

# The **P**ALIMPSEST

MAY 1940

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### 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*

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### 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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BENJAMIN FRANKLIN SHAMBAUGH



# THE PALIMPSEST

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## Benj. F. Shambaugh

The scientist, intent upon discovery, scrutinizes each detail, observes every phenomenon, tests all possibilities. With the aid of a microscope he observes the smallest particle of matter with patient care. No particular is too minute, no effort too great, no data too complete. The most trivial circumstance may be infinitely significant. To a comprehending mind a falling apple revealed a fundamental law of the universe. Specific facts provide the basis for the superstructure of general truth.

Benj. F. Shambaugh was scientific. Always exploring unfamiliar fields of history and education, he gave careful attention to immediate problems, studied the intricate pattern of human relations, and exhausted the resources of experimentation. In contrast to emphasizing spectacular events in remote places, he focused upon the ordinary incidents of local history and therein found the key to a better understanding of American social and political institutions. His method of instruction



was formal and precise, yet he stressed general conclusions, advocated a liberal attitude, and continually endeavored to synthesize knowledge, to the end that thoughtful college students might better comprehend the meaning of life. Accepting the principle of evolution, he applied the Darwinian technique in his own research to demonstrate the importance of meticulous observation, the significance of particulars, and the continuity of development in the body politic. It is as if the unity of his own career symbolized his philosophy of the transcendental integration of human experience.

Born on a farm in a pioneer community of eastern Iowa, the son of John and Eva Ann Shambaugh took firm root and flourished in the soil and culture of his nativity. Though he traveled widely, Iowa was his lifelong home from January 29, 1871, to April 7, 1940. Christened Benjamin Franklin, he emulated his illustrious namesake in the charm of his personality, the nimbleness of his wit, the abundance of his energy, the extent of his vision, and the tolerance of his opinion.

At the age of sixteen he entered an academy at Iowa City and in due time graduated from the State University in 1892. Meanwhile he had tasted the wine of academic leadership. He decided to be a scholar. A casual remark by his history teacher challenged his loyalty and kindled



his zeal for investigation. "Why doesn't some one write the biography of an Iowa town?" inquired Professor W. R. Perkins. "It might prove to be as interesting and significant as the romantic tales of New England villages." At once Benjamin Shambaugh began to ransack the miscellaneous collections of the State Historical Society. In 1893 he presented an account of the founding of Iowa City as a thesis for the degree of Master of Arts. Somewhat expanded, it was published later that year as *Iowa City: A Contribution to the Early History of Iowa*.

In this initial enterprise Benj. F. Shambaugh discovered the idea that shaped the course of his career. He was convinced that each social organism contained the clues to explain the general nature of society. Indeed, it seemed to be a universal principle. The microscopic analysis of a cubic foot of earth in terms of generic import by Bertha M. Horack won his enthusiastic approval. (They were married in 1897.) Eventually she became the recognized authority on the unique Amana community.

Justice and progress, he believed, are to be obtained by institutionalizing the habits and ethics of common folks. As early settlers protected their property by means of claim associations, so people in other circumstances inevitably resort to collec-



tive action in their own interest. Statute law and constitutions are but legal expressions of the general will. And so the study of a particular community provided an opportunity to exploit undeveloped historical resources, to perform a patriotic service, and to discover the vital factors of government. Further investigation of pioneer institutions and community evolution led to the degree of Doctor of Philosophy at Pennsylvania University in 1895 and to the publication of a *History of the Constitutions of Iowa* in 1902. Symbolic of the unity of his research, his last book, *The Old Stone Capitol Remembers*, published in 1939, is an expanded version of his first.

As society achieves its noblest purposes through formalization of the ideals of the people, so an individual may contribute more enduring service if his efforts are merged with the functions of a public institution. In that way the work of a person gains wider influence and the activities of the school or state or church acquire personality.

Dr. Shambaugh identified himself with two major institutions. The State Historical Society was the instrumentality through which he accomplished his elaborate program of research and dissemination of Iowa history, especially after he was elected to the Board of Curators in 1897. At the same time he developed his ideas of liberal and



cultural education as founder and head of the Department of Political Science in the State University. Though he never condoned ignorance or error and began his first class with an admonition to memorize the United States constitution, for over forty years he taught "less of methods and more of morals; less of efficiency and more of living; less of the letter and more of the spirit"; less of organization, less of supervision, less of timing, less of testing, less of standardization, and more of individuality, more of culture, more of creation, and more of the "More Than" which distinguishes a true college education.

