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GENEALOGY COLLECTION



KANSAS STATE HOUSE, TOPEKA

A Standard History
of
Kansas and Kansans

WRITTEN AND COMPILED BY
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ILLUSTRATED

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KANSAS AND KANSANS

CHAPTER XXXI

LANE'S ARMY OF THE NORTH

The testimony of Eli Thayer and others before the Congressional Investigating Committee put the Emigrant Aid Company in its proper light. The people of Kansas had known from the first that the Company has assumed a position of duplicity, but it took the published words of Thayer under oath to undeceive the whole people of the North.

By the month of June, 1856, the people generally had come to know that the New England Emigrant Aid Company was accomplishing nothing in the crises of Kansas affairs. They saw plainly that the dependence first placed on that company had been entirely misplaced. It was doing nothing to forward the Free-State cause, but was engaged in securing lots in the towns being laid out in the Territory. It was apparent that help would have to be sought in another quarter. It was also seen that the Free-State men were insufficiently armed, and that the aid to be rendered must include guns and ammunition. There was no lack of men and none whatever of spirit and determination.

Early in the year of 1856, the Missourians considered a blockade on the Missouri River. Cannon were placed at various points to command steamboats bringing emigrants to Kansas. Many boats were stopped and searched. By July the Border-Ruffians were turning back companies of Free-State men. An Illinois company was forced aboard the boat at Leavenworth and compelled to return, as we shall see.

By direction of the Free-State Legislature and Constitutional Convention, James H. Lane had gone to Washington in March to present the Topeka Constitution to Congress, and endeavor to have Kansas admitted as a State. He was also instructed to make a tour of the North in the interest of Kansas. We have seen that his presentation of the Constitution led to no definite results. His appeal to the North had a far different effect. He addressed monster meetings in many Northern states. He kindled in all of them an enthusiasm for a free Kansas. The outrages of the Border-Ruffians furnished him new incidents every day. The sacking of Lawrence was told as only Lane could tell it. Wherever he spoke, the people organized to send substantial aid to Kansas. Other Kansans were touring the North, and they rendered the country valuable service, but Lane was supreme, unapproachable in this campaign. His oratory reached its greatest height when Bleeding Kansas was his

theme. His hearers were led up and up to frenzy. They threw their money into the coffers of committees which were organized to battle for freedom on the Kansas plains. The movement which followed Lane's efforts became a resistless tide, sweeping men and arms into the Territory to rescue Liberty and hurl back the hordes of slavery.

The meeting at Chicago was perhaps the greatest ever held in the interest of Kansas. It was on Saturday evening, May 31, 1856. Lawrence had been sacked ten days before. There was an immense crowd in the square about the Court House. Hon. Norman Judd was Chairman of the meeting. His speech on taking the chair was able and eloquent. He was followed by Francis A. Hoffman. Then J. C. Vaughan reviewed the conditions in Kansas and offered these resolutions:

Resolved, That the people of Illinois will aid the Freedom of Kansas.

Resolved, That they will send a colony of 500 actual settlers to that Territory, and provision them for one year.

Resolved, That these settlers will invade no man's rights, but *will maintain* their own.

Resolved, That we recommend the adoption of a similar policy to the people of all the States of the Union, ready and willing to aid; and also, a thorough concert and co-operation among them, through committees of correspondence, on this subject.

Resolved, That an Executive Committee of seven, viz., J. C. Vaughan, Mark Skinner, George W. Dole, I. N. Arnold, N. B. Judd and E. I. Tinkham, be appointed with full powers to carry into execution these resolutions.

Resolved, That Tuthill King, R. M. Hough, C. B. Waite, J. H. Dunham, Dr. Gibbs, J. T. Ryerson and W. B. Egan, be a finance committee to raise and distribute material aid.

They were adopted with great enthusiasm and long continued applause. Hon. W. B. Egan addressed the meeting. He appealed to his Irish fellow-citizens to stand for Kansas. At the conclusion of his remarks the audience was in a state of excitement. The Chairman then introduced Gen. James H. Lane, of Kansas. It is to be regretted that his speech has not been preserved entire. It was one of his greatest efforts, equaled only by that which made sure the second nomination of Abraham Lincoln. The account compiled for the *Andreas History of Kansas* is the best which has been prepared of this meeting, and is here given:

The President then introduced Col. James H. Lane, of Kansas. As he rose up and came forward, he was greeted with an outburst of applause from the crowd that continued for some minutes, during which time he stood statue-like, with mouth firm set, gazing with those wondrous eyes down into the very heart of the excited throng. Before the applause had subsided sufficiently for his voice to be heard, the fascinating spell of his presence had already seized upon the whole vast audience, and for the next hour, he controlled its every emotion—moving to tears, to anger, to laughter, to scorn, to the wildest enthusiasm, at his will. No man of his time possessed such magnetic power over a vast miscellaneous assembly of men as he. With two possible exceptions (Patrick Henry and S. S. Prentiss), no American orator ever equaled him in effective stump-speaking, or in the irresistible power by which he held his audiences in absolute control. On that night he was at his best. It was doubtless the ablest and most effective oratorical effort of his life. No full report of it

was given at the time. One of the hundreds of young men made Kansas-crazy by the speech, and who forthwith left all and followed him to Kansas, thus wrote of it twenty years after:

"He was fresh from the scenes of dispute in the belligerent Territory. He made a characteristic speech, teeming with invective, extravagance, impetuosity, denunciation and eloquence. The grass on the prairie is swayed no more easily by the winds than was this vast assemblage by the utterances of this speaker. They saw the contending factions in the Territory through his glasses. The Pro-slavery party appeared like demons and assassins; the Free-state party like heroes and martyrs. He infused them with his warlike spirit and enthusiastic ardor for the practical champions of freedom. Their response to his appeals for succor for the struggling freemen was immediate and decisive."

It is doubtful if the writer of the above, or any other of the ten thousand hearers of that night, can recall a single sentence of his speech. The emotions aroused were so overwhelming as to entirely obliterate from memory the spoken words. A few broken extracts are preserved below. He began:

"I have been sent by the people of Kansas to plead their cause before the people of the North. Most persons have a very erroneous idea of the people of Kansas. They think they are mostly from Massachusetts. They are really more than nine-tenths from the Northwestern States. There are more men from Ohio, Illinois and Indiana, than from all New England and New York combined."

Speaking of the President, he said:

"Of Franklin Pierce I have a right to talk as I please, having made more than one hundred speeches advocating his election, and having also, as one of the electors of Indiana, cast the electoral vote of that State for him. Frank was, in part, the creature of my own hands; and a pretty job they made of it. The one pre-eminent wish of mine now is that Frank may be hurled from the White House; and that the nine memorials sent him from the outraged citizens of Kansas detailing their wrongs, may be dragged out of his iron box."

Of the climate of Kansas, he said:

"Kansas is the Italy of America. The corn and the vine grow there so gloriously that they seem to be glad and to thank the farmers for planting them. It is a climate like that of Illinois, but milder. Invalids instead of going to Italy, when the country became known, would go to Kansas, to gather new life beneath its fair sky and from its balmy airs. The wild grapes of Kansas are as large and luscious as those that grow in the vineyards of Southern France."

He alluded to Col. W. H. Bissell, then the Republican candidate for Governor of Illinois, as follows:

"It is true I was side by side with your gallant and noble Bissell at Buena Vista and in Congress. I wish I could describe to you the scene on the morning preceding that glorious battle. On a ridge stood Clay, Bissell, McKee, Hardin and myself. Before us were twenty thousand armed enemies. It was a beautiful morning, and the sun shone bright upon the polished lances and muskets of the enemy, and their banners waved proudly in the breeze. In our rear the lofty mountains reached skyward, and their bases swarmed with enemies ready to rob the dead and murder the wounded when the battle was over. Around us stood five ragged regiments of volunteers, two from Illinois, two from Indiana, and one from Kentucky; they were bone of your bone, blood of your blood, and it was only when you were near enough to look into their eyes that you could see the d——I was in them. It did not then occur to me that I should be indicted for treason because I loved liberty better than slavery."

He then gave a warm and glowing tribute to Col. Bissell, his brother-in-arms.

Then followed a most vivid and awful narrative of the outrages perpetrated upon the Free States' men by the Missouri ruffians; so vivid that the Osawatomie murders seemed but unmerited retaliation, and most sweet revenge to his excited hearers.

"The Missourians, [said he], poured over the border in thousands, with bowie knives in their boots, their belts bristling with revolvers, their guns upon their shoulders, and three gallons of whisky per vote in their wagons. When asked where they came from, their reply was, 'From Missouri;' when asked, 'What are you here for?' their reply was, 'Come to vote.' If any one should go there and attempt to deny these things, or apologize for them, the Missourians would spit upon him. They claim to own Kansas, to have a right to vote there and to make its laws, and to say what its institutions shall be."

Colonel Lane held up the volume of the Statutes of Kansas, then proceeded to read from it, commenting as he read:

"The Legislature first passed acts virtually repealing the larger portion of the Constitution of the United States, and then repealed, as coolly as one would take a chew of tobacco, provisions of the Kansas-Nebraska Bill. Of this bill I have a right to speak—God forgive me for so enormous and dreadful a political sin—I voted for the bill. I thought the people were to have the right to form their own institutions, and went to Kansas to organize the Democratic party there, and make the State Democratic, but the Missouri invaders poured in—the ballot boxes were desecrated—the bogus Legislature was elected by armed mobs—you know the rest.

"The Pro-slavery fragment of the Democratic party talk much about Know-nothingism. It is their song day and night. Well, these Kansas law-makers have gone to work and repealed at once the clause in the Nebraska Bill, that gave the right to vote to foreigners in Kansas on declaring their intention to become citizens, and made it requisite for them to have lived in the Territory five years, and to take the final oath; and at the same time, they made all Indians who adopted the habits of white men, voters at once. And what was the distinguishing habit of white men? Why, it was understood to be drinking whisky. All that was necessary to naturalize a Kansas Indian was to get him drunk. What Know-nothing lodge ever went so far in their nativism as this?—made foreigners in the Territory wait five years to become citizens, and enfranchising the drunken, thieving Indians at once, one and all!

"The Pro-slavery fragment of the Democratic party also delights in the term 'nigger worshiper,' to designate Free-state men. I will show you that these Pro-slavery men are of all nigger worshipers the most abject. According to the Kansas code (Col. Lane read from the book, giving page and section), if a person kidnaped a white child, the utmost penalty is six months in jail—if a nigger baby, the penalty is death. Who worships niggers, and slave nigger babies at that? To kidnap a white child into slavery—six months in jail—to kidnap a nigger into freedom—Death!"

He concluded his scathing review of the infamous code as follows:

"Is there an Illinoisan who says enforce these monstrous iniquities called laws?—show me the man. The people of Kansas never will obey them. They are being butchered, and one and all will die first! As for myself, I am going back to Kansas, where there is an indictment pending against me for high treason. Were the rope about my neck, I would say that as to the Kansas code it shall not be enforced—never!—NEVER!"

Following, he argued, elaborately and conclusively, the right of Kansas to come into the Union as a Free State "now." He closed his speech

with a detailed account of the murders and outrages perpetrated upon the Free-state settlers, given with a masterly power of tragic delineation which brought each particular horror, blood-red and distinct, before the eyes of the excited throng. He knew of fourteen cases of tar and feathering—"the most awful and humiliating outrage ever inflicted on man." He told of Dow, shot dead while holding up his hands as a sign of his defenselessness; lying, like a dead dog, in the road all the long day, until in the evening his friends found his body, dabbled in his life blood, and bore it away; Barber, unarmed, shot on the highway, brought dead to Lawrence, where his frantic wife, a childless widow, 'mid shrieks of anguish, kissed the pallid lips that to her were silent evermore—Brown, stabbed, pounded, hacked with a hatchet, bleeding and dying, kicked into the presence of his wife, where in agony he breathed out his life—she, now a maniac,—a voice from the crowd called: "Who was Brown?" Lane continued:

"Brown was as gallant a spirit as ever went to his God! And a Democrat at that—not one of the Pro-slavery fragment, though. For the blood of free men shed on the soil of Kansas—for the blood now flowing in the streets of Lawrence—for every drop which has been shed since the people asked to be admitted as a State, the Administration is responsible. Before God and this people I arraign Frank Pierce as a murderer.

"In conclusion I have only this to say: The people of Kansas have undying faith in the justice of their cause—in the eternal life of the truths maintained—and they ask the people of Illinois to do for them that which seems to them just."

The *Chicago Tribune*, in its report of the meeting, June 2, says:

"We regret we can only give a meager outline of the eloquent and telling effort of Col. Lane. He was listened to with the deepest interest and attention by the vast throng, and as he detailed the series of infamous outrages inflicted upon the freemen of Kansas, the people were breathless with mortification and anger, or wild with enthusiasm to avenge those wrongs. During Col. Lane's address, he was often interrupted by the wildest applause, or by deep groans for Pierce, Douglas, Atchison, and the dough-faces and ruffians who had oppressed Kansas, and by cheers for Sumner, Robinson, and other noble men who have dared and suffered for liberty.

"Language is inadequate to give the reader a conception of the effect of the recital of that tale of woe which men from Kansas had to tell; the flashing eyes, the rigid muscles, and the frowning brows told a story to the looker on that types cannot repeat. From the fact that the immense crowd kept their feet from 8 till 12 o'clock, that even then they were unwilling the speakers should cease, or that the contributions should stop; from the fact that working men, who have only the wages of the day for the purchase of the day's bread, emptied the contents of their pockets into the general fund; that sailors threw in their earnings; that widows sent up their savings; that boys contributed their pence; that those who had no money gave what they had to spare; that those who had nothing to give offered to go as settlers and do their duty to Freedom on that now consecrated soil; that every bold declaration for liberty, every allusion to the revolution of '76, and to the possibility that the battles of that period were to be fought over again in Kansas were received as those things most to be desired—something of the tone and temper of the meeting may be imagined.

"The effect of the meeting will be felt in deeds. Be the consequences what they may, the men of Illinois are resolved to act.

"Take it with its attending circumstances—the shortness of the notice, the character of the assembled multitude, and the work which was accomplished—it was the most remarkable meeting ever held in the State. We believe it will inaugurate a new era in Illinois. We believe it is the precursor of the liberation of Kansas from the hand of the oppressor, and of an all-pervading political revolution at home.

"About half past 12, Sunday having come, the meeting unwillingly adjourned, and the crowd reluctantly went home. At a later hour, the Star Spangled Banner and the Marseillaise, sung by bands of men whose hearts were full of the spirit of these magnificent hymns, were the only evidences of the event that we have endeavored to describe."

The subscriptions in money, given by upward of two hundred different persons and firms, in sums ranging in amount from \$500 down to 10 cents—the latter sum being given by a boy, all he had—amounted to over \$15,000. In addition were given the following utensils and supplies, for the use and comfort of the emigrants. The names of the donors and explanatory notes are given as reported:

F. R. Gardiner, six rifles, three with double barrels, sure at each pop.
Major Van Horn, one sixteen-shooter.

C. W. Davenport, one six-shooter, and ten pounds of balls.

An editor and a lawyer, four Sharpe's rifles and themselves.

D. G. Park, one can of dry powder.

C. H. Whitney, one revolver.

J. M. Isaacks, one Sharpe's rifle.

G. M. Jerome, Iowa City, one rifle.

A. S. Clarke, one Sharpe's rifle.

J. A. Barney, one rifle.

H. A. Blakesley, one rifle.

W. H. Clark, one double-barreled rifle and \$10.

J. A. Graves, one Sharpe's rifle.

Frank Hanson, one double-barreled gun and \$25.

A. German, one pair of pistols.

J. H. Hughes, one Colt's revolver.

F. M. Chapman, one horse.

Urhlauß & Sattler, three revolvers.

This meeting, although not the first of a like character held in the Northwest during that spring, was remarkable as being the first great outburst of enthusiasm, which, breaking local bounds, spread to every town and hamlet from the Mississippi to the Atlantic coast. It was the "little cloud no larger than a man's hand" which forthwith spread over the whole heavens, and out of it came money, and arms, and ammunition, and a ceaseless tide of emigrants and troops of armed men—all setting Kansasward. Out of it came "Lane's Army of the North," in the imagination of the frightened Pro-slavery Kansans and Missourians, "a mighty host terrible with banners," coming, in uncertain but irresistible force, by a route indefinitely defined as from the north, to sweep as with the besom of destruction, the Territory clean of the Territorial laws and every man who had advocated their enforcement. The army proved neither so numerous in numbers nor so terrible in its vengeful visitations on the Pro-Slavery settlers, as to justify their fearful apprehensions; nevertheless, its heralded approach inspired the Free-State settlers with renewed courage, opened a new path of immigration into the Territory, and proved one of the many great moral forces which brought victory and peace at last.

The tide of emigration, moving by the inspiration of the spirit born at the Chicago meeting from all parts of the North, was met and temporarily stayed on the Missouri River. A part, turning to the route of

the "Army of the North," entered the Territory through Iowa and Nebraska, while many, the numbers increasing from month to month, waited at different points near the eastern border until the obstructions had disappeared, and then poured into the Territory in such overwhelming numbers as to assure the State to freedom evermore.

A committee was appointed by this meeting to arm and outfit a company to go at once to Kansas. Some time before a party from McLean County, Illinois, had been turned back by the Missourians. W. F. M. Army was the leader of this company. He sought the co-operation of the Chicago Committee. What work he had done was utilized by the larger committee, and the two organizations became one. The work was extended over the State of Illinois, and adjoining states, but the Executive Committee had its office in Chicago. Organizations were formed all over the North to help Kansas in the struggle with the slave power. On the 10th of July, there was a meeting at Buffalo, New York, to consolidate all these local bodies into a National organization, to be directed by one head. Governor Reeder presided at this meeting. It was determined to open a road through Iowa and Nebraska to enable emigrants to come to Kansas without being obliged to pass through Missouri. This step was most necessary, as the blockade of the Missouri River was at that time complete. Some of the committees had urged the forcing of the river, and in that manner raise the blockade. It was believed, however, that such a course would prove impracticable. Lane had advocated the route through Iowa even before it was known that the Missouri River would be blockaded by the Missourians, saying that Free-State emigrants to Kansas ought not to be compelled to pass through hostile territory where they were insulted, maltreated and sometimes mobbed. The route through Iowa was recommended by this meeting. The National Kansas Committee was organized, composed of the following members: George R. Russell, Boston; W. H. Russell, New Haven; Thaddeus Hyatt, New York; N. B. Craige, Pittsburgh; John W. Wright, Logansport; Abraham Lincoln, Springfield; E. B. Ward, Detroit; J. H. Tweedy, Milwaukee; W. H. Hoppin, Providence; W. H. Stanley, Cleveland; F. A. Hunt, St. Louis; S. W. Eldridge, Lawrence; G. W. Dole, J. D. Webster, H. B. Hurd, J. Y. Scammon, and I. N. Arnold, Chicago.

An Executive Committee was selected consisting of J. D. Webster, Chairman; George W. Dole, Treasurer; and H. B. Hurd, Secretary. The object of the committee was explained in this sentence,—“To receive, forward, and distribute the contributions of the people, whether provisions, arms or clothing, to the needy in Kansas.” This committee did a great work. In fact it was one of the principal factors in the immediate triumph of the Free-State men in Kansas. It was in existence six months. During that time it distributed about \$120,000 in money. In addition to this it forwarded to Kansas large quantities of arms and ammunition. It also sent food and clothing. It took charge

of the contributions of other societies in the North and forwarded them to the particular localities in Kansas for which they were designed. Of the \$120,000 disbursed by the Executive Committee, \$10,000 went for the purchase of arms and ammunition. It is estimated that the value of the total shipments of the Executive Committee into Kansas amounted to more than \$200,000. Some portion of these consignments fell into the hands of the Border-Ruffians and did not reach the intended destination.

Massachusetts did not co-operate with the National Kansas Committee, but formed a separate committee. George L. Stearns was Chairman of the Massachusetts Committee. He was an untiring worker for Kansas, and visited the State. He collected and disbursed money and other property to the amount of \$80,000. Most of this was sent to Kansas in the fall of 1856. He sent arms and ammunition in liberal quantities. In some manner a shipment of two hundred Sharps' rifles was detained at Tabor, Iowa. These were afterwards given to John Brown, who used them at Harper's Ferry.

It was not to be expected that the organization of the National Kansas Committee would pass unnoticed in Missouri. The Border-Ruffians stationed guards at the ferries between Kansas and Missouri early in June. These guards halted steamboats and searched the emigrants found aboard. On the 10th of June, the blockade was so completely organized that no boat could reach Kansas without permission of these guards. If arms were found in possession of the passengers, they were seized and the emigrants sent back. Later it was the custom of the Border-Ruffians to seize all property carried by emigrants for Kansas, and all shipments consigned to the people of Kansas.

The party organized at Chicago as the result of Lane's meeting on the 31st of May, took passage at Alton, on the boat, *Star of the West*. The boat reached Lexington, Missouri, on the 20th of June. There it was boarded by an armed mob. Only a portion of the armed Ruffians could enter the boat. The remainder stood on the shore and encouraged those on the boat by shouts and by denunciation of the emigrants. The arms of the company had been stored in one of the state-rooms. Colonel Joe O. Shelby, who had been many times in Kansas as a leader of the Ruffians, addressed the Chicago party. He demanded that they turn over their arms at once, saying that if they did so they would be permitted to proceed, and that they would be turned back if the arms were not delivered. It was impossible for the emigrants to offer any effective resistance, and the arms were turned over to the Ruffians. The boat proceeded, and at Kansas City it was again boarded. The leaders of the mob at Kansas City were D. R. Atchison and B. F. Stringfellow. Major Buford also came aboard the boat with a part of his company. The boat was permitted to proceed up the Missouri, but had not gone any great distance until Stringfellow informed the emigrants that they were prisoners, and that they would be compelled to return to Alton, Illinois. If they would agree to this course, they would not be further molested. If they persisted in the attempt to go

into Kansas Territory, they were assured that every-one of them should be hanged. When the boat arrived at Leavenworth, other Ruffians crowded aboard. These proceeded to rob the emigrants of what little had been left them. The boat was detained at Weston two days. The emigrants were forced to remain in the cabin of the boat as prisoners. At the end of this two days confinement at Weston the boat departed for the Mississippi. The emigrants were landed opposite the mouth of the Missouri, and forced to go ashore in a drenching rain. The *Squatter Sovereign* of Atchison, in the issue of July 1st, heralded this exploit as a great victory, having these headlines:

MORE ARMS CAPTURED!

THE FLOWER OF THE ABOLITION ARMY TAKEN!

A BLOODLESS VICTORY!

After which it contained this account of the valor of the Ruffians:

The steamer, *Star of the West*, having on board seventy-eight Chicago Abolitionists, said to be a picked company from the army of 800 men congregated there, was overhauled at Lexington, Mo., and the company disarmed. A large number of rifles and pistols were taken at Lexington, and a guard sent up on the boat to prevent them from landing in the Territory. After leaving Lexington, it was ascertained that they had not given up all their weapons, but still held possession of a great number of pistols and bowie knives, which were probably secreted while the search for arms was going on at Lexington. At Leavenworth City, Capt. Clarkson, with twenty-five men, went on board of the boat and demanded the surrender of all the arms in possession of the Abolitionists. Like whipped dogs they sneaked up to Clarkson, and laid down their weapons to him. We learn that about two bushels of revolvers, pistols and bowie knives were captured at Leavenworth. On the way up the river they were boasting of what they would do, should any one attempt to molest them, and even went so far as to load their guns, just before coming in sight of Lexington. When they arrived at the *Political Quarantine* the whole party of seventy-eight, all of them "armed to the teeth," surrendered to a company of twenty "border ruffians." Here is bravery displayed on the part of the Abolitionists unparalleled in the annals of history! The flower of Lane's army are now prisoners of war, and will be shipped back home disgraced and cowed! If this is the material we have to encounter in Kansas, we have but little fear of the result. Fifty thousand of such "cattle" could not subdue the Spartan band now in possession of Kansas.

An Indiana party was coming overland to Kansas. It was halted in Platte County, Missouri. The *Squatter Sovereign* of the same date gave this account of the capture of that party:

A party of about twenty-five Abolitionists from Indiana and Illinois, on their way to this Territory, were recently captured in Platte County, Mo., disarmed and ordered back home. We learn that they had two guns apiece, with pistols and bowie knives in proportion, all of which fell into the hands of the "border ruffians." They were boasting on their way that they intended to march through the fortress of the "ruffians," and land in Kansas opposite Platte County—the hot-bed of "border-ruffianism." Their expectations were not realized, however,

and in Platte County they received the order to " 'bout face" and march for home, which they promptly did, just as all good soldiers should do. The Kansas road is a hard route for some people to travel.

Dr. Cutter led a party from Massachusetts. This party took passage on the steamboat *Sultan*, which was boarded at Waverly, Missouri, by the Ruffians. They confiscated the arms and all the property the company carried. The party was turned back. The *Squatter Sovereign* contained this account of that affair:

The steamer *Sultan*, having on board contraband articles, was recently stopped at Leavenworth City and lightened of forty-four rifles and a large quantity of pistols and bowie knives, taken from a crowd of cowardly Yankees, shipped out here from Massachusetts. The boat was permitted to go up as far as Weston, where a guard was placed over the prisoners, and none of them permitted to land. They were shipped back from Weston on the same boat, without even being insured by the shippers. We do not fully approve of sending these criminals back to the East to be re-shipped to Kansas—if not through Missouri, through Iowa and Nebraska. We think they should meet a traitor's death, and the world could not censure us if we, in self-protection, have to resort to such ultra measures. We are of the opinion, if the citizens of Leavenworth City or Weston would *hang* one or two boat loads of Abolitionists it would do more toward establishing peace in Kansas than all the speeches that have been delivered in Congress during the present session. Let the *experiment be tried*.

Notwithstanding these precautions, the Border-Ruffians were much disquieted. Rumors of the formation of Lane's Army of the North constantly drifted in and disturbed them. It was supposed that Lane would lead his army into Kansas in time to protect the Free-State Legislature at Topeka. An appeal was made to the South signed by D. R. Atchison for Missouri, J. Buford for South Carolina, and W. H. Russel, B. F. Stringfellow, A. G. Boone and Joseph C. Anderson. It was extensively circulated, being published generally in the papers of the South. The following is an extract from it. Lane's army of the North was mentioned as one of the reasons for the appeal:

That a state of insurrection and civil war exists among us, is abundantly evident. The Law and Order party on the one side, opposed on the other by the Abolitionists, who are backed up and sustained by the Emigrant Aid Societies of the North. A brief review of the points at issue, and their controlling circumstances, may be useful to justify this, our appeal for aid. In Territorial politics, the question of Free or Slave State has swallowed up every other. The Abolitionists on the one hand, in accordance with their early teaching, regard slavery as the greatest possible evil. They deem it a monstrous national evil, which their false theories of government impute equally to every portion of the confederacy, and thus feeling themselves individually responsible for its existence, they feel bound each to struggle for its overthrow; to such extremes have wicked demagogues stimulated their fanaticism, that their perverted consciences justify any mode of warfare against slaveholders, however much in violation of law, however destructive of property or human life, and however atrociously wicked it may seem to others; nay, many of them already go so far as to oppose all religion,

property, law, order and subordination among men as subversive of what they are pleased to call man's natural and inherent equality. And with them it is no mere local question of whether slavery shall exist in Kansas or not, but one of far wider significance; a question of whether it shall exist anywhere in the Union. Kansas, they justly regard as the mere outpost in the war now being waged between the antagonistic civilizations of the North and the South; and winning this great outpost and stand-point, they rightly think their march will be open to an easy conquest of the whole field. Hence, the extraordinary means the Abolition party has adopted to flood Kansas with the most fanatical and lawless portion of Northern society; and hence, the large sums of money they have expended to surround their brother Missourians with obnoxious and dangerous neighbors.

On the other hand, the Pro-slavery element of the Law and Order party in Kansas, looking to the Bible, find slavery ordained of God; they find there, as by our law, slaves made an "inheritance to them and their children forever." Looking to our national census, and to all statistics connected with the African race, and considering, too, their physical, intellectual and moral nature, we see that slavery is the African's normal and proper state; since in that state the race multiplies faster, has more physical comforts, with less vice and more moral and intellectual progress than in any other. We believe slavery the only school in which the debased son of Ham, by attrition with a higher race, can be refined and elevated; we believe it a trust given us of God for the good of both races.

The one Kansas man feared by the Missourians was James H. Lane. Many of them had served with him in the Mexican War and knew that he was a brave and resourceful soldier. They never deceived themselves about his courage. They had seen him at Buena Vista and other battlefields, and knew that he was the equal of any man in courage and daring. The other Free-State leaders were without military reputation, and the Ruffians held them in contempt as soldiers. This led to some rude shocks to their preconceived ideas—as, for instance, in the affair at Dutch Henry's Crossing. From the time that information concerning Lane's Army of the North drifted into Missouri, there was gloom in the camps of the Border-Ruffians. A distinct tone of pessimism at once sounded through the Western Missouri press. The Missourians had hoped he would not again appear upon the border. But now, it seemed, he was preparing to not only descend upon the Law and Order party in Kansas Territory, but to do so at the head of an army which rumor and their fears magnified into a mighty host with banners.

The Border-Ruffians began at this time to insist upon the removal of Governor Shannon. He never had the confidence of the Missourians after his negotiation of the Treaty of Peace in the Wakarusa War. His later extravagant pretension of devotion to the Pro-Slavery cause never could atone, in the eyes of the Border-Ruffians, for that crime. It became apparent to him that he was the object of suspicion, and that it was not safe for him to remain in Kansas. He was as much despised by the Border-Ruffians as by the Free-State men. In this dilemma, he resigned his office. He left the Territory on the 23d of June, after having ordered Colonel Sumner to disperse the Free-State Legislature

at Topeka. When Governor Shannon left the territory, the duties of Governor devolved upon Secretary Daniel Woodson, who became the Acting Governor. Woodson's attitude toward the Free-State men was entirely different from that of Governor Shannon. He believed that they should be dealt with as traitors. It was his judgment that no mercy should be shown them. He too was influenced by the rumors of Lane's Army of the North. He directed Colonel P. St. George Cooke to scour the country between Ft. Riley and Topeka to discourage any preparations to receive the invasion from the North.

We have already noted the dispersion of the Free-State Legislature on the 4th day of July, 1856, at Topeka. Colonel Sumner was under orders to obey the officers of the Territorial Government. It was not the policy of the Free-State party to resist the military force of the United States. Colonel Sumner wrote the following letter to a committee, at Topeka, which had been appointed on the 2nd of July to confer with him. The committee had been appointed by a mass convention convened to discuss the course which ought to be pursued in this emergency.

HEADQUARTERS FIRST CAVALRY, CAMP AT TOPEKA, K. T.

JULY 3, 1856.

Gentlemen—In relation to the assembling of the Topeka Legislature (the subject of our conversation last night), the more I reflect on it, the more I am convinced that the peace of the country will be greatly endangered by your persistence in this measure. Under these circumstances I would ask you and your friends to take the matter into grave consideration. It will certainly be much better that you should act voluntarily in this matter, from a sense of prudence and patriotism at this moment of high excitement throughout the country, than that the authority of the General Government should be compelled to use coercive measures to prevent the assembling of that Legislature.

I am, gentlemen, very respectfully, your obedient servant,

E. V. SUMNER.

Colonel First Cavalry Commanding.

Governor Woodson decided that it was necessary for him to issue a proclamation forbidding the meeting of the Free-State Legislature. It was also read to the convention:

WHEREAS, We have been reliably informed that a number of persons claiming legislative power are about to assemble in the town of Topeka, for the purpose of adopting a code of laws, or of executing other legislative functions in violation of the act of Congress organizing the Territory, and of the laws adopted in pursuance thereof, and it appears that a military organization exists in this Territory for the purpose of sustaining this unlawful legislative movement, and thus, in effect, to subvert by violence all present constitutional and legal authority; and

WHEREAS, The President of the United States has, by proclamation bearing date eleventh February, 1856, declared that any such plan for the determination of the future institutions of the Territory, if carried into action, will constitute insurrection, and therein command all persons engaged in such unlawful combinations against the constituted authority of the Territory of Kansas, or of the United States, to disperse and retire to their respective places of abode; and

WHEREAS, Satisfactory evidence exists that said proclamation of the President has been, and is about to be disregarded: Now, therefore,

I, Daniel Woodson, Acting Governor of the Territory of Kansas, by virtue of the authority vested in me by law, and in pursuance of the aforesaid proclamation of the President of the United States, and to the end of upholding the *legal* and *constituted* authorities of the Territory, and of preserving the peace and public tranquillity, do issue this my proclamation, forbidding all persons claiming legislative power and authority as aforesaid, from assembling, organizing or attempting to organize, or acting in any legislative capacity whatever, under the penalties attached to all unlawful violation of the law of the land and disturbers of the peace and tranquillity of the country.

In testimony whereof, I have hereunto subscribed my hand, and caused to be affixed the seal of the Territory, this 4th day of July, 1856, and of the Independence of the United States the eightieth.

DANIEL WOODSON, *Acting Governor of Kansas Territory.*

Colonel Sumner had written below the signature of Governor Woodson that he would be governed by the proclamation at all hazards.

These proceedings occupied the convention and the Pro-Slavery forces until about noon, on July 4, 1856, when Colonel Sumner approached with his dragoons and artillery. They appeared at the south boundary of Topeka and marched north on Kansas Avenue. This was just as the Topeka companies, F and G, were formed in front of Constitution Hall to receive a flag which the ladies of Topeka had made for Company G. Colonel Sumner planted his cannon about three hundred feet from Constitution Hall. The dragoons were formed on the street. The Legislature had adjourned on the 13th of June to meet at 12 o'clock, July 4. Colonel Sumner entered the hall and was invited to come forward to the Speaker's platform. When the roll of the House was called, Sumner rose and said:

Gentlemen, I am called upon this day to perform the most painful duty of my whole life. Under the authority of the President's proclamation, I am here to disperse this Legislature, and therefore inform you that you cannot meet. I therefore order you to disperse. God knows that I have no party feeling in this matter, and will hold none so long as I occupy my present position in Kansas. I have just returned from the borders where I have been sending home companies of Missourians, and now I am ordered here to disperse you. Such are my orders, and you *must disperse*. I now command you to disperse. I repeat that it is the most painful duty of my whole life.

Upon being asked if the Legislature would be driven out at the point of the bayonet, Colonel Sumner replied, "I shall use all the forces in my command to carry out my orders," whereupon he descended to the street and mounted his horse, when it occurred to him that he had omitted to disperse the Senate. He then went to the Senate Chamber in company with Marshal Donalson. The Senate had not yet convened. The members were told that they would be required to disperse. Marshal Donalson informed the Senators that they would be arrested if they did not agree to disperse and not assemble again. Colonel Sumner was assured by the Senators present that they would disperse, which

they proceeded to do. He had assured those present that he would not disperse the mass convention, nor the two military companies, whereupon three cheers were given for Colonel Sumner.

The dispersal of the Free-State Legislature served only to emphasize the former convictions of the Free-State men, that their only course lay in resistance to the Ruffians in every possible way. From that date guerrilla parties spontaneously appeared in Kansas. Guerrilla warfare spread over the Territory. A state of anarchy prevailed. The Free-State men not only armed to protect themselves but to attack the Pro-Slavery settlers and the Law and Order militia. These guerrilla parties became predatory. They preyed upon Pro-Slavery merchants and settlers. Many a Pro-Slavery settler was stripped of all his property, and was sometimes fortunate to escape with his life. The Border-Ruffians soon began to come in from Missouri. Finding that it was impossible for the Pro-Slavery settlers to remain on their claims, they were advised to assemble in forts. These were garrisoned by Buford's men and the Missouri Ruffians coming in with them. A fort was established on the claim of J. P. Saunders, on Washington Creek, twelve miles southwest from Lawrence. Franklin was fortified. Colonel H. T. Titus turned his residence into a fortification, which he called Fort Titus. These points had already been fortified to some extent, and garrisoned by Buford's men and other Ruffians. The United States troops had not molested them when directed to break up the armed bands in the country. In other parts of the Territory the Pro-Slavery men assembled and made preparations to defend themselves.

The first step in the work of bringing in Lane's Army of the North was the establishment of a road or way over which it should march. This was immediately attended to, as the following notice and appeal will show:

TO THE FRIENDS OF FREE KANSAS

The undersigned, IOWA STATE CENTRAL COMMITTEE, for the benefit of FREE KANSAS, beg leave to represent that the dangers and difficulties of sending Emigrants to Kansas through Missouri has been attempted to be remedied by opening through Iowa an Overland Route. At present Iowa City, the Capital of Iowa, is the most western point that can be reached by Railroad. Arrangements are being made by GEN. LANE, GOV. REEDER, GEN. POMEROY, GOV. ROBERTS, and others to turn the tide of emigration in this channel, and thus avoid the difficulties heretofore experienced in attempting to pass through Missouri.

It is proposed to take the following course through Iowa.

Leaving Iowa City—proceed to Sigourney, thence to Oskaloosa, thence to Knoxville, thence to Indianola, thence to Osceola, thence to Sidney, and to Quincy in Fremont county, Iowa, on the Missouri River, 80 miles from Topeka, the Capital of Kansas. An Agent has been through the State by this Route, and the citizens in each of the aforesaid Towns have appointed active committees. The inhabitants of this line will do all in their power to assist Emigrants. The distance from Iowa City to Sidney on the Missouri River is 300 miles, and the cost of conveying passengers will be about \$25. The "Western Stage Company" have formed a new line of coaches and will put on all the stock necessary

for the accommodation of every Emigrant who may come. This can positively be relied on. You will at once see that this must be a general and concerted effort, or the project will fail, and each body of Emigrants will be left to their own guidance.

We wish also to call attention to the impracticability of Committees far in the East sending men, as any number can be raised in the West, and thus save an additional expenditure. All that is wanting is the *means* of defraying expenses. It is hoped therefore that our friends will lend us their aid in this particular, and assist us in raising money. We would suggest that Committees in the East send an Agent here for the disbursement of their funds, if they are unwilling to entrust the same to this Committee. Our citizens have just raised the means to fit out a Company of 230 men which has this day started for Kansas. Another Company as large can be raised as soon as means can be obtained. It is hoped that all companies formed in the East will be sent over this route, and those who desire that Slavery shall not be FORCED in Kansas, should assist us in obtaining *material aid*. As Iowa is more deeply interested than any other State in saving Kansas from the grasp of the Slave power and in the success of the proposed project, the people of this State are urgently requested to organize Committees and contribute to the prosecution of this scheme of settling Kansas with FREE-STATE men; and all funds raised for this object should be transmitted at once, to H. D. Downey of the Banking House of Cook, Sargent & Downey, the Treasurer of this Committee, with the confident assurance that all monies thus placed in our hands will be faithfully applied to the cause of our suffering friends in Kansas.

W. PENN CLARK, *Chairman*,

G. W. HOBART, *Secretary*.

H. D. DOWNEY, *Treasurer*.

W. PENN CLARK, G. W. HOBART, L. ALLEN, JESSE BOWEN, M. L. MORRIS, G. D. WOODIN, J. N. JEROME, J. TEASDALE, *Kansas Central Committee of Iowa*.

IOWA CITY, JULY 4, 1856.

That portion of the trail through Nebraska and Kansas was surveyed and marked by John Armstrong, Colonel John Ritchie, and others by the direction of Lane. It ended at Topeka, and its course to Iowa City and Springdale may be seen on the maps in this volume. It was known through its entire length as THE LANE TRAIL. It became later the Underground Railroad from Kansas, and hundreds of slaves who reached Canada traveled its tortuous way. The best account of any party over it from end to end will be found in Volume XIII, *Kansas Historical Collections*.

P. B. Plumb had visited Kansas in July. He saw the need for aid to the Free-State men. Returning to Ohio he arranged his newspaper business for a long absence and cast his lot with Kansas. He organized a company and carried in a brass howitzer, two hundred and fifty each of rifles, bowie-knives, and Colt's Navy pistols, together with ammunition for the cannon, rifles, and revolvers. His company was one unit of Lane's Army of the North. He arrived at Topeka, September 26, 1856. Ever afterwards, as long as he lived, he was one of the foremost figures in Kansas. His long and brilliant Senatorial career has seldom been equaled in America.

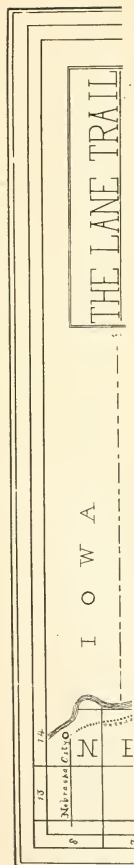
CHAPTER XXXII

BLEEDING KANSAS

Lane's Army of the North crossed the line into Kansas in detachments and companies on various dates beginning early in August, 1856. Lane, in command of a large company, crossed on the 7th of August. After seeing his company safely over the line, he left it and hurried to Lawrence. It was time that he did so. The Border-Ruffians were overrunning the Territory, murdering the Free-State people and robbing them of their live-stock and other property. The guerrilla bands organized by the Free-State people were doing all in their power to protect the people. Civil war, carried on by these guerrilla forces, had existed for several weeks in Kansas. United States troops were stationed along the line to turn back Lane's Army of the North. The true character of this army was revealed by the search and examination made by these troops. Most of the army proved to be peaceful emigrants coming to settle in Kansas. True, in many wagons were concealed rifles, revolvers, bowie-knives and ammunition. This war material was so carefully hidden that very little of it was discovered by the troops.

The news of the approach of General Lane encouraged the Free-State forces. The camp of the Georgians near Dutch Henry's Crossing, was known as New Georgia. It is represented in letters to the *Missouri Republican* as containing more than two hundred people—men, women, children, and slaves. On the 5th of August, an Illinois company of Free-State men under one Brown, of Massac County, Illinois, attacked the Georgia colony. It had settled around a central fort which had been erected for protection and as a base in aggressive movements against the Free-State people of that country. At the fort was a good well. While the accounts published in the papers of that day represent that several of the Georgians were killed, they, in fact, did not wait for the Free-State men under Brown, to reach the town. They abandoned the fort and their dwellings, and fled to Missouri. They filled up the well with bacon and other supplies. It had not been the intention of the Free-State men to molest the settlers, but to demolish the block-house or fort. The attack was in open daylight, and the settlers in the colony had been notified that those found peaceably attending to their own affairs would not be troubled in the least. Very few of this colony ever came back to Kansas. The Free-State men demolished the fort and gathered the provisions and other property in the colony, and burned the houses, as they were found empty and deserted.

<http://stores.ebay.com/Ancestry-Found>



Upon the arrival of General Lane at Lawrence, he assembled the Free-State forces in that vicinity. On the night of the 12th of August, he attacked Franklin, which had been fortified by the Border-Ruffians, who had been robbing and murdering Free-State people for some time. The Border-Ruffian forces at Franklin were commanded by Captain Ruckles. When the attack was made he took refuge in a strong log house from which firing was kept up for some time. The Free-State men loaded a wagon with hay, which they set on fire and backed up to the house, thus firing it. The Ruffians immediately fled. The Free-State party obtained eighty guns, mostly with bayonets, one six pound cannon, about 1200 pounds of bacon, besides a quantity of flour, sugar, coffee, etc. They captured fourteen prisoners from whom they exacted a promise to leave the country when they were released. On the Free-State side one man was killed and six wounded. On the Pro-Slavery side three were severely wounded, of whom one died. The defenders of the town after the defeat, fled to Fort Saunders, on Washington Creek, which was garrisoned by a company of Georgians under command of Colonel B. F. Treadwell.

On the 11th of August, Major D. S. Hoyt, of Lawrence, had gone to Fort Saunders to try to arrange for some truce or cessation of guerrilla warfare between that place and Lawrence. He was permitted to depart after his efforts to negotiate some agreement, but was followed and murdered. It has been persistently maintained that he was mutilated after death in order that his body should not be recognized.

On the 15th day of August, Lane attacked Fort Saunders. Just before the attack the body of Hoyt had been brought in. This excited the Free-State forces and they demanded to be led against the fort at once. Then Lane led them in a charge against the fort. The Georgians fled without firing a shot, leaving a smoking dinner on the table. The Free-State men were about to partake of this meal, but were prevented by Lane, who feared that it might have been poisoned by the Ruffians. In the fort were found many articles which had been stolen at Lawrence and at other points in Douglas County. The fort was burned.

General Lane placed the command of a column to attack Fort Titus under Captain Samuel Walker. This command was composed of Lawrence troops, of Harvey's Chicago Company, which had come in with Lane's Army of the North, Dr. Cutter's party, and some men from Topeka. The attack was made about sunrise. The cannon captured at Franklin was placed in a position to command the house of Titus. It was loaded with slugs from the molten type of the *Herald of Freedom*, which had been collected in the streets of Lawrence and along the river bank. The battle lasted about half an hour. Titus was severely wounded and took refuge in the loft of his house. The Ruffians soon came to the conclusion that they could offer no effective resistance and surrendered. Colonel Titus and Captain William Donalson, together with eighteen others, were made prisoners. Five Free-State prisoners were found in the fort and these were immediately released. One of these had been sentenced to be shot that morning. A number of the

Georgians from Fort Saunders were found among the prisoners taken at Fort Titus.

A very serious loss to the Free-State forces occurred in this battle. Captain Shombre, who had just arrived from Indiana, with Lane's Army of the North, was mortally wounded and died the following day.

These operations of the Free-State men carried consternation to the Pro-Slavery settlers and Border-Ruffian guerrillas. The inhabitants of Lecompton were panic stricken and many of them crossed the Kansas River. Others sought safety in the camp of the United States troops, and some fled to the woods. A detachment of the troops was sent to Lecompton, but could find none of the Territorial officers. Governor Shannon, who had returned to the Territory, and others, were found embarking on a scow to cross to the north bank of the Kansas River. Clarke, the murderer of Barber, had abandoned his house and fled. Seeing that the Free-State men had no design of attacking Lecompton, the Territorial officers returned.

On the morning of the 17th of August, Governor Shannon, taking with him Major Sedgwick and others, visited Lawrence for the purpose of negotiating another treaty of peace. This he succeeded in doing, stipulating that the five Free-State men arrested after the attack of Franklin should be released; that no more arrests of that nature should be made; that the cannon taken from Lawrence by Jones on the 21st of May should be returned, and that Titus and his band should be set free. The Governor seemed deeply impressed by the recent events and after the treaty, made a speech in which he said, "The few days I remain in office shall be devoted, so help me Heaven, in carrying out faithfully my part of the agreement, and in preserving order."

On the 21st of August, the Governor received notice of his removal from office, though he had just forwarded his resignation. He was also informed of the appointment of John W. Geary as his successor. Governor Shannon soon left the Territory. It was necessary for him to do so, for his life was in danger. Upon his resignation, Secretary Woodson became again the Acting Governor of Kansas. On the 25th of August he issued a proclamation in which he declared the Territory in a state of insurrection, and calling out the militia, which was an invitation to the Missourians to arm themselves and invade Kansas. Commenting on this call, the *Squatter Sovereign*, in the article headed "Third and Last Time," had this to say:

Our friends have been collecting on the Border during the past week, and in a few days will have a well organized force in the field, equal to any emergency. We again reiterate, a crisis has arrived in the affairs of Kansas, and another week will tell a tale that will have an important bearing on the future fate of Kansas. It behooves every citizen to shoulder arms without any further delay. We have been slow to believe that anything like serious fighting would occur; but we are now fully convinced that a deadly struggle must ensue, and one or more hard battles transpire, before the abolitionists can be subdued. . . . Already the smouldering ruins of numerous dwellings, and the reeking blood of many a victim, cries aloud for vengeance. The cry is heard

and will be answered with tenfold retaliation. If there is one breast still unpenetrated by this call, we urge that it instantly become alive to the importance of the emergency. The want of a few men may turn the fortunes of war against us. Then let every man who can bear arms "be off to the wars again." Let this be the "third and last time." Let the watchword be "extermination, total and complete."

This is the spirit in which the Missourians were urged to enter Kansas for the third and last time, as they hoped. Many appeals were made to the people in the western counties of Missouri in the same spirit. The full effect of this order was not felt in the Territory for several days.

On the 25th of August, a band of Missourians, numbering about one hundred and fifty, commanded by Captain John E. Brown, went into camp on Middle Creek about nine miles southwest of Osawatimie. The Free-State forces in that neighborhood immediately assembled to give fight. They were commanded by Captains Cline, Anderson, and Shore. In Captain Cline's company were eighteen men; in that of Anderson there were forty men; and Shore's company numbered about sixty men. The Free-State party attacked the Missouri camp about noon on the 26th. The firing lasted about ten minutes, when the Missourians broke ranks and fled, leaving their baggage, horses, wagons, guns, clothing and provisions. A number of prisoners were taken by the Free-State men. One party of five Missourians had captured a Free-State man whom they were about to hang. The total number of prisoners taken by the Free-State men was eleven, and these were liberated the following day upon a promise never to come into Kansas again. Most of these Free-State men had served under John Brown.

