

# The PALIMPSEST

MAY 1939

## CONTENTS

### *The Founding of Iowa City*

BENJ. F. SHAMBAUGH

This Town	137
The Territorial Capital is Named	139
Midnight Ride of Philip Clark	146
Selection of a Beautiful Site	149
Surveying the Capital Site	152
The Sale of Town Lots	161
A Plan for the Capitol	164
John F. Rague : Architect	169
Iowa City Lost and Won	173

PUBLISHED MONTHLY AT IOWA CITY BY  
THE STATE HISTORICAL SOCIETY OF IOWA



### 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.

---

PRICE—10c per copy: \$1 per year: free to members of Society

ADDRESS—The State Historical Society      Iowa City Iowa



# THE PALIMPSEST

EDITED BY JOHN ELY BRIGGS

VOL. XX

ISSUED IN MAY 1939

No. 5

COPYRIGHT 1939 BY THE STATE HISTORICAL SOCIETY OF IOWA



## This Town

Located by the Territory of Iowa on the wilderness frontier in Johnson County, Iowa City became a center of pioneer interest in 1839. As part of the empire founded by the pioneers, the capital city for more than a decade reflected the character of western civilization.

To this town on the banks of the Iowa River came pioneers, promoters, and politicians. Following the first sale of lots in 1839, Asaph Allen and George Andrews operated a tavern-hotel; Henry Buck conducted a grocery; and Charles Foster opened a general store. Dr. Henry Murray located in Iowa City; and he was soon followed by other professional men whose careers contributed much to the future Commonwealth.

During the eighteen forties, Walter Terrell built a dam and a grist mill: the Iowa City Manufacturing Company came to be the town's leading enterprise. Newspapers gave color to current events. While Iowa City lacked the foibles of a



complex society, lyceums and discussions provided social sustenance through simple and intimate contacts. Nor was there a lack of activity in the realm of the spirit and of the mind. Religious societies (Catholic, Presbyterian, Baptist, Methodist, and Universalist) organized and founded churches. And at the same time, education evolved from private schools and seminaries to colleges and a State University.

In 1841 the steamboat *Ripple* ascended the Iowa River, and the citizens of the capital dreamed of a center of inland commerce. Meanwhile on Territorial roads stagecoaches carried passengers and the mail. And in 1856 Iowa City became the terminus of the Mississippi and Missouri Railroad.

From 1842 (when the Fourth Territorial Legislature met in Butler's Capitol) until the State officials departed for Des Moines in 1857, Iowa City was a focal point of politics. Here the codification of law, the selection of United States Senators, and the meeting of constitutional conventions occupied the stage of political affairs.

The following précis of the author's book, *The Old Stone Capitol Remembers*, was arranged by Dr. Jack T. Johnson for THE PALIMPSEST in commemoration of the one hundredth anniversary of the founding of Iowa City in May, 1839.

BENJ. F. SHAMBAUGH



## The Territorial Capital is Named

Having designated Burlington as the temporary seat of government, Governor Robert Lucas called the First Legislative Assembly into regular session at that place on November 12, 1838. His first annual message to the legislature was a masterpiece of executive counsel and legislative wisdom. In it he advised that steps be taken "to provide by law for the appointment of three disinterested men, of known integrity and weight of character, and to vest them with authority to take the subject into consideration, and to fix upon a place for the seat of Government of the Territory".

The Governor's suggestion that "in settling this question every interest of a local or private character should be excluded" was little heeded. Rivalry between the northern and southern counties and between the river towns and interior communities was evident the moment Colonel Thomas Cox, in the House of Representatives, moved, on November 15th, that "so much of the Governor's message as relates to establishing the seat of government, be referred to the committee on Territorial Affairs." But not until James W. Grimes had moved, on December 27th, that the committee be



instructed to report as soon as practicable did they present a bill in which Burlington was designated as the temporary capital for a period of three years and Mount Pleasant as the permanent capital.

In committee of the whole the provision that Burlington be made the temporary capital for three years was adopted without much discussion and after only one motion to substitute a different place. But on the provision that Mount Pleasant be named as the permanent seat of government there were twenty-six motions to strike out Mount Pleasant and insert the name of some other town.

On the floor of the House the conflict of local interests was renewed. An attempt to substitute Fort Madison for Burlington as the temporary capital failed. At this point in the controversy Colonel Thomas Cox of Jackson County launched a new idea in regard to the permanent location of the seat of government. If the House could not come to an agreement on a river town or on an interior community, why not ignore all local interests and locate the capital on unoccupied (and possibly unsurveyed) public land.

And so, the Colonel moved to strike out the name of Mount Pleasant and instruct the capital commissioners to locate the permanent seat of government "at the most eligible place" in Linn, Ce-



dar, or Johnson County. While this motion failed to pass the House of Representatives, the idea upon which it was based was later revived on the floor of the Council. There the idea of choosing a site on unoccupied public land came to fruition. On a motion submitted by James M. Clark of Louisa County, section two which named Mount Pleasant as the permanent capital was stricken from the bill by a vote of nine to four. Thereupon Stephen Hempstead of Dubuque moved to insert a new section which in its final form read: "Be it enacted, That the commissioners hereinafter mentioned, or a majority of them, shall, on the first day of May, in the year eighteen hundred and thirty-nine, meet at the town of Napoleon, and proceed to locate the Seat of Government at the most eligible point within the present limits of Johnson county."

