Legislation in 1841

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UNDER THE ACT OF AUGUST 24 1912

THE PURPOSE OF THIS MAGAZINE

THE PALIMPSEST, issued monthly by the State Historical Society of Iowa, is devoted to the dissemination of Iowa History. Supplementing the other publications of this Society, it aims to present the materials of Iowa History in a form that is attractive and a style that is popular in the best sense—to the end that the story of our Commonwealth may be more widely read and cherished.

BENJ. F. SHAMBAUGH

Superintendent

THE MEANING OF PALIMPSESTS

In early times palimpsests were parchments or other materials from which one or more writings had been erased to give room for later records. But the erasures were not always complete; and so it became the fascinating task of scholars not only to translate the later records but also to reconstruct the original writings by deciphering the dim fragments of letters partly erased and partly covered by subsequent texts.

The history of Iowa may be likened to a palimpsest which holds the records of successive generations. To decipher these records of the past, reconstruct them, and tell the stories which they contain is the task of those who write history.

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Legislation in 1841

A visitor at the Capitol in Des Moines during the spring of 1941 would find the Iowa law-makers with their clerks and secretaries comfortably situated in spacious legislative halls, busily engaged in their biennial task of revising, amending, and supplementing the laws of the State. In contrast to the environment and procedure of modern legislators, it may be of interest to look back across the years and observe the surroundings, the personnel, and the work of the Iowa Legislative Assembly which was in session one hundred years ago.

The Territorial legislature then consisted of a Council of thirteen members and a House of Representatives composed of twenty-six members. The Methodist Church in Burlington had housed the first Iowa Territorial legislatures. When the Third Legislative Assembly convened in November, 1840, members of the Council sought new quarters. Early in the session a committee was

appointed to examine rooms in the Catholic Church, and a few days later the Council moved into that building. The Catholics were paid \$300 for the use of their church and the Methodists received \$450 for theirs.

The membership of the Third Legislative Assembly was based on the census of 1840, both houses being apportioned among ten districts. In the Council, Mortimer Bainbridge and Joseph S. Kirkpatrick represented Dubuque, Jackson, Delaware, and Clayton counties; Jonathan W. Parker represented Scott and Clinton counties; George Greene served for Cedar, Jones, and Linn counties; S. C. Hastings spoke for Muscatine and Johnson counties; Francis Springer was elected from Louisa and Washington counties; William H. Wallace came from Henry County; W. G. Coop represented Jefferson County; while Lee and Van Buren counties, constituting separate districts, each had two members in the Council — J. B. Browne and Edward Johnston from the former, and James Hall and G. S. Bailey from the latter.

In the House of Representatives, the first electoral district consisting of Lee County was represented by Daniel F. Miller, John Box, and James Brierly. The second district of Van Buren County was represented by Isaac N. Lewis, John Whit-

aker, and William Steele. Des Moines County, which constituted the third district, had five representatives — Milton Browning, Alfred Hebard, Shepherd Leffler, Robert Avery, and David Hendershott. Henry County, the fourth district, was represented by Asbury B. Porter, Paton Wilson, and John B. Lash. The fifth district of Jefferson County was represented by Alexander A. Wilson. The counties of Louisa and Washington formed the sixth district with William L. Toole as spokesman for Louisa and Simon P. Teeple for Washington. The seventh district sent Thomas M. Isett to the House for Muscatine County and Henry Felkner for Johnson County. The counties of Cedar, Jones, and Linn being the eighth district were represented by Harman Van Antwerp and George H. Walworth. The ninth district consisted of Scott and Clinton counties which sent Laurel Summers and Joseph M. Robertson to the Assembly. The counties of Dubuque, Jackson, Delaware, Clayton and the country attached thereto made up the tenth district which was represented by Timothy Mason, Edward Langworthy, and Thomas Cox, the latter being from Jackson County.

