

Dr.

Des Moines River Improvement,

To BANGS BROTHERS &amp; Co.,

For amount due on 10 Certificates of Indebtedness, up to 20th January, 1859,		\$6,192,29
Amount paid for Water Lime,	\$570,00	
Add 20 per cent interest, as per Contract,	114,00	
“ Int. as per Contract up to Jan. 20, 1859,	503,51	
	<hr/>	1187,51
Item on Interest of \$5,000 from Oct. 1, to Nov. 1, 1851,		33,33
Int. on said item to 20 March, 1857,		16,67
Add 20 per cent on \$5,000 as per Contract	\$1,000,00	
Int. to 20 March 1857,	552,94	
Int. to Jan. 20, 1859.	235,03	
Costs in Supreme Court,	70,00	
	<hr/>	1857,97
		<hr/>
		\$9287,77

Cr.

By cash Draft received of EDWIN MANNING late Com. D. M. Imp't. for six thousand dollars which is per and on account of above.	\$6000,00
	<hr/>
	\$3287,77
Error in computation of Interest off	238,75
	<hr/>
Ballance due BANGS BROTHERS & Co, three thousand dollars and forty-nine 2-100 dollars.	\$3049,02

KEOKUK, April 30, 1859—Received of E. MANNING, Draft for six thousand dollars, on IRA SMITH & Co., of New York.

BANGS BROTHERS &amp; CO.

By ANSON BANGS.

The above is a true copy of original.

E. MANNING.

## REPORT OF

WM. C. DRAKE, COMMISSIONER,

OF THE

Des Moines River Improvement,

TO THE

GENERAL ASSEMBLY OF THE STATE OF IOWA;

DES MOINES, IOWA:

JOHN TEESDALE, STATE PRINTER.

1860.

REPORT ON

H. C. DEAR COMMISSIONER

1858

Des Moines River Improvement

GENERAL ASSEMBLY OF THE STATE OF IOWA

1858

1858

1858

REPORT.

To HIS EXCELLENCY, RALPH P. LOWE,

GOVERNOR OF IOWA:

SIR: Your Commissioner has the honor to present to you, and through you to the Legislative Department of Iowa, the following Report of the present condition of the Des Moines River Improvement. It will be sufficient to state that this Improvement is based upon, and has been prosecuted by, means of a grant of lands by the General Government, by act of Congress, August 8th, 1846, for the special purpose of improving the navigation of the Des Moines River.

The State of Iowa, through its Board of Public Works, prosecuted the Improvement about six years, and up to June, 1854, at which time, the Commissioner and Assistant Commissioners of the Improvement entered into contract with the Des Moines Navigation and Railroad Company for the completion of the Improvement to Fort Des Moines, by July 1st, 1858.

And for the completion of which improvement, under and according to the stipulations set forth in the contract, the State was to give that Company all the remaining unsold lands in the Grant, subject, however, to the restrictions and limitations set forth in the contract.

The Improvement remained under the management of this

Company till the year 1857, without, however, anything being done by said Company to give confidence that their part of the contract would be performed or the Improvement be completed by them. And thus it became necessary to refuse that Company any more lands than had already been certified to them under the contract referred to.

It will be seen by reference to page 195 of the Acts of the Seventh General Assembly of Iowa, that the provisions of "an act disposing of a Grant of lands made by act of Congress, granting land to the Territory of Iowa to aid in the improvement of the navigation of the Des Moines River, conditionally grants to the "Keokuk, Ft. Des Moines & Minnesota Railroad Company," for the purpose of building a Railroad from Keokuk, and along the valley of the Des Moines River by way of Fort Des Moines to the north line of this State.

The terms of this Grant embrace all lands, now or at any time hereafter, obtained by the State from the United States, under the Grant referred to at the commencement of this Report, and which had not prior to the passage of this act been disposed of otherwise, to this Company, to take effect and vest these lands in said Company so soon as the title to such lands shall vest in the State, or Congress assent to and approve such diversion of said lands from the original purposes of the Grant.

And thus it is, that by far the greater portion of the duties of your Commissioner have been removed.

Yet it was deemed proper by the Legislature to retain in our statutes the office of Commissioner of the Des Moines River Improvement among the officers of State, as will be seen by reference to section 8, chapter 159 of the acts of the Seventh General Assembly of Iowa, in the act entitled "an act revising and amending title Fourth of the Code and further providing for elections," &c., approved March 23d, 1858.

Your Commissioner has had the honor to examine the present condition of the four Dams yet to be completed by the State, and find such works, materials, &c., to be in the condition and progress, as stated hereinafter, to-wit:

#### CROTON—FIRST DAM.

At this point the dam is in good condition; been repaired by Colton, and Gray & Wells, mill owners on the different sides of the River at this point. No estimate received from the chief engineer of expenditures in making such repairs.