To the student on the campus Professor Shambaugh was a vivid, dynamic figure — the personification of the culture and idealism he advocated — so clearly expressed in the portrait by Sidney E. Dickinson. The artist chose to paint him just as he stepped into the studio from the street: "a study in browns" — a dark brown suit, a camel-hair overcoat in a lighter shade over his arm, a soft brown beaver hat in one hand, and the ever-present Malacca cane in the other — with a touch of color in the maroon necktie and matching handkerchief. At his elbow are three favorite books from the publications of the State Historical Society — *Amana* written by his wife, Bertha M. H. Shambaugh; *Cabins and Sod Houses* by Thomas



H. Macbride; and *Ioway to Iowa* by Irving B. Richman. On the canvas he appears as he was in life, "invincibly young at sixty, a charming and picturesque personality".

In pursuance of his theory that important aspects of history may be gleaned from the routine records of clubs and courts and congress, he collected three volumes of *Documentary Material Relating to the History of Iowa*. For the same purpose of providing a mine of political information from which the currency of general history might be coined, he compiled the *Messages and Proclamations of the Governors of Iowa*. The exacting research was valuable experience, and it also provided the foundation for the new publications that were to follow.

For many years the State Historical Society had printed pioneer reminiscences and biographical sketches in periodical form. Dr. Shambaugh edited the last volumes of the *Iowa Historical Record*. But he conceived of a more pretentious quarterly filled with contributions of scholarly research. In 1903 *The Iowa Journal of History and Politics* was launched under his management. Skeptics praised the style and contents of the first issue, but shook their heads. It might be possible to fill a hundred and thirty-five pages with such profound articles, but where could similar ma-



terial be found for future numbers? Iowa history, bah! The *Journal*, pioneer in size and purpose among the magazines of State historical societies, is now in the thirty-eighth volume.

The extensive program of research and publication was so successful that in 1907 Dr. Shambaugh was appointed Superintendent and Editor, a position which he filled with preëminent distinction for thirty-three years. Under his direction a series of Iowa biographies was inaugurated at once. Increased appropriations by the legislature enabled the Society to expand its activities. Series of volumes on economic history, social history, applied history, chronicles of the World War, and many miscellaneous monographs have been added to the list of publications. In 1920 THE PALIMPSEST was started. Designed to reconstruct dim records of the past and relate half-forgotten anecdotes, as if the history of Iowa were an ancient palimpsest, this monthly magazine aims to present the annals of the State in a popular style and attractive form.

At the end of his long service to the Commonwealth, Dr. Shambaugh was engaged in the most ambitious project of all — a centennial history of Iowa that will fill many volumes, in order that the true story of the first century of statehood may be more widely known and cherished.

JOHN ELY BRIGGS



## Beginnings of Salem

In the decade of the seventies a local historian wrote: "The village of Salem is pleasantly located in the southwest corner of Henry County. In the center of the town is a beautiful public square, containing a number of shade-trees, around which is built the principal business portion of the town. Its inhabitants are industrious, thrifty and highly moral, and the educational and religious institutions receive much attention, and are well sustained. It is known throughout the State as an educational center, and Whittier College which is located there, has a reputation second to no institution of learning in Iowa. The mercantile and other business interests are in a prosperous condition." Such, in brief, is a portrayal of the little Quaker town in Henry County four decades after its founding.

It was in the fall of 1835 that Aaron Street, Jr., crossed the Mississippi for the purpose of selecting an eligible spot that would combine the requisites of health and excellence of soil, where he "might be instrumental in making a 'settlement' of Friends". Prospecting with a companion along the Skunk River in Henry County, Street was im-



pressed with the beauty of the landscape — the woods “abounding with fruits and wild honey” and the prairie bright with autumn flowers. “Hither will I come,” he said, “with my flocks and my herds, with my children and my children’s children, and our city shall be called Salem, for thus was the city of our fathers, even near unto the seacoast.”

It might be supposed that the name of the place had a Biblical connotation. According to scholars, Jerusalem, in Palestine, was originally called Salem. But when it fell into the hands of the Jebusites they called it Jebus; then the two words were united into one, Jerusalem, meaning the “habitation of peace”. Salem, therefore, signified peace. But the little frontier settlement in Iowa was named for another reason.

