

Iowa Before the State

Nestled in the heart of the American Midwest, Iowa's journey to statehood is a captivating history. This article will unravel the story of how this vast expanse of rolling prairies and fertile farmlands transformed from Native American settlements to territorial outpost to a full-fledged state, becoming an integral part of the United States. The emergence of Iowa as a state is more than just the incorporation of a new state into the Union; it is a narrative of the transformation of a territory shaped by geographical features, political dynamics, and moral principles. This article initiates the exploration of the origins of Iowa, shedding light on the factors that contributed to the formation of the state as we recognize it today.

New territory

Before 1803, everything immediately west of the Mississippi River was owned by France. It wasn't until Napoleon sold the 530 million acres to the United States for a little over \$11 million that the United States began to explore and settle the Midwestern frontier. In 1803, President Thomas Jefferson commissioned the Lewis and Clark Expedition to survey the land and build relationships with the inhabiting Native American tribes. Nine years later, Louisiana became the first state west of the Mississippi to be admitted to the Union.

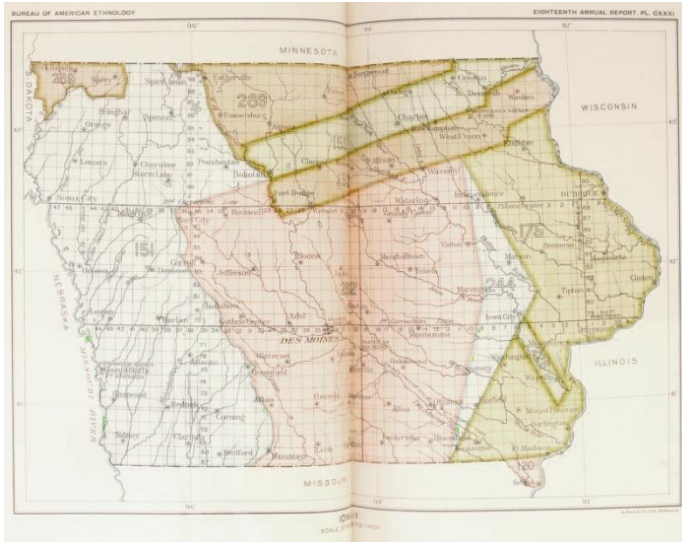


Carey, Mathew. *Missouri territory formerly Louisiana*. [S.l, 1814] Map. <https://www.loc.gov/item/2001620467/>.

Cultural collision

Iowa was not unpopulated land before European exploration and settlement. Indigenous groups farmed, hunted, fought, gathered, and migrated through the area we know as Iowa today. As the word spread of Iowa's fertile soil, white settlers continued to move west past the Mississippi and within Native American territory. Strained relations escalated between Native Americans and the United States military, as well as

white settlers, leading to consequential events, such as the Black Hawk War and the Spirit Lake Massacre. The United States government used nine treaties to remove Native Americans from Iowa.¹



In the early 1850s, a contingent of the Sauk-Meskwi tribe returned to Iowa from Kansas and attempted to buy back some of the land they once occupied.² The Iowa General Assembly approved legislation in 1856 allowing the Meskwaki to purchase an 80-acre settlement in Tama County along the Iowa River.

Royce, Charles C, and Cyrus Thomas. *Indian land cessions in the United States*. 1899. Pdf. <https://www.loc.gov/item/13023487/>.

Shifting borders

Let's back up a little bit.

After the American Revolution, the federal government was responsible for the territory east of the Mississippi River and south of the Great Lakes. Recognizing the inevitable settlement of the acquired wilderness, Congress devised a blueprint for the Northwest Territory and passed the Ordinance of 1787. This legislation outlined the process for admitting a new state to the Union and guaranteed that newly created states would be equal to the original 13 states.³ Iowa had a series of territorial periods:

- Iowa in the Louisiana Purchase—1803 to 1804.
- Iowa in the District of Louisiana—1804 to 1805 (Under the governor and judges of the Indiana Territory).
- Iowa in the Territory of Louisiana—1805 to 1812.
- Iowa in the Territory of Missouri—1812 to 1821.
- Iowa as a political orphan (No governmental jurisdiction)—1821 to 1834.

In 1834, all the lands acquired in the Louisiana Purchase that were as yet unallocated and lay east of the Missouri River were attached to the Michigan Territory, including Iowa. In the subsequent three years,

¹ Bill Sherman, "Tracing the treaties: How they affected American Indians and Iowa," *Iowa History Journal*, October 24, 2015, <https://iowahistoryjournal.com/tracing-treaties-affected-american-indians-iowa/>.

² Bill Sherman, "Tracing the treaties: How they affected American Indians and Iowa," *Iowa History Journal*, October 24, 2015, <https://iowahistoryjournal.com/tracing-treaties-affected-american-indians-iowa/>.

³ Ken Drexler, "Introduction," *Northwest Ordinance: Primary Documents in American History - Research Guides at Library of Congress*, March 20, 2020, <https://guides.loc.gov/northwest-ordinance>.