Of the twenty-six members of the House of Representatives in the Third Legislative Assembly, seventeen were farmers and four were law-

yers. Of the thirty-nine members in the entire Assembly, eleven were natives of Kentucky, six came from New York, five came from each of the States of Ohio and Virginia, and four from Pennsylvania. None of them was a native of Iowa, and only one — born in Illinois — had come from the region west of Ohio.

In accordance with the provisions of the Organic Law, members of the Legislative Assembly were paid three dollars per day during their attendance, "and three dollars each for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route." The presiding officers were paid at the rate of six dollars per day.

In 1840 the President of the Council, as well as the Speaker of the House, was elected by members of the chamber from among their own number. In the Third Legislative Assembly the Council was composed of seven Democrats and six Whigs. Notwithstanding this circumstance Mortimer Bainbridge of Dubuque received eleven of the thirteen votes for President of the Council, and was elected on the first ballot. Little is known of Mr. Bainbridge, except that he was at that time a spirited leader of the Democratic faction in the Assembly, who later became involved in a newspaper controversy with Ver Planck Van

Antwerp. He served during two sessions of the Council, and eventually he left the Democratic party to become a Whig.

Of the twenty-six members of the House of Representatives, fifteen were Democrats and eleven were Whigs. Thomas Cox, a Democrat from Jackson County, was elected Speaker of the House. He was a native of Kentucky, a former legislator in Illinois, and a soldier in Wisconsin when it was still a part of Michigan Territory. He served in the First, Second, Third, Fifth, and Sixth Legislative Assemblies of the Territory of Iowa, acting as President of the Council in the Second Legislative Assembly and Speaker of the House in the Third.

On the third day of the legislative session in 1840 the "message of the Governor was transmitted to each House in printed form, and was read by their respective Scribes". In this message Governor Robert Lucas discussed the controversy over the Iowa-Missouri boundary line, considered the matter of paying annuities to the Sauk and Fox Indians, and called attention to the fact that the payment of certain outstanding bills had not been authorized by previous Legislative Assemblies. This deficiency, he said, had been reported to the Treasury Department and he "solicited an appropriation to meet it." Such a

method of contracting debts beyond the means of payment, he declared, "is practising a deception upon the public creditors, and ought, in my opin-

ion, to be carefully avoided."

The standing rules that governed the deliberations of the Third Legislative Assembly were not essentially different from those used today, though Jefferson's Manual which was then the primary guide has been supplanted by Robert's Rules of Order. In 1840 there was no Lieutenant Governor to preside over the Council. Instead, the standing rules provided that the Council should "choose by ballot, one of their own number to occupy the Chair." Another standing rule which is no longer in vogue in the Iowa legislature provided that "No member or officer of the Council shall read the newspapers within the bar of the Council while in session." The custom of smoking in the Legislative Assembly was not mentioned in the standing rules, but the Council on the fourth day of the session in 1840-41 adopted a resolution that smoking in the hall of the Council, during the session hours, be prohibited.

On January 23, 1941, a measure was introduced in the Iowa State Senate to provide that postage on official letters sent by legislators during the session should be paid by the State. This was not a new idea. The Legislative Assembly one

hundred years ago considered a similar plan. On November 4, 1840, the Territorial Council passed a resolution "That the Secretary of the Council be authorized to make regulations with the Postmaster of the City of Burlington, forthwith, relative to the postage of all letters, papers and documents which shall be received or transmitted by the members of the Council, through that office during the present session; and that the said Postmaster be requested to keep a true and accurate account of the postage, and transmit the said amount, together with his demand for the trouble of keeping the same, to the Council, at the close of the present session, for allowance, which shall be paid out of the contingent fund as allowed."

Parliamentary bickering and local jealousy were not unknown in Iowa legislative circles a hundred years ago. On the second day of the session in 1840-41, a resolution was offered by Representative Walworth to provide each member of the House with twenty copies of the Burlington Territorial Gazette and twenty copies of the Burlington Hawk-Eye and Patriot as often as they were published during the session of the legislature. Mr. Langworthy of Dubuque thought fifteen copies would be enough, with which Mr. Van Antwerp apparently concurred but proposed that each member choose any papers he wished.