By a vote of nine to four the Hempstead motion was adopted by the Council. This was on January 2, 1839. After the remaining sections had been considered, the bill was finally referred to the Committee on Territorial Affairs; and upon the report of that committee the bill was adopted by the Council on January 3rd by a vote of ten to three.

On the same day the bill as passed by the Council was sent to the House. After the sergeant-at-



arms had brought in the absent members, a vote of thirteen to twelve was recorded in favor of the bill following the adoption of several minor changes. The changes made by the House were readily agreed to by the Council. On the fourth day of January, 1839, the bill for "An Act to locate the Seat of Government of the Territory of Iowa, and for other purposes" was placed in the hands of the Governor.

Whatever the cause of delay may have been, the Governor did not express his views officially upon the bill until January 17th when in a communication to the House of Representatives he said that he concurred in general. He took exception, however, to the provision that authorized the capital commissioners "to enter upon the United States land that is yet unsurveyed . . . [with] no provisions to obtain the consent of Congress to locate the seat of government on their lands, or to obtain a grant or title from the government, to land upon which the seat of government may be located."

Furthermore, he pointed out that the bill contained no provisions "for the sale or disposition of the lots in the town directed to be laid out at the seat of Government"; that "the bill declares that the Governor of the Territory shall officiate as Treasurer, and imposes on him duties, totally in-



compatible with the duties of the Executive of the Territory"; and that "it provides for the appointment of commissioners by joint ballot of the Council and House of Representatives, which is a mode of appointment entirely unprovided for by the organic law."

In conclusion the Governor stated that, with the exceptions mentioned, he approved of the bill; but he added, "I shall, however, retain the bill in my possession for the present, and should the Legislative Assembly, during its present session, pass an explanatory supplement, remedying the defects above alluded to, the whole subject will meet with my unqualified approval."

In the meantime, as if forewarned of the Governor's objections, Samuel Parker of Van Buren County had introduced a House bill supplementary to the act locating the seat of government, which after consideration in committee of the whole was reported to the House without amendment.

It was at this point in the proceedings on the eventful fifteenth day of January, 1839, that Colonel Thomas Cox arose to present a motion of great importance to the future seat of government. Recognized by the Speaker as the member from Jackson County, Colonel Cox moved to insert in the second line of the first section the



words, "to be called Iowa City". The House approved—apparently without a dissenting voice. Thus the town that was subsequently located in Johnson County on the banks of the Iowa River as the permanent seat of government of the Territory of Iowa was named before it was born.

Two days later (on Thursday, January 17, 1839) the House received from Governor Lucas his message directing attention to what he was pleased to call "defects" in the "details" of the bill to establish the seat of government which had been adopted by the Legislative Assembly on January 4th. Immediately the message, along with the supplementary bill pending in the House, was referred to the Committee on Territorial Affairs. The next day (January 18th) the House, after approving some minor amendments, concurred in the adoption of the supplementary bill as recommended by the Committee on Territorial Affairs.

At this stage in the proceedings relative to the seat of government the members of the Council appeared on the floor of the House. A joint session ensued, at which Chauncey Swan, John Ronalds, and Robert Ralston (in the order named) were elected to serve as commissioners to locate the permanent seat of government in Johnson County.

On January 19th the supplementary bill was



passed by the House and sent to the Council where it was adopted with an amendment. The House at once concurred in the Council amendment and passed the bill. As adopted by the two branches of the Legislative Assembly the second act on the establishment of Iowa City was transmitted to the Governor for approval on January 21st.

And the Governor did approve. He affixed his signature to both the bill "to locate the seat of Government of the Territory of Iowa" and the bill supplementary thereto, on the twenty-first day of January one thousand eight hundred and thirty-nine.

BENJ. F. SHAMBAUGH



## The Midnight Ride of Philip Clark

In imagination one may picture the small group of pioneer settlers who came together at Napoleon on the first day of May to see the capital commissioners and, perhaps, witness the locating of the seat of government. May 1, 1839, was probably a normal Iowa spring day, with clear skies and soft variable breezes from the east and south. Green prairies and budding oaks bespoke the rebirth of living things and gave to the scene an atmosphere of expectancy.

What took place at the town of Napoleon on the appointed day is briefly recorded in the commissioners' *Journal of the Proceedings* in these words: "May 1st, 1839. Chauncey Swan, one of the commissioners appointed under the act of the Legislative Assembly of Iowa entitled 'An Act to locate the Seat of Government and for other purposes,' met at the town of Napoleon in the county of Johnson this day at 9 oclock A. M. A quorum not being present, other commissioners were sent for. 11 oclock P. M. John Ronalds, another one of the Commissioners appeared and was qualified after which the board adjourned until tomorrow morning 10 oclock."



Evidently this official chronicle does not contain the whole story: it is far too brief and too prosaic. One suspects that there was a bit of drama in the scene at Napoleon that day. What happened between nine in the morning and eleven at night? Where was John Ronalds? Why was he delayed? Fortunately tradition supplies the details and illuminates the story.