On the 29th of August Missourians to the number of twelve hundred, under command of Atchison, Reid, and other Ruffian chiefs, were encamped on the Santa Fe Trail where that historic highway crossed Bull Creek. This point is some six to eight miles, as the road then lay, east of Black Jack, where Brown had recently captured the command of H. Clay Pate. Colonel A. W. Doniphan was with this band of Border Ruffians, but not in active command of any of the Missourians. He was a Kentuckian, but a citizen of Liberty, Clay County, and believed in slavery, but was not in favor of the indiscriminate murder of Free-State men as were the other men of prominence present. Colonel John W. Reid had been a captain under him in Doniphan's Expedition, and had led the charge at the battle of Sacramento. Reid was one of those fortunate men always given every advantage, and put forward on every occasion to enable him to make a great reputation. It was this good fortune which had caused him to be selected to lead the charge at Sacramento. He was an inferior soldier and a sycophantic man of very little ability. From this camp Colonel Doniphan returned to Missouri, and was never again in Kansas with the Border-Ruffians.

On the 29th of August information was received at this camp that John Brown and other Free-State captains were raiding in the north part of Linn and Anderson counties, and that Osawatimie was left without a garrison of Free-State troops. Colonel Reid was given three

hundred men and directed to proceed to Osawatomie and destroy the town. He marched on the night of the 29th. He crossed the Marais des Cygnes River some four miles above the town, just before daylight on the morning of the 30th. From this ford the road led up to the back-bone or highland between the Marais des Cygnes and the Pottawatomie, following this highland eastward into the town.

General Lane was informed of the presence of the various bands of Missourians. He had information, which he believed reliable, of the intention of the forces camped at Bull Creek to attack Osawatomie. He was at this time at Lawrence. On the 29th of August he sent Frederick Brown, Alexander G. Hawes, John Still, David R. Garrison, George Cutter, and one Adamson, to notify John Brown of the presence of the Ruffian force, and its intentions. John Brown was returning to Osawatomie with his men, fearful of an attack on the town, when the dispatch was delivered to him by the messengers. He camped that night north of Osawatomie, where the Kansas State Hospital now stands.

Frederick Brown visited his uncle, S. L. Adair, who lived on the upland, a mile and a half west of Osawatomie. He had informed S. L. Adair that he would return to Lawrence the next day, and if he had any letters he wished to send out over the Free-State line through Iowa, to write them during the night, and he would call for them at daylight. Frederick Brown then went to the house of Morgan Cronkite, whose claim cornered with that of Mr. Adair on the southwest. Cutter and a young man named Garrison also slept at Cronkite's house. Frederick Brown was up before daylight and on his way to Mr. Adair's house to get the letters. He wanted to be off early, for he knew the peril of the roads at that time. The Border-Ruffians had intended to come into Osawatomie from the north. It is not certainly known why they changed their route. Their scouts may have discovered the camp of John Brown north of the town. There were traitors in the town, and these may have advised a change of course. A traitor named Hughes, a Missourian, lived at that time in Osawatomie. He it was who sent word to the camp at Bull Creek that John Brown was away and the town left defenceless. He went away with the Border-Ruffians after the sacking of Osawatomie, carrying his family, knowing it would be certain death to remain. When the Border-Ruffian force came out on the highlands after fording the river, they sent a scouting detachment to ride into the city and find out conditions there. This advance party was under the command of Rev. Martin White. White was just passing north of the Cronkite farm as Frederick Brown came into the road on his way to Mr. Adair's house. He could not see well enough to distinguish who the Ruffians were. He stepped into the road in front of them and said, "Good morning boys," supposing doubtless they were some of his father's company astir early. Receiving no reply he said, "I believe I know you," or "I believe I ought to know you." At this Rev. White said, "I know you," and fired, the ball entering Brown's breast, killing him instantly. Brown fell to the north, just out of the road. His body lay some two or three hundred yards from Mr. Adair's house. David R. Garrison soon came

on, having heard the shot that killed Frederick Brown. He went to the house and asked Mr. Adair who it was that fired the shot. Mr. Adair said he had heard no shot, but had heard someone gallop by, going west on horseback, and had remarked that Frederick Brown must have forgotten to stop for the letters, supposing it was young Brown who had galloped by. Garrison still insisted that he had heard a shot. By this time it was getting light and Brown's body could be dimly seen lying on the roadside. Mr. Adair supposed it was a blanket some one had dropped, but Garrison thought it was a body. They went there together and found the body of Frederick Brown. At this time a second squad of the scouting party appeared riding out of the town westward. Mr. Garrison asked what they must do. Mr. Adair said that it would not do to stand there and be killed. He went north into some low bushes and lay down. Garrison ran south over the naked prairie. The Ruffians followed him, firing upon him. He ran by the house of William Carr, where Cutter then was. They shot Cutter in the face and left him for dead. They still pursued Garrison, who shot at them, came up with him, and killed him.

After the party disappeared in the pursuit of Garrison, Mr. Adair went to his house and sent George Ferris on horseback to alarm the town. In a few minutes he sent his son, S. C. Adair, and a young man named Mills, also to spread the alarm. He then went into the woods north of the house to escape the main body of Ruffians, then in sight. Mills rode on, joined John Brown, and fought in the battle. Young Adair went east of the town, crossed the Pottawatomie and escaped. He returned home later in the day. Reid seems to have halted his force a short distance east of Adair's house, and to have remained there for a time.

Those sent to alarm the town soon reached John Brown's camp and informed him of the death of Frederick Brown. He immediately ordered his men to follow him, and started for Osawatimie. Luke F. Parsons marched by his side part of the distance to the ford. John Brown asked him if he had ever been under fire. Parsons said that he had not but that he would obey orders, requesting Brown to tell him what to do. Brown then said to him, "Take more care to end life well than to live long." There was a block-house in Osawatimie and to this Brown first repaired. Parsons was directed to take ten men and to hold that house as long as he could, Brown saying that he would take the rest of the men, go into the timber, and annoy the Ruffians from the flank. It was soon apparent to Parsons and the men left in the block-house that they could not accomplish anything from that point. They left the block-house and joined John Brown. Captain Cline was met as they were making their way to Brown's position, but he could not be induced to remain. John Brown formed his men at the break in the prairie,—that is, where the descent from the highlands toward the town begins. There were some bushes along this break in which James H. Holmes had before concealed himself, and from which he fired on the Ruffians, striking one of them in the mouth. This break ran at an acute

angle to the road, and from the bushes Brown's men fired on the advancing enemy. John Brown concealed his men as effectively as possible when the Missourians began to fire. As he was passing Parsons he inquired if Parsons could see anything torn or bloody on his back. Upon being assured that nothing of the kind was there, Brown said, "Well, something hit me a terrible rap on the back. I don't intend to be shot in the back if I can help it." Reid was not able to dislodge Brown nor to advance until he brought up his cannon, loaded with grape-shot. The discharge of this piece emboldened the Ruffians and they advanced. Brown and his men were forced back into the higher timber on the bank of the Marais des Cygnes. At this time it was seen that with thirty men it was impossible to hold back three hundred. Brown and his men were forced down the river through this timber. It was clear that they would have to cross if possible. They were at that time nearing a saw-mill standing on the south bank. The men attempted to wade the river. George Partridge was killed while in the water. James H. Holmes dived and swam most of the way under water. One of Brown's men, Austin, hid between some saw-logs still in the river, from which position he shot a Border-Ruffian as he rode up. John Brown with a revolver in each hand held high over his head, waded the river, his hat and the tails of his linen duster floating on the water. Jason Brown also waded safely across. Spencer K. Brown, Robert Reynolds, H. K. Thomas and Charles Keiser were captured immediately after the battle. William B. Fuller had been captured early in the morning, and Joseph H. Morey was taken after the battle was over. After the defeat of John Brown's force, the Ruffians went into Osawatimie and burned the town. The houses and stores were robbed before being set on fire. They found Theron Parker Powers in the town and beat him to death with a spirit-level, which was found lying by his crushed head. At the Ruffian camp at Bull Creek, Charles Keiser was tried for treason to Missouri, as he had come from that state to Kansas. He was not present at the trial and did not know that he was being tried. He was convicted and condemned to death. A guard was sent to take him to execution. Approaching him they said, "We want you." He seemed to know he was to be killed, for he said to Reynolds, by whom he was sitting, "They are going to kill me." They marched him a short distance from the camp and shot him. Reynolds heard the volley.

Reid's report of the battle was as follows:

CAMP BULL CREEK, AUG. 31.

GENTLEMEN:—I moved with 250 men on the Abolition fort and town of Osawatimie—the headquarters of Old Brown—on night before last: marched 40 miles and attacked the town without dismounting the men about sunrise on yesterday. We had a brisk fight for an hour or more and had five men wounded—none dangerously—Capt. Boice, William Gordon and three others. We killed about thirty of them, among the number, *certain*, a son of Old Brown, and almost certain Brown himself; destroyed all their ammunition and provisions, and the boys would burn the town to the ground. *I could not help it.*

We must be supported by our friends. We still want more men and

ammunition, ammunition of all sorts. Powder, muskets, balls and caps is the constant cry.

I write in great haste, as I have been in saddle, rode 100 miles, and fought a battle without rest.

Your friend,

REID.

Another account of the battle, dated at Bull Creek, September 1st, signed by Congreve Jackson and G. B. M. Maughas, Captain of Company B, is as follows:

The enemy commenced firing on us at half a mile, which is point blank range for Sharp's Rifles. They had taken cover under a thick growth of underwood and numbered about 150. We charged upon them, having to march 800 yards across an open prairie, against an unseen foe, through a hail-storm of rifle bullets. This was done with a coolness and ability unsurpassed, until we got within 50 yards of them when we commenced a galling fire, which together with some telling rounds of grape from our cannon, soon drove them from their hiding place with a loss of some 20 or 30 men killed. We had lost not a single man, and had only five or six wounded.

Fifty years after the battle of Osawatomie, Judge James Hale of Lexington, Missouri, wrote the following account of the battle at Osawatomie:

On the 29th of August, 1856, our army of 1,200 mounted men with nine cannons was encamped on Bull Creek, about thirty miles north of Osawatomie, when information was received that Capt. John Brown with his command was at Osawatomie. A force of 300 men with one piece of artillery, all under command of Gen. John Reid were ordered to proceed to Osawatomie in search of the noted abolition commander. We left camp about 4 o'clock in the afternoon and after traveling all night crossed the Marais des Cygnes river about three miles above Osawatomie a little after sunrise on the morning of the 30th. After crossing a wide bottom we ascended the bluff. On the uplands was a corn field just to the left of the road which ran north and south and turned east at the southwest corner of the field. Just as the head of our column turned the corner of the fence, Capt. Brown's pickets, three mounted men, were encountered. Well armed both parties prepared to fire. One of our men who was riding with his revolver in his hand with the hammer sprung getting the first shot when one of the pickets fell from his horse dead with a bullet through his heart. It was discovered that he was Frederick Brown, son of Capt. John Brown. The other two men were overtaken in a small thicket about seventy-five yards from where young Brown's body lay and killed. I was near the rear of the column and did not hear the firing and knew nothing of what had occurred until I saw young Brown's corpse where it lay across the road, with a pool of blood under his breast. I did not see the dead bodies of the other two pickets, but I saw their horses and arms in possession of our men.

As the road here ran east and skirted the timber, for fear of being fired on from the brush, we turned to the right in the prairie and formed two lines, the second line being about 100 feet in the rear of the first, and advanced in the direction of the town which was probably two miles distant, until we reached the summit of a ridge about a half mile west of and in full view of the town from which place we could see Capt. Brown's company. They commenced firing on us at a lively rate

with Sharp's rifles at the distance of 400 yards, their bullets zipping around our heads uncomfortably close. We dismounted immediately, picketed our horses, formed a long line and charged as fast as we could run in the direction of where the Brown company was concealed in the bush. We ran down hill which probably saved the lives of some of our men as it was discovered after the battle that several of them had bullet holes through their hats above their heads. Just north of where we left our horses was a thicket and just north of the thicket our cannon was stationed. When we had reached a point 100 yards from Capt. Brown's men the cannon was fired. Our opponents then ceased firing and fell back into the woods and we did not see anything more of them though the cannon was fired into the wood the second time. Soon after, when a well dressed man came out of a thicket seventy-five yards from us and surrendered, he was a pro-slavery man from Missouri and had been running a sawmill near Osawatomie. We protected him and sent him to the rear under guard, where our wounded men were being attended to by the surgeons. The guard soon returned, when a desperado who was with us went back to the field hospital and shot and killed this man without cause or provocation. The man was a prisoner under our protection and many of our men condemned the act in the plainest language. Soon after the battle ceased some of our men went into the town with the cannon and in a short time I heard its reports and saw smoke rising. When they returned they informed me that part of the town had been burned without authority of Gen. Reid. Our commander-in-chief of our army was Major Gen. D. R. Atchison. Col. A. W. Doniphan was present unofficially in camp, but neither was at Osawatomie.

JAMES HALE,

Lieut. of Capt. Larry Boyce's Co.

LEXINGTON, Mo., AUG. 1, 1906.

Judge Hale says that some of the Missourians at Bull Creek marched back to Missouri on the 31st, but most of them remained at the camp.

On the 31st day of August, General Lane determined to drive this force of Ruffians out of Kansas. The Free-State men under him at that time numbered nearly two hundred, being one hundred and forty-three cavalry and about one hundred and fifty infantry. Colonel O. E. Learnard was in command of the cavalry forces, which consisted of a number of small companies. Lane led his forces from Lawrence to the Santa Fe Trail, over which he advanced toward the Border-Ruffian camp. The cavalry led the march. Colonel Learnard found the Missourians drawn up in line of battle on the west side of Bull Creek on both sides of the Santa Fe Trail. They opened fire on Learnard as soon as he appeared in sight. The firing was wild and seemed to be done at random, which was attributed to the amount of whisky the Ruffians had been permitted to imbibe. Lane soon came up, and there was a battle of about an hour. The Free-State men fired deliberately, killing several Missourians and wounding many. The Missouri officers would ride along the lines and strike their soldiers over the head for not shooting better. They also tried to force them to advance; and their shooting did not improve. As darkness came on the Free-State men drew off and went back to Black Jack, where they camped. Next morning Lane sent Learnard with his cavalry to define the position of the Ruffians. He found a force advancing up the Trail, but it immediately

retreated upon the approach of Learnard. Later it was discovered that this company was only thrown out to cover the retreat of the Missourians. When Learnard got to Bull Creek, he saw the train of the Missourians, about forty wagons, going up the banks through the timber headed for Missouri. Most of the Missourians had retreated to Kansas City during the night. They arrived there the next morning in great disorder. Atchison had not been at Bull Creek for a day or two, but was in Kansas City under the influence of whisky. He was furious when his forces straggled into the town, and swore that if his men would not fight he would not lead them again into Kansas, but he did lead his forces back within a few days.

While General Lane was driving the Bull-Creek camp of Ruffians out of the Territory, Marshal Donalson, with his deputies, Newsem and Cramer, determined to arrest the leading Free-State men on the old warrants, which he still carried. He placed himself at the head of a band of Territorial militia and scoured Douglas County. Those citizens found at home were arrested. For two days the country west of Lawrence was pillaged. Seven houses were burned, among them those of Judge Wakefield and Captain Samuel Walker. Well-laden with loot, and marching their prisoners before them, they retreated to Lecompton when they heard of the return of General Lane from the battle at Bull Creek. Lane decided to attack Lecompton and liberate the prisoners. He divided his forces, sending one division to march on the north side of the Kansas River. Lane was to march on the south side and occupy the high land above the town. Colonel Harvey moved on the 4th of September with a force of one hundred and fifty men. He arrived at a position opposite the town and camped in the rain, which continued all night. Seeing nothing of Lane on the following morning, he returned with his command to Lawrence. Lane had been delayed, and Colonel Harvey found that he had marched and was at Lecompton, having reached there about the time that Harvey had gotten to Lawrence. The appearance of Harvey on the north side of the river had demoralized the Territorial militia, and a good part of that force refused to continue the work of pillaging and burning assigned to them by Governor Woodson. Another body of the Territorial militia returned home in disgust. General Richardson tendered his resignation as commander of the militia to Governor Woodson on the 5th. All this had resulted from the appearance of Colonel Harvey's troops on the north side of the river. When Lane appeared, at four o'clock P. M., on the heights above the town of Lecompton, there was no force under command of Governor Woodson to defend the town. Woodson made a hasty appeal to Colonel P. St. George Cooke to protect the town from Lane. Lane sent Captain Cline and Charles H. Branscomb with a flag of truce to General Marshall, the only officer left in charge of the Territorial militia, demanding an unconditional surrender of the Free-State prisoners. General Marshall replied that they had been released that morning, and that they would be escorted to Lawrence on the following day by a company of dragoons.

He demanded that the prisoners in the hands of the Free-State men be released.

Just as his messengers were returning from the Border-Ruffian camp, Colonel Cooke arrived at Colonel Lane's headquarters. "Gentlemen," he said, "you have made a great mistake in coming here today. The Territorial militia was dispersed this morning. Some of them have left. Some are leaving now, and the rest will leave to go to their homes as soon as they can." Marcus J. Parrott made this reply: "Colonel Cooke, when we sent a man, or two men, or a dozen men, to speak with the Territorial authorities, they are arrested and held like felons. How, then, are we to know what is going on at Leecompton? Why, we have to come here with an army to find out what is going on. How else could we know?" The prisoners which had been recently taken by the Border-Ruffians were permitted to go over to the Free-State men and return to Lawrence the following day. These were only the prisoners who had been taken since the attack on Franklin, and not the treason prisoners.

Lawrence was filled with refugees from Leavenworth. On the 1st of September an election had been held there for Mayor, at which one Murphy was elected. He proceeded to expel every Free-State man from the town. He broke open stores and private houses and expelled the occupants without regard to age or sex. His men attacked the house of William Phillips, who had been tarred and feathered, as before noted. Phillips supposed that he was to be again mobbed and defended himself, killing two of the Ruffians. He was immediately fired on and received a dozen balls in his body, falling dead in the presence of his wife. Fifty citizens of Leavenworth were placed on the steamboat *Polar Star* and the Captain ordered to remain until given permission to leave. On the next day Captain Emory assembled a force of eight hundred Ruffians and paraded the town. He collected one hundred men, women and children, and drove them aboard the *Polar Star*. The commandef at Fort Leavenworth refused to protect the people, and put up notices for them to leave the fort and grounds. Many of them were compelled to wander on the prairie in danger of being murdered by marauding parties. Some of them attempted to board downward-bound boats and were shot. Of those who escaped some were seized at Kansas City and other Missouri towns, and returned. The Territory was rapidly filling up with hands from Missouri in response to Woodson's proclamation.¹

¹ In a letter to the *St. Louis Democrat*, dated May 27, 1857, was this account of the exploit of one Fugit.

"Fugit is the same person who made a bet in this city [Leavenworth], last August, that before night he would have a Yankee scalp. He got a horse, and rode out into the country a few miles, and met a German, a brother-in-law of Rev. E. Nute, named Hoppe. He asked if he was from Lawrence. Hoppe replied that he was. Fugit immediately leveled his revolver and fired, the shot taking effect in the temples, and Hoppe fell a corpse. The assassin dismounted from his horse, cut the scalp from the back of his head, tied it to a pole, and returned to town, exhibiting

A council of war was held in Lawrence to decide what should be done in this emergency. Marcus J. Parrott, F. G. Adams, H. Miles Moore, and many other refugees in Lawrence, urged that the Free-

it to the people, and boasting of his exploit. The body of the victim was found shortly after, and buried on Pilot Knob, about two miles distant from this city. This same Fugit is one of the party who, when the widow came from Lawrence to look for her husband's corpse, forced her on board of a steamer and sent her down the river."

The point where Fugit killed Hoppe is three miles southwest of Leavenworth and about one mile from the present city limits. The murder was committed on the 19th of August, 1856. There was a crossing of Three-mile Creek at that point, and Jacob Swaggler kept an inn there, and sold groceries and liquor. The house of Swaggler was about a quarter of a mile above the crossing. Mr. Hoppe had landed at Leavenworth and hired a horse and buggy in which to go to Lawrence to visit his brother-in-law, Rev. E. Nute. He was returning the horse and buggy at the time he met Fugit. Fugit was a grandson of Major Todd, of Platte County, Missouri. He had an uncle, Marion Todd, living about seven miles southwest of Leavenworth, near what is now the town of Boling. Fugit had made the bet in a Leavenworth saloon mentioned in the above-named letter. He started out toward the home of his uncle. He met Hoppe on the west side of Three-mile Creek. What was said is not known, but Fugit shot him. The horse ran across the creek, when Hoppe's body fell out of the buggy, his feet entangled in the line, which stopped the horse. Fugit followed him back, and when he came up with the dead body, scalped it. Two children, Jimmie Rhodes, six or seven years old, and his sister, were gathering plums there in a thicket and saw the murder. Fugit returned to town with the scalp and exhibited it and collected his wager. He then went to his uncle's where he also exhibited the scalp. His aunt was horrified and told him he had better leave the country. He went to Texas. In about a year he came back to Leavenworth and was tried before Judge Lecompte. Mrs. Todd was spirited away and not permitted to appear against him. The court ruled that the evidence of the children could not be admitted, as they were too young. This made it impossible to convict him of the murder. Fugit then went back to Platte County, but his crime was too brutal for even the Missourians of that day. They would have little to do with him, and he dropped out of sight.

Barnabas Gable moved to Platte County, Missouri, from Knoxville, Tennessee, in 1839. He settled on a claim in Platte County, near Camden Point. He moved into Leavenworth County in 1854, settling on a claim three miles southwest of Leavenworth. He was a Free-State man. He had been to Leavenworth with a load of hay, and was returning home on the day of the murder. Fugit passed him, and he heard the shot which was fired by Fugit. When he came near the crossing he found the dead and scalped body of Mr. Hoppe.

A Mr. Lightburn of Platte County, Missouri, was a wagon-master for government trains at Fort Leavenworth. He had ridden ahead of his train, which was going out the same road taken by Fugit, and stopped in a thicket to get some plums. Gable had passed him at the thicket. Lightburn soon came up to where Gable had found the dead body. He and Gable carried the body to the cabin of a Mr. Wallace, who was a Kentuckian, and a red-hot Free-State man. Wallace lived half a mile back toward Leavenworth. On the following day an inquest was held over the body of Mr. Hoppe. He was buried on Pilot Knob, but his grave was never marked.

State men march to Leavenworth. It was decided in the council to cross the Kansas River from Lawrence with the Free-State forces and march on Leavenworth City. Before the council adjourned, Old John Brown rode into Lawrence. He was heralded as a deliverer and met with shouts. The majority of the Free-State men immediately elected him their commander and proposed to march at once on Leavenworth. Brown declined, saying that he could not supersede Colonel Harvey.

The next week Colonel Harvey, with Captain Hull of Jefferson County, and Captain Wright of Leavenworth County, began offensive operations north of the Kansas River. At Slough Creek, near the present town of Oskaloosa, on the 11th of September, they attacked a Border-Ruffian force and captured it. This was two days after the



JAMES H. LANE AT THE BATTLE OF HICKORY POINT

[From Copy by Willard of Painting by S. J. Reader in Library of
Kansas State Historical Society]

arrival of Governor Geary. As soon as Geary arrived he had a consultation with Lane and requested him to leave the Territory until he (Geary) could see what might be done in restoring order. Lane notified Colonel Harvey that it might be well to return to Lawrence, which he did, arriving there on the 12th of September. General Lane, in accordance with his agreement with Governor Geary, left Lawrence. On the 11th he was at Ozawkie in command of some thirty men. There he was informed that the Border-Ruffians had burned the town of Grasshopper Falls and were still ravaging the country. The settlers urged him to do something in their behalf. He sent to Topeka for help. In response to this call Captain Whipple, as Aaron D. Stevens was then known, joined him on the morning of the 13th, with about fifty men. Lane immediately marched to Hickory Point, where the enemy was found so strongly fortified that it was impossible to make a successful attack without cannon. He dispatched a messenger to Lawrence asking further

reinforcements and Bickerton's cannon. The messenger came in just as Colonel Harvey returned from Slough Creek. With such men as were still able to march, Colonel Harvey started across the country to Hickory Point and arrived there on the forenoon of Sunday, September 14th. General Lane did not wait the arrival of Colonel Harvey, who, upon his arrival at Hickory Point, opened fire on the Border-Ruffians. The battle lasted several hours and the Pro-Slavery force surrendered. The losses were, Border-Ruffians, one killed, four wounded; Free-State, five wounded. The Ruffians were released on parole and the Free-State men started on their return to Lawrence.

That Lane left the Territory at the request of Governor Geary there is little doubt. F. B. Sanborn, the friend of Kansas for more than half a century, has often so told this author.

Lane could trust Kansas in the hands of Governor Geary, as he believed. The campaign of August and the early part of September had been a brilliant one. Lane had kept Kansas in the eyes of the Nation. He had done an immense service to the young Republican party. Kansas very nearly swept Fremont into the Presidency. And it was due to the efforts of Lane in Kansas, largely, that the party made so formidable an antagonist for the old entrenched Pro-Slavery Democracy.

If Governor Geary would take up the campaign against the Missouri invaders and complete the work so well begun, Lane could well permit him to do so. He left the Territory, and Geary proceeded to deal with the Border-Ruffians through the military arm of his power.

This agreement with Geary also included John Brown, who did leave the Territory a little later and spent the winter laboring with Legislatures and the people to raise money to continue his fight against slavery.

That the Missourians recognized the efficiency of Lane's campaign is shown by the appeal which they issued:

From the People of Kansas Territory to the People of the Union.

We have received from Kansas City a printed paper intended as an appeal to the People of the United States in relation to Kansas affairs. It is quite long, and takes a general view of events as they have transpired in relation to that Territory since the passage of the bill of its organization. It is not necessary for us to transfer this portion of the Appeal to our columns, and we content ourselves with giving the last half of it.

To all this we submitted, under the promise that the laws should be enforced, our lives and property protected.

What has been the result? The House of Representatives proceeds with its efforts to disorganize our government—to set aside all our laws—to bring anarchy upon us.

The army falsely represented as our protection, is required to be disbanded, unless we are deprived of the protection of the law!!

Mass meetings are held in every non-slave-holding State to contribute aid to the rebels and assassins in our midst. National Conventions assembled to devise means for raising an army to destroy us. Lane—a traitor—a fugitive from justice, is permitted openly to traverse one

regardless of the possible effect it might have upon the election of some petty politician in a distant State.

In his stead we have one appointed who is ignorant of our condition, a stranger to our people, who we have no moral cause to fear will, if no worse, prove us more efficient to protect us than his predecessors.

With that a government which has proved ineffectual—has failed to enforce the laws for our protection—with an army of lawless bandits overrunning our territory—what shall we do?

Though we have full confidence in the integrity and ability of Mr. Woodson now acting as Governor we know not at what moment his authority will be superseded. We cannot await the convenience in coming of our newly appointed Governor. We cannot hazard a second edition of ineffectuality or corruption.

We must act at once and effectively. These traitors, assassins and robbers must be punished, must now be taught a lesson they will remember.

We wage no war upon men for their opinions, have never attempted to exclude any from settling among us; we have demanded only that all should alike submit to the law. To all sent we will afford protection, whatever be their political opinions. But Lane's army and its allies must be expelled from the Territory. Thus alone can we make safe our persons and property—thus alone can we bring peace to our Territory.

To do this we will need assistance. Our citizens unorganized, many of them unarmed, for they came not as soldiers—though able heretofore to assemble a force sufficient to stamp the obedience of the rebels, now that they have been strengthened by this invading army, thoroughly drilled, perfectly equipped, mounted and ready to march at a moment's notice to attack our defenceless settlements—may be overpowered. Should we be able even to vanquish this colossal force, we are threatened with a further invasion of like character through Iowa and Nebraska.

This is no mere local quarrel, no mere riot, but it is War! a war waged by an army, a war professionally for our extermination. It is no mere resistance to the law, no simple rebellion of our citizens, but a war of invasion—the army, a foreign army—properly named the "Army of the North."

It is then not only the right but the duty of all good citizens of Missouri and every other State to come to our assistance, and enable us to expel these invaders.

Mr. Woodson, since the resignation of Governor Shannon in the absence of Governor Geary, has discharged with the responsibility of the trust placed upon him, has proclaimed the existence of the rebellion, and called on the militia of the Territory to assemble for its suppression.

We call on you to come to furnish us assistance in men, provisions and weapons, that we may drive out this "Army of the North," who would subvert our government and enslave us from our homes.

Our people though poor, many of them stripped of their all, others harassed by these deeds so that they have been unable to provide for their families, are yet true men, will stand with you shoulder to shoulder in defence of rights or principles in which you have a common or a deeper interest than their.

By the issue of this struggle it is to be decided whether law or lawless-

ness shall reign in our country. If we are vanquished, you too will be victims.

Let not our appeal be in vain.

D. R. ATCHISON.
B. F. TREADWELL.
JOS. C. ANDERSON.
R. G. COOK.
T. H. ROSSER.
WM. H. TEBBS.
WM. J. PRESTON.
S. F. JONES.
A. A. PRESTON.
J. H. STRINGFELLOW.
P. T. ABELL.

AUGUST 26, 1856.

We, citizens of Missouri, urge our fellow citizens and the citizens of other States to respond to the above call of the citizens of Kansas.

A. W. DONIPHAN.
OLIVER ANDERSON.
HENRY L. ROUTT.
A. G. BOONE.
JESSE MORIN.
JNO. W. REID.
B. F. STRINGFELLOW.

CHAPTER XXXIII

THE REPUBLICAN PARTY

The principal difference between the two great political parties prior to 1850 was one of interpretation of the Federal Constitution. The Democratic party had contended for a strict construction, counting the constitution a compact between sovereign States, insisting that the government formed under it was limited to those functions explicitly authorized by its terms. The Whigs believed that by the adoption of the constitution the States were merged into a nation with the right to do any and all things necessary for its growth and maintenance whether directly specified in that instrument or not. They were known as loose constructionists, and were favorable to protective tariffs, internal improvements, and national bank currency, and they came finally to insist that the Federal Government could and should control slavery in the Territories. They were the successors of the Federalists, from whom they inherited their principles and tendencies, which had been formulated chiefly by Alexander Hamilton.

Neither of these parties was sectional, and up to 1850 the Whigs did not constitute an anti-slavery party, nor the Democrats a Pro-Slavery party. In 1848, for President the Whigs nominated Zachary Taylor, of Louisiana, a slave-holder, and did not adopt a platform. The Democrats nominated Lewis Cass, of Michigan, on a strict construction platform. The Whigs were successful, but in 1850, Henry Clay, their leader, proposed a compromise of the conflicting claims growing out of slavery and related questions. The principles of this compromise were enacted into laws, that having the greatest influence on the future of the country being the Fugitive Slave Law, which was much more stringent than any former statute on the subject. Fugitive slaves were to be by Federal officials restored, wherever found, to their owners without trial by jury, and all citizens were expected to aid in such restoration. The people of the North objected to being set to slave hunting for Southern masters, and some States enacted what was known as personal liberty laws, designed to protect free negroes and fugitive slaves; and the Underground Railroad, over which fugitive slaves were assisted to reach Canada, became a well-organized and efficient institution.

The Fugitive Slave Law killed the Whig party. Its dissolution furnished the material for numerous small groups, none of them of enough importance to be called a national party. The Northern Whigs

called themselves Anti-Nebraska Men, as they opposed the first attempts to organize a Nebraska Territory west of Missouri and Iowa. The Barnburners became the Free-Soil Democrats. All shades of political opinion were represented by groups, down to Hunkers and Know-Nothings. As the slavery conflict developed there came a gradual realignment of parties, most of these minority groups going over to the Anti-Nebraska Men, who, in 1855, had called themselves the Republican party, and in 1856 a National Republican party was organized. The new party was in fact successor to the Federalist and Whig parties, and it inherited their loose construction principles, the policies of protective tariff, internal improvements, national bank currency, and it added the burning issue of opposition to the extension of slavery.

In 1856 the National Convention of the Republican party was held at Philadelphia, on the 17th of June. Most political elements in the United States opposed to the Democratic party were represented in the Convention. The National issue at that time was Kansas. The Republican party championed the Kansas cause, and free Kansas was its platform. The nature of the contest in Kansas Territory was such that it appealed to all anti-slavery people without regard to their former political affiliations. The issue thus made appealed to the people generally in the Free States. John C. Fremont was nominated as the candidate of the party for President. So vital were the principles declared by the Republican party that it came near electing its candidate for President in its first national campaign. The Free-State men of Kansas who took part in this campaign exerted a wonderful influence. In this matter James H. Lane did more than any other Kansan.

The wonderful showing made at the polls by the Republican party in 1856, made it certain that the party thus formed of the anti-slavery elements of the country, would become a permanent political party in America. That it may be known to just what extent Kansas entered into the platform of this party in 1856, it is believed necessary to here set out that platform complete:

This Convention of Delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise, to the policy of the present Administration, to the extension of Slavery into Free Territory; in favor of admitting Kansas as a Free State, or restoring the action of the Federal Government to the principles of Washington and Jefferson, and who propose to unite in presenting candidates for the offices of President and Vice-President, do resolve as follows:

Resolved, That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution is essential to the preservation of our republican institutions, and that the Federal Constitution, the rights of the States, and the Union of the States, shall be preserved.

Resolved, That with our republican fathers we hold it to be a self-evident truth that all men are endowed with the inalienable rights to life, liberty and the pursuit of happiness, and that the primary object and ulterior designs of our federal government were to secure these

rights to all persons within its exclusive jurisdiction; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty or property without due process of law it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing slavery in any territory of the United States, by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any territory of the United States, while the present Constitution shall be maintained.

Resolved, That the Constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the duty of Congress to prohibit in the Territories those twin relics of barbarism—polygamy and slavery.

Resolved, That while the Constitution of the United States was ordained and established by the people in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, and secure the blessings of liberty, and contains ample provisions for the protection of life, liberty and property of every citizen, the dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them—their territory has been invaded by an armed force—spurious and pretended legislative, judicial and executive officers have been set over them, by whose usurped authority, sustained by the military power of the Government, tyrannical and unconstitutional laws have been enacted and enforced—the rights of the people to keep and bear arms have been infringed—test oaths of an extraordinary and entangling nature have been imposed, as a condition of exercising the right of suffrage and holding office—the right of an accused person to a speedy and public trial by an impartial jury has been denied—the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures has been violated—they have been deprived of life, liberty and property without due process of law—that the freedom of speech and of the press has been abridged—the right to choose their representatives has been made of no effect—murders, robberies and arsons have been instigated and encouraged, and the offenders have been allowed to go unpunished—that all these things have been done with the knowledge, sanction and procurement of the present Administration, and that for this high crime against the Constitution, the Union and Humanity, we arraign the Administration, the President, his advisers, agents, supporters, apologists and accessories, either before or after the facts, before the country and before the world, and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages and their accomplices to a sure and condign punishment hereafter.

Resolved, That Kansas should be immediately admitted as a State of the Union, with her present free Constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

Resolved, That the highwayman's plea, that "might makes right," embodied in the Ostend Circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

Resolved, That a railroad to the Pacific Ocean, by the most central and practicable route, is imperatively demanded by the interests of the

whole country, and that the Federal Government ought to render immediate and efficient aid in its construction: and, as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad.

Resolved, That appropriations by Congress for the improvement of rivers and harbors, of a national character, required for the accommodation and security of our existing commerce, are authorized by the Constitution, and justified by the obligation of government to protect the lives and property of its citizens.

Resolved, That we invite the affiliation and co-operation of freemen of all parties, however differing from us in other respects, in support of the principles herein declared; and, believing that the spirit of our institutions, as well as the Constitution of our country, guarantee liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security.

Kansas also furnished a part of the Democratic platform in 1856. The National Convention of the Democratic party was held at Cincinnati on the 2d of June. The course of the party in Kansas could not be endorsed before the country, and the Democratic party was compelled to adopt generalities rather than point to its course in Kansas Territory.

As to Slavery, the Convention resolved that Congress has no power to interfere with it in the States; that all efforts to induce Congress to interfere with questions of slavery ought to be discountenanced, as they lead to dangerous consequences. That the Democratic party will abide by a faithful execution of the compromise measures of 1850, including the fugitive slave law, "which act cannot, with fidelity to the Constitution, be repealed, or so amended as to destroy its efficiency." That the Democratic party will resist all slavery agitation in or out of Congress. That they will uphold the resolutions of 1798. That, repudiating all sectionalism, they adopt the principles of the Kansas-Nebraska bill—that is, the non-interference of the general government with slavery, which was the basis of the compromise measures. That they recognize the right of new States to regulate their domestic institutions, with or without slavery, as they please. That the party is in favor of State Rights, and against monopolies and special legislation for sectional benefit.

The contrast between the evasive, time-serving paragraph in the Democratic platform, and the stirring and magnificent appeal to moral sentiment of the country to be found in the Republican platform, has seldom been equaled in party declarations in the United States. The assertion of Abelard Guthrie that the Republican party was the result of the efforts to combat the course of the Democratic party in regard to Nebraska Territory, later Kansas Territory, is well established. The national character of Kansas history is in no other way so well proven as in a study of the political conditions in America from 1845 to 1860. The great questions of the day in all that period touched Kansas, and for nearly ten years of that time, Kansas was the paramount question in American politics. And the Civil War resulted from the success of the Free-State men in Kansas. There the two national parties were struggling—one for the supremacy of Freedom, the other for Slavery.

When Freedom won, Slavery endeavored to destroy the Union. The same struggle that had raged in Kansas was transferred to the whole country, with the life of the Union at stake. And the Kansas principles triumphed in the nation. Kansas has a national history—no other State has such a history.

CHAPTER XXXIV

JOHN W. GEARY

The third Governor of Kansas Territory was John White Geary. He was born in Westmoreland County, Pennsylvania, December 30, 1819; died in the city of Harrisburg in the same State, February 8, 1873, in his fifty-fourth year. He was of Scotch-Irish extraction, and a man of great force of character, undoubted courage, and possessed of executive ability of high order.

The death of his father made it necessary for him to quit college and labor for the support of his widowed mother and family. For a time he engaged in teaching, and was afterwards a clerk in a store in Pittsburgh. He studied law and civil engineering. The latter profession he practiced in Kentucky and Pennsylvania. He entered the military service in the Mexican War, and was appointed Lieutenant-Colonel of the Second Pennsylvania Regiment Volunteers. He fought under command of General Scott, and was made a Colonel for bravery. Upon the capture of the City of Mexico he was appointed its commandant. In 1848 he was appointed postmaster of San Francisco, with power to establish postoffices and postroads on the Pacific coast. He was the Alcalde of the city, and in 1850 he was elected the first Mayor of San Francisco. He bore a prominent part in the work of establishing the government of California. In 1852 he returned to Pennsylvania and retired to his farm.

The disorders which marked the closing weeks of Governor Shannon's administration of Kansas affairs aroused deep indignation in the North. This feeling was not confined to the opposition to the Democratic party. Many Democrats cried out against the evils of the course of the national Administration in relation to Kansas. In fact, it began to be feared that if these matters were not mended they would mend themselves in the defeat of the Democratic party in the Presidential election in the following autumn. It became necessary to suppress the disorders in Kansas as a political measure. Colonel Geary was appointed Governor of Kansas Territory July 31, 1856. He was selected for the position because of his firmness and recognized executive ability. He was not an applicant for the office. He spent a month in arranging his private affairs, and in consultation with the President. He departed for his field of labor about September 1st. He came armed with greater discretionary powers than had been given to either of his predecessors.

The condition of Kansas was at this time truly deplorable. For a

year last past the executive power and authority had been so weakly wielded that they were virtually a means for the oppression of a majority of the actual residents of Kansas, and often this oppression was better termed persecution. This was by design, and with the approval of the cabal of conspirators having in hand the Federal Administration. When Governor Shannon let the executive authority slip from his nerveless grasp and fled in terror of his life, it fell into the hands of the mob. Indeed, it was even worse. Had it been into the hands of the mob alone that the executive power of Kansas had fallen, the blindness of those exercising it would have rendered it a comparatively harmless weapon. But it had been seized by the cunning leaders of a gross and brutal mob in a foreign State. In addition to its incendiary inclinations and ferocious tendencies, this mob was skillfully played upon and manipulated against the representatives of freedom and free institutions in Kansas. The conditions producing this mob made it one of extermination, moved by a hatred stimulated to a thirst for blood by those now in possession of the executive power of the Territory, flung away by an agitated old man fleeing for his life.

The formative period was now past in Kansas Territory. Matters had drawn themselves to hard and inflexible issues. The energies of parties fixed by recent events exhausted themselves in fortifying positions already seized. With the Free-State party this course was a matter of necessity, and its position was one of self-defense purely. This was forced upon it by the action of the bogus Legislature when it made the issue for itself and its adherent Slavery—Slavery alone. The test laws had so aroused the Free-State men that at the Big Springs convention they not only met the issue, Slavery, and set opposite that barbaric institution, Freedom, but they did more. Stung to indignation, they avowed resistance to all the bogus laws. This new issue was met by the advocates of slavery by the organization of the Law and Order party—a vigilance committee or assassination society as vicious and bloodthirsty as ever walked a Paris street or stole through the darkness of a Corsican waste. At the head of this party stood Governor Shannon, sustained by the President of the United States and his political party. The attempts to enforce this issue drenched the land in blood and made lurid the sky blackened with the smoke of burning homes, and finally sent the Governor away in panic, horror and despair, and with assassins in close pursuit.

This was the condition awaiting Governor Geary. It is well that he was a soldier, and came determined to bravely do a soldier's duty. He interviewed Governor Price of Missouri while on the way to his hopeful government, and prevailed upon that functionary to take steps to reduce or terminate the piracy practiced by the Border-Ruffians on the vessels navigating the Missouri river.

The leaders of the Missouri mob were at this time hopeful that the Governor would delay his arrival. Their most willing and trusted tool was now the Acting Governor. No plan could be proposed for murder or rapine that he would not sanction, could he be brought to

believe that the establishment of slavery in Kansas would be forwarded by it. Under a few days of his pernicious and mischievous direction of Kansas Territorial affairs anarchy sprang spontaneously from the disorders of the border and terror took hold upon the people. On the 25th of August he had issued a proclamation "declaring the said Territory to be in a state of open insurrection and rebellion," and calling upon all "law-abiding citizens of the Territory to rally to the support of the country and its laws." This proclamation opened the gates of



GOV. JOHN W. GEARY

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

the border. Urged by their leaders under this sanction of authority, the hordes were hurrying from Missouri into Kansas Territory. At points too remote from the border for the inhabitants to feel interest enough to come over and help at their own expense, companies were solicited and raised at so much per diem, and whisky, per head. The incoming Governor's introduction to the "Kansas militia" was at Glasgow, Missouri, where a company of it embarked for Kansas. The incident is thus described by Dr. Gihon:

On approaching this town a most stirring scene was presented. The entire population of the city and surrounding neighborhood was

assembled upon the high bank overlooking the river, and all appeared to be laboring under a state of extraordinary excitement. Whites and blacks, men, women and children of all ages, were crowded together in one confused mass, or hurrying hither and yon, as though some terrible event was about to transpire. A large brass field-piece was mounted in a prominent position, and ever and anon belched forth a fiery flame and deafened the ear with its thundering war-like sounds. When the Keystone touched the landing a party of about sixty, comprising Captain Jackson's company of Missouri volunteers for the Kansas militia, descended the hill, dragging their cannon with them, and ranged themselves along the shore. The captain, after numerous attempts, failing to get them into what might properly be termed a line, got them into as good a military position as possible by backing them up against the foot of the hill. They were as raw and undisciplined a set of recruits as ever shouldered arms. Their ages varied, through every gradation, from the smooth-faced, half grown boy to the gray-bearded old man; whilst their dresses, which differed as much as their ages, gave unmistakable evidence that they belonged to any class of society except that usually termed respectable. Each one carried some description of fire-arms, no two of which were alike. These were muskets, carbines, rifles, shotguns, and pistols of every size, quality, shape and style. Some of them were in good condition, but others were never intended for use, and still others unfit to shoot robins or tomtits. It would have been an afflictive sight to witness the numerous friends of this patriotic band, shaking them affectionately by the hand and pronouncing their blessings and benedictions, had they been enlisted in their country's cause, to repel invasion, or battle with a foreign foe; but knowing the character of their enterprise, the feeling inspired was anything but one of admiration or even sympathy.

Captain Jackson embarked his company, cannon, wagons, arms and ammunition on board the Keystone, and soon after she was on her way. Opportunities now occurred for conversation with the volunteers. Very few of them had any definite idea of the nature of the enterprise in which they had embarked. The most they seemed to understand about the matter was, that they were to receive so much per diem for going to Kansas to hunt and kill abolitionists. What this latter word meant they could not clearly define. They had been informed that the abolitionists were enemies to Missourians, some of whom had been killed, and they were hired to avenge their deaths. More than this they neither knew nor cared to know. A vague notion prevailed among them that whatever an abolitionist was, it was a virtue to kill him and take possession of his property. They seemed to apprehend no danger to themselves, as they had been told the abolitionists would not fight; but being overawed by the number and warlike appearance of their adversaries, would escape as rapidly as possible out of the Territory, leaving behind them any quantity of land, horses, clothing, arms, goods and chattels, all of which was to be divided among the victors. They crowded around Governor Geary, wherever he might chance to be, eager to ask questions, volunteer advice, and ascertain satisfactorily, whether, in their own chaste phrase, he was "sound on the goose." One, more importunate than the rest, and who was a sort of spokesman for his companions, having made sundry efforts to receive convincing proofs of the latter-named fact, very knowingly remarked, after putting an unusually large plug of tobacco into his mouth, and winking to those around him, as though he would say, "I'll catch him now; just listen."—

"Wal, Govner, as yer gwoin to Kanziess to be govner, I hope ye'll not do what Reeder done."

The Governor very quietly asked, "What was it that Reeder did?"

This was a poser.

"Whoy," said the inquisitor, breathing less freely, and shifting the plug of tobacco to the opposite side of his huge jaws, as if to awaken a new thought,—“whoy, Reeder, you see—Reeder, he—wall, Reeder, he didn't do nothin’.”

The following description of the Border-Ruffian is also by Dr. Gihon; It is the best I have been able to find:

Imagine a man standing in a pair of long boots, covered with dust and mud, drawn over his trousers, the latter made of coarse, fancy-colored cloth, well soiled; the handle of a large bowie-knife projecting from one or both boot-tops; a leathern belt buckled around his waist, on each side of which is fastened a large revolver; a red or blue shirt, with a heart, anchor, eagle or some other favorite device braided on the breast and back, over which is swung a rifle or carbine; a sword dangling by his side; an old slouched hat, with a cockade or brass star on the front or side, and a chicken, goose or turkey feather sticking in the top; hair uncut and uncombed, covering his neck and shoulders; an unshaved face and unwashed hands. Imagine such a picture of humanity, who can swear any given number of oaths in any specified time, drink any quantity of bad whisky without getting drunk, and boast of having stolen half a dozen horses and killed one or more abolitionists, and you will have a pretty fair conception of a border-ruffian as he appears in Missouri and in Kansas.

While Captain Jackson's company was being embarked at Glasgow a boat came down the river bearing Governor Shannon. The boat stopped and the two Governors met. One was hurrying out of Kansas, pursued by avengers; the other hurrying in, to be pursued out in the same manner a little later. They had time for a short interview. It is described by Dr. Gihon:

The ex-Governor was greatly agitated. He had fled in haste and terror from the Territory, and seemed still to be laboring under an apprehension for his personal safety. His description of Kansas was suggestive of everything that is frightful and horrible. Its condition was deplorable in the extreme. The whole Territory was in a state of insurrection, and a destructive civil war was devastating the country. Murder ran rampant, and the roads were everywhere strewn with the bodies of slaughtered men. No language can exaggerate the awful picture that was drawn; and a man of less nerve than Governor Geary, believing it not too highly colored, would instantly have taken the backward track, rather than rush upon the dangers so eloquently and fearfully portrayed.

Governor Geary arrived at Leavenworth on the morning of September 9th. He found the town under military control. At Fort Leavenworth he saw refugees seeking the protection of the military, and handbills warning them to depart on the following day. They were Free-State people fleeing from the mobs of Ruffians pouring into Kansas from Missouri on the call of Acting-Governor Woodson. Governor Geary found no abatement in the outrages then being perpetrated on the Free-State people. He believed it his duty to report conditions to the President and wrote a letter, from which the following extracts are taken:

I find that I have not simply to contend against bands of armed ruffians and brigands, whose sole aim and end is assassination and robbery; infatuated adherents and advocates of conflicting political sentiments and local institutions, and evil-disposed persons actuated by a desire to obtain elevated positions, but, worst of all, against the influence of men who have been placed in authority, and have employed all the destructive agents around them to promote their own personal interests at the sacrifice of every just, honorable, and lawful consideration.

