁵ Johnson Brigham in his *Iowa Its History and Its Foremost Citizens*, Vol. I, p. 155, says that Bates represented Cedar County.

"Seated among the delegates . . . was a short, stout man from Cedar County, who afterwards ran a handicap race with James W. Grimes for the governorship, only to find the handicap too great to be overcome." Cedar County was, in fact, represented in the convention by Samuel A. Bissell. See also *Laws of Iowa, 1846-1847*, Ch. 125; Thomas Hart Benton's *An Address Delivered at the Annual Commencement of the State University of Iowa*, June 21st, 1867, pp. 31, 33, 37.

¹⁶ Andrews' *Pioneers of Polk County, Iowa*, Vol. I, p. 421.

¹⁷ Andrews' *Pioneers of Polk County, Iowa*, Vol. I, p. 422.

Bates later formed another partnership in the newspaper business with Dr. A. Y. Hull, who withdrew in May, 1852. In 1853 he entered into a partnership with Daniel O. ("Dan") Finch, which embraced both law and the publishing feature. Bates continued to direct the *Star* until his nomination for Governor in 1854, when Finch assumed the responsibility.¹⁸ The name was changed to *Iowa Statesman* in 1855, to the *Iowa State Journal* in 1857, to the *Times* in 1862, and to the *Statesman* later that same year. The paper became the *Iowa State Leader* in 1870 and the *Des Moines Leader* in 1884. In 1902 it was merged with the *Iowa State Register* as the *Des Moines Register and Leader*, which continues as *The Des Moines Register* to this day.¹⁹

Johnson Brigham, in his *History of Des Moines and Polk County*, says that the *Star* adopted the practice of newspapers of that period and suggested that the subscribers give the carriers a New Year's gift in appreciation of their services. A "Carrier's Address", said to have been written by Dr. J. M. Vaughan, was reprinted from the *Star* on cards which were left at the homes of patrons on January 1, 1850. It closed with the following:

Now just before I close my song
I'll give our town a "push along"
And sure it stands to all confest
The greatest place in all the west;
Although no lofty temples rise
To pierce the blue and vaulted skies
Although no gilded domes reflect
The noon day rays, yet I expect

¹⁸ Andrews' *Pioneers of Polk County, Iowa*, Vol. I, p. 422; information from Mr. Ora Williams and Mr. H. H. Griffiths, both of Des Moines.

¹⁹ Mott's "Early Iowa Newspapers" in *The Annals of Iowa* (Third Series), Vol. XVI, pp. 206, 207.

That when the mills of Van and Dean
 Begin to puff sights will be seen
 With frolic Fun the town is rife
 We've all the luxuries of life
 Liquors to drink and girls to marry;
 Lots of babies and one to carry.²⁰

Though Curtis Bates had, apparently, nothing to do directly with this New Year verse, he did, at least once, indulge in the frontier sport of writing verse, more or less bad. On one occasion, challenged by efforts of an associate, Bates presented his client's case in bad verse. The case involved a cow and a number of men. William Oakes owed Reuben Davis some money. During the absence of Oakes from Des Moines, Davis sued for his money and obtained a judgment. A constable seized a cow belonging to Oakes, sold it to W. D. Corkeram, and gave the money to Davis. When Oakes returned he applied to Curtis Bates for legal advice. Learning that the cow was the only one owned by Oakes, and therefore exempt, Bates secured a writ of replevin and had the cow returned to Oakes; whereupon Corkeram, who had paid sixteen dollars for the cow, sued Davis, who had received the money, and Wyatt Brownlee, a witness to the sale, for the sum paid for the cow plus the charges for pasturage and legal expenses. Davis employed J. E. Jewitt to defend him and Jewitt submitted his case in part in verse. Bates, who was now representing Brownlee, did the same, claiming:

But Brownlee doth most seriously declare
 That he never joined Davis in any affair;
 And why he is joined in the suit now pending,
 Is far beyond his comprehending.

²⁰ Brigham's *History of Des Moines and Polk County, Iowa*, Vol. I, p. 68; information received from Mr. Don Allen of the staff of *The Des Moines Register*.