The morning passed quietly as the pioneer settlers awaited the arrival of John Ronalds and Robert Ralston. As the sun slowly approached the meridian the crowd became uneasy. As they milled around and in-and-out of the trading house the settlers began to wonder what would happen if the other commissioners failed to arrive on the first day of May. Would their selection of a site be valid if they should meet a day or two later?

Upon being questioned, Chauncey Swan told the crowd that the commissioners, or a majority of them, were definitely required by law to meet at the town of Napoleon on the *first* day of May; and he suggested that some one be sent to Louisa County to bring John Ronalds who lived on the banks of the Iowa River about thirty-five miles from Napoleon. Robert Ralston who resided in Des Moines County could not possibly be reached in so short a time. Sharing the anxiety of the settlers, Chauncey Swan called for a volunteer to



make the trip on horseback to the home of John Ronalds. Philip Clark, a first settler, stepped to the front and offered to undertake the somewhat hazardous journey. The crowd cheered as he mounted his horse and galloped away.

And so the crowd at Napoleon waited . . . waited . . . waited . . . through the long hours of the afternoon; while Philip Clark on his way southeast was *riding, riding, riding* through the wilderness, and *galloping, galloping, galloping* across the prairies.

As the hour of midnight approached the moments became more and more tense. Strong men seemed to lose their accustomed patience. The hands of Chauncey Swan's watch were soon to meet on the dial at the figure 12. Every little while some one would step outside the trading house to listen. The last few minutes before twelve o'clock seemed to stretch into hours. Finally out of the darkness came the sound of thudding hoofs. The crowd shouted with joy. The seat of government was saved for Johnson County.

As Philip Clark and John Ronalds dismounted in front of the trading house, Chauncey Swan looked at his watch and calmly observed that there was still time enough before midnight for Justice of the Peace Robert Walker to administer the required oath to the commissioners.

BENJ. F. SHAMBAUGH



## Selection of a Beautiful Site

Turning to the *Journal of the Proceedings* of the commissioners one may read that on May 2nd "the board met pursuant to adjournment, appointed John Frierson clerk to the board", and in the afternoon "went to examine the Country on the Iowa river above Napoleon."

About two miles north of Napoleon, the commissioners paused to contemplate the view. It was mid-afternoon. From an elevation which rose from thirty to fifty feet above the river and extended a half mile due north and south, Chauncey Swan and John Ronalds calmly viewed the scene. Below they saw the Iowa River, "a clear, limpid stream, with sand and gravel bottom", flowing almost directly south in a channel about two hundred and forty feet wide. On the opposite side of the river they saw banks that rose abruptly for about fifty feet above the water's edge "to the level of a smooth prairie, which approaches the bank of the river at this place, and then sweeps off westward in beautiful undulations" of low rolling hills.

The eminence on the east bank of the river was for the most part covered with large bur oaks between which were small open spaces. Looking



east and south from the elevation on the Iowa, the commissioners saw an area of about six hundred acres carved into a vast amphitheater covered with hazel shrubbery and scattered growth of oak and hickory trees. When the two commissioners had completed their work that day they were convinced that "the most eligible point" for the capital had been discovered.

As recorded in their *Journal* the commissioners went out on the morning of May third to examine the quarry on the banks of the Iowa River that was supposed to contain "marble", and to ascertain the section on which it was located. In order to report the exact location of the "eligible point" and the "marble" quarry in the language of land descriptions, the commissioners found it necessary to make an unofficial survey, since the United States surveys had not been extended to this part of Johnson County. This unofficial survey (which was probably conducted by John Frierson, "clerk to the board" and an experienced surveyor) disclosed the fact that the "eligible point" and the "marble" quarry were located on Section 10 of Township 79 North in Range 6 West of the Fifth Principal Meridian.

It was on the fourth day of May, 1839, that the commissioners officially located the permanent seat of the government of the Territory of Iowa



on *Section Ten of Township Seventy-nine North in Range Six West of the Fifth Principal Meridian* by "placing a stake in the center of the proposed site". That the stranger might be informed, the site was marked by a post or slab of wood placed on the eminence about where the Old Stone Capitol now stands. Charles Negus, an early writer on Iowa history, is the authority for the information that the slab erected by the commissioners bore the inscription:

SEAT OF GOVERNMENT  
CITY OF IOWA  
May 4th 1839

On Monday, May 6th, the commissioners met at the house of Wheaten Chase. There Robert Ralston, commissioner from the first judicial district, "appeared, took the oath prescribed by law, and entered on the discharge of his official duties. The proceedings of the majority of the commissioners were exhibited and fully explained to Mr. Ralston all of which he approved."

Finally, on May 7th, the story of locating the seat of government of the Territory of Iowa on the banks of the Iowa River ended with the appointment of Chauncey Swan as Acting Commissioner.

BENJ. F. SHAMBAUGH



## Surveying the Capital Site

Three days after the approval of the legislation which provided for the location of the seat of government in Johnson County, Governor Lucas sent a memorial to Congress soliciting the donation of four sections of land upon which to locate the capital. At the same time the Legislative Assembly passed a joint resolution instructing W. W. Chapman (Iowa's Delegate to Congress) to ask for a grant of "at least four sections".

