

# THE PALIMPSEST

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## Walter Butler: Capitol Builder

Iowa City is one of the most historic towns in the Hawkeye State. Here convened five sessions of the Territorial Legislative Assembly and six sessions of the State General Assembly. Here three constitutional conventions were held — in 1844, in 1846, and in 1857. Here the Territorial and State Supreme Courts met for sixteen years, handing down decrees of momentous importance. Here the State University of Iowa was established by law in 1847; here the Republican Party was organized in 1856; here the State Historical Society of Iowa was founded in 1857. While most of these events transpired in stately Old Capitol, the first executive, legislative, and judicial measures and decrees in Iowa City were formulated in a modest two-story frame building known to contemporaries as Butler's Capitol. The story of Walter Butler and the territorial capitol he built in Iowa City is a colorful episode in Iowa history.

The backgrounds of this story are well worth



recording. Permanent settlement began in the Black Hawk Purchase on June 1, 1833. The Iowa District was attached to Michigan Territory in 1834, formed a part of Wisconsin Territory in 1836, and became the separate Territory of Iowa in 1838. The first public land surveys were begun in the Black Hawk Purchase in 1837 and the first land offices were established at Dubuque and Burlington in 1838. The first Territorial census showed 10,531 people in the Iowa District in 1836. This number had zoomed to 22,859 when the Territory of Iowa sprang into existence on July 4, 1838. The population had soared to 43,112 by 1840, compared to only 30,945 in Wisconsin. Eight newspapers had been established in the flourishing Mississippi towns by 1840: the first at Dubuque in 1836, at Burlington and Montrose in 1837, at Burlington, Davenport, and Fort Madison in 1838, and two at Bloomington (now Muscatine) in 1840.

Against this swift moving background must be painted the story of how Walter Butler built his Territorial capitol at Iowa City. On January 21, 1839, Governor Robert Lucas approved an act of the First Legislative Assembly to locate the seat of government of the Territory of Iowa upon unsurveyed lands of the United States in Johnson County. A joint session of the Assembly elected Chauncey Swan, John Ronalds, and Robert Ralston to serve as commissioners to locate the capital.



The site of Iowa City was selected by the capital commissioners on May 4, 1839. The first public sale of lots was held in Iowa City on the third Monday of August: at the end of three days 103 lots were sold for \$17,292.75. The highest sum paid for any one lot was \$750 — lot 6 in Block 79. The smallest amount paid was \$25 each for lots 5, 6, 7, and 8 in Block 52. On October 1st the second sale of lots began, and when it was concluded 106 lots were purchased — including three out-lots and six lots forfeited after the first sale. Since most of the desirable lots (those near the Capitol Square) had been sold in August, the October sale totaled only \$11,887. Out of the two sales Acting Commissioner Chauncey Swan reported to the Legislative Assembly he had received \$7,105 in cash and \$19,634.75 in notes.

Prominent among those who participated in the Iowa City land sale was Walter Butler. According to an abstract of sales of lots published in connection with the annual report of Territorial Agent Jesse Williams on December 12, 1841, Wm. Bostwick had purchased eighteen lots; Robert Lucas, twelve; Chauncey Swan, nine; Lyman Dillon, eight; E. M. Bissell, seven; Samuel H. McCrory, six; F. M. Irish, four; Wm. C. Massey, four; and Walter Butler, three.

Little is known about the early life of Walter Butler. Born in Tennessee in 1800, Butler emigrated to Illinois as a young man, where he re-



sided until 1839, when he brought his family to the newly located capital at Iowa City. In the few months of his residence he quickly became popular with his fellow-citizens. At the first public land sale of lots in Iowa City auctioneer E. C. Dougherty allowed Butler to purchase the site of his hotel, located on Lot 5 of Block 80, for \$300, which was the minimum price. Today, Shorts, Stephens, The Airliner, and Kenny's face the University campus on this site.

The records show that a year later, in 1840, Butler bought at private entry Lot 6 of Block 80 on the corner of Clinton and Washington next to his hotel for \$800. In order to do this, Butler transferred his rights to a quarter section of land on the northern outskirts of Iowa City to Walter Terrel on July 2, 1840. The following year he disposed of a "parcel" of land to A. I. Willis.

When word reached Iowa City that the Fourth Legislative Assembly would meet in the new capital during the winter of 1841-1842 if suitable quarters were furnished free, it caused much excitement in that bustling little town. Many other towns were anxious to secure this honor (twenty-seven were suggested in one day) and Burlington wanted to retain it until the new capitol was completed and ready for occupancy. As early as February, 1841, the Bloomington *Herald* declared:

The citizens of Iowa City have had numerous meetings with regard to building a suitable house for the purpose of



accommodating the Legislative Assembly during the next session. After the discussion and rejection of various plans, arrangements were finally made with Walter Butler Esq. to put up suitable buildings.

