



# Territory and Statehood of Iowa

Grade Level

5

Class Periods

2-3

## Goals/Objectives/Student Outcomes:

- Students will:
- Understand the steps to be followed in creating a district, a territory, and eventually a state.
- Recognize the different areas of which Iowa has been a part.
- Recognize the three capitals of Iowa and the importance of each.
- Be able to identify key people in the development of the state of Iowa.

## Materials:

1. Two attached pages of background
2. Student Activities—two attached worksheet pages
3. U.S. maps for each student, in atlas or social studies text

## Background:

After the Revolutionary War, the new United States had only thirteen states. Between these eastern states and the Mississippi River the land was controlled by the national government. The government established a process so that regions could become states.

First a region would be designated a district, with a governor appointed by the president and the army keeping order. As more settlers arrived, the district became a territory. A territory also had a governor appointed by the president, but in addition it had an elected legislature to make its laws. No territory, however, could have a representative in Congress. When more people moved in, the territory could become a state, elect its own governor and legislature, and send representatives to Congress in Washington, D.C. Iowa went through all these steps to reach statehood.

In 1803, President Thomas Jefferson arranged for the purchase from France of enough land west of the Mississippi River to double the size of the United States. The land was home to Native Americans and a few explorers. Iowa was a part of the Louisiana Purchase.

In 1834, Iowa became part of the Michigan Territory, which included what is today Michigan, Wisconsin, Iowa, Minnesota, and parts of the North and South Dakota. When Michigan withdrew to become a state in 1836, the remaining area was called the Wisconsin Territory.

Feeling that the Mississippi River separated them from the others in the Wisconsin Territory, settlers met on September 16, 1837 at Burlington, Iowa to organize themselves into a territorial convention. The United States Congress was petitioned to divide the Wisconsin Territory and allow the 25,000 people living west of the Mississippi River to become the Iowa Territory.

On February 6, 1838 Congress voted to establish the Iowa Territory, effective July 4th. President Martin Van Buren appointed Robert Lucas, a former governor of Ohio, as the new governor for a term of three years.

Governor Lucas visited several towns along the Mississippi River before choosing Burlington as the capital of the new territory. Elections were held for the two-part legislature. The Council had 13 members with two-year terms, and the House of Representatives had 26 members serving one-year terms.

The legislature first met at the Old Zion Methodist Church. Since settlers were moving west of the Mississippi, it quickly was decided to move the territorial capital to Johnson County and to call the new site "Iowa City." In 1839 the governor appointed a committee that included Chauncy Swan to determine the exact location for the new capital. By 1842 a graceful capitol building housed the territorial legislature near the Iowa River in Johnson County.

Two years later Iowans voted to begin taking steps toward statehood. A state constitution, or set of laws and plan of government, was drawn up. One law stated that any white male citizen over the age of twenty-one could vote. Women and African Americans were excluded. Boundary lines were drawn, extending Iowa as far north as present-day Minneapolis, Minnesota.

When sent to Congress in Washington D.C., the Iowa constitution was readily approved, but the boundary lines were not. Some U.S. congressmen did not want Iowa extending as far west as the Missouri River. Eventually, compromise was reached, and on December 28, 1846 President James Polk signed the law making Iowa—now home to more than 96,000 people—the twenty-ninth state of the United States.

Within four years, Iowa's population had doubled, to 192,000 citizens. By 1856 the state boasted 518,000 residents, many of whom lived far west of the capital city. In 1857 delegates met in Iowa City to write a new constitution. One of the major changes was the decision to move the capital farther west again to make it more accessible to its citizens. Des Moines was chosen as the site.

## Procedure:

1. Together the teacher and students read and discuss the first paragraph of attached information.
2. Together, read and discuss the remaining four paragraphs. Use territory maps to review size of territories and today's states.
3. Ask students to shade territories and label present-day states using "Iowa's Territories" map and an atlas map.
4. Together, read second information page and discuss Iowa's three capitals and why there was a need for the first two to be moved. Discuss what Iowa might be like today if any of the other boundary suggestions had been chosen. Ask why Missourians might have preferred the Brown line. See *The Goldfinch*, Spring 1976, "State Capitols."
5. Ask students to complete the three sections of the page on Iowa's capitals, faces, and early population.
6. Show and discuss *The Path to Statehood* video from the Iowa Heritage Series.

## Assessment of Outcomes:

The student worksheet page on Iowa's capitals, faces, and early population can be used for assessment.

## Extensions and Adaptations:

Ask students to debate "Should the Iowa Territory become a state?" Have them prepare by reading *The Goldfinch*, Spring 1976, pp. 24-25.

Initiate a discussion about border disputes. Have them prepare by reading "The Shape of the State," *The Goldfinch* 4 (February 1983). See discussion questions on back cover of the issue.

Discuss what constitutions are and why states need constitutions. (See *The Goldfinch* 8 (February 1987): 6 and Spring 1976, page 2.)

## Resources:

*The Path to Statehood*. Video, Iowa Heritage Series, Iowa Public Television.

Donald Fett, Patrick Fett, Mildred Bidlack, Michelle Moore, and Thomas Ferguson. "Iowa: A History for Iowa City" (local curriculum), 1983.

William Houlette. *Iowa, The Pioneer Heritage*. Des Moines: Wallace-Homestead, 1970.

Dorothy Schwieder, Thomas Morain, and Lynn Nielsen. *Iowa, Past and Present*. Ames: Iowa State University Press, 1989.

Wall, Joseph Frazier. *Iowa, A History*. New York: Norton, 1978.

"The Iowa Territory's 150th Birthday." *The Goldfinch* 9 (September 1987).

"Constitutional Issues and Iowa." *The Goldfinch* 8 (February 1987): 6.

"The Shape of the State." *The Goldfinch* 5 (February 1983).

"Government for Iowa." *The Goldfinch*, Spring 1976.

## Field trips:

Old Capitol, Iowa City

Current Iowa State Capitol, Des Moines

Old Zion Methodist Church, Burlington

## IT TAKES MONEY TO MAKE MONEY

Directions: Look at the daily wages listed below and the prices for farm equipment. Then answer the questions.

### WAGES

Stone-cutter	1.25-2.00/day
Wheelwright	1.25-1.50/day
Carpenters	
& joiners	1.25-1.50/day
Day laborer	.75-1.00/day

### COSTS

Land	1.25/acre	Poultry	1.00
Plow	8.00	Young pig	2.00
Scythe/pitchfork/rake	3.50	Sow with young	6.00
Milch cow	10.00	Double log cabin	70.00
Sheep	1.50	Farm wagon	80.00
Horse	60.00	Reaper	120.00

■ Your neighbor owns a reaper and will cut wheat for .50/acre.....

1. Imagine you decide to move to Iowa to start farming. What will you need to buy?
  - Total cost \_\_\_\_\_
  - How many working days does this represent for:
 

a stonecutter _____	a wheelwright _____
a joiner _____	a day laborer _____
  
2. You have already purchased your land and have \$75.00 left to purchases items for the farm. What will you buy?
  
3. How many days does a laborer working for 75¢/day work to purchase a horse? \_\_\_\_\_
  
4. A quarter section of land is 160 acres. If land is \$1.25/acre, how much will a quarter section cost? \_\_\_\_\_
  
5. How much will you spend to purchase a horse, a plow, a scythe, 10 sheep, and a sow with young? \_\_\_\_\_
  
6. If a stone-cutter makes \$1.25/day, how many days does he have to work to purchase a log cabin? \_\_\_\_\_
  
7. How many days does a wheelwright making \$1.50/day work to purchase a horse, a cow, 10 sheep, 16 chickens, and 5 young pigs? \_\_\_\_\_
  
8. How many acres of wheat must be harvested at 50¢/acre to make the purchase price of a reaper? \_\_\_\_\_
  
9. Using the above answer, if the average farmer plants 40 acres, how many farms does the reaper owner need to harvest? \_\_\_\_\_

## Boundaries for Iowa

How did Iowa come to have the shape it has today? Before 1846 there was no state of Iowa and there were no boundaries for the state. Before Europeans came to North America, the boundaries for states and nations as we know them today did not exist. The native Indian groups living in North America had not made maps of the land on which they lived. Most tribal groups thought in terms of large land areas.

They knew where their region began and ended but they did not feel that they owned it.

Europeans were used to thinking about land as something to be owned. They drew boundary lines on maps to show what land belonged to which nation. They also drew more lines on the maps to show the land owned by each person.