The original Aaron Street was a resident of Salem, New Jersey. He migrated to Salem, Ohio. From that point father and son moved westward to help build Salem, Indiana, and from there Aaron Street, Jr., came to start a new community in Iowa. Under these circumstances no other name for the settlement would have been so appropriate as Salem.

Together with Isaac Pidgeon, who had already built a cabin in the vicinity, and Peter Boyer, who had recently arrived, Aaron Street proposed to es-



tablish a Quaker community. Presently they were joined by a few relatives and friends. On land claimed by Street and Boyer a townsite was laid out. Not being equipped with surveying instruments, "they used a long grapevine for a measuring rod, it is said, cutting notches in it for the desired widths of the streets and alleys." The streets were laid off at right angles to each other, and in the center of the town a space of about two acres was left for a public square.

The new village of Salem with its congenial inhabitants and fertile environs was not long in attracting other settlers. In the fall of 1836 a number of Friends came on horseback from Randolph County, Indiana. Upon hearing of the founding of Salem they visited the locality, were much pleased with it, and recrossed the prairies of Illinois, carrying good news to those who anxiously awaited their return.

As soon as the springy prairie sod would bear the weight of their heavy wagons, on May 10, 1837, a caravan of nine families moved out from the neighborhood of Williamsburg, in the northern part of Wayne County, Indiana, bound for the Black Hawk Purchase. Among them were Reuben, Henry, and Abram P. Joy, Gideon, Stephen, Thomas, and Lydia Frazier, Thomas Cook, and Levi Commack. An account of this migration



written by the unsteady hand of one of the pioneers, reveals the fact that they had "considerable of stock" to drive, that it was "a long and tedious journey", and that they "landed in the neighborhood of Salem the 17th of 6th" month, 1837. By fall the little Quaker community was augmented by the Beards, Canadas, Commons, Emerys, Hammers, Hiatts, Hinshaws, Hocketts, Hoskines, Jessops, Johnsons, Lewellings, Mendenhalls, Osborns, Stantons, Teases, Thomases, and Wilsons.

A year after this migration to Salem, Iowa became a separate Territory. Population was increasing rapidly, and towns were springing up at many points. Accordingly, there was a growing need for municipal regulation of sanitation, traffic, water supply, fire protection, street construction, public morals, and the maintenance of order. It was customary at that time for the Territorial legislature to provide a form of government and prescribe the powers of the officials for each town. This method afforded an opportunity to adapt municipal government to the peculiar needs or wishes of the local community. Such legislation had been adopted for Fort Madison and Burlington in 1838 and for Davenport and Muscatine in 1839. Accordingly, it is not strange that soon after Salem was settled its founders applied for a special char-



ter creating a town government for the regulation of local affairs.

The first suggestion of the incorporation of this new settlement appears in the *Journal* of the House of Representatives where, on December 24, 1839, William G. Coop, one of the Representatives of Henry and Jefferson counties, gave notice that "on to-morrow or some subsequent day" he would ask leave to introduce a bill "to incorporate the town of Salem, in the county of Henry". On December 28th, the bill was introduced in the House and read for the first time. A second reading occurred five days later, whereupon the House "resolved itself into a committee of the whole" to consider the bill. After amendments were suggested, the bill was recommended for passage. Without further difficulty the bill was adopted by both houses of the Legislative Assembly, and on January 14, 1840, the law was approved by Governor Robert Lucas.

After describing the boundaries of the town, the charter provided that it would be lawful "for the inhabitants" of Salem, "having the qualifications of electors," to meet at some convenient place on the first Monday of April, 1840, and annually thereafter, and "then and there proceed by plurality of votes to elect by ballot a president, recorder and three trustees". These men, it was



stipulated, should hold their offices for one year, and until their successors were elected and qualified.

In four Iowa municipalities already operating under special charters, suffrage was restricted to "free male inhabitants" having the "qualifications of electors", "free male citizens" who were "citizens of the United States", or "free white citizens over twenty-one years of age" who had resided in the community for a designated time. But in the Salem charter neither age, race, sex, nor term of residence was mentioned specifically. Suffrage was restricted only to inhabitants of the town "having the qualifications of electors". According to Territorial law, however, only free white male citizens of the United States who had resided in Iowa for six months were eligible to vote. Suffrage in Salem was therefore actually the same as in other towns.

