

THE PALIMPSEST

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The Election of 1842

When the question of creating the Territory of Iowa was debated in Congress during June of 1838, Representative Charles Shepard of North Carolina declared that "if the Territory of Iowa be now established, it will soon become a State". This prediction proved to be essentially true. Governor Lucas in a message to the Second Legislative Assembly suggested that the "advancing prosperity of the Territory" might encourage the lawmakers to sponsor Statehood. The growth of population and industry was not sufficient, however, to induce the legislature to take action during the 1839-1840 session because the prevailing sentiment of the Territory seemed to be that State government would bring an increased burden of taxation without an addition to the well-being or freedom of the pioneers.

During July, 1840, however, when the legislators met in a special session to consider reapportionment of the Legislative Assembly, the

Governor again pressed upon the lawmakers consideration of the Statehood question. This time a bill was approved authorizing the calling of a constitutional convention providing the Territorial electors approved. The measure, signed by Governor Lucas on July 31, 1840, left but a short time before the August elections for consideration of the convention proposition. As might have been expected, the old arguments, particularly the financial one, prevailed and 2907 persons wrote "No Convention" on their ballots while only 937 wrote "Convention". The resounding defeat of the Statehood proposal caused even Governor Lucas to conclude in his message to the Third Legislative Assembly that "all further legislation on the subject at the present session" is precluded.

At this time a change in the fortunes of national politics brought John Chambers to Iowa as Governor. In his first message to the Fourth Legislative Assembly, Governor Chambers again opened debate on the Statehood question. The message was sent to Butler's Capitol on Wednesday, December 8, 1841, where the Council and the House were meeting for the first time in Iowa City.

Among the subjects worthy of the lawmakers' attention, Governor Chambers felt that "of paramount importance" was "legislation necessary to

the ascertainment of the wishes of the people of the Territory" relative to the admission of Iowa into the Union "as one of the confederates, in the duties and obligations of the National Government." The Governor was aware of the judgment previously expressed by the people of the Territory. Nevertheless, the Chief Executive felt that the rapid populating of the Territory and the effect of the National Distribution Act might have produced a change of opinion. The Distribution Act provided that the States would share in the proceeds from the sale of public land and that each new State would receive 500,000 acres of land for internal improvements.

On December 21st, S. C. Hastings from the Committee on Territorial Affairs presented to the Council a bill "to provide for the formation of a Constitution and State Government". The day before James Grant had introduced a similar measure into the House of Representatives which, having been revised by the Committee on Territorial Affairs, was passed by the House on February 3rd. On February 11th, the Council gave its general approval but asked for certain modifications. After the measure was agreed upon, the Governor signed the proposition on February 16, 1842.

The act "to provide for the expression of the

opinion of the people of the Territory of Iowa, upon the subject of the formation of a State Constitution and Government, and to enable them to form a Constitution for the State of Iowa" contained a series of elaborate provisions. It was provided that the judges of elections at every precinct in the Territory at the next general election, on the first Monday in August, 1842, were "to interrogate the several qualified electors when they approach the polls to vote, whether they are in favor or against a Convention, to which interrogatory the said elector shall answer simply 'Convention,' or 'No Convention,' and the clerks of said election shall thereupon write down his name in a column headed 'Convention,' or 'No Convention,' in accordance with the vote of said elector." The returns were to be certified to the clerk of the board of county commissioners who was in turn required to make an abstract of the convention vote for his county. Within thirty days these returns were to be received and opened by the Secretary of the Territory in the presence of the Governor. Thereupon the Governor was authorized to issue a proclamation "declaring the number of votes given for and the number of votes given against a Convention."

The statute was particularly detailed in its provisions relating to the calling and meeting of the

constitutional convention provided that the proposition should be adopted. Eighty-two delegates were to be chosen in the following October. After their deliberations in November at Iowa City, the delegates were to see to it that the proposed constitution was published in the newspapers of the Territory. Nine months later, at the general election in August, 1843, the people were to accept or reject the constitution.

Quite naturally, the convention issue dominated local Iowa politics during the spring and summer of 1842. The Whigs, who were in the minority, opposed the proposition because they could neither dominate the convention nor elect an appreciable portion of the officers of the new government. In contrast, the Democrats favored Statehood because of the prospect of determining the character of the new government and of occupying a majority of offices.

The issue was hotly debated. On February 19th, the *Iowa City Standard* printed an undelivered speech by Francis Springer, a Whig member of the Council. Commenting upon the speech, which the editor said "was suppressed in the Council, through the application of the gag", the *Standard* declared that it would "tend to show to the People of this Territory, the chicanery and trickery of the Loco-Federalists in the Legislature,

to palm off upon the People, a measure fraught with so many objections, and coming in conflict with common sense and reason." This outburst was quite a change from the approval the *Standard* had expressed for the Governor's message. On December 11, 1841, the editor had written: "The views entertained by the Governor, of the course that the Legislature should pursue in providing for the admission of the Territory into the Union is the only legitimate and Democratic course, that could be pursued, and we trust and hope, that course may be adopted."

Springer's speech as printed in the *Standard* contained the following main viewpoints: the financial burden of becoming a State would be prohibitive; and the returns from the Distribution Act would be small recompense. After examining in detail these propositions, Springer concluded: "Are we slaves? is our liberty restricted? are we deprived of the rights, immunities and privileges of American citizens? Is the rod of oppression held over us by the General Government? Has that Government manifested its care towards us by sending persons to 'spy out our liberties, misrepresent our character, prey upon us and eat out our substance?' It is not pretended, there is not a murmur of the kind. We are in possession of the most enlarged liberty and the most liberal favor.