In response to the Governor's memorial and the request of the Legislative Assembly presented through Delegate Chapman, Congress, by an act approved on March 3, 1839, "appropriated and granted to the Territory of Iowa, one entire section of land, of any of the surveyed public lands in said Territory, for the purpose of erecting thereon the public buildings for the use of the Executive and Legislative departments of the Government of the said Territory". The act also provided that if the sections contiguous to the section granted had not been sold, or had not been offered for sale, they should be withheld from sale until further orders from Congress.

Fully realizing that in locating the seat of gov-



ernment on unsurveyed lands they had not complied with the provisions of the act of Congress, the commissioners immediately after marking the site prepared a memorial which "respectfully requested of the President a special survey of two Townships in Johnson county, embracing the seat of Government, the object of which was to enable the commissioners to make the location as perfect as possible under the act of Congress as well as that of the Territory."

It was in response to the memorial from the capital commissioners of the Territory of Iowa that Commissioner James Whitcomb of the General Land Office at Washington sent, on June 15, 1839, instructions to Surveyor General A. G. Ellis of the Wisconsin-Iowa district to survey two townships, in one of which the seat of government of the Territory of Iowa had been located.

In the meantime two of the commissioners (Chauncey Swan and John Ronalds) meeting at the home of John Ronalds in Louisa County on June 27, 1839, "ordered that Thomas Cox and John Frierson be employed to survey the town [of Iowa City] and L. Judson to draw the necessary plats." Presumably, Acting Commissioner Chauncey Swan immediately proceeded to Iowa City, where the survey of the townsite was begun in real earnest on the first of July, 1839. By July



4th, L. Judson had completed his draft of the first map of Iowa City. Later a revised copy of this map was lithographed and distributed among the members of the Legislative Assembly and throughout the Territory.

On the Fourth of July work on the survey of the townsite was suspended in order that all men might take part in the celebration of Independence Day on Capitol Square. The only contemporary record of the occasion is in the diary of Cyrus Sanders, which records that "about one hundred persons partook" of the dinner which was served "on the ground where the capitol of Iowa is to stand"; and that "the festivities of the day were enjoyed with the greatest hilarity and good feeling by all that were present and nothing occurred throughout the day to mar their enjoyment." A more complete account of the celebration, illuminated by tradition, was published by Mr. Sanders many years later in the columns of the *Iowa City Weekly Republican* for September 22, 1880. The story is worth the telling.

Plans for the holding of "a good old-fashioned celebration" had been made by a group of "patriotic citizens, in conjunction with Mr. Swan and his men". On the morning of the "auspicious day . . . the stars and stripes were unfurled to the breeze by attaching the flagstaff to the top of a

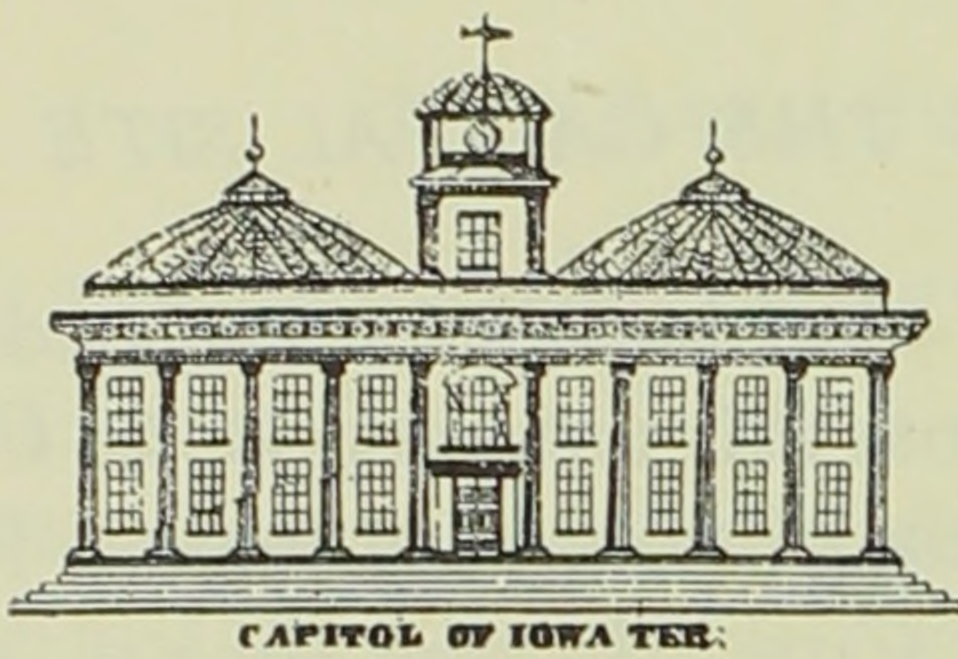


tall young oak tree" that had been stripped of its branches. It was from this unique pole on Capitol Square that the United States flag waved for the first time over Iowa City. In due time a "cavalcade" of pioneer settlers arrived with the dinner which had been prepared at "the Indian trading house, four miles down the river".