The officers designated in the Salem charter were "a president, recorder and three trustees". This was similar to the provisions of the Fort Madison charter, where provision was made for the election of a president, recorder, and "five" trustees. It differed, however, from the Burlington charter which provided for a mayor and aldermen. A clause common to both types of town government also appeared in the Salem charter: any



three of the elective officers should constitute a board for the transaction of business.

It was the duty of the president to preside at all meetings of the town council, and the duty of the recorder to attend all meetings and keep a fair and accurate record of their proceedings. The president, recorder, and trustees were to constitute "a body corporate and politic, with perpetual succession, to be known and distinguished by the name of the president and trustees of the town of Salem". Moreover, they should have authority in law to acquire and hold property for the use of the town. They should have a common seal, which they might "alter at pleasure". They might sue or be sued, defend or be defended in court, and have such other duties and responsibilities as were then commonly given to corporate bodies.

The president and trustees were given power "to ordain and establish by-laws" and rules and regulations for the government of the town. They were also authorized to provide for the election of a treasurer, two assessors, a town marshal, and other subordinate officers who might be necessary "for the good government and well being of the town". Moreover, the president and trustees could authorize such fines and penalties as they might "deem proper" for the punishment of violations of local laws and ordinances. The charter



also enabled the president and trustees to grant all licenses for the retailing of "ardent spirits" within the limits of the corporation. The proceeds of such licenses were to be used for the "benefit of the town".

The law provided that the electors of the town, "in legal meeting assembled", should have power "by vote to direct the levy of taxes" of not to exceed one-half per cent on all real and personal estate within the limits of the corporation. The people might also vote to regulate and improve the lanes and alleys, and determine the width of sidewalks. But private property could not be taken for public use until the owner had been paid therefor, the value to be ascertained "by twelve disinterested free holders to be summoned by the marshal for that purpose."

For the purpose of enabling the president and trustees to carry into effect the provisions of this act, they were authorized to "lay a tax" annually on all real and personal property within the corporation. Such tax should not, however, exceed the sum voted by the people.

Aware of changing conditions on the frontier and the resulting need of flexible rules and regulations, the lawmakers stipulated that the charter might "be altered, amended, or repealed, by any future legislature of this territory or state."



It would be interesting to trace the actual political beginnings of Salem in detail. Where were the votes cast in the first election, who were the first officers, what ordinances were adopted, what taxes levied, what public improvements made? But alas, much of this information does not appear to have been preserved, records have been lost, and the memory of the oldest resident does not extend back to those early years. Possibly the charter was not put into effect. The names and activities of the pioneer presidents, recorders, and trustees of Salem can not be ascertained. Neither is it known what progress was made in the regulation of municipal affairs during those first years. But the town grew and prospered.

In February, 1840, the Burlington *Hawk-Eye & Patriot* referred to Salem as being "inhabited mostly by members of the Society of Friends" and as "a neat and thriving village". In April, the county commissioners of Henry County directed that township 70 north, range 7 west, and the west half of township 70 north, range 6 west should constitute a voting area "to be called Salem precinct", and that the election therein should be held at the town of Salem. In July of the same year, Paton Wilson, Peter Boyer, and Job C. Sweet were appointed judges of the election for Salem precinct.



In these records no reference is made to the village or town government as such. But John B. Newhall, writing in 1841 said: "Salem is an incorporated town, and contains several stores, one hotel, a postoffice, lyceum, primary school, and a large Friend's meeting house . . . a blacksmith, one wheelwright, one saddler, several carpenters, and numerous other mechanical branches, two physicians, and no lawyer."

Further evidence that the original charter was operative is found in the fact that in 1843 the act was amended. This amendment created a road district and changed the date of the town election to the second Monday in April. Moreover, it stipulated that the election should be conducted under the rules set forth in the original charter.

There is a legend, however, that the conduct of early municipal affairs in the little Quaker village was not entirely harmonious. Walter T. Shriner, who was born at Salem in 1849, and has spent the greater part of his ninety-one years in that community, tells interesting stories of those early days. He relates that D. W. Henderson operated a hotel at Salem and, although the town trustees saw the need of sidewalks, Mr. Henderson could not be induced to build adequate walks along his property.

A controversy ensued. Among other things



Henderson contended that the charter under which the town purported to operate was of no effect, and that the town trustees were without authority to act. Mr. Shriner further relates that eventually the trustees were convinced of the inadequacy of the charter. Meanwhile, two of the trustees had been authorized to take the town records to Mount Pleasant for a court hearing. In going overland with horse and cart they either accidentally or advertently lost the records in the Skunk River.

