

## The Will of Naomi L. Davenport

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# ANNALS OF IOWA

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## EDITORIAL DEPARTMENT

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### THE WILL OF NAOMI L. DAVENPORT

In point of money the most notable bequest to our institution yet occurring is that of the late Naomi L. Davenport, of Davenport, Iowa. In other respects it is among the few most notable.

Miss Davenport was a daughter of George L. Davenport, a son of Colonel George Davenport, the noted pioneer for whom Antoine Le Claire, his friend, named the city of Davenport.

The genesis of Miss Davenport's purpose, and the will and codicil, appear in the correspondence with Mr. Connelly, her attorney.

#### HISTORICAL DEPARTMENT OF IOWA

October 22, 1909.

Dear Misses Davenport:—

I am delighted with having learned that there is in existence a portrait in oil of your distinguished ancestor, Colonel George Davenport, and that it is in your appreciative keeping. I do not believe I so much desire to learn the appearance of any man noted in the formative days of our state as I do to learn that of Colonel Davenport. I believe my interest is the same as that of thoughtful men of my generation the state over, and that it will be a common interest so long as study of Iowa history is encouraged. This, let us hope, will be always.

I trust I may not be mistaken in believing that you have also preserved much in the way of manuscripts, parchments, books, and papers that would aid in studying him and his descendants as you would like to do, were you without the verbal accounts and traditions from which we all as children best know our forbears.

May I suggest that this institution is most anxious to share the pleasure and responsibility of transmitting the memory of Iowa's best men to the remotest future, and that the service you are performing as custodian of your grandfather's portrait, and probably of his and others' documentary remains, is one we also are glad to perform? If your beautiful city has honored your family by bearing your name, I feel that the state of Iowa owes you the distinction of an invitation to place in this beautiful fire-proof building the portrait and any other memento you please, here to be preserved in your name for all time.

May I not hear from you and further explain any detail that may be of interest to you? It is an enterprise of love, a tribute possible at the sole cost of the state, and I am honored in the authority to invite you.

Sincerely yours,

(Sig.) E. R. Harlan.

Misses Naomi and Kittie Davenport,  
Davenport, Iowa.

Miss Davenport did not reply. No communication was ever sent to her by our institution afterward unless the following are regarded from and to her.

Law Offices  
CONNELLY & WALKER  
Rock Island, Illinois

August 25, 1919.

Mr. Edgar R. Harlan,  
Curator, Historical Department,  
Des Moines, Iowa.

Dear Sir:—

Will you kindly mail me a copy of your constitution and by-laws and such other descriptive literature that I may be fully advised regarding your Society and the conditions upon which gifts, etc., may be made to the Society.

I make this request on behalf of a resident of Iowa of many years.

Thanking you in advance, I remain,

Very truly yours,

(Sig.) B. D. Connelly.

BDC:S

HISTORICAL DEPARTMENT OF IOWA

Des Moines, August 27, 1919.

My dear Sir:

Our institution is a subdivision of the State Government, established and maintained by statute, and devoted to the acquisition and preservation of materials which illustrate the lives of men and women in the Mississippi Valley, either as individuals or when associated in any of the laudable social enterprises.

The institution has a large, classic, fire-proof building, accepts gifts and loans in commemoration of those making gifts and in whose names they are given. It has millions of private letters from the earliest days of the settlements in the Mississippi Valley to the present time—from the European countries from which our immigration came, from the fields of battle in all the wars, and from California, Alaska and other scenes of gold excitement. We are the official repository of the archives of the state and all the correspondence of the governors and other officials from the earliest to the present times. A collection of

newspapers embracing the almost complete file of one or more publications from each county is on our shelves and catalogued. Thus we maintain that from the various sources we have practically a correct and complete repository of the source materials of Iowa history.

I should be glad to know the details of your proposition and to help along in any way I can.

Sincerely yours,

(Sig.) E. R. Harlan.