I have barely time to give you a brief statement of facts as I find them. The town of Leavenworth is now in the hands of armed bodies of men, who, having been enrolled as militia, perpetrate outrages of the most atrocious character under the shadow of authority from the Territorial Government.

Within a few days these men have robbed and driven from their homes unoffending citizens, have fired upon and killed others in their own dwellings, and stolen horses and property, under the pretense of employing them in the public service. They have seized persons who had committed no offense, and after stripping them of all their valuables, placed them on steamers and sent them out of the Territory.

In isolated or country places no man's life is safe. The roads are filled with armed robbers, and murders for mere plunder are of daily occurrence. Almost every farmhouse is deserted, and no traveler has the temerity to venture upon the highways without an escort.

A paragraph in his farewell to the people of Kansas throws additional light on the conditions existing in Kansas when he arrived to take charge of the government:

Desolation and ruin reigned on every hand; homes and firesides were deserted; the smoke of burning dwellings darkened the atmosphere; women and children, driven from their habitations, wandered over the prairies and among the woodlands, or sought refuge and protection even among the Indian tribes.

The Governor set out for Lecompton on the 10th of September. On the road he detected one member of the bogus Legislature at the head of a band of robbers, coming upon them shortly after they had robbed the store and postoffice at the Stranger Crossing. He arrived at eleven o'clock.

This town of Lecompton he found "debased to a lamentable degree. It was the residence of Sheriff Jones (who was one of the leading members of the town association), and the resort of horse-thieves and ruffians of the most desperate character. Its drinking saloons were infested by these characters, where drunkenness, gambling, fighting, and all sorts of crimes were indulged in with entire impunity."

The inhabitants of the place immediately volunteered to give the Governor information. He was told that all the crimes committed in the Territory were rightly chargeable to the Free-State men. He was not convinced that that was true. He issued an address, in which he counseled reason, and asking that all bloodshed be stopped. He issued two proclamations, one disbanding the "Kansas militia" called out by Acting-Governor Woodson, and the other directing the enrollment of the lawful militia of the Territory. The Adjutant-General of the Ter-

ritory was one H. J. Strickler. The Governor gave him strict orders on the 12th of September to disarm and disband the "Kansas militia." Notwithstanding, the officials of the Territory, including Strickler, wholly disregarded these orders, and those who should have been in the field hung around Leecompton in open defiance of the Governor.

Woodson kept the Governor in ignorance of his "open insurrection and rebellion" proclamation, and proceeded about his duties of Secretary with such complacency, affability, suavity, and withal bore such an air of confident satisfaction, that the Governor was for the moment deceived as to the magnitude of the storm gathering along the borders of Missouri. The studied contempt and disobedience of the militia officers made it necessary for Governor Geary to take steps to ascertain for himself the true state of affairs in the part of the Territory bordering on Missouri. He now began to realize the significance of the warning he had received at the hands of the Ruffians while in Jefferson City, to the effect that if he dared to interfere with the Law and Order party in its set plans to exterminate the Free-State party in Kansas he would be assassinated. He suspected treachery in the official circles at Leecompton, and not only did this develop, but contempt for the Governor and his orders manifested itself from the first. He reprimanded the militia officers for their disregard of his orders, and dispatched such messengers as he could repose confidence in with instructions to ascertain and report the condition of affairs along the border.

Before daylight on the morning of September 13th the true condition of affairs began to come to the Governor's knowledge. William A. Heiskell, commanding the First Brigade of the Southern Division, Kansas Militia, with the rank of Brigadier-General, reported by special courier that in pursuance of Acting-Governor Woodson's proclamation he had at the time of the writing of his message (September 11), at Mission Creek, eight hundred men, "who are now in the field, ready for duty, and impatient to act." An hour later a second courier arrived, suffering from extreme exhaustion as the result of having ridden a horse almost to death in his haste to have the sanction of the Governor conveyed to the gallant commander of the Ruffians, who were "impatient to act." The second dispatch of the valiant Heiskell, who doubtless expected proper commendation for such manifest diligence, stated, "*I now report one thousand men as Territorial militia, called into the field by the proclamation of Acting-Governor Woodson.*"

The invasion of Kansas progressed as favorably as the Pro-Slavery leaders could expect. By the 15th of September there were twenty-seven hundred men surrounding Lawrence, under the command of Atchison, Stringfellow, Reid, and others. The number of volunteers the Free-State men were able to assemble to oppose this army of invasion did not exceed three hundred. Brown was offered the command of these, but declined. He preferred to fight in the ranks. But he was looked upon as the most capable military man present, and the

people relied upon him for their safety should they be attacked. Brown assembled them one afternoon and addressed them as follows:

Gentlemen: It is said there are twenty-five hundred Missourians down at Franklin, and that they will be here in two hours. You can see for yourself the smoke they are making by setting fire to the houses in that town. Now is probably the last opportunity you will have of seeing a fight, so you had better do your best. If they should come up and attack us, don't yell and make a great noise, but remain perfectly silent and still. Wait till they get within twenty-five yards of you; get a good object; be sure you see the hind sight of your gun,—then fire. A great deal of powder and lead and very precious time is wasted by shooting too high. You had better aim at their legs than at their heads. In either case be sure of the hind sights of your guns. It is from the neglect of this that I myself have so many times escaped; for if all the bullets that have been aimed at me had hit, I should have been as full of holes as a riddle.

As the Adjutant-General of Territorial militia had failed to disband these troops, the Governor resolved to do so himself, and he accordingly wrote a dispatch stating to Heiskell that he would see him on the "following day," *i. e.*, on the same day as soon as daylight would permit him to start, or, if he could not come, the Secretary of the Territory or the Adjutant-General would be sent.¹ This dispatch was not completed before the Governor received a communication from one of his confidential messengers conveying the intelligence that Lawrence was threatened by an armed force then marching against it from Missouri, three hundred of which had been seen. The Governor took three hundred United States troops under the command of Colonel P. St. George Cooke, together with four pieces of artillery, and with this force arrived in Lawrence at sunrise on the 13th. He found the city fortified and defended by three hundred men. He addressed the people at considerable length, and was cheered. He was the unexpected friend, the people of Lawrence having ceased to regard the Territorial officers as having any other desire than to "wipe them out," or at least as being entirely willing to permit it to be done. As the danger was not so imminent as had been supposed, the Governor and troops returned to Leecompton.

A crowd of fugitives greeted Governor Geary upon his return to the capital. These people were from the vicinity of Hickory Point, in Jefferson county, where the Free-State forces were operating under the command of Captain Harvey by orders of Lane, who had retired to Nebraska. He had ordered Harvey to cease hostilities at the same time, but the order had not reached Harvey in time to prevent some operations by his forces after the arrival of the Governor. The Governor directed Colonel Cooke to capture or disperse this force. On the 15th the United States troops came upon Harvey's men and captured them;

¹ It was then one o'clock A. M., and the Governor meant that he would start at daylight or before. As he arrived at Lawrence at sunrise, he must have set out some hours before daylight.

they numbered one hundred and one men, and were commanded by Captain Bickerton. Harvey was absent, and escaped capture. They were taken to Lecompton and by Judge Cato (a villain in ermine) committed on a charge of murder in the first degree. A murderer in cold blood, if he belonged to the Law and Order party, was always admitted to bail on bonds known to be absolutely worthless by this Jeffreys and his equally corrupt associate and superior, Lecompte. It could not but have been known that many of these prisoners were innocent of *any* crime, but bail was denied in each case. They were confined in a tumble-down house in the outskirts of Lecompton, and guarded by militia. Here they were starved, insulted, almost frozen in winter, and overrun with vermin. They fell into the hands of one man who did the best he could for them. He was a humane Kentuckian named Hampton.² For

² Levi J. Hampton was born in Boyd County, Kentucky. The old family homestead is on the Big Sandy River, three miles above Catlettsburg. This Hampton family is a part of the distinguished family of the same name so widely scattered in the South. Levi J. Hampton was cousin to the mother of this author, whom he visited before starting to Kansas. His family was quite wealthy and owned slaves. The writer's mother was an Abolitionist. Her parents were Virginians, and her ancestors, the McCarty and Elzeys, had been vestrymen with Washington at the old Episcopal Church, at Alexandria, as a reference to Sparks' *Life of Washington* will show. Her immediate ancestor, Richard McCarty, enlisted in Captain Slaughter's Company, in Culpeper, to go on Braddock's Expedition. That company is still in existence at Culpeper, with an unbroken succession. Richard McCarty was its Captain in the Virginia line in the Revolution. Notwithstanding this relation with the first families of Virginia, she desired to see freedom in all America. When Levi J. Hampton visited her to say good-bye before going to Kansas to help force slavery on that Territory, she urged him to remain at home, saying that it was monstrous to engage in such an enterprise. Hampton, however, was determined to go to Kansas in the interest of slavery. There are numerous references to him and his actions in the early newspapers of Kansas, and they are all complimentary. At one time he led a force against a company under the command of General James H. Lane. Hampton had succeeded in passing the Free-State lines, and found Lane lying on some straw under a wagon. He had a personal acquaintance with Lane. Lane demanded to know what Hampton was doing at that time in his camp. Hampton replied that he had some thoughts of killing Lane. Lane came out and stood by Hampton and said, "No man can avoid assassination. To assassinate me, Hampton, would not stop the Free-State movement. No one man is essential to a great cause. I believe it would be better for you to take your men, go on back to your camp, and endeavor to fight this war out on the principles of war." Hampton felt humiliated that he had entertained any such purpose, and so informed Lane. He went back to his camp and from that day determined to abandon the Pro-Slavery cause as soon as he could find an opportunity to leave Kansas. When he returned to Kentucky he made the family of this author a visit and reported the facts above stated, among a great many others, and he said to his cousin that she had been right and that he had been wrong. It had taken the trip to Kansas and the participation in the troubles to convince him that she was right. His views were completely changed. When the Civil War came on, he enlisted in the 39th Kentucky Volunteers and was made

his kindness to these prisoners his removal from office was demanded by the chief Ruffians, Sheriff Jones, Surveyor Calhoun, and his chief clerk, one MacLean. The Governor commended him, but the Ruffians found a way to deprive him of his office.

The prisoners were tried in October. Most of them were acquitted, but others were convicted of various degrees of manslaughter. Those convicted were sentenced to long terms of imprisonment, and to wear the "ball and chain." Sheriff Jones had hoped that he should have the pleasure of hanging all of them, but not being gratified in this, made requisition upon the Governor for the balls and chains with which to manacle them. The Governor did not furnish them; for this he was denounced by Jones, Stringfellow, "Candle-box" Calhoun, and other bright and shining lights of the Law and Order party. In the following March these prisoners were pardoned by Governor Geary, as was supposed, but the fury of the Ruffians and their expressed intention to assassinate him caused him to flee from the Territory in such haste that he did not issue the pardon.³

The Ruffians were in the meantime assembling in great force for the purpose of destroying Lawrence and the other Free-State towns. On the 14th of September the Governor again visited Lawrence with United States troops. These he stationed in a way to prevent the Missourians from entering the town. The conditions existing there are thus described:

About three hundred persons were found in arms, determined to sell their lives at the dearest price to their ruffian enemies. Among these were many women, and children of both sexes, armed with guns and otherwise accoutred for battle. They had been goaded to this by the courage of despair. Lawrence was to have been their Thermopylae, and every other Free-State town would have proved a Saragossa. When men determine to die for the right, a hecatomb of victims grace their immolation; but when women and children betake themselves to the battle-field, ready to fight and die with their husbands and fathers, heroism becomes the animating principle of every heart, and a giant's strength invigorates every arm. Each drop of blood lost by such warriors becomes a dragon's tooth, which will spring from the earth, in all the armor of truth and justice, to exact a fearful retribution.

On the 15th, early in the morning, the Governor having stationed the United States troops for the protection of Lawrence, sought the camp of the Ruffians. He met the advance guard out a distance from

Quartermaster of the regiment. He was taking some supplies up the Big Sandy River when his detachment was attacked at Wireman's Shoal, about ten miles above Paintsville, by a Confederate force under Jenkins. The Union force was small and most of it was captured. Hampton had received an injury to one of his ankles a day or two before and could not get away. He sat down on the hillside and surrendered, but when the Confederates came up they disregarded his surrender and shot him dead.

³ This follows Wilder's Annals. Dr. Gihon states positively that the persons were pardoned by Governor Geary, on March 2d. If so, they were then released.

Franklin, "marching to 'wipe out' Lawrence and every abolitionist in the country." These men were with difficulty turned from their purpose. Arriving at the camp he found twenty-seven hundred men under arms, animated with the sentiments of the advance guard. They had artillery and whisky, and black flags of extermination were flying from many places, indicating that neither age nor sex should escape in the contemplated slaughter of the Lawrence people and those of other Free-State towns. The sight of the Governor infuriated the Ruffians, and he was treated to threats and assassination as he passed among them to the quarters of the commanders.

The General in command was John W. Reid, at the time a member of the Missouri Legislature. As subordinate commanders he had Senator Atchison, Stringfellow, MacLean, Whitfield, Clarke (the murderer of Barber), Heiskell, and other Ruffians who had won their honors in the murder, rapine and pillage committed or instigated by them on the Free-State settlers of Kansas Territory. One of them, Stringfellow, declared that he could never be happy until he had killed an abolitionist. "If," said he, "I can't kill a man, I'll kill a woman; and if I can't kill a woman, I'll kill a child!" The commissary was one MacLean, chief clerk in the office of Calhoun, the Surveyor-General. He afterwards told the Governor how he provisioned the Ruffians. It is told in the following quotation from Dr. Gihon's book:

Maclean: I was lying in my tent, one night, on the broad of my back, smoking my pipe, and enjoying myself over a bottle of good whisky, when Generals Reid and Strickler, and several other officers, entered, apparently in great distress. They said they had over a thousand men to feed, and not a d—d ounce of rations for the next day. After much talk, I consented to act as commissary. They wanted me to get up and go to work, but I kept my place as though utterly unconcerned, and continued to whiff away at my pipe; telling them that the rations would all be ready at an appointed hour in the morning. They didn't know what to make of my coolness—thought I was either drunk or crazy, and went off somewhat disappointed and evidently vexed.

Gov. Geary: Well, were the rations ready?

Maclean: Yes [with an oath]! Ready that morning, and every other, so long as we were in camp, about two weeks.

Governor: But how did you manage it?

Maclean: That was d—d easy. I was up before daylight; got out a number of wagons, and started parties in every direction, with orders to go to stores and dwellings, get all the provisions they could find, and drive in all the cattle; and they returned with a pretty generous supply.

Governor: How did you raise the funds to pay for all this?

Maclean: Funds! [with a number of choice oaths] we didn't pay a cent. We "pressed" it all. In these expeditions, which were continued every day, we got some useful information, too. We seized the mails going to and from Osawatomie, and more than a half-bushel of letters fell into my hands, in examining which, I found many of them directed to, and others written by, some of the most wealthy and influential citizens of Boston and other parts of the Northern and Eastern States.

The Governor convened this hopeful gang of cut-throats and addressed them on the subject of their infamous and atrocious conduct,

reprehensible and diabolical from every point of view. He was particularly severe in his remarks to Atchison. He called attention to his proclamation ordering all armed bands to disperse. He ended by ordering them to disband and return home.

Here was a turn in affairs and a display of courage never contemplated by the Missourians. Twice before had Lawrence been snatched from the jaws of these same ravening Ruffians by the Executive, but in each instance he had made his interposition effective more by wheedling and helpless pleading than by the assertion of authority. Here was an Executive of a different stamp. He assembled them, recounted their unlawful actions, and ended by *ordering* them to disband. They encountered here unexpectedly a man with firm convictions of right and duty, and the courage to stand for them in the face of threats of assassination which he had every reason to believe would be carried out. There was nothing to do but submit. But some excuse must be found for letting so favorable an opportunity to "wipe out" Lawrence slip through their fingers. They called a meeting of their chief Ruffians to devise such an instrument. The Governor's assurance that all should be protected in their rights, whoever they were, was made the basis of their apology for disbanding. Some of the commanders had been misled, and were anxious to disband their men and send them home. But others were not of the same mood, and submitted with much smothered growling. Clarke was the most rabid; he was for fighting the United States troops if that were a necessary prelude to the gratification of their yearnings to "wipe out" Lawrence. Jones vaped about, and was for "wiping out" Lawrence first, and then all the other Free-State towns. These cursed the Governor deeply and loudly. But there was no other way than to obey, and return to Missouri and there scatter the copies of their apology, which they had misgivings would be poorly received. So they sullenly took their way out of the Territory, but as a terrible protest to being foiled of their prey, left murdered citizens, burning dwellings, plundered communities, the wailings of the widow and the cries of the orphan in the wake of their retreat to Missouri.

This was the last organized effort of the Missourians to subjugate Kansas by force of arms. The Law and Order party gradually abandoned this idea, and turned to the constitutional field as one affording facilities for their manner of waging warfare upon free institutions in the Territory. They formed their plans carefully, and worked them out under Governor Walker's administration, after taking the preliminary steps in the Legislature over Governor Geary's veto. As to the Governor, it was the intention to make his position intolerable. This began in an incident in the retreat of the Ruffians from the Territory.

The greater number of the "Kansas Militia" returned to Missouri by the way of Westport. The band known as the "Kickapoo rangers" came to Leecompton and forded the Kansas River at that point. They still carried their black flags of extermination, and were as desperate and villainous a band as ever congregated at the call of the leaders of the Law and

Order party. When six miles west of Lawrence, on their road to Atchison, six of this band left the main body for the purpose of murder and robbery. They found a lame man named David C. Buffum plowing in a field. They robbed him of his horse, and when he protested, one of them, Charles Hays, shot him, inflicting a mortal wound. They then stole a pony belonging to a little girl and rejoined the main body of marauders. Governor Geary and Judge Cato soon passed by, and discovered Buffum weltering in his blood. At the direction of the Governor the Judge took the dying man's statement of the murder. The Governor caused a warrant to be issued for the arrest of the murderer, whose name was then unknown. Finding it impossible to get the officers to execute this warrant, or even make an effort to do so, the Governor sent secret agents to Atchison to learn the murderer's identity, and at the same time offered a reward for his apprehension and conviction. This resulted in the disclosure of the dastard, and his arrest. A grand jury composed of his partisans found a true bill against him for murder in the first degree. Judge Lecompte immediately admitted him to bail, accepting as his bondsman the redoubtable Sheriff Jones, a man notoriously bankrupt. The Governor caused Hays to be re-arrested, but Lecompte immediately released him the second time. Harvey's command of one hundred and one men could not be admitted to bail when it was well known that almost all of them had not committed any crime beyond self-defense, but here was a man of the Judge's party with innocent blood on his hands and with the presumption of his guilt so great that even a jury of his partisans dare not ignore it, set at liberty in violation and defiance of all law and precedent, and this, too, by the Chief Justice of the Territory! The incident revealed to the Governor his true position. In the administration of justice in the Territory he stood alone. The condition was even worse: arrayed on the side of lawlessness, murder, robbery, anarchy, stood those intrusted with the construction and the administration of the laws!

Having cleared the Territory of armed bands, the Governor now turned his attention to the partisan, prejudiced, and inefficient judiciary. Judge Cato had been found by the Governor bearing arms in the noble army of invasion, and shortly afterwards, while engaged in the appropriation of the arms of the Free-State prisoners, was shot in the ankle by a revolver in the hands of a worthless, drunken fellow named Hull. The shooting was accidental, Hull being engaged in the same reprehensible appropriation as the Judge. Cato was the constant companion and associate of Clarke, MacLean and Jones, and was the mess-mate and bed-fellow of the latter and one Bennett, the editor of the *Lecompton Union*. He was accused of writing the scurrilous articles which appeared in that disreputable sheet. Of the law he had little knowledge; of the sense of justice he was entirely destitute.

Judge Burrell devoted no time at all to his duties beyond that required in the collection of his salary.

Chief Justice Lecompte was a political jackleg from Maryland, and spent his time in the accumulation of property, of which he possessed

a goodly share at the time. He was a better lawyer than Cato, which is saying little in his favor, but it is all that can be said. It was said that he adjourned the spring term of his court to plant his potatoes; the summer term had to stand adjourned to allow him to hoe his potatoes; the necessity for digging his potatoes disposed of the fall term; and in the winter he could not hold court because he had to remain at home to sell his potatoes. Crimes were constantly committed by members of the Law and Order party, but they were never, or were very seldom, made the subject of judicial inquiry. Burrell died, and the other two judges spent much of their time attending the councils of the Law and Order party, planning to force slavery on Kansas. Crowds of persons daily besieged the Governor crying for justice at the hands of the courts, while the judges were closeted with Calhoun, Jones, MacLean, and others, in the concoction of schemes for the oppression of the settlers of the Territory.

The Governor called the judges before him and reviewed the situation with them. He suggested that they devote some time to their duties, to which they consented; but no improvement being visible the Governor addressed each of them a note, asking them to report to him what had been accomplished during the terms, respectively, of their offices. In any other condition of society than that which prevailed under the rule of ruffianism, this sharp reprimand would have produced beneficial results. But here it fell upon heedless ears. Beyond arousing the Chief Justice to some indignation and a wordy defense of his own course and the beauties of slavery, it accomplished nothing. Any semblance of justice in the courts of the Territory disappeared, and partisanship, prejudice and partiality were contemptuously flaunted in the faces of outraged citizens, and boasted of. The Governor himself did not escape from it, as he found to his sorrow in the case of the murderer of Buffum.

A committee of Free-State men called upon the Governor to protest against the prejudicial action of the courts towards them, and the utter neglect of their business. This was November 10th. The Governor cited the case of Hays as evidence of his good intentions towards all citizens of the Territory. But to his dismay, while still dwelling upon this matter a gentleman entered the room and made known that Judge Leecompte had just released Hays upon the surety of Jones. His argument was gone. He could only assure the committee of his good intentions towards them as towards all the inhabitants of the Territory, denounce the action of the Chief Justice, and dismiss his petitioners. They departed convinced of the Governor's just intentions, and also fully convinced that he was powerless to help them. They expressed the belief that their only recourse lay in the exercise of physical force in the defence of their rights.

Towards the close of September rumors again troubled the Missourians. It was said that Lane had raised another Northern army, with which he was advancing through Nebraska to visit retribution upon the Ruffians. Nothing more disquieting could have reached Ruffian ears.

Dr. Gibon says that "the very name of Lane was a terror, and it was only necessary to get up a rumor that he was within a hundred miles, to produce universal consternation. And when it was reported that he was actually approaching a pro-slavery town, a general panic and stampede was the result. Vaporizing generals, colonels, captains and privates suddenly stopped in the midst of their stories of valiant deeds, and remembering that they had forgotten their needed arms or ammunition, or that the women and children must be carried to a place of safety, off they ran for shelter in the woods or elsewhere, creeks and rivers furnishing no obstacles to their flight. When the dreaded danger was over, or they had discovered the alarm to be unfounded, they would re-assemble, each ready to boast over his bad whisky what terrible deeds he would have accomplished had the cowardly abolitionist dared to make his appearance."

Dr. Gibon relates another incident which a Pennsylvanian experienced while in command of a band of Ruffians.

Upon arriving in the Territory, I established my residence in Leavenworth City, where I was solicited to take command of a company of Territorial militia, or "Law and Order" party. The company consisted of twenty mounted Border-Ruffians. One dark night it became my duty to guard the main entrance to the city, and I took up my position in a prominent place on the road, at about one mile distant. It was a very dark night, and it was difficult to discern objects even close at hand; my men amused each other and myself, relating the daring deeds they had accomplished, and telling what great things they would do in case of an assault. About midnight we heard the distant sounds of horses' feet approaching me at a rapid rate. A perfect stillness took possession of my men. Not a word was uttered. Nearer and nearer came the advancing party. At length, one of my men exclaimed, "Lane is coming, by G—d!" and instantly the whole company broke and ran for the town. In vain I ordered a halt. As well might I have attempted to turn back the current of the river, as to arrest their flight.

Governor Geary sent troops to the Nebraska line to prevent the entrance of armed bands. They arrested James Redpath, who had one hundred and thirty men under him, whom they found entering the Territory. They were taken to Leecompton, where they convinced the Governor that they were seeking homes, and bore arms only in self-defense and self-protection, and thereupon they were discharged.

But when Lane's name was associated with rumors of invasion the mind of the Border-Ruffian was not easily reassured. They besieged the Governor and clamored for further protection. They protested that Lane was about to enter the Territory with the main body of his army. The Governor again dispatched troops to intercept Lane's army. A large company of emigrants now approached the border under the leadership of Colonel Eldridge, General Pomeroy, and others. They were peaceable and lawabiding citizens, coming to seek homes. They sent a committee to assure the Governor of their intentions, and to disclaim all thought of fighting except in self-defense. Notwithstanding this frank statement and avowal of their purposes the troops arrested

the entire company, ransacked their baggage for concealed arms, destroyed some of it, and led the captives to Topeka. Here they were met by the Governor, who addressed them, and ordered them to disband. They willingly did this, and in all probability would have been disbanded and dispersed long before but for the detention under arrest.

This was the last interference with emigrants coming into Kansas.

On October 6, 1856, an election was held to select a Delegate to Congress, elect a Territorial Legislature, and vote upon the question of a convention to form a constitution. While the Free-State men refrained from voting on the ground that to do so would be a recognition of the bogus Legislature, the Missourians came over and voted as usual. The Law and Order party were thus enabled to elect everything; and the proposition to form a State constitution was carried.

Governor Geary set out upon a journey of observation on the 17th of October. He passed over the southern and western parts of the Territory. He was gone twenty days, and found the people hopeful and anxious to be allowed to proceed with the work of establishing homes. He addressed many assemblies of citizens, and was assured of their co-operation in his efforts to establish order. This journey was productive of much good.

The Topeka Legislature met on the 6th of January, 1857. Neither Governor Robinson nor Lieutenant-Governor Roberts was present. No quorum appearing, an informal meeting was held, and a recess taken to June 9th. Sheriff Jones had spent weeks in planning a course to be pursued in relation to this meeting, which he was confident would result in the renewal of the strife and bloodshed now much diminished and disappearing. He even hoped that an invasion from Missouri might arise from his deep-laid plans. His sturdy henchman, Judge Cato, was his assistant and abettor in this attempt to again deluge the land in blood. Jones had procured from the Judge warrants for the members of the Legislature. These were intrusted to a deputy marshal for execution, but Jones was present to see that no mistake was made. He had confidently expected that the writs would be resisted. In fact, all his hopes of trouble were based upon this expectation. When resistance was offered, then he could call for troops; the Ruffians would rush to his assistance and he would be again in his glory. But the members quietly submitted, much to his disgust. He immediately left the town, drove home, and never mentioned his ignominious failure to stir up trouble at Topeka. The conclusion is reasonable that he received a blow here from which he never recovered. He saw no more opportunity for such trouble as he loved. Times were changed. He resigned his office in a few days.

The Territorial Legislature met on January 12th, 1857, at Leecompton. This proved one of the most debased bodies that ever assembled for any purpose at any time or place. It resolved to unanimously oppose anything and everything the Governor proposed; and this course was carried out. One of its first acts was to pass a bill admitting to bail any criminal, no matter how desperate. It read as follows: "The District Court, or any judge thereof in vacation, shall have power and authority to admit to bail any prisoner on charge or under indictment

for any crime or offense, of any character whatever, whether such crime or offense shall have heretofore been bailable or not." This was supposed to be a vindication of Lecompte's action in admitting Hays to bail. The Governor vetoed it, but it was passed over his veto.

The Law and Order party changed its name to the National Democratic party of Kansas on the same day that the Legislature met. It was now the purpose of the Slavery party to try to fasten the institution of slavery permanently on the Territory by a constitution upon which the Territory was to be admitted as a State. A census was provided for, and no one was to be allowed to vote unless he was a resident of the State prior to the 15th of March, 1857. The election was to be held in June to elect delegates to this constitutional convention. In taking the census the books were taken to Missouri and the Ruffians registered, while in whole counties in the Territory a census-taker never appeared; this was true of those counties where Free-State people were in the majority. The bill was carefully prepared to allow just that thing to be done. The Governor vetoed it, but it was passed over his veto. There were a few good men in this Legislature, but so few that their influence counted for nothing, and the verdict that it was the most debased body of men that ever assembled in Kansas must stand.

We shall notice one more incident in the administration of Governor Geary. We have seen that when the Legislature assembled it immediately placed itself in opposition to the Governor. It spent a great part of its time in abuse of him. The Board of Supervisors of Douglas County had accepted the resignation of Sheriff Jones, and appointed in his place a drunken, quarrelsome, worthless Ruffian, named William T. Sherrard. The Governor did not at once issue a commission to him, on account of the absence of the Secretary. Sherrard undertook to force the Governor to commission him, visiting the Executive office and threatening violence. In the meantime the members of the board which had appointed him visited the Governor and requested that no commission be given him, and made known their intention to revoke his appointment. Other citizens called upon the Governor to protest against the issuance of a commission.

When the Legislature assembled, one of its first acts was to send a communication to the Governor demanding his reasons for withholding the commission of Sherrard. The Governor did not recognize the right of the Legislature to make such an inquiry, but replied to the note of inquiry by stating the facts. The Legislature exhausted the vocabulary of epithets in abusing the Governor. The House immediately appointed Sherrard Sheriff of Douglas County, but the Council refused to concur, and the appointment was not made. The incident was supposed to be a sufficient cause for the assassination of the Governor, and arrangements were made accordingly. The prime mover in the execution of this conclusion was Surveyor-General Calhoun. His office was the rendezvous from which the dastardly act was to be consummated. At the designated time Sherrard waylaid the Governor at the appointed place and spat in his face, hoping to cause indignation which the Governor

would resent, and give him a pretext which Calhoun and his clerks, who were peeping from a door of the Surveyor's office, would immediately transform into an assault and ample cause for Sherrard's killing him in self-defense. But the Governor walked quietly away without saying or doing anything, and even Sherrard could not bring himself to kill him at that time without any cause.

The people of the Territory were aroused by the actions of Sherrard. The House refused to censure him. A meeting was called to condemn his action, and Sherrard and his friends attended for the purpose of causing a riot. In this they succeeded, and in it Sherrard lost his life.

Governor Geary held his office until March. The Legislature opposed his every act. His crime lay in his restoration of some semblance of order to Kansas. He wearied of holding so dangerous and thankless a position. He was repeatedly urged by his friends to take heed of the many threats to assassinate him. The Governor left the Territory at night, to avoid assassination at the hands of those of his own party. He arrived in Washington March 21, 1857. He was the third Democratic Governor that had fled from assassination at the hands of the Democratic party in Kansas.

Governor Geary returned to Pennsylvania. He was a brave and distinguished soldier in the War of the Rebellion. He raised the Twenty-eighth Regiment, Pennsylvania Volunteers, and was its commander. He was promoted for bravery to the rank of Major-General. In 1866 he was elected Governor of Pennsylvania, and proved a wise, able, and devoted public servant. He died respected and sincerely mourned by the people of his State.

Governor Geary's administration was the first to make an impression in Kansas Territory in favor of justice to all. He accomplished little more in his field than did Reeder, but his efforts were enabled by the increasing Free-State emigration to bear fruit at a later day. The disorders never again assumed such proportions after his summary disbandment of the Ruffians at Franklin.

CHAPTER XXXV

ROBERT J. WALKER

Governor Robert J. Walker was a Pennsylvanian; he was born in Northumberland, in that State, July 23, 1801. He died in Washington, D. C., November 11, 1869, in his sixty-ninth year.

His father was one of the Judges of the Supreme Court of the United States. Governor Walker obtained his general education at the University of Pennsylvania, and studied law under the immediate supervision of his father. In 1822 he settled in Pittsburgh, and began the successful practice of his profession; and here he was married to the daughter of Franklin Bache, and granddaughter of Benjamin Franklin. In 1826 he removed to Mississippi, as he believed that State possessed greater opportunities for political preferment than did his own. He at once became active in politics, and rose to prominence therein and in his profession as a lawyer. He made the speech nominating Andrew Jackson to the candidacy which resulted in his first election to the Presidency. He was one of the staunchest supporters of Jackson in his position towards the nullification acts of South Carolina; he favored the coercion of rebellious States. In 1835 he was a candidate for the office of United States Senator from Mississippi, his opponent being Poin-dexter, a man of learning and attainments, and a supporter of the views of Calhoun. The position of Calhoun was discussed before the people of Mississippi, and for the importance of the question involved and the masterly manner in which it was debated, this canvass is only second to that of Lincoln and Douglas in Illinois at a later day. Walker not only secured the seat in the Senate, but prevailed upon the Legislature to adopt resolutions which denounced as treason nullification and secession. S. S. Prentiss, one of the greatest of American orators, was his opponent for the seat in the Senate in 1840, but Walker was elected by an overwhelming majority. Upon the question of slavery he was a disciple of Jefferson, and in the year 1838 manumitted his slaves. He favored Texas in her struggle for independence, and introduced in the Senate of the United States a resolution recognizing that independence. He advocated the annexation of Texas, but opposed the action making it all slave territory, and favored a law for the gradual emancipation of the slaves of the new State. He favored the election of James K. Polk to the Presidency; and upon his election Mr. Polk tendered him the position of Secretary of the Treasury. He accepted the office, and his administration of its affairs was one of the most

successful and able in the history of the country. It devolved upon him to formulate a tariff for the production of revenue for the needs of the Government; in this measure he was most fortunate, reducing the taxes more than one-half and still providing sufficient money to meet all demands upon the treasury.

In the beginning of the year 1857 it was feared and perhaps believed by President Buchanan and his advisers that the Free-State men fully intended to put the government formed under the Topeka Constitution into active operation. It was plain that if they did so they would have moral and financial support from the North sufficient to enable them to maintain themselves for a considerable period of time, even if not to triumph finally. The result feared by the Administration was civil war in Kansas, perhaps in the Union. Some of the President's advisers were not averse to even this latter consequence when a choice between it and the failure of the cause of slavery in Kansas must be made, and they came to control the President; although it is probable that they never fully acquainted him with all their doings or intentions. But at the end of Governor Geary's administration the President seems to have been in doubt concerning the success of the slavery movement in Kansas, and to have had in mind the desire to at least save the State to his party, although not abandoning in the meantime the effort to make it a slave State as well as a Democratic State. For this work it was necessary to have as a successor to Governor Geary a man of recognized ability and tact. The position was offered to Mr. Walker, but he hesitated to accept it. To a man of his reputation it could bring no honor to increase those he had already achieved, and it had brought trouble and party condemnation to three predecessors. The longer he considered the matter the more reluctant he became to undertake the difficult task; and his final conclusion was to decline it, and he so informed the President in writing. The President, however, persisted, and enlisted Senator Douglas in his interest. They gave Mr. Walker assurance of hearty concurrence in his policy, and after long consideration he consented to accept the position of Governor, although against his better judgment. The policy to be pursued was discussed in all its relations and a perfect agreement arrived at between the President and Mr. Walker. In the light of later developments the President was insincere in his approval of Mr. Walker's policy, or he was gained over by the rabid members of his Cabinet, who were never in favor of it. In either event the conduct of the President was most reprehensible.

The course determined upon by the President and Mr. Walker embraced two principal features. The first was to compel submission to the laws of the bogus Legislature; this was to be accomplished by the use of the military forces of the United States, if necessary. The second was the formation of a constitution upon which Kansas should be admitted as a State. As a means for securing the acquiescence of the Free-State men, if not their active co-operation (which was desired and invited), the Governor was to guarantee that the constitution should,

when formed, be submitted to a full and fair vote of the people for adoption or rejection.

Governor Walker was to be given a free hand in all matters in Kansas, and was not to be hampered or constrained by the preferences or influences of any former Federal officials in the Territory. Mr. Woodson, the Secretary, and who had been so actively allied with the Border-Ruffians and a willing instrument in their hands, was removed, and placed in the service of the Land Office. There was appointed in his place as Secretary, Frederick P. Stanton. Mr. Stanton preceded



GOV. ROBERT J. WALKER

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Governor Walker to Kansas by more than a month, arriving at Leecompton on the 15th of April and assuming the Executive authority on the 16th. He was a man of ability and large experience, and was strongly prejudiced in favor of slavery and against the Free-State men, holding them at fault and to blame in all the troubles which had convulsed the Territory in the past. In a speech in Lawrence he proclaimed with defiance that any further resistance to the laws of the bogus Legislature meant "war to the knife, and the knife to the hilt." And in this spirit did he take up the work of the administration of the affairs of the Territory.

The first Territorial Legislature (bogus or Border-Ruffian Legislature) enacted a law to submit the question of the expediency of forming a State constitution to the people at the general election to be held in October, 1856. Their decision at that election was favorable to the proposition. The Legislature elected at the same time provided for the election of delegates to form a constitutional convention; this election was to be held on June 15, 1857. Governor Geary was not satisfied with the bill, in that it failed to provide for the submission of the constitution framed by its direction to a vote of the people, and for other reasons, and so vetoed it. But the Legislature passed it over his veto. The bill made provision for a census of the inhabitants of the Territory qualified to vote as a basis of apportionment for delegates to the constitutional convention; and this census was also to be the basis and evidence of qualification of suffrage in the election, that privilege being denied to all persons whose names were not found recorded in its lists. This census was only partly taken; in more than half the counties no attempt whatever was made towards an enumeration, and the lists of the counties canvassed were incomplete and made in the interests of the slavery party. The counties having a Free-State population were purposely omitted from the census returns, no steps being taken to even provide enumerators for such counties. The Free-State men living in communities having a Pro-Slavery majority were responsible to some degree for the failure to be registered; they believed that a constitution formed by only a part of the people could find no standing in Congress. They hoped, too, that no convention would be held. Secretary Stanton, however, made the apportionment for delegates upon the incomplete and fragmentary census, depriving a large majority of the voters of the Territory of any and all voice in the formation of the constitution. It was believed at the time that this action was as much to fling defiance at the Free-State men as an official action could accomplish such an end. He came to see his error and repent of it when he knew the conditions actually existing in the Territory, and had determined to make his home here and be a candidate for office.

Governor Walker arrived at Leecompton on the 27th of May, 1857, and delivered his inaugural address. Mr. Stanton had outlined the policy to be pursued by the new administration, in an address which he issued upon his arrival in the Territory; it conformed to the understanding arrived at between the President and Governor Walker. In the address delivered by Governor Walker upon his assumption of power he confirmed what his Secretary had stated, and said that the policy indicated as being that which he intended to follow was "well known by the President and Cabinet, and approved by them." He said also, that in their knowledge and approval of those views, "I accepted the appointment as Governor of Kansas." The policy announced by Stanton and reiterated by Governor Walker was only that set out herein as having been agreed upon between the President and the Governor. He urged the Free-State men to take part in the election of delegates to the Con-

stitutional Convention, assuring them that the election should be conducted fairly.

The Free-State men were confident that they were a majority of the people of Kansas, and could they have been brought to believe that a fair election would be accorded them they would have been less reluctant to recognize the laws of the bogus Legislature to the extent of participating in an election called by its authority. But the whole administration of Territorial affairs was in the hands of their avowed enemies or persons they had little reason to trust. Governor Walker was a stranger, and Stanton had shown his prejudice in favor of the Pro-Slavery party in making the apportionment upon the unfair and fraudulent census. If they could have been convinced of the honest intentions of Governor Walker, they doubted his ability to carry them out; many doubted his good faith. The Pro-Slavery men were in such advantageous position by reason of the apportionment that it seemed a hopeless effort to try to win the convention at the polls. After much discussion it was finally decided to let the election go by default. This decision was reached at a convention held in Topeka, June 9th. Upon the same day the Free-State Legislature convened at the same place, but it attempted the transaction of but little business. It provided for the election of State officers on the third Monday in August, and made Topeka the State capital. The Free-State men determined to await developments under Governor Walker's policy.

The result of the election for members of the Constitutional Convention was entirely satisfactory to the Pro-Slavery party. There were no members from Free-State communities, and the character of the convention was such as the Administration at Washington and the Democratic party generally hoped would dominate all the institutions of Kansas.

A delegate convention of Free-State men met in Topeka, July 15th, to nominate State officers to be voted for in August. It provided for a mass convention to be held at Grasshopper Falls on the last Wednesday in August, to determine whether or not to take part in the election of a Territorial Legislature in the following October. On June 9th, Governor Walker delivered an address at Topeka, in which he invited and urged the Free-State men to participate in this election, and assuring them that in doing so they should be accorded every right to which free men were entitled and equal protection with all other voters.

When the convention met in Grasshopper Falls, August 26th, many of the Free-State men believed it impossible to win the Territorial Legislature, because of the unjust and unfair apportionment of the members to the various counties. This apportionment should have been made by the Governor, but was not, as he was not furnished with a copy of the act authorizing it until the time in which he should have performed his duty was past. By the terms of the law it became the duty of the President of the Council and the Speaker of the House to make the apportionment, in event of the failure of the Governor to

do so. They did it to the satisfaction of the Pro-Slavery men and greatly to the prejudice and disadvantage of the Free-State party. In the deliberations of the convention the extreme Free-State men opposed the participation on the ground that to do so was to sacrifice and abandon the principles for which they had contended so long and suffered so much, in that it recognized and submitted to the laws of the bogus Legislature. A majority of the leaders and a great preponderance of the people believed it best to take part in the election. Lane, Robinson, and other men prominent in the councils of the party saw no sacrifice of principles in this course, and believed that there was the possibility and even the probability of success, and in that event, they saw great benefit to the Free-State cause. The people were beginning to know Governor Walker better, and to see that he really intended to have justice done if it was in his power. The convention voted to contest the election, and appointed a committee to prepare an address to the people. This address recounted the disadvantages under which the Free-State men entered the contest, not the least of which was the expected and usual invasion from Missouri. It was not so much intended to influence the action of voters at the election as it was to prevent discouragement in the event of failure to carry the Legislature.

When the Constitutional Convention met in September it organized itself into a working body and adjourned until after the election of the Legislature, intending, doubtless, to be governed largely in some parts of its work by the results of that election, especially in the manner of its submission for approval or rejection by the people.

The Legislative election was held October 5th, and resulted in a large majority for the Free-State party, although many belonging to it had refused to vote, believing that the inevitable invasion from Missouri would overcome any honest vote which could be polled in the Territory. The apportionment greatly favored the invading Ruffians, as it gave a large majority of the members to the border counties. Although Federal troops were sent to fourteen precincts, the Missourians cast several thousand fraudulent votes. In McGhee county there were cast twelve hundred and sixty-six votes, while at the election in the previous June there had been cast but fourteen votes. At Oxford, in Johnson county, the polls were kept open two days, and more than fifteen hundred fraudulent votes were cast. Frauds were committed at other points, but they were not of so extensive and glaring character.

Upon these fraudulent votes rested the hope of the National Democracy, as the Pro-Slavery party now styled itself. If the precincts of Oxford and McGhee were counted, the Legislature would remain in its control. But Governor Walker had made his assurances in good faith when he urged the Free-State men to take part in the Legislative election. It was quite apparent to him that the Oxford and McGhee returns were records of fraud and forgery. On the 19th of October the Governor and Secretary issued a proclamation rejecting the returns from Oxford, assigning as a reason that they were technically defective and erroneous. They disposed of the McGhee returns in the same man-

ner on the 22d. The real reason for this action was the palpable fraud these returns recorded, and Governor Walker, in rejecting them, redeemed his pledge to the people that he would prevent and correct such so far as in him lay.

The National Democrats were in great rage at the course of the Governor. They held a mass meeting in Leecompton on the 23d, at which they passed resolutions of threat and indignation. But Governor Walker was not the man to be intimidated. Seeing that their threats were disregarded by the Governor, they appealed to Judge Cato, always a willing tool of the Ruffians. He issued a mandamus to compel the Governor and Secretary to issue certificates of election to the persons shown to have been elected by the fraudulent returns. They declined to obey the mandamus and offered to voluntarily yield themselves to arrest for non-compliance, but the Judge suffered the matter to go no further. Sheriff Jones was one of the defeated candidates who determined to obtain his certificate of election by force, and arming himself and taking a fellow-ruffian along, he strode into the Secretary's office, where he loudly demanded in coarse and threatening language that his papers be signed at once. No attention being given him or his threats, he departed much downcast. A committee of Free-State men waited upon the Secretary and offered to hang Jones if it would be any accommodation, but the Secretary declined to give them permission to perform an act which would give them such deep gratification.

This Legislative election and the action of the Governor and Secretary upon its fraudulent returns combine to constitute the turning-point in the political affairs of Kansas Territory. Against tremendous odds and such trials and obstacles as few people have encountered, the freemen of Kansas had now triumphed. They had gained control of the Territorial Legislature, the lawmaking power recognized by the Federal Government, and legal self-government was now for the first time within their reach.

General James H. Lane was appointed to organize the people to protect the ballot boxes at a Free-State convention held at Topeka, July 15, 1857. The Free-State convention at Grasshopper Falls on the 26th of August passed a resolution, "That General J. H. Lane be authorized and empowered to tender to Governor Walker the force organized by him under the resolution passed by the convention held at Topeka, on the 15th of July last, to be used for the protection of the ballot box."

Lane had thoroughly organized the Free-State forces in the Territory for the purpose of securing a fair election. So complete was his organization that the Border-Ruffians made no attempt at illegal voting in any of the interior precincts in the Territory, and to Lane, more than any other one man, was due the good order for the first time at the polls in any election held under the Territorial Government.

To this point, it appears, the Washington Administration had supported and favored Governor Walker's course in Kansas, as it was in accord with the policy insisted upon as a condition to his acceptance of

the position. But the loss of the Legislature convinced the extreme elements of the Democracy in Kansas and Washington that the only issue for which they cared a straw was lost. They believed that it could be regained only by a course of masterly rascality. Many of the more moderate Democrats of Kansas admitted defeat, and were prepared to accept defeat. President Buchanan was not sanguine of the success of the slavery cause, from the time of Governor Geary's administration. But he had little influence himself in the affairs of State, and there were those in his Cabinet who had hope of yet forcing slavery upon the Territory. They realized that Kansas was the crisis in their affairs and fortunes, and they intended to make it a slave State or make their failure to do so a cause for civil war should no other sufficient cause arise. In the future fight in Kansas they must not be hindered by an honest and capable Territorial Governor,—so one of their first steps was to force such conditions upon Governor Walker that he would resign; if he failed to do that, they would find some way to remove him. They found the Constitutional Convention ready to hand, and its character was such that they knew they could rely upon it in any measure the future might show to their interests.

The Lecompton Constitutional Convention had met September 7th, and after effecting an organization had adjourned on the 11th to meet October 19th, when the result of the election for members of the Legislature would be known. When it was found that the Free-State men had elected a majority of that body, a fierce opposition to the convention arose. The freemen of the Territory said the convention should not form a constitution; that it was fraudulently constituted and represented only a minority of the people; and that if it was necessary to prevent its action, force would be used: whereupon the Administration provided United States troops for its protection.

Upon the day of its reassembling a Free-State convention met in Lecompton and demanded that it should adjourn and abandon the purpose to frame a constitution for Kansas. As no quorum was present, no meeting of the convention could be had; no quorum appeared for several days; the Free-State men hoped none would appear. Many of the moderate Democrats were indifferent, and were willing to acquiesce in the decision of the majority as expressed in the Legislative election. But not so with the rabid element; they finally secured a quorum. During a session lasting two weeks, a constitution was evolved which followed instructions from Washington, and there is little doubt that all the slavery features were prepared there, sent to the convention and adopted entire.

Aside from its provisions for the establishment of slavery the constitution was not bad in itself, although the manner of its formation would always have weighted with odium any provision it contained, however good. It provided that the boundaries of the State should remain those of the Territory; that the rights to slave property of the present inhabitants and the emigrants bringing slaves in the future were not to be interfered with; that free negroes were to be excluded

from the State; that the constitution should not be amended, altered or changed until after the year 1864.

The manner of securing the adoption of the constitution, now that there was a known Free-State majority in the Territory and Governor Walker had demonstrated his antipathy to fraudulent elections, was a difficult question for the Pro-Slavery men. As no provision for its submission to a vote of the people was made in the act authorizing its formation, it had been charged by the Free-State men from the first that there was no intention that it should be submitted to a vote. But Calhoun denied this in a published statement, and the President wrote to Governor Walker July 12th, saying it would be submitted. Calhoun was Surveyor-General of the Territory, and the representative and confidential agent of the extreme and reckless element in Kansas of the Pro-Slavery party not only in the Territory, but in the South and in the Cabinet. He was chairman or president of the Constitutional Convention, and by it charged with the work of procuring the adoption of the instrument, and for this purpose clothed with unusual and extraordinary powers.