Whether this story is well founded, or only apocryphal, is not definitely known. At all events from the date of its establishment in the decade of the thirties to the time of the Civil War, Salem was known as a staunch Quaker settlement, a station on the underground railroad, and an educational center. Likewise in civic affairs there is evidence of pulsating influences. Under the original special charter a president, recorder, and trustees appear to have administered municipal affairs with varied degrees of success and failure until 1855. In that year a new charter was issued which provided for a mayor and council. Eventually Salem, like most Iowa municipalities, surrendered its special charter and has been governed for many years according to the general charter law.

J. A. SWISHER



## Palestine Settlement

One morning early in September of 1854, Nils Olsen Naes came to Lisbon, Illinois. Business brought him to this little Norwegian community. He was a book agent: Bibles and Biblical literature were his specialties.

Mr. Naes had only a meager amount of success in Lisbon. He found the residents of the community interested in his books, but financially unable to make purchases. Moreover, a mantle of gloom and uncertainty hung low over the immigrant settlement.

Many families had spent several years in Illinois. Others had only recently moved there from their native homes in Norway. All had come to America in the hope of obtaining cheap government land and establishing permanent homes in the new world. Upon arriving in Illinois, many of the immigrants were dismayed to learn that there was no more cheap land available. Some of them had succeeded in renting small farm places; others had to work for the more fortunate possessors of real estate. Most of them were unhappy. Fathers questioned the wisdom of their decision to leave the old homes; mothers shed silent tears as



they went about the work of making homes out of makeshift houses.

After he had been in Lisbon a short time, Naes learned the reasons for the feeling of despair so general in the community.

"If it's land you want", he said, "why don't you go to Iowa? I came from there not long ago and know there's plenty of land to be had at \$1.25 per acre."

This caused a great stir among the land-hungry Norwegians. They plied the Bible salesman with question after question. Yes, it was good land, he maintained, fine prairies with plenty of timber along the streams.

After obtaining as much information as they could from the itinerant book agent, the leaders of the community called a mass meeting. At this gathering the prospects of moving to Iowa were considered from every angle. It was finally agreed that the idea was worth further investigation. As a result, a committee composed of Osmund Sheldahl, Ole Fatland, Osmund Johnson, and Ole Aplanland was delegated to go to Iowa to survey the situation.

On September 25, 1854, the four men left Lisbon for central Iowa. About a month later they returned to report that they had secured tracts of land for the colony in Polk and Story counties.



It was good land, declared Sheldahl, fully as good as they had expected. The book agent had not deceived them.

Preparations for the migration to Iowa began at once, although it was not feasible to consider moving until spring. There was much to be done, but sturdy bodies were encouraged to great efforts by the rosy prospects that lay ahead. The men were engaged in setting their affairs in order and getting their property ready for the journey. Many wagons had to be constructed; others were in need of repairs. Coverings for the wagons had to be fashioned and horses feet made ready for the long arduous journey. The women and children worked with a new vigor at their tasks, which seemed to have new meaning. Toil and fatigue had a purpose. Spinning wheels and looms worked overtime that winter in the little Illinois community.

By May 16, 1855, the preparations were completed and the "word went forth that all those wishing to emigrate to Iowa should congregate at Holdeman's Prairie" west of Lisbon on the following day. On May 17th, the Norwegian national holiday, the loaded wagons rumbled away to the west.

One hundred and six persons made the journey. In this group were twenty-one families, five, young,



unattached men, and one widow. Twenty-four covered wagons and one spring wagon drawn by horses and oxen conveyed the party of pioneers to their new homes.

On June 7th they reached their destination, directly southeast of the present town of Huxley. During the course of that summer the men were busy building shelters for their families, and makeshift barns for their livestock. The construction work progressed rapidly. All members of the colony entered upon their tasks with the enthusiasm that only the prospects of home ownership can engender.

Encouraging reports filtered back to Lisbon and by the first of October another company of immigrants from Illinois had taken up their residence in the community, called Palestine, probably in reference to the Biblical "promised land" that flowed with milk and honey. This second contingent, like the children of Israel, encountered many hardships on their exodus. Cold, rainy weather ruined the roads and made wagon travel slow and uncomfortable. They were six weeks on the way. Many were sick. Gunder Madskaar died and was buried at Iowa Center.