Michigan pursued statehood, and in 1836, Congress enacted a law to establish the territory of Wisconsin, encompassing what is today Wisconsin, Minnesota, eastern parts of North and South Dakota, and Iowa.

According to a report in 1838 by Isaac Bronson from the Committee on the Territories:

“the Territory of Wisconsin is altogether too large and unwieldy for the perfect and prompt administration of justice, or for the convenient administration of the civil government thereof; that there are now about 50,000 inhabitants in that Territory, and that somewhat more than half of them reside on the west side of the Mississippi River; that the population of said Territory, and particularly on the west side of the river, is very rapidly increasing, more rapidly perhaps than any other part of the valley of the Mississippi; and that, for the repaid development of the resources of the country, as well as to afford all reasonable advantages of a civil government and prompt administration of the laws to those persons living on the west of the Mississippi river, it seems to your committee that a separate Territorial Government should be established, to comprise that part of Wisconsin now laying west of the river.”⁴

The Territory of Iowa was established in July 1838.

TWENTY-FIFTH CONGRESS. SESS. II. CH. 96. 1838.

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CHAP. XCVL.—An Act to divide the Territory of Wisconsin and to establish the Territorial Government of Iowa. (a)

**STATUTE II.
JUNE 12, 1838.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of July next, all that part of the present Territory of Wisconsin which lies west of the Mississippi river, and west of a line drawn due north from the head waters or sources of the Mississippi to the Territorial line, shall, for the purposes of temporary government, be and constitute a separate Territorial Government by the name of Iowa; and that from and after the said third day of July next, the present Territorial Government of Wisconsin shall extend only to that part of the present Territory of Wisconsin which lies east of the Mississippi river. And after the said third day of July next, all power and authority of the Government of Wisconsin in and over the Territory hereby constituted shall cease: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or anywise to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty or law, or otherwise, which it would have been competent to the Government to make if this act had never been passed: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing the Territory hereby esta-

What part of the present territory of Wisconsin shall constitute the territory of Iowa.

The authority of Wisconsin over the territory thus constituted, to cease. Proviso.

Proviso.

U.S. Statutes at Large, Volume 5 (1836-1845), 24th through 28th Congress. <https://tile.loc.gov/storage-services/service/ll/llsl/llsl-c25/llsl-c25.pdf>

⁴ United States Congress. House. Committee on the Territories, and Isaac Hopkins Bronson. *Iowa Territory. To accompany Bill H.R. No. 527. February 6.* [Washington, D.C.: publisher not identified, 1838] Pdf. <https://www.loc.gov/item/2022688657/>.



Morse, Sidney E., Samuel Breese, and Harper & Brothers, "Iowa and Wisconsin," *Morse's North American Atlas*, pp. 33, 1842.

A necessary evil?

From the founding of the United States, the matter of slavery consistently played a role in the continuous expansion of American territories and states. To keep the delicate balance of power in Congress, the Missouri Compromise of 1820 was passed. Consequently, when new states joined the Union, they entered as a pair—a slave state and a free state. This admitted Missouri as a slave state and Maine as a free state at the same time, so as not to upset the balance between slave and free states in the nation. This legislation also outlawed slavery above the 36° 30' latitude line in the remainder of the Louisiana Territory.⁵ With the compromise established, the admission of Iowa, designated as a free state, was contingent upon the simultaneous admission of Florida, a slave state.

⁵ Conference committee report on the Missouri Compromise, March 1, 1820; Joint Committee of Conference on the Missouri Bill, 03/01/1820-03/06/1820; Record Group 1281; Records of Joint Committees of Congress, 1789-1989; National Archives. <https://www.archives.gov/milestone-documents/missouri-compromise#transcript>

The institution of slavery also influenced the determination of Iowa's state boundaries. As each state is entitled to two senators, advocates of northern interests supported the admission of smaller states that would oppose slavery. The creation of smaller states would result in an increase in “free” states, more senators aligned with northern interests, and a greater influence of northern interests in Congress. The South desired precisely the opposite.