After dinner a program of toasts and speeches was carried through with Colonel Thomas Cox, "a noble and portly specimen of the old school gentlemen", presiding. Luke Douglass read the Declaration of Independence. Then came the orator of the day, Gen. John Frierson, who "mounted the rostrum to deliver the oration". The rostrum, it seems, consisted of the wagon that was used in bringing the dinner up from the trading house, and in the back part of which was a barrel of Cincinnati whisky and a tin cup. "With one foot elevated upon the barrel of whiskey", the orator, who was described as a man with sandy complexion, "tall, square, raw-boned, hard-featured, stoop-shouldered, knock-kneed, and pigeon-toed", made an eloquent speech.

What Thomas Cox, John Frierson, and the other speakers said that day may never be known, since in regard to their spoken words both history and tradition are silent. The only living witness of the celebration that took place on Capitol





# MAP OF IOWA CITY SITUATED IN TOWNSHIP 19 N. R. 6 W. of the 5th P. M. Drawn by L. Judson

**NOTE**  
IOWA CITY the CAPITAL of IOWA TERRITORY  
located May 4th 1839 by  
MR. CHAS. SWAY  
JOHN RONALDS Comm'r  
ROBERT RALSTON  
and Surveyed by Messrs. Cox, Friserson & Judson  
under the direction of U.S. and A. Com'r

**EXPLANATION**  
BLOCKS are 320 feet square regular lots  
are 80 by 150.  
The dimensions of fractions and out lots  
are noted in their respective lines.  
Alleys are 20 feet Iowa Avenue is 120  
feet wide Washington Jefferson Clin-  
ton Capitol and Madison Streets  
are each 100 feet all others are 80 feet



E. Dupré's Lith. St. Louis Mo

THE ORIGINAL LITHOGRAPH MAP OF IOWA CITY DRAWN BY L. JUDSON IN 1839



Square one hundred years ago is a massive oak tree—and it, too, is silent.

After the Fourth of July the survey, following the lines on Judson's town plat, was carried forward with vigor. Streets, alleys, out lots, market places, church sites, parks, Capitol Square, Governor's Square, and a Promenade along the Iowa River were surveyed, staked off, and carefully marked on the town map of Iowa City.

Since the capitol building would be the center of interest in the newly planned city, the ground for the Capitol Square was selected first. After the choice had been made by Chauncey Swan, the surveyors established the southeast corner of the Square as the initial starting point in making the surveys of the townsite.

Cyrus Sanders is the authority for the story that from the southeast corner of Capitol Square "the west line of Clinton Street was run north and south and established as a meridian line. Then the survey was extended eastwardly and westwardly, without ever having any definite base line established. The lines were run with an ordinary surveyor's compass; and they were measured with a pole twenty feet long, made of two strips cut from a board and nailed together in the middle. This pole was graduated to feet and inches by a carpenter's square. Each end was bound with



hoop iron. In measuring the ground tally pins of about one eighth of an inch in diameter were used—which added about three-sixteenths of an inch to every twenty feet in the survey. This fact, taken in connection with Carley's measurement, accounts for the surplus found to exist by the surveys of subsequent city engineers."

John Frierson was commissioned United States Deputy Surveyor to survey townships seventy-nine in ranges five and six. This was done in order to bring the townsite of Iowa City within the bounds of the surveyed lands of the United States and thus legitimize the location of the seat of government according to the provisions of the act of Congress of March 3, 1839. Frierson operated under the orders of the Surveyor General for Wisconsin and Iowa.

Leaving Thomas Cox to finish the survey of the townsite of Iowa City, John Frierson entered upon the execution of his assigned task in July. Employing the necessary help, he was able to complete the survey of the two townships in record time. Years later Cyrus Sanders, who served on Frierson's staff, illuminated the official report of the survey with this bit of tradition. "He [Frierson] ran all his lines without the aid of a flag-man; when on the prairie he would take a weed or a gopher-hill for a sight; when in the timber, a tree



or a bush, or any other object that was convenient. As a consequence, he often lost sight of his object before he got to it". But, being expert at making up field notes, he made a report that "was received at the office of the Surveyor-General without question."

As surveyed and shown on the map drawn by L. Judson, the townsite of Iowa City was divided into blocks 320 feet square with lots 80 by 150 feet. With six exceptions the streets, which ran east and west and north and south according to the compass, were all 80 feet wide and named rather than numbered. The exceptions were Iowa Avenue, which was 120 feet wide, and Washington, Jefferson, Clinton, Capitol, and Madison streets which were each 100 feet wide.

Reservations were clearly marked. Capitol Square included four blocks; Governor's Square consisted of one block; the Park included one block; College Green, one block; North Market, Center Market, and South Market, one block each; four church reservations, one-half block each; and one school reservation, half a block.

That was Iowa City in July, 1839, one hundred years ago—a map, a paper plat, recorded in the office of I. P. Hamilton, the recorder of Johnson County.

