

THE PALIMPSEST

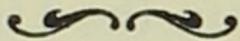
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VOL. XXVI

ISSUED IN APRIL 1945

No. 4

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Large State or Small

The constitution of the United States provides that the "Senate of the United States shall be composed of two Senators from each State". Accordingly, representation in the United States Senate depends, not upon geographical area, population, wealth, or politics, but rather upon Statehood. If any special interest prevails in a region, the support of that interest in the Senate is proportional to the number of States in the region. In the House of Representatives, however, population is the basis of representation, so that the will of the majority prevails even if the majority lives in a few States. Against the majority in the House a minority interest which is dominant in half the States can be sustained in the Senate.

In 1845 the division of the nation over slavery was perfectly clear. The populous North favored free labor while the South clung to Negro slavery. Since the agricultural South was outnumbered by the industrial North in the House of Representa-

tives, the Senate afforded the only bastion of political defense. It was imperative for southern statesmen to retain equal or superior voting power in the Senate. This issue, as everybody knows, became the primary consideration in the admission of new States into the Union.

By 1800 there were sixteen States in the Union — eight in the North and eight in the South. Ohio was admitted in 1803 and for nine years the North had the advantage until Louisiana became a State. Indiana and Mississippi were paired in 1816 and 1817, Alabama (1819) balanced Illinois (1818), the Missouri Compromise of 1820 legalized slavery in Missouri while admitting Maine as a free State, and Arkansas (1836) and Michigan (1837) maintained the political equilibrium of the Senate. According to the census of 1840 the thirteen free States had 135 Representatives in the House while the thirteen slave States had only eighty-eight.

At that time Florida had long been seeking admission to the Union. When Iowa applied for admission, a bill was promptly introduced in the House of Representatives, on January 7, 1845, to admit them both together. But a new factor presently altered the equanimity of the North. A joint resolution authorizing the annexation of Texas was introduced in Congress. The only compar-

able area in the North was Wisconsin and Iowa Territories, and the plains west of the Missouri River which were then thought to be barren and uninhabitable. Northern Congressmen, the natural political friends of Iowa, were anxious to form as many States as possible out of the country east of the Missouri River. Accordingly, Representative Alexander Duncan of Ohio proposed an amendment to the Florida-Iowa enabling act which would have materially reduced the size of the proposed State of Iowa. In presenting this matter he displayed a map of the revised boundaries to illustrate the relation of the new State to the remaining territory in that section of the country.

The men who had written the constitution of Iowa in 1844 had been filled with local pride. They had envisioned the new State as a great agricultural commonwealth lying between the two mighty rivers and extending north to embrace part of the rich valley of the Minnesota River. These were natural boundaries of this wide expanse of fertile soil, which the Iowa constitution-makers conceived as a geographical unit, not as a political pawn to balance the power of the South in the United States Senate. The natural boundaries, proposed by Robert Lucas, would have made Iowa larger than Michigan but not as large as Missouri.

The Duncan amendment would have substituted boundaries suggested by J. N. Nicollet who had recently explored and mapped the region. He thought Iowa ought to extend westward only to longitude $94^{\circ} 30'$, corresponding roughly to the divide between the Mississippi and Missouri rivers. This line is about fifty miles west of Des Moines. Thus Iowa would have included only about two-thirds of the area embraced in the State as defined by the constitution of 1844.

The western and northern boundaries proposed by Representative Duncan would have included eleven counties in what is now southeastern Minnesota, but would have cut off thirty-one counties of the Missouri slope. The State would have been about one hundred and eighty miles wide from east to west, and about two hundred and fifty miles long from north to south. Thus, the geographical center of the State would have been in Black Hawk County and probably Cedar Falls or Waterloo would have become the capital.

Representative Aaron V. Brown of Tennessee, chairman of the Committee on Territories, replied that "There had been various propositions submitted to the committee; various maps had been examined by them; the question of boundary investigated by them with much care; and the conclusion to which they had come was to adhere to

the boundary asked for by the people of Iowa, who were there, who had settled the country, and whose voice should be listened to in the matter. The State, as bounded by the bill, and as agreed upon by the Committee on Territories," he continued, "was smaller than Missouri or Virginia, and about the same size as Michigan; and on the score of territories there could be no just cause of complaint. The committee believed that the boundaries, as designated on the map, and asked for by the people of the Territory, were the best ones."