It is probable that had the National Democrats carried the Legislature, by fraud or otherwise, the convention would have been more liberal and have submitted the constitution to a vote of the people. Through the Legislature any action in favor of the Pro-Slavery party could have been had, and fair promises could have been made only to be overridden by fraud approved by that body. As the matter stood with them, the Legislature was in control of the Free-State men and Governor Walker had given indisputable earnest of honorable official action—hard conditions with which to be confronted by the Lecompton Constitution, its friends and advocates. In this perplexing dilemma a devious course was adopted. The whole constitution was not to be submitted, but a proposition which must adopt the constitution. Two forms of ballot were prepared. One was, "Constitution with no Slavery;" the other was, "Constitution with Slavery." A direct vote upon the constitution itself was denied. If the second proposition prevailed, the constitution entire was to be sent to Congress; if the first carried, then the sections establishing slavery were to be stricken out and the emasculated document sent to Congress.

Calhoun and not the Governor was to conduct the election, receive the returns, pass upon their validity, and do all other things in relation thereto which it was supposed an honest Governor would not do. Governor Walker now found himself occupying the same position reached by his predecessors. He was repudiated by his party in the Territory, and, while it is possible that he was not yet aware of it, he was abandoned by the Administration; and this for no other reason than that he had done precisely what the President had directed him to do. He was disheartened and disgusted with his party; he set out for Washington to consult the President. He found him wavering, halting,—full of excuses. When reminded of his former position on the question of submission, he took refuge in the subterfuge provided for him by

the conspirators about him,—that he could not undertake to dictate to the Constitutional Convention. Seeing that he was deserted by the President as well as by his party, he realized that it was useless for him to return discredited to Kansas. He was powerless to perform his pledges to the people, and being so, there was nothing for him to do but to resign his position. This he did on December 17th, in a long letter to Secretary Cass, in which he sets out his reasons for accepting the office, the President's position and assurances, and his change. The Secretary made a very lame reply.

Governor Walker espoused the cause of the Union in the Civil War, and reiterated his sentiments expressed against rebellion in the days of nullification. He advocated extreme measures. In April, 1861, he addressed a large meeting of the citizens of New York, in Union Square. In 1863 he was appointed financial agent of the Government in Europe, where he negotiated the sale of more than three hundred million dollars of the bonds of the United States with which to provide money to carry on the war.

Governor Walker was the ablest man appointed to a position in Kansas by the Federal Government in Territorial times. From the beginning of his administration dates the disintegration of the old parties in the Territory. He was true to his convictions and honestly endeavored to give the people a fair administration of their affairs, and when the action of the President made it impossible for him to do so he resigned.

CHAPTER XXXVI

FREDERICK P. STANTON

Frederick P. Stanton was born in Alexandria, in the District of Columbia, 22d December, 1814. He died in Ocala, Florida, June 4, 1894, in the eightieth year of his age.

His father was a poor man—a bricklayer; he taught his son his own trade, and together they followed it. At this occupation young Stanton earned sufficient money to take him through the private school of Benjamin Hallowell, in his native town. He was a boy of more than ordinary ability, and at the age of eighteen was made assistant tutor in Mr. Hallowell's school. He afterwards graduated from Columbia College. His first work after leaving college was teaching the village school in Ocoquan, Virginia; afterwards he was a teacher in Portsmouth Academy, in the same State. He remained but a short time in any of these occupations, and was constantly seeking better positions. At the age of nineteen he was elected principal of the Elizabeth City Academy, in North Carolina, where he remained two years. All this time he read law as he could find time to do so, and at the age of twenty-one was admitted to practice in his native town. Immediately after his admission to the bar he removed to Memphis, Tennessee, where he engaged in the practice of his profession. He took a prominent part in politics, especially in those of his adopted State, and for two years wrote the political editorials of the *Gazette*, one of the leading Memphis newspapers. In 1845 he was elected to Congress from the Memphis district; and he was four times re-elected, his final term expiring March 3, 1855. His retirement from Congress was voluntary. In his services there he was Chairman of the Committee on Naval Affairs, and also of the Committee on the Judiciary. He took a deep interest and a prominent part in all the business transacted by Congress, and his attitude toward measures was determined by his conception of justice rather than by political or party expediency, though he was an ardent Democrat. In 1855 he removed to Washington, and there engaged in the practice of his profession in the courts and the Departments of the Government. The results did not meet his expectations, and being intimately acquainted with the leaders of his party and on good terms with them, he sought an appointment in some location where political and material development would offer opportunities for political preferment. Kansas was then, as it has always remained, peculiarly fascinating. The wrecks of political fortunes were rapidly covering

her shores, but this seemed to make men the more eager to launch their barks on her stormy and agitated political seas. In April, 1857, Mr. Stanton was appointed Secretary of Kansas Territory; he succeeded Secretary Woodson, who was made Receiver of Money in the Delaware Land Office.

Mr. Stanton arrived at Lecompton April 15th, and immediately assumed the duties of his office, by which, as Governor Walker had not yet arrived in the Territory, he became Acting Governor. He entered



Gov. FREDERICK P. STANTON

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upon the duties of his office with the usual Democratic prejudice against the Free-State people, and a disposition to hold them responsible for all the troubles which had convulsed the Territory. On the 24th of April he delivered an address at Lawrence, in which he announced the policy which the Administration, at the instance of Governor Walker, had agreed to follow in Kansas affairs. One feature of this policy was the determination that the people of Lawrence should obey the laws of the bogus Legislature. As has already been stated, Mr. Stanton was bold and defiant in his address, and announced in an arrogant manner that the laws should be obeyed, and that further disobedience would

result in "war to the knife, and the knife to the hilt."¹ The impression created by the Acting Governor in the minds of the Free-State men of the Territory was not at first generally favorable to him; they believed that he was basing his future course upon information derived exclusively from Pro-Slavery sources, and from extreme men who had controlled the preceding administrations in their early stages. The Free-State men expected little from any man appointed to office by the President, and they expected the incoming administration would prove no more friendly to them than had the preceding ones.

The first duty of political consequence to the people falling to the Acting Governor was the apportionment of delegates to the Constitutional Convention to be held at Lecompton. Some account of this matter has been given in the consideration of the administration of Governor Walker, and it will be only mentioned here. The bill for taking the census to form the basis for this apportionment was passed by the Lecompton Legislature on February 19th, 1857. Governor Geary interposed his veto, but the Legislature was hostile to him, and passed it over his veto. If the census provision had been carried out to the letter and in good faith, little objection could have been made to it. But the sheriffs were to take the census, and as they were appointed by the county commissioners, who were in turn appointed by the Legislature, no hope of an honest enumeration was entertained by the Free-State people. There were thirty-four counties in the Territory, and the census was taken in but fifteen of these; and in these it was only partially taken, palpable frauds being committed in some communities. Johnson county

¹ Mr. E. P. Harris, one of the early settlers in Kansas, and a man identified with the industrial and intellectual development of the State from the beginning, he having arrived with Lane's Army of the North on August 7th, 1856, has recently related to the author the circumstances under which the phrase, "War to the knife and the knife to the hilt," was used in this address. It seems that the Governor was, in a manner, goaded into the utterance of this unfortunate remark. He was persistently interrupted by some Free-State men who continually demanded to be informed of the consequences of resistance to the bogus laws. Mr. Stanton returned evasive answers for some time, evidently hoping that the interruptions would cease, but as the matter was pressed, he finally said:

"The laws must be obeyed: they will be enforced."

"Then," said the interrogators, "there will be war."

Mr. Stanton was exasperated. It seemed to him that there was an element present determined to antagonize him and question his good faith and sincerity. To suffer himself to be silenced by it at this time would, in his opinion, mark him as a man wanting in decision and courage and trouble him later in the administration of the duties of his office. Rising to his full height, and looking his troublesome and discourteous auditors squarely in the face, he sternly answered:

"Then war it must be, and it will be war to the knife and the knife to the hilt."

Mr. Harris says much of the address was conciliatory and manly, and evidenced a desire to see justice done to all parties, and that it was in the main satisfactory to the people of Lawrence and the Territory.

was given four hundred and ninety-six votes, when in fact it was largely an Indian reservation with very few legal votes. No attempt was made to take the census in any of those counties where the Free-State men were in the majority, or where they lived in any considerable number. On May 20th the Acting Governor issued a proclamation making the apportionment of delegates upon this fraudulent and partial census; by this act he disfranchised more than one-half the voters of the Territory. His authority to make an apportionment at all was doubtful, and if he had such right he was in duty bound to have the census completed and corrected before he acted. His act was one of insolence and defiance, and after he had been cast out and disowned by his party in the Territory and the President, when they had no further use for him, he made an apology to the Free-State men for his hasty and illegal action.

Governor Walker arrived in the Territory and assumed the duties of his office on the 27th of May. Until the resignation of Governor Walker, Mr. Stanton discharged his duties as Territorial Secretary. During this time the usual change had occurred in the feeling entertained by the Democratic party for the Governor of Kansas Territory. It forced Governor Walker's resignation and forced Secretary Stanton into the Kansas Free-State party. When Governor Walker left the Territory to appeal to the President, Mr. Stanton became again the Acting Governor of the Territory. He saw the unalterable opposition of the great majority of the people to the Lecompton Constitution, and was then fully acquainted with all the outrages attending the various stages of its concoction. He was, too, at this time fully informed of the exact proportion of influence assumed and that actually possessed in the Territory by the National Democracy. He knew by this time the merits of the controversy and conflict raging in Kansas. He could no longer remain ignorant of the fact that the Free-State people stood for every principle vital to the existence of the Republic; and also that the National Democrats while crying out, "Law! we invoke the law!" were in fact violating the spirit of all law, daily trampling the Constitution and Organic Act in the mire and holding both in contempt. The only position for an honest man with such information and knowledge was in the ranks of the majority struggling for their rights against the unlawful and reprehensible usurpations of the minority, aided and abetted by the President.

The Legislature elected on the 5th of October was composed in the majority of Free-State men. The prevention of the consummation of Democratic frauds in that election was one of the principal indictments brought by the Democratic party against Governor Walker and Secretary Stanton. The persistent efforts of Calhoun and the Washington Administration to force the obnoxious Lecompton Constitution upon the Territory produced a profound agitation of the public mind, and aroused the people to a state of apprehension and wrought them to a high pitch of excitement. The Acting Governor was urged to call the Legislature in special session; and he, knowing that he had nothing to expect from the Government at Washington, and realizing that right, reason and justice were on the side of the Free-State men, issued his proclamation on the

1st of December, convening the Legislature in extra session on the 7th of the same month. It was stipulated by the leaders of the Free-State party that no general legislation should be attempted, and that the session should be devoted to devising some measure of relief for the people from their threatened danger. This act of Acting-Governor Stanton was the severest blow to the Administration party and the most profound service to the patriots of Kansas that had occurred. From this event dates the beginning of the ascendancy of the Free-State people in the affairs of government in the Territory. For this act Mr. Stanton was taken to the hearts of the Free-State people, who forgave and forgot his early acts of oppression.

The chicanery of the National Administration and its corrupt tools in Kansas had so bound and rendered helpless the Territory that there was little the Legislature could do to bring immediate relief. The Constitutional Convention had empowered its president, the disreputable Calhoun, to take all steps necessary to foist the result of its labors upon the Territory. As the work was finished, little could come of questioning the authority and legality of the convention.

The Legislature assembled at Leecompton on the day set apart. C. W. Babcock was elected President of the Council, and G. W. Deitzler, Speaker of the House. The members were inexperienced in the mode of procedure for the enactment of legislation, and to this cause must be attributed in some measure their failure to afford the full sum of relief expected. The act authorizing the formation of the Leecompton Constitution was repealed. An act was passed providing for the submission of the constitution to the full and fair vote of the whole people. A joint resolution addressed to Congress was adopted, protesting in the strongest terms against the admission of Kansas under the Leecompton Constitution; and another memorialized that body to admit her to Statehood under the Topeka Constitution. A law for the punishment of election frauds was enacted; as was one, also, to provide for the organization of an efficient militia. The act of the bogus Legislature to punish rebellion was repealed. The Legislature adjourned December 17th.

Mr. Stanton expected to be removed by the President for his action in calling the Legislature in extra session. As the end of the session approached he was notified of his removal; and on the 21st of December he was succeeded as Secretary by James W. Denver, who was appointed Secretary and became Acting Governor.

Mr. Stanton continued his residence in Kansas. He espoused the cause of freedom and identified himself with the Republican party. In 1861 he was a prominent candidate for the office of United States Senator. Later in that year, when Senator Lane was understood to have been appointed a brigadier-general, and it was supposed that a vacancy in his office was caused thereby, Mr. Stanton was appointed by Governor Robinson to fill the unexpired period; but it was determined that no vacancy had been made.

Governor Stanton purchased a large tract of land in Douglas county, near Leecompton, and erected thereon a large and handsome residence.—

for many years the most expensive in the State. In 1862 he removed to Farmwell, Virginia, and resumed the practice of his profession in Washington. In 1886 he removed to Florida, where he resided until his death.

Governor Stanton was a man of much ability, and while there was something of the politician visible in many of his acts, he was conscientious in his administration of public affairs in Kansas. He came to the Territory with the Pro-Slavery hatred and prejudice for the Free-State men and their efforts to obtain the right to govern themselves. But he found, as had Reeder, Shannon, Geary and Walker, that Pro-Slavery theories in the East and slavery in the process of being forced upon an unwilling people were two very different things. The enormities practiced in the latter instance revealed the hideous outlines of the former, and made him an enemy of the institution of barbarism. His conversion to the principles of freedom was thorough and genuine, and from that time he did as much as in him was to destroy slavery and establish liberty.

CHAPTER XXXVII

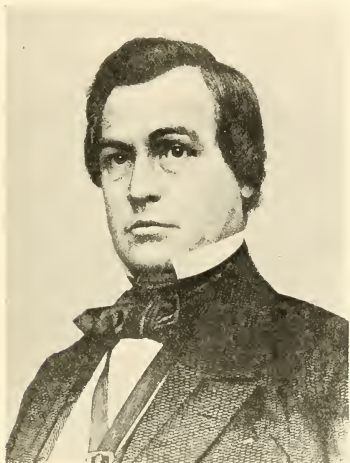
JAMES WILLIAM DENVER

SOMETHING OF THE MAN

General James William Denver was born at Winchester, Frederick county, Virginia, October 23, 1817. He died at Washington, D. C., August 9, 1892, in the seventy-sixth year of his age.

In the year 1831 his parents removed to Ohio; they settled in Clinton county in that State in the spring of 1832. The children of the family consisted of four sons and six daughters, all of whom lived to become honored members of their adopted State. His father was a farmer, and the first years of his life were spent in the hard labor incident to farm life in a new country. In the winters he attended the common schools of the neighborhood. The severe labor which he was called upon to perform and the exposure incident thereto brought on a severe illness in the form of rheumatism, when he was in his twenty-first year. This became for a time permanent, and it caused him to look about for some labor of a lighter character than that on the farm. He studied civil engineering, and was for a time in the service of the county surveyor. In the spring of 1841 he went to Missouri, to seek employment in the surveys of the public lands of that State. But he failed to obtain a contract in this work, and as it was necessary for him to find something to do, he taught a school in the northwestern part of Clay county, at what was known as the Hartsell school-house; while teaching here he boarded in the family of John Eaton, Esq. He always regarded the year spent here as one of the happiest of his life. At the close of his term of school he returned to Ohio to engage in the study of law, and in 1842 began this study in the office of Griffith Foos, Esq., of Wilmington. He continued his studies here for some time, and then attended the Cincinnati Law School, from which institution he graduated in the spring of 1844. His first law office was opened in Xenia, Ohio, and he had for a partner Mr. R. H. Stone. In the spring of 1845 he returned to Missouri and opened a law office in Plattsburg, but afterwards removed to Platte City. In March, 1847, he was made captain of a company in the Twelfth Infantry Regiment, and served until the close of the Mexican War, in July, 1848; he was under the command of General Scott. At the close of the war he returned to Platte City, where he remained until 1850, when he crossed the Plains and settled in Trinity county, California. In 1852 he was

elected State Senator, and during the session of the Legislature he antagonized Edward Gilbert, an ex-member of Congress; the controversy which ensued resulted in a duel. Denver designated rifles as the weapons, and Gilbert was killed at the second shot. During this session Mr. Denver was appointed by the Governor of the State to convey supplies across the Sierra Nevada Mountains for the relief of emigrants who were in deep distress. Upon his return from this mission he was appointed Secretary of State for California, and served in this capacity



Gov. JAMES W. DENVER

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until November, 1855. He had been elected to the National House of Representatives in 1854, and took his seat at the beginning of the Thirty-fourth Congress, in December, 1855. He was made Chairman of the Special Committee on the Pacific Railroad, and originated the laws which were subsequently adopted for the construction of that great highway. At the close of his Congressional term he was appointed Commissioner of Indian Affairs, and assumed the duties of that office in April, 1856. He made a treaty with the Pawnees during that year. In December, 1857, he was in Kansas attending to some matters connected with the administration of his office; and when Governor Stan-

ton was removed from the office of Secretary of the Territory, Mr. Denver was appointed to that position. He assumed the duties of his office on the 21st of December, and as no Governor had been appointed to fill the vacancy, he became the Acting Governor of the Territory from that date. On the 12th of May, 1858, he was appointed Governor of Kansas Territory, and Hugh S. Walsh was made Secretary.

THE LAST OF THE LECOMPTON CONSTITUTION

The election called by Calhoun on the slavery proposition of the Lecompton Constitution was held on the 21st day of December, the day upon which Secretary Denver assumed the duties of his office. It was a farce. Calhoun announced that the vote in favor of "the Constitution with Slavery" was 6,226; and the opposing vote was given by him as 569. Border-Ruffians in large numbers came into the Territory and voted. At a subsequent investigation it was shown that 2,720 fraudulent votes were cast, and it was known that many others voted who had no right to do so.

At the election provided by the Territorial Legislature, held January 5th, 1858, a fair and honest expression of the people towards the Lecompton Constitution was had. The votes cast against it were 10,226; for it in all forms there were but 162. So overwhelming was the sentiment against it and against the outrageous manner in which the President had attempted to force it upon the people, that some of the Pro-Slavery papers had turned against it. On the 24th of December (1857) a Democratic convention in Leavenworth passed resolutions denouncing the framers of the instrument, indorsing the course of Governor Walker and Secretary Stanton, and asking Congress to not admit Kansas under the fraudulent constitution. The President was fully informed of the result of the election of January 4th, the position and attitude of a majority of his party in Kansas, and of Acting-Governor Denver. The latter had written an exhaustive review of the conditions prevailing in the Territory, which he sent to the President by a special messenger; he urged the President to not present the constitution to Congress. The President replied that the letter came too late, as his message of transmittal had been already prepared and shown to the Southern Senators, and he "could not withdraw it." On the 2d of February he transmitted it to the Senate, together with the constitution. It was a bitter document, and denounced the Free-State men of Kansas and charged them with the troubles which had occurred there. This paper evidenced the subserviency of the President to the slave-power. It supported the action of the convention in not submitting the constitution to a vote of the people. The Lecompton manner of adopting constitutions has ever been in favor with the enemies of liberty.

The action of Congress resulted in the rejection of the constitution for the time being, and in the passage of the "English bill," which provided for the submission of the constitution to a fair and full vote

of the people of the Territory. To induce them to vote in its favor, large land grants were set apart to the future State, amounting in all to more than five million acres. This bill was forced through Congress by bribery and other corrupt practices. But the people of Kansas refused to be bribed by the magnificent land grants promised by the slaveholders. The one thing about the bill which pleased the people was that feature which gave them an opportunity to express a final judgment against the constitution. The election under the provisions of the "English bill" was held August 2d, 1858. The total vote was 13,088, of which more than 11,000 were against the Lecompton instrument and the English inducements for its adoption.

THE MARAIS DES CYGNES MASSACRE

The Marais des Cygnes massacre occurred on the 19th of May, 1858. It was the most brutal and inexcusable of all the outrages committed in Kansas by the Border-Ruffians. It was planned and carried out by one Charles A. Hamelton, who had lived, in 1857, in Linn County, three miles east of Trading Post. This point has already been noted in the early part of this work. A postoffice was established there in 1857, and called Blooming Grove. Hamelton was a well-to-do man, owned a number of slaves, was of an aristocratic and insolent bearing, and had come to Kansas to help make it a slave State. He was intolerant of the principles of his Free-State neighbors, and had little intercourse with them. On one occasion William Hairgrove, also from Georgia but a Free-State man, visited Hamelton, but was not received with that boasted Southern hospitality. Hamelton's nearest neighbor was "Broad Tom" Jackson, an aggressive, forceful, Pro-Slavery man. Hamelton had two brothers in Kansas at that time. One was a physician at Fort Scott, another, a young man, Algernon S. Hamelton, studied law with Judge Barlow at Paris, a town near the present Mound City.

The disturbances in Linn County began in a small way in 1855, but nothing of note occurred until the following year. In the fall of 1856, George W. Clarke led in about four hundred Missourians. This was the same Clarke who claimed to have murdered Barber in the Wakarusa War. He led his band of Border-Ruffians to the town of Paris, which was a Pro-Slavery settlement. There he received some recruits, after which he went to Sugar Mound. Arriving there they robbed the house of Ebenezer Barnes, and looted his store and the postoffice. After committing these outrages, the Ruffians broke up into small bands and raided the settlement, burned some houses and committed other depredations, after which they returned to Missouri.

James Montgomery had recently settled in Linn County. He was born December 22, 1814, in Ashtabula County, Ohio. He was a cousin to General Richard Montgomery, who fell at the storming of Quebec. In 1837 he went to Kentucky where he engaged in teaching. In 1852 he went to Pike County, Missouri, intending to go on to Kansas when it was open for settlement. In July, 1854, he explored Bates County.

Missouri, looking for a location, but was not satisfied with that country. He passed into Kansas and bought a claim near Mound City: He soon became prominent on the Free-State side, and opposed James P. Fox and other Pro-Slavery men. It was not long until he was the recognized leader of the Free-State forces in Southwestern Kansas.

Clarke's party had intended to murder Montgomery, but he escaped. He determined to bring at least some portion of this band to justice. He went to the house of Captain Burnett, in Missouri. Burnett was a member of Clarke's band, and had not yet returned. He was not acquainted with Montgomery and did not know the young man he found at his house. Montgomery pretended to be from New York, and desirous of finding employment as a teacher. Burnett found him a school in his neighborhood. Montgomery taught two weeks, living at Burnett's house. In the meantime he learned the identity of many of Clarke's men. He then returned home and raised a company of seven Free-State men. He led this party to the vicinity of Burnett's house, and went into a secret camp in the timber. He disguised two of his men as Indians and had them ride over the neighborhood. Seeing them, the Missourians supposed the Miami Indians were coming in to steal horses. To take steps to protect themselves from this supposed band of predatory Indians, the neighbors met at Burnett's house, on an appointed day. Montgomery took possession of the house at dark. When a Missourian would approach, Montgomery's men would make him prisoner, disarm him and secure his horse. Burnett was treated in this way upon his arrival, having been absent from home. The guns taken from these Missourians were broken. Montgomery took \$250 in money and eleven horses from the men who had thus assembled, and returned to Linn County. Montgomery justified his course on the ground that he had only secured from Clarke's raiders an equivalent for what had been destroyed by them and stolen in his immediate neighborhood. And, further, that the horses and money were given to those who had suffered losses at the hands of these raiders.

The Free-State men soon began to return and re-occupy their claims. Very little occurred about Trading Post of enough importance to be mentioned in connection with the other troubles of the border until the spring of 1858. Many of the leaders of the Border-Ruffians, had by that time been forced to leave Leavenworth, Atchison, and other places, by the triumph of the Free-State men. The Border-Ruffians east of Trading Post became threatening as early as April, 1858. The Free-State men organized a militia company, of which Mr. Tucker was Captain and James M. Sayre, Lieutenant. They armed themselves and stood ready to meet Clarke's Ruffians, whom they expected to appear at any time. The anticipated trouble did not materialize, and the company discontinued their daily meetings, to drill, on the 17th of May. William Allen of this company was acting in the capacity of spy, and he immediately disappeared when it was resolved to discontinue the daily drills. He was in possession of all the plans of the Free-State people, and these he revealed to Hamelton, who had, in the

meantime, gone to live with Jerry Jackson, who had a store at West Point, in Missouri. Hamelton had left Kansas because of the increasing strength of the Free-State men, who had been constantly coming in and settling in his neighborhood. On the 18th of May, Hamelton addressed the Ruffians assembled at Jackson's store, and called for volunteers to go with him "down in the valley to attend to some devils down there." He made it plain that he wanted only men who would obey orders. That night a number of Border-Ruffians assembled at Jackson's store. They were led southward by Hamelton, who refused to reveal to Jackson his true intentions.

The 19th of May was a beautiful, clear, warm day. The settlers were at work in the fields. At nine o'clock Hamelton, with thirty-two men, crossed the Marais des Cygnes at Trading Post, coming from the south. They were heavily armed, boisterous, and abusive. They assembled at a saw mill which was in process of construction, where they made prisoners of the workmen. From the mill they went to the post-building, then in charge of John F. Campbell, whom they made prisoner. Failing to find any other Free-State men at Trading Post, they marched north on the old military road to a point between Timbered Mound and Prairie Mound. Here they released all the prisoners except Campbell. They drove him before them to the house of Samuel Nickel. Here Hamelton dismounted, and, with a revolver in each hand, went into the house and found Mrs. Nickel sewing. Mr. Nickel was fortunately away from home, but Hamelton refused to believe this when Mrs. Nickel so informed him. A search of the house was made. One of the Ruffians, in climbing into the loft, knocked a heavy clock from its shelf. This clock fell on the baby, which was lying in a cradle. When Mrs. Nickel screamed in alarm, Aaron Cordell, one of the Ruffians, shoved his revolver against her and exclaimed, "Howl, damn you, howl!"

Not finding Nickel, the Ruffians left the house and took the road. After going a short distance they found Rev. B. L. Read talking with two travelers, one of whom was Patrick Ross, and the other William A. Stillwell, who lived near Moneka and was on his way to Kansas City to purchase supplies for his family. These they made captive, increasing the prisoners to four, whom they drove before them a mile and a half east of the claim of Austin Wilbur Hall. Hall was absent from home, but his brother, Amos Cross Hall, was found there sick and in bed asleep. He was aroused, captured, and added to their band of prisoners, whom they marched to the claim of William Colpetzer, a mile to the southwest, and very nearly to the old home of Hamelton. Upon their approach, Mrs. Colpetzer begged her husband to escape. He was not conscious of having done any wrong, and refused to run, and was made prisoner. The Ruffians then went north to the house of Michael Robertson who had come to Kansas from Effingham, Illinois. They took Robertson and his guest, Charles Snyder. From this point they marched northwest about a mile to the claim of William Hairgrove. There they captured Hairgrove and his son Amos. This made

ten prisoners. They drove these prisoners northeast in a very brutal manner. Near the Hayrick Mound they met Austin W. Hall, who was returning from Captain Ely Snyder's blacksmith shop. Hall was driving a yoke of oxen, and was suffering from inflammation of the eyes to such an extent that he could not distinguish the character of his captors. When he was added to the prisoners all were warned not to converse among themselves. One man complained that he was hungry, and was answered that it was expected that they would have fried scalps for dinner. Another requested permission to drink as they crossed a small stream, and was answered, "Wait and get it in hell." From the point where they captured Austin W. Hall, the prisoners were driven to a ravine on an elevated prairie near the Snyder claim and blacksmith shop. They were there formed in line and Captain Brockett, who had been captured at the battle of Black Jack by John Brown, was left in command. Hamelton took a number of his men and went to capture Snyder. At Snyder's shop the Ruffians met with resistance. Snyder was a strong Free-State man, something after the type of John Brown. His claim was the northwest quarter of fractional Section twenty-six (26), Township twenty (20), Range twenty-five (25), lying less than half a mile from the Missouri line. The ravine in which Snyder had his blacksmith shop is the most rugged in the region. Its direction is to the southwest, and at its head is a precipitous cliff twenty to fifty feet in height. The rock is a hard lime-stone, and is so broken that it can be ascended in several places. Its rugged aspect was in complete accord with the independent and fearless character of Ely Snyder. His residence was a cabin on the elevated prairie, some two hundred feet northwest of the fine spring at the head of the ravine. The prairie plateau circles around and makes the east bank of the ravine in which was Snyder's shop. In the head of the ravine there is a residence now. It covers the spring—now known as the John Brown Spring. In a basement room some ten by fifteen feet the spring can be seen. It is in the northeast corner of the room and is walled up with stone. The water can be seen some three feet down, but it is not now used by the family.

The ravine is now much filled up about the house, caused by a stone wall about another spring lower down. The blacksmith shop was on the east or northeast side of the ravine, on the steep bank some twenty feet from the bottom. It was something like one hundred feet from the upper or head spring. It faced north, and a lean-to shed stood on the south side of it. Hamelton and seven or eight of his men made their appearance on the flat on top of the hill above the shop, and sent down three men to call Snyder up. They came down and said to him that a man up on the hill wished to see him. Snyder stepped out at the west door and looked up the hill. When he saw Hamelton he knew there was trouble ahead. Hamelton called out: "Now I have you just where I want you." Snyder sprang back into the shop and found one of the Ruffians standing near his gun. This fellow had entered through a rent in the wall caused by leaving off a board. Snyder struck him in

the face and knocked him clear out of the shop. Seizing his gun—shot-gun—from its place near the vise-bench, he came again out of the west door. Bell, the mounted Ruffian, who had delivered the summons, was then ascending the hill towards Hamelton. Snyder fired a load of buckshot into him and his horse and retreated toward a stone wall which his son, Elias Snyder, had built across part of the ravine. This wall was just west of the springs, and east of the present wall. Snyder fired at Hamelton, wounding him, and then took refuge behind the wall. A Ruffian shot at him. The ball struck the top of the wall and burst into fine bits, many of which Ely Snyder later picked out of his hat.

Mrs. Snyder and her daughter were doing the family washing at the spring. The mother remained with her husband, and the daughter went up the bluff to the house, and awakened Elias Snyder, who was sleeping late that morning. Elias Snyder seized his gun and went out to join his father. He fired on the Ruffians, wounding one so severely that he died a few days later. As he advanced towards Hamelton, he met his father coming up the bluff towards the house, and who called out, "Give them hell, Elias!" But Hamelton was in retreat, passing north of the house back of some higher land. Looking across to the northwest the Snyders saw a number of men on a mound on the southwest quarter (S. W. $\frac{1}{4}$) of Section 22, and saw them start down the summit. These were the main force of Hamelton's Ruffian army with the prisoners. They came on at a signal from Hamelton, and were not seen again for some time by the Snyders, who had no idea of what was going on in the settlement except at their own claim. Hamelton had only about seven men with him in the attack on Snyder.

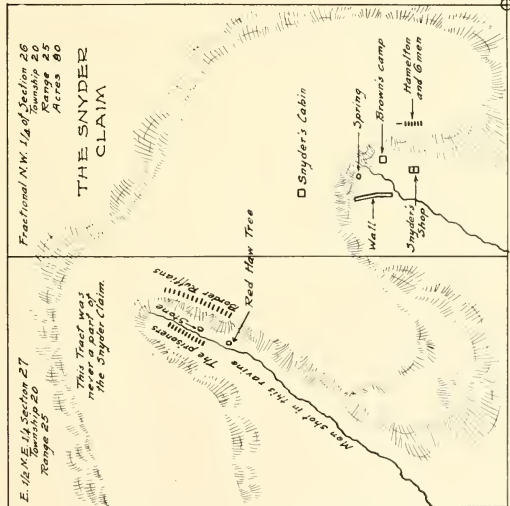
Within a short time the Snyders heard firing to the west of them. In a few minutes Austin Hall came through some brush to the Snyder house and told of the massacre of the prisoners. About this time Hamelton and his men were seen to the northeast passing behind a mound into Missouri.

After meeting the rough rebuff at Snyder's shop, Hamelton returned to the force left in charge of the prisoners. The prisoners had heard the firing at Snyder's farm, but could not see all that occurred there. Hamelton was furious with rage when he returned to the prisoners. Ordering them to follow, he led them to another ravine only a short distance away. He followed this ravine until it very nearly came out on the high prairie, and above where there were any bushes. The ground was smooth and covered with prairie grass. At a point where the ravine was so narrow as to compel the men to march in single file, he ordered them to halt and face east. After forming in line as directed, they occupied a space of about thirty feet. The man lowest down the ravine was Campbell. Next to him stood Colpetzer, then A. W. Hall, then the Hairgroves and Amos Hall. The order in which the other five stood is not known. Hamelton was in a fury, cursing the prisoners and his men. He separated his party, placing a line on each side of the ravine and about twenty-five feet from the prisoners. Hamelton and his brother, Algernon, the two Yealocks, and a Ruffian

named Hubbard, of savage reputation, all of whom were acquainted with the prisoners, were in the party facing them. In the presence of death only one prisoner spoke. William Hairgrove said, "Gentlemen, if you are going to shoot us, take good aim." When Hamelton ordered his men to get ready to fire on the prisoners, Brockett wheeled his horse and left the line. With deep curses he said he could fight in battle, but that he would have nothing further to do with such an act as was evidently about to be committed there. Brockett's action came near causing a revolt of other Ruffians, but by threats and curses, Hamelton brought them back into line and gave the order to fire. Austin Hall afterwards said that as they fired he saw the hue of death appear on Colpetzer's face, and it came on him as an inspiration to fall flat with the others and feign death.

The horror of the massacre was too much for many of the Ruffians, who immediately galloped away. As they were leaving, Hubbard called out, "They are not all dead. Let us finish them." He dismounted, and, with one or two men, came back. They went among the victims and examined them to see if they were living. They were compelled to protest against the action of Algernon S. Hamelton who sat on his horse and fired at the dead men as they were being examined. Hubbard's party shot Patrick Ross again to make sure that he was dead. Coming to Austin Hall, they kicked him and pronounced him dead, though he had not been hit at all. Amos Hall was still breathing and Hubbard ordered a Ruffian to "put a pistol to his head. I never knew that to fail." In the effort to obey orders, the pistol was put against Hall's face and the bullet almost cut his tongue in two, but remained in his mouth. That was the last shot fired. After robbing the murdered men, the last of the Ruffians rode away. When they had been gone a few minutes, Austin Hall called to the others. Two replied, but urged him to be quiet for fear the Ruffians were still near. Crawling to the top of the hill, Hall saw the Ruffians on Spy Mound about a mile distant looking back toward the ravine. Hall then turned his attention to the wounded. Campbell gave him some messages to write to his friends, and directed where some money belonging to his employer could be found. Hall then went to Snyder's cabin, who knew nothing of what had occurred in the morning, and did not understand the nature of the firing which they heard at the ravine. The Snyders and Hall started out to get help. They soon met Mrs. Hairgrove and Mrs. Colpetzer, who, suspecting Hamelton's intentions, had hitched a yoke of oxen to a wagon into which they had put bedding and followed. The men hurriedly told them what had been done, and went on to alarm the settlers. They soon secured about twenty-five men and started to the ravine. On the way they met the two women bringing in the wounded in the wagon. The dead were then removed. They were Colpetzer, Campbell, Ross, Stillwell, and Robertson. They were first taken to a house on the north side of Timbered Mound, where four of them, Colpetzer, Campbell, Ross and Robertson were buried in a com-

NORTH



MAP
OF
THE SNYDER
CLAIM

DRAWN BY
WILLIAM ELSEY CONNELLEY
OCTOBER 7 1908.

Center of fractional Section 26
Township 20
Range 25

mon grave. Stillwell was buried at Mound City. The five wounded recovered rapidly.

Hamelton with his men went back to Jerry Jackson's store at West Point, but remained there only a few minutes. Hamelton left and went to Westport, where he resided for some time.

It was long believed that Hamelton was assassinated by Captain Ely Snyder. Snyder himself believed so. He trailed him for some years and finally shot some man believing it was Hamelton. In a letter written by General John H. Rice to Joel Moody, dated Fort Scott, Kansas, July 7, 1890, General Rice Says:

I became acquainted with Dr. Thomas Hamelton. in 1847. He was an eminent Physician. As a Physician and scholar he stood far above the average of his class. His sons were:

Charles A. Hamelton.	Born about	1822.
George P.	"	" " 1826.
Algernon S.	"	" " 1828.

Dr. Hamelton, the father, died in Rome, Georgia, in 1857.

In 1854 Milt McGee, of Kansas City, came to Georgia soliciting money to make Kansas a slave State. He made a speech at Cassville. Dr. Thomas Hamelton gave him his check for \$1,000.00.

Chas. A. Hamelton was a Planter (as they were called).

George P. read medicine.

Algernon never followed any special pursuit.

Capt. Charles A. and George Peter came to Kansas to carry out the Dr.'s sentiments (I do not remember exact date), I guess about 1855—What they did in Kansas you know better than I do.

They left Kansas & returned to Georgia in fall or winter 1857 & 8 I think. I was practising law in Rome, Georgia, in 1858, and at Sept. term of court in 1858 Capt. Chas. A. Hamelton came to me and said he was bankrupt, insolvent, and under *arrest*, then for debt. (Imprisonment for debt was in vogue then) and, we had a State Insolvent law, similar to the last Nat. Bankrupt law. Under certain circumstances the Debtor could file a schedule of property and take an oath that released him from arrest.

I filed proceedings for him—filed his schedule—as well as I remember now contained one item, a watch. And the court on my motion ordered the oath administered and Hamelton released. When done, he says to me. "I will see you at your office directly after dinner (not a word had been said about the fee). About one o'clock he came into my office, and said: "General, you did me a great favor, and I am free, and now I start again in the world (and he shed tears freely); here is all I can give you as compensation for your trouble. (And he threw down on my table four \$20 gold pieces.) I am going to Texas, start in an hour, good-bye." That is the last I ever saw or heard from him, except from hearsay. He, however, went to Waco, Texas; lived there until 1861. Raised a Regiment and joined Lee in Va. Lived through the War—returned to Texas; lived there till about 1878, when he returned to Georgia. Lived in Jones county, where the old Dr., his father, was born, and died about 1881 of apoplexy. He stood 5 feet 10 inches—weighed about 180 pounds—of a florid complexion. Was intellectually and physically an active man and one of the handsomest men I have ever seen.

George Peter Hamelton, on returning from Kansas, went to Mississippi, where he practiced medicine and died there (so I have heard).

Algernon S. Hamelton went into the Confederate Army and was killed in one of the Va. battles.

Old Dr. Hamelton was my father-in-law's family physician, and I knew them all well.

They were a very "high strung" family, aristocratic, rich, haughty, and domineering.

In June following this massacre, John Brown erected a fort on the Snyder claim and remained there several months. He made a raid into Missouri in which his force was divided into two bands. A number of slaves were liberated and later carried out to Canada. This raid was the occasion which caused the writing of the famous communication known as "Old Brown's Parallels," as follows:

OLD BROWN'S PARALLELS

TRADING POST, KANSAS, JANU., 1859.

Gents: You will greatly oblige a humble friend by allowing me the use of your columns while I briefly state Two parallels in my poor way. Not One year ago Eleven quiet citizens of this neighborhood (Viz.) Wm. Robertson, Wm. Colpetzer, Amos Hall, Austin Hall, John Campbell, Asa Snyder, Thos. Stilwell, Wm. Hairgrove, Asa Hairgrove, Patrick Ross, and B. L. Reed, were gathered up from their work, & their homes by an armed force (under One *Hamilton*) & without trial; or opportunity to speak in their own defense, were formed into a line & all but one shot, Five killed & Five wounded. One fell unharmed, pretending to be dead. All were left for dead. Now I inquire what action has ever since (the occasion in May last) been taken by either the President of the United States; the Governor of Missouri; the Governor of Kansas or any of their tools; or by any proslavery or administration man?

Now for the other parallel. On Sunday, the 19th of December, a Negro man called Jim came over to the Osage settlement from Missouri & stated that he, together with his Wife, Two Children, & another Negro man were to be sold within a day or Two & begged for help to get away. On Monday night of the following day Two small companies were made up to go to Missouri & forcibly liberate the Five slaves, *together with other slaves*. One of those companies I assumed to direct. We proceeded to the place, surrounded the buildings, liberated the slaves; & also took certain other property supposed to belong to the Estate. We however learned before leaving that a portion of the articles we had taken belonged to a man living on the plantation as a tenant & who was supposed to have no interest in the Estate. We promptly restored to him *all we had taken* so far I believe. We then went to another where we freed Five more slaves, took some property; & Two *white* men. We moved all slowly away into the territory for some distance & then sent the White men back, telling them to follow us as soon as they chose to do so. The other company freed One female slave, took some property; & as I am informed killed One White man (the master) who fought against the liberation.

Now for a comparison. Eleven persons are forcibly restored to their *natural*; & *unalienable* rights with but one man killed; & all "Hell is stirred from beneath." It is currently reported that the Governor of Missouri has made a requisition upon the Governor of Kansas for the delivery of all such as were concerned in the last named "*dreadful outrage*;" the Marshall of Kansas is said to be collecting a posse of Missouri (not Kansas men) at West Point in Missouri, a little town about Ten Miles distant, to "enforce the laws," & and all proslavery conservative

Free State dough faced men & administration tools are filled with holy horror.

Respectfully Yours,

JOHN BROWN.¹

In the *La Cygne Journal* in the year 1895, John A. Hall published an account of the Marais des Cygnes massacre. Concerning the occupancy of the Snyder claim by John Brown, Mr. Hall has this to say:

Charles Crystal Hadsall, who became an associate of old John Brown a few days after the massacre, was born in Northmoreland, Luzerne County, Pennsylvania, April 14, 1825. He is of Dutch ancestry. He removed to Illinois in 1846, made a trip to California in 1852 and came to Kansas in May, 1858.

Hadsall came down through Bates County, Missouri, where he fell in with one of the assessors named "Bushon," who told Hadsall if he would help him write out his report he would assist him in the selection of a claim which Hadsall was looking for, so that after a day or two they were riding around over the country together. At one place they met a fellow named "Matlock," who was boasting about how he and some friends had "killed a lot of abolitionists" a few days previous over in Kansas. The fellow's details of the crime were revolting to Hadsall and he made notes of what he heard.

The next day they were at the house of Thomas Francis, where they met Captain Weaver and Eli Snyder, the blacksmith. Assessor Bushon was visibly excited at meeting Snyder and soon left. Hadsall then told Captain Weaver about Matlock and where he could be found, but Weaver paid no attention to him, but on leaving invited Hadsall to accompany him over in Kansas, and on the way told Hadsall he had already sent men after Matlock and sure enough they had him a prisoner at the Snyder place when they arrived. Mr. Hadsall cannot tell the exact date but distinctly remembers that the ground was still red with the blood of the victims. It is reliably fixed at about the last week in June. He says that John Brown had already begun the erection of the fort and had

¹ This is given just as Brown wrote it. The original is in the library of the Kansas Historical Society. It was first published in the *New York Tribune* and the *Lawrence Republican*. The original shows some interlineations made with pen and some made with pencil. Mr. Sanborn believes those made with pen were made by Kagi. Mr. E. P. Harris was a compositor in the *Republican* office when the copy was received. The changes and additions made with pencil, now to be seen on the original, in the library of the State Historical Society, and the changes in orthography, were made by Mr. Harris, as he informed me. He also changed the punctuation. These changes all appear on the original copy in the handwriting of Mr. Harris. The paper as edited by Mr. Harris has been used as the copy of this valuable communication, and may be found in most all the biographies of John Brown. By comparing one of those with this the additions will readily appear.

The original paper bears some evidence that it was contemplated that some one else, probably Kagi, should make additions to it. There are spaces left to be filled if thought necessary; one of these follows the list of victims of the Marais des Cygnes massacre, and another is at the close. The only word in the original not in the copy as printed herein is the word "party." This is the last word, and is below the space and next to the signature. There is no connection between it and what precedes it in Brown's handwriting, and it is in his handwriting. Mr. Harris made it a part of the last sentence in the copy as published generally.

purchased the claim from Snyder. Brown had a company organized and had the place maintained in regular military order. From that on Hadsall became a daily associate of Brown, and had every opportunity to learn of his doings. Above all he admires Brown's military genius, as in fact do all those who were with him in those days. He showed great skill in the construction of the fort, and at the expense of tediousness his description is related. The site of it was in front of where Snyder had his shop. It was in a little cove in the south end of the mound which extended back about a hundred yards from the road at the base of the mound. At the head of this was a spring of good water and all around rather steep slopes. About fifty feet from the east, north and west wall of the little enclosed valley Brown built out of hewed logs a two-story house, 18 by 20 feet square, with a flat roof. There were numerous port holes on each floor which made it easy to observe the approach of anything from any direction. To the height of a man's shoulder on the outside a stone wall three feet thick had been constructed and the water from the spring ran through the house and into a pit three feet deep at the southwest corner on the outside, at the foot of a fine oak tree. Brown usually took water from this place and was proud of the arrangement. At the east end of the fort was another handsome spreading oak under which, during the summer he cooked and ate and carried on the business devolving upon him as commander. Nearly all of his followers were there at first, among them John H. Kagi, Stevens, Tidd, Leeman Anderson, several of whom were afterward with him and died with him at Harper's Ferry. So far as the claim and the fort could belong to any one it belonged to old John Brown individually by purchase from Eli Snyder, several eminent historians to the contrary notwithstanding. Brown busied himself with the preparations of manuscripts and as Hadsall sat and talked with him he asked Brown what his plans for the future were. For answer Brown passed over to him the manuscripts and upon perusal Hadsall found them to be an exhaustive treatise on military science and rules of war. It was a high moral code in its provision as to the treatment of conquerors enemies and required soldiers to abstain from pilfering and robbery, but permitting them to take their sustenance from the enemy during active war. Beyond allowing Hadsall to read his writings Brown never communicated his plans to him. At times he would entertain them with descriptions of great battles of the world and the strategies used by successful commanders. Brown seldom had more than a half dozen men with him at the fort, but all along the Missouri line sentries were posted and men reported to him at various hours. No man was permitted to enter the territory without satisfactory evidence of good intentions. Frequently prisoners were brought in and a court martial assembled at which old John Brown sat as President. If the prisoner was adjudged all right he was released, but if there was a doubt about him he was marched to the Missouri line and told to travel east. At one time an ignorant squatter from Missouri was brought in and after it was decided he was harmless Brown invited him to dine with them and asked him if he would have a glass of "abolition milk," which the fellow said he would, but showed that he was suspicious by the way he tasted it, and remarked, "Why, that 'ere tastes like cow's milk." Brown laughed and told him it was cow's milk from James Montgomery's cows.

Things went on this way till July 25, when Snyder proposed to Hadsall that he purchase the place from him and say nothing to Brown about it. Hadsall expressed some surprise and told Snyder he would do nothing of the kind, and soon after told Brown of Snyder's proposition to him. On that occasion Brown showed the only anger that Hadsall had

ever witnessed, but walked away without saying much. Shortly after he told Hadsall that he was content for him to have the place, but Brown wanted to reserve all privileges of military occupation at his pleasure. It seemed that Brown had not made all his payments to Snyder, who in a way not unusual to him was trying to get some money from Hadsall. That day Brown wrote out and signed the bill of sale to Hadsall, and signed it in his own name, and Snyder, after turning over to Hadsall his three yoke of oxen, cows, wagons and plows, received six hundred dollars from Hadsall and added his quit claim to the bill of sale. Hadsall lost his precious bit of paper during the war.

Along the latter part of the summer of 1858 Brown's sentinels were withdrawn and his company returned to their homes. Brown then was at the place only at intervals, but Mr. Hadsall remembers he was often there after cold weather. During his absence he was at Montgomery's fort and in December was down on the Osage in Bourbon County.

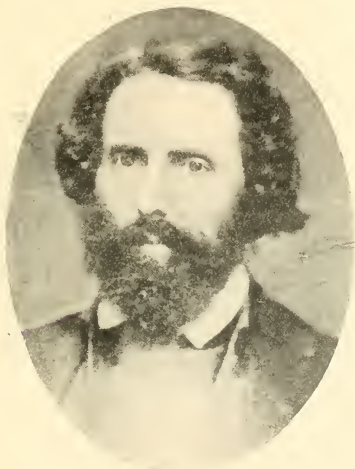
During Brown's stay at the Snyder place Hadsall was impressed with the utter absence of selfishness or egotism or vain-gloriousness in Brown. He was modest and unassuming. All his orders were more like requests and implicitly obeyed. He frequently visited Austin Hall, Dr. Massey and others, and was well known to them, much of his talk being very prophetic of subsequent events. Among strangers he generally passed by an assumed name, usually as Captain Walker, but his men addressed him as "Captain Brown." It was in Dr. Massey's house, the old Jarien trading post, that he wrote his famous "parallels" dated January 3, 1859, as is proved by the testimony of George A. Crawford. This great character—one of the world's heroes, left a reputation here without the stain of a single act of wrong-doing.

