

## The Boundaries of Iowa

From earliest times disputes over boundaries have been a leading cause of wars. Most people, probably, accept the present boundaries of Iowa without much thought as to their origin or history, yet at one time citizens of Iowa rushed to arms in a boundary dispute with Missouri. The existing boundaries of Iowa have been secured through the work of surveyors, by acts of Congress, by the action of constitutional conventions, and by decisions of the United States Supreme Court.

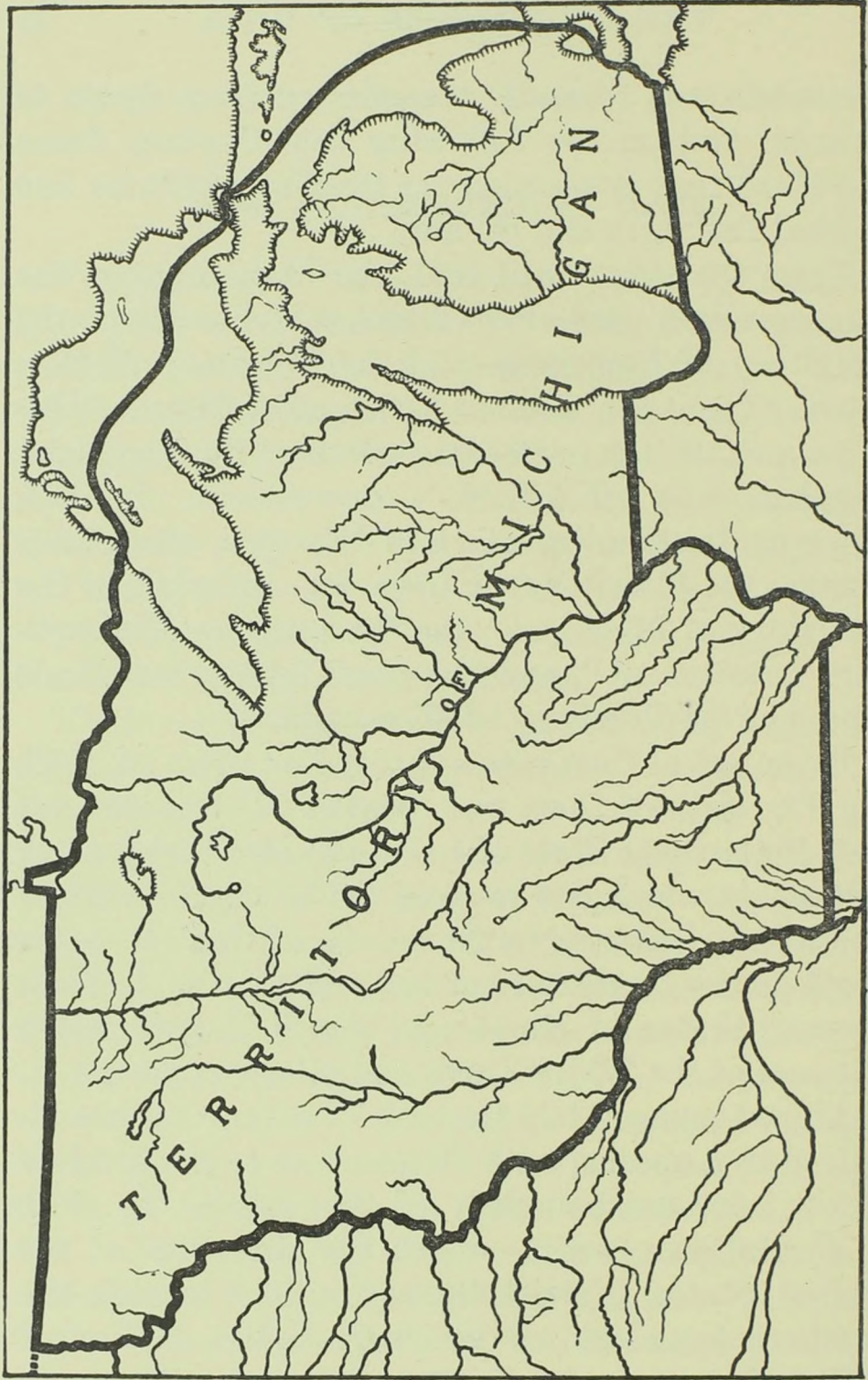
The territorial descent of Iowa formally began on April 9, 1682, when La Salle took possession of the "country of Louisiana" in the name of "the most high, mighty, invincible, and victorious Prince," Louis XIV, King of France. For eighty years the vast region which included the future State of Iowa remained under French dominion. But in 1762, to prevent Louisiana like Canada from falling into the hands of the British, the province was ceded to Spain, though the Spaniards did not take full possession until 1770. Thirty years later at the request of Napoleon, Spain retroceded Louisiana to France and in 1803, before the Spanish flag ceased to wave over Iowa, the whole tract was sold to the United States for less than five cents an acre. At St. Louis on the ninth of March, 1804, Upper