According to the final decision of the court, Oakes kept his cow and Davis kept the sixteen dollars he received from the constable from the sale of the animal. The only unhappy character was Corkeram, who lost the price he paid for the cow and the other expenses he incurred through the transaction. The case may have been a joke to the lawyers, but it was a serious affair to him.²¹

While Bates was primarily the business manager of the *Star*, he could use flamboyant language himself on occasion. The following editorial from the issue of March 15, 1850, evidences the agility of his editorial pen.

What, the Union dissolved! As well might you expect to see the stupendous Appenines crumble away that have towered for ages in the immaculate ether, and around which the pure sunlight of heaven has played forever! Not until the last spark shall have died away upon liberty's altar; not until the dark clouds of ignorance and superstition shall lower around our horizon and the blazing fagots of fanaticism and insane violence kindled to flash and glare on our country,— will the great charter that was signed amid patriot prayers and patriot tears, be blotted by discord, and torn by disunion.

Then Bates added: "A few more flourishing speeches, a little more quarreling, a few more conventions and the people will finally think that there is some danger for the perpetuity of our institutions."

Curtis Bates was interested in other business projects. In February of 1851 the Fort Des Moines Steamboat Company was chartered with broad purposes of navigation on the Missouri and Mississippi Rivers and their tributaries. It was also to build docks and warehouses and to engage in a general transfer business. Stock to the amount of \$20,000 was specified and the business began on February 4, 1854, under arrangements to continue twenty years. Cur-

²¹ Andrews' *Pioneers of Polk County, Iowa*, Vol. I, pp. 422-425.

tis Bates was one of the six incorporators. One of the other men was A. Newton and another was P. M. Casady.

Bates's nomination for Governor was received with favorable attention by the Democrats. His ability was recognized. He was known as a conservative who refused to be misled by the fiery orators on either side of the slavery question. The *Dubuque Herald* of January 18, 1854, expressed itself in these favorable terms:

We have presented our readers this week with the names of candidates nominated at the Democratic state convention which met at Iowa City on the 9th inst. The proceedings of the body, or at least as much of them as have been published, have also appeared in our paper. From the proceedings it will be seen that almost every section of the state was represented, and from the result it will be understood that genuine democracy is still in the ascendent. The ticket placed before the people by the state convention is one of the most unexceptionable we recollect to have seen in this state; and it probably contains as much aggregate strength as could have been formed from the aspirants for nomination.

It is recorded that his Democratic friends in Fort Des Moines gave an oyster supper in honor of the nomination at which many toasts were offered and numerous complimentary speeches made.²²

The Iowa Star proudly reprinted an item from *The Western Bugle* of Council Bluffs commending the nomination of Bates and claiming that it was a victory for western Iowa and the Missouri slope. Word of his nomination got back to Ohio and as an evidence of the pleasure of the old home town friends the *Defiance (Ohio) Democrat* expressed itself generously:

In his abilities, experience and personal character, Mr. Bates possesses qualifications for the post to which he has been nominated. His is a good selection, and creditable to the sterling democracy of that young and enterprising state. . . . We might add

²² *The Dubuque Herald*, February 7, 1854.

that Mr. Bates at present resides at Ft. Des Moines, Polk County, where he is engaged in the practice of law, and until his nomination, edited *The Iowa Star*.²³

Of course, the remarks about him were not all complimentary. Some of the Whig editors dipped their pens in partisan poison. In the issue of January 19th, Alfred Sanders, editor of the *Davenport Gazette*, to whom anything Democratic was a sign of danger, indulged in some editorial fraternalism characteristic of the times. Confirming a story briefly reported in the issue of January 12th, Sanders said, "The Democratic convention did nominate *old* Curtis Bates [Bates was thirty-eight, the same age as his opponent], editor of the *Iowa Star* for governor. If this be so, every man in that convention should be put in a straight waistcoat forthwith. Such men are dangerous to the community." He then goes on to refer to Bates as "Such a stick as Curtis Bates for governor; shades of Ansel Briggs!", "This libel on capability", and "Withered specimen of intellectual humanity".

In the issue of January 19th, Editor Sanders also printed a piece of correspondence from Iowa City, signed "Old Coon", in which the writer attempts to be facetious in writing of the Democratic convention. He begins, "The raree show is over; the mountain has labored and brought forth nearly a 'muss', besides sundry nominations which bode no good to the cause of Dodge."