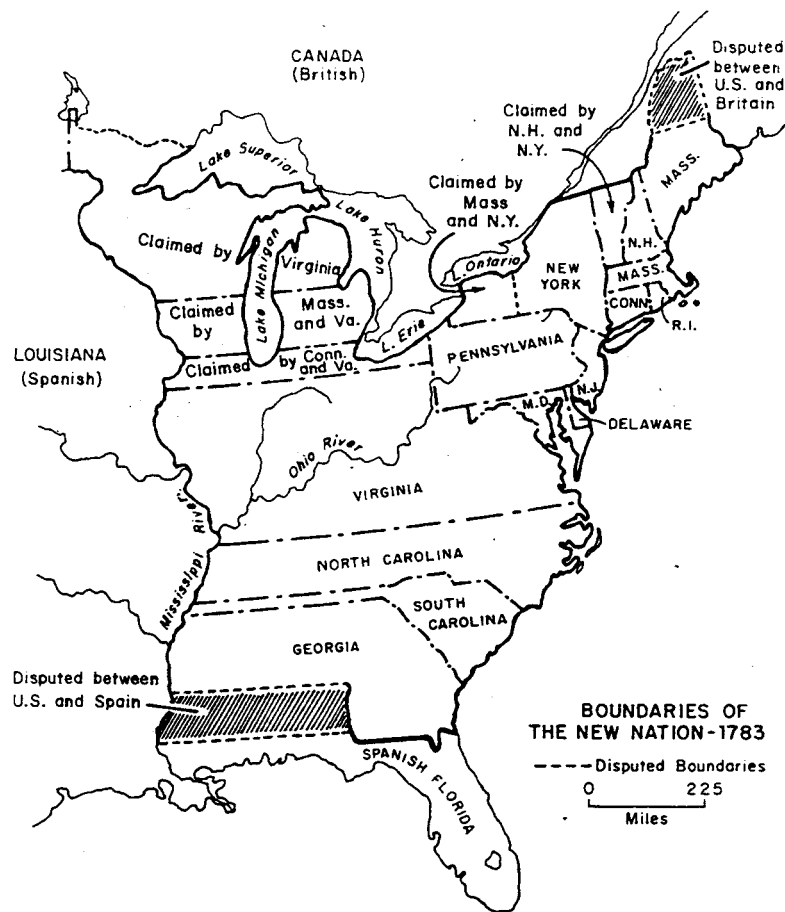
After the American Revolution, the thirteen separate

colonies became the thirteen United States. Seven of these states claimed that they owned land stretching westward all the way to the Mississippi River. Much of this land was unsettled west of the Appalachian Mountains. After much debate and some argument, the boundaries for all those states were decided. Most of the western land became the property of the federal government, and was called territory. The government planned to remove the Indians who lived on this land and sell it to the pioneer settlers. Eventually more states could be created from the area.

By 1837, sixty years after the Revolution had ended, thirteen new states had been added to the Union. The only territory that remained east of the Mississippi River that had not gained statehood was in Wisconsin and Florida. By that time, the United States government and its citizens had already begun to look to the land west of the Mississippi River for future development.



*This physical map of North America shows how the continent looks without political boundaries.*



The land west of the Mississippi River had been purchased from France in 1803. Called the Louisiana Purchase, it almost doubled the size of the nation. By 1837 three states had already been formed from that great region — Louisiana, Arkansas, and Missouri. In addition, large sections of land had been opened for settlement just north of Missouri, in the future Iowa Territory. Congress wanted more detailed and accurate information about this area that was so rapidly being filled with new settlers. To gather this information, the United States hired Joseph Nicolas Nicollet. Leading a large group, he explored the land between the upper Mississippi River and

the upper Missouri River in order to prepare a map of the region. Between 1836 and 1840 he traveled through forests and prairies, carefully recording the rivers, streams, hills, valleys, and **plateaus** which he found. Earlier explorers had made good maps, but Nicollet's scientific skill and improved scientific instruments provided a more accurate map than the earlier ones.

Nicollet knew that it would not be long before the people of Iowa Territory would ask to become a state, so he included suggestions for future state boundaries in his report to

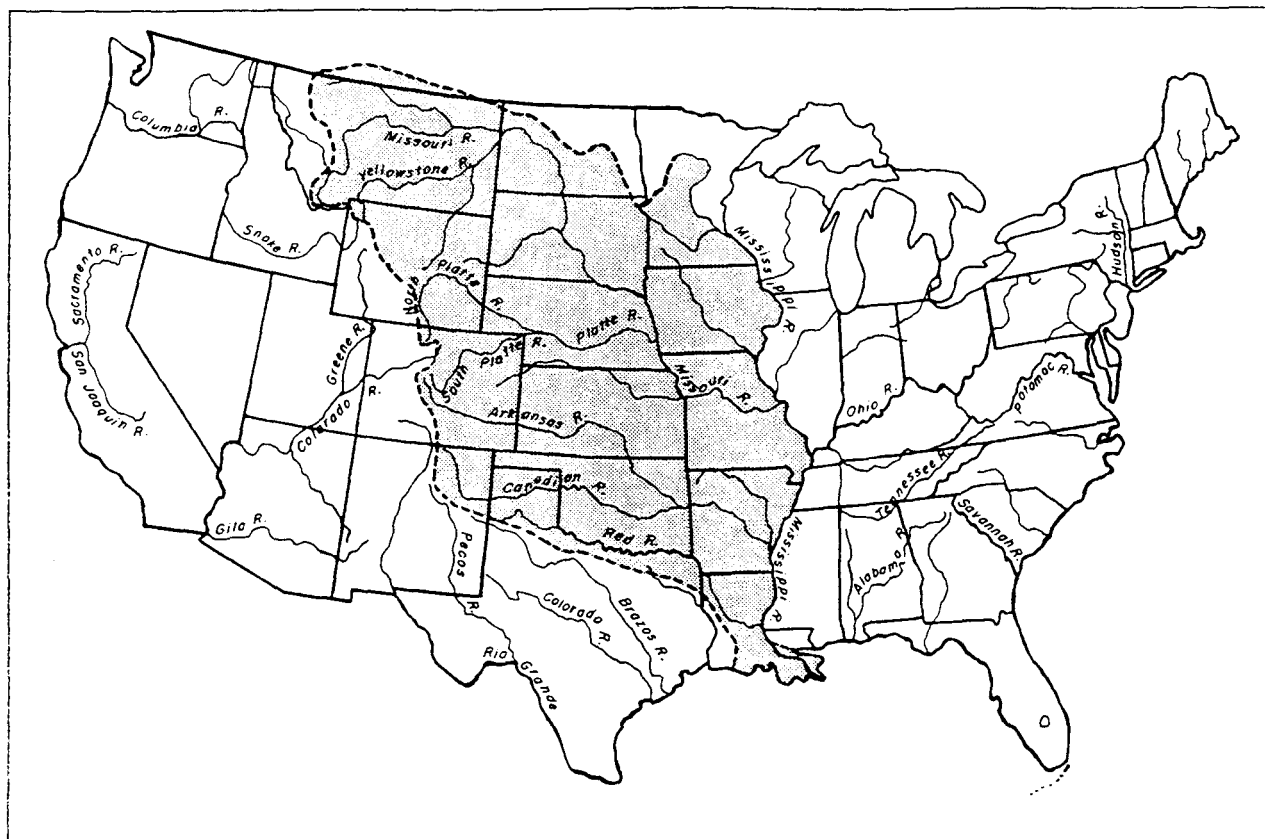
**plateau n.** — a region that is mostly flat, high land.

Congress. His map was published in 1843 — only one year before the Iowa Legislative Assembly applied for statehood. The recommendations in his report later caused boundary disputes between the people of the Territory and Congress.

The Territory's rich and fertile soil attracted many settlers and Iowa filled rapidly with newcomers. By 1844, 75,000 people lived in the Territory. Many of these people thought it was time for statehood. They wanted to have full control over their own government — to be able to vote for President and choose Senators and Representatives to Congress.

They wrote a constitution, selected boundaries for a state and sent their request for statehood to the United States Congress. The boundaries they chose were based on the recommendations of Robert Lucas, Iowa's first territorial governor. The boundaries followed the rivers of the region: on the east the Mississippi River; on the west the Missouri River; and to the north the St. Peter's (now the Minnesota) River. The southern boundary between Iowa and Missouri was already waiting to be settled in the courts. However, Iowa's boundary request ran into trouble. Much of the trouble had to do with free states and slave states.

For many years Congress had tried to keep an even number of slave states and free states. This meant there would be equal representation for each side in the United States Senate. States were created by Congress in pairs, one from the North and one from the South. Northern members of Congress wanted to create as many free states as



THE LOUISIANA PURCHASE

they could out of the remaining Louisiana Territory in which Iowa was located. They looked at Joseph Nicollet's report and saw his recommendations for state lines based on the **topography** of the area. He suggested a boundary line on the **94°30' meridian** which was close to the natural **watershed** between the Mississippi and Missouri Rivers. Nicollet thought of the upper midwest as a region divided into smaller areas by ridges, rivers and plateaus. He also thought

**topography n.** — the natural and man-made surface features of a given area of land, such as mountains, valleys, lakes, rivers, and roads.

° — the symbol for degree.

' — the symbol for minutes.

state boundary lines might be based on the products each area might produce, and on the transportation of these products to good markets. His plan even included a strong trading link with British North America (now Canada) by way of the Red River in present-day Minnesota.