Then, why, urge this measure, uncalled for by the people, unwarranted by the condition of the Territory. Were we to pass it, there would be little hyperbole in saying,

The child that is unborn may rue
The decision of this day."

This Whig blast received no notice in the *Iowa Capitol Reporter*, the Democratic sheet. It was unusual for an editor of an opposing party to let such an opportunity pass. However, Editor Van Antwerp was out of the city and perhaps the *Reporter* subordinates did not feel motivated to reply. Indeed, the *Reporter* throughout the summer until almost election time concerned itself with the selection of legislators rather than the constitutional convention issue.

By 1842, party politics had developed to the point where the various Iowa counties were holding local conventions to nominate county officers. For example, on June 4th, the Whigs of Johnson County convened at the "temporary State house" (Butler's Capitol) and approved nominations for the following local offices: Territorial representative, sheriff, recorder, county commissioners, treasurer, justices of the peace, clerk of the commissioners court, coroner, assessor, and constables. Delegates were chosen to meet with representa-

tives from Muscatine County for the purpose of nominating a candidate for the Territorial Council. On Saturday, July 2nd, the Democrats of the county met and nominated a similar ticket. These political maneuverings concerned the local press until late in July when the State-government question again came to the front.

On July 23rd, the *Iowa Capitol Reporter* reprinted a broadside from the *Burlington Gazette*. Occupying the seven columns of the first page and five and a half columns of the last page, the article presented a review of the State-government question. The main thesis of the argument presented was stated as follows: "It may in truth be said, that the sooner the people of Iowa pass through the scene of confusion from a Territorial to a State government, the sooner they will be able to present to the world a civil organization worthy of the country in which they live." The writers or writer of the article (probably James Clarke) said that the issue had no connection with partisanship because Whig Governor Chambers as well as Democratic Governor Lucas had suggested the action. What reasons could be given for saying that action on the government issue in 1840 should be binding upon the people in 1842? The financial argument was likewise disposed of: a State government would make it possible for the people to

better keep their local expenses within their means. Some had argued that the expense of constructing the State House should not fall upon the people, but even this, argued the writer, was a false statement because past Federal appropriations and the sale of Iowa City lots would be sufficient for this purpose.

The article estimated that the costs of officering the new State government would be \$30,300. It was argued that the opponents of Statehood had overestimated its cost. For example, they had allowed \$1500 for the Governor's salary "when every man knows that \$1000 would be ample compensation". True, State taxes would be levied but at the same time local taxes would be reduced. Furthermore, the Distribution Act would contribute to the financial support of the State. Could any one doubt that the prosperity of Iowa would be enhanced with Statehood?

In reply to this verbose statement, the *Standard* commented: "All we have to say is, that if any body wants to pay more taxes, let them go for a Convention. For our part, we are content with the enormous County taxes to which we are subjected, and shall beg leave to decline the honor of adding a State one to them."

On Saturday, July 30th, the *Reporter* issued a one-page "Extra" on the election issue. In addi-

tion to the arguments previously advanced by the Democratic press, the editor pointed out that Statehood would make possible the establishment of a school fund, the improvement of the Des Moines River Rapids, and the right to help select the President and Vice President. Editor Ver Planck Van Antwerp concluded that Statehood, "we are glad to find, is every day gaining friends. Could a month more intervene before the election, and the matter be thoroughly discussed, we verily believe that it would be adopted by a vote of two to one."

Either the time element was important or the Democrats were over-enthusiastic because in the election on August 1st every county in the Territory returned a majority against the calling of a constitutional convention. The vote as reported in the *Iowa Standard* on September 10, 1842, with Delaware County missing, was as follows:

<i>County</i>	<i>Convention</i>	<i>No Convention</i>
Des Moines	540	902
Scott	167	349
Henry	299	613
Lee	663	705
Johnson	258	277
Cedar	165	199
Muscatine	206	287
Jones	—	124
Clinton	93	98

Linn	145	270
Washington	187	394
Louisa	223	309
Jackson	136	325
Dubuque	115	477
Clayton	39	107
Jefferson	340	542
Van Buren	553	847
	—	—
	4129	6825
Majority against a convention		2696

The vote on Statehood seems to have had little effect upon the election of members of the Legislative Assembly. In the Fourth Legislative Assembly, there had been seven Whigs and six Democrats in the Council and ten Whigs and sixteen Democrats in the House of Representatives. The calculations of John C. Parish summarized the 1842 election as giving the Whigs six seats, the Democrats six seats, and one undetermined in the Council, and sending twelve Whigs and fourteen Democrats to the House of Representatives. However, the Whig *Iowa Standard* soon after the election reported that seven Whigs and six Democrats had been elected to the Council, while twelve Democrats, twelve Whigs, and two Conservatives had been chosen to compose the House. Whether the editor of the *Iowa City Standard* was subject to wishful thinking or not,

it is clear that the election of 1842 marked a high tide for the Whigs in Iowa Territorial politics. Perhaps the Statehood issue was a reason for their success, but the defeat of the constitutional convention was ever so much more decisive than the victory of the candidates. Perhaps it was a mere reflection of national politics.

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