Then the "Old Coon" goes on to suggest that there is fear that Bates might not accept the nomination for Governor; "he left Ohio to escape a nomination for Congress, now he may move to Nebraska to escape this one." The writer refers to a resolution endorsing the Congressman Bernhart Henn from the first district and the Senators from Iowa, which came like a bombshell near the close of

²³ *The Iowa Star*, February 2, 23, 1854.

the convention, but was withdrawn. This resolution prompted Editor Mahony's fire in the *Dubuque Herald*.

"Old Coon" wound up his communication with the statement, "The convention was presided over by one Mr. McFarland, of Boone County, who was a first rate specimen of a land pirate."

In looking back on Curtis Bates across seventy-five years or so, Cyrenus Cole in his *Iowa Through the Years* says that Bates was an outstanding man who "believed also in the invincibility of the Democratic party". That belief was one of the weaknesses of the campaign.

According to L. F. Andrews, two local issues did Bates no good. The movement was on to remove the capital to Des Moines. Inasmuch as Bates was a Des Moines man, Iowa City was suspicious of its former citizen. Moreover, the project had started a bitter feud between the east side and the west side of Des Moines over the question of the location of the capitol building. Bates lived on the west side and the east siders felt he would favor his own neighborhood if elected Governor. He lost home town votes on that issue. There was also the question of the Des Moines River lands. Curtis Bates was one of the lawyers for the Des Moines Navigation and Railroad Company which sold odd-numbered sections of land for five dollars per acre while the United States government sold land in the even-numbered sections for a dollar and a quarter an acre.

Papers like the *Davenport Gazette* carried on for the Whig nominee, but Grimes did the greater part of the campaigning himself. His nomination had shaped the form of that campaign as a Free Soil proposal; events in Washington did the rest of the shaping. It happened that on December 14, 1853, Senator Augustus Caesar Dodge of Iowa had introduced a bill for the organization of the Territory of Nebraska. This bill assumed the validity of the

Missouri Compromise of 1820 which prohibited slavery in that area.

On January 4, 1854, Senator Stephen A. Douglas of Illinois reported the bill from the Committee on Territories with amendments which expressed his theory of letting the citizens of any new Territory decide the question of slavery for themselves, on the ground that Congress had no right to legislate in the matter for a State or a Territory. Douglas's proposal would, of course, abrogate the Missouri Compromise. The suggestion was not new; it had been suggested many times and it had been recognized in "The Compromise of 1850" with relation to New Mexico and Arizona. On January 23, 1854, Senator Douglas introduced a substitute for the bill of December 14th. The new bill embodied the doctrine of popular sovereignty and created two new Territories — famous Kansas and Nebraska.²⁴

All this had occurred before the Iowa Whig convention that nominated Grimes. There seems to have been little discussion about it in that convention except for the assertion of the Free Soil principle, but a furious debate soon broke out in Washington. The big guns of the anti-slavery forces, including Salmon P. Chase and Charles Sumner, let go, the latter in particularly irritating terms. On the other hand Senators from the slave States, as well as A. C. Dodge and George W. Jones of Iowa, spoke for the proposal.

On February 24th, Senator M. P. Butler of South Carolina,²⁵ an experienced debater and a jurist of ability, arose to reply to Sumner. He condemned the pending "Home-

²⁴ Edgar R. Harlan's *A Narrative History of the People of Iowa*, Vol. I, p. 328; Herriott's "James W. Grimes Versus the Southrons" in *The Annals of Iowa* (Third Series), Vol. XV, p. 331.

²⁵ It was Senator Butler's nephew, Representative Preston Brooks, who on May 22nd maliciously attacked Senator Charles Sumner with a cane and nearly beat him to death, in revenge for Sumner's part in the prolonged debate.

stead Act", which Dodge had introduced in December, 1853. It provided that homesteads might be opened to citizens and to all persons who had declared their purpose to become citizens. This raised the question of populating the new areas west of the Mississippi with immigrants or with southern slave owners. Dodge was honest about the plan; he wanted the immigrants and he did not believe slavery an economic possibility in the plains States. Butler argued otherwise; southern Senators were trying to limit the operation of this act to citizens. In the midst of his speech he turned to the Iowa Senators and exclaimed that he was sure that Iowa would prefer slave holders with their slaves to an inundation of immigrants. Later, under protest of some of his colleagues, he publicly minimized the statement as a "playful remark". It took some weeks for the significance of Butler's remark to make an impression on the Iowa Whigs; but when it did, they made the most of it.