Nicollet's vision of state boundaries for Iowa was not accepted by the settlers. The writers of the proposed Iowa constitution and boundary plan thought of Iowa as a great

**meridian n.** — lines on a map representing either half of the circle that passes through the north and south poles.

**watershed n.** — the land area from which water drains into a river system.

agricultural state lying between two mighty rivers. They even wanted to include the rich valley of the St. Peter's (Minnesota) River. Because rivers provided the best transportation for agricultural products, Iowans argued that the state's boundaries should include both rivers so that farmers could easily sell their crops. The people felt the state should not be used to balance the power between the Northern free states and the Southern slave states. In 1844 the Iowa voters refused to accept the constitution with the Nicollet boundaries.

Finally, Iowans accepted a compromise agreeing to the boundaries that we know today. Iowa became the 29th state on December 28, 1846.



JOSEPH NICOLAS NICOLLET

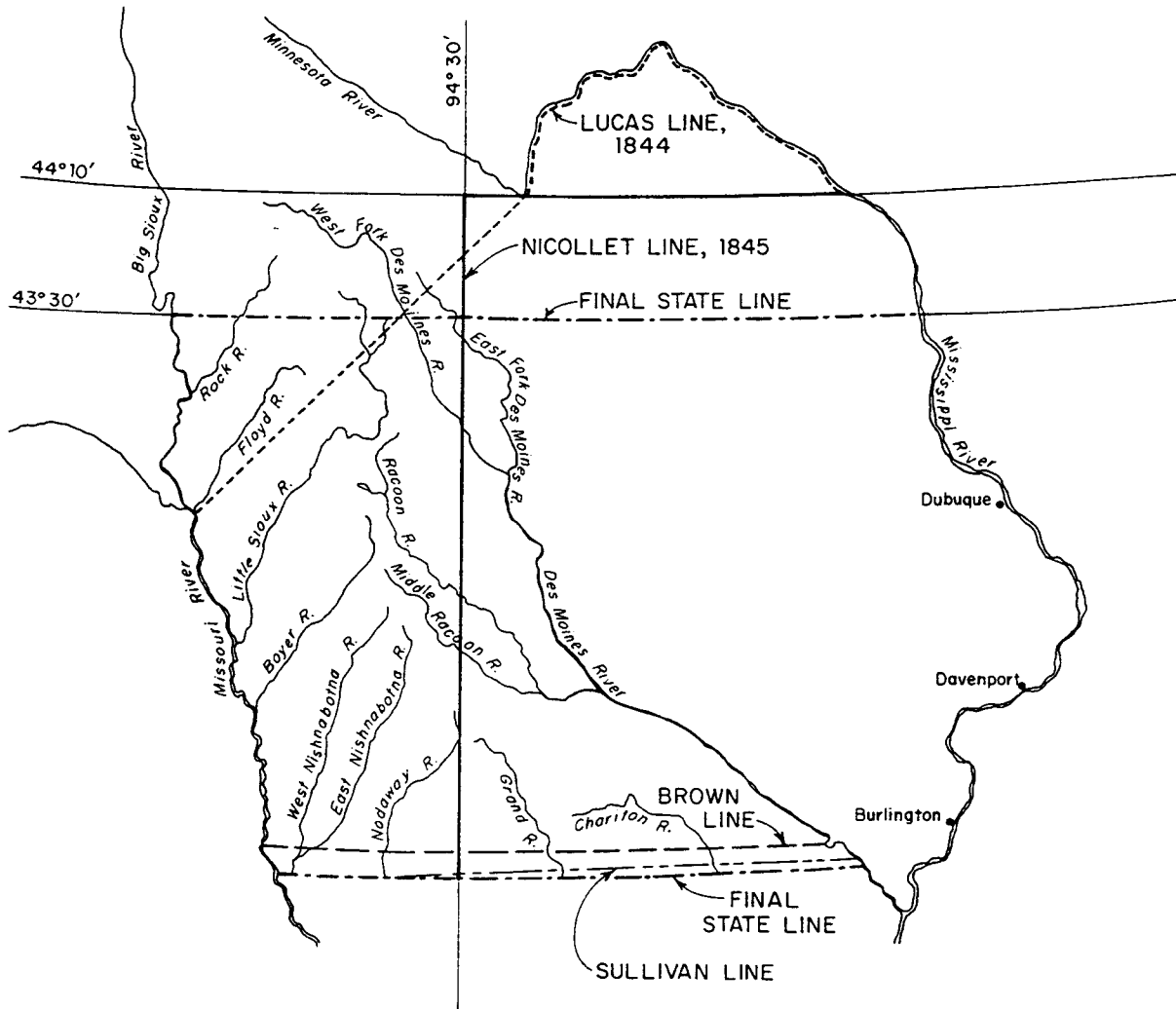
But I may remark, in the first place, that two states may be formed west of the trans-Mississippian states of Arkansas and Missouri; and then, by taking about equal portions of each side of the Missouri River, embracing the mouth of the Platte River, we have a third state, with a good and well-watered soil. This latter division would still leave sufficient space for the state of Iowa, by extending it as far north as the St. Peter's. Now, north of the two last-mentioned states might be formed another, embracing all the remaining tributaries of the

Mississippi on its west side, as well as those of the Red River of the North, and as far north as to the British possessions.

Thus it appears, that, by a judicious division of the remaining country along the borders, taking in a small portion of the more barren region beyond it, there is sufficient space for five new states of large size, compact in their forms, and having a good portion of fertile soil; most of them possessing convenient navigable streams, with a fair prospect of mineral resources.

*Report to Congress, 1841*

### Iowa, Changing Boundaries · 1838-1846



# The Western Boundary

Most of the western boundary between Iowa and Nebraska is defined as "the middle of the main channel of the Missouri River." North of Sioux City, where the Missouri flows from the west, another river forms the western boundary. This is the Big Sioux River which flows between Iowa and South Dakota.

Locating "the middle of the main channel" of the Missouri River has been a big problem. This is because the "Mighty Mo," as some people call it, has changed its course many times.

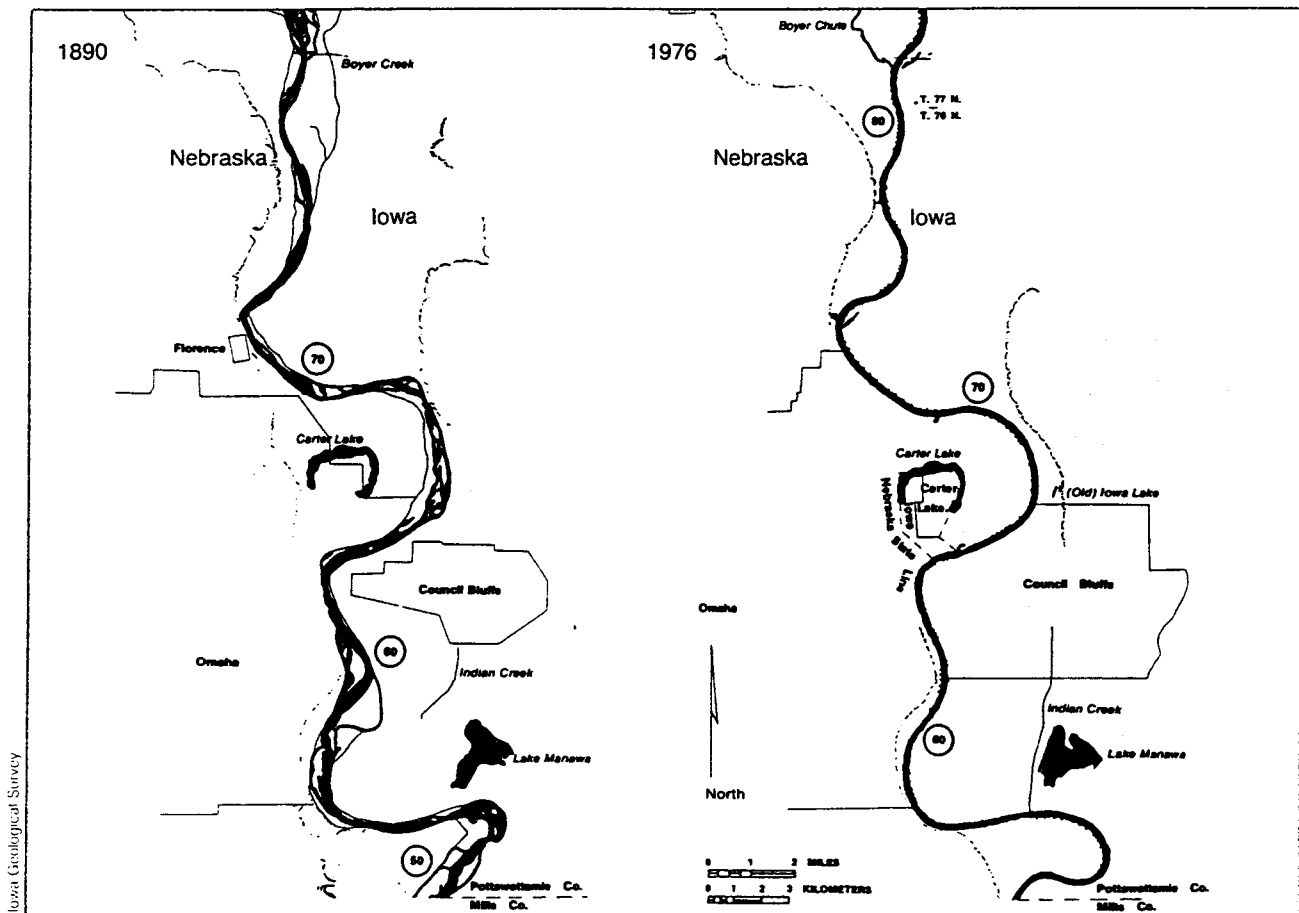
The Missouri River was once made of many small streams

woven into and out of the main channel, much like braided hair. When spring arrived, ice would block some parts of the river. Unfrozen free streams poured water on top of this ice. Because the river banks could not hold all the extra water, it spilled over the banks, flooding towns and farms. Other times, chunks of ice blocked the channel and forced the river to cut a new channel.