BENJ. F. SHAMBAUGH



## The Sale of Town Lots

It was in accordance with the provisions of statute law that Governor Lucas proclaimed on July 25, 1839, that two public sales of lots would be held at Iowa City—the first to commence on the third Monday of August, and the second on the first Monday of October following the date of his proclamation. After listing some two hundred lots as numbered on the map of Iowa City, mostly in the vicinity of Capitol Square, the Governor announced that the sale would be conducted under the direction of the commissioners who would make known “the terms of the several sales”.

Notice of the first sale of lots at Iowa City, which had been proclaimed throughout the Territory, was at the same time published in eastern papers. Everybody in Iowa seemed to have been informed of the coming event. As the date of the sale drew near, emigrant settlers and a few eastern capitalists appeared on the scene. Some came to buy sites for homes; others to speculate in town lots.

The problem of housing so large a number of strangers in a town with no real hotel was solved by the erection of “Lean Back Hall” on Linn Street



about where the police station is now located. According to tradition Lean Back Hall (which was hastily built in a few days) contained a bar, a dining room, one bedroom, and a kitchen. The bedroom, which was fifty or sixty feet in length, accommodated between thirty and forty men on a single bed—the bare floor.

On the morning of the first day of the sale a large number of persons assembled at Lean Back Hall. Many of the potential purchasers began the day with drinks. It was a jolly, good-natured crowd that listened to auctioneer Dougherty of Dubuque as he announced from a wagon in front of Lean Back Hall that the lots would be knocked down to the highest bidder; that the purchaser would be required to pay one-fourth of the price in cash, and the remainder in six, twelve, and eighteen months; that notes would be required in every case, payable to the Acting Commissioner or his successor at Iowa City; that a certificate of purchase would be given to purchasers, pledging the faith of the Territory for the execution of a deed in fee simple as soon as the title could be procured by the Territory from the government of the United States; that no deed would be given until all payments had been made; and finally, that on neglect or refusal to pay any or all installments, the lot would automatically revert to the Territory,



the purchaser losing all that he might have paid.

After this formidable announcement of the terms of sale, the wagon and auctioneer, with the crowd following, moved to a spot near the present location of the Presbyterian Church on north Clinton Street. There the first of the Iowa City lots was sold to L. D. Phillips for \$330. It was lot number eight in block eighty-six. Then the auctioneer, the wagon, and the crowd moved to block number eighty-nine where lot number one was knocked down for \$125 to G. W. Statton. The third move was to block ninety-seven where lot three was sold to Ewing and Chatham for \$265. In like manner a hundred other lots were offered and sold to the highest bidder. The first auction sale of real estate in Iowa City continued through three days.

In accordance with the Governor's proclamation the second sale of lots at Iowa City was begun on the first Monday of October, 1839. The procedure was the same as at the first sale; and 106 lots were sold on the same terms. According to Commissioner Chauncey Swan, certificates of sale were finally issued for 181 lots at the public sales of 1839 for which purchasers actually paid \$26,739.75.

BENJ. F. SHAMBAUGH



## A Plan for the Capitol

One hundred years have come and gone since the ground was cleared on Capitol Square for the erection of the Old Stone Capitol. And yet, throughout all these years, the story of this historic monument as a building designed by a distinguished architect and constructed according to his plans has been given little more than a doubtful telling.

Just as the Old Stone Capitol has come to be looked upon as something more than stone and mortar, so the story of this building has come to be something more than documented history: it has come to be history interwoven with traditions and legends pleasing to the imagination.

Of all the traditions that have added color to the history of the Old Stone Capitol, the legend of an ecclesiastical designer is perhaps the most fascinating as it has been the most enduring. Briefly stated this legend attributes the planning of the Old Stone Capitol to Father Samuel Charles Mazzuchelli, a Dominican missionary priest who pioneered in religion on the Iowa frontier between the years 1830 and 1864. Devout, resourceful, and public spirited, Father Mazzu-



chelli went about doing good, but the common assertion that he conceived the classic form of the Old Stone Capitol is a myth.

The true story of the plan of the first permanent capitol of Iowa began with a Congressional grant of \$20,000 "to defray the expenses of erecting public buildings at the seat of Government." It is an interesting fact that one-half of this sum was, in due course, paid to the man who really designed the Old Stone Capitol and began its construction.

After providing for the location of the seat of government in Johnson County, the Legislative Assembly decreed that the commissioners "shall agree upon a plan" for the capitol building "and shall issue proposals, giving six months notice thereof, and contract for the erection" of the building "without delay". Mindful of their specific obligations in this matter the commissioners, on May 4, 1839, "consumed the day in drawing plans for the Capitol and placing a stake in the center of the proposed site."

The commissioners also signed a NOTICE, or advertisement, which was dated, "Napoleon, May 4th, 1839". This "Notice" was for the most part an invitation for bids or "proposals" on materials to be furnished in the construction of the public buildings at Iowa City. It was prepared for publication in the newspapers of the Territory and for



the information of prospective bidders. The building specifications contained in the "Notice" were such as to suggest that they were prepared, not by an experienced architect, but by the amateur board of commissioners which consisted of two farmers and a miner.

It is significant that the "Notice" contained the statement that "a plan of the building" may be seen upon application to the commissioners or any one of them. This statement, along with the published specifications, seems to suggest that the Capitol had been planned before or at the meeting of the commissioners at Napoleon. But no one in the Territory seems to have seen the plan before the bids on materials were opened early in November. As the story unfolds it becomes apparent that the plan for the erection of the Capitol was designed by none other than the distinguished architect John F. Rague of Springfield, Illinois, sometime between May 1st and November 6th of the year 1839.