OTHER TROUBLES IN SOUTHEASTERN KANSAS

In the spring of 1856 a colony of thirty men from South Carolina settled in Bourbon county under a leader named George W. Jones. This colony came into Kansas by direction of a Southern Emigrant Aid Society. Upon their arrival in the Territory they were very agreeable in their conduct. They visited the Free-State settlers and ascertained from them their names, the locations of their claims, and everything which would enable them to later dispossess these first settlers. In July the attitude of the members of the colony changed. They caused the arrest of the Free-State settlers, who were taken to Fort Scott and there advised to leave the Territory if they had any regard for their personal safety. In this way the Free-State men were driven out and the Pro-Slavery men put in possession of their claims.

In August a party of Texas Rangers arrived at Fort Scott. These "Rangers" joined a party under command of Captain William Barnes, which numbered, with their addition, about one hundred and fifty. They marched north looking for adventure and for the purpose of having "some fun." They camped on Middle creek, in Linn County, some eight miles south of Osawatomie, where they were attacked by Captains Anderson, Cline, and Shore, and dispersed. They fled in a mad rout toward Fort Scott. They burst in upon Fort Scott about midnight yelling, "The Free-State men are upon us! The buildings will be burned!" A panic ensued. Many of the citizens fled the town. A large number of

them, under command of Colonel H. T. Wilson, took refuge in the cabin of one Brantly, where they spent the remainder of the night in prayer. The Free-State men did not appear, and the panic-stricken citizens returned to their homes. They felt, however, that it would be best to send their families away. George W. Jones owned a large wagon, called Noah's Ark No. 2. Into this he loaded all the women and children who had no other means of escape at their command, and set out for Missouri, his wagon being drawn by four yoke of oxen.



JAMES MONTGOMERY

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

In 1857 the Free-State men who had been expelled the previous year began to return. They came in increased strength, and believed themselves strong enough to maintain their rights. They organized a society known as the "Wide Awakes," which was to offset a society known as the "Dark Lantern Lodge," maintained by the Pro-Slavery men. Leaders in the Wide-Awakes were J. C. Burnett, Captain Samuel Stevenson, Captain Bain, Josiah Stewart, and Benjamin Rice. Having completed their organization, they notified the Pro-Slavery men that their claims must be vacated and restored to them. Many of the Pro-Slavery men abandoned the claims, but others had to be forced out. The incident

usually cited in historical works in these particular difficulties is that of Stone against Southwood. Southwood was a minister of the Methodist Episcopal Church, South. He had been placed in possession of Mr. Stone's claim and house. He refused to restore the premises to Mr. Stone, whereupon the Free-State men erected him a cabin near that occupied by Southwood. Into this cabin Stone moved with his family, intending to file on the claim when the land office should be opened. Both families secured water from the same well, which caused a dispute, and Mrs. Southwood assaulted Mrs. Stone. Upon report of this affair to the Free-State men, they notified Southwood to leave the premises by a certain time. On the day before that fixed for Southwood's departure, his Pro-Slavery friends, to the number of two hundred, assembled at the house with the intention of expelling Stone from the claim. The Free-State men assembled to protect Stone. They were attacked at nightfall by the



BLOCK HOUSE, FORT SCOTT, ERECTED 1842

Pro-Slavery party, who did not succeed in defeating the Free-State men. They left for Fort Scott threatening to return with reinforcements and hang every Free-State man found on the claim. The Free-State men rallied reinforcements until they numbered about sixty men. Southwood's friends returned from Fort Scott and again attacked, but were defeated. Southwood then left the claim in the possession of Stone. Occurrences similar to this were numerous.

In these claim contests the Pro-Slavery men appealed to the District Court at Fort Scott, where Joseph Williams was Judge. He was a rabid Pro-Slavery man, and every claim contest submitted to him was decided in favor of the Pro-Slavery claimant. Frequently the Free-State man was indicted on some trumped up charge, arrested, refused bail, and imprisoned. This state of affairs was intolerable to the Free-State settlers. They appealed to Montgomery, who decided to terminate the procedure followed in the court of Judge Williams. A Pro-Slavery

prisoner was treated with great rigor and permitted to hear Montgomery inform some of his followers that he intended to march on Fort Scott and release the Free-State prisoners. When this prisoner was released by Montgomery he appeared before Judge Williams and informed him that Montgomery would soon be down upon the town with a band of Free-State men. Judge Williams immediately had the Free-State prisoners brought before him, when he released them without bail.

Being entirely dissatisfied with the conduct and decisions of the court of Judge Williams, the Free-State men decided to organize a Squatter Court in opposition. Dr. Gilpatrick of Anderson county was made Judge of this court and Henry Kilbourn was made the Sheriff. This court was as partial to the Free-State men as that of Judge Williams was to the Pro-Slavery men. It was determined by the authorities at Fort Scott to break up the court. Deputy United States Marshal Little was dispatched with a *posse* from Fort Scott, on the 12th of December, 1857, to capture the court, but his attempt was a failure. He determined to try again, and on the 16th he left Fort Scott with about fifty men. The court was held in the house of Captain Bain. When Little appeared in sight, a committee consisting of D. B. Jackson, Major Abbott and General Blunt, was sent out to meet him, bearing a flag of truce. Little was in a very bad humor, and informed the Free-State committee that if the court did not surrender in thirty minutes, he "would blow them all to hell." The Free-State committee returned to the fort, as Bain's house was called, and prepared for defense, knocking out the chinking between the logs of the cabin to secure port-holes. The Free-State settlers having shot-guns were stationed inside, and those who had rifles were placed outside, behind trees. Major Abbott then proclaimed that if Little advanced beyond a certain point he would be fired on. Little did not take this warning seriously, and advanced, when the Free-State men fired a heavy volley. The Marshal's *posse* returned the fire and retreated about half a mile. Here they took account of what had happened and found that four of the number were wounded and that B. F. Brantley's horse had been shot through the neck. Little determined to make another attack upon the fort, and called for volunteers for that purpose. Ten men stepped out and followed him in the second advance, when they were again fired on. The Marshal then retreated to Fort Scott. He returned on the following day with about one hundred and fifty men. When he was approaching Fort Bain, William Hinton informed him that "his birds had flown." Cautiously approaching the fort, the Marshal found this to be true. The court, during the night, had retreated to the Baptist Church at Danford's Mill, where Free-State settlers to the number of three hundred assembled. They were not molested by Little and returned to Bain's house on the following Sunday. They soon disbanded and returned to their homes.

General James H. Lane was directed to go to the aid of these Free-State settlers. He did so, and the report of his campaign was made to the Territorial Legislature. It is here set out:

HEADQUARTERS KANSAS MILITIA,
LAWRENCE, JAN. 15, 1858.

To his Excellency the acting Governor of Kansas Territory, the President of the Council, Speaker of the House of Representatives of the Legislative Assembly:

Gentlemen:—In the discharge of duty, I submit the following report on a subject which has excited much interest and comment. At the time of my election, by your honorable body, as Major General of the Militia, news was rife, as you will remember, of a disturbance in Bourbon county.

Immediately after the adjournment of your special session, I repaired to the scene of action, sending Generals Phillips and Plumb in advance, to inform the people that a force of U. S. troops were moving in that direction. Accompanied by Gens. Stratton, Whitman, Shore and Leonhart, I arrived at Sugar Mound, where the people were encamped, under the command of Col. J. B. Abbott, shortly after the messenger. On inquiry, I ascertained that the people had been compelled to take up arms, for these causes and reasons:

Two years ago a man named G. W. Clark, notorious for his connection with the murder of the lamented Barber, organized a band of marauders in Missouri, who invaded that district of the Territory, laying waste the country, driving off the Free-State settlers, plundering and insulting them and their families, and then taking possession of their claims and stock, which they were compelled to leave. During the present summer and autumn a number of the settlers thus expelled from that district, returned, and endeavored, by peaceable means, to recover their rights and property. They were met by writs obtained from unscrupulous and unjust officers, many of them arrested on pretended charges, for offenses which were never committed, and imprisoned at Fort Scott, in cells unfit even for felons to inhabit; in several cases their property was sold at nominal prices, and driven out of the Territory, to defray expenses not yet accrued, and other outrages perpetrated similar to those which drove the people to arms in former periods of our history. During the perpetration of these outrages, Col. Abbott, Dr. Gilpatrick and Rev. J. E. Stewart, who had been ordered there, arrived and proceeded to establish a Squatter's court, for the redress of grievances and the restoration of peace. About the time they closed their sittings, having decided all the cases on the Little Osage, they were assaulted by an armed mob, five times their number, pretending to act under the authority of an U. S. Marshal. The assault was successfully worsted—several assailants killed and wounded, and the remainder driven back to their dens in Missouri. It was immediately after this conflict that I arrived at Sugar Mound, proceeded at once to enroll the people under your act of Dec. 17th; sent out scouting parties in all directions, informing the people that we were to protect all actual settlers, without reference to their political opinions. We were kindly received by all, and our authority cheerfully recognized.

On the evening the companies were to be disbanded, our scouts brought news that a company of U. S. troops were moving upon us with the avowed intention of attacking us. We immediately took position, intending, if possible, with honor, to avoid a conflict, but prepared to meet it successfully if forced upon us. We remained in this position, thus taken, until we ascertained that the U. S. troops had marched to Fort Scott, and had received written assurances from Judge Williams that the Free State prisoners would be protected and treated kindly. Peace being restored we disbanded the command, retaining two companies in the field, some thirty men, with orders to protect the inhabitants. On my return

to Lawrence, a writ from Judge Miller, Probate Judge of this county, was placed in the hands of Captain Miller, of my command, for the arrest of the judges and clerks of the election in Johnson county, who had participated in the frauds committed at the election held on the twenty-first of December. As the prompt service of the writ was deemed important, I thought incumbent to go in person with the command. The duty was discharged and the command disbanded.

These expeditions have been attended with some expense, a full and concise amount of which has been kept, and will be transmitted, with vouchers, to you, from the Quartermaster's and Commissary's Departments.

As the object of the organization, provided for in the law of December 17th, was the protection of the people of Kansas, and as the action had was indispensable in that direction, it is hoped it will meet your hearty approval.

Respectfully,

J. H. LANE,
Maj. General.

Other conflicts occurred during the winter. They terminated very much as had those already described. Montgomery's men became known as "Osages" because their operations had been largely confined to the country drained by the Little Osage. The people of Fort Scott were in constant terror from rumors that the Osages were likely to attack the town. On the 13th of December, at a public meeting, a committee on Resolutions was appointed. This committee reported at an adjourned meeting held in the afternoon the following resolutions:

Resolved, That the Sheriff and Deputy Marshal be requested to make affidavits to the facts touching the matter now under consideration, and that the same be conveyed by express, accompanied by a communication to the Governor of the Territory for military aid.

Resolved, That a committee be appointed, consisting of five persons, to be denominated a "Committee of Vigilance," under whose authority and directions a military organization shall be had, with a view to aid when necessary the civil authorities in the execution of warrants, and any other legal process, and in the due execution of the laws; and it shall be the further duty of the committee to organize a night patrol for the security of our town, its citizens and their property.

Pursuant to the authority conferred by the passage of the resolutions, a vigilance committee was appointed consisting of H. T. Wilson, B. Little, T. B. Arnett, George A. Crawford, and J. W. Head. An appeal was made to the Territorial Governor, F. P. Stanton. This appeal was made through the Sheriff as follows:

To His Excellency, F. P. Stanton, Acting Governor of Kansas Territory:

Sir: As Sheriff of Bourbon County, I feel it my duty to report to you that, in consequence of an organized and armed resistance to the civil authorities by a body of armed men in this county aided and assisted by men equally lawless, I am unable to serve processes, make arrests, or otherwise perform my official duties; and I have the honor to ask that you have a body of United States troops sent to this point to aid me in enforcing the laws, and to give quiet to the disturbed state of things in

this region. Herewith I send my affidavit and the concurrent statement of Marshal Little.

JOHN S. CUMMINGS,
Sheriff of Bourbon County.

Stanton ordered companies E and F, First United States Cavalry, to Fort Scott. They arrived there the 21st of December. Their presence quieted the country for a few days. Believing the troubles over they were removed to Fort Leavenworth on the 10th of January, when the troubles immediately broke out anew. On the 10th of February, 1858, it was reported in Fort Scott that the Osages were descending upon the city. This intelligence proved correct. A Mr. Johnson, who had suffered at the hands of the Pro-Slavery men, had appealed to Montgomery for assistance. Montgomery assembled about forty of his followers and



OLD GOVERNMENT HOSPITAL, FORT SCOTT, ERECTED 1845

marched upon Fort Scott. A deputation of citizens met him at the border of the town, and of these Montgomery demanded the surrender of those for whom he had warrants, which had been procured against the men who had committed the outrages against Mr. Johnson. The Committee of citizens said the men would be surrendered if they could be tried in Fort Scott, otherwise they would not be surrendered without a fight. Montgomery announced that a fight was what he desired, and started to move into the town. The deputation, including Judge Williams, George A. Crawford, and all the leading Pro-Slavery men, fled to Missouri. Montgomery with his Osages found the town deserted of all those he wished to arrest, and returned to Linn County.

United States troops were again sent to Fort Scott, two companies of the First Cavalry arriving on the 26th of February, under command of Captain George T. Anderson and Lieutenant Ned Ingraham. Montgomery then confined his activities to the Pro-Slavery men in the country, driving them into the city of Fort Scott, hoping to starve out the town.

About three hundred families were thus compelled to take refuge there. These operations continued well into the spring. On the 21st of April, Montgomery was operating on the Marmaton. Intelligence of his presence there was conveyed to Captain Anderson, who immediately started in pursuit. He passed Jones' saw mill, where he found a meeting of Free-State men in deliberation under a chairman by the name of John Hamilton. Anderson requested Hamilton to go with him, but this invitation Hamilton declined. Anderson continued his pursuit of Montgomery who retreated up Paint Creek. At a narrow defile, Montgomery dismounted his men and prepared to defend himself. Upon the approach of Anderson's troops they were fired on and one of the number fatally wounded. Anderson's horse was killed and it was found that Montgomery could not be dislodged. A truce was called to enable Captain Anderson to be removed from under his horse. While this was being done, Montgomery escaped.

On the following day the Free-State men assembled and passed the these resolutions:

WHEREAS, A body of Government soldiers and border ruffians did, on the 21st inst. fire upon some Free-State citizens, who were peacefully and inoffensively traveling on the common highway, and being incited to commit said outrageous and unlawful act by other ruffians living in Fort Scott;

Resolved, 1. That Judge Joseph Williams, the corrupt tool of slavery, be required to leave this Territory in six days; after that period he remains at the peril of his life.

2. That Dr. Blake Little, J. C. Sims and W. T. Campbell, the traitors who were elected by fraud and corruption to the bogus Legislature, be required to leave within six days—an infraction of this order at their peril.

3. That H. T. Wilson, G. P. Hamilton and D. F. Greenwood, the infamous swindlers of the Leecompton Convention, who forged an infamous constitution, be hung to death if they are caught in this Territory ten days from date.

4. That E. Ransom and G. W. Clarke, the holders of the two "wings" of the pretended National Democracy and the corrupt fuglemen of a corrupt President, have six days to leave this Territory, under penalty of death.

5. That J. H. Little, James Jones, Brockett, B. McDonald, A. Campbell, Harlan and the ruffians who accompanied the soldiers to assist and witness the massacre of Free-State citizens, be sentenced to death.

6. That Kennedy, Williams and D. Sullivan, who stole by legal forms horses of Free-State men, be sentenced to whipping and branding and then be driven from the Territory.

7. That after the departure of the Judge and Marshal, no other official officers shall be allowed to administer the law but those elected under the Free-State constitution.

8. That Judge Griffith, Maj. Montgomery and Capt. Hamilton be directed to carry out the orders of this meeting.

9. That Capt. Anderson shall be hanged to the highest tree in Bourbon County, and every soldier put to death wherever he may be found.

10. That a copy of this notice be served on the people of Fort Scott.

It is not known that these resolutions were sent to Fort Scott immediately, and the Free-State men made no effort to enforce them.

On the 6th of May additional troops arrived at Fort Scott, under command of Major Sedgwick. This force consisted of one company of dragoons and one of heavy artillery, together with a section of T. W. Sherman's battery. They remained in the vicinity of Fort Scott until the 17th, returning on that day to Fort Leavenworth. The Marais des Cygnes massacre on the 19th caused intense excitement throughout the country, and many rumors alarmed the people. Governor Denver dispatched Deputy United States Marshal Samuel Walker, of Douglas



SAMUEL WALKER

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

county, with a force to arrest Montgomery and his men. Walker reached Raysville on the 29th. He found assembled there about two hundred Free-State men, who were being addressed by Montgomery in favor of setting out immediately to burn Fort Scott. Mr. Oakley, a Free-State man, was acquainted with Walker and asked him what he was doing there. Walker replied that he had come to arrest Montgomery. He was advised that Montgomery could not be arrested. It was finally decided to march on Fort Scott, when Walker requested permission to address the meeting. He said if the Free-State men would secure warrants for the arrest of Clarke and other Pro-Slavery men, and furnish him with a *posse*, he

would go to Fort Scott and arrest them. Upon being informed that the judges would not issue warrants for these parties, Walker advised that warrants be secured from a justice of the peace. A number of warrants were secured in this way.

Taking a *posse* of seventy-five men, with Montgomery in command, the Marshal entered Fort Scott on the 30th of May. George W. Clarke was the first man to discover this force entering the town. He took his rifle and ran to the hotel, where he gave the alarm, and then departed for his own house. Walker arrested some of those for whom he had warrants, when he went to Clarke's house. Clarke refused to surrender, when Montgomery formed his men in front of the house. Three hundred Pro-Slavery friends of Clarke immediately assembled and confronted Montgomery's men not ten feet distant. Walker took up the tongue of a government wagon, and was about to break down the door of Clarke's house when he appeared at a window and said that he would surrender if he could be convinced that Marshal Walker was in command. Upon being assured of that fact, he came down and asked to see the writ, which the Marshal refused to show. But Walker drew his revolver and requested Major Williams to hold his watch and count off two minutes, telling Clarke that if during two minutes he did not surrender, he would shoot him. Clarke then surrendered. Captain Campbell, a deputy United States Marshal of Fort Scott, produced a warrant for the arrest of Montgomery, and requested Walker to make the arrest. Walker replied, "Arrest him yourself; if I had a warrant for him I would arrest him." At this point Montgomery ordered his men to mount their horses, which they did, starting immediately to ride out of town, leaving Walker alone. Walker then requested Campbell to furnish him a horse, saying that he would pursue and arrest Montgomery, which he did, returning to the town with his prisoner. He turned Clarke over to Captain Lyon to be taken to Leecompton for trial. Walker immediately set out for Leecompton with Montgomery. At Raysville he was overtaken by a messenger who informed him that Clarke had been released by a writ of *habeas corpus*. Upon hearing this, Walker released Montgomery and told him to stay and fight it out, and after he was through to report at Leecompton, which Montgomery agreed to. On the 7th of June, Montgomery's men returned to Fort Scott and attempted to burn the Western Hotel, his men firing on the town at the same time. No one was injured by the shots, and the fire was extinguished. Captain Nathaniel Lyon was stationed in the city on the 10th, to maintain order. On the 13th of June, Governor Denver arrived in Fort Scott. A public meeting was called on the 14th for the purpose of finding some means of settling the difficulties. An adjourned meeting was held at Raysville, when the following agreement was reached:

1. The withdrawal of the troops from Fort Scott.
2. The election of new officers in Bourbon County by the citizens thereof, without regard to party lines.
3. The stationing of troops along the Missouri frontier to guard against invasion from that State.

4. The suspension of the execution of old writs until their legitimacy could be properly authenticated.

5. The abandonment of the field by Montgomery and his men and all other bodies of armed men, on both sides.

This truce was broken the following fall by the indictment of Benjamin Rice. Rice was held a prisoner in what was known as the Free-State Hotel. On the 15th of December, 1858, Montgomery entered Fort Scott with a force to rescue Rice. He was found chained to the floor in the third story and was soon released.

Little was killed by one of Montgomery's men in a store across the alley from the hotel where Rice was rescued. Montgomery's men then robbed the store of about \$7,000 worth of goods, which were issued to Free-State men to reimburse them for losses sustained by the depreda-



GOVERNMENT OLD GUARD HOUSE, FORT SCOTT

tions of the Border-Ruffians. Application was later made to Governor Medary for protection from Montgomery's men. The Governor advised the organization of the home militia as a *posse* to arrest the offenders and enforce the law. This was done, and about a dozen of Montgomery's men were arrested. They were sent under guard to Lawrence. In the meantime an amnesty Act had been passed by the Legislature by which old scores were wiped out and the country gradually quieted down.

THE LEAVENWORTH CONSTITUTION

The Leavenworth Constitution was the counter movement of the Free-State people against the Lecompton Constitution. It was devised, framed and sent to Congress while the Lecompton Constitution was being pressed by the Pro-Slavery interests at Washington and in Kansas. The Topeka Constitution had held the Free-State forces together until the emigration of 1857 had enabled them to participate in the Territorial election,

where they won the Territorial Legislature. That the Lecompton Constitution might be submitted to a vote of the people, Acting-Governor Stanton convened the Legislature in special session December 7, 1857. The session was very brief, but the regular session began at Lecompton January 4, 1858. The loss of the Territorial Legislature by the Pro-Slavery forces had put them at a disadvantage, and the only means now left them for making Kansas a slave state was the Lecompton Constitution. They knew it could be forced on the people only by fraud and violence, to both of which they were ready to resort. Some of the leaders of the Free-State party, anxious to begin the realization of the benefits to come with the material development of the Territory, which they believed would immediately follow its admission, were not strong in their opposition to the Lecompton movement. They insisted that the evils of this slave constitution, now that the Free-State party had control of the legislative power and an increasing majority at the polls, could be overcome by the State Government which they believed themselves strong enough to organize. This, of course, was a sordid view of the matter and an utter repudiation of what the Free-State men had contended for with arms in hand. To oppose more effectively the Lecompton Constitution and counteract whatever disaffection might exist in their ranks, the Free-State men who were moved alone by patriotism forced a direct opposition issue in the movement for the Leavenworth Constitution. And as Congress had not provided an enabling act for the Lecompton Constitution, of which it was taking favorable notice, the Free-State men believed they might lawfully proceed without special Congressional direction.

For authorizing the special session of the Legislature, Acting-Governor Stanton had been removed, and James W. Denver, Commissioner of Indian Affairs, who chanced to be then in the Territory, was appointed to his place. The active opposition of Denver to the movement for the Leavenworth Constitution succeeded in casting doubt on the legality of the Legislative act authorizing the convention.² But notwithstanding the antagonism of the Acting-Governor, the movement was carried forward. The delegates were elected March 9, 1858, about nine thousand votes having been cast. On the 23d of March they met at Minneola, a town in Franklin County, which the Legislature had made the Territorial capital over the veto of the Governor. It developed that many members of the Legislature were stockholders in the town company, and the matter came soon to be known as the "Minneola swindle." The Territorial officials refused to take their offices to the new capital, and by the time fixed for the meeting of the convention the scandal had become notorious. Many of the delegates wished to adjourn to some other place, but others, who had large interests in the new town, threat-

² See address delivered by Denver at the Old Settlers' Meeting, Bismarck Grove, Lawrence, September 3, 1884, reprinted in Vol. 3, *Kansas Historical Collections*, p. 359 *et seq.* Some of his statements are much exaggerated.

ened to desert the Free-State party and break it up if such adjournment was taken. The matter was debated all night. Lane, who had been elected president, took the floor in favor of adjournment and delivered one of the most dramatic and powerful speeches of his life.³ The convention adjourned to Leavenworth, where it met on the 25th of March. Eighty-four members were in attendance. At Leavenworth Lane resigned as president, and M. F. Conway was elected to that place. Samuel F. Tappan, a member of the company of "Grizzlies" and one of Plumb's companions through Iowa and Nebraska, was secretary.

The convention was perhaps the most brilliant body which ever assembled in Kansas. Many of these delegates afterward attained distinguished honors. There was Lane, the sword and shield of the Free-State movement, later United States Senator, a Major-General, and one of the chief advisers of President Lincoln. Thomas Ewing, Jr., was Chief Justice of the Supreme Court, Colonel of the Eleventh Kansas, a Brigadier-General, and Commander of the District of the Border; he was elected to Congress from Ohio, and was a lawyer in New York City. Robert B. Mitchell was a fine soldier, a Major-General, and Governor of New Mexico. J. M. Walden became a Bishop in the Methodist Episcopal Church. H. P. Johnson, a Colonel in the Union army, fell at the head of his troops at Morristown, Mo. Martin F. Conway was the first member of Congress from Kansas. Edward Lynde was Colonel of the Ninth Kansas. There were James M. Winchell, S. N. Wood, T. Dwight Thacher, William W. Ross, James S. Emery, and many others who had fought in the Free-State ranks, and who were long foremost in the public affairs of Kansas.

Preston B. Plumb was a delegate from his county. This was his first experience in a deliberative body. He was just past twenty, but had the appearance and manner of one of mature life and intellect. He took a prominent part in the proceedings of the convention, his intense earnestness, his common-sense views, his devotion to the Free-State cause, all serving to secure him recognition and attention. He acquitted himself well. The favorable impression he made was of much assistance to him

³ T. Dwight Thacher, a delegate, thus described this speech:

"The night was far spent. The candles had burned down in their sockets. The debate had been long and at times angry. Some of the members were deeply interested in Minneola, and in their excitement they threatened that if the convention should adjourn from Minneola they would abandon the Free-State party and break it up. This threat aroused the sleeping lion in Lane. He came down from the chair, where he had presided with great fairness during the debate, and took the floor. All eyes were upon him. The drowsy members sat upright. As he proceeded with his speech the interest intensified, and members began to gather round him, sitting upon the desks and standing in the aisles. I shall never forget the scene—the dimly-lighted room; the darkness without; the excited men within; little Warren, the Sergeant-at-Arms, standing unconscious upon the floor, with partly outstretched arms, and wholly carried away by the speech; and Lane himself aroused to a pitch of excitement which I never saw him manifest on any other occasion during his whole career."—See *Kansas Historical Collections*, Vol. 3, p. 13.

later in life, and the friendships formed there continued long into the future. The attachment between him and Ewing resulted in mutual confidence and reciprocal favors for many years. His observation of the political methods of his associates gave him an insight into the manner of solving great political problems.⁴ His service in this convention was one of the events of his life of which he always spoke with pride and satisfaction.

THE HANGING OF RUSSELL HINDS

The disorders in Southeastern Kansas continued to some extent until the beginning of the Civil War. In the fall of 1860 a slave ran away from his master, who lived near Pleasant Gap, Missouri. This slave stopped at the house of John O. Turner, who lived near the present town of Pleasanton. The slave remained a few days at Turner's house, Mr. Turner trying all the time to get him to return to his master. It seems that the master and Mr. Turner were personal friends. Turner's efforts were finally successful, and the slave concluded to go back. One Russell Hinds, a Missourian, and Mr. Turner went with the slave to the master's house. The usual reward for returning a slave was \$25.00. This reward was tendered, but neither Hinds nor Turner would accept it, but Hinds did take \$5.00 as a reimbursement for expenses.

At this time C. R. Jennison, later Colonel of the Fifteenth Kansas, was in command of some of the Free-State men in the troubles then existing along the border. Samuel Scott, a leading Pro-Slavery man was hanged by Jennison, and John W. Garrett would have been hanged if he could have been captured. On the 12th of November, 1860, Jennison's command, consisting of nine men, captured Russell Hinds about two miles east of Pleasanton. As the party was taking Hinds to a place of execution, Turner with his team and wagon, was met in the road three-quarters of a mile west of his house. Jennison did not know Turner. Some of his men had met Turner in the Masonic Lodge, and by signs cautioned him not to reveal his identity. Hinds, although knowing that he would soon be hanged, remained quiet also. If Jen-

⁴ The Leavenworth Constitution was the most able and perhaps the best constitution of the four formed for Kansas. The old Free-State or Topeka Constitution was the model after which it was written, but it was greatly superior in every way. All class distinctions were obliterated and the free negro was a competent elector. In fact, it was held by some that the right of unrestricted suffrage was conferred on women, the term "universal suffrage" being construed as giving the right, which, in all probability, it did. The western boundary of the state was fixed at the crest of the Rocky Mountains. The constitution was viciously assailed by the Pro-Slavery party. The struggle to avoid admission under the Lecompton Constitution engrossed the attention of the people, and while the Leavenworth Constitution was adopted, the vote was small, and it was buried in the archives of the United States Senate when presented to that body with a prayer that Kansas be admitted with it as the fundamental law.

nison had known who Turner was, he would have met the fate soon to be meted out to Hinds, who was hanged on Mine Creek, in the timber, near the Missouri line.

Montgomery did not know that Hinds was to be hanged, but the act met with his approval. He wrote the following explanation of the occurrence, which he handed to Judge James Hanway:

Russ Hinds, hung the 12th day of November, 1860, for manstealing. He was a drunken border ruffian, worth a great deal to hang, but good for nothing else. He had caught a fugitive slave, and carried him back to Missouri for the sake of a reward. He was condemned by a jury of twelve men, the law being found in the 16th verse of Exodus xxi.

The Scripture referred to reads as follows: "*And he that steal-eth a man, and selleth him, or if he be found in his hand he shall surely be put to death.*"

RESIGNATION OF DENVER

Governor Denver resigned his office October 10th, 1858. He was the first governor not removed or compelled to resign. And his administration was much more satisfactory to the President than to the people of Kansas. In after years he said that in his residence in Missouri he had "chummed" with Senator Atehison and other Pro-Slavery leaders there, and could not bring himself to incur their displeasure in the administration of Kansas affairs.⁵

⁵ Governor Denver returned to Washington, and was reappointed Commissioner of Indian Affairs. Becoming dissatisfied with this position, in the spring of 1859 he resigned, and returned to California. In the canvass of 1860 he favored Senator Douglas and opposed secession. The Legislature, in 1861, appointed him one of the commissioners to adjust Indian-raid claims. He left California in June, 1861, and on August 14th President Lincoln appointed him brigadier-general of volunteers; he was assigned to duty in Kansas in the following November. He was sent to West Virginia in January, 1862, but returned to Kansas in March. In May he was ordered to report to General Halleck, at Pittsburg Landing, and assigned to duty under General Sherman, having command of the brigade composed of the Forty-eighth, Fifty-third, Seventieth and Seventy-second Ohio regiments, in the advance on Corinth, Mississippi. From Corinth he was sent to Memphis; and from that point marched to Holly Springs, which town he captured. He returned to Memphis, and was put in command of Fort Pickering, where he remained until November, 1862. He was ordered to take part in the movement against Vicksburg, but only arrived at Oxford, Miss., beyond which it was impossible to transport his supplies because of the destruction of the railroads. The winter of 1862-3 he spent in LaGrange, Tennessee. In the spring of 1863 he resigned his position in the army to attend to private business, and did not again take part in the war. At the close of the war he resumed the practice of law in Washington, in partnership with Hon. James Hughes of Indiana and A. J. Isacks of Kansas.

CHAPTER XXXVIII

SAMUEL MEDARY

BIOGRAPHY AND APPOINTMENT

Samuel Medary was born in Montgomery Square, Montgomery county, Pennsylvania, February 25, 1801. He died in Columbus, Ohio, November 7, 1864, in the sixty-fourth year of his age. The name was originally written *Madeira*, and is yet pronounced as if so written.

His mother's ancestors came to America with William Penn, and he was brought up in the Quaker faith. He attended an academy at Norristown, but did not complete the course of that institution. He taught in the rural schools of his native county at an early age, and at the same time pursued the branches of higher learning. At the age of sixteen he was a contributor to the newspaper (*Herald*) of his native village, writing creditably both poetry and prose. In 1820 he removed with his parents to Montgomery county, Maryland, and in 1823 to Georgetown, D. C. Young Medary remained here for two years, and in 1825 removed to Batavia, Clermont county, Ohio. He was something of an agitator, and early manifested an interest in politics. He favored Andrew Jackson for President, and in 1828 established the *Ohio Sun* to aid in his election. In 1834 he was elected as a Jackson Democrat to a seat in the Ohio Legislature. In 1836 he was elected to the State Senate, and at the expiration of his term, in 1838, he removed to Columbus, Ohio, and purchased the *Western Hemisphere*, the name of which he afterwards changed to the *Ohio Statesman*. This paper he edited until 1857. He was a forceful and logical writer, and made his paper a power in the Ohio Valley. He was a staunch supporter of all the measures proposed by "Old Hickory," who honored him with his personal esteem and confidence. In the controversy over the Oregon boundary he originated the cry, "fifty-four forty or fight," and it became the cry of his party. Stephen A. Douglas stood for this boundary, and his position gained him the friendship of Mr. Medary. Medary became prominent in State politics, and in 1844 was chairman of the Ohio delegation to the national Democratic convention at Baltimore. He carried a letter from General Jackson instructing him to present the name of James K. Polk for the nomination for President in case of disagreement of any serious nature among the delegates as to a suitable candidate. When the convention was in an uproar and in danger of going to pieces, Mr. Medary produced his letter, and James

K. Polk was at once nominated by acclamation for the Presidency. In 1853 Mr. Medary was tendered the position of United States Minister to Chili, which he declined. He was the temporary President of the Democratic convention held in Cincinnati that nominated James Buchanan for President, and labored ineffectually for the nomination of his friend and favorite, Stephen A. Douglas. He was the last Territorial Governor of Minnesota, holding that position during the years 1857 and 1858. He was appointed Governor of Kansas Territory upon the resignation of Governor Denver; his oath of office is dated December 1, 1858. He arrived at Lecompton and assumed the duties of his office December 18th.

The great battle for liberty had been fought and won in Kansas before Governor Medary's appointment. The action of Walker and Stanton which resulted in giving the Free-State men the Territorial Legislature may be considered the event which firmly established the supremacy of all the principles opposed in Kansas by the slave-power. It is true that battles were yet to be fought and much injustice borne, but these grew more insignificant in proportion to the rapid increase of the power of the Free-State party. The troubles in Southeastern Kansas were serious, but they never at any time threatened the extermination of the Free-State men as did those about Lawrence. The disorders in Linn and Bourbon counties continued throughout the term of Governor Medary's administration, and in fact the feuds did not cease until after the close of the Civil War; there were long periods of inactivity and comparative peace between the outbreaks.

WYANDOTTE CONSTITUTION

But while the administration of Governor Medary was devoid of those exciting events which marked the terms of his predecessors, it witnessed much that had a lasting effect upon the future greatness of the Commonwealth. The formation of the present constitution of the State was perhaps the most important work accomplished by the people in that time. It was clear that neither the Lecompton nor Leavenworth constitutions would ever become the fundamental law of the land. The Topeka Constitution had passed away with the conditions which produced it. People poured in from all the free States, and the presence of these new citizens gave breadth to the discussions of measures proposed for the coming State. And the people were gaining experience in the practical administration of government. It was the prevailing opinion that a new constitutional convention should be called. The Legislature which convened January 3d, 1859, enacted a law providing for "the formation of a Constitution and State Government." The act was approved by Governor Medary, February 9, 1859. It contained a proviso for ascertaining whether a constitution should be formed at that time. To determine this matter an election was to be held on the 4th Monday in March, 1859, the ballots to read, "For a Constitution," or "Against a Constitution." Should the vote favor a con-

stitution, the act provided that fifty-two delegates to a Constitutional Convention should be elected on the first Tuesday of June, 1859. These delegates were to assemble in the city of Wyandotte on the first Tuesday in July, and there proceed to form a constitution for the State of Kansas. The constitution so formed was to be submitted to a direct vote of the people, for approval or rejection, on the first Tuesday of October, 1859. In case the constitution should be ratified, the act provided that all State officers, members of the State Legislature, and



Gov. SAMUEL MEDARY

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Judges, were to be elected on the first Tuesday of December, 1859. Pursuant to this act, Governor Medary called an election for the 28th of March for the purpose of finding whether the people desired a constitution. On the 16th day of April the Governor issued a proclamation declaring the result of the election held March 28. The vote stood: for a constitution, 5,306; against a constitution, 1,425; total 6,731.

On the 19th day of April, Governor Medary called an election for delegates and for the meeting of said delegates in convention, pursuant to the act of the Legislature. The election was held on the 7th of June, and resulted in the election of the following named delegates.

Names	County	P. O. Address	Where born	Age	Vocation
J. M. Arthur	Linn	Centerville	Indiana	42	Farmer
John Larm	Linn	Centerville	Indiana	42	Mechanic
Charles May	Adair	Paris	Kentucky	41	Farmer
S. A. Kingman	Adair	Hawatha	Mass.	38	Lawyer
J. B. Jones	Adair	Sumner	Mass.	34	Lawyer
John P. Greer	Shawnee	Paris	Ohio	38	Lawyer
R. L. Williams	Douglas	Funklin	Kentucky	32	Merchant
J. A. Middleton	Douglas	Paola	Pennsylv.	23	Lawyer
P. H. Townsend	Douglas	Big Springs	New Hamp.	33	Farmer
H. D. Preston	Shawnee	Marion	Vermont	39	Farmer
J. C. Burnett	Borbon	Maplen	Vermont	41	Farmer
N. C. Wright	Douglas	Hawth City	Pennsylv.	42	Merchant
G. H. Little	Nemaha	Emporia	Ohio	30	Lawyer
A. Crocker	Woodson	Emporia	Ohio	25	Farmer
S. O. Thatcher	Coffey	Neosho	Pennsylv.	34	Farmer
P. S. Houston	Pottawatomie	Burlington	Pennsylv.	40	Physician
J. R. Palmer	Franklin	Walker	Maine	43	Farmer
Jas. G. Blunt	Douglas	Shermanville	England	35	Farmer
W. S. Hutchinson	Douglas	Lawrence	Vermont	39	Farmer
Jas. Blood	Douglas	Lawrence	New York	35	Merchant
S. O. Thatcher	Douglas	Clinton	Pennsylv.	35	Farmer
P. S. Houston	Douglas	Manhattan	Ohio	30	Farmer
J. P. Slough	Leavenworth	Manhattan	Ohio	30	Farmer
W. McCullough	Douglas	Council Grove	Scotland	41	Farmer
C. W. Perdue	Douglas	Oskaloosa	Ohio	40	Merchant
J. Sturvant	Douglas	Douglas	Kentucky	47	Farmer
E. M. Hubbard	Douglas	Holland	Ohio	40	Farmer
Frederick	Douglas	Kickapoo	Indiana	40	Lawyer
S. A. Simpson	Leavenworth	Leavenworth	Pennsylv.	53	Manufacturer
Wm. D. McComb	Leavenworth	Leavenworth	Pennsylv.	28	Lawyer
John Wright	Leavenworth	Leavenworth	Ohio	36	Farmer
Wm. Perry	Leavenworth	Leavenworth	Ohio	31	Farmer
R. C. Custer	Leavenworth	Leavenworth	Indiana	33	Farmer
R. C. Custer	Leavenworth	Leavenworth	Indiana	33	Farmer
J. T. Barton	Adair	Delaware	New York	34	Lawyer
E. Moore	Adair	Delaware	Kentucky	55	Mechanic
R. W. Gray	Adair	Delaware	Kentucky	28	Physician
R. W. Gray	Adair	Delaware	Kentucky	28	Manufacturer
J. Ritchie	Adair	Delaware	Virginia	28	Lawyer
E. G. Ross	Adair	Delaware	Ohio	28	Farmer
J. H. Sigor	Adair	Delaware	Ohio	42	Farmer
J. M. Winchell	Adair	Delaware	Ohio	41	Farmer
J. T. Burris	Adair	Delaware	Ohio	32	Farmer
J. M. Winchell	Adair	Delaware	Ohio	32	Farmer
John A. Martin	Adair	Delaware	Ohio	32	Farmer
G. F. Warren	Adair	Delaware	Ohio	32	Farmer

The Constitutional Convention assembled at Wyandotte on the 5th day of July and organized by the election of the following named officers.

Names	Office	County	P. O. Address	Where born	Age	Vocation
J. M. Winchell	President	Osage	Superior	New York	35	Farmer
John A. Martin	Secretary	Adair	Adair	Adair	21	Editor
G. F. Warren	Sergeant-at-Arms	Douglas	Burlington	Maine	..	Farmer

The membership of this convention included men who had been in Kansas a sufficient length of time to be perfectly familiar with the conditions in the Territory and the needs of the coming State. They were not generally, however, the men who had been active in the conflicts with the Border-Ruffians, though Caleb May had been in the convention which formed the Topeka Constitution. Many of them became prominent in the Civil War and in the affairs of the State and were found in public life for nearly half a century. The convention completed its labors and adjourned on the 29th day of July. The constitution which it formed remains the fundamental law of the State of Kansas to this day. It is remarkable that so strong an instrument should have been drawn. It has been amended by conferring additional powers, but not in the manner of repealing any provision. It is a very liberal constitution. It has been said time and again, that the distribution of estates under this constitution and the statutes made in conformity thereto is the best ever devised. The boundaries of the State remained as in the Kansas-Nebraska bill except that the 25th meridian of longitude west from Washington was made the western boundary. That left the state two hundred miles wide and four hundred miles long, with an area of 80,000 square miles.

The constitution was submitted to the people at an election called for the 4th of October, 1859. The vote at the election stood as follows: for the constitution, 10,421; against the constitution, 5,530. The homestead clause of the constitution was submitted to a vote of the people at the same election. The vote on the homestead clause stood: for the homestead clause, 8,788; against the homestead clause, 4,772.

On the 8th of November occurred the Territorial election for Delegate in Congress. The Democratic candidate was Saunders W. Johnston; and Marcus J. Parrott was the Republican candidate. Parrott was elected by a majority of more than two thousand. On the same day was held the election for a Territorial Legislature.

The Republican State Convention was held at Topeka on the 12th of October. A full ticket was nominated for State officers under the Wyandotte Constitution. The election for State officers and a Representative to Congress was held on the 6th of December. Charles Robinson was elected Governor; Joseph P. Root, Lieutenant Governor; John W. Robinson, Secretary of State; William Tholen, Treasurer; George S. Hillyer, Auditor; William R. Griffith, Superintendent of Public Instruction; Thomas Ewing, Jr., Chief Justice; Samuel A. Kingman and Lawrence D. Bailey, Associate Justices; Benjamin F. Simpson, Attorney General; Martin F. Conway, Representative to Congress.

Thus was made ready a State Government for Kansas. It remained only for Congress to pass an Enabling Act to provide the State with an independent government, free from interference from any quarter.

This same Legislature repealed the bogus laws in hulk, but this was not deemed a sufficient condemnation of the infamous code: upon

the adjournment of the Legislature a copy of it was publicly burned in the streets of Lawrence by the members.

The Pro-Slavery party had been known under various names, but it always stood for the same principles. It was known at this time as the National Democratic party. On May 12th the old Free-State party held a convention at Big Springs; it adopted resolutions favoring the continuance of that organization until after the admission of Kansas as a State. Frederick P. Stanton was one of the leaders in this movement to continue the old Free-State party. The effort was a failure; the people did not sustain the action of its members. The grand old party had done a noble work for Kansas and humanity, but found that later years brought conditions and problems for which it made no provision. Its work was done and well done. It died upon the ground which gave it birth. From its ruins sprang the Republican party of Kansas, which was organized at Osawatimie, May 18th, 1859.

FRAUDULENT TERRITORIAL BONDS

In 1857 H. J. Strickler was appointed under an act of the Territorial Legislature to audit the claims of the Kansas people for loss and damage sustained in the troubles and border wars which had raged in the Territory. Claims were presented to the amount of \$301,225.11. He approved claims to the amount of \$254,279.28. It was the intention to have Congress pay these claims, and they were accordingly certified to Congress as approved by Strickler. Congress took no action. This matter was considered by the Territorial Legislature which assembled in January, 1859. An act was passed authorizing the appointment of three commissioners to again consider these claims. This act was approved by Governor Medary on the 7th of February, 1859. There was also a supplemental act approved on the 11th of February, 1859. The commissioners appointed under these acts were Edward Hoogland, Henry J. Adams, and Samuel A. Kingman. These commissioners took up all the claims for loss and damage in the Territory, including those considered by Strickler. They considered four hundred and sixty-three applications and made awards to four hundred and seventeen claimants in the total amount of \$412,978.03. It was not contemplated in either of these acts that the Territory or its successor, the State of Kansas, should be held liable, or be in any way bound, for the payment of any of these claims. All that was being done was for the purpose of putting these claims in shape for the Wyandotte Constitutional Convention to include them in a schedule to Congress. It was hoped that the Congress of the United States would assume the debt and pay the claims. It was the duty of the commissioners, under Section 10 of the act approved February 7th, to deliver to a claimant upon demand, a certificate showing the amount of award made to him. Section 13 of the Act is here set out:

Sec. 13. Nothing in this Act shall be so construed as to authorize the payment of the warrants issued, in accordance with its provisions, before

the first day of January, 1865, unless provisions shall be made for funding these warrants with the other indebtedness of the Territory, or unless Congress shall sooner make provisions for their payment; but said warrants shall bear interest at the rate of six per cent per annum.

In the Supplemental Act certain provisions prohibiting the issuance of scrip or bonds appear as follows:

Sec. 5. That the said Commissioners are hereby prohibited from issuing any Territorial scrip or bonds.

Sec. 6. That the certificates issued by the governor, in pursuance of the tenth section of the Act to which this is supplemental, shall not be construed as binding the Territory for the payment of said claims, until the same shall be fully authorized by subsequent legislation on the part of the Territory.

When the Territorial Legislature was called into special session in January, 1860, it was reported that the Territorial officials had, in violation of the acts mentioned herein, issued to certain persons bonds for their claims, thereby attempting to pledge the faith of the Territory and its successor, the State, for the payment of these claims. A committee was appointed to investigate the matter. This committee consisted of S. N. Wood, H. R. Dutton, and William H. Fitzpatrick. Wood was always subservient to Governor Robinson. He and Dutton submitted a majority report approving, in effect, the action of the Territorial officers. Fitzpatrick was a patriotic, honest man, and submitted a minority report in which he condemned the proceedings of these officers. It appears from documents in the report submitted by the committee, that \$95,700.00 in bonds had been issued to some of these claimants for loss and damage. They had been issued between the dates of May 2, and July 1, 1859. Of these bonds, \$45,100 had been issued to Shaler W. Eldridge, and \$24,000 had been issued to Charles Robinson. This was a total of \$69,100. The remaining amount of \$26,600 was divided among various persons, \$10,000 of which was to Anna M. Jenkins, widow of Gaius Jenkins.

Robert B. Mitchell had been appointed Treasurer of Kansas Territory by Governor Medary, February 11, 1859. When questioned by the committee as to why he had issued these bonds, he took refuge under Section 6 of a certain Act which had been also passed by the Legislature and approved by the Governor on the 11th of February, as follows:

Sec. 6. From and after the passage of this act, all persons having any indebtedness of this Territory in the form of warrants upon the treasury, for indebtedness which has accrued subsequent to the first day of November, 1857, or which may accrue prior to the first day of January, 1860, shall, upon presentation of the same to the treasurer of the Territory, receive therefor a bond or bonds of the Territory of Kansas, as provided for in the first section of this act: *Provided*, That nothing herein contained shall be construed to authorize the treasurer to issue bonds for the redemption of warrants, when money be in his hands sufficient to pay the same.

This Funding Act was in direct violation of all the legislation affecting these claims. Few seemed to know that any such act had passed. In the investigation the Legislature of 1861 took some testimony. This testimony shows plainly that certain parties having claims and desiring to start a Bank in Lawrence, secured the passage of this Funding Act by fraud. Mr. Norman Allen testified, as shown by the Journal of the House of that Legislature, at page 337, that the Funding Act was designed, "to be confined to the regular debt of the Territory, which I supposed would not exceed fifty or sixty thousand dollars. My object was to provide for the expenses of clerk hire for the session of 1859. It was not my intention to make any provision for funding any claim which might be audited under the claims act of that session."

C. W. Babcock testified, as shown at page 336, as follows :

I have heard the rumor that means were used to procure the issuing of bonds, but cannot give the names of any persons who told me so. I do not know the names of any persons who did communicate any facts concerning the deposits of bonds for banking purposes. I have seen notices that Mr. Morrow was President, and Mr. Smith Cashier of the Lawrence Bank. I do not know which act was first introduced, the act that passed or the one that did not. The supplemental act was intended to apply to the act that passed, and was gotten up afterwards. I heard after the passage of the supplemental act, that its phraseology was so arranged, by design, as to defeat the objects of the bill. I heard this after the adjournment of the Legislature. My impression is that it was not members of the Legislature, but outside parties who were interested, who told me so. I do not think the funding act of February 11, 1859, was gotten up for the purpose of funding claim warrants; at least I do not think such was the intention of the majority who passed it.

