

# THE PALIMPSEST

EDITED BY JOHN ELY BRIGGS

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## A Capital in Name Only

It was in 1839 that the First Legislative Assembly of the Territory of Iowa, having in mind the rapid advance of settlement and the future development of the country west of the Mississippi, made provision for the establishment of the "permanent" seat of government at some point within Johnson County. On May 4th of that year, the capital commissioners stood upon an eminence overlooking the Iowa River. It was as though they were upon the stage of a mighty amphitheater. Behind them flowed the river, swift with the waters of April showers, while in the background rose the wooded hills, fragrant with the odor of springtime. To the east, nearly parallel to the river, lay a little valley through which ran a delectable brook. Entering from the east between the hills, it flowed forward down what might have seemed the center aisle, joined a tributary coming from the north, and turned off southward to seek

the river. A high, wooded ridge, sweeping in a majestic semicircle with a radius of about a mile, quite enclosed the valley, like the seats of a vast stadium. What a site for the capital of Iowa! The commissioners sought no further but drove a slab into the ground to mark the spot. There the Old Stone Capitol was built.

For sixteen years, from 1841 to 1857, Iowa City remained the capital of Iowa. That thriving town beheld fourteen sessions of the legislature and three constitutional conventions convene, accomplish their work, and adjourn. It witnessed also, during those sixteen years, a constant stream of settlers who came to push the frontier farther and farther toward the setting sun. Thus the center of population shifted westward, while the boundaries of the new State placed the geographical center of population somewhere in the vicinity of the Raccoon Forks of the Des Moines River. Perhaps it was natural that the question of relocating the capital should have arisen in each of the constitutional conventions and all but two sessions of the legislature held in Iowa City.

Not until 1847, however, in the First General Assembly of the State, did the forces in favor of capital removal succeed in making any appreciable progress toward the accomplishment of their object. At that time a memorial to Congress was adopted representing that "in view of the extended limits of the State, and the rapid increase of our population, the

public mind is beginning to look forward to an ultimate change in the location of our Seat of Government"; that the "selection of a new site, with a view to its permanent location, at as early a day as practicable is believed to be important"; and that an "additional grant of five sections of land, to be selected under the direction of the General Assembly" was desired. Nothing came of this memorial however. Perhaps it did not even reach Congress, for there is no reference to it in the records.

On February 2, 1847, Evan Jay of Henry County introduced in the Iowa Senate a bill to provide for the relocation of the seat of government and for the selection of the land granted by Congress on March 3, 1845, to aid in erecting public buildings. The bill passed the Senate on February 12th, but in the House of Representatives several attempts at amendment were made. Elijah Sells of Muscatine County proposed that after a new site for the capital had been selected the question of whether this new location or Iowa City should be the permanent seat of government should be decided by a vote of the people at a general election. This amendment having failed, Mr. Sells made a motion calling for the appointment of a select committee whose duty it should be to report three distinct sites from which the people should choose one as the permanent capital. Stewart Goodrell of Washington County submitted the proposition that Iowa City should remain the capital until 1858. Motions were also made to

locate the seat of government at Burlington and at Mount Pleasant, all of which failed. Finally, William E. Leffingwell of Clinton County, thoroughly exasperated with the persistence of the advocates of capital removal, moved to divert the appropriation of Congress of March 3, 1845 "from the purpose for which it was originally intended", and use it to build a "city in the Republic of the valley of the Desmoines." His sarcasm seems to have had no perceptible effect.