Sometimes, huge pieces of land were cut off by sudden changes in direction of the powerful river current. Only the river moved, of course. The land stayed put. Some of these pieces of land became islands. If

the river moved a great distance, land near the river could become part of the opposite state. This is what happened to the land on which the small Iowa town of Carter Lake is located.

Carter Lake, a town of 3,500 people is very unusual — it is the only Iowa town which sits entirely on the Nebraska side of the Missouri River. There is no way to get to Carter Lake, Iowa, without first going into Nebraska! This was not always true. Carter Lake had been on the east side of the Missouri, just like Council Bluffs is today. It was clearly inside the Iowa boundary. In the late 1800s, there was a quick



Two maps of the Missouri River as it flows past Pottawattami County. The 1890 map shows the river as it used to be, with many channels and islands. The 1976 map shows the river after the channel was controlled. Carter Lake was once a horseshoe bend of the river. The boundary lines for the town of Carter Lake closely follow the old course of the river.



change in the course of the river. The Missouri River channel shifted 12 miles eastward. This left Carter Lake on the west side of the river — the Nebraska side. Both Iowa and Nebraska claimed this land.

In 1892, the United States Supreme Court ruled that the area was still part of Iowa. Even so, there has been much debate over which state should govern Carter Lake. As late as 1979, Carter Lake residents had a Nebraska zip code. They also picked up their mail at a nearby Omaha post office, and they were not even listed in Iowa phone books!

Around 1935, projects were begun to straighten and to **stabilize** the wandering river.

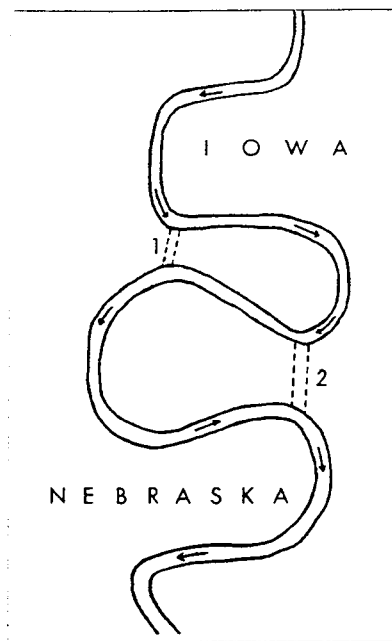
**stabilize v.** — to hold steady, to prevent changes.

The United States Army Corps of Engineers constructed dams, dikes and levees on the river. These structures would prevent flooding and help keep the river in channel.

Iowa-Nebraska boundary disputes have not ended yet. As the river moved to its stabilized final course, much land ended up on the wrong side of the river. Like Carter Lake, decisions must be made. Officials for Iowa and Nebraska are still trying to decide which land belongs to which state.

Now the "Mighty Mo" should follow the same course year after year. The "middle of the main channel of the Missouri River" should finally stay the same and be easy to find. The western boundary of Iowa is now much like the fence or street which creates boundaries where you live.

— Jeffrey Madsen



*This sketch shows one way that the Missouri River could change its course and cause boundary problems. A short cut taken by the river at the place marked 1 would give a piece of Nebraska land to Iowa. The opposite result would occur if the river took a short cut at the place marked 2.*

## The Southern Boundary

We have seen that the western boundary of Iowa was disputed because the words "the middle of the main channel of the Missouri River" did not point to a real place that was always easy to find. The same was true for what would become the southern boundary of Iowa. When Missouri became a state, this boundary was described in its state constitution as the Missouri northern boundary. The landmark used to describe this boundary was known as "the rapids of the river Des Moines." This description was used in their state constitution when Missouri voters accepted statehood in 1821. Later, trouble

started because state and federal governments could not agree on where "the rapids of the river Des Moines" really were.

In 1816, before Missouri or Iowa became states, Colonel John C. Sullivan surveyed and marked what would soon become the northern boundary of Missouri. His survey was supposed to be a "parallel of [the] latitude which passes through the rapids of the river Des Moines," but he made a mistake. He did not adjust his compass as he moved eastward from the Missouri River. This caused his boundary line to angle upward until it was four

miles further north on the east (Mississippi River) side than on the west (Missouri River) side. Few people knew this though, and it would only become important when many people began to settle the area.

As settlers quickly moved into the Iowa country after 1833, they started farms and towns. As these grew, the settlers wanted to know just where the northern Missouri boundary line was. One of the reasons they wanted to know was because of slavery. Missouri was a slave state and many people in the area did not want to live where laws allowed one man to own another man.

Missouri officials also wanted to be sure just where the boundary was. They believed that the Des Moines rapids were much further north than the Sullivan line. Therefore, Missouri officials sent Joseph C. Brown to re-survey the boundary line in 1837. He was supposed to begin at "the rapids of the river Des Moines," and then mark his line as he moved westward toward the Missouri River. He found a place on the Des Moines River, near Keosauqua, which he thought was the spot described by the words. This place, Great Bend, was 63 miles upstream from the mouth of the Des Moines River where it flows into the Mississippi River. He marked his line from Great Bend to a parallel spot near the Missouri River. Missouri then claimed Brown's line as its northern boundary.

The difference between the two lines was about 2,600 acres. Most of the settlers living on the disputed strip of land thought they had settled in the Iowa country. Much of it was rich farm land, which officials from both Missouri and Iowa Territory claimed as part of their **jurisdiction**. But in 1839 Missouri sheriffs tried to collect taxes from settlers in the disputed strip. Iowa Territorial Governor Robert Lucas warned Missouri Governor Lilburn Boggs that the Missouri sheriffs would not be permitted to do this. Governor Boggs warned Governor Lucas that the Missouri militia might be brought out to make sure the taxes were collected.

So when another Missouri sheriff tried to collect taxes an

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**jurisdiction** *n.* — the authority to govern.

Iowa sheriff arrested him. Of course this angered Missouri officials, and in the icy cold December of 1839 the Missouri militia was ordered to the border area. In response, Governor Lucas called for Iowa volunteers to meet at the border town of Farmington. As troops gathered from both sides, people in the area began to think that there might really be war between Iowa and Missouri.

William Willson reported that while on business in Missouri he and his crew had been stopped and searched by soldiers. The soldiers were looking for ammunition. Other reports told of Iowa citizens who had been held in Missouri as spies.

Before things had gotten to this state, Albert Miller Lea had been sent by President Martin van Buren to decide which line was the correct boundary between Iowa Territory and Missouri. Lea wrote that it was general knowledge that "the rapids of the river Des Moines" were in the Mississippi River, not the Des Moines River. He suggested that the Sullivan line was not an accurate one, yet it had often been used in legal papers as the northern boundary of Missouri. But when the war was about to start the federal government had not made a decision. Just when it looked as though the first shot would be fired the Missouri troops were dismissed, and Missouri's jurisdiction was withdrawn back to the Sullivan line. The Iowa troops gladly went home. The "war" was over, and no one had been killed. These events were later called the "Honey War" because early in the conflict someone had destroyed some valuable honey-filled bee trees

which were growing in the disputed strip. A poem was later written about the war and set to the tune of *Yankee Doodle*. It made fun of the two governors for their part in creating the needless conflict.

Even though the "Honey War" had ended, the boundary issue was not settled right away. The United States Supreme Court finally decided the boundary issue in 1851. The court decided that the Sullivan line was the best boundary because it had been used so often in treaties. The court also ordered that the Sullivan line be re-surveyed and re-marked, correctly this time. Big cast iron monuments, each weighing about 1,600 pounds, were placed at the east and west ends of the line. Smaller cast iron posts were placed every tenth mile, and wooden posts were placed every mile along the boundary line.

One more survey was done in 1896, again at the request of the United States Supreme Court. A few of the wooden mile markers were replaced at that time with stone monuments. Some of these cast iron and stone markers can still be found today along Iowa's southern boundary.

— Jeffrey Madsen

# The Eastern Boundary

The Iowa state constitution defines the eastern boundary of Iowa as "the middle of the main channel of the Mississippi River." In a **navigable** river this is the middle of the **principal** channel and not necessarily the deepest part. There are a number of islands within the Mississippi River. The islands which were included in the first Iowa survey became part of the state. This meant that anyone on the islands came under the laws of Iowa, not of the bordering states, Illinois and Wisconsin.

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**navigable** *adj.* — deep enough and wide enough for ships to use.