When the debate was resumed the next day Mr. Lash of Henry County moved that each member of the House be furnished with fifteen copies of the Gazette and the Hawk-Eye each week, but Mr. Box of Lee County thought ten copies of each would be sufficient.

Thereupon Mr. Summers of Scott County, probably thinking of the Davenport Sun, offered a substitute resolution that the Chief Clerk furnish each member of the House "with twenty copies weekly of such newspaper or papers as he may order." This resolution with its amendments, however, was referred to a select committee.

In the afternoon the committee reported, recommending that the Chief Clerk furnish each member of the House with twenty copies of the Gazette and twenty copies of the Hawk-Eye and Patriot "as often as those papers may be published during the session." Mr. Summers immediately reoffered his substitute. Mr. Box still thought "ten papers from each office" would be enough, but his amendment was lost. The question then recurred on the adoption of the substitute, which was also lost, whereupon Mr. Lash proposed to strike out "twenty" and insert "fifteen" in the original resolution, but this change was likewise defeated. The report of the special committee was then rejected.

Hoping to curtail the monopoly of the Burling-ton papers, Mr. Isett of Muscatine offered a resolution that "the Clerk be instructed to furnish each member of this House with thirty copies weekly of any newspapers published in this Territory", which would have made the *Iowa Standard* and the Bloomington *Herald* of his constituents eligible. Again the motion was lost.

By this time Mr. Whitaker of Van Buren County had become weary of parliamentary sparring and moved to adjourn. But, alas, this, too, was impossible, for the motion "was determined in the negative."

Starting anew Mr. Walworth, who had offered the original resolution, then moved that each member of the House be furnished with thirty copies weekly of any paper or papers "published in this City", thus giving a monopoly of patronage to the Burlington papers and excluding those published in Dubuque, Davenport, and Muscatine. This motion was promptly agreed to and the House adjourned until the following morning.

The Third Legislative Assembly convened on Monday, November 2, 1840, and adjourned on Friday, January 15, 1841, having been in session seventy-five days, but during that time on ten Sundays and eleven other days the Assembly did not meet. Accordingly, there were fifty-four

working days in the session. Seventy-two bills and resolutions were introduced in the Council, and 147 measures were presented in the House of Representatives — 219 in all. Of this number, 105 bills passed both houses.

Of the measures which were enacted, twenty-two pertained to roads, seventeen dealt with counties and county government, ten made provisions for cities and towns, nine authorized the construction of mills and dams, eight granted permission to operate ferries, and seven dealt with courts and court procedure. Other measures concerned corporations, real estate, schools, the Legislative Assembly, the Half-breed Tract, public buildings, taxes, relief, divorce, and the penitentiary.

One of the questions before the Legislative Assembly a hundred years ago was the location of county seats. In Jackson County the town of Bellevue which had been selected was located on the eastern border of the county and some settlers objected to it for that reason. The Third Legislative Assembly therefore authorized commissioners to select a new site so that the voters could choose between Bellevue and the new place. Under the provisions of this law a quarter section of land was selected at the geographical center of the county and named Andrew, after Andrew Jackson. At the election which followed, the new town

became the political as well as the geographical center of the county.

Fort Madison had been designated as the county seat of Lee County, but there was agitation for a more nearly central location. Indeed, a new site named Franklin was surveyed at the geographical center of the county. Lots were advertised, but apparently nothing else was done. In this situation the Third Legislative Assembly submitted the whole matter to a vote of the people at an election on the second Monday in March, 1841. If no location received a majority of the votes cast, the two places having the highest number of votes were to be considered at a special election in April.

Immediately after the passage of this act the town of Fort Madison offered \$8000 to build a courthouse, provided the county seat should be located there. Money received from the sale of lots was added to this bonus, until a building fund of more than \$13,000 had been pledged. This "pernicious activity", as some of the opponents of Fort Madison expressed it, had its effect on election day. At the first election Fort Madison received 465 votes, Franklin 435, and West Point 320. Fort Madison won the second election easily.