So imbued with the spirit of capital removal did one member of the First General Assembly become that he introduced a joint resolution to move the seat of government of the United States to the Raccoon Forks of the Des Moines River. The motion was tabled indefinitely, but the committee on agriculture took notice of the situation in reporting on a petition presented by numerous citizens of Iowa City and Johnson County who were exasperated by the perennial efforts to remove the capital, and begged "among other novelties, that the General Assembly permit the citizens of said county to enjoy reasonable health and abundant crops, together with other blessings denied them by nature and their own energies". When "your Committee take into consideration the growing importance of the country about the Raccoon Forks of the Desmoines river, and compare the same with the District of Columbia, they cannot refrain from expressing their belief that, although our Representatives may not be able to re-

move said Seat of Government 'immediately', the day is nevertheless not far distant, when this great object will have been accomplished, thus bringing the Seat of the Federal Government in juxtaposition with your petitioners; thereby affording them a more favorable opportunity to press their claims upon that august Body, the Congress of the United States."

The bitter fight ended at last in a compromise whereby the State University was to be located at Iowa City whenever the capital should be moved farther west. The strong argument for the central location of the capital finally prevailed, but the opposition was doubtless right in the contention that immediate removal was premature. It was asked in derision what the word permanent meant in Iowa legislation. In the case of the location of the capital at Iowa City it had meant about eight years. The Iowa City Standard regretted "exceedingly to see a premature agitation of the question of a permanent location of the Capital, and the University of Iowa. No good can result from it in our opinion. We have no doubt that the seat of government will some day be removed from Iowa City; and when the weight of population on the west shall require it, we shall have nothing to say against it. But Iowa City now occupies a central position to the population of the State, and will for a long time to come." It was believed in 1847 that "a very large portion of the country lying west of the Desmoines and its tributaries, is a

barren waste, destitute of timber, made up of lakes, marshes, and sand hills, incapable of being inhabited, so that the weight of population for a long time to come, at least, if not forever, must preponderate in favor of that portion of the State in the more immediate vicinity of the Mississippi river, which is now, and must always be by far the most important portion of the State of Iowa."

Another argument advanced to confound the friends of capital removal was to the effect that the five sections of land for the completion and erection of public buildings had been granted by Congress under the Constitution of 1844, which declared Iowa City to be the capital until 1865, and had been revived under the Constitution of 1846, which also declared Iowa City to be the seat of government. The land, it was asserted, was therefore intended to be used only for the benefit of the public buildings at Iowa City, and the grant was not in the nature of a trust fund to be reserved to erect buildings at a new seat of government. Consequently, if any use was to be made of this land it must be for the purpose of completing the public buildings at Iowa City; while the funds for buildings at a new seat of government would have to come as private donations, unless Congress could be prevailed upon to grant more land. These arguments seem to have had but little weight, however, being based on an exceedingly slender technicality of the act of Congress.

After the bill providing for the appointment of

commissioners to locate a new capital had actually become a law the people opposed to it consoled themselves with the thought that further legislation would be required to move the capital from Iowa City, for the location made by the commissioners would be only prospective. They believed that the matter of expense would deter the people from permitting the actual relocation of the seat of government for many years to come, since they would not be willing to tax themselves a hundred thousand dollars to erect another capitol building so soon. Citizens of Iowa City were appeased by the promise of the University, feeling "very thankful that we have made so good an exchange. We would greatly prefer the University to the seat of government; and we now regard real estate in this city, as worth fifty per cent more than it was before the meeting of the General Assembly."