Representative Alexander H. Stephens of Georgia²⁶ was brought into the fracas. He was quoted as having said that Iowa would be a slave State in fifteen years. A good deal of argument arose over the validity of this report and Stephens denied that he ever said anything of the kind. Former Chief Justice Charles Mason, then U. S. Commissioner of Patents in Washington, was drawn into the correspondence by Grimes, his Burlington neighbor, but he explained that he had only a vague recollection of a dinner table conversation. No doubt, however, this gossip added fuel to the campaign fire.

Soon after his nomination, Grimes had to go east on business and he did not get started on his campaign until April 8th, when he issued an address or personal platform

²⁶ Stephens was afterwards Vice President of the Confederate States.

through the supporting papers and in pamphlet form.²⁷ He declared for a constitutional convention in Iowa to revise the Constitution of 1846, particularly the part concerning banks and corporations;²⁸ and he promised support for the temperance principle. In national affairs he declared for the Homestead Act in its broader principles; for the Free Soil doctrine; and against Douglas's Kansas-Nebraska Bill.

Then Grimes undertook a campaign trip. With horses and buggy he visited every community of importance in the State in a year when roads generally were difficult and public entertainment nothing to excite enthusiasm. He drove from county to county and returned to Burlington exhausted.²⁹ Lone-handed he had stirred up a Whig campaign. Grimes was forceful, direct in his speaking, often indiscreet and irritating. The *Hawk-Eye* warned him that he was alienating voters. The Whigs missed that spell-binder supreme who might have been on the firing line with his flood of language and fiery appeal, the Methodist minister in Mt. Pleasant, the Reverend Henry Clay Dean, who had gone over to the Democrats, and moved up front in Bates's campaign. He was worth a host of ordinary speakers as a platform orator and as a fearless debater.³⁰

²⁷ Herriott's "James W. Grimes Versus the Southrons" in *The Annals of Iowa* (Third Series), Vol. XV, pp. 418-426.

²⁸ The Constitution of 1846 forbade the incorporation of banks in the State. The Constitution makers had been hurt too many times by currency issued by State banks of other States. Such currency often had little value after it got old enough to travel. This bank question had been an issue between the Whigs and Democrats since 1846.

²⁹ William Salter's *The Life of James W. Grimes*, p. 33.

³⁰ For material on Henry Clay Dean see J. W. Cheney's "Glimpses of Henry Clay Dean, A Unique Individual" in *The Annals of Iowa* (Third Series), Vol. X, pp. 320-330; J. R. Rippey's "Henry Clay Dean" in *The Annals of Iowa* (Third Series), Vol. VIII, pp. 299-304; George F. Robeson's "Henry Clay Dean" in *The Palimpsest*, Vol. V, pp. 321-333; and a manu-

In the midst of the campaign Dean addressed an inquiry to both Grimes and Bates, asking what they would do if the next legislature should enact a prohibition law. Grimes replied that he would consider such legislation as an indication of popular will and therefore he would sign the bill. Bates replied to the same effect. So that problem was not an issue.

In spite of their smug ideas of their party's invincibility, the Democrats were having some troubles of their own. The hot-tempered D. A. Mahony, editor of the *Dubuque Herald*, had a private feud with his fellow townsman, Senator George W. Jones, and incidentally with Senator A. C. Dodge over questions of patronage in the surveyor's office. In an article in the *Herald* of January 9th he severely attacked the Democratic conventions of Delaware and Jones counties and accused them of being dominated by persons having received surveying contracts. On January 14th, Mahony let go this blast:

Significant and Suggestive. Resolutions endorsing the course of the Democratic Congressmen of this state were offered in the Democratic state convention on the 9th inst. and laid on the table. What say the minions and tools of the surveyor general's office to this significant fact? The popular judgment is beginning to be felt, and popular retribution will soon follow. An outraged people will show at the ballot box that Federal offices were not created for special benefit of congressmen, nor to be bestowed upon their tools and minions. Had the northern counties been fairly represented (and we take to ourselves some of the blame that they were not,) the state convention would not have contented itself with laying the resolutions on the table.