Hiram J. Strickler testified, as shown on page 323, Journal of the House :

The first applicants for warrants upon the Treasury under Section 10 of the claim Act, were Messrs. Col. S. W. Eldridge and Gov. Charles Robinson and Mrs. Jenkins.

In the testimony of Hugh S. Walsh, who was Territorial Secretary at the time, and whose integrity never has been questioned, Governor Medary was implicated in the issuance of these bonds.

Before the time of issuing the Bonds we were on friendly terms, and so continued for sometime afterwards. The Bonds were issued in the summer of 1859; we continued friendly up to January, 1860. I then, for the first time, discovered that Gov. Medary was unfriendly to me, and I presumed his hostility arose out of a report which I made as Secretary, to 21 members of the Legislature who called upon me for information in regard to these claim Bonds. At least up to that time we were on speaking terms. When I was called upon by Mr. Mitchell to approve the Bonds, Gov. Medary was in Ohio. The report above alluded to contained the facts here stated in my testimony.

Walsh was also Acting-Governor in the absence of Medary. He refused absolutely to have anything to do with the issuance of these bonds. His testimony as to the activity of Treasurer Mitchell is very interesting.

In May or June, 1859, I was applied to by Mr. Mitchell, the Treasurer of the Territory, to approve, as Acting Governor, certain Territorial Bonds. I refused on the grounds that I did not believe any Bonds issued for Claims, under the Act to provide for the adjustment and payment of Claims, were valid. The Treasurer informed me that the Bonds were not for claims but Territorial expenses, and belonged to David Weir. I informed him that I would not sign any Territorial Bonds whatever without tracing them back to their original indebtedness, through all the parties' hands through which they might have passed. As I was superintending the public printing at the time, I had not then leisure to do it. Gov. Medary returned again shortly after, and I was never again applied to for that purpose. The only application to approve Bonds, made to me, came from Mr. Mitchell.

Mr. Walsh pressed Treasurer Mitchell for his reason for issuing these bonds. Walsh had been informed by John W. Wright, a member of the Legislature of 1859, that certain parties, including himself, were going to establish a bank in Lawrence, based on the claim bonds, under a charter granted in 1858, authorizing the establishment of banks in Lawrence, Wyandotte and Leavenworth. Walsh informed Mr. Wright that that charter had expired. Mr. Wright replied that Mr. Walsh had better not meddle with the matter or oppose it, but let it travel along; that they were determined to do it, and that Walsh could not prevent it. Upon seeing a bill issued by one of these banks, which had been established at Lawrence, Governor Walsh addressed a letter to Robert B. Mitchell, whereupon the following correspondence was had:

TREASURER'S OFFICE,
LECOMPTON, MAY 28, 1860.

Mr. Hugh S. Walsh, Secretary and Acting Governor of Kansas Ter.

Sir:—Your note of 26th inst. is received. In reply, I have only to ask by what authority you propound certain questions to me relative to the Lawrence Bank securities, bank notes or bills, &c.

I have the honor to be, very respectfully,

Your ob't servant,

ROBT. B. MITCHELL,
Treasurer of Kansas Territory.

EXECUTIVE OFFICE, KANSAS TERRITORY,
LECOMPTON, MAY 28TH, 1860.

Mr. Robert B. Mitchell, Territorial Treasurer, Leecompton.

Sir:—In reply to your inquiry, by what authority I propound certain questions to you in relation to the Lawrence Bank securities, notes and bills, I refer you to the 15th section of the Act creating the office of Territorial Treasurer, which is as follows: "It is his duty to submit his books, accounts, vouchers and funds to the inspection of the Governor," &c. I did not anticipate a want of knowledge of my authority at the time I made inquiry, or I would have referred you to the section of the law.

I am Sir, very respectfully,

Your ob't servant,

HUGH S. WALSH,
Secretary and Acting Governor.

EXECUTIVE OFFICE, KANSAS TERRITORY,
LECOMPTON, MAY 29, 1860.

Mr. Robert B. Mitchell, Territorial Treasurer, Leecompton.

Sir:—In your reply, yesterday, to my inquiry requesting information respecting your action as Territorial Treasurer, with regard to the Law-

ence Bank, and the securities for its notes, &c., you say "I have only to ask by what authority you propound certain questions to me in relation to the Lawrence Bank securities, bank notes," &c. I returned by the messenger which brought your reply, an answer, quoting the 15th section of the law creating the office of Territorial Treasurer, the authority upon which I ask these questions.

Having waited sufficiently long, as I think, for the information, and not having received it, I have now to ask whether I am to understand by your note of the 28th inst., that it is the only information I may expect to receive from you upon the matter.

I am Sir, very respectfully,
Your ob't Servant,

HUGH S. WALSH,
Secretary of Kansas Territory and Acting Governor.

TREASURER'S OFFICE,
LECOMPTON, MAY 29, 1860.

Hon. Hugh S. Walsh.

Sir:—Yours, of this date, is duly received, and, in reply, have only to say that I have been, since the reception of your note of yesterday, wholly incapable to find the time to make a satisfactory reply to your inquiries, but will endeavor to do so at the earliest possible time convenient.

Very respectfully,
Your ob't servant,

ROBERT B. MITCHELL,
Treasurer K. T.

Upon receiving the last note from Mr. Mitchell, I waited his action, and he left town without giving me any information in the premises.

Concerning the manner in which the Funding Act passed the House, A. F. Meade, who was a member of the Legislative Council of 1859, testified as shown at pages 335 and 336 as follows:

I met the Secretary, Mr. Deviney, next day. I said to him—"I want to state to you what I believe to be the facts in regard to the supplemental bill last night. If it is so you need not say anything, if it is not so, deny it. You know well that you was instructed to slip that bill down to the House, knowing it had not passed." He did not say a word, but laughed.

Samuel A. Medary, son of the Governor, testified as shown in the Journal of the House of the Legislature of 1861, pages 338 and 339, that his father signed the bonds and that D. H. Weir, R. S. Stevens and himself had some of those bonds, and received them from Colonel Eldridge in the Treasurer's office, upon which they placed the seal. He testified that he was given bonds to the amount of \$1,500 for putting the seal on the bonds.

William McKay testified as follows:

I called upon Gov. Medary at Leecompton, and had a private interview with him upon the subject of the Auditor issuing warrants upon the awards made by the Commissioners. I related to him my interview with Gen. Strickler, and the Governor remarked that it would never do for the Auditor to issue warrants; that the people would repudiate anything of the kind; that they never would consent to pay those claims.

I agreed with the Governor, and he then promised me that he would do all in his power to prevent it, and also promised that he would see Gen. Strickler in a few days and have the matter headed off; he also promised me that before any thing was done, that he would send me word to Wyandott, (where I resided,) and that I might rest assured of his co-operation with me in the matter, as we held the same opinion in relation to the legality of the supplemental Act, and of the injustice of the debt being put upon the Territory. After I had this interview with the Governor, I went to Wyandott expecting every day to hear from him, but I was disappointed, never having heard a word from him from that day upon the subject. Soon after my return home, I think some five or six days, I received the *Lawrence Republican*, in which it was stated that Col. Eldridge, Gov. Robinson, and perhaps some others, had their claims bonded, and that Gov. Medary had gone to Ohio.

There is a vast amount of other testimony connected with these bonds, all tending to show that they were fraudulently issued. The Funding Act was a deception and fraud. The Legislature had no authority, and evidently had no intention, to issue bonds to the amount of \$100,000 and not to secure the payment of the remainder of the claims, amounting to \$312,978.03. Why should less than one-fourth of the claims indebtedness be bonded! Any contention that the Legislature contemplated such a course is preposterous. The fact is, that many members of the Legislature were made to believe that the Funding Act was only to pay the expenses of the Legislature, while, in fact, the design was to secure bonds for certain awards made by the claim commission. The evidence indicates that many members of the Legislature did not know that the Funding Act had been passed. The future student of Kansas history should investigate closely this entire matter and read carefully the testimony concerning various persons who have been spoken of as honest men.

The claims of Colonel Eldridge were for the destruction of the Free-State Hotel and other losses. When this matter was under consideration by the Wyandotte Constitutional Convention, John J. Ingalls, knowing the facts and being familiar with the fraud practiced in the issuance of these bonds, moved that the matter be referred to the Committee on Sculluggery. (See page 381, Proceedings of the Wyandotte Constitutional Convention.)

It is interesting to notice the basis of the claim of Charles Robinson, for which he was issued \$24,000 bonds. Here is the schedule sworn to on the 17th day of November, 1857:

SCHEDULE

One frame house	\$ 3,500
Barn, hay, stable, and furniture.....	1,500
House furniture	3,000
Library	3,000
Medical library and surgical instruments.....	1,500
Clothing, jewelry, and private papers.....	3,000
Furniture in hotel and used by Congressional Committee	600
One Porter's rifle	40

Two Sharps' rifles	70
Two Colt's revolvers	40
One horse stolen	150
Two horses poisoned	400
	<hr/>
	\$15,800
False imprisonment four months	\$10,000

The frame house was a small building about fourteen by twenty feet with ten foot studding, made of native lumber, and those who knew, estimated the cost at about \$400. It will be observed that there was \$3,000 worth of furniture in that house, a \$3,000 library in addition to a medical library and surgical instruments valued at \$1,500; that there was \$3,000 worth of clothing, jewelry and private papers in that house when it was destroyed. It will also be observed that he charged for his detention as a treason prisoner \$10,000, the only man who ever made such a claim for his patriotic detention in the Free-State cause. This amount was stricken out by Mr. Strickler, but all other items were allowed. When the second commission was appointed, Governor Robinson amended his former application as shown by the new schedule.

SCHEDULE

A manuscript history of California	\$3,500
A manuscript work on anatomy and physiology, ready for the press	2,500
A series of popular lectures on the above subjects...	1,000
	<hr/>
	\$7,000

The commission considered this new schedule favorably and made the following award:

Strickler's award confirmed	\$15,800
Interest on same	2,370
Three manuscript works	5,029
Interest on same	754
	<hr/>
	\$23,953

All of these matters were reviewed in the *Lawrence Daily Journal* of October 28, 1884, to which readers are referred for additional information. These bonds were disposed of in New York and they are still outstanding. The last session of the Territorial Legislature held in 1861, passed an act repudiating these bonds and prohibiting any person or corporation from putting into circulation any bank bill or note purporting to be a promise to pay money or currency based upon such bonds, and made it punishable to violate any portion of the act by a fine of not less than \$500, and imprisonment in the county jail for not less than six months. George M. Beebe was Acting Governor at the time and vetoed the bill, but it was passed over his veto and became a law. The first session of the State Legislature, which began on the 26th of

March, 1861, passed an act, which is Chapter V in the General Laws of that Session, repudiating the said bonds and prohibiting the State Treasurer from paying any interest upon said bonds or warrants; from endorsing or issuing any bonds upon the claim awards of the commission. Charles Robinson was at that time Governor of Kansas and he permitted the act to become a law without his approval, as is shown by the certificate of J. W. Robinson, Secretary of State. It is in evidence that Robert B. Mitchell, as Territorial Treasurer, paid the interest on these bonds, in New York, with money furnished him by private parties. The bonds were soon afterwards sold in New York. The purchasers thought they were good if the Territorial Treasurer was paying the interest on them. It is a curious coincidence that Governor Robinson appointed Robert B. Mitchell Colonel of the Second Kansas Regiment in the Civil War.

The only bonded claim against the State of Kansas is this fraudulent one, and it has been believed necessary that a complete account of these bonds should be given here. The issuance of these bonds was a blot upon the Territory which can never be wiped out.

OTHER MATTERS

The Legislature which assembled January 2, 1860, enacted a law abolishing slavery in Kansas. Governor Medary vetoed it, but it was passed over his veto. It was finally declared unconstitutional.

In 1860 Congress considered the matter of the admission of Kansas under the Wyandotte Constitution. The action of the House was favorable, but the slave majority in the Senate defeated the proposition.

The year 1860 is notable for the most persistent drouth the State has witnessed. General distress followed, and aid was sent from many States. This year the first railroad track was laid in Kansas, on the line from Elwood to Marysville. The desire for railroads was general, and a convention assembled in Topeka in October and memorialized Congress to aid in the construction of lines of railway which it designated. This was the first general movement for railroads, of which the State now has so many, and such great ones.

In the result of the Presidential election of 1860 Governor Medary saw the early admission of the State into the Union. Realizing that his term of office would soon be terminated by that event, he resigned in December, 1860, and returned to Ohio. He established a newspaper in Columbus, which he named *The Crisis*, and which he edited until his death.

CHAPTER XXXIX

THE STATE OF KANSAS

The bill for the admission of Kansas under the Wyandotte Constitution passed the Senate January 21, 1861. The vote was thirty-six to sixteen. This bill passed the House of Representatives on the 28th of January by a vote of one hundred and seventeen to forty-two. It was signed by President Buchanan on the 29th of January, 1861. The act is set out in full in Wilder's Annals and in various national and state publications. Marcus J. Parrott sent a telegram from Washington to the *Leavenworth Conservative*, then edited by D. W. Wilder, announcing that Kansas had been admitted into the Union. The *Conservative* printed an extra, copies of which were carried to Lawrence by D. R. Anthony. The Legislature thanked the *Conservative* for its enterprise. Captain Frank B. Swift, James C. Horton, Edward D. Thompson, and Caleb S. Pratt, led a large company from Lawrence to the Bickerton farm, where "Old Sacramento"—a cannon captured by Colonel Doniphan at the battle of Sacramento, brought by the Border-Ruffians into Kansas, and from them captured by the Free-State men—was buried. They dug up this cannon and carried it to Lawrence, where it was fired all night in honor of the admission of Kansas.

In Kansas the victory of freedom over slavery was won. The conflict was often spoken of as a struggle between free labor and slave labor. In a sense this is true, but there was a moral side to the question which that view does not include. The victory was in fact as much in the interest of the South as it was the North, but the South would not then see it so. As has been pointed out in this work, there was a large element of the Southern people in favor of the abolition of slavery. John Brown put the question on its true basis and merits. He contended that it was a question of right and wrong. He was for destroying slavery because to do so was an act of justice—right.

The admission of Kansas marked the end of the first battle for freedom. This nation will never be able to pay the Kansas pioneers who stood in the breach and fought this first battle. They were fighting not only for Kansas, but for the Union. They understood well what Lincoln meant when he said the Union could not endure half slave and half free. It was plain to them that Kansas was the crucial point and the crisis in this struggle for liberty for the Union. They did not fail. We have seen what horrors they endured to establish the principle fought for. The Free-State men of Kansas are immortal and their names should

be preserved in granite and bronze. Their sacrifices are, of course, understood, and, in a way, duly appreciated. But the day will come when the glory of their deeds will be expressed in monuments and memorials, rising as beacons to light up the way of liberty for the world.

The question as to who was entitled to the honor for making Kansas, has often been discussed—who should have credit for making her free—what people won the first victory for freedom in this Union. Something has already been said on this subject in previous pages. The New England element of Kansas claimed this honor to the exclusion of all other people, and those connected with the Emigrant Aid Company endeavored to make it appear that that body was entitled to all the credit. It is a momentous question. No State nor any man should be robbed of the part borne in this struggle. Fortunately the statistics enabling us to arrive at a reasonable estimate of the part played by the different states, have been preserved. In his Chicago speech on the 31st of May, 1856, General Lane made the statement that nine-tenths of the people in Kansas had come from other than New England states. The men in the Topeka movement were largely from the Ohio Valley. Twelve of the thirty-seven delegates were from the South. There were only four from all New England,—two from Massachusetts. The following table is repeated from a former chapter:

Kentucky	5	Maryland	1
Indiana	2	Massachusetts	2
New York	4	Pennsylvania	6
Illinois	1	Virginia	1
Ohio	5	England	1
Maine	2	Ireland	1
South Carolina	2	North Carolina	1
Tennessee	2		

The delegates who formed the Wyandotte Constitution numbered fifty-two. Here is how the Roll appears:

Ohio	14	New York	5
Kentucky	5	Maine	2
Indiana	6	Virginia	1
Massachusetts	2	Scotland	1
Pennsylvania	6	Germany	1
New Hampshire	3	Ireland	1
Vermont	4	England	1

From the Ohio Valley States there were thirty-one delegates, and but eleven delegates from all New England.

The model for the Wyandotte Constitution was that of Ohio. Ohio had taken her constitution largely from that of Kentucky, and Kentucky had modeled her constitution on that of New York. A close study of the Journal of the Wyandotte Constitutional Convention will not warrant the assumption that the New England men, as individuals, exerted any greater influence in the deliberations than those from any other section. The fact is, that the Wyandotte Constitution is a gen-

ninely, thoroughly, Western document. It was formulated by Western men.

In the census of 1860 the nativity of the people was recorded. There was a total population of 107,206. 12,691 of these were born in foreign countries. The remaining 94,515 were American born. Here is how they were divided. Study this table:

1 Ohio	11,617	11 Tennessee	2,569
2 Missouri	11,356	12 Wisconsin	1,351
3 Kansas Children	10,997	13 Massachusetts	1,282
4 Indiana	9,945	14 North Carolina	1,234
5 Illinois	9,367	15 Michigan	1,137
6 Kentucky	6,556	16 Vermont	902
7 Pennsylvania	6,463	17 Maine	728
8 New York	6,331	18 Connecticut	650
9 Iowa	4,008	19 Maryland	620
10 Virginia	3,487	20 New Jersey	499

It will be observed that there were nearly as many North Carolinians in Kansas as there were people from Massachusetts. All New England had only 4,208 people in Kansas. D. W. Wilder, who was himself a native of Massachusetts and a graduate of Harvard College, had this to say of the settlement of Kansas.

The South was divided into great plantations, controlled by rich planters and worked by slaves. The poor white man had few opportunities. He had long been moving into Ohio, Indiana, and Illinois to get a free home for himself—moving by thousands. He came to Kansas, usually as a free-state man. He was silent at first, slow to talk, but he voted against slave labor to compete with his; he fought for freedom in Kansas, and, later, for national freedom. The richer class of Southerners were pro-slavery; the poor men who wanted homes were often anti-slavery. The actual home-seekers—the poor squatters on the quarter-sections—were the men who made Kansas free. They came chiefly from Missouri, Iowa, Illinois, Indiana, Michigan, Ohio, Pennsylvania, and New York. Neither in the early days nor in the later days have the New Englanders been more than a handful. Kansas is a Western state, and always has been. The Western and Southern settlers did not talk about the sinfulness of slavery; they despised the negro; and many of them were transformed into anti-slavery agitators who “did care for” the negro by the “Kansas branch of the National Debating Society.”

He is the first writer to investigate this particular subject, and no one ever questioned his fairness as a historian.

These Western settlers of Kansas were but one generation removed from pioneer life. Their fathers had settled Kentucky, Tennessee, Ohio, Indiana, Illinois, Western Pennsylvania, and Virginia. They knew how to get a living from the soil in a new country. They were men who could seat themselves along the streams, build log cabins, make their own furniture, break the prairie wilderness, open fields, and get a living from the land. To primitive agriculture they added trapping, hunting, freighting and fishing. They depended very little on towns and trading centers. Their wives and daughters could spin the thread and weave the

cloth from which clothing was made. Those coming from New England were artisans—brass-moulders, varnishers, wood-carvers, hair-dressers, teachers, iron-moulders. There were some farmers and carpenters among them, but farming in New England was very different from redeeming a wilderness. The soil of Kansas had to be civilized,—tamed. It was with the greatest difficulty that trees could be made to grow on the prairies. George W. Martin, long Secretary of the Kansas State Historical Society, has often told this writer that five crops of trees were planted on the townsite of Junction City before any finally lived. Mr. Wilder rightly says that Kansas is a Western state and always was a Western state. It was the predominance of Western people in her pioneer population which gave General James H. Lane his ascendancy in Kansas political affairs. He understood the Western manner of thought and speech, having been himself reared on the frontier.

There is a Kansas term which has no counterpart in any other state. It is "The Kansas Language." It originated in Territorial times. The highest compliment which can be paid to a Kansan is to say that he speaks the Kansas language. It was often so said of General James H. Lane.

No one would detract one atom from what New England did for Kansas. It is repeated here that she did much in the way of leadership. The founding of Lawrence was the one thing accomplished by New England people which had a decided influence in the Free-State cause. Repeatedly, waves of Ruffianism rolled up against that town. It was twice destroyed, but it was never discouraged. Its spirit could not be broken. Its determination could not be conquered. This spirit did not result from the people of any section, but was born of the battle for human liberty. It is today a fair city, typical of all that is best in American life, a great monument to the pioneers of Kansas and their immortal achievement.

And, so, Kansas is the child of the West. Her spirit was forged in the white heat of battle from the refined principles evolved by a free people migrating to a new land to build a beacon to light up the way of Freedom. She shines as the brightest star in that galaxy which is the hope of the world.

CHAPTER XL

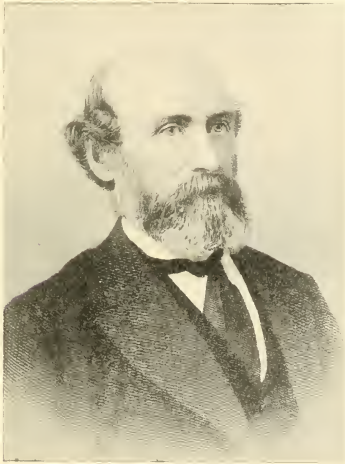
THE POLITICAL BEGINNINGS OF THE STATE

GOVERNOR ROBINSON

Governor Charles Robinson was sworn into office on the 9th day of February, 1861. As the first Governor, he was confronted by the immense task of inaugurating a State Government for Kansas. The old Territorial Government had been continued until the new government could be instituted. A Territorial Government is always a very limited one,—directed by the Federal Government. It is necessary for a State to work out its own course. While there was much usage for Governor Robinson to be guided by, the new State presented many problems for which there was no precedent. The Constitution had to be construed. Its provisions were general, and it was necessary for the administration to devise legislation to carry them into effect. It is always possible, under even the best constitutions, to hinder the development of a State by the enactment of short-sighted statutes. Frequently it is very difficult to determine what statutory regulations will best carry out the designs of a constitution. With Kansas there was the added difficulty of the Civil War. With the election of President Lincoln, conditions on the border were exactly reversed. Under Pierce and Buchanan the Pro-Slavery element had the support of the Federal Government, and Kansas had its active opposition. After the beginning of the Civil War, Kansas being enthusiastically loyal, had the support of the Federal Government. The Pro-Slavery population of Missouri favored secession, and cast its future with the Southern Confederacy. In all these changes and shiftings of ground, there were problems for the new State. It is gratifying to know that Governor Robinson met with wisdom the many perplexities and formidable issues constantly arising. As has already been said, he was one of the best business men who ever lived in Kansas, and many of the difficulties he was forced to grapple with were purely business affairs. He handled them with skill and in the spirit of patriotism.

One of his first official acts was to call a session of the Legislature to meet on the 26th of March. It is doubtful if there has ever been a more able and comprehensive message by any Kansas Governor than that sent to the Legislature by Governor Robinson. There were at that time no State buildings, and the City of Topeka furnished few conveniences for a State Government. It was necessary to rent the best rooms available

for the various State offices. The first act of the Legislature was one making appropriations for current expenses for the different departments of the State. The Governor's salary was \$2,000 per annum. He was allowed \$240 for rent, \$100 for furniture for his office, \$100 for stationery, \$75 for postage, \$40 for fuel and lights, \$1,000 for secret service, and \$600 for a private secretary. For the Legislative Department, the following enactment was made:



GOV. CHARLES ROBINSON

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For Legislative Department—For rent of Representatives' Hall, one hundred dollars; for rent of Congregational Church, seventy-five dollars; for rent of Senate Chamber, one hundred and seventy-five dollars; for rent of Committee Rooms, one hundred and four dollars; for stationery for the Legislature, one thousand dollars; for State printing, fifteen thousand dollars; for seals of State and counties, three hundred dollars; for per diem allowance for one hundred members of the Legislature, twenty-two thousand dollars; for allowance for President of the Senate, five hundred and four dollars; for extra allowance for Speaker, two hundred and forty dollars; for mileage of the members of the Legislature twenty-four hundred dollars; for transcribing the journals five hundred dollars; for the officers and messengers of the House, thirty-five hundred dollars; for the officers and messengers of the Senate, eight-

een hundred dollars; for E. G. Ross, for four hundred and forty copies of the "State Record," eight hundred and eighty dollars: *Provided*, That no money be paid to any member of the Legislature for time when absent from the Capitol, either with or without leave.

Some idea of the work of the Legislature may be obtained by mention of the titles of the various enactments found in the laws of the session. Some of them are stated.

AN ACT providing for the election of District Attorneys, and defining their Duties.

AN ACT to authorize the business of Banking.

AN ACT to provide for the permanent location of the State Capital.

AN ACT providing for Joint Conventions of the two Houses of the State Legislature.

AN ACT relating to the organization of new Counties.

AN ACT to organize and define the jurisdiction of the Supreme Court.

AN ACT relating to the organization of Courts of Justice and their powers and duties.

AN ACT to establish and define the jurisdiction of the Probate Courts.

AN ACT to regulate Elections and to prescribe the qualifications of Voters.

AN ACT to provide for the election of State, District, and County Officers, Senators and Members of the House of Representatives, Justices of the Supreme Court, and Judges of the District Courts, and Representatives in Congress.

AN ACT to prescribe the manner of Contesting the Election of State and County Officers, and Members of the Legislature.

AN ACT to create a State Board of Equalization.

AN ACT to provide for the Management and Investment of the State School Fund and the University Fund.

AN ACT providing for the Location of the Lands granted by Congress to the State.

AN ACT to organize and discipline the Militia.

AN ACT to provide for the appointment of Commissioners to locate a State Penitentiary.

AN ACT to provide for the State Printing.

AN ACT to provide for the Removal of the Records and Papers of the Courts of the late Territory of Kansas to the Courts established by the Constitution.

AN ACT for the Regulation and Support of Common Schools.

AN ACT to authorize the formation of County and Town Agricultural and Horticultural Societies.

AN ACT authorizing the State to call into service two regiments of infantry, three companies of cavalry and two companies of artillery, to be mustered into the service of the United States.

All these Acts seem to have been carefully drawn and to have no other design than the best interest of the people. They are fundamental,

and they served as the bases of the statutory laws of Kansas. That is, they gave a point from which to work, and the principles of these laws proven by time. They are a remarkable series of enactments. By them Courts were established, county organization effected, a school system formed, and all public demands provided for. Historians will never fail to recognize the sound statesmanship displayed by Governor Robinson in the inauguration of the State Government of Kansas. It is



MRS. SARA T. L. ROBINSON, WIFE OF GOV. CHARLES ROBINSON

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

doubtful if there was another man in the young State so well qualified for this difficult position as was Governor Robinson.

On the 4th of April the Legislature proceeded to the election of United States Senators. It was an exciting election. General Lane had come to Kansas with the ambition to be its first United States Senator. He had been elected by the Topeka Legislature, but the failure of the Topeka movement to secure federal recognition, made that election an empty honor. It, however, was very favorable to Lane. He became associated in the minds of the people with that high office. With the beginning of the session of the Legislature, the candidates pushed their claims. The account of the campaign of General Lane has been very

humorously described by Nicholas Verres Smith. While his article was intended as a caricature, it contains much that is exactly true to life. There was but one ballot, and the vote continued two hours. The candidates were James H. Lane, S. C. Pomeroy, Marcus J. Parrott, F. P. Stanton, M. W. Delahay, S. B. Houston, S. A. Kingman, A. J. Isaacks, and M. F. Conway. There was much changing of votes. During the balloting, Lane always had from forty-five to sixty-four votes. Pomeroy, between forty-five and fifty-seven, Parrott between forty-seven and sixty, Stanton between ten and thirty-two, Delahay between two and eleven, and Kingman between three and eighteen. The final vote stood: Lane, fifty-five; Pomeroy, fifty-two,—and they were declared elected.

THE FRONTIER GUARD

Lane set out for Washington immediately after his election. There were then few troops in Washington. The Sixth Massachusetts was attacked by a mob in Baltimore on the 19th of April. A number of volunteer organizations were mustered to defend the Capital City. Senator Lane organized the Kansas men, then in Washington, into the "Frontier Guard." Cassius M. Clay, of Kentucky, organized the "Clay Guards." These two companies guarded the White House. The Frontier Guard occupied the East room and slept there. It is related that the Guards were under very strict orders. No one could be admitted to the White House without the countersign. President Lincoln was detained until a late hour one evening, and the sentinel refused to admit him. The prompt organization of the Frontier Guard for the protection of the person of the President and his official residence, was one of the causes of the strong friendship which existed between President Lincoln and General Lane. So far as it has been possible to secure the names, the following is the Roll of the Frontier Guard:

Officers

<i>Captain</i>	James H. Lane.....	Lawrence
<i>First Lieutenant</i>	Mark W. Delahay.....	Leavenworth
<i>Second Lieutenant</i>	J. B. Stockton.....	Leavenworth
<i>First Sergeant</i>	D. S. Gordon.....	United States Army
<i>Second Sergeant</i>	John T. Burris.....	Olathe
<i>Third Sergeant</i>	L. Holtslander.....	
<i>First Corporal</i>	John P. Hatterscheidt.....	Leavenworth
<i>Second Corporal</i>	J. W. Jenkins.....	Lawrence

Privates

Henry J. Adams, Leavenworth	Charles Howells, New York
Daniel R. Anthony, Leavenworth	William Hutchinson, Lawrence
D. H. Bailey, Leavenworth	M. H. Insley, Leavenworth
T. D. Baneroft, New York	J. B. Irvin, Doniphan county
John K. Bartlett, Leavenworth	George H. Keller, Leavenworth
George Bassett, Lawrence	Robert McBratney, Junction City
G. F. Clark	Marcus J. Parrott, Leavenworth
Gen. John S. Clark	Jared Phillips, Paola

Sidney Clarke, Lawrence	Samuel C. Pomeroy, Atehison
D. A. Clayton, Leavenworth	W. W. Ross, Topeka
J. A. Cody, Doniphan county	Turner Sampson, Lawrence
Edward Daniels	Phillip C. Schuyler, Burlingame
A. Danford, Paola	Thomas Shankland
Charles F. De Vivaldi, Manhattan	J. S. Smith, Philadelphia
Jeff. L. Dugger	T. A. Syphers, Virginia
Thos. Ewing, Jr., Leavenworth	Samuel F. Tappan, Lawrence
Henry C. Fields, Leavenworth	Chester Thomas, Topeka
David Gardner, Fort Myer	John C. Vaughan, Leavenworth
S. W. Greer, Topeka	G. F. Warren, Leavenworth
Clark J. Hanks, Leavenworth	A. A. Wheelock, New York
Cunningham Hazlett	A. Carter Wilder, Leavenworth
James H. Holmes, Lawrence	

KANSAS TROOPS

The first call of President Lincoln for troops to suppress the rebellion was made April 15, 1861, and was for 75,000 men. In this call no allotment was made to Kansas. However, Governor Robinson furnished 650 men. He took vigorous measures to organize the State militia, desiring that every able bodied man in Kansas be enlisted. The State was separated into two divisions, the Northern and Southern. J. C. Stone of Leavenworth, was made Major-General of the Northern Division, and James Blood for the Southern Division. Before the close of 1861, two hundred companies of militia had been formed. As soon as calls were made by the President for volunteers for three years, allotments were made to Kansas for her quota. Twice as many men offered their services as these quotas specified. During Governor Robinson's administration, calls were made on Kansas for 5,006 men, and 10,639 were furnished. The organization of Kansas regiments and a brief statement of their service will be found under the Military History of Kansas.

It was unfortunate for Kansas that the feud between General Lane and Governor Robinson should break out anew during the enlistment of troops. The President never trusted Governor Robinson, and General Lane was thus enabled to exercise much influence in Kansas, rightfully the prerogative of the Governor. Lane was authorized to raise and officer the Fourth and Fifth Kansas and to take command of a brigade. He led this brigade into Missouri where he conducted an active campaign in the fall of 1861. He arrived at Kansas City on the 30th of September. On the 11th of October he and General Sturgis left Kansas City for Springfield, Missouri, arriving there on the 2nd of November. On the 15th of November he arrived at Fort Scott. On the 17th of December, Lane was appointed Major-General. The West-Pointers in the army always opposed the volunteer officers of high command, and General Lane was not supported in his efforts to organize an expedition which he desired to lead South. On the 26th of February, 1862, he made a statement to the Legislature in which he said that he had failed to make satisfactory arrangements with General Hunter; that he could not lead his military expedition to the Gulf; and that he would resign his commission and would return to the Senate.

ELECTION OF 1862

Governor Robinson believing himself slighted by President Lincoln, gradually lost his interest in the conduct of the war; at least, there was much dissatisfaction with his position and attitude. It was believed by many that his term as Governor expired in January, 1862. A petition was extensively signed urging the nomination of officers to be voted for in the fall of 1861. This petition was as follows:

We, the undersigned citizens, suffering in common with others from the impotency or malice of the present State Executive, and earnestly desiring a State Government that will, in a patriotic and energetic manner, defend our people from invasion—knowing that by the plain and emphatic provisions of the State Constitution the term of our State officers expires on the first day of January, and that the legislative enactment continuing the State officers beyond that time is null and void, and that there is not sufficient time, before the election, to hold a Nominating Convention, do respectfully pray your honorable body to nominate a full State ticket of efficient Union men, without reference to their political antecedents—men who will conduct the State Government with reference to the good of the whole country, and not upon mere personal grounds.

The Republican State Committee met at Topeka in October and nominated a ticket and adopted a platform as follows:

For Governor, George A. Crawford, of Bourbon county; for Lieutenant Governor, Joseph L. Speer, of Jefferson county; for Secretary of State, J. W. Robinson, of Riley county; for Attorney General, Samuel A. Stinson, of Leavenworth county; for Treasurer, H. R. Dutton, of Brown county; for Auditor, James R. McClure, of Davis county; for Superintendent of Public Instruction, H. D. Preston, of Osage county.

Resolved, That the vigorous prosecution of the present war, the earnest and hearty support of the Administration in its efforts to crush out the Rebellion, the maintenance of the Constitution, the enforcement of the laws, and the preservation of the Union, are the issues upon which these nominations are made.

The election was held on the 5th of November. This election permanently fixed the Capital at Topeka by a vote of 7,996 to 5,291 for Lawrence, and 1,184 for all other locations. A Legislature, an Attorney General, and a State Treasurer were elected. George A. Crawford was elected Governor, but the question of the time of expiration of the term of Governor Robinson was taken to the Supreme Court; it was decided that the term did not expire for another year.

THE IMPEACHMENT CASES

The civil genius of the administration of Governor Robinson was one R. S. Stevens. The Legislature which met on the 26th of March, 1861, passed an Act authorizing the issue of bonds to the amount of \$150,000, which was approved May 1, 1861. It also passed another act, which was approved May 7, 1861, authorizing the State of Kansas to borrow the sum of \$20,000 to "repel invasion, suppress insurrec-

tion, and to defend the State in time of War." Austin M. Clark and James C. Stone were authorized to negotiate the bonds authorized by the first act. On the 10th of May, Stone and Clark made the following report to the Governor:

His Excellency, Charles Robinson, Governor of Kansas:

Sir: Since you informed us that we have been appointed by the Legislature, Commissioners to negotiate the Bonds of the State, we have taken every means in our power to ascertain whether the Bonds could be sold, and if so, at what price, and we are satisfied that at this time it would be useless to attempt it. The moneyed men of the East are using all the means which they are willing to invest in stocks of any description, in sustaining the Government of the country in its contest with the Seceding States, and it would be very difficult, if not impossible, to give it a different direction.

With these convictions, we do not feel willing to impose upon the State the expense of sending us to the Eastern cities upon a bootless errand.

Hoping that some means may be devised to relieve the State from its present embarrassment, we remain,

Yours respectfully,

J. C. STONE,

A. M. CLARK.

The Legislature passed another act, supplementary to the act authorizing the negotiation of \$150,000 bonds of the State. This act was approved on the 3rd of June, 1861. It was passed after the report of Stone and Clark had been received.

The Legislature which met January 14, 1862, appointed a committee to investigate the manner in which the bonds had been disposed of. The committee submitted the following report:

On Thursday, the 30th day of January, 1862, the House of Representatives adopted the following preamble and resolution, from which your committee derive their authority, to wit:

WHEREAS, It appears from the reports of the auditor and treasurer of state, that a certain amount of the bonds of the state have been disposed of; and whereas, said reports do not fully set forth a detailed statement of the facts in relation thereto; therefore,

Resolved, That a special committee of five be appointed by the chair to examine and investigate the accounts of the auditor and treasurer of state, and to ascertain all the facts connected with the sale of bonds of the State of Kansas, the disposition of the proceeds thereof, what amount of scrip there has been issued, what amount redeemed, and what amount has been bonded, what amount of bonds are remaining on hand and unsold, and whether or not state officers have been speculating in the indebtedness of the state of Kansas, with full authority to send for persons and papers, with instructions to report at an early day.

Before proceeding to call testimony touching the subject matter of investigation, it was deemed best to make a careful examination of the different statutes of the state in relation thereto. They find that an act was passed by the last Legislature and approved May 3d, 1861, authorizing certain persons, to wit: Austin M. Clark and James C. Stone to negotiate the sale of one hundred and fifty thousand dollars of the bonds of the state, and report to the Legislature, within seventy days,

their acts in the premises. By reference to the journals of the last session, and on page 382, it will be seen that they did report that any attempt at that time to negotiate the sale of Kansas bonds would be utterly useless and unavailing. After receiving the report of said commissioners, an act was passed by the Legislature, and approved June 7th, 1861, supplementary to the first named act, authorizing the sale of one hundred thousand dollars of the bonds of the state for not less than seventy cents on the dollar. This act gives authority to the Governor, Secretary of State and Auditor to negotiate the sale of these bonds, a majority of whom can act. This law provides that the treasurer shall prepare bonds to the amount of one hundred thousand dollars, with coupons attached, bearing interest at the rate of seven per cent. per annum, and to be made payable in fifteen years. The interest to be paid semi-annually.

Another act was passed by said Legislature, which was approved June 7th, 1861, providing for the issuance of twenty thousand dollars of the bonds of the state, bearing ten per cent. interest, and made payable in two years.

These are the only acts that your committee have been able to find, bearing upon the matter of the sale of Kansas state bonds.

With regard to bonds issued by the state during the year 1861, under the acts referred to, your committee would state that the total issue of bonds, of every description, amounted to \$189,400. Of these, \$40,000 were ten per cent. bonds, issued under the act of May 7th, and known as war bonds. Thirty-one thousand dollars of these ten per cent. bonds have been sold by the treasurer to R. S. Stevens, for forty cents on the dollar; the balance are in the treasurer's hands. It appears, on evidence before us, that a large portion of these bonds (\$26,000) were sold by Mr. Stevens to the Interior Department at Washington for ninety-five cents on the dollar. Of the seven per cent. bonds, \$62,200 were used in taking up state scrip, and \$87,200 were delivered to R. S. Stevens, for which sixty cents on the dollar was to be accounted for by him to the state. It appears, from evidence before us, that these bonds were sold to the Interior Department at Washington for eighty-five cents on the dollar. The evidence before your committee regarding the sale of the bonds is quite lengthy, and will be placed before your body in printed form.

The conclusions arrived at by your committee are such as to warrant them in the belief that this House will take decisive measures, and deeming a fair and full examination of all the evidence proper in the premises, would commend it to the attention of the House.

Of the \$40,000 issued under the act of May 7th, your committee are clearly of the opinion that \$20,000 are illegal, and the House should take some action regarding them.

Your committee also are clearly of the opinion that the treasurer had no authority to sell any of the ten per cent. bonds at less than par, and is liable to the state for the face of all ten per cent. bonds sold, and of which \$12,400 have been paid into the treasury, leaving a deficiency on bonds sold, to be accounted for, of \$18,600.

Of the seven per cent. bonds sold, your committee would call attention to the fact that they are sold by Mr. Stevens, as state agent, he deriving his authority from the state officers authorized by law to sell these bonds. It appears, on evidence, that he was authorized by them to have all he could realize over sixty cents on the dollar. Your committee are of the opinion that the state officers are not authorized by law to make any such agreement, and believe Mr. Stevens liable to the state for all bonds sold by him, *for the full amount of which he negotiated the bonds, viz.,*

eighty-five cents on the dollar. An unlawful act cannot be rendered lawful by any sanction given it by state officers, in the opinion of your committee. We would further state that, from the evidence before us, it appears that the \$87,200 of seven per cent. bonds were not negotiated with the Interior Department, until after the semi-annual interest had matured, the bonds having been issued on July 1st, 1861, and negotiated on or about January 1st, 1862. This interest, amounting to \$3,052, it appears upon evidence, has been paid to R. S. Stevens, and thus the state has realized on bonds sold but fifty-six and a half cents on the dollar. Your committee are of the opinion that this interest properly belongs to the state.

We would further state that, of the \$87,200 of bonds placed in the hands of R. S. Stevens, it appears, upon evidence, that he has accounted to the state for \$56,200, at sixty cents on the dollar, by the payment into the treasury of \$33,720—the balance of the bonds (\$31,000) being negotiated with but not paid for by the Interior Department at Washington. Your committee would recommend that an act be at once created appointing an agent to go to Washington to take charge of this property, with full power to transact all further business necessary in the matter, on behalf of the state.

Your committee call especial attention to the extracts from letters, and the receipts, copies of contract, and appointment, accompanying the evidence.

In reference to the state treasurer, the committee ask time to take further testimony, which, in their opinion, is necessary to a proper disposal of the case.

From the evidence which your committee submit with this report, they are of the opinion that there has been a collusion of Charles Robinson, George S. Hillyer and John W. Robinson with R. S. Stevens, to defraud the state of Kansas of a large sum of money.

Your committee therefore unanimously report the following resolution, and recommend its adoption, as a measure demanded by public justice and a proper regard for the rights of the people of Kansas:

Resolved, That Charles Robinson, Governor, John W. Robinson, Secretary of State, and George S. Hillyer, Auditor of the State of Kansas, be and they are hereby impeached of high misdemeanors in office.

MARTIN ANDERSON, *Chairman.*

H. L. JONES.

B. W. HARTLEY.

THOMAS CARNEY.

SIDNEY CLARKE.

William Tholen, of Leavenworth, had been elected State Treasurer on the ticket with Governor Robinson. Governor Robinson refused to accept the official bond made by Treasurer Tholen, which had the effect of vacating his office. The Governor then appointed H. R. Dutton, of Brown County, Treasurer, to fill the vacancy. Dutton had signed the report, with S. N. Wood, which practically approved the fraudulent bonds issued on Kansas claims. The removal of Tholen, an honest man, and the appointment of Dutton, were the bad features in the case against Governor Robinson.

The resolution of the committee was unanimously adopted. Being authorized and directed by the House to appoint a committee to conduct the impeachment cases in the trial before the Senate, the Speaker named Preston B. Plumb, Azel Spaulding, F. W. Potter, W. R. Wag-

staff and Davies Wilson. On the 20th of February, Plumb reported, on behalf of his committee, which was called the Committee of Managers of Impeachment Cases, eight articles of impeachment of John W. Robinson, Secretary of State. On the 26th he reported seven articles of impeachment of George S. Hillyer, Auditor of State. On the same day he reported five articles of impeachment of Charles Robinson, Governor of Kansas. These reports were all adopted,—the articles against Governor Robinson by a vote of fifty-three to seven, and those against the others, unanimously. The trial of the impeachment cases began on the second day of June, 1862.

The testimony of George S. Hillyer showed that R. S. Stevens was appointed State Agent to sell Kansas State bonds by the Governor, Secretary of State, and himself. The agreement was that he should take the bonds, and, when sold, account to the State for sixty cents on the dollar. The Secretary of State wrote from Washington to D. H. Weir, his clerk, "Keep mum about the bonds. Do not say a word to any person alive—not even to your wife—for we want it as secret as it can be until it is fixed." On another occasion he wrote, "I had an interview with Mr. Lincoln night before last . . . we may possibly put in the loan at sixty cents, but it will never hurt the State a dime or will even be heard of . . . keep still."

Treasurer Dutton testified: "Sold \$31,000 of war bonds to Mr. Stevens for forty cents on the dollar and took his receipt. . . . I also gave him \$27,000 7 per cent bonds and took his receipt for them, to be returned or sold at seventy cents on the dollar. The bonds were not returned. He came back and I was informed by the Auditor and Secretary of State that they had made an arrangement for the sale of the bonds, and I took an additional receipt of \$53,400, \$5,000 being retained by the Auditor to redeem scrip."

Mr. Morrow testified, "I reside in Lawrence. Am interested in the Lawrence Bank. I am at this time nominally president of the bank, but I disposed of my interest sometime in the fall to R. S. Stevens. The directors of the Lawrence Bank are James Blood, T. B. Eldridge, Mr. Stevens and Gov. Robinson and myself. The directors are principally the stockholders. . . . Mr. Dutton has an account at the Lawrence Bank. He gives drafts on our bank which we pay in such funds as he draws for."

Stevens seemed to have managed the whole matter of disposing of the bonds. The result of the trial of the State Officers on the impeachment charges were that the Secretary of State and State Auditor were found guilty and removed from office. Governor Robinson was acquitted, it having been shown that he was not present in Washington when the bonds were sold and that his name was signed by the Auditor or Secretary, and that he refused to sign such a paper when Stevens requested him to do so.

This was a very unfortunate transaction. Kansas was immediately spoken of in the newspapers as "The rotten Commonwealth." That was unjust. There was no party rancor in these impeachment

cases. They were the result of a desire of the people to secure an honest and capable administration of their affairs. In fact, very little damage was caused to the financial reputation of the State. At the close of the Civil War, Kansas made ample provision for the payment of all her obligations. The credit of the State has been what financiers call "gilt edge" from that day.

This bond transaction destroyed Governor Robinson politically. The Republican State Convention met at Topeka September 17th. On the 18th Thomas Carney was nominated for Governor. Governor Robinson was not a candidate, and afterwards he did not act with the Republican party.

THE ELEVENTH KANSAS

The Eleventh Kansas Infantry was organized in September, 1862. Thomas Ewing, Jr., was mustered as Colonel on the 14th of September. On the 24th of September, P. B. Plumb, Captain of Company C, was elected Major. The Eleventh Regiment was one of the best regiments organized in Kansas in the Civil War. It was immediately equipped and sent to Northwest Arkansas, where it became a part of the Army of the Frontier under command of General James G. Blunt. Its first battle was that of Old Fort Wayne, in the Cherokee Nation, on the 22nd of October. General D. H. Cooper of the Confederacy, in command of the rebel forces, was defeated. On the 28th of November, General Blunt attacked Marmaduke at Caue Hill, Arkansas. The Confederate forces were defeated and driven ten miles over the Boston Mountains. The retreat was continued to Van Buren. At that point General Hindman made a hasty reorganization of his forces and determined to drive the Army of the Frontier from Arkansas. In his effort to do this occurred the Battle of Prairie Grove, one of the most important in which the Kansas troops were engaged.

CHAPTER XLI

PRAIRIE GROVE

The defeat of Marmaduke at Cane Hill and his expulsion from the region north of the Boston Mountains did not change the purpose of General Hindman. He was well informed as to the strength and position of General Blunt's army, and he knew that the nearest troops which Blunt could call to his aid were more than a hundred miles away. Hindman's army consisted of infantry, cavalry, and artillery, and numbered about twenty-five thousand men, though in his official reports he insisted that he had only twelve to fifteen thousand. He had six thousand cavalry, and thirty pieces of artillery.¹ He believed he could march from Van Buren to Cane Hill, fifty miles, and defeat Blunt before he could be reinforced. It is probably true that lack of supplies prevented him from taking all his troops on his campaign against Blunt, but he had at least fifteen thousand effective troops in the field, probably more, although he reported eleven thousand in addition to his artillery. He believed it was necessary for him to achieve some success at once, if his army was to be held intact. Both ammunition and food were short. There was a spirit of insubordination in his ranks. Many of his men were conscripts, Union men, who had been forced into the Confederate army, and they had no sympathy with the Southern cause. Numbers of them were deserting every day. Hindman, while an able officer, was unpopular, and even then the Confederacy was failing west of the Mississippi. But if a decisive victory could be won in Northwest Arkansas, and Kansas and Missouri thrown open to invasion, a better face would be put on the cause in the Southwest. These were the considerations which actuated the Confederate commander.