Camanche was the first county seat of Clinton County, but in response to urgent requests the

Third Legislative Assembly passed a law appointing commissioners to select a new location, as near the geographical center of the county as a suitable place, "convenient to wood and water", could be found. In pursuance of this statute the commissioners selected a central location for the county seat, which they called Vandenburg. This name was soon changed to DeWitt.

According to tradition the first county seat of Delaware County was located at Ead's Grove by flipping a coin. This decision, however, was very unpopular among the settlers. A mass meeting was held, a resolution of protest was adopted, and the Legislative Assembly was requested to relocate the county seat. The new statute placed the county seat at whatever site the people might select by majority vote. Meanwhile, the citizens in mass meeting appointed a committee to review the eligible sites and report their opinion. At last, in the vicinity of Silver Lake, a desirable location was discovered and nominated for the county seat. At the election in August, 1841, Delhi received twenty-five votes and Elizabeth (Ead's Grove) only six.

For the development of transportation the Third Legislative Assembly authorized the construction of Territorial roads from Davenport to "Bellevue", from Keokuk to Mount Pleasant, from

Iowa City "to the Mississippi river, opposite Prairie du Chien", from Camanche to Iowa City, from Washington County to the Missouri line, from Burlington to the mouth of the Des Moines River, from Dubuque to "Camp Atkinson", from Davenport to Marion, from Burlington to Keosauqua, and several other roads connecting various points in the Territory. This Assembly also authorized the operation of ferries at Rockingham, Charleston, Bloomington, "Faber's Landing", Nashville, Tête de Mort, and Ellenborough.

One hundred years ago divorces were sometimes granted by legislative action. An interesting controversy arose in the Third Legislative Assembly when William H. Wallace introduced a divorce bill and Jonathan W. Parker moved that it be laid on the table for two weeks. This motion having been lost, Mr. Parker protested against the passage of the bill and asked that his objections be published in the Journal, but upon the suggestion of Francis Springer this proposal was laid on the table. Mr. Parker then formally moved that the protest be published. After two motions to adjourn had been defeated, Mr. Parker called for the previous question and was granted

permission to have his objections recorded.

"I protest against the passage of the said bill",
he declared, "Because I believe the legislature

have not the right to pass it: Because, in doing so, I believe they usurp the power and jurisdiction of the courts: Because, there is no evidence before the Legislature that the husband, in this case, has had notice of the application upon which this bill is founded, and because, if the Legislature has the power of granting divorces, it is highly impolitic to exercise it."

In response to this protest Edward Johnston expressed the belief that it was proper for the legislature to pass bills for divorce: "1st. Because the matter is not wholly a judicial proceeding, but may be, from the special circumstances of the case, under legislative control.

"2nd. Because the facts detailed in this case, as reported by the committee to which that bill was referred, make it one of that kind and calls for immediate relief to the petitioner.

"3rd. Because, so far as authority is concerned, we have precedents in the action of legislatures of every state in the Union, that such is a legitimate object of legislation."

Another interesting discussion arose in the Third Legislative Assembly with reference to a bill "to prohibit vice and immorality". Joseph S. Kirkpatrick, reporting for a committee, expressed the belief that this was not "a rightful subject of legislation", but "a matter of conscience", which

is "entirely above the jurisdiction of legislative power".

"Your committee believe," he said, "that the most demoralizing practices, such as idle sport, hunting, running from house to house, gaming, telling long stories, and many other such vices, would be cultivated by such a law, which are certainly greater breaches of the Sabbath day than ordinary labor, and calculated more to corrupt the good morals of society and set bad examples. Hence, if such a law be passed, these vices should be provided against; and if so, a provision should be annexed to define the way in which the Sabbath should be spent, which would be trampling upon liberties that no authority under heaven has a right to do."

Despite many controversies the legislators of one hundred years ago rendered substantial service of permanent value. The Third Legislative Assembly passed many laws for the development of internal improvements; it encouraged industry, established new governmental agencies, protected property, fostered learning, and transmitted to posterity more favorable conditions than had existed previously.