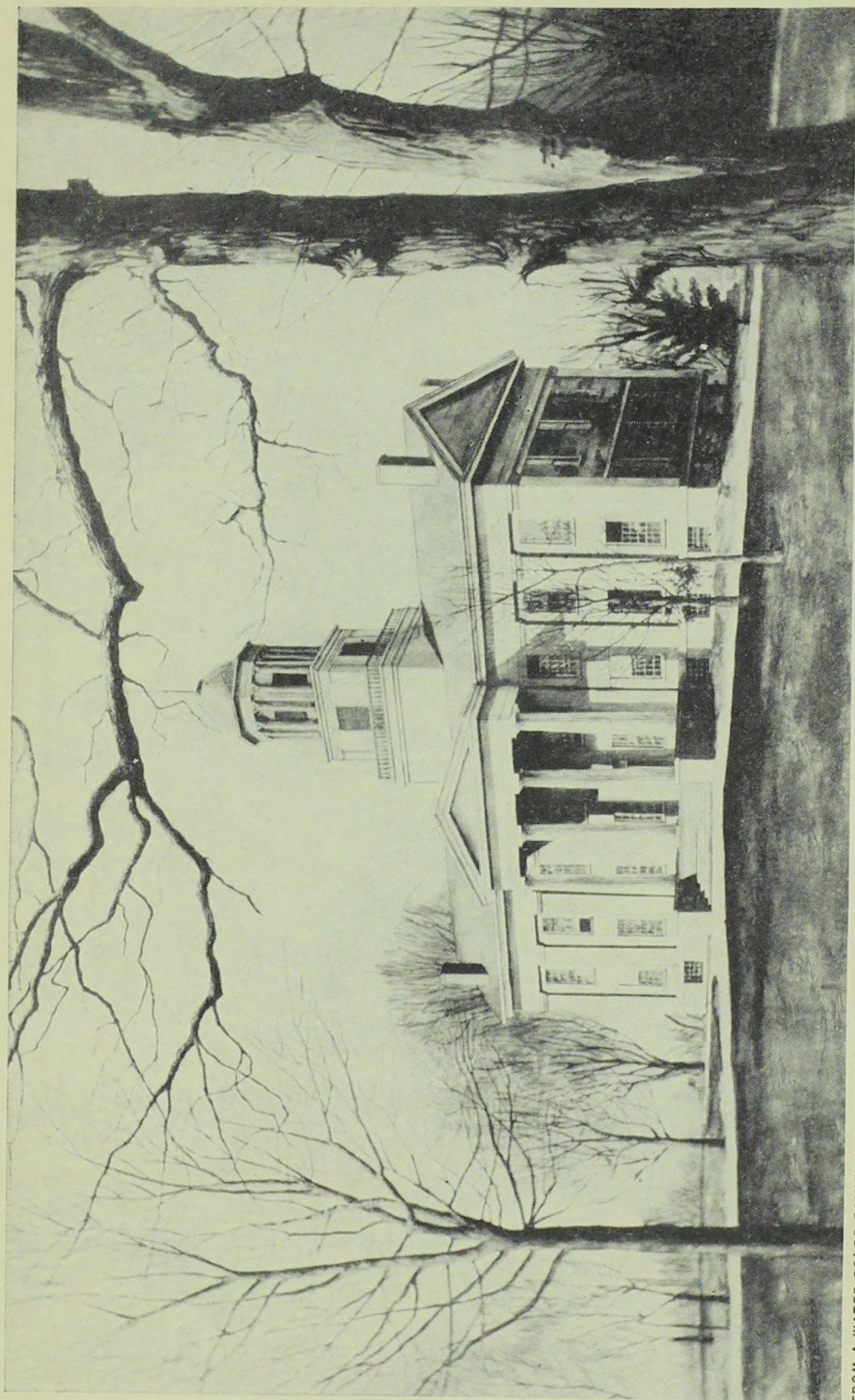
The act of February 22, 1847, appointed as commissioners John Brown of Lee County, Joseph D. Hoag of Henry County, and John Taylor of Jones County, who were to meet during May of that year, examine such parts of the State as were deemed suitable, select the amount of land appropriated by Congress, and locate the permanent seat of government "as near the geographical centre as, in the opinion of the commissioners, may be consistent with an eligible and healthy site, the general features of the surrounding country and the interest of the State generally." After selecting the land and locating

the capital, the commissioners were to have the town platted, causing a square to be laid off, containing not less than five acres, upon which to erect the capitol. Provision was made for a public sale of lots, the proceeds from which were to be used to defray expenses and erect public buildings. The commissioners were allowed three dollars a day and expenses for their services.