Representative Duncan insisted that notwithstanding what the gentleman from Tennessee had said about the comparative sizes of States, Iowa as bounded in the constitution, would include "double or treble the valuable land" to be found in others. He said that the reason for proposing the change "was not political", but was done in order "to leave the boundaries in the best manner, so that other States could be formed." Iowa would still contain 39,400 square miles — "an area as large as Ohio or New York, and larger, in point of fertility of soil, than any two States in the United States."

Representative Samuel F. Vinton of Ohio favored the Duncan amendment and spoke vigorously in support of it. He said that Iowa with the

constitutional boundaries "would contain three or four times as much population as Florida." Moreover, he said that there was a proposal to divide Florida into two States when either part should contain a population of 35,000. He contended that if Florida were divided there should be a proviso for dividing Iowa, and he argued that "it would be safer to give political power to the West, than to the Atlantic States, for the West was the great conservative power of the Union."

While this matter was pending, Texas was annexed with a proviso that it might later be divided into five States. This tended to increase the weight of the arguments presented by Representative Duncan. Though Texas never was divided, that possibility continued to be a constant threat to northern supremacy in the Senate. In order to hold a balance of power, northern statesmen argued with great force that Iowa should be admitted only with the reduced boundaries. Indeed, so effective were these arguments that on March 3rd, Congress passed the legislative act as amended by the Duncan proposal, and the *Congressional Globe* reported that in the House of Representatives there were cries of "Good! That makes 29 stars." Apparently Texas was already being counted as a State on the basis of the annexation resolution adopted two days earlier, though the

act of admission was not passed until December 29, 1845.

The geographical curtailment imposed by Congress was a great disappointment to citizens of Iowa who had hoped for a new State that would extend from the Mississippi to the Missouri. They had voted in favor of Statehood in 1844 but popular ratification of the constitution which had been framed that year was delayed until Congress should approve. The date finally set for the election was April 7, 1845. During March resentment grew against the attitude of Congress.

On the day following the passage of the enabling act, Augustus C. Dodge, Iowa's Delegate to Congress, who had previously labored to obtain the larger boundaries, addressed a letter to his constituents, in which he assumed the rôle of a defeatist. Urging the people to accept the smaller boundaries, he said: "I must in all candor inform you that, whatever your decision on the first Monday of April next may be, we will not be able hereafter under any circumstances, to obtain *one square mile more* for our new State than is contained within the boundaries adopted by the act of Congress admitting Iowa into the Union."

Some of the leading newspapers of the Territory assumed a similar attitude. On March 15th, the Iowa City *Capital Reporter* expressed doubt

that the change was after all such a great loss to Iowa. The prairie lands were perhaps not as fertile as had been acclaimed. Suppose, the editor speculated, that the rich valley of the Mississippi should be inhabited by a dense population, but the comparatively barren country of the Missouri slope be capable of sustaining only a sparse population, would not discordant political interests develop? "Would it not be better that a State should be formed upon the Mississippi, another upon the Missouri, where the interests of each would be perfectly within its own control?"

A few days later the same editor pointed out that he had "never insisted that our Constitution was perfect;" but he did think it possessed "every essential feature of a good Republican system of government," and had no doubt that it would increase the happiness and prosperity of the people. Nevertheless he admitted that there were "some provisions, which, hereafter, may require amendment, but to reject the Constitution, for any fancied defect, would be an act of positive folly or something worse. To throw the expenses of another Convention and another Constitution upon our infant resources would be an act, at once unnecessary and suicidal."

To allay opposition to the boundary changes he held out the hope that Congress might, at the

next session, "increase our boundaries to the limits prescribed by the Constitution: or if we are unable to procure such favorable action, we say let us avail ourselves of the benefits of the Union under the best conditions we are able to obtain."