**principal** *adj.* — main.

# The Northern Boundary

You have already read that before the decision about Iowa's boundary was made, there was a controversy between the residents of the Iowa Territory and Congress. After the boundary had been decided as the parallel of latitude 43°30', it had to be accurately measured and marked. This was especially important because the future boundaries of Minnesota and North Dakota were to be a part of this parallel of latitude.

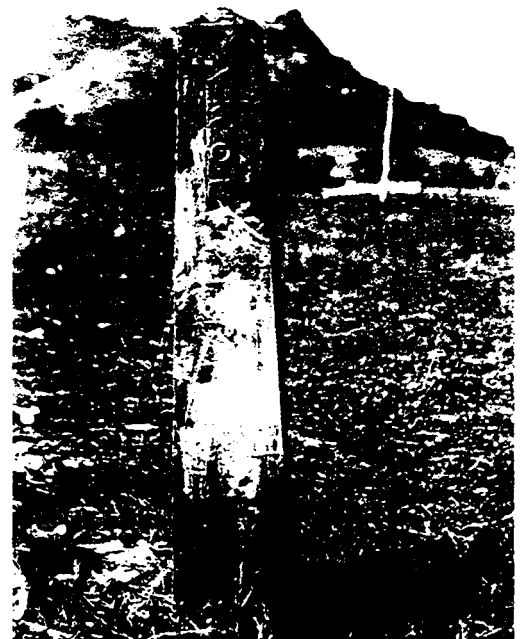
Government surveyors began to work during the summer of 1849 on the west bank of the Mississippi River. However, an epidemic of cholera caused them to stop their work. Before leaving, the surveyors did manage to place a marker where the Mississippi River crossed the parallel 43°30'. The marker was a four-sided iron post with the

word "Iowa" on one side and "Minnesota" on the opposite side. The date, 1849, appeared on a third side.

In the spring of 1852 another survey crew gathered at the marker to complete the work begun in 1849. The party of forty-three men included fourteen surveyors, a hunter, a doctor, an interpreter, four cooks, as well as chainmen, flagmen, monument builders, **teamsters**, sod choppers, and general handymen. The group was divided into four crews. As one group followed the other, each had special duties to perform. They could also check on the accuracy of the markers placed by the previous surveyors. The first crew to work

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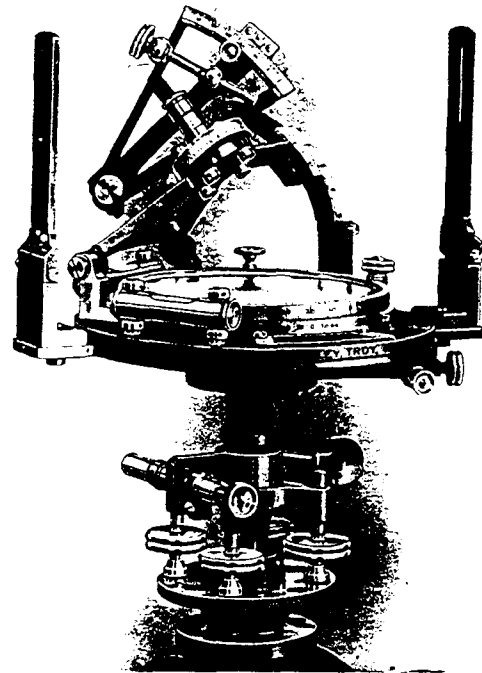
**teamster** *n.* — a person who drives a team of horses.



*The old border marker between Iowa and Minnesota, near New Albin.*

its way across the unmapped countryside had a special mission. They measured and marked the parallel using a Burts' solar compass. The purpose of their work was to see how accurate their survey would be using the instrument. This first group also sent messages to the survey parties behind them, which included special suggestions to help make the work of the following crews easier.

*Burt's Solar Compass was not affected by the earth's magnetic field. When the compass was tested on the survey of the Iowa-Minnesota boundary it proved to be more accurate than the magnetic compass.*



It took good planning to provide for so many people to move through the unsettled countryside. Transportation for

the men's personal baggage, the camp equipment, surveying instruments, and food for 60 days was carefully arranged. To

protect the sensitive surveying instruments as the horse-drawn wagons jolted over the rough ground, the surveyors packed the instruments in boxes of dry grass.

As each summer day passed, the crews progressed westward toward the mouth of the Big Sioux River. They built more than 500 earth, wood, and stone monuments along the 269-mile border. In timbered country, they **blazed** trees to clearly mark the boundary. In July the crews reached the Big Sioux River and built a large **quartzite** monument to mark Iowa's northwest corner. Today, the only remaining monument is near New Albin, a metal marker that was the starting point for the surveying expedition.



*An old blaze on a tree marks the Missouri-Iowa border.*

**blaze n.** — mark made on a tree by removing a piece of bark.

**quartzite n.** — rock consisting of compressed sandstone.

# Iowa's Constitution

**W**HEN THE U.S. Constitution was ratified by the 13 original states, Iowa was not a state. It became a part of the United States through the Louisiana Purchase in the early nineteenth century. The Territory of Iowa was created in 1838. People who lived in the area voted down the proposition to become a state in 1840 and in 1842. They eagerly sought statehood, but opposed boundaries fixed by the U.S. Congress.

After people approved new boundaries, the first Iowa Constitution (the Constitution of 1846) was written so that Iowa could become a state. On December 3, 1846, in the Stone Capitol at Iowa City, Ansel Briggs was inaugurated as first Governor of the State of Iowa. A copy of the Constitution of Iowa was sent to Washington, D.C. It was approved by Congress, and President James Polk gave his approval on December 28, 1846.

As the new state grew, the needs of its people changed. These new needs could not be met by the first constitution so a constitutional convention was called to write a new one.

## No Money in Iowa

The main drawback of the first Iowa constitution was that it did not allow banks that could print and issue money (these were called "banks of issue"). Money in the 1840s was not like the money we use today. The United States government did not print paper money at all. Instead, it made gold and silver coins. Banks and businesses avoided this problem by printing notes (a kind of paper money) to use in place of gold or silver.

In the 1840s and '50s, there were over 700 banks in the U.S. Many of these printed their own



## Iowa's Bill of Rights

Individual rights have always been important to Iowans. Iowa's Constitution begins with a Bill of Rights. Below are the first ten sections of Article I in Iowa's Constitution.

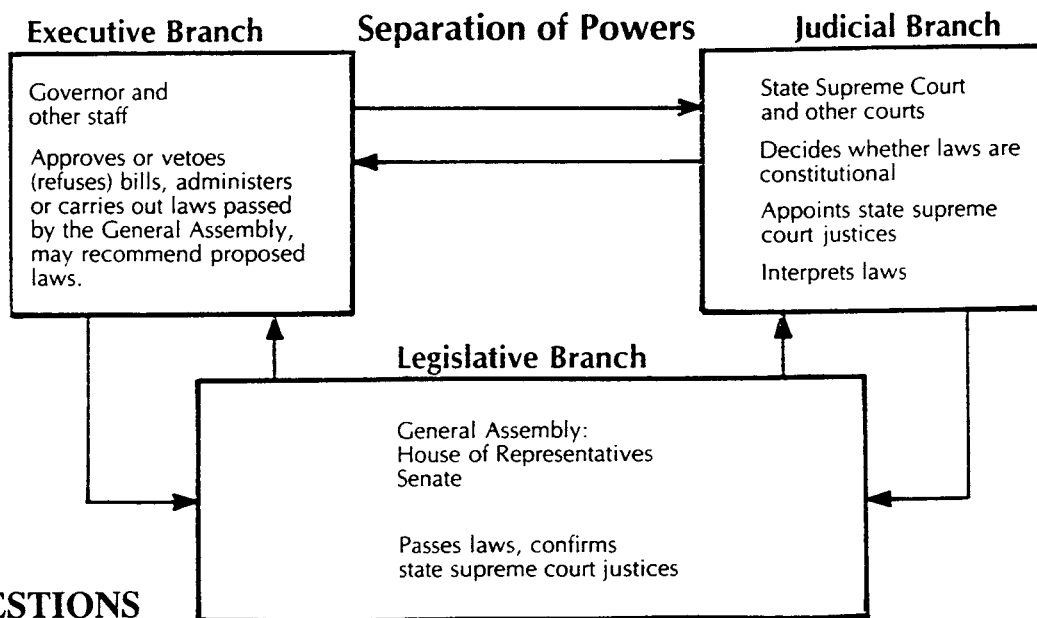
1. Guarantees us the basic freedoms of liberty, protecting and possessing property, and pursuing and obtaining safety and happiness.
2. States political power is in the people.
3. Tells how the legislature cannot make laws limiting religious freedom.
4. Explains that no religious test shall be given for any job.
5. Says any person involved in a duel cannot take a public job.
6. Gives all citizens equal privileges under the law.
7. Allows freedom of the press. Every citizen of the state can speak, write, and publish his or her opinions.
8. Says citizens of state cannot have their homes or persons searched without warrant.
9. Gives citizens the right to trial by jury and due process of law (orderly rules for bringing a person accused of a crime to trial).
10. Gives citizens, if accused with criminal action, the right to a trial and help of a lawyer.

notes. The value of the notes varied from bank to bank. It was impossible to know the current value of the notes of all banks. In Iowa, the Constitution of 1846 prohibited banks of issue. They had no official currency. At one time, over 300 kinds of money circulated in Iowa.