General Hindman moved north from Van Buren on the 3d of December. So certain was he of success that he ordered a regiment of Confederate Indians to occupy Evansville, a village immediately west of Cane Hill, to prevent the escape of Blunt in that direction. On the night of the 4th the rebel force bivouacked at Oliver's store, on Lee's Creek, at the mouth of Cove Creek. Up Cove Creek the march was slow, but by the evening of the 6th the entire army had reached the junction of the Cane Hill and Fayetteville roads, at General Price's

¹ See official reports, Series 1, Vol. XXII, Part 1, *Rebellion Records*, pp. 67-158, for number of troops on each side.

old headquarters, on the farm of John Morrow, about eight miles southeast of Cane Hill. It did not, however, reach this point, without opposition from Blunt. On the 3d of December Captain Samuel J. Crawford, Second Kansas, was sent down Cove Creek with a part of his regiment, and at Oliver's he met and skirmished with Marmaduke's advance. The next day Captain A. P. Russell, Second Kansas, was sent to scout down Cove Creek, where he met the enemy in increasing force. Crawford was again sent out on the 5th with two or three companies of his regiment and resisted the advance of Marmaduke up Cove Creek most of the day. Near night he posted Captain John Gardner, with two companies, at the junction of the Cane Hill and Fayetteville roads, and as it was certain that he would be attacked by an overwhelming force and pushed back at daylight, Crawford was to send out substantial reinforcements during the night. From that point to Cane Hill the advance of Hindman was to be stubbornly fought. For some cause the reinforcements were not sent to Captain Gardner, although General Blunt assured Crawford that they should be sent and gave the proper orders. Of this Crawford learned at daylight of the 6th while discussing conditions with a group of officers at the headquarters of Colonel Cloud. These officers did not believe with Crawford that a general battle might be fought that day—certainly within a day or two—in the vicinity of Cane Hill and possibly between the town and the position of Captain Gardner. "In thirty minutes," said Crawford, "you will see a courier from Captain Gardner on a foam-covered horse coming around that hill. His command is, I fear, cut to pieces." Within fifteen minutes the courier appeared, and Crawford, who had taken the precaution to have his men ready, secured orders and at once started with five companies of the Second Kansas to the assistance of Captain Gardner, whom he found had been driven a mile and a half, but formed across the road, and falling back slowly before a greatly superior force, fighting at every step. Crawford formed just behind him and ordered him to file by and form in the rear.

In a short time General Blunt sent other troops down the Cane Hill road, among them Major Plumb with two companies of the Eleventh Kansas. Plumb was the ranking officer at the front; and, although hotly engaged, Captain Crawford offered him the command. "Plumb was a patriot and never stood on fine points of military usage," said Crawford.² "He was an infantry officer, and most of the troops at the front were calvary and then in line fighting back the advance of the enemy, and he insisted that a cavalry officer retain the command, requesting me to continue in that capacity. I agreed to do so and pointed out the position where I desired him to post his men." Other reinforcements were sent out, and the position was held, but at times it was a difficult matter. Crawford, afterwards a Colonel, and, later, Governor of Kansas, bears witness that Plumb handled his men admir-

² Statement made to the author April 27, 1911.

ably and fought well all day, though it was the second time he had ever been under fire. Toward night the main weight of the battle fell on him, and he held his ground, and the day ended with the whole force of Hindman checked on Reed's Mountain six miles southeast of Cane Hill. At night the officers who had been at the front throughout the



SENATOR PRESTON B. PLUMB

[Plumb was a pioneer in Kansas. He was one of the founders of Emporia. He was in the Union army, and both major and colonel of the Eleventh Kansas. He was long United States senator from Kansas. In the Senate he was one of the men who accomplished things. He was the father of the idea of the conservation of the natural resources of America. It was his law that created the National Forest Reserves and extended aid to irrigation and the reclamation of arid lands. Many of the laws on the national statute books were put there by Preston B. Plumb. He was a great man and a great Kansan. He died at Washington, D. C., in 1891, while still in the Senate.]

day were relieved, and Plumb and Captain A. P. Russell rode back to Cane Hill with Crawford. Russell had a presentiment that he would be killed the next day, and gave some directions as to the disposition of his effects. He could not be shaken in his belief—and the next day fell while fighting manfully.³

³ The fighting here this day, December 6, was a most important engagement. It seems to have been overlooked by historians. See *Rebellion*

During the night of the 6th Major Plumb was sent back to the front with reinforcements, where he remained on Sunday, the 7th, until after General Blunt's army had moved out of Cane Hill to meet Hindman. An officer of the general staff found him there and in surprise inquired if he did not know that Cane Hill had been evacuated and that Hindman had passed on north. Plumb said he knew it. "Then what are you staying here for?" asked the officer. "I haven't had any orders to fall back," replied Plumb. The officer, on his own responsibility, ordered Plumb back, and he joined his regiment north of Cane Hill just as the artillery firing was heard and the march to Prairie Grove began.

When General Blunt was convinced that he was to be attacked by Hindman with greatly superior numbers he determined to hold his ground and call to his aid the Second and Third Divisions, camped then on the old Wilson Creek battlefield ten miles southwest of Springfield, Mo. General F. J. Herron was in command, and on the morning of the third, he received the telegraphic order of General Blunt to join him at Cane Hill as quickly as possible. Within three hours he moved with the Third Division and was immediately followed by the Second. That night he camped at Crane Creek, in Stone County, Missouri, where it is crossed by the famous Wire or Telegraph road, which led from Springfield, through Fayetteville, to Van Buren. He kept to this road, passing rapidly over it, reaching Elkhorn Tavern (Pea Ridge) on the evening of the 5th. There he received an order from General Blunt to forward his cavalry force at once, which he did, sending it on sixteen hundred strong under Colonel Dudley Wickersham; it arrived at Cane Hill near midnight of the 6th.

General Herron arrived at Fayetteville at four o'clock Sunday morning (the 7th), having marched all night, and pushed on expecting to join General Blunt at Cane Hill about ten o'clock. He intended to follow the Van Buren road to Prairie Grove Church and there take the road leading southwest to Cane Hill. From the vicinity of Fayetteville information reached General Hindman of Herron's near approach, and early on the night of Saturday the Confederate commander determined to move his army up the Fayetteville road to meet and defeat Herron before he could join Blunt—after which he would fight it out with Blunt. Colonel J. C. Monroe, with his brigade of Arkansas cavalry, was ordered to engage the Union forces on the mountain southeast of Cane Hill at daylight and deceive them as long as possible, and at four o'clock Hindman moved toward Fayetteville with the remainder of his army. Marmaduke's cavalry led the march, and shortly after daylight it came upon Herron's advance—the First Arkansas Cavalry—about halfway between Fayetteville and Cane Hill.

Records, Series 1, Vol. XXII, Part 1, pp. 60-66, for the official reports of it. There it is called the battle of Reed's Mountain. The best account of this battle is to be found in *Kansas in the Sixties*, by Samuel J. Crawford, who was in command. See pp. 72-76, inclusive, where the subject is treated as the battle of the Boston Mountains.

The cavalry of Herron's Second Division had come up with the First Arkansas and stopped to rest and feed their horses, intending to start on to join General Blunt at dawn. There seem to have been no precautions taken to guard against surprise. The attack was sudden and fierce, and the Union cavalry fled in panic and disorder, pursued by at least three thousand Missouri cavalry, including Quantrill's guerrillas, under Shelby. At seven o'clock this rabble, with blood-thirsty guerrillas on its heels, ran into the Union infantry advance, led by General Herron, six miles south of Fayetteville, and it was with difficulty that the mad rout was checked. General Herron had himself to shoot dead one of the panic-stricken cavalymen as an example of the fate of all who would not halt, face about and fight. Taking four companies of infantry, some cavalry, and a section of artillery, General Herron drove Marmaduke's outriders back four miles to Illinois Creek, beyond which he found Hindman's whole army in a strong position. The command of Shelby, with the prisoners and train taken shortly before, was just ascending to this position from the creek valley when it was opened on with two pieces of artillery, which served only to increase its speed.

General Herron now made a survey of the Confederate position. It was in an extensive grove of timber on a singular elevation, which extends from east to west across the Fayetteville and Van Buren road which cuts through it in a southwesterly direction. The elevation rises from a prairie or plain. It slopes gently to the south, but on the north it presents a sharp escarpment. The grove on the ridge joined larger bodies of timber at either end. At the south side of the grove the Cane Hill road turned sharply southwest toward that village. In the fork of the road a mile south of the Confederate position, stood the Prairie Grove Church. North of the elevation there is a wide valley through which a small stream flows into Illinois Creek, and much of which had been cultivated, the dead stalks of the corn still standing in the fields. Beyond this valley, to the north, is a prairie, and some timbered hills which rise to the same level as the hill on which is Prairie Grove. In front of the Confederate position, along the north fringe of the grove, on the slope, stood some dwellings surrounded by enclosures; and about the fields were rail fences. The survey revealed a Confederate line more than two miles in length, and while there were no means of ascertaining the number of the enemy, enough could be seen to indicate certainly that the Union forces were far outnumbered.

By cutting a road through a thicket half a mile below the ford on Illinois Creek, Herron got Murphy's battery into fine position facing the enemy's center. This battery he divided into two sections, which he placed six hundred yards apart, both concealed by the thicket from the enemy. Two regiments of infantry were thrown to the right of the battery and one to the left. Colonel Orme was sent across Illinois Creek at the ford with the Second Brigade of the Third Division, and ordered to divide his battery as Murphy's had been, station his infantry in the rear, and open at once. Colonel Bertram was ordered to

take the First Brigade across the creek and form on the right of Orme, dividing his battery as had the others.

Most of these preliminaries were completed before eleven o'clock, and some of them perhaps as late as twelve, on Sunday morning. General Herron gives the hour as ten o'clock. Murphy's battery opened the battle, and under his fire all the remaining batteries crossed the creek and were soon in positions in line of those with Orme and Bertram. In ten minutes General Herron had eighteen pieces doing most effective work, and they were replied to with twenty-two of the pieces of Hindman, the firing of which never approached even fair gunnery. The fire of Herron's artillery was terrible and deadly from the first. Some of the Confederate guns were dismounted, and their artillery horses lay dead in heaps of four to six in every position taken. In an effort to abate this awful storm of lead and iron against which nothing could long stand, Hindman threw heavy infantry columns against the Union right. But this was without avail. They were always stopped by the Union artillery and pursued in their return to their own lines. Herron ordered the Nineteenth Iowa and Twentieth Wisconsin to turn them back again after the battle had been in progress for some time, which was done with such fierce enthusiasm that the rebel lines were rolled back a thousand yards, and a battery of four pieces was captured. To meet and stay this onslaught, Hindman sent forward every available man, and such numbers fell on the Union charging line that it could not bring off the captured battery, and retired without it.

This was late in the afternoon, and at that moment there appeared on the rebel left masses of men in blue. They emerged from the woods which fringed the prairies as a long-confined flood bursts its banks. The rush and roar of their coming were as the sound of storm-driven seas. They poured forth, seemingly in inextricable confusion—cavalry, infantry, artillery, officers and subalterns, brigades, regiments, companies and squadrons—a throng wrought to the extreme of excitement, frenzy, madness. Every artillery horse was bestridden by a man plying a merciless lash, and was running as if coming down the home-stretch—neck straightened, ears flattened, eyes wild, nostrils dilated. Clinging to the guns and caissons were the artillerymen, flung and tossed like sailors on tempest-beaten wrecks. The cavalry, lying over saddle-horns, burst from the bordering thickets under whip and spur. The infantry, keeping even pace in this mad race, came into the open, hatless, coatless, accouterments streaming out behind, but with guns tightly clutched and ammunition safe. Over and above all floated the Stars and Stripes; and the showing of regimental banners halted men, straightened tangled ranks, formed columns, fashioned the confused mass into an orderly battle-line straight and rigid as a steel bar.

Because of the failure of a scouting column to report the movement north of Hindman's army General Blunt was in ignorance of the exact conditions confronting him on the morning of the 7th. He was still expecting an attack at Cane Hill and disposed his lines to receive it.

At ten o'clock, when it was certain that the enemy in his front was only covering some maneuver, he moved in the direction of his base of supplies at Rhea's Mills, a few miles north. He was anxiously awaiting some intelligence from General Herron, whom he had expected to arrive at Cane Hill in the forenoon by the road turning toward the west at Prairie Grove Church. That a battle must be fought that day General Blunt knew, and when no enemy of consequence appeared he had set out to find one. He moved cautiously, and was ready for an



MAJOR-GENERAL JAMES G. BLUNT

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attack from any quarter. The booming of General Herron's artillery was the first definite information which reached him. He knew at once what had happened and where the battle would be. And so did the army, which moved as one man toward Herron's position. General Blunt announced the arrival of his army on the field by two cannon-shots, and as he did not know the positions occupied by the contending forces, the balls fell among the Union skirmishers. General Herron furnished him exact information by the time his line was formed, and General Blunt quickly fronted the left wing of the Confederate battle-line, taking position near the skirt of woods extending from the grove

down to the foot of the slope, but with his men in the clear and both wings of his army extending into open fields.

And not a moment too soon did he form there, for the battle was reaching a critical juncture. The last of Hindman's infantry had arrived, which, together with Marmaduke's cavalry, Hindman was throwing forward to crush General Herron's right. It was to move by the rebel left over the field just occupied by the Union line, and General Blunt's men received this onset and turned it back after hard fighting. The right wing of the Eleventh Kansas formed in the edge of the woods and was led by Colonel Ewing, and the left under Moonlight formed in support of the batteries of Rabb and Hopkins. The left wing advanced halfway up the slope, fixed bayonets for a charge at the crest, and lay down to await the order to advance, which was given as the rebel infantry appeared four ranks deep driven by the cavalry regiments acting as file-closers. The fire of the Eleventh checked them for only a moment, and a fierce struggle ensued. The Eleventh was forced back, sometimes with line broken, but always closing quickly, to a fence below the top of the hill, where a stand was made. The position could not be held, but the main line was maintained until the enemy fell back at dark. The artillery had been protected and had played at short range on the enemy with double charges of grape and canister with terrible effect. As night was falling the batteries were just in the act of firing on a body of infantry coming out of the woods. Plumb believed it was the right wing of his regiment and prevented the fire. He rode forward and found it to be Colonel Ewing, as he had supposed, and whom he had saved by his watchful care.⁴

Hindman had done his best. His assault on Blunt's line had been desperate, but unsuccessful. Having doubt of the loyalty of much of his infantry, he drove it into action with his cavalry, as we have seen. One of his regiments deserted on the field. At nightfall he was defeated, and saw that he must retreat, and he feared that even retreat was impossible. By the abuse of the usage of the flag of truce he secured time ostensibly to bury his dead and attend his wounded, but which he utilized in getting his men on the road back to Van Buren, practically abandoning both his dead and wounded. With him disappeared the hope of the Confederacy in Missouri and Northwest Arkansas. His defeat was decisive.⁵

⁴ Those survivors interviewed mostly say that Plumb commanded the left wing of the Eleventh Kansas in the battle. The official reports give this honor to Colonel Moonlight, but he was an artillery officer, and no doubt gave some of his attention to the operations of the guns. In his report Colonel Moonlight specially mentions the services of Major Plumb on the field and pays a high tribute to his courage and ability.

⁵ The reports of the officers of both sides are published in *Rebellion Records*, Series I. pp. 67-158.

CHAPTER XLII

DISTRICT OF THE BORDER

General Blunt marched on Van Buren on the 27th of December. The melting snow on the Boston Mountains made this one of the hardest and most disagreeable marches of the war. Cove Creek was running full of ice and slush, and the troops were compelled to ford this stream thirty-six times in marching twenty miles. There were no bridges, and the men were compelled to wade the stream, which was sometimes waist deep. On the 28th Hindman's rear guard was overtaken and attacked. It fled in a panic to Van Buren. Blunt's army soon entered that town and Hindman was driven out. His army was demoralized, and he retreated to Little Rock.

The Eleventh Kansas was sent to Kansas City, where it arrived in June, 1863, and became a part of the force of the District of the Border. Thomas Ewing, Jr., was made Brigadier-General, in command of the District. Thomas Moonlight was made Colonel of the Eleventh Kansas, and P. B. Plumb Lieutenant-Colonel.

The condition on the border at that time was deplorable. In Missouri there remained many who were disloyal. Various causes prevented their enlistment and continuous service in the Confederate army, the desire to engage in the irregular and unrestrained warfare of the guerrilla being uppermost. Of these men Ingalls truly said :

During the war they became guerrillas and bushwhackers under Price, Anderson and Quantrill; assassins, thugs, poisoners of wells, murderers of captive women and children, sackers of defenseless towns, house-burners, horse-thieves, perpetrators of atrocities that would make the blood of Sepoys run cold.

These guerrillas moved in bands. They quartered themselves on the disloyal and such of the loyal as they did not despoil and murder. From brakes and coverts they attacked small detachments of Federal soldiers passing from point to point. These bands had the full and unreserved support of the Confederate officers.

The chief of these marauders was Quantrill, a renegade Ohioan. His bloody deeds shocked the world; but even that did not meet the demands of the disloyal element in Missouri; he was dethroned, and Todd, more brutal and diabolic, was elevated to his place. Quantrill had no love for the Confederacy; but Todd's devotion to it was fanatical. Bill Anderson had all the bloody attributes of Todd, but was made of baser

clay and possessed lower instincts. In the District of the Border were also a score of lesser guerrilla captains, Parker, the Youngers, and others, all bent on the murder of Missouri Union men, whether soldiers or non-combatants, and with a thirst for robbery which it took the law thirty years to quench after the war was over.

When General Ewing assumed command of the District of the Border he found his Missouri counties overrun with this banditti. It lurked in every thicket and prowled around every outpost. It crossed the border-



GEN. THOMAS EWING, JR.

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line and sacked helpless villages in Kansas, and, returning to Missouri fastnesses, left a trail of blood and ruin. The conditions were greatly aggravated by the presence in Kansas of sordid and unpatriotic men, who, as General Ewing said, were preying on the misery of Missouri and stealing themselves rich in the name of liberty.

This warfare was not wholly between Kansas and the people of Missouri. Indeed, it had its deepest bitterness between the people of Missouri themselves, neighbor against neighbor. Of those who remained at home, or who returned after a temporary service, the sympathizers with the Confederacy far outnumbered those who loved the Old Flag.

These latter were almost all expelled or murdered by the former. Of those who fled from home the majority went to Kansas, where they either enlisted in Kansas regiments or sought favorable occasions to visit their old homes with arms in their hands to even up former differences with neighbors. There were many Missourians in every Kansas regiment. In every county in Missouri the loyal men enlisted in the Union army. These soldiers, whether in Missouri or Kansas regiments, were far more bitter towards their former neighbors and fellow-citizens than were the Kansans. They were nearly always moved by personal grievances.

When General Ewing had looked over his field he was appalled at the conditions and the magnitude of the task assigned him. On the 20th of June he wrote General Schofield that the whole border thirty miles into Kansas was greatly disturbed, and that it would take little more than the present demonstration of guerrillas to stampede the whole country.

Three gangs of bushwhackers in Cass and Jackson counties had already grown formidable since the removal of Colonel Penick's regiment. Yager and his band of outlaws had, in May, ridden west over the Santa Fe Trail beyond Council Grove, committing many robberies and murders, and had returned to Missouri with small loss. General Ewing found awaiting him an urgent demand for six companies of cavalry to protect the country along the Santa Fe Trail as far west as Larned, and while he recognized the justice of the request, he had no troops to spare for the purpose. The guerrillas killed four Union men and one girl, and wounded nine, in a German settlement near Lexington on the 14th of July. After the removal of the Fifth Missouri, guerrillas crowded up to the bounds of Kansas City. Citizens were murdered and their homes burned almost daily in Jackson County, and conditions were worse in the outlying portions of the District. General Ewing wrote, on August 3d, that:

About one-half the farmers in the border tier of counties of Missouri in my District, at different times since the war began, entered the rebel service. One-half of them are dead or still in the service; the other half, quitting from time to time the rebel armies, have returned to those counties. Unable to live at their homes if they would, they have gone to bushwhacking, and have driven almost all avowed Unionists out of the country or to the military stations. And now, sometimes in bands of several hundred, they scour the country, robbing and killing those they think unfriendly to them, and threatening the settlements of the Kansas border and the towns and stations in Missouri.

Continuing, General Ewing said that about two-thirds of the families on the occupied farms of that region were related to the guerrillas, and were actively and heartily engaged in feeding, clothing, and sustaining them. The physical character of the land greatly favored guerrilla warfare, and the presence there of the families caused the presence of the guerrillas. It was impossible to clear the country of them as long as the families remained, and General Ewing proposed and was granted permission, to send the families of the most active guerrillas out of his District to some point in Arkansas accessible by steamboat, there to remain until the war ended. This was the inception of Order No. 11.

On the 31st of July General Ewing had present for duty in the District of the Border one hundred and two officers and twenty-five hundred and forty-six men. With this small force he was expected to garrison and patrol, battle over and protect nearly sixty thousand square miles of territory, including an Indian frontier of vast extent, the supply-line from Fort Leavenworth to Fort Scott for General Blunt's District of the Frontier, and one hundred miles of bloody border-line. General Ewing's plans for guarding the border were the best that could be made with the troops at his disposal. To prevent the invasion of Kausas he established posts or stations on and along the State-line south of Kansas City to the limits of his District.

These stations were usually about twelve miles apart, and were:

Westport, six miles out.

Shawnee Mission, three miles from Westport.

Little Santa Fe, ten miles south of Westport; commanded by Captain Charles F. Coleman, Company D, Ninth Kansas, with his company and a detachment of Company M, Fifth Kansas Cavalry, in all about eighty men.

Aubry, twelve miles south of Little Santa Fe; commanded by Captain J. A. Pike, Company K, Ninth Kansas, with his own company and Company D, Eleventh Kansas; both companies made a force of about one hundred men.

Coldwater Grove, thirteen miles south of Aubry; commanded by Lieutenant-Colonel Charles S. Clark, Ninth Kansas, with Company E of his own regiment. All the troops south of Little Santa Fe, in the District of the Border, were under the immediate command of Colonel Clark.

Rockville, thirteen miles south of Coldwater Grove; commander and number of men not found.

Trading Post, on the Marais des Cygnes, fifteen miles south of Rockville; Captain B. F. Goss, Company F, Ninth Kansas.

Barnesville, in north part of Bourbon County; a garrison of one or two companies, but not shown in the returns.

Patrols were to pass constantly from post to post, at hourly intervals. Important information was to be passed along by a line of couriers to headquarters at Kansas City. If a hostile force appeared it was to be pursued instantly, and if too large to be attacked by the pursuers, help was to be summoned from other posts. Couriers were to be sent to alarm the Kansas border towns, where the defense was mainly composed of militia quartered usually in their own homes and sometimes difficult to assemble.

CHAPTER XLIII

COLLAPSE OF THE MILITARY PRISON

The most unfortunate event in the administration of General Ewing was the Lawrence Massacre. An incident which was responsible for many of the barbarities committed in the sacking of that defenseless town was the collapse at Kansas City of the military prison for women. It was made the excuse for many inhuman crimes later committed by the guerrillas.

In the midst of such conditions as existed in the District of the Border it was inevitable that women should become spies for the bushwhackers and commit other violations of military regulations. Women had been arrested before General Ewing's arrival. On the 26th of June, 1863, a number of prisoners were sent from Fort Leavenworth to Kansas City, among them ten women, two of whom were sisters of Jim Vaughan, the outlaw executed May 29th. These women were treated with great consideration, being quartered at the Union Hotel under guard.

When Bill Anderson found it necessary to leave his home at Council Grove in the night on a stolen horse in the spring of 1862 to escape punishment for various crimes, he sought the border and there engaged in indiscriminate robbery. He was arrested and disarmed by Quantrill for preying on Confederate sympathizers. After his release he was in a way subject to Quantrill until that outlaw was repudiated by his followers. Anderson removed his sisters from Kansas and for a year they lived on the border, stopping finally with the Munday family on the Missouri side of the line near Little Santa Fe. Both parents of this family were dead, one son was in Price's army, and three daughters were at home—Sue Munday, Martha (or Matt) Munday, and Mrs. Lou Munday Gray, whose husband probably was a bushwhacker. The Munday girls and the three Anderson sisters were arrested as spies. On the same day others were arrested, among them a Miss Hall, Mollie Grandstaff, Charity Kerr, Mrs. Nannie Harris McCorkle, Mrs. Sue Vandiver and Mrs. Arminna Selvey, the two latter being daughters of William Crawford, who, by marriage, was the uncle of Cole Younger. There were other arrests, but it is not known how many women were imprisoned when the building in which they were quartered collapsed. Among them, however, was Miss Alice Van Ness, whose daughter, Fay Templeton, achieved fame as an actress.

The Union Hotel could not accommodate such a number of prisoners, and to those already quartered there were now added the newcomers.

G. M. Walker, of Company C, Eleventh Kansas, was Sergeant of the Guard when the prisoners were brought in. He took them to the prison for men, but they refused to enter this building even when shown that their apartments were entirely separated from those of the men. Then a frame building on the west side of Main Street, between Ninth and Tenth Streets, one story in front and two stories in the rear, and with a porch, was prepared for them. In was with difficulty that they were made to enter this building, the Anderson girls being the leaders in abuse of the Union, its soldiers, generally, and those at Kansas City in particular. There was a three-story brick building on the east side of Grand Avenue, in McGee's Addition, between Fourteenth and Fifteenth Streets, on each side of which were two-story buildings, in the second story of which men formerly had been imprisoned. It was No. 1409 Grand Avenue. That part of the city was at the time little settled, there being no buildings in the block opposite on the west side of the avenue, which was then the main thoroughfare to Westport. This building had a frontage of about twenty-five feet. The stairway to the second floor, from the front, and all access to the third story had been permanently closed. An old Jew had a store of cheap goods on the first floor—a medley of merchandise, including flashy jewelry, clothing, groceries and liquors. The second floor was reached only by an outside stairway in the rear of the building.¹ To this building these women prisoners were removed.

The second floor of the building was the prison. There were three rooms, in one of which was segregated one, possibly two, women of known bad character, the other prisoners refusing to speak to them, though they were Quantrill's trusted spies. The women separated into groups, which, if not hostile, were indifferent, and between which there was little communication. The first guard was a detail from the Twelfth Kansas and was strict with the women. Major Plumb had the guard changed. Those who would pledge their word that they would not try to escape were permitted to visit stores accompanied by a guard under orders to remain back far enough so that the prisoners could converse without being overheard. The Captain of the Guard was Frank Parker, Company C, Eleventh Kansas.²

There were friendships between members of the guard and officers at headquarters and some of the women, and it is even asserted that a soldier of Company I, Eleventh Kansas, married one of the prisoners. Parker sent to Little Santa Fe for the bedding of the Munday home to be used by the Munday and Anderson girls. Cards and musical instruments were provided, and sometimes officers from headquarters visited

¹ There is a conflict in the statements of those who remember the building. Some say it was but two stories in height, and Mrs. Sue Womack, one of the women imprisoned there, says the entrance from the front had not been closed. With one exception it is agreed that it was on the east side of the street and fronted west.

² On September 19, 1910, he made a statement to the author on this subject.

the prison in the evening and were entertained with music. It is established beyond question that these women were treated with respect and kindness.

On the day of the collapse of this building Lieutenant John M. Singer, Company H, Ninth Kansas, was Captain of the Provost Guard. Early in the day the Captain of the Guard at the building sent a request to Singer to examine it, saying that he feared it was no longer safe. Singer found the walls cracked and mortar-dust on the ground. He reported to General Ewing, who sent his Adjutant to examine the building. The Adjutant believed the building safe, but the Captain of the Guard was uneasy. When the prisoners had been given their dinner he requested Thomas Barber, a member of his company, to examine the prison. Barber's recollection is that there were prisoners on both the second and third floors, and that he and Parker went to the third floor. He saw the walls slowly separating from the ceiling, and advised Parker to get the women out of the building with all haste. Parker shouted: "Get out of here! This building is going to fall!" Barber, some of the women, and one or two guards ran down the stairs, and as they reached the ground the building collapsed, falling inward.

A great cloud of dust arose from the wreck, and for an instant nothing could be done. Soon some of the uninjured crawled from the ruins. A courier was at once sent to headquarters, and Major Plumb hurried to the prison. A crowd of five thousand people assembled. The women were in a state of excitement, and were abusing the Government and the Union troops, asserting that the building had been undermined with intent to kill them. The crowd was in sympathy with them and jeered the guard. Major Plumb ordered up other troops and threw a cordon about the premises. He ordered the troops to fix bayonets and force a number of citizens to help rescue the wounded and bring out the dead. The uninjured were sent to the Union Hotel, where they were guarded until another house could be made ready for them. The wounded were taken to the military hospital, where a ward was given them. The names of four of the dead are now remembered: Charity Kerr, Mrs. Vandiver, Mrs. Selvey and Josephine Anderson.³

The charge that the Federal soldiers undermined this prison was absurd. There never was a particle of evidence to support it. When asked why she believed the building had been undermined Mrs. Womack (Sue Munday) said, "I know it was, because I saw the soldiers going into the Jew's store as thick as bees all day."

This was the only circumstance she could mention to support her declaration. There is perhaps no doubt about the soldiers having gone into the store, but the fact that the proprietor was permitted to sell

³ The statement of Mrs. Womack says Mrs. Vandiver and Mrs. Selvey were killed. Charity Kerr was a cousin of Cole Younger. In his *Quantrell and the Border Wars*, the author, following Cole Younger's autobiography, included Nannie Harris among those killed. Her sister, Mrs. Eliza Deal, now living in Kansas City, Kansas, says that Nannie Harris was not injured.

liquors might account for their visits. And the Jew was caught in the collapse and injured. If he had known of any intention to wreck the building he would not have been there, and no mining could have been carried on in his room without his knowledge. On what date the building fell has not been established, but it was about two weeks before the Lawrence Massacre, and was made one of the excuses for that horrible affair.

The charge that this prison was undermined was taken up by the guerrillas all along the border. Revenge was the cry. Retaliation was demanded. Quantrill, planning, threatening, cajoling, persuading, never could have induced the guerrillas to undertake the raid on Lawrence but for the collapse of this building. It came at an opportune time in his career and he made the most of it.

CHAPTER XLIV

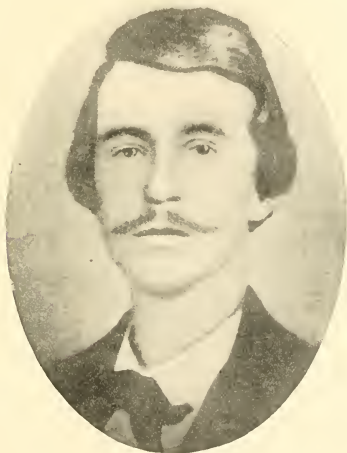
THE LAWRENCE MASSACRE

The flood in the tide of the Confederacy came in July, 1863, and the recession which followed in the same month indicated that the secession movement would end in failure. When Vicksburg fell and Lee was defeated at Gettysburg the Southern cause was lost. And along the border the guerrillas reached their greatest strength in the summer of 1863. In the waning of the Confederacy much of its Western force abandoned the field and returned home. Great accession to the guerrilla ranks resulted. In July Quantrill saw that by combining the forces of the border captains enough men could be assembled for a master-stroke. They were called together and a plan proposed, but nothing was done beyond calling another meeting. In the meantime the military prison for women had collapsed. In August when the guerrilla chiefs gathered at the rendezvous, Quantrill, by the skillful use of that unfortunate occurrence, succeeded in enlisting them in his design to destroy Lawrence.

Lawrence had been the chief locality of resistance to the plan of the South to make Kansas a slave State. Kansas had won her freedom, which had, in effect, destroyed slavery. This was the prime cause for the hatred of Kansas, and made it the refuge for many of the loyal citizens exiled by Missouri. Lawrence had been the principal point of attack in the old wars waged by the Missourians, many of whom were in the bush-whacker bands in 1863. The former bitterness remained, and it could be more easily fanned to a flame than could the general animosity against the State or against any other town.

In his designs against Lawrence Quantrill was but playing a part. His implacability was a personal matter. In 1860 he had lived at Lawrence under the assumed name of "Charley Hart," where he led a double life and was guilty of many crimes. He was both Border-Ruffian and abolitionist. Pretending to be engaged in securing passengers for the Underground Railroad, he was a kidnapper of free negroes whom he sold into bondage in Missouri. Entrusted with the care of escaped slaves, he returned them to their masters for rewards. Being high in the councils of a band of thieves, he invaded Missouri for the purpose of robbery. Taking advantage of conditions, he despoiled Pro-Slavery residents in Kansas of their horses and cattle. Such a course can run only for a limited time, and in due season Quantrill found himself under indictment at Lawrence for robbery and arson. It became

necessary for him to seek other fields, in doing which he conceived and executed a plot to betray and murder some of his associates. Under pretext of obtaining thirty slaves to be sent over the Underground Railroad from Kansas to Canada, he induced some young anti-slavery enthusiasts of Atchison County to accompany him in a foray against Morgan Walker, a planter and slaveholder in Jackson County, Mo. There he betrayed his companions to death, at least one of whom he murdered with his own hands. He remained with the Missourians and rose to be chief of the border-guerrillas. In this capacity he had sacked



W. C. QUANTRILL

[From Photograph Owned by William E. Connelley]

Aubry and Shawnee and had plundered Olathe and other Kansas towns.¹

That the border might feel some sense of security and the Federal troops relax somewhat the severity of their patrol of the State-line, Quantrill contented himself by spreading disquieting rumors and doing little in that region for some weeks. The last invasion of the country in Kansas adjacent to that through which he proposed to pass was made by

¹ For an extended account of the life and operations of Quantrill, see *Quantrill and the Border Wars*, by this author.

Bill Anderson on the 31st of July. On the high land south of Argentine, Wyandotte County, at a cross-roads known as "the Junction," lived one Saviers, whose son, Al. Saviers, was a notorious Red Leg and Jayhawker.² Anderson attacked the Saviers house, but was beaten off by the old gentleman and his daughters. The guerrillas then went west a quarter of a mile to house of Wright Bookout and killed him. Two miles northwest of the Junction they murdered Stephen J. Payne and plundered his premises. They went then to the house of Stephen Perkins, a prominent and loyal man, to kill him, but he escaped. After burning the Perkins house the guerrillas burned two other dwellings, both on the lands of Shawnee Indians; after which they went up the Kansas River to the house where Anderson's sisters had lived and where he had previously been hiding. Taking the family at this house with them, the bushwhackers escaped to Missouri before pursuit could be made.³

This was a daring raid. The murders were committed within four miles of General Ewing's headquarters and inside his lines.

The general rendezvous of the guerrillas was on the Blackwater, Johnson County, Missouri, at the farm of Captain Pardee. On the night of the 18th of August, every captain arrived there with his command. On the 19th the march on Lawrence began. Great caution was observed. Extensive scouting was done to detect the presence of any Federal force. After riding ten miles toward Kansas, camp was made early in the afternoon. Here Quantrill addressed his men and told them where they were going. Before it was dark the guerrillas were again moving. South of the Little Blue they came upon Colonel John D. Holt, who had one hundred and four men, and he joined the expedition. At seven o'clock on the morning of the 20th the guerrilla column was on the head of the Grand River, four miles from the Kansas line. There the last addition to the guerrilla force was made, a company of fifty men joining it from points to the south. The guerrillas numbered four hundred and forty-eight men, as follows:

The original force.....	294
Holt's command	104
The last reinforcement.....	50
Total.....	448

² The "Red Legs" were Federal scouts on the border during the Civil War. The name came from the red leggins which they wore. As a scourge of the border they were little inferior to Quantrill's guerrillas.

The term "Jayhawker" was applied along the border at the beginning of the war to irregular troops and pillaging bands on both sides. It was accepted by some of the Kansas soldiers, and soon came to be the name by which all of them were known. It now includes all Kansas people. The origin of the name is unknown, that given by Wilder and Ingalls being erroneous. The name was in use in Texas and the West many years before Kansas was a Territory.

³ Major Plumb sent his brother, George Plumb, in pursuit of Anderson on the morning of August 1st. The guerrillas could not be overtaken. Thomas J. Payne, son of Stephen J. Payne, lives yet at Argentine and has furnished an account of this raid into Wyandotte County.

At three o'clock in the afternoon of the 20th Quantrill moved toward the State-line from a dense wood in which he had been concealed. He crossed the line at the southeast corner of Johnson County, near Aubry, one of Ewing's posts commanded by Captain J. A. Pike, with about one hundred men. Here began that strange list of untoward circumstances which so much aided the guerrillas in their daring raid. General Ewing, in his official report, said:

Unhappily, however, instead of setting out at once in pursuit, he remained at the station, and merely sent information of Quantrill's movement to my headquarters, and to Captain Coleman, commanding two companies at Little Santa Fe, 12 miles north of the line. Captain Coleman, with near 100 men, marched at once to Aubry, and the available force of the two stations, numbering about 200 men, set out at midnight in pursuit. But Quantrill's path was over the open prairie, and difficult to follow at night, so that our forces gained but little on him. By Captain Pike's error of judgment in failing to follow promptly and closely, the surest means of arresting the terrible blow was thrown away, for Quantrill would never have gone as far as Lawrence, or attacked it, with 100 men close on his rear.

Passing Aubry, the guerrillas dismounted and allowed their horses to graze an hour. Resuming their march at dusk they passed through Spring Hill and turned northwest toward Gardner, which they reached at eleven o'clock. Three miles west they left the Santa Fe Trail and marched north several miles. It was necessary to have guides, for which service the farmers were impressed, and when they no longer knew the roads they were shot, ten guides having been killed in one stretch of eight miles. A mile west of the Quaker settlement of Hesper the guerrillas found at home an old man named Stone. He was recognized by George Todd, who brained him with an antiquated musket. Here they found a young German whom they mounted behind one of their number and forced to guide them into Lawrence. The Wakarusa was forded at the Blue-Jacket Crossing, and the old Pro-Slavery town of Franklin was reached at dawn on the 21st of August. There they were marching in columns of four, many of them asleep strapped to their saddles, and were counted by a resident physician, who found them to number four hundred and fifty. In coming up to the summit of the ridge beyond Franklin, the guerrillas straggled, but once at the top the formation was perfected, the column of fours resumed, and the descent upon Lawrence, now in plain view, arranged.

Gregg was sent forward with five men to enter the doomed town and see if it was safe for the army to follow him in. But here some of the bushwhackers lost heart and said the venture was too great. They counseled retreat, or at least a drawing off until conditions were better known. Quantrill said he would enter the town if he had to go in alone, and when he advanced he was followed by the whole command.

Lawrence was unprotected and helpless. Two camps of recruits were her only troops; these numbered less than thirty and were unarmed. The arms provided for the defense of the town had been taken from the

citizens and locked up. Quantrill had been expected often, but had failed to come, and it had become the settled conviction that he would never appear at the gates of Lawrence. But there he was. Gregg found the camp of white recruits as Quantrill came up with him, and it was instantly ridden down and most of the recruits killed. The colored recruits fled at sight of the guerrillas and nearly all escaped. The citizens were aroused by horsemen galloping madly through the streets, and the rising roar of firearms. The Eldridge House was surrendered on promise of protection for the guests, and this promise was kept. Men appeared in the streets only to be shot down. The torch was applied to dwelling and store. Terror seized the men when the situation was



RUINS OF LAWRENCE, 1863

(Photograph of a Wood Engraving in Harper's Weekly, September, 1863.—Donated by Sydney Prentice)

[Copy by Willard of Picture in Library of Kansas State Historical Society]

realized. They were shot as they ran to cover. Or if they were concealed by their wives their homes were burned over them while raving bushmen stood by to murder them if they should try to escape. Stores and liquor shops were looted and burning dwellings ransacked for plunder to carry back to Missouri. Women and children were stripped of jewelry, ornaments, and keepsakes by guerrillas, now drunk and reckless. Husbands were torn from the arms of shrieking wives and murdered. Wounded men were cast into seething flames to die by fire. There was no mercy. While the loot of the town was being packed on horses to be carried into Missouri those appointed to the work of destruction rode headlong, firing with deadly aim and yelling like fiends. When burning buildings fell in on trapped men the air was rent with shouts of exultation. Above the tumult rose triumphant cries for Jeff Davis and the Southern Confederacy. When the town was

destroyed, the loot secured, and not another man in sight to be murdered, Quantrill prepared to leave. Nearly two hundred citizens and non-combatants were dead in the ruins. The vengeance of the guerrilla chief was satisfied. As he was calling in his bloody band his guards came down from Mount Oread and reported pursuing columns approaching. Leaving a detail under Gregg to round up the drunken and unruly, Quantrill hurried south. He left a city in ashes, innocent dead in every street, and hundreds of widows and orphans crying wildly through the gloom or standing hopelessly about their smoldering homes. And on the flag under which he fought he left a blood-stain which only the charity of the sufferers can ever efface.

CHAPTER XLV

THE PURSUIT OF QUANTRILL¹

At eight o'clock on the night of the 20th of August, Captain Coleman, at Little Santa Fe, received a dispatch from Captain Pike, saying that Quantrill, with seven hundred men, was camped on the head of the Grand River, eight miles to the east. Quantrill was, in fact, at that hour approaching Spring Hill, Kansas, twelve miles west of the State-line, and he had been in Kansas at least four hours; and on the prairie near Squiresville his men had dismounted and allowed their horses to graze an hour. A second dispatch from Pike reached Coleman fifteen minutes later. It stated that Quantrill had passed into Kansas with eight hundred men. Captain Coleman at once sent couriers to Kansas City with that information. He also sent a messenger west to notify the towns of the presence of the guerrillas. He hurried with his men to Aubry and assumed command there. This gave him about one hundred and eighty men, and at midnight he took the trail of the guerrillas.

The first courier of Captain Coleman arrived at Kansas City at eleven-thirty, and the second courier came in an hour later. General Ewing was absent, having gone to Leavenworth. Major Plumb, as Chief-of-Staff, was in command. As soon as possible after the arrival of the second dispatch he was on his way to Kansas with seventeen men—all the mounted men immediately available at Kansas City.² At Westport he added thirty men to his command. The dispatch of Captain Coleman—that Quantrill had entered Kansas with eight hundred men—was the only information he had of the situation. At daylight on the morning of the 21st he arrived at Olathe. There he found the garrison in arms, the men having been roused by the long roll on the arrival of Captain Coleman's courier. While he was making in-

¹ Ewing and Plumb were both severely criticised at the time and for years afterwards. For that reason the pursuit of Quantrill is treated at length. No one should be shielded. The writer made a personal examination of the country through which the pursuit was conducted, and sought every source of information on the subject that the facts might be written here.

² For the exact time of the arrival of the dispatches at Kansas City see the official report of General Ewing, *Rebellion Records*, Series I, Vol. XXII, Part I, p. 579. In the same volume, immediately following the report of General Ewing, will be found all others relating to the Quantrill raid.



quiries a great column of black smoke boiling like a thunder-head shot into the sky far to the westward. Observing it a moment, he turned to his men and said, "Quantrill is in Lawrence." Lieutenant Cyrus Leland, Jr., was at Olathe, and was given permission to join the pursuit. Taking the few mounted men found at Olathe, Major Plumb rode across the country straight for Lawrence. He sent George Plumb with a few men to alarm the people living along the Kansas River, believing the guerrillas might try to return to Missouri that way.³

At Blue-Jacket Crossing of the Wakarusa, some six miles south-east of Lawrence, with but thirty men remaining, his force having been reduced by details to scout and carry dispatches to Kansas City, Plumb found Captain Coleman just ahead of him.⁴

Clouds of dust and columns of smoke south of Lawrence indicated that Quantrill was retreating on the Fort Scott road and laying waste the country. Plumb took command of Coleman's force. He recrossed the Wakarusa and made all haste south to the Santa Fe Trail at Baldwin, which point he reached ahead of the guerrillas, his appearance saving it and Prairie City from the torch. The sky was without a cloud, the day calm and still, the country parched and dusty, and the heat excessive. The gallop of twelve miles from the Wakarusa to the Santa Fe Trail completed the exhaustion of the horses, all of which had made more than sixty-five miles without rest.⁵ Some horses had dropped dead in the road ascending the divide traversed by the old Trail.

After burning most of the houses in and about Brooklyn, Quantrill, driven by fear of Lane who was pressing his rear, started down

³ Samuel Boies, of Lawrence, was saved by Quantrill to drive the ambulance carrying the guerrillas wounded there. He escaped. He says, in *Kansas City Journal*, August 29, 1863:

"Quantrill avowed his intention to march to Osawatomie, laying everything waste as he went. At Rothrock's, or Ulrich's, where he stopped to water his horses, Lane first came up with the pursuit, and as Quantrill's men were off the road to the west, Quantrill first thought they would be able to head him off. In that case, he avowed his intention of turning back and marching down the Kaw Valley to Missouri."

⁴ Thomas Barber, Company C, Eleventh Kansas, has said to the author that Plumb sent a number of dispatches to Ewing at Kansas City and that these were sent to Leavenworth. Major Martin Anderson, Eleventh Kansas, went in pursuit of Quantrill on the 21st, and Barber was with him. They met a courier with a dispatch from Plumb, which urged Ewing to place troops along the State-line, and Plumb supposed that Ewing would be in Kansas City as soon as he could return from Leavenworth.

Captain Coleman and Major Plumb both crossed the Wakarusa. In a letter to his mother, written August 29, 1863, Cyrus Leland, Jr., said, "Major Plumb came up with Captain Coleman just east of Franklin."

⁵ In his official report General Ewing says:

"By this time the horses of our detachments were almost exhausted. Nearly all were young horses, just issued to the companies, and had marched more than sixty-five miles without rest and without food."

the Santa Fe Trail towards Baldwin. From a high point in the road he saw Major Plumb's column marching up the Santa Fe Trail to meet him. Quantrill left the Trail and turned to the south to avoid Plumb, intending to regain the Trail at Baldwin; but after having gone a mile he decided that this could not be done. The guerrilla leader was disconcerted, and after a hurried conference with his guides and captains, retraced his course to a point near Brooklyn, where he turned south on the Fort Scott road. From the point where he turned back he sent a scouting party to reach and destroy Baldwin and Prairie City if possible, and in any event to keep between Plumb's men and the guerrillas.⁶

When the guerrillas were pushed off the Santa Fe Trail the citizens led by Lane in pursuit kept to the road until they met the Union troops. Whether Lane and Plumb met at this time is not clear.⁷ The militia regiment of that region was rapidly assembling. Sandy Lowe, Colonel of the Twenty-first Kansas Militia, had summoned his men and joined the pursuing citizens.⁸ After a brief conference Plumb divided his command, sending Captain Coleman to fall on the guerrilla rear, and intending himself to go with the militia south to a ford on Ottawa Creek to stand across the road. When Plumb started from Kansas City, he sent an orderly to the quarters of Lieutenant John H. Singer with an order to form his men and follow into Kansas. Singer made a rapid march on the trail of Plumb, coming up while the conference was in progress. Plumb inquired how many horses Singer had that could still trot, and sixty were found. They were given to Captain Coleman who secured in his own command enough in addi-

⁶ Statement of Captain William H. Gregg, who always speaks of the site of Brooklyn as Black-Jack Point. Whether this is the real Black-Jack and the name was given later through ignorance to those groves some miles east where John Brown captured H. Clay Pate is not known.

⁷ Cyrus Leland, Jr., is positive they did not meet here. Lieutenant John M. Singer is fully as positive that they did. He says that a little south of this point he heard Lane urging Plumb to turn the troops over to him—Lane—and that some high words passed when Plumb refused. It is certain that Lane demanded of Plumb the command of the troops. Lane was, for some cause, far behind his citizens when they charged through the lane following Captain Coleman, and his controversy with Plumb would account for the detention.

⁸ Lowe had been active in the border wars as a loyal man. Because of an indignity to which his wife had been subjected by the guerrillas he made the war a personal matter. It is said that he slew from time to time the twenty-eight guerrillas, mostly by assassination, who mistreated his wife and child. Three of his companies were about Baldwin; and that of Captain Jackson Bell, of Black-Jack. William W. Junkin, of Baldwin, was in Captain Pingree's Company. He said to the author that Colonel Lowe did not succeed in getting many of his men together. The time was too short. Junkin captured a guerrilla and took him to Lowe, who immediately shot him dead, saying as he did so: "That makes forty of them I have killed. I had killed thirty-nine before this one." His act and the reflection he expressed thereon seemed to give him immense satisfaction.

tion to make two hundred men. With these he charged through the lane running north of William C. Black's house to the Fort Scott road, and was followed by the citizens who had come with Lane, and others under Leland. This left Plumb with about one hundred soldiers on horses which could not be forced into a trot because of exhaustion. With these and Colonel Lowe's militia he started south to form the ambush at the crossing of Ottawa Creek. At Prairie City he heard the firing and uproar of Captain Coleman's charge on the guerrillas, and finding that it would be impossible for him to keep up with the militia on the way to the ford, he turned west and went to Captain Coleman's aid. He arrived at the Fletcher farm as Captain Coleman was driven back through the cornfield, and checked the guerrillas, who did not cross the north fence.