J. A. Swisher

When the Whistle Blew

Probably no other mine in southeastern Iowa has been the scene of more tales of mishaps, accidents, and tragedies than old Hocking No. 3, located in Monroe County about three miles southeast of Albia. Only the name of that particular mine needs to be mentioned to an old miner to elicit recollections of disaster.

"Oh yes, I remember that mine. Two men were trapped down there when some shots went off too soon. One of them was killed. Nobody understands why, but the other man wasn't even scratched. A big piece of slate fell right in front of him, put out his light, and trapped him in the room where he was working."

One incident in particular which happened on January 17, 1908, is vivid in the memory of every man, woman, and child who had any interest in Hocking No. 3. But this story really begins a long way from Iowa.

As waves tossed the small ship about and sprayed the deck with salt water, Albert Wester stood looking over the sullen Atlantic, apparently unmindful of the inclement weather. Kinsfolk

and Sweden were far behind. It seemed queer how little his home had changed during the four years he had been in America. Now here he was returning to his adopted country after a year's sojourn abroad. Though he cherished the memory of many happy moments of his recent visit with old friends, his mind dwelt mostly upon the future. He hoped to earn a fortune in Iowa and make a good name for himself. Most of all he dreamed of a snug little home, furnished in a manner exactly to the taste of the lovely goldenhaired girl who would sing as she moved about the well-ordered rooms.

Because of these dreams, no man worked harder or more efficiently than did Wester in the year which followed. His tonnage records on the bulletin board of Hocking No. 3 recommended him as a coal miner who wasted no time. Gradually his savings grew until the dream house materialized. From time to time he bought pieces of furniture. These he would move from place to place and from room to room in his new home, determined to have them exactly where they belonged. He could shut his eyes and see his beloved Vendla sitting in that chair, or busily preparing supper at the kitchen table.

Day after day he watched for the mail, hoping for some word from across the ocean and from his

sweetheart. Sometimes he found a letter, but more often he was disappointed. Then, one day came a letter from Vendla. Eagerly he opened it. As he read, the dreams faded from his eyes, leaving a dazed, uncertain look, as if darkness had obscured the world. Vendla was not coming in the spring. Instead, she was going to marry a handsome and prosperous young farmer whose land joined that of her uncle in Sweden.

In the evening Wester went to work, hardly seeing the familiar landscape, the machinery of the mine, or the faces of the miners who greeted him as they passed. Something vital was lost. Perhaps it was the urge to work for a purpose. Perhaps it was the monopoly of his mind by a single thought — Vendla was not coming. During the day he had tried to appear natural as if nothing unusual had happened. At meal times particularly he had done some good acting — making jokes and keeping the other boarders in gales of laughter. He was determined that no one should guess how grievously he had been hurt.

So the hours passed. Task after task was assigned to him by his uncle, Magnus Hansen, who was also the night pit boss and who considered Wester one of the best workers in the mine. But again and again he bungled his work, making

mistakes inexcusable for a miner of his experience and ability.

"Hey you, Al!" shouted Maggie Hansen. "Is there nothing you can do right to-night? Look what you've done there. You better yet go load

up those tools we want."

Wester mounted in the cage to the surface and began to pile tools and lumber into a car. Having collected the necessary equipment, he wheeled the car toward the shaft and the cage which was to take them down to the waiting miners. His eyes were dim with tears that had to be wiped surreptitiously away. He could hardly see as he pushed the car to the top of the shaft. Suddenly he felt himself falling, amid a rain of picks, axes, augers, and timbers. Far below, only twenty feet above the bottom of the shaft, was the cage which should have been at the surface. He grasped the tool car desperately. Then, mercifully, came oblivion.

Four sharp blasts of the whistle brought every man, woman, and child in Hocking out of doors, with fear in their hearts. That signal meant that some one at the mine had been hurt. Small boys who were skating on the nearby pond stood still, too frightened to go on with their fun.