When the new Constitution of 1857 was adopted, a new bank with many branches was begun. This was called the State Bank because the state made the rules. The State Bank gave Iowans money they could trust.

Iowa's present constitution is based on the Constitution of 1857. The Constitution of 1857 included a Bill of Rights based on the first ten amendments to the U.S. Constitution (*see box*). It also provided for three branches of government (*see chart*).

Like the U.S. Constitution, Iowa's Constitution has been changed many times. Other articles in this issue of the *Goldfinch* talk about how both documents were changed. ☐



## QUESTIONS

Read the separation of powers chart and answer the questions by writing a "T" for true or "F" for false on the line before each question.

- \_\_\_\_\_ 1. The Governor is part of the legislative branch.
- \_\_\_\_\_ 2. The State Supreme Court *and* other courts are part of the judicial branch.
- \_\_\_\_\_ 3. The General Assembly cannot pass laws.
- \_\_\_\_\_ 4. The judicial branch decides whether laws are constitutional.
- \_\_\_\_\_ 5. The executive branch can approve or veto bills.

# Bees, Trees, and Borders

The Territory of Iowa and State of Missouri disagreed over their border. Would civil war break out?

## CAST:

### Narrators 1-6

**Robert Lucas**, territorial governor of Iowa

**Enoch Williams**, farmer

**Alva Williams**, farmer

**Egbert**, 13  
**Seth**, 11  
**Jessie**, 8

} their children

**Joseph C. Brown**, surveyor

**Henry Morton**, assistant surveyor

**Suel Foster**, volunteer soldier

**Uriah Gregory**, Missouri sheriff

**Ella Roberts**, Iowa farmer

**Henry Heffleman**, Iowa sheriff

**Missouri Farmer #1**

**Missouri Farmer #2**

**Missouri Farmer #3**

**Crowd**

This six-act play based on true events can be read silently or aloud or performed with these simple

## Props:

Compass or watch

map

jug for water

pencil

brooms (for pitchfork, etc.)

newspaper

drum, whistle, or bugle

NOTE: The words in italics and brackets [like

*this*] tell the actors what they should be doing as they speak lines or what tone of voice they should use.

## Introduction

Imagine moving into your neighborhood when there were no streets, houses, or farms—when all you could see was vast prairie and clear blue sky. This is what early surveyors saw in Iowa during the territorial period.

As Euroamericans surveyed and claimed the land, they marked boundaries with stone posts, clumps of dirt, and blazed trees (trees with bark removed). Natural boundaries often fell along rivers or mountains. Other kinds of boundaries were marked on maps along lines of latitude and longitude (*see box*). They were important to the citizens of the new territories and states.

When Iowa became a territory in 1838, people were not sure where the borders were. A dispute over the boundary between the Territory of Iowa and State of Missouri broke out. **Militia** (volunteer soldiers) grabbed old swords, shot guns, and axes and marched off to the disputed border. In December of 1839, talk of civil war was brewing . . .

## Act One

**Narrator One:** On the morning of August 15, 1838, a large crowd waits near the Mississippi River in Burlington to greet the new territorial governor.

**Enoch Williams** (*turns to his wife*): I can see the steamboat!

**Alva Williams:** I'm so curious to see this new governor of ours. He's never even traveled to this area! I wonder how he'll like it.

**Egbert:** What has he done before. Ma?

**Alva:** He was the governor of the state of Ohio twice, son. President Van Buren appointed him as our new governor.

**Jessie** (*jumps up and down excitedly*): I can see the steamship! Here it comes!

**Narrator One:** The steamboat nears the landing and the crowd starts cheering. A tall, thin man descends briskly from the steamer to shake hands with his secretary William B. Conway. Governor Robert Lucas stops to address the crowd.

**Robert Lucas** (*waves and shouts*): Greetings citizens of the great Territory of Iowa! My name is Robert Lucas and I am honored to serve as your territorial governor. I hope to establish a new territorial capital, create judicial districts, and establish official borders. But first, I will tour this grand territory to meet with its proud citizens!

**Crowd** (*cheers and claps*): Ya! Welcome! Lucas!

**Enoch:** I hope he can fix the problems with the Missouri border. Nobody knows for sure where the Iowa/Missouri border lies. Trouble is brewing!

**Narrator One:** In 1816 a government surveyor named John C. Sullivan marked the northern border of Missouri based on an 1808 Osage Indian treaty. When Missouri became a state in 1821, the state constitution described Missouri's northern boundary as the Sullivan line. As settlers began moving into the Territory of Iowa in 1833, they wanted to know where the boundary was because Missouri was a slave state. Iowa was a free territory where slavery was against the law.

**Enoch:** There are lots of folks who settled in what they thought was Iowa and sure wouldn't be thrilled to wake up one morning and find themselves living in Missouri—a slave state!



Robert Lucas

## Act Two

**Narrator Two:** FLASHBACK! It is December of 1837. Missouri's governor appoints a government surveyor to find a new border. Joseph C. Brown and Henry Morton ride their horses to the Des Moines River. . . .

**Joseph C. Brown:** Do you have the solar compass?

**Henry Morton:** Yes, here it is. The new border we are supposed to mark should be parallel with 'the rapids of the river Des Moines.'

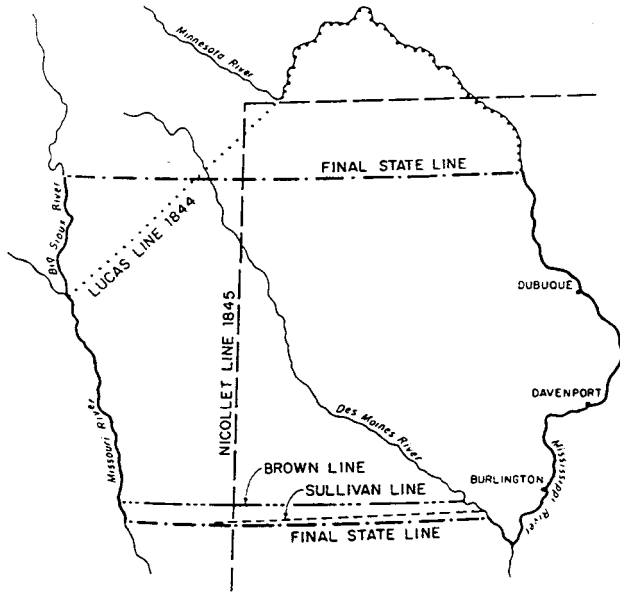
**Brown:** Let me see the compass and the map. That fellow Sullivan was off quite a bit. I don't see any rapids in the Des Moines River here. Let's head north.

**Narrator Two:** The two ride 63 miles north of the mouth of the Des Moines River.

**Brown** (*takes a sip from a jug and points toward the river*): There are the rapids!

**Morton** (*looks at a map and draws a line*): This





new border will bring 2,616 square miles of territory to Missouri!

**Brown:** That's larger than the state of Delaware!

### Act Three

**Narrator Three:** The following year Congress passes an act creating the Territory of Iowa. A government official is appointed to confirm the border dividing Iowa and Missouri. He finds four possible southern borders for the Iowa Territory. The Missouri legislature quickly passes an act declaring the line surveyed by Brown in 1837 as the boundary. A group of farmers in what they thought was Iowa discover they are living in Missouri, not Iowa.

**Sheriff Gregory** (*walks up to a farm house and knocks on the front door*): Hello!

**Ella Roberts:** Hello.

**Gregory:** My name is Uriah Gregory, I'm the sheriff from Clark County, Missouri. I have been notified that you did not pay your Missouri taxes,

so I'm here to make sure you do. If you don't ma'm, we'll have to take one of your cows.

**Roberts:** I'm a citizen of the Territory of Iowa, sir. I'll not pay your slave state a penny. Get off my property.

**Gregory** (*shouts*): Men, take one of those cows over there! This lady is not cooperating!

**Roberts:** Please, sir, I'll try to gather up some money. Don't take one of my cows. My family needs it for milk!

**Gregory:** All right, ma'm. I'll give you a couple of weeks, but if I don't hear word that you paid your taxes, we'll be back to take more than a cow.

### Act Four

**Narrator Four:** Missouri officials try to collect taxes from many former Iowans. Rumors spread about violent activity in Iowa and Missouri. In October of 1839, Egbert runs into the house.

**Egbert:** Guess what!

**Jessie** (*sweeps the floor and looks up*): What?

**Egbert:** I just heard a story that you won't believe.

**Seth:** Let's hear it Egbert.

**Egbert:** Well, the story is that folks down in Missouri set fire to a house somewheres in Van Buren County in Iowa. Two burned up like hay in the fire!