On December 6, 1839, Chauncey Swan reported that "a draft of the plan for the erection of the public buildings is in the hands of the Architect, Mr. Rague". And he added that "it was thought necessary by the board of commissioners, as well as by himself, that he should retain the plan which was adopted by the board, to enable



him to draw a bill of items, and form his models in accordance with the specifications."

On December 20, 1839, the story of a plan for the Capital reached a climax when the Council of the Legislative Assembly resolved that, "Whereas Chauncey Swan, Acting Commissioner of Public Buildings, in his report to the Legislative Assembly, at this session, could not, because of the absence of the Architect, present a plan of the Public Building; and whereas, Mr. Rague, the Architect, is now in Burlington with said plan, therefore, Resolved, That a committee of two be appointed to call on Mr. Rague, and request that said plan be exhibited to the Council at 3 o'clock, P. M. of this day." The House of Representatives passed a similar resolution.

During the afternoon of the same day, Mr. Ralston of the select committee reported that the committee "had called upon Mr. Rague, architect, &c. and that he was now present and ready to exhibit his plans for the Public Buildings". The report was adopted and "Mr. Rague was invited within the Bar of the Council to exhibit his plans."

When it became apparent that the progress of the work on the Capitol building would reach the stage where the cornerstone could be laid on the Fourth of July, 1840, preparations were made for holding the ceremony on the national holiday. As



the hour approached for placing the chosen stone in the southeast corner of the building, it seemed as though the whole population of Iowa City and Johnson County had come to witness the ceremony which was performed with "unusual calmness and respectability".

After exhibiting to the people there assembled the copper box that was to be placed in the cornerstone, Chauncey Swan introduced the "Reader of the Day" who described the documentary contents of the copper box. Among the articles mentioned by him was a scroll on which was inscribed the name of Mr. Rague in this form:

JOHN F. RAGUE, ARCHITECT OF THE  
CAPITOL OF IOWA.

There it stands — the Old Stone Capitol — a work of art, radiating the spiritual values of simplicity and dignity, proportion and harmony, poise and tranquility. And in the years to come, while the Old Stone Capitol will remember that the name of John F. Rague as architect has been preserved in the cornerstone, the spirit of Father Mazzuchelli will live to inspire reverence and loyalty in the hearts of men.

BENJ. F. SHAMBAUGH



## John Francis Rague : Architect

It was John F. Rague, the architect, who brought sense and proportion and art into the plans of the Capitol that was erected on Capitol Square. To him alone belongs the credit for whatever merit there is in the architectural design of the Territorial Capitol of Iowa. Who was this man Rague whose name is thus immortalized in the history of Iowa City? The question has been asked a thousand times.

The birth record in the family Bible that belonged to his mother reads: "John Francis Rague, born at Scotch Plains, N. J., March 24, 1799." His father, who had served as surgeon in the French army, came to America with General Lafayette to take part in the War for Independence. Later he died from a wound which he had received in that war.

It was in the city of New York that John Francis Rague received an elementary education. As he grew to manhood he became enamored of the art that finds expression in architecture. Trained by the distinguished architect, Milard Le Fevre, he busied himself with architectural work in New York City for some years before coming



to Illinois in 1831. He located in the town of Springfield. There he pursued his chosen profession; sang in the choir of the Presbyterian Church; met Stephen A. Douglas; formed the acquaintance of Mary Todd; and groomed Abraham Lincoln for a dance.

Rague's interest in civic affairs is evidenced by his election in 1836 to the board of trustees of the town of Springfield. His devotion to education led him into the presidency of the Mechanics Institute. He was a liberal in both politics and religion.

It was the proposed removal of the State capital of Illinois from Vandalia to Springfield that brought to architect Rague a major opportunity in his professional career. No sooner had the State legislature selected Springfield as the new capital than the *Sangamo Journal* advertised for plans for a capitol building. When the plans that came in were examined, John F. Rague was awarded the first prize of two hundred dollars. The capital commissioners promptly adopted his design and employed him to supervise the erection of the building on the modest salary of \$1000 a year.

The building of the State House at Springfield (a specimen of Grecian architecture declared by its admirers to be the finest public building west of the Alleghanies) greatly enhanced the profes-



sional reputation of John F. Rague. Many people wondered how so small a town could produce so competent an architect. But they soon forgot him; and succeeding generations remembered the building, not as the vision of a distinguished architect, but as the place where Abraham Lincoln delivered the "Divided House Speech" and debated the political issues of the day with Stephen A. Douglas.

The striking resemblance of the Old Stone Capitol at Iowa City to the Old State House at Springfield are interesting and significant in view of the fact that John F. Rague was supervising the erection of the Illinois Capitol when called upon to plan the capitol building for the Territory of Iowa. On the Fourth of July, 1839, the name of Architect John F. Rague was placed in the cornerstone of the Illinois State House, just as on the Fourth of July, 1840, it was inscribed on a scroll that was deposited in the cornerstone of the Capitol at Iowa City.