We wish our old friend Butler much speed and prosperity in his undertaking; but still a work of this kind ought to be taken hold of more generally by the people. It is a matter which concerns them all and they should all with one spirit step forward in the cause and lend their aid. Much credit is due the enterprise of the present undertaker. May he ever prosper.

It was a costly venture that Walter Butler undertook with no prospects of a financial return. Perhaps he hoped to reap some reward from Legislative use of his hotel which stood next to the capitol on Lot 5. At any rate, Butler flung himself into the task of erecting the two-story 30 ft. by 60 ft. frame building near the corner of Clinton and Washington on Block 6.

Other buildings were fairly mushrooming around Butler's Capitol. When Reverend W. W. Woods arrived in Iowa City during the summer of 1841 he was amazed at the activity. To the American Home Missionary Society, he wrote:

I am here in this new and flourishing city, as yet without house or home. I am truly in a strange land. No church going bells ring to call us to the house of God on the holy Sabbath day, nor is there yet a meeting-house or house for preaching in this place — though the Protestant Methodists will soon have one so far finished that they may use it. I never before felt so much the precious privilege of organized society; everything here is at loose ends,



unsettled and uncertain, except this one point, the multitude seem to have agreed to forget God. The Sabbath is spent in every possible way, by some in hunting, fishing, carousing; while others, wholly indifferent to such pastimes and pleasures, busily lay brick all the Sabbath day. There are others of a different stamp altogether, who are orderly go-to-meeting people. There are some of almost all different sects of religionists in the world here, and not a great many of any one kind.

The Butler Capitol, built of stout timbers "hand-hewed" in the forest and laboriously "rip-sawed" by hand, was completed in the fall of 1841. It stood ten feet back from the present-day Washington Street sidewalk and about thirty-six feet east of the Clinton Street sidewalk, on what is now the east end of Whetstone's and Hawkeye book store, and most of the Western Union.

When the Fourth Legislative Assembly adjourned, the Butler Capitol was used for a variety of purposes — for lectures and lyceum, for church and educational purposes, and for offices. Thus, the Baptists started using Butler's Capitol as a place of worship and Rev. A. R. Gardner, a Universalist minister, preached in both the Council Chamber and Hall of Representatives. Rev. James L. Thompson of the Methodist Episcopal Church spoke at both morning and "candlelight" services in the Council Chamber on May 8, 1842. In the years before streets were numbered, advertisers frequently referred to their location in relation to Old Butler Capitol.



While operating his hotel and housing the Fourth Legislative Assembly, Walter Butler was identified with numerous other activities. He was a member of the Johnson County Claim Association. He was elected Sheriff of Johnson County, an office he held with distinction. "A person of the name of Hodge," declared the *Iowa City Standard* of July 23, 1842, "was arrested on Monday last, at the forks, by Walter Butler Esq., on the charge of stealing Indian horses from this city."

Such devotion to duty led to Butler's reelection as Sheriff; he defeated his Whig opponent 287 to 242. Butler's victory caused the Whig newspaper of August 6, 1842, to declare: "Our candidate for Sheriff (Hess) may consider himself rather complimented than otherwise, by his defeat. A staunch Democrat assured us it was brought about solely by his good disposition! He was thought too mild a mannered man for the office, and thereby lost his election."

Walter Butler's good opinion was apparently solicited by professional men. When Dr. H. Murray advertised his professional service to the citizens of Iowa City he gave for references in his advertisement in the *Iowa Capitol Reporter* of December 4, 1841, the names of Chauncey Swan, Esq., Walter Butler, Esq., Col. S. C. Trowbridge, Col. Jesse Williams, and Henry Felkner, Esq.

Always a hospitable man, Butler's home was



frequently a meeting place to promote civic affairs. On June 18, 1842, the *Iowa City Standard* noted that leading citizens had met at the home of Walter Butler to work out plans for a Fourth of July celebration. The Governor, Supreme Court judges, and veterans of the American Revolution were invited to attend the celebration.

Residents of Johnson County were shocked when they read of Walter Butler's death on January 13, 1844. The *Iowa Capitol Reporter* of January 20th paid the 43-year-old pioneer high tribute:

Death under all circumstances is clothed in robes of sorrow and heartfelt regret. And particularly is it the case when the unfortunate victim has been as distinguished for the qualities which exalt and adorn humanity as the individual whose death we record above. . . . the memory of his many noble acts of benevolence, public spirit and charity, softened by the light of affection springing from the deepest recesses of the heart, haunts our imaginations with feelings of sadness and regret. . . .

Whenever a public enterprise was to be undertaken, he was found in the front rank of its friends, toiling efficiently for its accomplishment. — He has been called away in the prime of his useful life — loved, mourned and remembered by all who knew him. It should be, and it is to be hoped it will be a pleasing duty to us all, to make his large and distressed family the recipients of that debt of gratitude which all our citizens can but acknowledge, we owe to the worth and usefulness of our departed friend.

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