**Jessie:** That's terrible! Did it really happen?

**Egbert** (*shrugs*): I just heard it. I don't know. But I sure hope nothing like that happens 'round here.

**Narrator Four:** Late one night in mid-November, a group of farmers head for the disputed border area.

**Missouri farmer #1:** Hand me an axe!

**Missouri farmer #2:** Let's chop a few of the

Map by Kay Chami

honey trees, folks. Watch out for the bees!

**Missouri farmer #3:** Maybe, this will persuade a few Iowans to pay their rightful taxes to Missouri!

### Act Five

**Narrator Five:** A few days after the bee trees are chopped down, Iowa Sheriff Henry Heffleman arrests the sheriff from Missouri, Uriah Gregory, for attempting to collect taxes north of the Sullivan line. As the news of Gregory's arrest spreads, an estimated 1,000 to 2,000 volunteer soldiers gather in Missouri close to the disputed border area.

**Lucas** (*announces gruffly*): Send out orders for three generals to come to Burlington. I want volunteers to gather in the border town of Farmington.

**Narrator Five:** In Farmington, some 500 to 1000 Iowa volunteers arrive. Drums beat in the background. Fifes whistle. Bugles blow.

**Suel Foster** (*shouts*): Let's fight for the land that is rightfully ours!

**Crowd** (*shouts*): To arms boys, to arms!

### Act Six

**Narrator Six:** Back at the Williams' house, Alva walks in the front door and says to her family . . .

**Alva:** I was in Burlington and saw some men headed for Farmington. Most carried guns, but some had pitchforks, hoes, and clubs. One had a sword. Another fella held an old sausage stuffer! Let's hope our new governor can stop this mess before civil war breaks out!

**Narrator Six:** President Van Buren sends another commissioner to the disputed area to find the real

border. Albert Miller Lea discovers that Brown was wrong. He sends a report to Governor Lucas in Burlington. The Des Moines rapids are not in the Des Moines River, but they are in the Mississippi River.

**Lucas** (*loudly reads a proclamation*): This border dispute is between the State of Missouri and the U.S. Our legislature has passed the following resolution. We will suspend all hostilities in the area if the governor of Missouri does the same.

**Narrator Six:** A few days later, Jessie Williams is reading the newspaper.

**Jessie:** Ma, Pa! The militia has disbanded! There won't be any war! Iowa and Missouri soldiers decided to return to their homes on order of the governors. The U.S. government will decide the right border.

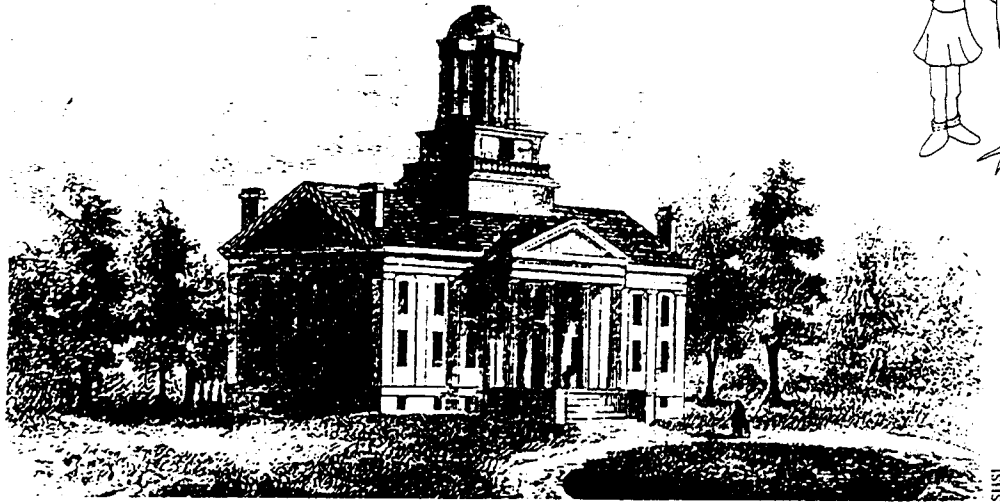
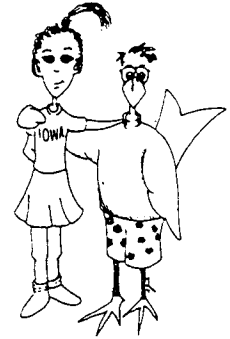
**Seth Williams** (*looks over Jessie's shoulder at the newspaper, and reads*): "The Olive branch of peace has been brought to us from the border. War is averted from our peaceful Territory. . ."

**Narrator Six:** The Iowa-Missouri boundary squabble was also called the Honey War. The U.S. Supreme Court decided the Sullivan line was the best boundary. By 1851, everyone in Iowa and Missouri agreed. After the Sullivan line was correctly resurveyed, cast iron monuments and stone markers were placed along the boundary line. Many of these markers can still be seen along Iowa's southern border. □

### Discussion

1. Why were borders between states or territories important during the territorial period?
2. Why didn't some Iowans want to live in Missouri?

# You Debate: Statehood



## by Margaret Reasoner

If you've ever joined a club you may have an idea of what it took for Iowa to become a state. When someone thinks they might want to join a club they go through a process. First they go to club meetings to see if they will like being in that club. They find out more about the club, and then they decide if they want to join. Also the club has to decide if they want that person to be a member.

Becoming a state is like joining a club because both offer benefits and responsibilities. As a club member you have to pay club dues, and as a member of the United States you have to pay taxes. Once you join a club you develop a loyalty to the other members. The same is true for a state. Our country is made up of states that are united to form one nation.

In the 1840s, some people in Iowa decided they wanted to join the United States of America. Iowa was originally part of the Louisiana Territory

which was purchased in 1803. Eventually, Iowa became a territory on July 4, 1838.

In 1840, Governor Robert Lucas called for a vote to decide whether Iowa should have a convention to write a state constitution. The people voted against it 2,907 to 939.

For the next six years people argued for and against Iowa statehood until President James Polk signed a bill on December 28, 1846 making Iowa the 29th state of the Union.

Read the following reasons for and against statehood.

### **YES—Iowa should become a state**

1. Congress passed the Distribution Act of 1841 which gave money to states in the Union. This meant Iowa would receive money to improve its lands and roads if it became a state. Iowa

would also receive 500,000 acres of land that it could use or sell.

2. Since the time that the question of statehood was raised, the population had almost doubled and was at 80,000 in 1844. Some people thought Iowa needed to become a state because the population kept rapidly increasing. They wanted to elect their own governor and have their own state government.

When territories were becoming states they often did it two at a time. It was an unofficial pattern from about 1816 to 1850. One territory would become a state in the North, when another southern state would join the Union. This was because the northern states did not have slavery, and the southern states did. Florida was getting ready to become a state, too. They could join the Union at the same time and keep the number of northern and southern states even.

The people of Iowa wanted to be proud of their state and vote in national elections. They could only vote in such elections if they were a state.

#### **NO—Iowa should not become a state**

Until 1841 the government only gave money to territories to keep up their lands and roads. Before that time, some people did not want to become a state because they would lose their government funding for land improvements and have to pay higher taxes.

During the time that Iowa was a territory, two political parties existed in the United States—the Whigs and the Democrats. The Democrats were mostly in the South, but many Democrats

did live in Iowa. They supported slavery. Most Democrats thought if Iowa became a state, they would have control of a northern state. Governor Lucas was a Democrat from Ohio. The Whigs, mostly in the North, were opposed to slavery. Many Whigs were against Iowa becoming a state because they knew Iowa would have to form a state government. Then the Democrats would gain political control. The Whigs were afraid that Iowa would become a slave state because more Democrats lived in Iowa.

3. While Iowa and Florida were trying to become states, so was Texas. Since there was an uneven number of territories waiting to join the Union, some people thought Iowa should wait until there were two territories from the South and two territories from the North waiting to join.
4. Many people thought Iowa's natural boundaries were too large. Iowa's natural boundaries are the Missouri River and the Big Sioux River in the west and the Mississippi River in the east. Texas was waiting to become a state and people thought Texas would eventually be divided into five states. At one time, the people in the North hoped that the Iowa-Wisconsin area could be divided into five small states. If Iowa became a state with large boundaries, the area could not be divided into five states, and the South would soon have more states than the North.

*What do you think? Take a position for or against statehood. Write your opinions based on the above arguments or get together with a friend and hold a mock debate.* ☐

**RECTANGULAR SURVEY**

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

**SECTION**

160 Acres	40 Acres	80 Acres
	40 Acres	
160 Acres	160 Acres	



Louisiana Territory



Michigan Territory



Wisconsin Territory



Iowa Territory

## Iowa: Territories and Statehood

After the Revolutionary War, the new United States had only thirteen states. Between these eastern states and the Mississippi River, the land was controlled by the national government. The government set up the way in which a region could become a state. First it would be a district, with a governor appointed by the president and with the army keeping order. As more settlers arrived, the district became a territory. A territory also had a governor appointed by the president, but in addition it had an elected legislature to make its laws. No territory, however, could have a representative in Congress. When more people moved in, the territory could become a state, elect its own governor and legislature, and send representatives to Congress in Washington, D.C. Iowa went through all these steps to reach statehood.