In order to emphasize this position, the *Capital Reporter* reprinted an editorial from the *Baltimore American*, arguing that Iowa with reduced boundaries would still be capable of sustaining fifteen million inhabitants. "The people of the West are accustomed to things on a gigantic scale," the writer said. "Their rivers, forests, prairies, cata-racts and caverns are of the sublime order; their lakes are inland seas; they measure pork by the cord, and mass meetings by the acre. It is quite natural, therefore, that they should wish everyone of their States to be in dimensions an empire."

The question confronting the Iowa voters was confusing. Some entertained the view that to ratify the constitution would be to approve also the amendments made by Congress. Others thought that the constitution might be adopted and the amendments rejected or altered at a later date. Many had no opportunity to examine the act of Congress and were not clear as to its meaning.

Certainly the people of Iowa were not convinced that the advantages of Statehood outweighed the restricted area. They did not believe

that they had to accept the Congressional boundaries. They did not agree with the *Capital Reporter* that to incur the expense of another convention and another constitution would be suicidal. Nor were they hopeful that Iowa would ever approximate the population then occupying the whole nation — about twenty million. Rather they resolved to demand the larger boundaries, and so, on the first Monday in April, the people voted by a majority of 996 to reject the constitution as amended by the Congress.

The Legislative Assembly, in anticipation of the admission of Iowa into the Union, had postponed the regular session until May, 1845. In his message to the legislature, Governor John Chambers expressed regret that the constitution of 1844 had been rejected. He urged that a measure be passed for convening another constitutional convention.

Members of the Legislative Assembly, however, favored resubmitting the original constitution without the Congressional boundary changes. In support of this view, Shepherd Leffler, a member of the Council, argued that the boundaries as proposed by Congress would provide "a handsome little State, on a small scale, with dry lines". He would not accept this because he thought Iowa might "do a great deal better, and there is no

danger of doing worse." Congress would allow these boundaries any time. We have always "entertained the fond opinion", he said, "that Iowa was to become eventually, one of the largest and most powerful States of the confederacy — but if we accept these narrow strait-laced limits offered by Congress, we would be reduced at once and forever, to the condition of a fifteenth-rate State, shorn of all our glories, and might well exclaim in the language of the disappointed cardinal, 'a long farewell to all our greatness'." The only course then "which we can properly pursue," he contended, "is to submit the constitution to the people with the old boundaries as fixed by the convention."

Following this leadership, the Assembly on June 10, 1845, passed a bill to resubmit the original constitution to the people. This measure stipulated that the acceptance of the constitution did not imply an acceptance of the boundaries proposed by Congress. Furthermore, any proposed changes that Congress might make would not become operative until approved by another vote of the people. Governor Chambers did not approve this measure, but it was passed over his veto. And so the constitution of 1844 was submitted for the second time to the people of the Territory at the August election in 1845.

The Iowa City *Capital Reporter* expressed the opinion that Whig politicians sought to confuse the issue by again assuming that an acceptance of the constitution would amount to acquiescence in the smaller boundaries as proposed by Congress. Whether or not there was a deliberate attempt to confuse the voters, it seems clear that there was in fact a lack of complete understanding. It was reported that in Burlington alone, fifty people voted against the constitution under "false impression". Perhaps in other areas where information was less complete there may have been even more confusion. At all events, at the second election the constitution was again rejected, and this despite the fact that the legislative measure providing for the election specifically stated that an acceptance of the constitution did not imply an acceptance of the boundaries as proposed by Congress.

At the August election a majority of the votes in eleven of the twenty-two counties were favorable to the constitution, while a majority in the other eleven counties were opposed to it. The total vote for the constitution was 7235, and the total vote against it 7656. Thus the constitution was rejected by a majority of only 421 votes.

The act of Congress admitting Iowa and Florida to the Union still remained in the statutes at

large, but Iowa had no constitution for the formation of a State government. The decision still remained with the people. Even if Congress should approve of the original constitution of 1844, the citizens would have to ratify it at another election before the Territory could become a State. It seemed better to start all over again. The constitution of 1846 was submitted to and adopted by the people before it was submitted to Congress.

J. A. SWISHER