The public buildings at Iowa City and the ten acres of land on which they were situated were granted to the State University of Iowa, but the sessions of the General Assembly were to be held and the offices of the State officials were to remain there until otherwise provided for by law.

The commissioners met as directed and proceeded to examine some of the settled as well as unsettled parts of the State. Indeed, the entire summer and autumn were spent in the work, so that each of the commissioners was actually employed approximately one hundred and forty days, and thus their services alone cost the State over \$1250. First a thorough examination of the Des Moines Valley was made without a suitable location being found. In August it was reported that the commissioners were to explore the country along the upper part of the Iowa River, near the geographical center of the State. There was a rumor that if they met with no better success there, the whole project of capital removal might be again thrown before the General Assembly. Later, however, public opinion seems to have settled





FROM A WATER-COLOR PAINTING BY BERTHA M. H. SHAMBAUGH

THE OLD STONE CAPITOL

upon Oskaloosa and Tool's Point, as the places most likely to be chosen for the capital.

Adam Tool, in company with a few other pioneers, had made the first settlement in Jasper County, staking out his claim in Fairview Township. Mr. Tool's house, being large and on the trail from Oskaloosa to Fort Des Moines, soon earned the title of "Tool's Tavern". As the settlement grew a town was platted which was called Tool's Point. A few years later the name was changed to Monroe.

About the middle of September the site was agreed upon, consisting of sections four, five, eight, nine, the west half of section three, and the west half of section ten in township number seventy-eight, of range twenty west of the fifth principal meridian. It was described as "a point unrivaled in natural beauty", situated "on a beautiful prairie in Jasper County, between the Des Moines and Skunk rivers, about six miles from the former and five from the latter, in the most beautiful and fertile section of country in Iowa." Excellent timber extended to within a short distance on either side, while there was an abundance of stone and coal in the immediate vicinity. Monroe City, as the place was named by the commissioners, was some twenty-five miles east of the present city of Des Moines, thirty-three miles from Oskaloosa, and eighty-four miles west of Iowa City. It was about two miles southeast of the present town of Prairie City and four miles northwest of Monroe.

In August, 1847, five or six hundred Hollanders established a colony at Pella, about fifteen miles southeast of Monroe City. This event, in connection with the location of the new capital, led to a general rush of speculators to that region. It was said that the country for a considerable distance above Tool's Point was literally all staked off.

The sale of lots in Monroe City lasted six days, beginning on October 28, 1847, and four hundred and fifteen lots were sold at prices ranging all the way from one to three hundred and one dollars. The amount received from the first payment was \$1797.43 — a sum which lacked \$409.14 of being enough to pay the expenses and salaries of the commissioners. John Brown and Joseph D. Hoag, it seems, felt so much confidence in the new city that they invested heavily in lots and adjacent land; and thus they cherished dreams of even more ample remuneration for their services.

The capital city had not been located at the much-talked-of Raccoon Forks of the Des Moines River, neither was it within thirty-five miles of the geographical center of the State. Yet, aside from an opportunity for speculation, the action of the commissioners in choosing such a location caused little comment. Even the people in Iowa City felt "but little interest in this movement at present, being satisfied that the legislature will not remove the seat of government from this place, until the population shall have so increased in the west as to render it an

act of justice to do so." Every one seemed content to hope that the act for relocating the capital passed by the First General Assembly in 1847 would be repealed at the following session.

In January, 1848, an extra session of the First General Assembly was called, chiefly for the purpose of revising the school laws and electing United States Senators. Immediately, however, one hundred and twenty-two citizens of the State seized the opportunity to encourage the repeal of the law of the previous session providing for the relocation of the capital. A bill to that effect was introduced in the Senate on January 22nd and passed that body two days later, but failed to come to a vote in the House of Representatives. A resolution instructing the committee on county and township organization to inquire into the expediency of accepting Monroe City as the location for the new capital was tabled. The report of the commissioners was submitted to the Senate.