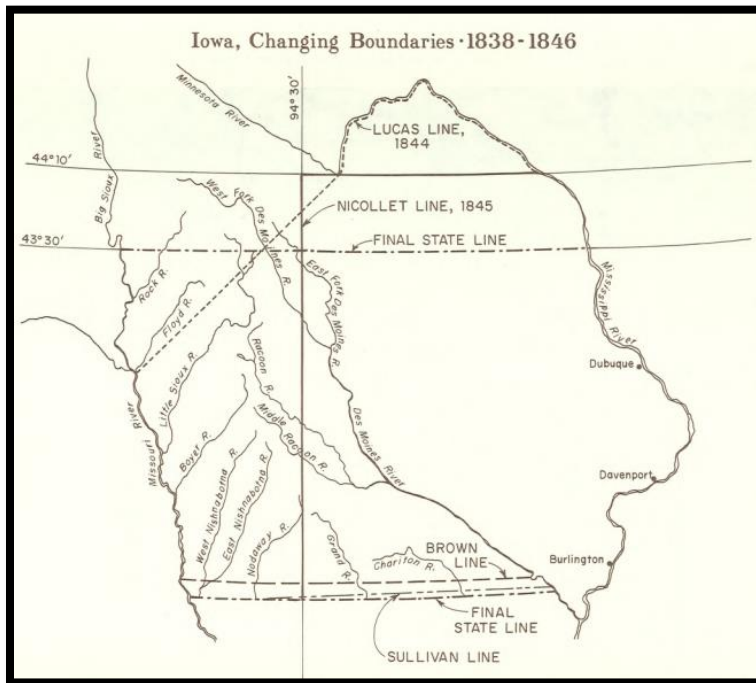


“The Missouri Compromise of 1820,” History on the Net. <https://www.historyonthenet.com/the-missouri-compromise-of-1820>

Statehood

By 1844, the Iowa Territory had a population of over 75,000 people. According to the 1787 ordinance:

“... whenever any of the said states shall have **sixty thousand** free [white males 21 years and older] inhabitants therein, such state shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original states in all respects whatever; and shall be at liberty to form a permanent constitution and state government ...”



Margaret Atherton Bonney, Ed., “Boundaries for Iowa,” *The Goldfinch*, Vol. 4, No. 3 (February 1983)

Iowa’s first constitutional convention relating to statehood adopted a proposed constitution in November 1844 and was presented to Congress. In this proposal, the boundaries chosen were based on the recommendations of Robert Lucas, Iowa’s first territorial governor. The boundaries followed the rivers of the region; the Mississippi River along the east, the Missouri River along the west, the northern Missouri state line on the south, and the St. Peter’s River (now the Minnesota River) along the north. If these boundaries were agreed upon by Congress and the Iowa Legislature, the state of Iowa would have also encompassed a portion of southern Minnesota.⁶

However, Congress favored Joseph Nicollet’s 1841 survey report, which

⁶ Margaret Atherton Bonney, Ed., “Boundaries for Iowa,” *The Goldfinch*, Vol. 4, No. 3 (February 1983) <https://pubs.lib.uiowa.edu/goldfinch/article/30742/gallery/139148/view/>

proposed setting the eastern boundary at the 94° 30' longitudinal line near the natural watershed between the Mississippi and Missouri Rivers. This decision harked back to the slavery issue since it influenced the balance between creating numerous smaller free states or fewer and larger states. Congress's version with Nicollet's recommended state boundaries was not accepted by the state's settlers. Iowans viewed their state as a prominent agricultural region situated between two formidable rivers and the valley of the St. Peter's River. They believed these watercourses offered effective transportation and a fertile agricultural setting.

Two years later, Iowa's second constitutional convention convened and revised the state boundaries. This time, Congress and Iowans agreed on the Mississippi River along the east, Missouri River along the west, the northern Missouri state line as Iowa's southern border, and the 43° 30' parallel as the northern border. The constitution was adopted by Iowa voters in August 1846, accepted by Congress, and signed by President James Polk. On December 28, 1846, Iowa became the 29th state to join the Union.

PUBLIC ACTS OF THE TWENTY-NINTH CONGRESS

OF THE

UNITED STATES,

Passed at the second Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the 7th Day of December, 1846, and ended on the 3d Day of March, 1847.

JAMES K. POLK, President; GEORGE M. DALLAS, Vice-President, and President of the Senate; JOHN W. DAVIS, Speaker of the House of Representatives.

CHAPTER I. — <i>An Act for the Admission of the State of Iowa into the Union.</i>	STATUTE II Dec. 28, 1846.
<p>WHEREAS the people of the Territory of Iowa did, on the eighteenth day of May, anno Domini eighteen hundred and forty-six, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government — which constitution is republican in its character and features — and said convention has asked admission of the said Territory into the Union as a State, on an equal footing with the original States, in obedience to “An Act for the Admission of the States of Iowa and Florida into the Union,” approved March third, eighteen hundred and forty-five, and “An Act to define the Boundaries of the State of Iowa, and to repeal so much of the Act of the third of March, one thousand eight hundred and forty-five as relates to the Boundaries of Iowa,” which said last act was approved August fourth, anno Domini eighteen hundred and forty-six : Therefore —</p> <p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That the State of Iowa shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatsoever.</p> <p>SEC. 2. <i>And be it further enacted,</i> That all the provisions of “An Act supplemental to the Act for the Admission of the States of Iowa and Florida into the Union,” approved March third, eighteen hundred and forty-five, be, and the same are hereby declared to continue and remain in full force as applicable to the State of Iowa, as hereby admitted and received into the Union.</p> <p style="text-align: center;">APPROVED, December 28, 1846.</p>	<p>1849, ch. 78. Preamble.</p> <p>1845, ch. 43. 1846, ch. 82.</p> <p>Iowa admitted into the Union.</p> <p>Former act continued in force. 1845, ch. 76.</p>

“An Act for the Admission of the State of Iowa into the Union,” U.S. Congress, 28 December 1846.