On January 17th, Mahony fired another shot:

Not laid on the table but withdrawn. The Iowa City Republican says that the resolutions offered in the state convention endorsing script on Henry Clay Dean, by the author, to be published later by the State Historical Society of Iowa.

the course of Messrs. Dodge, Jones and Henn, were withdrawn after being opposed. Other informants say they were laid on the table. It does not matter which, they could not be passed. That is the essential part to know.

These expressions came early in the campaign; later ones followed, and naturally they added neither sweetness nor light to the Democrats' efforts. The problems in Washington were embarrassing, with Dodge and Jones making explanations about Butler and Stephens and with Mason trying to compose an embarrassing situation. However, it does not appear that the Pierce administration took any alarm at what was going on in Iowa, nor did the national administration put itself out to give Bates any help.

The election day was August third. When the returns were finally in from all the distant polling places, it came about that Grimes was elected by a plurality of 2,123 votes; and Curtis Bates became the third defeated candidate for Governor of the State of Iowa. The Whigs also elected the other remaining candidate on their State ticket, Andrew J. Stevens for Auditor, and James W. Thorington³¹ of Davenport as Representative in Congress from the Second District over the outgoing Governor Hempstead by 802 votes. That was not an upset, however, for the preceding Representative, John P. Cook,³² also of Davenport, was a Whig, who had declined a renomination.

What was really disconcerting to the Democrats was the political revolution in the General Assembly. The Senate

³¹ James W. Thorington and his father, John Thorington, came to Davenport from North Carolina in 1839. The father was the second mayor of the city and the son the fourth. James conducted a private school in his house on the site of the present public library building. He had the one term in Congress, held many local offices, and was consul at Aspinwall, Colombia, 1873-1882. He died in 1887.

³² John P. Cook was one of the prominent early settlers of Davenport. He practiced law there for many years. Two of his great grandsons are practicing attorneys in Davenport in 1946.

had a Democratic majority of one because of seven hold-over Democrats; but the House contained forty Whigs to thirty Democrats, all of which meant a Whig majority of nine on joint ballot. That meant the defeat of Senator Dodge, whose term was about to expire.³³ Editor Sanders of the *Davenport Gazette* indulged himself in some gleeful doggerel on August 17th:

Dodging, dodge, dodge, dodging and
everywhere a-dodging,
Augustus Caesar Dodge

The reported "playful remarks" of Senator Butler of South Carolina about "undesirable immigrants" seem to have had some effect in the voting. Every river county in the State gave Bates a majority, except Scott, Muscatine, and Louisa, where there were a goodly number of German-born voters. Scott gave Grimes a majority of 190. Bates's largest majority was in Dubuque County, which he carried by 450 votes.

The defeat of Curtis Bates for Governor of Iowa was not a personal defeat. He was a victim of a political storm that was about to sweep the country. Nor was the defeat of Bates a Whig victory. That party was blown to pieces by the beginnings of the storm. It was never to nominate any more candidates in Iowa or anywhere else. The election of 1854 was a victory for James W. Grimes, who went up and down the dirt highways proclaiming that there should be no more slave States. The election of Grimes made him a national figure. The anti-slavery men all over

³³ James Harlan was elected Senator after a long fight between the two wings of the Whig Party. Harlan was a Free Soiler, and the conservatives were determined that he should not win. On one ballot he was only one vote ahead of Ebenezer Cook of Davenport, brother of John P. Cook, upon whom the conservatives and some of the Democrats united. His election was contested because of some questionable tactics in convening the joint session, and the seat was finally declared vacant by the United States Senate. He was again elected on January 29, 1857.

the nation — Salmon P. Chase and Joshua R. Giddings of Ohio, Charles Sumner of Massachusetts (whom Grimes later learned to dislike for his egotism and pedantic ways), William H. Seward of New York — hailed him as a new leader. In July of 1854 a small gathering in Ripon, Wisconsin, started a movement to organize a new opposition party in which Grimes and his Free Soil friends were quick to enlist. When at the end of his term as Governor he was elected to the United States Senate to succeed George W. Jones, he went as a Republican and entered upon a distinguished career, which was brought to an end by his untimely death in 1872.