Louisiana was formally transferred from Spain to France, and on the following day Captain Amos Stoddard took possession for the United States and hoisted the Stars and Stripes.

From that time until 1821, the Iowa country was successively a part of the District of Louisiana, the Territory of Louisiana, and the Territory of Missouri. Then, for thirteen years after Missouri became a State, the northern portion of the Louisiana Purchase was left without a government. In 1834, however, the country north of Missouri which later became the Territory of Iowa was included in the Territory of Michigan "for the purpose of temporary government", and two years later it was made a part of the Territory of Wisconsin.

By an act of Congress approved on June 12, 1838, the Territory of Iowa was created. It included not only the present State of Iowa, but also that part of Minnesota which lies west of the Mississippi River and a line drawn from the source of that river due north to the Canadian border, and that part of the present States of North and South Dakota which lies east of the White Earth and Missouri rivers.

Almost immediately the new Territory became involved in a quarrel with Missouri as to the location of the northern boundary of that State. In 1816, J. C. Sullivan, acting under the direction of the United States District Surveyor, had located the northern boundary of the Osage Indian cession of 1808. He surveyed a line one hundred miles north



THE BOUNDARIES OF THE TERRITORY OF MICHIGAN

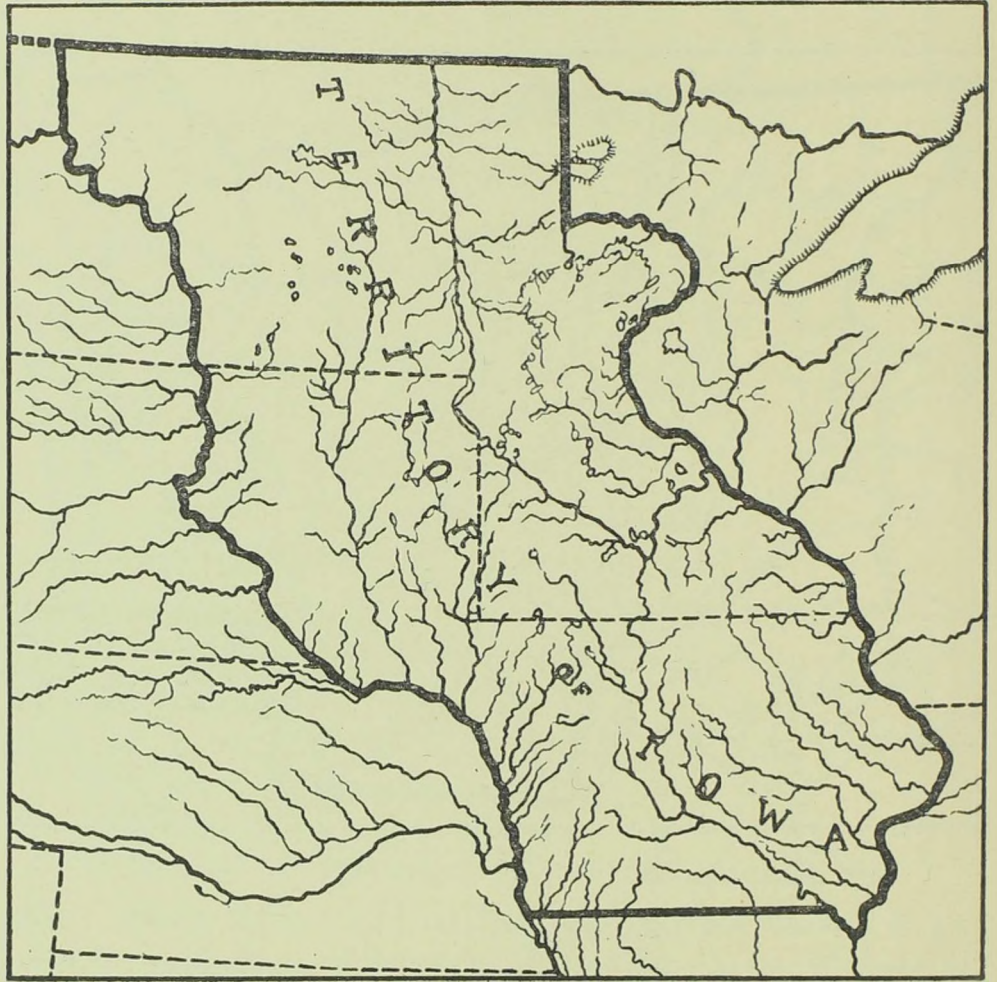
from the intersection of the Kansas and Missouri rivers to a point which came to be known as the "old north-west corner" of Missouri. From this place he ran the line due east, supposedly, but he did not calculate the deflection of the compass correctly and



THE BOUNDARIES OF THE TERRITORY OF WISCONSIN

as a result his line veered to the north about four miles before it reached the Des Moines River. When Missouri became a State in 1821, that part of the Sullivan line which extended westward from the "rapids of the river Des Moines" was accepted by Missouri and the national government as the northern boundary of the new State.

For several years no question was raised as to the ambiguous description of the northern boundary of Missouri, but as population moved into the region along the border and the rich character of the coun-