While the completion of the State House at Springfield dragged wearily through the years, John F. Rague moved to Milwaukee, Wisconsin, in 1844. During his ten years of residence in that State he designed the notable Phoenix Building at Milwaukee and three buildings for the State University at Madison. Interested in music, he



served as treasurer of a Beethoven Society. His candidacy for justice of the peace in 1846 and for alderman in 1849 met with defeat.

It was soon after his second marriage that John F. Rague moved to Dubuque in 1854. There he designed and supervised the building of the county jail, the city hall, the Langworthy octagonal house, the Bissell residence, and several ward school buildings. For a while he served on the city school board. He was an intimate friend of Stephen Hempstead, erstwhile Governor of Iowa.

Tragedy presaged the end. During the eighteen sixties the eyes that had seen so much that was beautiful lost the power of sight. The architect of the Old Stone Capitol became totally blind. On September 24, 1877, he died; was buried in Linwood Cemetery; and then forgotten. History has not been kind to John Francis Rague.

BENJ. F. SHAMBAUGH



## Iowa City Lost and Won

The departure of the State officials and their deputies in November, 1857, from the once *permanent* capital did not mean that enthusiasms and hopes had come to an end at Iowa City: subsequent events revealed the fact that the exit simply marked the transition from legislation to education. Indeed, long before the removal of the seat of government to Des Moines, thoughtful citizens had declared that as for Iowa City they preferred that it should become a center of higher learning rather than remain the maelstrom of political activities. As between professors and politicians they seemed to prefer the professors.

To these citizens the compromise by which Iowa City became the permanent seat of the State University appeared to be a satisfactory solution of the uncertain state of affairs that had prevailed for more than a decade. They seemed to think that the foundations of knowledge would in the long run be more certain and more permanent than the shifting sands of State politics.

At the same time the permanent establishment of another institution had been won for Iowa City. During the last days of the Sixth General Assem-



bly and the sessions of the constitutional convention of 1857, it was agreed by the members of both bodies that a State Historical Society should be established upon the invitation of the legislature, and that to secure its permanent location at Iowa City it should be organized "in connection with, and under the auspices of the State University." The revision of the State Constitution, the relocation of the seat of government, and the appearance of a new political party were among the immediate events that deepened the conviction in the minds of men that the history of Iowa was worthy of preservation.

The feeling that history was in the making on the frontier had long been entertained by the pioneers who in the eighteen thirties and forties had crossed half a continent to seek permanent homes in the Iowa country. As they blazed their initials on great oak trees or drove their stakes deep into the prairie land they felt that somehow their own humble lives were part of a great movement that some day would be recorded in the pages of history. The experiences of those who crossed the Mississippi before 1857 must have been inspiring even to the dullest of souls. Before their eyes a wilderness had been cleared and more than a million acres of prairie land had been turned into fields of grain. Hopefully they



mingled their labors with the virgin soil of the richest prairies in all America.

During the second quarter of the century the Iowa builders of empire had organized a Territory and founded a Commonwealth; they had built homes and erected churches; they had developed communities and laid out towns; and with unflagging zeal they had tilled the soil and wooed prosperity. With ax and plow they had fought the battles of the frontier; and in their struggles with nature they had won a lasting victory.

It was in response to this feeling of the significance of State and local history, that the Sixth General Assembly in January, 1857, took the initiative in voting a permanent annual appropriation "for the benefit of a State Historical Society", which on February 7, 1857, was definitely organized by the adoption of a constitution.

Members both of the General Assembly and of the Constitutional Convention had taken an active interest in the establishment of the State Historical Society; and so, on March 3, 1857, by vote of the governing Board of Curators the "members of the Constitutional Convention and the General Assembly were elected members of the Society." After the State officers had taken leave of Iowa City, the Society was assigned rooms in the Old Stone Capitol.



In scanning the balance sheet of Iowa City history, the historian notes that in the year one thousand eight hundred and fifty-seven Iowa City *lost* the Seat of Government, but *won* the State University and the State Historical Society.

By establishing a State Historical Society, the Founders had hoped that this Society would rescue from oblivion the memory of the pioneers who in the eighteen forties and fifties had been the founders of empire. It is in partial fulfillment of that hope that the State Historical Society has published what *The Old Stone Capitol Remembers*.

BENJ. F. SHAMBAUGH



# THE STATE HISTORICAL SOCIETY OF IOWA

Established by the Pioneers in 1857  
Located at Iowa City Iowa

---

## PUBLICATIONS OF THE SOCIETY

The Quarterly Journal of History  
The Palimpsest—A monthly magazine  
The Public Archives Series  
The Iowa Biographical Series  
The Iowa Economic History Series  
The Iowa Social History Series  
The Iowa Applied History Series  
The Iowa Chronicles of the World War  
The Miscellaneous Publications  
The Bulletins of Information

---

## MEMBERSHIP

Membership in the State Historical Society may be secured through election by the Board of Curators. The annual dues are \$3.00. Members may be enrolled as Life Members upon the payment of \$50.00.

*Address all Communications to*

THE STATE HISTORICAL SOCIETY  
Iowa City Iowa