After his defeat for Governor, Curtis Bates dropped out of political activity. He continued his law practice and gave unselfish attention to civic projects. He remained a civic-minded man and as a Democrat was a supporter of the Union during the Civil War. In 1861 his health failed and he retired from his law practice giving his time to the care of his real estate. Those who knew him in the latter years hailed him as a kindly, liberal neighbor, of an era that had been blown away, and called him by the courtesy title of "Judge" Bates.³⁴

According to an obituary notice Curtis Bates was married twice. His first wife and "his only children" were buried at Iowa City, apparently before 1850, for the census report for 1850 lists only Curtis Bates aged 44. He later married Sophia Eliza Newton, who was born in Connecticut, on February 22, 1820, the daughter of Cyrus Newton, a native of Groton, Connecticut, and Sally Spicer, a native of Preston in that State. The Newton family also migrated to Ohio. Cyrus Newton died at Sharon, Ohio, on May 21, 1848; his wife came to Des Moines to live with the Bates

³⁴ Andrews' *Pioneers of Polk County, Iowa*, Vol. I, pp. 426, 427.

family where she died on August 25, 1861.³⁵ Her husband's body was brought to Des Moines and both names are inscribed on the monument on the Bates lot in Woodland Cemetery. Bates and Sophia Newton were married in Ohio. Mrs. Bates's brother, John Newton, had a daughter who married F. W. Vorse and Mrs. Bates lived with the Vorse family in Des Moines in her later life until her death in 1909. Another daughter of John Newton, Agnes Sophia, married Larry Goode, a prominent resident of Des Moines for many years.

Curtis Bates died in Des Moines on May 12, 1879. The Des Moines *Iowa State Register* of May 13, 1879, published the following obituary:

Perhaps no one name is more familiar to the early settlers of Des Moines than that of the lamented Curtis Bates. Judge Bates was born in the State of Connecticut on the 6th [8] day of March, 1806, but at the age of three years removed to Ohio. At an early age he adopted the profession of law in which he distinguished himself, and always held honorable rank until he retired a few years since in consequence of failing health and to gratify a taste for quiet, domestic life. In Ohio he was repeatedly honored with high political distinction, and filled with credit, important official positions. He came to Iowa about the time the State was admitted into the Union, and located in Iowa City where, as in Ohio, he was loved and honored. At Iowa City he buried his first wife and his only children.³⁶ He removed to Des Moines in 1851, and here practiced his profession, alone and in connection with D. O. Finch and Judge Wm. Phillips. In 1854 he was the Democratic candidate for Governor, and was defeated by a small majority by the lamented Grimes. His life has been one of consistent uprightness, and his virtues need no enumeration in a community where he

³⁵ The author is deeply indebted to Mr. H. H. Griffiths and to Mrs. Bertha Baker for information concerning the family of the second Mrs. Bates.

³⁶ No additional information concerning the statement of a first wife and children has been found. The cemetery records at Iowa City were destroyed by fire many years ago and the tombstone seems to have disappeared or the inscriptions have been so weathered that they can not be read.

was so well known. He leaves a devoted widow, and four children by adoption, to whom the loss is irreparable and who have the sincere sympathy and condolence of the entire community. His funeral will take place at 10 A. M. Wednesday. A meeting of the members of the bar will take place at the court house at 1:30 P. M. to-day to take appropriate action on the death of their deceased brother.

His will, probated soon after his death, provided that his property should be left to his wife during her life. Upon her death, the following bequests were provided: to Adelia Birdsall, daughter of Hiram Bates, a brother of Curtis Bates, \$200; to a sister, Mrs. Hannah Prior, \$200; to Agnes S. Vorse, \$300; and to Hattie S. Newton (Mrs. Goode), \$3,000. Mrs. Goode and her husband were to receive other property upon the death of Mrs. Bates, if they made their home with Mrs. Bates and cared for her "as a daughter should". Mr. Goode represented the widow in the estate proceedings. The final papers in the settlement of the estate are not included in the records in the Polk County courthouse.³⁷

There is no evidence of any Bates children in Des Moines, unless it is "an old fashioned white marble stone", as Mr. Griffiths describes it, close to the shaft on the family burial lot. It has the one word "Sally" and dates which are now indecipherable. Sally may have been a daughter who died in childhood.

CHARLES E. SNYDER

DAVENPORT IOWA

³⁷ Mr. H. H. Griffiths provided the information concerning this probate record.