Mr. B. D. Connelly,  
Rock Island, Ill.  
ERH-SRS

Miss Davenport died at Davenport on August 3, 1924, and soon thereafter there was offered for probate the following:

LAST WILL AND TESTAMENT OF NAOMI L. DAVENPORT

I, NAOMI L. DAVENPORT, of Davenport, Scott County, Iowa and St. Augustine, St. John County, Florida, being of sound mind and memory, do make, publish and declare this to be my last will and testament, hereby revoking all former wills by me made.

FIRST:—I direct that all my just debts and funeral expenses shall be fully paid as soon after my death as may be conveniently done.

SECOND:—I give, devise and bequeath the sum of Forty Thousand (\$40,000) Dollars to Department of Iowa Historical Society at Des Moines, Iowa, as a memorial to my father, George L. Davenport, late of Davenport, Iowa. Also, to the Department of Iowa Historical Society at Des Moines, Iowa, all family portraits, pictures, commission of Colonel George Davenport as postmaster, commission of George L. Davenport as Indian agent at Tama, Iowa, two swords, gun of Colonel George Davenport from the battle field of Lundy Lane, one old shot gun formerly belonging to George L. Davenport, bronze medal awarded to George L. Davenport at Philadelphia Centennial in 1876, three canes, three silver cups (one marked "G. L. D.," one marked "B. D." and one marked "Ebenezer Cook Davenport"), two silver baskets, six table spoons, and soup and sauce ladles, formerly belonging to Colonel George Davenport, three large volumes of "History of Indian Tribes of North America," one piano purchased at New Orleans in 1833 with carved legs, one settee, one sideboard, one old hall clock, three hand carved chairs, one small table with two drawers, one sewing table made by the soldiers at Fort Armstrong in '1818.

THIRD:—I give, devise and bequeath to St. Anthony's Hospital at Rock Island, Illinois, the sum of Twenty-five Thousand (\$25,000) Dollars as a memorial to my mother, Sarah G. Davenport.

I, also, give, devise and bequeath to St. Anthony's Hospital silver coffee urn, table spoons, coffee spoons, soup, sauce and cream ladles, three cake baskets, two trays and two pair silver candle sticks, all formerly belonging to my mother, Sarah G. Davenport.

FOURTH:—I give, devise and bequeath to the Rock Island Savings Bank and its successors, the sum of Ten Thousand (\$10,000) Dollars in trust forever for the benefit of the Rock Island Public Library and the annual net income only of said sum shall be paid over to the Board of Trustees or governing body of said library, from time to time as same may be earned. Said sum of ten thousand dollars shall be known as the "Bailey Davenport Memorial Fund."

I, also, give, devise and bequeath to the Rock Island Public Library all books except those with cards attached to, be given as gifts and except such books as may be otherwise disposed of herein.

FIFTH:—I give, devise and bequeath to the Board of Park Commissioners of the city of Rock Island, Illinois, or such other body as may have jurisdiction of Lincoln Park being the East End Park in said city of Rock Island, the sum of Five Thousand (\$5,000) Dollars to be expended for an ornamental fountain to be placed in said East End or Lincoln Park as a memorial to my sister, Catharine Davenport. I desire my executor hereinafter named to be consulted regarding the plans, specifications and location of said ornamental fountain and same shall meet with his approval before said five thousand dollars or any part thereof shall be paid over to the Park Commissioners or governing body of said park.

I give, devise and bequeath to the Board of Park Commissioners of the city of Rock Island or such other body as may have jurisdiction of said East End or Lincoln Park in said city of Rock Island the sum of Five Thousand (\$5,000) Dollars to be expended for a band stand to be placed in said East End or Lincoln Park as a memorial to my brother, Ebenezer Cook Davenport. I desire my executor hereinafter named to be consulted regarding the plans, specifications and location of said band stand and same shall meet with his approval before said five thousand dollars or any part thereof shall be paid over to the Park Commissioners or governing body of said park.