THE BOUNDARIES OF THE TERRITORY OF IOWA

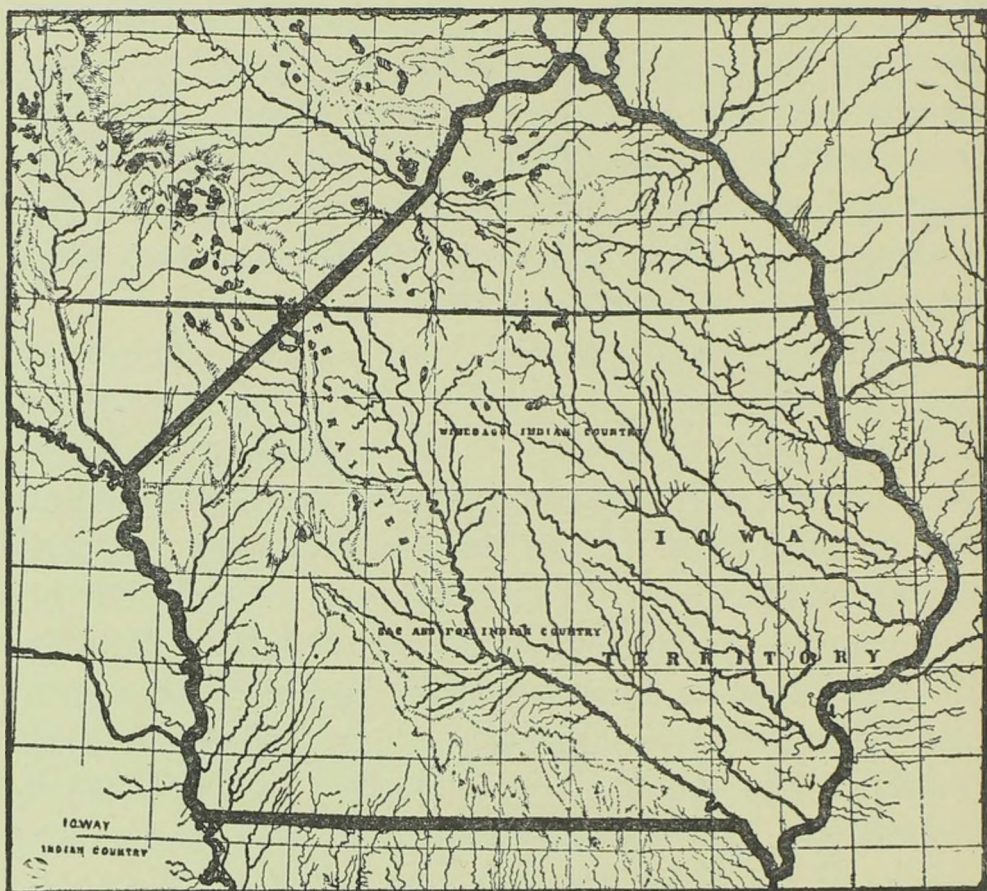
try was revealed, the Missourians, coveting the land, began to question the location of the boundary. In 1837, the State of Missouri sent J. C. Brown to make a new survey. Instead of accepting the Des Moines

Rapids in the Mississippi River as the "rapids of the river Des Moines", Brown ascended the Des Moines River to the Great Bend where he found a small rapids. From this point he ran a line due west, which the Missouri legislature officially claimed as the northern boundary of that State. This line was about nine miles north of the Sullivan line at the east end and about thirteen miles north of it at the western end, while the area between the two lines amounted to more than 2600 square miles.

Trouble soon developed between the officials of Iowa and Missouri in regard to jurisdiction over the disputed zone, especially in the collection of taxes. At one time, in December, 1839, the militia was called out on both sides of the border, and open warfare appeared imminent. The crisis was averted but the dispute was not settled until a decade later. Finally, in 1849, after an "agreed case" had been arranged, the United States Supreme Court ruled that the Sullivan line was the true boundary and ordered it resurveyed and marked. The erection of iron monuments at ten-mile intervals and wooden mile-posts between was completed in 1851.

Meanwhile Iowa had become a State. In 1844 the first constitutional convention adopted the so-called Lucas boundaries, which had been suggested by Governor Robert Lucas as early as 1839. These boundaries were the same as at present except that the northern boundary was to be a line beginning at the mouth of the Big Sioux River and running directly