#### PLYMOUTH—SECOND DAM.

At this point the locks, walls, &c., have been well constructed, and are in good condition. But part of the Dam is washed out, and repairs will be necessary. It is estimated that \$4,000 will put the same in good repairs.

#### BENTONSPORT—THIRD DAM.

At this point the Dam has been rebuilt the summer past, at an expense of over \$8,000, by Gen. Brown and others. The works are now in good repair.

#### KEOSAUQUA—FOURTH DAM.

At this point, Dam only partly standing. Costs, repairing and rebuilding works at this point, estimated at \$2,000. A large amount of materials have been sold under execution on a pretended judgment of Houghton against the State.

Your Commissioner begs leave to state further, that owing to the proposed change, in the objects to which the Grant of lands made by the United States to the Territory of Iowa—on the 8th

of August, 1846—for the purpose of improving the navigation of the Des Moines River—and the changes made in the manner of prosecuting said Improvement, and changes made in contractors and contracts in regard to the same, and the fact that while the Legislature has seen fit to continue said office of Commissioner of said Improvement, which was doubtless necessary by the posture of the affairs of said Improvement—without providing any compensation for the services of such officer—your Commissioner has had to take the management of such Improvement—to endeavor to defend and protect its interests and inquire into its condition—as well as to defend against divers suits, now pending against the same, which have grown out of the previous complications thrown around the affairs of the Improvement by contracts heretofore made with companies, and individuals; and all this your Commissioner has had to do at his own expense, and without one cent of money either from the State or the Improvement, and with no salary provided by law for his compensation.

It is known that the United States Government has seen fit—after giving to the Territory of Iowa for the purpose of improving the navigation of the Des Moines River, a munificent Grant of lands, extending from the source to the mouth of said River, and had acquiesced in our rights to the same from 1846 to 1858, by its decisions, crowned its injustice to the State of Iowa by making an attempt to withhold a large portion of the lands contained in this Grant, thus virtually withdrawing the only boon, not grudgingly bestowed by the General Government on the State of Iowa, as if that Government were ashamed to have done us justice even in one instance.

At the last session of the Legislature a Commissioner was appointed to get the lands contained in this Grant certified to the State from the General Government. But with what success his efforts have been crowned is not known to your Commissioner.

But it must be apparent, that if the General Government refuse to permit these lands to be certified to the State, or approve the action of the State through its Legislature, ceding these lands to the Keokuk, Ft. Des Moines & Minnesota Railroad Company, for the purpose of constructing a Railroad along the valley of the Des Moines—that a new policy will have to be adopted by the State in regard to these lands, or at least further action taken on the subject—and indeed it would seem that the sooner all such questions, which tend so effectually to prevent any decisive action on the subject at present, are effectually and permanently settled; the better, as under the present arrangement and posture of things, it will be impossible to prosecute the Improvement of the Des Moines River, as contemplated by the act granting those lands to the State, and it will be equally impossible for the Keokuk, Fort Des Moines & Minnesota Railroad Company to use these lands in building their Road, and thus diffuse the blessings of commerce through the Des Moines valley, until these questions are definitely and permanently settled.

Your Commissioner, therefore, begs you to consider, if but little has been done by him, the difficulties under which he has been compelled to labor, in his efforts to perform the duties devolving upon him as such officer, by law. All of which is respectfully submitted by

WILLIAM C. DRAKE,  
Com. Des Moines River Improvement.

December 10, 1859.

DES MOINES RIVER IMPROVEMENT IN ACCOUNT  
WITH WM. C. DRAKE, COMMISSIONER.

Feb. 12, '59. Expenses advanced for State to Keosauqua, and other points on the Des Moines River, Keokuk included,	\$50 00
April 27th. Expenses visiting Keosauqua Court and other points tending court, &c.,	40 00
Stationery for the year ending Jan. 1, '60,	25 00
Office rent, ending Jan. 1, '60, at \$3 per month,	36 00
Moving things pertaining to office,	10 00
Bill for copy of papers of pending suits,	10 00
Oct. 25th, '59. Expenses looking after the situation of the whole Improvement,	60 00
Hire of horse for twenty days,	20 00
	<hr/>
	\$251 00
Interest on same counting the whole for six months at 10 per cent.,	12 50
Commissioner's salary, commencing Jan. 1, '59, and ending Jan. 1, '60,	1200 00
	<hr/>
	\$1463 00

## ADDRESS

ON

# University Education,

DELIVERED IN THE

REPRESENTATIVES' HALL,

AT DES MOINES, FEBRUARY 6th, 1860,

BY THE

REV. SILAS TOTTEN, D. D.,

PRESIDENT OF THE IOWA STATE UNIVERSITY.

DES MOINES, IOWA.  
JOHN TEESDALE, STATE PRINTER.  
1860.