I, also, give, devise and bequeath to the Rock Island Savings Bank and to its successors, the sum of Ten Thousand (\$10,000) Dollars to be held in trust forever, said sum to be placed at interest and the annual net income only of said sum to be paid over to the Park Commissioners or governing body of the East End or Lincoln Park in the city of Rock Island, Illinois, to be expended in providing free concerts for the public. Said ten thousand dollars so given in trust to the Rock Island Savings Bank and its successors shall be known as the "Naomi L. Davenport Memorial Free Concert Fund."

SIXTH:—I give, devise and bequeath to Flagler Hospital of St. Augustine, Florida, the sum of Ten Thousand (\$10,000) Dollars to be held by said hospital as an endowment fund. Said fund to be placed at interest and only the net income thereof to be used by said hospital in the establishment and maintenance of a free room for women in memory of my sister Catharine Davenport, said room to be known as the "Catharine Davenport Free Room for Women."

SEVENTH:—I give, devise and bequeath to Flagler Hospital of St. Augustine, Florida, the sum of Ten Thousand (\$10,000) Dollars to be held by said hospital as an endowment fund. Said fund to be placed at interest and only the net income thereof to be used by said hospital for the establishment and maintenance of a free room for men in memory of my brother, Ebenezer Cook Davenport, said room to be known as the "Ebenezer Cook Davenport Free Room for Men."

EIGHTH:—I give, devise and bequeath to the city of St. Augustine, Florida, the sum of Fifty Thousand (\$50,000) Dollars to be expended for a public park to be called "Davenport Park" in memory of my father, George L. Davenport, late of Davenport, Iowa.

NINTH:—I give, devise and bequeath the sum of Twenty Five Hundred (\$2,500) Dollars to the Public Library of St. Augustine, Florida.

TENTH:—I give, devise and bequeath the sum of Twenty Five Hundred (\$2,500) Dollars to the Historical Society of St. Augustine, Florida.

ELEVENTH:—I give, devise and bequeath the sum of Twenty Five Hundred (\$2,500) Dollars to Hope Hall at Hampton, Florida.

TWELFTH:—I give, devise and bequeath my winter home at Number 65, San Marco Avenue, St. Augustine, Florida, to the St. Augustine Visiting Nurse Association for a home together with all furniture and household effects therein.

I, also, give, devise and bequeath to said Visiting Nurse Association of St. Augustine, Florida, the sum of Twenty Five Hundred (\$2,500) Dollars.

THIRTEENTH:—I desire my residence at Number 130, West Twelfth Street, Davenport, Iowa (if not disposed of during my lifetime) to be sold by my executor at its appraised market value. I desire, also, that he shall sell at their appraised value all the furniture, piano, balance of pictures on the wall, mantle ornaments, china (except decorated orange sets to be given as gifts as herein or otherwise indicated) glassware, silverware and plated ware and all household goods of any value.

FOURTEENTH:—I desire the sum of Five Thousand (\$5,000) Dollars to be set aside to defray the expenses of my last illness and burial. My remains to be encased in a bronze casket enclosed in a mahogany box and laid to rest in the southwest corner of the family lot in Oakdale Cemetery at Davenport, Iowa. Inscription on monument shall be date of burial and death and "Naomi" on marker at the head of my grave.

FIFTEENTH:—I give, devise and bequeath to Oakdale Cemetery Company of Davenport, Iowa, an additional One Thousand (\$1,000) Dollars to be held by said company on the same terms and conditions and in like manner and for the same purposes as the two thousand dollars now held by said company and previously given to it by me by agreement in writing under date of September 15, 1917.

SIXTEENTH:—I give, devise and bequeath to Bernard D. Connelly of Rock Island, Illinois, the sum of Twenty Thousand (\$20,000) Dollars.

SEVENTEENTH:—After paying all debts, bequests and expenses pertaining to the settlement of my estate, any residue that may be left I desire to be paid over to the city of St. Augustine, Florida, to be added to the bequest heretofore given for the establishment of Davenport Park.