Down in the entrance to the mine at the bottom of the shaft, 385 feet below the surface, pit boss Hansen called for some one to climb with him up

the side of the shaft to the cage and rescue Wester. Occasionally a pick or an ax, temporarily embedded in the plank sides of the shaft, loosened and fell upon the top of the cage. Any man who attempted to climb that wall would be risking his life, and the miners knew it. They hesitated to follow the example of their boss. Finally "Nigger" Harris spoke: "I'm with you, Maggie. Let's go."

Up the side of the shaft toiled the black man and the white, sticking their toes into the narrow spaces between the planks and wondering whether the next tool which fell would come in their direction.

Neither man ever said much about the ghastly sight which met their eyes as they finally climbed above the top of the cage. Wester was beyond help. No work was done at the mine on the following day.

"Last Friday evening a shocking accident occurred at Hocking No. 3 shaft", reported the Albia Republican. "The men were going into the mine for the night shift and the cages were making the necessary trips for that purpose.

"Albert Wester was in charge of a pit car containing a load of tools, including picks, shovels, etc., and evidently thinking that the cage in which he and the car were to make the descent was

awaiting him at the ground landing, he pushed the car down the track, opened the shaft door, and shoved the car into what he supposed was the cage. But the cage was not there. In fact it was 266 feet below the surface, and the car of tools went pell mell over the edge and down, down, to the cage, pulling the young man with it. Just why he did not notice the absence of the cage when opening the door is not easily accounted for, as it was moonlight and there was no steam or fog to prevent, but his mind was probably on something else, and being so sure that the cage was there he never thought to look. Then, too, he might have turned the car loose when he discovered the mistake, but it was done so quickly that he was not on his guard and did not notice the mistake until too late to catch his balance. Nobody saw the accident and nobody knows just how or why it occurred, only that he went down with the car of tools and was horribly mangled, being cut and torn into four pieces, and was no doubt dead before striking the bottom.

"He was a popular young man, 31 years of age and unmarried. He was making his home with Mr. and Mrs. Magnus Hansen who considered him practically one of the family, Mrs. Hansen being his aunt. He first came here from Sweden in 1902 and remained until 1906, when he went

back on a visit to his folks, remaining there until May, 1907, when he returned and resumed his work at Hocking. He was industrious and saving and had built a nice house in Hocking No. 3"

Lois Marie Ollivier

The Sioux City Elevated

When Sioux Citians living in suburban Morningside drive down town, they may notice two rusty iron cylinders standing a few rods to the right of the long viaduct. To the passing motorists, who know the history of those lonely landmarks, they are mute reminders of an exciting and colorful era in the city's early history. Upon those piers once rested part of the superstructure of the noted Sioux City Elevated Railroad, which half a century ago was an engineering marvel of the Middle West and the toast of the city.

In 1887 Sioux City was in the midst of the most frenzied boom in its history. The nation was prospering, the farming area surrounding the city was becoming rich and well developed, and the city itself was fairly humming with activity. It was growing so rapidly in population, area, and ambition that metropolitan greatness seemed just ahead. With a population of twenty thousand and with city limits sprawling farther each month into the surrounding countryside, continued rapid expansion seemed inevitable. At the same time that the city was experiencing these physical growing pains, it was also thriving commercially.

New industries were being established, the packing plants were beginning to assume real significance, the mercantile houses were prospering, and the railroads carried an increasing volume of goods and passengers to and from the city. A tremendous land boom was also in progress: farm and city real estate alike were selling at fabulous figures. Throughout the city, real estate promotions were being sponsored in anticipation of the city's future growth. While Sioux City was growing in size and power, it was also experiencing some of the troubles of most boom towns. Vice and lawlessness were real civic problems, as the spectacular killing of the Reverend Mr. George C. Haddock made abundantly clear.

It was natural that this boom spirit should create high hopes for the future and dreams of civic greatness. Out of these hopes and dreams emerged two realities. The first of the famous corn palaces was built, and it soon became one of the city's proudest attractions. Also, during 1887, the Sioux City Elevated Railroad was constructed.