A devotion among the people of the community to the Lutheranism of their fatherland and a sincere belief in the advantages of formal education



led to the organization of a church and, later, a school. In fact, before the first band left Lisbon in May, 1855, a church congregation had been organized. Each Sunday while they were traveling west, these God-fearing pioneers halted their wagons to participate in church services led by their pastor, Ole Anfinson.

The first meeting of the congregation held on Iowa soil was conducted in the center of a ring of covered wagons. Several Sundays later, Ole Fatland invited the group to his farm where a hay shed provided shelter for the meeting.

It was not until August, 1866, a year after the war, that the Palestine Church was finally completed. Plans had been laid for its construction in December, 1860, but the war caused an abrupt halt to be called to all such activity in the community. Throughout the years that followed, the Palestine Church became not only the religious but also the geographic and social center of the community.

Many of the families that moved from Lisbon to central Iowa had children of school age. It is not surprising, then, to note that very soon after their arrival the residents of the Palestine community organized a school. At first they were hampered by the lack of a building, but by the summer of 1857 a schoolhouse had been erected. Pop-



ular subscription of funds and coöperation in the actual work of construction made the project possible.

After the Civil War the community grew and prospered. By the turn of the century, it had become one of the principal settlements of Norwegian-Americans in central Iowa. All of which might not have happened had it not been for the wanderings of a loquacious book agent.

JAMES A. STORING



## The Osage Land Sale

Sharpers and speculators were as "plenty as flies about molasses casks" at the public land sales before the Civil War. After passage of the Pre-emption Act in 1841, land sales became a less common means for disposal of the public domain, but, according to a correspondent for the *New York Tribune*, the sale to be held in Osage, Mitchell County, in May, 1857, was expected to be "probably the last chance to purchase land in this part of Iowa" directly from the government. Consequently, "the rush is immense". Westbound stage-coaches from Lansing, McGregor, and other river towns, were filled to capacity by landseekers. Travelers arriving by steamboat frequently had to wait several days at these points, unless prior stage reservations had been made.

The correspondent did not attend the sale to buy land, "but to see the people," wherein he was "not at all disappointed." Osage, he reported, had less than a thousand "actual residents". On this occasion it was thronged by 2000 visitors. Five hundred were settlers from neighboring counties; 200 were lookers-on, while 1300 were speculators.



Before the sale commenced, the Register, from past experiences, urged all to maintain harmony and "advised that the *settler's rights* should be respected." All agreed to the sweet reasonableness thereof, but "were not agreed as to what those rights were" and much verbal sparring ensued. Obviously, rights of settlers who had "proved up", according to provisions of the law, were respected. But they demanded the opportunity to secure "an extra quarter section" at the regular government price of \$1.25 per acre. This they believed themselves entitled to because of the "hardships and sacrifices" they had endured. The speculators agreed to this on condition that the number of *bona fide* settlers be determined and declared, and, after they had secured their extra quarters, the other buyers should be given their chance. The sharpers realized that "an extra quarter section" could transform any one, except an admitted speculator, into an "actual settler" as if by magic! Unwilling to accept the counter proposition, the settlers "stood on their honor", offering to leave as soon as they secured their desired tracts.

Despite the disagreement, the sale began on the morning of May 7th. Speculators decided to bid up land beyond the means of settlers. The latter countered by appointing one bidder with instruc-



tions to overbid all rivals. Thus some land was forced up to \$140 per acre. Speculators were forced to pay dearly, with only one of them securing land at a low price of \$2.05 per acre, because of an oversight by the settlers' bidder.

While this strategy frustrated the speculators, the settlers did not purchase the land they bid up to twentieth-century figures. If a man failed to settle for land "knocked down" to him, he was not allowed to bid again. Payment had to be made for the land on the day of the sale. Unless this was done, the tract was again offered for sale the next day. This could be repeated for fourteen days after which the land again became subject to preëmption. This was exactly what the settlers, who appointed a different bidder daily, desired to accomplish. "The settlers say they prefer to go without their land, and thus leave it for preëmption [rather] than to have a speculator hold it and keep it unimproved," the *Tribune* correspondent wrote. The speculators maintained that this was not the proper civic attitude. They argued that if railways, highways, and public improvements were to be made at public expense, their land would be subject to taxation as well as that owned by settlers. The latter, however, did not want the land to remain untenanted, irrespective of taxes. Unoccupied speculators' land — how could that pro-



vide neighbors to visit, men to help "break roads" after a snow storm, or to exchange help in busy seasons?