The Second General Assembly had been in session only eight days when a resolution to investigate the propriety of vacating Monroe City was adopted by the Senate. At the request of the House of Representatives the Governor transmitted the report of the Monroe City commissioners to that body on December 15, 1848. After being read the report was referred to a select committee with instructions to report "how much of said city of Monroe was under water and how much was burned up." On the

eighteenth of December, Joseph F. Harrison, the Representative from Muscatine, Johnson, and Iowa counties and a member of the select committee, introduced a bill to repeal the act of the First General Assembly providing for the relocation of the seat of government. L. W. Babbitt, representing Marion, Polk, Dallas, and Jasper counties, wanted to amend the bill so as to locate the capital at Fort Des Moines, provided the citizens of Polk County should refund to the purchasers of lots in Monroe City all money paid thereon. When this amendment failed Babbitt suggested that the citizens of Iowa City refund the money paid by owners of lots in Monroe City if they wished to retain the capital. The bill finally passed the House unaltered, but the Senate substituted another plan which was agreed to by the House of Representatives.

By the terms of this law the Treasurer of the State was instructed to refund all money paid by purchasers of lots in Monroe City, except to the commissioners who had invested there, and the site of the proposed future capital of Iowa was declared vacated, being relegated once more to the rattlesnakes, gophers, and prairie dogs.

John Taylor, who had purchased no lots in Monroe City, was allowed the balance of his salary, \$204.40, by the Second General Assembly, but John Brown and Joseph D. Hoag experienced much difficulty, not only in securing reimbursement of the money spent in purchasing lots, but in securing their

salaries as commissioners. Time and time again they petitioned the General Assembly without success. That body took the attitude that they had been governed more by private considerations than by a determination to advance the interests of the State, and that therefore they deserved no relief. Finally, in 1855, the Fifth General Assembly allowed John Brown the sum of \$292.70 as payment in full for his services as a commissioner to locate the seat of government and as a return of all money paid by him for lots at Monroe City. On his part he was to relinquish to the State all claim to the lots he had purchased. Joseph D. Hoag, however, was less fortunate. Until 1860 he continued to petition one house or the other of the General Assembly. The committee on claims in the House of Representatives of the Eighth General Assembly (1860) reported favorably on his claim and recommended the passage of a bill allowing him the balance of his salary, the \$80.15 he had invested in Monroe City lots, and interest at six per cent on the whole amount from the time the report of the commissioners had been filed in 1847. The bill was tabled, however, and Hoag, discouraged in his long and futile efforts, seems to have given up in despair.

Capital removal did not subside with the Monroe City fiasco. Successive General Assemblies continued to be showered with petitions signed by thousands of citizens anxious to have the State capital located at some place which would be to their per-

sonal advantage. Various towns like Mount Pleasant, Oskaloosa, Pella, and Fort Des Moines seized every opportunity of pressing their claims to be selected as the seat of government. Numerous bills and resolutions on the subject were considered by the legislature, while special and standing committees made exhaustive reports. Still Iowa City remained the capital.

Gradually, however, public opinion seemed to be drifting toward Fort Des Moines at the Raccoon Forks as the logical location for the capital of the State. It was not surprising, therefore, that the Fifth General Assembly succumbed to popular demand and the powerful Des Moines lobby. In 1855 a bill was passed relocating the capital within two miles of the juncture of the Des Moines and Raccoon rivers. While a temporary capitol was being erected, sessions of the General Assembly continued to be held and the State officers retained their offices in the Old Stone Capitol at Iowa City. All efforts to have this law repealed or modified were unavailing, and the question was finally settled by the Constitutional Convention of 1857. "The seat of Government", declares the Constitution of Iowa, "is hereby permanently established, as now fixed by law, at the City of Des Moines, in the County of Polk; and the State University at Iowa City, in the County of Johnson."

JOHN ELY BRIGGS