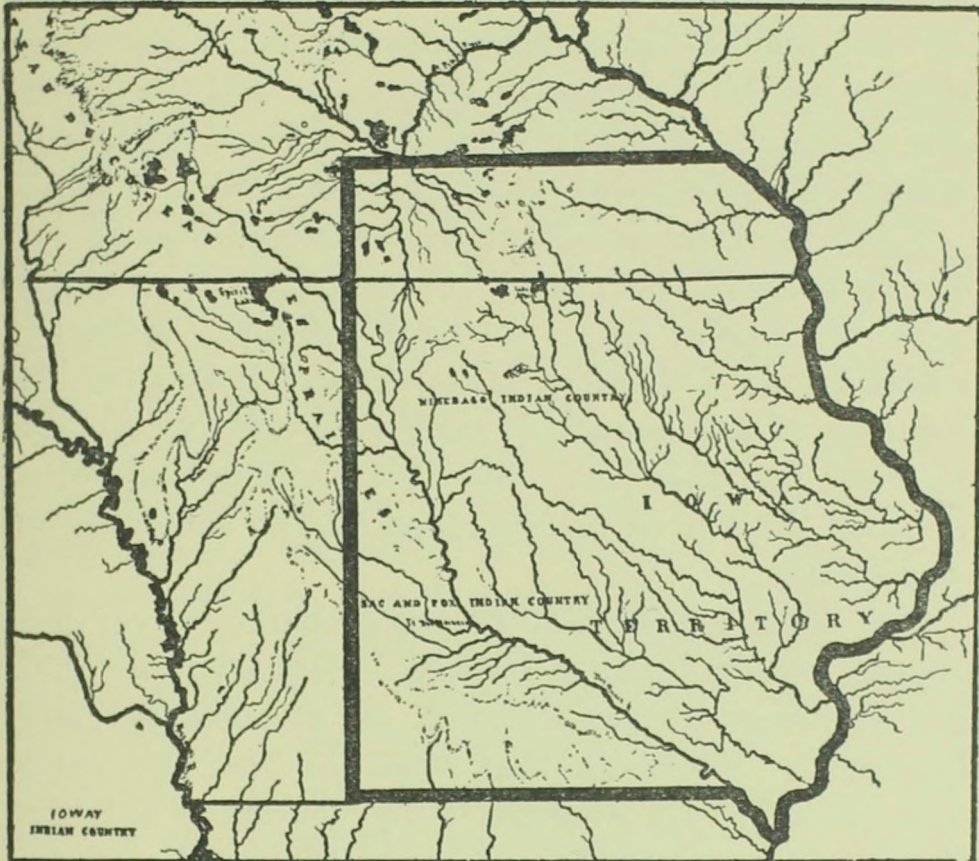
to the intersection of the Watonwan and St. Peters (now Minnesota) rivers, thence down the middle of the St. Peters River to the Mississippi River.



THE LUCAS BOUNDARIES

Congress, however, was unwilling to accept the boundaries defined in the Constitution of 1844 and substituted the Nicollet boundaries in the enabling act of March 3, 1845. These lines, recommended by J. N. Nicollet, who had spent several years in examining the topography of the Mississippi Valley, would have excluded the rich slope of the Missouri Valley, for the western boundary was to be the

meridian of  $17^{\circ} 30'$  west longitude, roughly corresponding to the ridge, known as the "Hills of the Prairie", which divided the waters flowing into the



THE NICOLLET BOUNDARIES

Missouri and Mississippi rivers. The northern boundary was to be the St. Peters River.

The people of Iowa refused to accept the Nicollet boundaries and twice rejected the Constitution of 1844 on that account. Subsequently the constitutional convention of 1846 proposed the present boundaries and Congress accepted the compromise. As defined in the Constitution of 1846, and also in the



Constitution of 1857, Iowa is bounded on the south by the northern boundary of Missouri, on the west by the middle of the main channel of the Missouri and Big Sioux rivers, on the north by the parallel of  $43^{\circ} 30'$ , and on the east by the middle of the main channel of the Mississippi River. In 1852 the northern boundary was surveyed and marked with iron stakes one mile apart, most of which are now gone.

Since the final definition of the boundaries in the Constitution of 1857, there has been little uncertainty as to the border lines. In 1896 a dispute arose between the authorities of Missouri and Iowa over the location of the boundary near Lineville, where the markers had been removed. But the Supreme Court ordered the line to be remarked and so the question was settled.

The erratic character of the Missouri River has caused trouble between Iowa and Nebraska. In 1892 the Supreme Court decided, in an original suit brought by Nebraska, that when the Missouri cut a new channel "by avulsion" the boundary between the two States should remain in the middle of the old channel. But the well-established rule which the court followed has proved very inconvenient. Tracts of land amounting to about 15,000 acres are now separated by the river from the State to which they legally belong. Instead of making war, however, Iowa and Nebraska have established a joint commission to adjust local jurisdiction to suit the inexorable whims of the Missouri River.

ERIK MCKINLEY ERIKSSON