In 1803, President Thomas Jefferson arranged for the purchase from France of enough land west of the Mississippi River to double the size of the United States. Iowa was apart of this purchase; Native Americans and a few explorers and fur traders called this land home.

In 1834, Iowa became part of the Michigan Territory; this included what is today Michigan, Wisconsin, Iowa, Minnesota, and parts of North and South Dakota. When Michigan withdrew to become a state in 1836, the remaining area was called the Wisconsin Territory.

On September 16, 1837, feeling that the Mississippi River separated them from the others in the Wisconsin Territory, settlers met at Burlington, Iowa, to organize themselves into a territorial convention. The United States Congress was petitioned to divide the Wisconsin Territory and allow the 25,000 people living west of the Mississippi River to become the Iowa Territory.

Congress voted on February 6, 1838, to establish the Iowa Territory, going into effect on July 4th. President Martin Van Buren appointed Robert Lucas, a former governor of Ohio, as the new governor, with a term of three years.

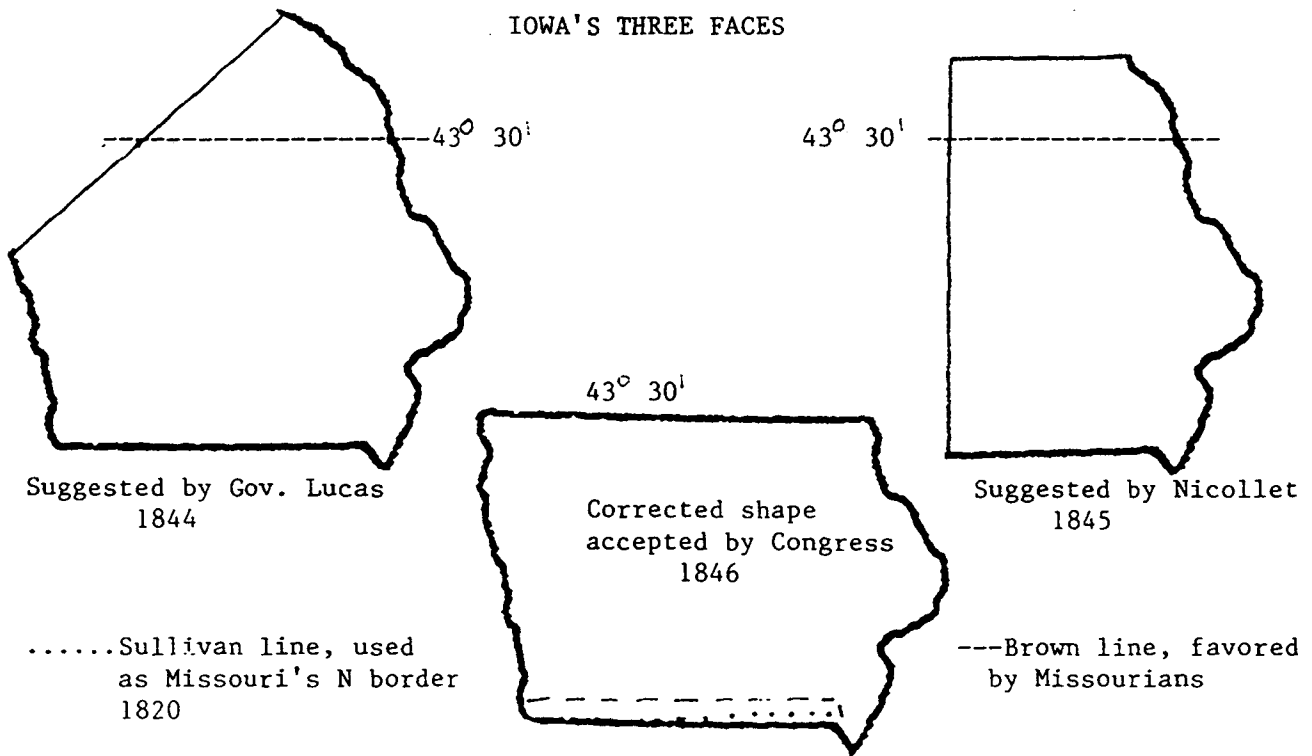
Governor Lucas visited several towns along the Mississippi River before choosing Burlington as the capital of the new territory. Elections were held for the two-part legislature. The Council would have 13 members with two-year terms, and the House of Representatives had 26 members serving one-year terms.

The legislature first met at the Old Zion Methodist Church. Since settlers were moving west of the Mississippi, it was quickly decided to move the territorial capital to Johnson County, and to call the new site Iowa City. In 1839, the governor appointed a committee, including Chauncy Swan, to determine the exact location. By 1842, a graceful capitol building housed the territorial legislature near the Iowa River in Johnson County.

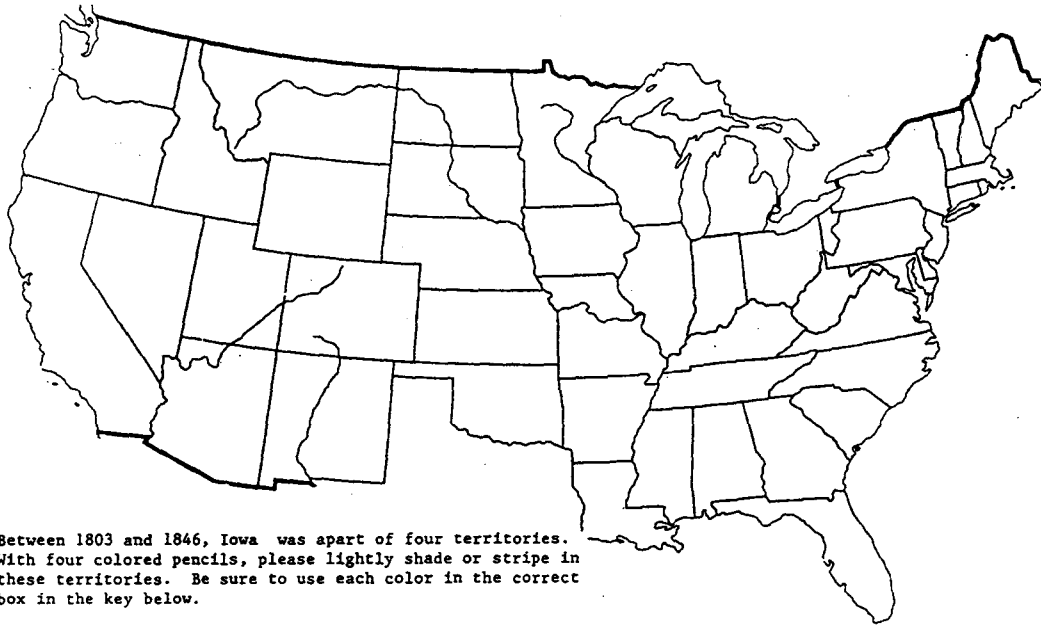
In 1844, Iowans voted to begin the steps toward statehood. A state constitution, or set of laws and plan of government, was drawn up. One law stated that any white male citizen over the age of twenty-one could vote;

women and African Americans were excluded. Boundary lines were drawn, extending Iowa as far north as present-day Minneapolis, Minnesota. When sent to Congress in Washington, D.C., the Iowa Constitution was readily approved but the boundary lines were not. Some U.S. congressmen did not want Iowa extending as far west as the Missouri River. Eventually, compromise was reached and on December 28, 1846, President James Polk signed the law making Iowa, now home to more than 96,000 people, the twenty-ninth state of the United States.

Within four years, Iowa's population doubled, to 192,000 citizens. By 1856, the state boasted 518,000 residents, many of them living far west of the capital city. In 1857, delegates met in Iowa City to write a new constitution. One of the major changes was the decision to move the capital farther west again to make it more accessible to its citizens. Des Moines was chosen as the site.



## Iowa Territories



Between 1803 and 1846, Iowa was apart of four territories. With four colored pencils, please lightly shade or stripe in these territories. Be sure to use each color in the correct box in the key below.

- ☐ Louisiana Territory, 1803 (LA, AR, MO, IA, MN, ND, SD, KS, OK, TX, NM, CO, WY, MT, NE)
- ☐ Michigan Territory, 1834 (MI, WI, MN, IA, ND, SD)
- ☐ Wisconsin Territory, 1836 (WI, IA, MN, ND, SD)
- ☐ Iowa Territory, 1838 (IA, MN, ND, SD)



I. Iowa's Capitals: Skim through the written materials and complete the chart below.

City	Type of Capital (territorial, state, or both)	Dates

II. Iowa's Faces: Look at the three proposed shapes of Iowa. Answer the questions with the name of the person who suggested that shape.

A. Which maps used the Mississippi River as an eastern boundary?

B. Which maps used the Missouri River as Iowa's western boundary?

C. Which map looks as if it gives Iowa the most amount of land?

III. Iowa's Early Population: Skim through the written material to find the populations for 1837, 1846, 1850, 1856. Record them on the lines; then locate each on the graph. Connect the dots with a line.

1837 \_\_\_\_\_

1846 \_\_\_\_\_

1850 \_\_\_\_\_

1856 \_\_\_\_\_

Iowa's population today

\_\_\_\_\_