Local transportation facilities had been lagging for several years as the city had continued its rapid growth. Only a few scattered surface lines, with cars drawn by either horses or cables, were in existence. Thus, it did not excite much surprise when the Sioux City Rapid Transit Comprise when the Sioux City Rapid Transit C

pany was formed for the purpose of constructing new lines. The founders of this company included many of the city's leading promoters and business men, with the result that the company had the advantage of ample capital and able direction. The roster of these men included the names of many who have loomed large in the development of the city. One of the founders, A. M. Jackson, is still alive and residing in Sioux City. Others who were instrumental in the founding of the company were James Booge, A. S. Garretson, John T. Cheney, D. T. Hedges, E. C. Peters, Ed Haakinson, James Jackson, and William Gordon. E. C. Peters was elected president of the company and William Gordon secretary. Mr. Peters was succeeded first by James Jackson and then by Ed Haakinson. Herbert Quick was a member of the law firm that represented the company in legal matters.

Although the organization of the Rapid Transit Company was not surprising, the bold scheme it proposed was enough to excite the least imaginative Sioux Citian. The new company actually planned to build and operate an elevated railroad! Inasmuch as only two elevated railroads then existed in the world, according to local promoters, the idea seemed especially daring and fantastic in this near-frontier setting. As the citizens

watched with increasing interest, plans for construction were slowly unfolded. The elevated portion of the new railroad was to extend from Third and Jones streets, in the business district, past the stockyards and packing houses, to Leech Street two miles east, thence for the remaining three miles to the east end of Morningside Avenue it would be a surface line. It took a bold imagination to comprehend these plans, for most of Morningside was then very sparsely populated.

Construction proceeded rapidly for several months and the elevated structure began to assume definite shape. The supports were about twenty feet in height, and upon these sturdy iron cylinders rested the roadbed and tracks. Along the two-mile stretch several small stations were located where the trains had scheduled stops, and long flights of stairs led from these stations to the ground below. In cold or stormy weather these little stations were to be the refuge for many a waiting passenger.

When the elevated portion of the railroad was finally completed and ready for operation, it was revealed that the total cost of construction was nearly \$500,000. In addition to this sum, over \$86,000 had been expended on the three miles of connecting surface line. Moreover, proper equipment had to be purchased. After considerable in-

vestigation a very small locomotive, of the orthodox steam type, was secured. Two small but brightly painted cars were also purchased, and brought all the way from Pittsburgh.

When Sioux Citians finally recovered their breath and began to examine their new railroad, they were proud almost beyond description. The newspapers of the city made much of it, for the elevated railroad not only augmented the city's inadequate transportation facilities but also seemed to be tangible proof of Sioux City's claim to greatness. The readers of the newspapers were never allowed to forget the claim that this was the third elevated railroad in all the world, that even Chicago could not boast of such a venture. When engineers from the latter metropolis actually came to examine the Sioux City elevated railroad before building a Chicago system, local pride rose almost to stratospheric heights. The elevated railroad took its place beside the corn palace as a feature attraction of the growing young city.

This proud acceptance of the new railroad was also reflected in confident plans for expansion. Promoters expected that the elevated would soon be extended in both directions, and that eventually a network of elevated roads would spread throughout the city. Immediate plans were made to extend the elevated structure to Prospect Hill

on the west and thence to Riverside as a surface line. Eventually, optimists assumed, the elevated would be built out to the end of Morningside and as far beyond as possible. To this day, the motorist on the highway between Sioux City and Sergeant Bluff can plainly see the cuts and grades which were made in anticipation of the eastward extension of the rapid transit line. Lots were sold as far as ten miles beyond the city limits of Morningside, and it was hoped that the elevated road would be a potent factor in accelerating the growth of the city in that direction.

By the close of 1887, the new elevated railroad was substantially completed. From little more than an exciting dream, it had become both a civic attraction and a prosperous business enterprise. The patronage of the elevated road increased yearly, together with the profits. This prosperity soon resulted in the installation of new equipment, for the increased number of passengers required more facilities. A new locomotive and four more cars were purchased, so that two trains of three

cars could be operated.