EIGHTEENTH: I hereby appoint Bernard D. Connelly of Rock Island, Illinois, to be my executor without bonds of this my last will and testament and I authorize and empower him to make, execute and deliver any deeds that may be necessary to fully carry out the purpose of this will and to fully administer on my estate. I direct that my executor shall serve without charge.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Rock Island, Illinois, this fifteenth day of September, 1919.

NAOMI L. DAVENPORT (SEAL)

The foregoing instrument consisting of six pages of which this is the last page was on the fifteenth day of September, 1919, signed, sealed, published and declared by the said Naomi L. Davenport as and for her last will and testament in the presence of us who at her request and in her presence and in the presence of each other have subscribed our names as witnesses thereto, believing the said Naomi L. Davenport to be at the time of so subscribing our names as witnesses aforesaid of sound mind and memory.

Witnesses:—

W. G. Johnston (SEAL)

Rock Island, Ill.

R. W. Osterman (SEAL)

Rock Island, Ill.

Wm. M. Walker (SEAL)

Rock Island, Ill.

I, NAOMI L. DAVENPORT, of Davenport, Scott County, Iowa, being of sound mind and memory do make, publish and declare this my first codicil to my last will and testament bearing date the fifteenth day of September, 1919.

FIRST:—I give, devise and bequeath the sum of Ten Thousand (\$10,000) Dollars additional to Department of Iowa Historical Society, at Des Moines, Iowa, so that the sum so bequeathed to said Department of Iowa Historical Society, at Des Moines, Iowa, shall be Fifty Thousand (\$50,000) Dollars instead of Forty Thousand (\$40,000) Dollars, as set forth in the second paragraph to my said last will and testament.

SECOND:—I hereby rescind and annul entirely the twelfth paragraph of my said original will and testament, as I contemplate otherwise disposing of my winter home at number 65 San Marco Avenue, St. Augustine, Florida.

THIRD:—I give, devise and bequeath to St. Augustine Humane

Society, of St. Augustine, Florida, the sum of Twenty-five Hundred (\$2,500) Dollars, which is in lieu of the bequest to the Visiting Nurses Association of St. Augustine, Florida.

In all other respects I hereby ratify and confirm my said original last will and testament.

IN WITNESS WHEREOF I have hereunto set my hand and seal at Rock Island, Illinois, this 16th day of September, A. D., 1920.

NAOMI L. DAVENPORT (SEAL)

The foregoing instrument was on the 16th day of September, 1920, signed, sealed, published and declared, by the said Naomi L. Davenport, as and for the first codicil to her last will and testament in the presence of us, who at her request and in her presence and in the presence of each other have subscribed our names as witnesses thereto, believing the said Naomi L. Davenport to be, at the time of so subscribing our names as witnesses aforesaid, of sound mind and memory.

W. G. Johnston (SEAL)

Witnesses.

J. H. Meehan (SEAL)

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#### WHY WE ARE "THE HAWKEYES"

Numerous versions of the origin of "Hawkeye" are encountered by the student of Iowa history, but it remained for Miss Delia M. Rorer of Burlington, Iowa, to afford us the reason, background, method and medium, all in a single assemblage of clippings from newspapers, selected and arranged by her father. He was the late eminent and brilliant David Rorer of the territorial and early Iowa state bar. He was a discerner of origins of state nicknames. He was a mature and substantial citizen of Arkansas, the "Bear State," at or near the time when inadvertently the solid character of the citizenship of Illinois and Missouri became derisively "Suckers" and "Pukes." Judge Rorer was of the John Marshall quality of lawyer. He had innate humor and was inclined to practical joking. He resembled in his employment of fun that trait of Lincoln which secured him in the public affections. He applied the legal maxim, "The one who is awake, not him who sleeps, the law will help," and occupied with finest motives the open opportunity to give the new territory its nickname. He induced sufficient acrimony over it to fix it in universal use.

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