Furthermore, if the land was bid up so high that speculators could not buy and settlers defaulted in payment, thereby causing it to revert to pre-emption, land entries could subsequently be made with warrants. At Osage, land warrants were selling at ninety-five cents, instead of \$1.25 par, in May, 1857. If a man did not have cash to purchase warrants at this discount, there were brokers present who offered to lend their warrants to pre-emptors at the same discount, while demanding forty per cent interest with the claim as security.

The settlers saw an advantage in such a transaction, but "gold men", who were present, did not like it. Their chances of lending at advantageous rates were thereby reduced. They were, therefore, "about resolving to unite and get up a bank and loan their gold for ten per cent less than the land-warrant men offer", the correspondent wrote. Some believed it would prove advantageous to borrow gold at the lower rates and then buy warrants at the discount figure. In either event, the correspondent observed, "a man unacquainted with the settlers will stand no chance to do as much, if anything, with them as moneyed men resident here."



All these factors collectively prevented the consummation of *bona fide* sales. The settlers continued to insist that they would withdraw only if permitted to secure the extra land they desired. Realizing that it was useless to oppose them, only one or two speculators continued to bid against them. These were told in no uncertain terms to cease and were threatened with violence if they persisted. Not to be outdone by threats, these resolute veterans of other land sales presented Colt's five-point western argument in their behalf and continued to "bid with their revolvers in hand."

Cooler heads realized that serious consequences might follow and the sale was adjourned on May 7th at "10 $\frac{1}{2}$  a. m." to devise a method of pacifying all concerned so the sale might continue. Speculators, whose resourcefulness had probably been fertilized by similar experiences on other occasions, promptly conferred. They suggested that a committee on ways and means of untying this Gordian knot should be appointed. It was agreed that each State represented by buyers was to have one member on the committee, "who got up resolutions."

The committee recommended that each settler be permitted to get his "extra quarter section". Whatever lands then remained were to pass by



default and a register of names, open to all except the settlers, was to be made. Thereupon, all whose names were registered should be allowed to select 320 acres, "the amount pitched on for each to have", according to a lottery scheme. Slips bearing the names of registrants were to be placed in one hat, while numbers were to be placed in another. Two persons were to be blindfolded to make drawings. As a person's name was drawn from one hat, he was to be assigned the number drawn simultaneously for him from the other, to determine the order in which he might select his land. This plan was accepted by settlers and speculators alike, except a few of the latter "who swore they would bid at any rate. But all agreed to take care of such men."

The sale was thereupon resumed at noon, although "I predict a failure for the plan, and that all the land will go by default for preëmptions", the *Tribune* correspondent commented. But the plan worked surprisingly well. The few men who had sworn they would bid became "afraid of the power of the majority, and after troubling a few minutes . . . concluded to keep still." The correspondent, thus forced to alter his opinion, wrote: "My prediction has thus far to-day failed to come to pass." Nor was he reluctant to admit his mistaken prognostication. "I am glad it is so, for



blood would probably have been shed with any other arrangement." It was prudence rather than principle which patterned these improvised amendments to the land laws.

Nor can it be denied that these prairie legislators were resourceful. They faced a real problem and solved it to their own satisfaction — and advantage. "As matters now stand, the number system will succeed, and speculators will get at least three hundred twenty acres for \$1.25 an acre. Private entries can be made for 320 acres," the correspondent stated.

He was not sympathetic toward the speculators or any scheme which enabled them to secure and hold vast areas of land. In his journeys over the prairies he saw land "wholly uncultivated for miles" merely held by speculators who were waiting to reap increments resulting from improvements made by the settlers. Neither did the settlers farm as well as in the East, he observed. Instead, they too were speculators, on a smaller scale, who bought all the land they could and relied on an advance in its value, rather than upon its cultivation, to make their money. No surplus commodities could be produced for market under such a system, he believed.

Accordingly, he suggested that it would be for the benefit, not only of Iowa, but the entire nation,



if the notorious system of land sales should be forever abolished. Instead he believed that it would be advantageous to "let any man who would go and live on the land and cultivate it for one or two years, have 160 acres at \$1.25 per acre, and give none to any one else at any price."

THOMAS E. TWEITO



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