Fares on the new railroad were fairly low, much to the satisfaction of regular passengers. One could ride from the business district of the city to the end of the elevated structure for five cents, and for five cents additional from that point to the

end of the surface line on Morningside Avenue, a total distance of five miles. The problem of the conductors, however, was the great number of persons who rode on passes. As lots in Morningside and beyond had been sold, a common inducement was to offer the purchasers free transportation on the elevated. Because the real estate promoters were in many cases also among the founders of the railroad, this practice spread until on occasion all the passengers in a train might be riding free of charge.

According to the newspapers of that day, the life of the railroad for the first five years of its operation was prosperous and relatively uneventful. Except for an occasional injunction or damage suit, there was little to worry about as far as the company was concerned. Each year, the elevated became increasingly integrated into the transportation network of the city and into the life of the community. According to Merritt Peters, however, who was a conductor, life was far from dull. On one occasion, a train collided with an irate mule. The result was a clean-cut decision in favor of the mule, inasmuch as he walked away, while the train remained in the repair shop for several days. On another occasion, when an important party caucus was scheduled, the train somehow neglected to stop at any of the stations

where the members of the opposition faction might be waiting.

In 1892, the Rapid Transit Company had an exciting year. Because of the increasing competition from surface lines, the elevated was forced to become partially electrified. This not only improved service but it also added another feather in Sioux City's civic cap, for this was one of the first electrified railroads in the nation.

Something far more exciting, however, happened during that year. In May, the Floyd River went on one of the most destructive rampages in its long history of devastation. A veritable wave of water swept down the river valley into Sioux City, and it came with such speed and force that hundreds of people living in the city's lowlands had no real warning. Many in desperation fled to the tracks of the elevated railroad where they found security from the rising flood. For several hours the excited refugees anxiously watched the swirling water rise nearly to the track, then slowly recede. The newspapers of the city made much of the heroic rôle of the elevated railroad, so that its virtues were even more widely publicized than before.

Late in the year, however, the first omens of impending disaster were noticed. In Sioux City and throughout the nation business began to fal-

ter, banks began to be viewed with scepticism, and the first stages of the panic began to appear. By 1893 the economic crisis had struck with full force. Bank failures occurred in large numbers, industries toppled, and a host of commercial enterprises went into permanent eclipse. Instead of the hope and rosy optimism of the boom days, despair and pessimism became prevalent. Sioux City was involved very deeply in this nation-wide panic, and her banks and business enterprises went down along with those in most other cities and towns. Among the organizations forced into bankruptcy was the Sioux City Rapid Transit Company, which had been shaken both by financial collapse and loss of patronage. James Jackson was appointed its first receiver, and after his death A. M. Jackson assumed that responsibility. Thus, at the end of 1893 the elevated railroad was perilously close to going out of operation.

After the worst of the panic had passed, patrons hoped that the elevated would emerge from bankruptcy and again take its place as an established civic enterprise. As the tide of recovery rose higher and the elevated railroad still faltered, however, the full force of the blow which the panic had struck began to be apparent. Truly, it was a mortal blow. Weakened by the panic, the elevated road was unable to meet the fierce compe-

tition from electrified surface lines. Year after year the books showed a deficit.

In 1897, ten years after the road had been established and four years after it went into bank-ruptcy, the elevated ceased operation. The last train sped over the two-mile stretch, the stations were closed, employees were discharged, and the long and arduous job of dismantling began. The last span was removed only a few years ago, as a safety measure for the railroad trains that passed beneath.

To the few who have lived through those exciting years, the elevated railroad remains as a vivid memory of one phase of Sioux City's growth and evolution. In one short, stirring decade the boom expanded and collapsed, the panic came and passed, and a new and more substantial era was inaugurated. From a boom town Sioux City changed into a thriving and prosperous city, and out of high hopes and splendid dreams emerged solid achievement.

C. Addison Hickman

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