Passing to the south of the field, Quantrill gave Captain Gregg, a rear-guard of sixty men and ordered him to remain facing the field until the guerrilla force had crossed Ottawa Creek, after which he followed them. The ford was not more than half a mile from the cornfield, and was not the ford on the main road, which was some five miles away.⁹ It was necessary for Major Plumb to reform his troops for the pursuit, putting those in front who had horses that were still able to trot, and these were mostly the militia and citizens under Lieutenant Leland. They charged the guerrilla rear-guard many times that afternoon, but when the cavalry would appear Captain Gregg would retreat through a second line which he kept always back of him, then form across the road near the retreating column. The Federal soldiers were from a mile to three miles in the rear all the time. Major Plumb's horse failed from heat and exhaustion in the afternoon, and George Plumb took one for him from a farmer. After he got this fresh horse Major Plumb rode much with Leland.¹⁰ "Quantrill rode forward and asked the guide where he was taking them to," says Boies. "The guide replied that the town before them was Morristown, Missouri. Quantrill looked a moment and then cursed the guide, telling him that the town was Paola; that a heavy force was there, and

⁹ The heavy traffic between Fort Leavenworth and Fort Scott to supply the army of General Blunt went over this Fort Scott road. The teamsters drove over the best ground they could find. South of the Fletcher farm there were numerous branches of this road—all crossing Ottawa Creek at different points. The author went twice in the fall of 1910 to find the ford at which Quantrill crossed. He found five fords at which it is claimed Quantrill crossed. All of these fords were in use in the summer of 1863, and it was impossible for the militia to know where Quantrill would cross or which ford to ambush. If they were at any ford it was at one Quantrill did not use, for there is no account of any opposition at a ford. Captain Gregg saw Quantrill enter the timber at the ford before he started to follow him, and says that Quantrill would not have ordered him to face the Federal troops with only sixty men until he was five miles away. George Plumb says the guerrillas crossed Ottawa Creek near the field on the Fletcher farm.

¹⁰ See Leland's official report, *Rebellion Records*, Series I, Vol. XXII, Part I, p. 592. General Lane was also at the front most of the time.

they would be cut to pieces if they proceeded." This occurred on top of the "Big Hill," a mile and a quarter west of Bull Creek, which runs on the west side of Paola. While the guerrillas were halted there, the militia came up and charged them. Quantrill turned his whole command, rode back, met the charge and fought the militia, which held the guerrilla force ten minutes, hoping the cavalry would be able to come up, but had finally to fall back. After a brief council with his officers, at the top of the hill, Quantrill left the road, going up Bull Creek and away from Paola. It was dark before Major Plumb again reached the top of the hill. There was not a guerrilla in sight, and supposing that Quantrill had gone into Paola, he marched in that direction.

In the afternoon Ben Ellis had arrived at Paola and alarmed the citizens. Captain B. F. Simpson was at home, and he set about the defense of the town. There were but twelve soldiers there. About four o'clock Captain Nicholas Beuter, Company C, Twelfth Kansas, arrived with his company. Simpson got as many citizens as he could, and by dark he had about three hundred men and soldiers under arms. Scouts reported the guerrillas approaching, and Simpson decided to ambush them at the ford of Bull Creek. There was no water in the ford, but for a hundred yards immediately above it there was a stretch of deep water lying parallel with the road, shallow next to the road and deep on the east side against a high, steep bank, on the top of which grew a thicket of willows. Simpson believed that after the day's march over the waterless prairie the horses of the guerrillas would become unmanageable when they came to this pool and crowd in to drink. He formed his men in the willows along the top of the steep bank, intending to fire when the horses had rushed into the water. Shortly after the ambush was formed two hundred more soldiers arrived, and these were posted in ambush also, but nearer the ford. Simpson sent six men to scout along the road towards the Big Hill. They returned a little ahead of Major Plumb's command, which was advancing along this road towards Paola—very little ahead of it. They reported that there had been a battle on the Big Hill, and that the guerrillas were following and would be on them in a minute—supposing Major Plumb's men to be the guerrillas. Simpson made his final arrangements to deliver an effective fire and follow it with a vigorous attack on both flanks of the guerrilla column. Major Plumb's men reached the creek, and their horses did exactly what Simpson had expected those of the guerrillas to do—rushed into the water and threw the whole line into confusion. In trying to prevent this Major Plumb gave orders in a loud voice. Simpson recognized Plumb's voice as he was giving the order to fire, and called out—"Is that you, Plumb?" "Yes," said Plumb, as he recognized Simpson's voice. Thus by the merest chance were the Union troops saved from the ambush designed for the guerrillas.

Plumb was told that the guerrillas had not appeared at the ford. The Union forces then went into Paola, finding there Lieutenant-

Colonel C. S. Clark, the ranking officer, and also in command of all the forces south of Little Santa Fe. Plumb's authority ceased. When Clark took the direction of affairs all vigor was lost. Scouts located Quantrill's camp five miles north of Paola, and the troops wished to attack him there but Clark would not permit it to be done, though he had at least four hundred men who were comparatively fresh.

It was daylight the morning of the 22d when he left Paola, and he was fifteen miles behind the guerrillas. He came in sight of them four or five miles east of the State line, but they retreated, leaving their wounded. General Ewing said, "There has been no failure to exert every possible effort to catch Quantrill, except at Paola, Friday night, when a great occasion was lost."¹¹

At ten-forty-five A. M., on the 21st, General Ewing received dispatches from Major Plumb. At Fort Leavenworth there were five companies of an Ohio regiment outfitting for Fort Laramie. These were armed at once. At one P. M. General Ewing started from the fort. He crossed the Kansas River at De Soto, being delayed five hours in getting his men over. He, too, complains of the awful heat of that day, saying that: "Four men of the Eleventh Ohio were sun-stricken, among them Lieutenant Dick, who accompanied me, and who fell dead on dismounting to rest." At Lanesfield, Johnson County, General Ewing spent the night of the 21st. On the morning of the 22d he heard that Quantrill had passed east. Then he left his command and followed the pursuing troops into Missouri, coming up with them five or six miles east of the State-line, after which the pursuit was directed by him. He and General Lane had a number of stormy interviews, and there is no doubt that the forthcoming Order 11 was discussed by them.¹²

¹¹ *Rebellion Records*, Series I, Vol. XXII, p. 447.

¹² Order No. 11 is the most famous order issued on the border during the Civil War. There are conflicting accounts of how and where it was written. There is evidence that in the field on the morning of August 22d Senator Lane exacted from General Ewing a promise that the order should be issued. Senator Stephen B. Elkins told the author that the order was written at the house of Solomon Houck, at Westport, Mo., and that he and Senator Plumb were present when it was written. Mrs. Nannie Harris McCorkle, a prisoner in the military prison for women at Kansas City, told her sister, Mrs. Eliza Deal, that Major Plumb wrote the order—that he was directed by General Ewing to write it and did so. Following is a copy of "General Order No. 11":

"KANSAS CITY, MO., AUGUST 23, 1863.

"All persons living in Jackson, Cass and Bates Counties, Missouri, and that part of Vernon County included in this district, except those living within one mile of the limits of Independence, Hickman's Mills, Pleasant Hill and Harrisonville, and except those in Kaw Township, Jackson County, north of this creek and west of the Big Blue, embracing Kansas City and Westport, are hereby ordered to remove from their places of residence within fifteen days from the date hereof.

"Those who within that time prove their loyalty to the satisfaction of the commanding officer of the military station nearest their present

places of residence, will receive from him certificates stating the fact of their loyalty, and the names of the witnesses by whom it can be sworn. All who receive such certificates will be permitted to remove to any military station in this district, or to any part of Kansas except the counties on the eastern border of the State. All others shall remove out of this district. Officers commanding companies and detachments serving in companies will see that this paragraph is promptly obeyed.

"All hay or grain in the field or under shelter, in the district from which the inhabitants are required to remove, within reach of the military stations after the 9th of September next, will be taken to such stations and turned over to the proper officers there, and a report of the amount so turned over made to the district headquarters, specifying the names of all loyal owners and the amount of such produce taken from them. All grain and hay found in such districts after the 9th of September next, not convenient to such stations, will be destroyed."

CHAPTER XLVI

THE PRICE RAID

The Price raid started from Southern Arkansas. In General Kirby Smith's letter of directions to General Price, St. Louis was made the objective point, the enlistment of recruits the chief end, and the devastation of Kansas a special injunction.¹

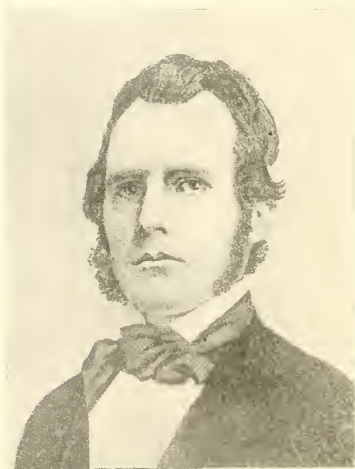
The expedition entered Missouri from Pocahontas, Arkansas, and was met at Pilot Knob, Missouri, by General Thomas Ewing, Jr., of Kansas, and with an inferior force there detained until the attack on St. Louis became impracticable. At Franklin, Missouri, the raid turned in the direction of Kansas.

Major-General Samuel R. Curtis was in command of the Department of Kansas, with headquarters at Fort Leavenworth. In September, 1864, the frontier was threatened by Indians. In order to subdue them General Curtis had taken to the Plains every soldier the border could spare, and, leaving General Blunt to continue the campaign there, he returned. He reached his headquarters on the 17th of September, when he first learned of the approach of General Price. He saw the danger to Kansas. General Blunt was called in, and Governor Carney was induced to order out the Kansas militia. The campaigns for State and national elections were in active progress, and, seeing that the call for the militia was likely to produce little help because of that fact, General Curtis, on the 10th of October, placed Kansas under martial law; and on the same day he appointed as a member of his staff General James H. Lane, then United States Sen-

¹ See *Rebellion Records*, Series I, Vol. XLI, Part I, pp. 728-9. None of these things was attained. The need of more men west of the Mississippi was made most emphatic, but before he had reached Jefferson City General Price had decided not to issue a proclamation calling for more recruits.—Id., p. 633.

General Blunt believed the invasion of Kansas to be the real purpose of the raid. See Id., pp. 580-1. While General Price was enjoined in explicit terms from pillage, this seems to have been the main achievement of the expedition. No other such train of plunder was ever gathered in Missouri as General Price collected and did his utmost to preserve and carry out with him. It was taken from friend and foe alike. This is said on the authority of *Shelby and His Men*, by Major John N. Edwards, General Shelby's Chief-of-Staff and historian of the Shelby brigade. In that work appears a long arraignment of General Price by Thomas C. Reynolds, then Confederate Governor of Missouri.

ator. On the 11th General Blunt arrived at Olathe and assumed command of the army, designated the Army of the Border. He found Kansas militia assembled to the number of twelve thousand (afterward increased to sixteen thousand) patriotic men anxious to battle to save the State from invasion. But political intrigue neutralized the support the militia stood ready to render and even made its presence a menace. Governor Carney owed his election to General Lane, but had fallen under the influence of Lane's political enemies, who were



GEN. STERLING PRICE

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bitterly opposed to the re-election of President Lincoln. They exerted themselves to the utmost to embarrass and render futile every movement of the Union forces. In this crisis they came forward and denounced the demand for militia as a scheme originated by General Lane to take the citizens of Kansas out of the State and keep them beyond its borders until after the election. They pretended to believe these citizens were opposed to President Lincoln, that Lane knew it, and their absence in the field would enable him to carry the State for the President. Governor Carney controlled a newspaper, as did

ex-Governor Robinson, and these papers ridiculed the possibility of the presence of General Price in Missouri.²

When it could no longer be denied that General Price was moving toward the Kansas border General Carney and his adherents insisted that the militia should not cross the State-line into Missouri, and that it should not be subject to the orders of General Curtis, but should remain in Kansas and take orders only from Governor Carney and his officers.³

The appointment of General Blunt to the command of the Army of the Border was an incident favorable to Colonel Moonlight. He had been Blunt's chief-of-staff in 1862 and had great influence with him. On the 12th of October Moonlight sent Plumb the following dispatch:

PAOLA, KANS., OCTOBER 12, 1864.

Colonel Plumb:

Concentrate your entire command (cavalry) on Blue, a little north of Aubry. I will be there to-night. Strike all the tents and send them with camp equipage to Olathe, leaving one wagon with each company, with rations, such cooking utensils as are necessary, and all the ammunition on

² On the 20th of October, after the battle of Lexington, an editorial appeared in the *Leavenworth Conservative*, a loyal daily paper, which said:

"The *Times* appears to have discovered the astounding fact that Price and his forces are south of the Arkansas River, and that Jim Lane is perpetrating a great humbug upon the volunteers of Kansas. . . . The effort upon the part of the Copperheads of Leavenworth and upon the Governor's staff, to induce him to order the militia home, even without consultation with General Curtis, is one of the boldest steps that has yet been put forth by the opposers of the administration. . . . The howl of petty politicians that the General of a Department is intriguing with Lane for political purposes is absurd."

³ See *Rebellion Records*, Series I, Vol. XLI, part I, official report of General Curtis; also pp. 572-3. General Blunt, on the 16th of October, arrested Brigadier-General Fishback and Colonel Snoddy, of the militia. In his official report General Blunt says he did not inflict on them the death penalty because he knew "that they were the instruments selected by the Executive of Kansas, and others, their superiors in the military organization, to carry out their mischievous and disgraceful designs." General Curtis, in an effort to avoid the appearance of harshness, restored Fishback to his command. Snoddy's regiment elected James Montgomery Colonel and did good service.

Governor Samuel J. Crawford, then a volunteer on the staff of General Curtis, in his *Kansas in the Sixties*, published in 1911, has much to say on this subject. Governor Crawford participated in the councils of the officers and in the operations in the field, and speaks from personal knowledge. He says:

"If, at the proper time, General Curtis had arrested a half dozen politicians in the militia-camp and sent them to Fort Leavenworth in irons, and at the same time shot one or two militia brigadiers from the cannon's mouth, he could have had an invincible army of 15,000 men—infantry, cavalry and artillery—in line confronting Price when he crossed the Blue on the 22d. But instead most of them were away at a distance where they could be of no assistance. . . . I say that such mutineers should have been put in irons and shot before breakfast."

hand and blankets. Concentrate rapidly. General Blunt desires that you remain at Olathe in command, with your staff, etc., until we are ready for the fight. I will send for you. You shall have your share, certain.

T. MOONLIGHT, Colonel.⁴

Plumb, then Lieutenant-Colonel, did not escape the fate of the officer popular with his men, and jealousy of him was sometimes shown. He believed he saw in this dispatch an intention to ignore him as far as possible in the coming campaign. He sent General Blunt the following:

OLATHE, OCTOBER 12, 1864.

Major-General Blunt:

My command is all concentrated on the Blue near the line. Fortifications here all completed; guns mounted and manned; muskets and ammunition all issued. There seems to be nothing further for me to do here. I would respectfully ask permission to join my command this evening or early in the morning. About 600 Douglas County militia in and many more coming.

P. B. PLUMB, Lieutenant-Colonel.⁵

Blunt referred the matter to General Curtis; and Plumb was permitted to join his regiment, at the front, and was frequently in command of it during the campaign.

The brigades of the Army of the Border were formed at Hickman's Mills on the 15th of October. The Second Brigade was composed of the Eleventh Kansas, two companies of the Fifth Kansas, two companies of the Sixteenth Kansas, and four mountain howitzers. Colonel Moonlight was put in command of the brigade, and on the 16th marched to meet General Price and develop his position. Lexington was occupied on the 18th. All the forces of Price were rapidly concentrating in that region. As the Union officers were sitting down to dinner on the 19th Captain L. F. Green, Company B, Eleventh Kansas, entered and reported that he had just been driven in, and that Price's army was at hand. General Blunt instantly ordered every officer to horse. It was not expected that the Confederate advance could long be checked at Lexington. Colonel Moonlight was given command of the rear. At midnight, after twelve hours of constant battle, the last stand was made at the crossing of the Sni, east of Wellington.⁶ At nine o'clock on the

⁴ See *Rebellion Records*, Series I, Vol. XLI, Part III, p. 824.

⁵ Id., p. 824.

⁶ Of the actions of Plumb in the retreat from Lexington, Captain B. F. Simpson gives the best account yet found:

"The rear-guard, under Moonlight, formed in the timber on the hill immediately west of Lexington. The Confederates were now in range, and fire was opened on them. Many saddles were emptied; but it was not the intention of Moonlight to try to hold the hill. He did not retreat until the enemy was almost on him, when he took his command down the north slope of the hill in good order. Plumb and I were among the last to leave the field. The road down the hill was worn or cut down into a limestone ledge, and was sunk three or four feet into the ledge in some places, and there were perpendicular banks or walls on the sides.

20th General Blunt's forces took position on the west bank of the Little Blue River, eight miles northeast of Independence.

General Blunt wished to fight a decisive battle at the Little Blue, General Pleasanton was pressing Price's rear, and if Blunt could have had his way, the Confederate army might have been destroyed at the Little Blue. The plans of General Blunt could not be met, for Governor Carney and his politicians still insisted that General Price was not in Missouri at all, and that all the military movements of General Curtis were the result of Lane's scheming for political advantage. In fact, Governor Carney prepared a proclamation disbanding the militia the very day General Blunt formed his line along the Little Blue.⁷

About half-way down there was a square turn to the west, where the walls on either side were about six feet high—solid rock. As Plumb and I reached this turn a caisson came upon us and tried to make the turn and pass us. It cramped and almost turned over, pressing us against the wall at the outer corner, and we were unable to extricate ourselves. We were pinned and pressed against the wall.

"The Confederates were following us down the hill, and when in revolver range opened fire on us. Every minute they came closer, and the bullets were striking on the iron tires of the caisson wheels. We thought we were lost, but Moonlight in some way learned of our plight and charged up the hill. He drove the rebels back and held them until the caisson was taken out and Plumb and I released from our perilous position.

"We rode on after our command and were about the last of our force. At the crossing of Sni-a-bar Creek, three or four miles east of Wellington, there was a bridge. It was an old-fashioned wooden structure, boarded up the sides and roofed over with shingles. Just east of this bridge we came up with a soldier-boy, mounted and leading a horse. Plumb said the bridge ought to be burned, to which I agreed. We had matches and we cut shavings from the timbers and tried to start a fire. We had dismounted and given our bridle-reins to the boy. The rebels came up and opened fire on us, and the horses reared so that the boy could not hold them. Plumb told me to take our horses on through the bridge and wait for him until he got the fire going. I took the horses to the west of the bridge and led them into a depression out of the way of the rebel firing, which was beginning to be hot. The boy followed me, but I told him to go on and not wait for us. The firing was soon so heavy that Plumb could not remain on the bridge. The rebels were up to the entrance. It was run or be captured, and Plumb came running out at the west end, inquiring where the boy was. I told him the boy was safe and away ahead. Then we mounted our horses and escaped. The small fire Plumb had been able to start was put out by the rebels, and the bridge was not burned."

⁷ See the *Leavenworth Daily Conservative*, October 26, 1864; it says:

"The deliberate labored attempt of the Governor, his subalterns, his satellites, his paid scribblers, and his unscrupulous adherents, to create sedition in the camp, distrust for our Generals, and political capital for himself and his motley crew has not failed to attract the attention and provoke the unmeasured condemnation of every true and honest man.

"The General commanding the Department calls for reinforcements; the Governor and his bolting Copperhead crew, while apparently complying with his request, take pains to tell our soldiers there is no enemy at the front, and while our soldiers were facing death on the field on Thurs-

LITTLE BLUE

General Price did not reach the Little Blue until the morning of the 21st of October. Because of the attitude of Governor Carney, General Curtis did not intend that any general engagement should be fought there. The Eleventh Kansas had been left at the crossing with orders to detain the enemy as long as it could do so with safety, then burn the bridge and retire in the direction of Independence. Colonel Moonlight's resistance was much more stubborn than had been expected of him. He held the line as long as possible, setting the bridge on fire and falling back slowly only when Price's cavalry had appeared in force on both his flanks. At this juncture General Blunt came on the field with reinforcements and made an effort to halt the advance of General Price. A part of the field taken from Moonlight was regained. General Curtis and General Lane both went to the front, but Curtis was induced to return to Independence.

All that day Price was slowly pushing Blunt back, and it required almost his entire army to do it. General Blunt had but thirty-five hundred men of all arms—perhaps not so many. They hugged fences, sought skirts of timber, utilized ditches and highways, and stood behind stone walls. For some time the Eleventh Kansas was out of ammunition and held its position by defiant cheers.⁸ Two miles back from the Little Blue a stand was made at the Massey farm. There the Eleventh was fiercely attacked, lost a number of men, and Major Ross had a horse killed. While supplying the Major with another horse, Captain B. F. Simpson saw Plumb with a company of skirmishers far out in advance of the battle-line. A strong position was taken at the Saunders farm, three miles west of Massey's and this was held until night. From this point General Blunt sent Lane to Independence to tell Curtis that the Big Blue would have to be the line on the 22d.⁹ Late at night the Union forces crossed the Big Blue and took position in such defensive works as had been constructed there. The line extended south from the Missouri River to Hickman's Mills along the west bank of the Big Blue River, although the main body of the army covered a space of some six miles only.

THE BIG BLUE

In 1864 Byram's Ford, on what is now Sixty-first Street, Kansas City, was the principal crossing on the Big Blue. It was the most important point held by the Union army, and it should have been guarded by a good

day, the Governor actually prepared his proclamation to disband the militia."

⁸ See *Rebellion Records*, Series I, Vol. XLI, Part I, p. 592, official report of Colonel Moonlight.

⁹ These details were furnished by Captain B. F. Simpson, Paola, Kansas. He was first directed to carry the dispatch to General Curtis, but General Lane believed that some other man should be sent, Simpson being then boyish in appearance. Lane was sent to confer with Curtis.

soldier. By the intrigues then distracting the councils of the Army of the Border, Colonel C. R. Jennison, Fifteenth Kansas, had secured command of the First Brigade, and he was put in command of the troops defending Byram's Ford on the morning of the 22d of October.¹⁰ About noon he was attacked by a heavy force, and before three o'clock he was driven back and lost the key to the Union position. His failure to hold Byram's Ford lost the day to General Curtis, as its capture turned the right flank of his army, crushed the right wing and caused it to take a new position just outside of Kansas City. General Price camped on the south side of Brush Creek, a small stream running east a mile south of Westport.

The Eleventh Kansas was holding a ford above that guarded by Colonel Jennison. Seeing the Confederate army pouring through the gap made in the line by his defeat, and, knowing there was nothing to prevent its entering Kansas, Colonel Moonlight marched by double-quick to the State-line, south of Westport. There he formed to check the Confederate advance. Colonel Plumb, with four companies of the Eleventh Kansas, drove back Jackman's brigade, and did it in a manner that called forth compliments from all who saw it. It was dusk. In speaking of it many years later Colonel Moonlight said:

This charge was under the immediate command of Lieutenant-Colonel Plumb, of the Eleventh Kansas Cavalry, with one wing of the regiment, and it was one of the neatest and prettiest movements of the campaign. The charge was made with a line almost as straight as on dress parade, and with a dash and vim, the boys cheering as they flew along the prairie into the ranks of the enemy.¹¹

This charge was considered an event in the annals of the Eleventh Kansas, and is thus described by a comrade of Colonel Plumb.¹²

Jackman's brigade was marching through the gap and had to be stopped else the Confederate army would pour over the State-line into Kansas. To check this advance was now the work of the Eleventh Kansas. The Confederates marched steadily northwest until they came in view of the Eleventh. At that instant Colonel Plumb with four companies was beginning his advance towards the rebels. Seeing this the Confederates stopped short and formed a line of battle facing Plumb,

¹⁰ Jennison had been commissioned Colonel of the Seventh Kansas by Governor Robinson in the fall of 1861. His murderous forays and plundering proclivities coming to the attention of the authorities, he was forced to resign in March, 1862. So proficient was he in lifting livestock that the pedigree of many a horse found in Kansas in that day was tersely expressed in "out of Missouri by Jennison." After the Lawrence Massacre Governor Carney, then under the influence of those opposed to General Lane and to the re-election of President Lincoln, commissioned Jennison Colonel of the Fifteenth Kansas. This same influence pushed him to the front in the campaign against General Price. He was a Federal guerrilla.

¹¹ Letter in the *Leavenworth Standard*, December 3, 1881.

¹² Walter Wellhouse, Company A, Eleventh Kansas, late Secretary Kansas State Horticultural Society.

who took his men across the State-line to a little valley, and when his men were directly opposite the enemy, he halted them, faced about, formed his line and charged up the hill, his men cheering and firing at will after the first volley. The flashes of Plumb's guns were like fire-flies on a damp night in summer. Jackman's brigade was swept from the field, and no further attempt was made by the enemy in that quarter.

COLONEL VEALE'S REGIMENT

The disaster to Colonel Veale's Regiment is best described in his official report :

HEADQUARTERS SECOND REGIMENT, K. S. M.,
TOPEKA, OCTOBER 30, 1864.

To Maj. Gen. George W. Deitzler, Commanding Kansas State Militia.

Sir— . . . On the morning of the 21st October, I received orders



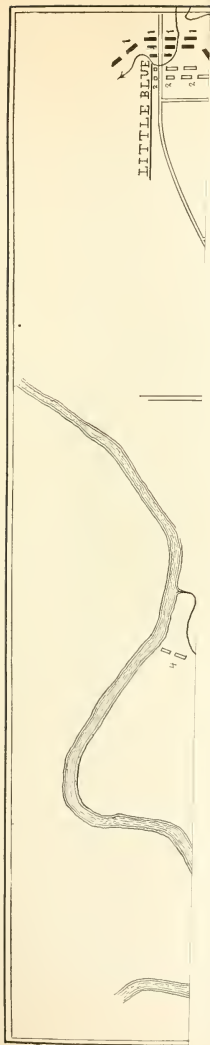
BATTLE OF BIG BLUE

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from Gen. Grant to move with my command to the crossing of the "Blue" on the Kansas City & Hickman's Mills road, about four miles from the Kansas State line, which order I complied with—camping on the Blue that night.

The next morning, the 22d, at sunrise, I received an order from Gen. Grant, informing me that he could not reach me very early in the day with the remainder of his command, on account of necessary delay in issuing arms; and directing me to fall back and join the forces at Byram's Ford. I accordingly withdrew from the crossing to the prairie, some two miles distant, where I left Lieut. Col. Green in command, and took twelve men and went down through the timber to Byram's Ford. I went myself, because I knew the country well. I found Col. Jennison with his regiment—the Fifteenth Volunteers—and also the Jefferson County Regiment, K. S. M., and several pieces of artillery. This was about three miles from where I left my command.

I went immediately back to move my command down, but on my arrival, I found Gen. Grant with his other forces had come up. I told



him what I knew of the country, and where our troops were. He said we should remain there for the present.

Very soon a messenger arrived from Gen. Curtis with a dispatch, stating that the enemy was moving in strong column up the "Blue," and directing him (Gen. Grant) to send scouts to Hickman's Mills to see if the enemy was moving south on the Pleasant Hill road, and report to him every thirty minutes.

I was asked by Gen. Grant to take the battalion of my own regiment, the Second, and make the reconnoissance. I moved off immediately and met some troops coming from there as I went over, but saw nothing of the enemy.

About one mile south of the "Blue," at a point where I could overlook the whole country, I ordered a halt and fed my horses. In a few minutes the General and his staff rode up. Here we were immediately joined by Col. Lowe of our brigade and then by Maj. Laing of the Fifteenth Volunteers with four companies.

A few moments were spent in consultation, when Col. Lowe and Maj. Laing moved south and east on the road to look for the enemy.

Gen. Grant directed me to move back to the north side of the "Blue," which I did—the General and staff riding in advance.

Soon after crossing the stream, we met a messenger who told us that fighting was going on up the prairie. The General pushed forward rapidly for about a mile, to where he found my artillery in the lane unsupported, with the enemy in his front. The battalion of the Douglas County Third, under command of Capt. Hindman, had fled. The Wyandotte County Battalion, and the battalion of the Thirteenth K. S. M. had been driven from the field.

Gen. Grant ordered me to form a line of battle, which I did, and as soon as this was done, commenced the fight. Capt. Burnes opened on the enemy at the same time with the battery, and, after obtaining the proper range, did fearful execution—opening the enemy's ranks and hurling them from their horses in great numbers.

Capt. Burnes is deserving of special praise for coolness and gallantry—standing as he did by his gun until taken prisoner himself, and every man in his command either wounded, killed or taken prisoner.

My first line of cavalry broke when fired on, and some of the men fled in confusion, but with the aid of my brave and gallant officers, it was soon restored, and maintained its ground with stubborn and unfaltering courage.

We fought Jackman's brigade of Shelby's division—six times our number—for three-quarters of an hour, actually driving at one time his whole center in confusion from our front. But it was soon doubly strengthened and charged upon us in double column, flanking us at the same time both on the right and on the left, forcing us back in disorder to the south side of the Blue, where we found Col. Lowe and Maj. Laing with their commands, who should have supported us in the fight, as should the commands of Johnson, Guilford and Hindman. Had they done so the result would have been different. As it was, my command was sacrificed, being ordered to fight six times my numbers of Price's veterans and bushwhackers with raw militia.

It is not for me to say upon whom rests the responsibility of scattering our forces in such a manner as to preclude the possibility of concert of unity of action. I can only say that I acted under orders, and by so doing lost twenty-four brave Kansans killed, about the same number wounded, and sixty-eight taken prisoners, among them four officers; also one twenty-four pounder howitzer and 100 horses.

The enemy's loss in killed and wounded in this engagement was very

heavy, as our prisoners passing over a portion of the field a few moments after the battle, counted forty-three dead rebels.

While my loss is very severe, I have to thank God that the bold stand taken by my brave men gave the enemy an afternoon job which detained them from marching into Kansas; and the next morning they were confronted by an army that neither yielded them ground nor spared their ammunition, but put them on a hasty retreat southward; and thus Kansas was saved.

On the morning of the 24th, we gathered together our dead (our wounded having been already cared for) and took them to Kansas City, where we obtained coffins for them, and on the morning of the 25th we buried them in Wyandotte—on Kansas soil. From there we marched home to meet our mourning friends and tell the sad story of the fallen.

WESTPORT

General Curtis was greatly discouraged by the result of the battle of the Big Blue; it proved that little of the Kansas militia would be permitted by Governor Carney and his advisers to fight under Federal officers.

In the hope that he might secure better results by fighting on Kansas soil Curtis decided in the afternoon of the 22d to retire across the Kansas River at night; and he then sent his ammunition and supply trains to Wyandotte, now Kansas City, Kansas. Later he crossed the line himself¹³ and was found in camp six miles west of Wyandotte. From this point he was prevailed on to return late at night to Kansas City for a council of war with his officers. This council opposed the retreat into Kansas, as it meant for one thing that Kansas City would be looted if not sacked; but General Curtis held out long for that action. He was not so much to blame. He had about four thousand volunteer troops and some sixteen thousand Kansas militia, the latter so hampered that it had been able to render little service. The fighting had been done principally by the volunteers. He had no hope of better results in future fighting with the militia officers acting independently of his orders, each regiment for itself. That afternoon Colonel Sandy Lowe, Twenty-first Militia, had stood by and seen Colonel Veale's regiment cut to pieces, not daring to aid his fellow-officer in the absence of express orders. The politicians about Governor Carney were urging General Curtis to fall back into

¹³ Among other proof on this point, of which there is much, is the statement of Charles Waring, of Manhattan, Kansas, June 21, 1910. Waring was in Company G, Eleventh Kansas. At the time of the Price raid he was serving in the band of General Curtis. This band furnished the music at the funeral of Major J. Nelson Smith, Second Colorado, who was killed in the battle at Little Blue, and buried Saturday afternoon, October 22d, in a cemetery between Westport and Kansas City. General Curtis attended the funeral, but left before the ceremonies were ended, ordering the band to follow him to Wyandotte. At Wyandotte he could not be found, and the band followed him out to the "Six-mile House," on the Leavenworth road, where he was found in camp. Waring says that from that time the men had little confidence in General Curtis.

Kansas, promising active support if he would do so. Curtis was an old man. He was loyal and patriotic, but the incessant intrigue of Carney and his associates had told on him. He did not believe his little force of volunteer troops could hold Price in check, and he counted very little on the militia outside of Kansas. If he had asserted himself, suppressed the Kansas politicians, and assumed vigorous command of the militia he could have defeated Price. He knew this, and also knew that he had a perfect right to do it, martial law being in effect and the laws of Kansas suspended. But he could not bring himself to the point of resisting Governor Carney.

The first decision of the council of war was to retreat, but General Curtis was finally prevailed on to stand his ground and have his trains return from Wyandotte. This result was not reached, however, until it had been decided by the officers to arrest General Curtis and put General Blunt in command of the army.

When the movements of the following day had been determined by the council it was dissolved. Then Carney and his advisers fell on General Curtis with such vigor that he promised them he would retreat into Kansas early Sunday morning; and he actually went to Westport to order the retreat. He found the battle in progress. General Blunt would not order a retreat with the troops under fire, and General Curtis did not do so. The co-operation of the greater part of the militia was lost, though it was anxious to a man to go into battle, those who secured the opportunity doing good service, demonstrating that victories rather than defeats could have been won had Governor Carney and his politicians been suppressed early in the campaign.

The attack on Price on Sunday was without much order and unity of action. About noon General Pleasanton arrived on the field in the rear of the Confederate army, and had General Curtis made the proper effort General Price's army could have been destroyed. When Price turned to retreat and the day was won Governor Carney and his militia officers became very enthusiastic and displayed great anxiety for the battle.

The Eleventh Kansas had been issued rations and ammunition early Sunday morning; for late Saturday night Captain B. F. Simpson had placed a cocked pistol at the ear of a disloyal pilot and forced him to take a boat to Wyandotte and bring a cargo of supplies for that purpose, before the return of the trains to the Missouri side. The position of the Eleventh on Sunday was on the extreme right of the Army of the Border, south of Westport, where it pushed a rebel force rapidly down the State-line road; but it was not properly supported. Colonel Moonlight sounded the recall for Colonel Plumb, who was far in the advance with his men. If the Eleventh had been supported it would have been exactly opposite General Pleasanton when he came on the field, and the Confederate army would have been within the Union lines with escape very difficult, if not impossible.

With the appearance of Pleasanton the spell of stupidity was broken. Relieved of the incubus of Governor Carney and his advisers, General

Curtis showed some of his old-time spirit. The Eleventh was thrown forward to keep abreast of Price's army to prevent the entrance into Kansas of any part of it on the retreat. This it accomplished as to the towns. It saved Mound City after a severe engagement and it reached Fort Scott only a few minutes ahead of a Confederate force sent to destroy it. As the Eleventh entered the town it was met by the people and received with cheers. "The Star Spangled Banner" was sung as the Old Flag was borne into the public square.

The Eleventh was in pursuit of Price to the Arkansas River. From Fort Smith it returned to Kansas through the Ozark Mountains of Northwest Arkansas. At Fort Smith the horses had broken into a cane-brake; eating the hard stalks of cane caused the death of some two hundred and fifty of them; and this number of men were compelled to march on foot. There was much rain and wet snow to march through. The country had been stripped by the Confederates on their retreat and supplied little for man or beast. Horses died on the road, thus constantly augmenting the column marching on foot. Colonel Plumab fared no better than his men, but he cheered and encouraged them. The first service of the Eleventh had been in this rugged region in 1862, and this march was a repetition of the hard experience of those days.

The regiment arrived at Paola, December 12, after a campaign of exactly two months.

CHAPTER XLVII

THOMAS CARNEY

Hon. Thomas Carney, second governor of Kansas, was intimately identified with the history of this commonwealth during the exciting days prior to and during the Civil war. In fact, for some years his life history was the history of the state itself, so inseparably was he associated with public measures. An ardent supporter of republican principles and a man of great patriotism, he did all within his power to promote the interests of his party, his state and his country, in each of which he attained distinction.

In Delaware County, Ohio, Mr. Carney was born August 20, 1824. When he was four years of age his father, James Carney, died, leaving the widowed mother, poor, and with four small children. For this reason, his opportunities were meagre; in fact he had none except such as he made for himself. His early life was spent in the hardest kind of work, after he was old enough to be of assistance on the farm. From the time he was eleven until he left home, he was the teamster of the family, and conveyed the products of the farm to Newark, thirty-six miles distant, using as a means of transportation a yoke of oxen. When nineteen years of age, with \$3.50 in his possession and buoyed by the hope of youth, he left the home farm. He attended school in Berkshire, Ohio, for six months, meantime working for his board. Afterward he secured employment in a retail dry-goods house in Columbus, where he remained for two years, then became clerk in a wholesale dry-goods house in Cincinnati. While with the retail firm he received \$50 and his board the first year and \$100 and board the second year. He remained in Cincinnati for twelve years, but his health became impaired by his close attention to business, his success as a member of the firm of Carney, Swift and Company, having been secured only at the expense of his physical strength.

Realizing that he must seek another climate, in 1857 Mr. Carney visited the West. In the spring of 1858 he commenced business in Leavenworth, Kansas, where, in partnership with Thomas C. Stevens, he opened the first exclusively wholesale house in the city and founded a business that for years was of immense value to local interests. On the retirement of Mr. Stevens in 1866, the firm name was changed to Carney, Fenlon and Company. Two years later the firm established the house of E. Fenlon and Company in St. Louis, which business later merged into the house of Carney, Garrett, Fenlon and Company, and later was changed

to Carney, Fenlon and Company. The subsequent retirement of Mr. Fenlon caused another change in the business, which was afterward conducted by Mr. Carney alone until it was sold. He also started the wholesale shoe house of Carney, Storer and Company, which firm in 1873 was dissolved, and succeeded by Thomas Carney and Company. In 1875 the business was sold and the one to whom its success was due retired, in a measure, from participation in business affairs.

The connection of Mr. Carney with affairs of state dates from the fall of 1861, when he was elected to the lower house of the Legislature. Sep-



Gov. THOMAS CARNEY

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tember 17, 1862, when the republicans met in state convention, he was nominated for governor, and on the 4th of November was elected, receiving 10,090 votes, about twice the number received by his opponent. January 12, 1863, he took his seat as governor, and from that time until the close of his term he gave his undivided attention to public affairs. He found the state in a discouraging condition. It was utterly without credit, and without means to carry on its government or protect its citizens from guerrillas, Indians and the calamities incident to war. Along the eastern and southern borders the Confederates hovered while

on the west were murderous bands of Indians. The life of every settler was in peril. The general government, immersed in civil war, had no time to devote to the welfare of a remote state. Hence, the welfare of the people devolved entirely upon the governor. Finding that he would be obliged to depend upon his own resources, he investigated the situation thoroughly. The state had no money, no arms and no ammunition, but this did not discourage him. On visiting the menaced regions he found that the people were beginning to seek places of greater safety, and he foresaw the probability that the region would become a desert, unless decisive steps were immediately taken. He raised a force of 150 men and employed them as a patrol along the border, so that no hostile movement could be made without detection and the people would thus have time to rally to the necessary points for defense. The patrol was hired by the governor and paid out of his private means, he giving \$1 a day for a man and horse, the United States Government furnishing the rations. He put the men in the field and kept them there, at a cost to himself of more than \$10,000. At the same time he was a captain in the home guard and often on duty in that capacity. Through his patrol he preserved the border from invasion, but, at a later period, he was notified by the commander of the federal forces to abolish the patrol, as the regular troops would be able to care for the safety of the state. He carried out the order, and within three days Quantrill made his raid into Kansas. Lawrence was in ashes and 180 persons were foully murdered. During the existence of the patrol, the arrangements were such that the different members could speak with each other every hour, but the militia were scattered in squads over a distance of twenty-five miles, and when Quantrill marched into Kansas, he easily escaped their notice. He moved stealthily. No one knew of his approach except one man who lived along the line of march. He saw the guerrillas, mounted a horse and hurried toward Lawrence to warn the inhabitants, but his horse fell and the rider's neck was broken. Thus the sole witness of the invasion was silenced. It is worthy of mention, as showing the governor's generous disposition, that he made a gift of \$500 to the widow of this man, and he also gave \$1,000 for the relief of the people of Lawrence.

The entire official career of Governor Carney was a stormy one. Occurring, as it did, at a time when the nation was rent asunder by internal strife, when the state itself was a financial and political wreck, the situation called for a man of great discretion, foresight, energy and force of character. That he met the demands of the situation is recognized by all. Through his instrumentality the state was placed upon a firm basis financially. He sacrificed himself for the interests of the state, and gave generously of time, of means and of influence, to promote the prosperity of the commonwealth. During the first year of his administration, the house accepted the grant of Congress giving land for the agricultural college, and located said college at Manhattan, Riley County; also provided for the establishment of an asylum for insane at Osawatimie, for the building of a penitentiary at Leavenworth, the establishment of a state normal school at Emporia, and the Kansas State University at

Lawrence (to which he made a personal contribution of \$5,000). December 10, 1863, a brick building on Kansas Avenue, Topeka, was leased to the state for a temporary capitol. During 1864 the House appointed commissioners to locate a blind asylum in Wyandotte County, and a deaf and dumb asylum in Olathe; grand juries were abolished and a bureau of immigration established.

January 9, 1865, Governor Carney retired from the chair of chief executive, in which he was succeeded by Samuel J. Crawford. June 4, 1866, he was elected a director in the Kansas City, Lawrence and Fort Gibson Railroad Company, of which James H. Lane was first, and William Sturges the second president. In 1865 and 1866 he served as mayor of Leavenworth, during which time he was interested in and contributed toward the building of the railroads here. He was interested in the organization of the First National Bank of Leavenworth, of which he officiated as a director for several years. With other enterprises, both local and state, he continued to be identified, and, while giving much time and thought to private business affairs, nevertheless found opportunity to identify himself with every project for the public welfare and advancement. His death, the result of apoplexy, occurred July 28, 1888, in the town of which he had long been an honored citizen and to whose development he had contributed perhaps as much as any of its prominent pioneers. His name is inseparably associated with the history of the state he loved so well. Those who watched his official career, amid all the perplexities of war times, when great responsibilities were thrust upon him, under the most adverse and trying circumstances, agreed that he proved himself to be equal to every emergency, the man for the place; and, whatever may have been individual opinions as to his decisions and actions, it was the verdict of all that his administration was the means of establishing the credit of the state upon a sound financial basis and advancing its educational and general interests in a manner most gratifying to every loyal citizen.

During his residence in Ohio, Governor Carney married Miss Rebecca Ann Canaday, who was born in Kenton, that state, and died in Leavenworth, September 25, 1895. They were the parents of five sons, namely: Edwin L.; William W., both of Leavenworth; Harry C., of Butte, Montana; Charles T., of Meeker, Colorado; and Frank, who died in infancy. —[From Chapman's *Biographical Record of Leavenworth, Douglas, and Franklin Counties.*]

CHAPTER XLVIII

GOVERNOR SAMUEL J. CRAWFORD

BY MRS. EDITH CONNELLEY ROSS

Samuel J. Crawford was born in Lawrence County, Indiana, April 15, 1835. He was reared on his father's farm, and, at the age of twenty-one years, became a law student in the office of Hon. S. W. Short, of Bedford, Indiana. In 1857, he entered the Cincinnati College Law School, where he was graduated in 1858. Inspired by a desire for newer, broader fields of endeavor, he emigrated to Kansas Territory in the spring of the following year. He located at the town of Garnett, the county seat of Anderson County, and opened a law office.

His law business grew steadily, and he soon had a good practice. He was elected a member of the first State Legislature, which met at Topeka, March 26, 1861. At the call of President Lincoln for volunteers, he resigned his seat in the Legislature, and, returning home, recruited a company of soldiers. He was chosen Captain of the Company, which was known as Company E, and was assigned to the Second Regiment, Kansas Volunteer Infantry. Under General Lyon he fought in the Battle of Wilson Creek, and in other battles in the Missouri campaign of 1861. The regiment was reorganized in the winter of 1861-2 as the Second Regiment, Kansas Volunteer Cavalry. This regiment fought nobly in many engagements under General Blunt. In March, 1863, he was assigned the leadership of the regiment, which during a hard campaign, covered itself with glory.

In October, 1863, Crawford was appointed Colonel of the Eighty-third U. S. Colored Infantry, which was in the Red River Campaign with General Banks. During this campaign, the colored regiment, under the skilful leadership of Colonel Crawford, gained a reputation for unfaltering bravery. Its sturdy stand at Jenkins' Ferry, April 30, 1864, is an immortal tribute to the negro as a soldier. Colonel Crawford successfully commanded his regiment when it was sent on an expedition into the Choctaw Nation against the rebel General, Standwatie, in 1864.

In 1864 Colonel Crawford was nominated by the Republican State Convention at Topeka for Governor. At the same time he was strongly recommended by many prominent soldiers and citizens for a Brigadier-Generalship.

Shortly after the nomination of Colonel Crawford for Governor, General Price invaded Missouri, with the object of entering and devas-

tating Kansas. Colonel Crawford was appointed aide to General Curtis, commanding the Union forces. He participated in the battles of the Blue, Westport, and Mine Creeks, displaying great gallantry. This marked the end of his military career during the Civil War. He had taken part in most of the battles of the war west of the Mississippi, excepting that of Pea Ridge. In 1865, he was promoted to the rank of Brigadier-General by brevet, for meritorious service.

At the close of the war, soldiers from every State came to make homes in Kansas. And many came who had not been in the army—young men



GOV. SAMUEL J. CRAWFORD

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seeking an opportunity in the world. They faced hardships in starting anew in this good land of boundless prairie and sky. But they were equal to the difficulties of breaking the wilderness, and made the land teem with plenty.

With dauntless courage Kansas faced all evils and conquered them. And this was the brave thing she was doing when Colonel Crawford was elected Governor, November 7, 1864. His administration covered some of the most stirring history of Kansas. Speaking of these times, Governor Crawford says:

Thus the new State of Kansas, having escaped the dire calamities of an invasion by Price and his legions of demoralized outlaws, and made a clean sweep in the election of Lincoln Republicans to fill the various positions created by the Constitution, was now ready to take its proper position among the States of the Union and give the National Administration at Washington its loyal support.

During the winter of 1865, the Legislature groped bravely through a dark labyrinth of graft and ignorance and selfishness to something of light and law. Governor Crawford said:

As a matter of fact, we had nothing with which to set up house-keeping except the State Seal, a lease on some leaky buildings, and quite an assortment of bills payable.

During the winter of 1865, Governor Crawford rounded up most of the cattle thieves and outlaws that had been terrorizing the border and turned them over to General Dodge for punishment.

The Legislature of 1866 passed acts providing for the erection of the State Capitol, the Penitentiary, Asylums, and other public institutions. Many new homesteaders settled in the State, the Kansas Pacific Railroad was pushed steadily westward toward Denver and the Pacific States. Prosperity seemed beginning to smile on Kansas.

But the Indians, constantly formidable after the Civil War, now became bold in their atrocities. The building of a Railroad through Western Kansas seemed to awaken their most fiendish impulses, and the mistaken policy of the government in supplying them with plenty of food, clothes, and above all, weapons, enabled them to perpetrate many outrages.

In the spring of 1866 hostile Indians appeared on the Santa Fe Trail, the Smoky Hill, Solomon and Republican rivers. Governor Crawford organized a battalion of troops along the Western border. Early in May he sent a company of State troops to the Northwestern border, which defeated a roving band of Cheyennes. This temporarily checked the Indians.

Senator James H. Lane died on the 11th of July, 1866. After careful consideration of the merits of the different candidates to fill the unexpired term, Governor Crawford appointed the Hon. Edmund G. Ross. The Legislature of 1867 signified its approval of his choice by re-electing Ross for the full term. The Hon. S. C. Pomeroy was re-elected.

On the twenty-seventh of November, 1866, Governor Crawford was married to Miss Isabel M. Chase, daughter of one of the founders of Topeka. The two children born to them were George Marshall Crawford and Florence Crawford Capper, wife of the present Governor, Arthur Capper.

Governor Crawford was re-elected in 1867. The Legislature of that year pushed forward the work started by that of 1866, and many state institutions were planned and provided for.

After the adjournment of this Legislature, Governor Crawford pro-

ceeded to New York to dispose of some State bonds. He then went on to Washington, D. C., to try to secure intelligent co-operation from the War Department in regard to the Indian situation in Kansas. He represented to the Secretary of the Interior, the mistakes in the policy of that department in supplying the savages with means to carry out their atrocious designs. The Secretary promised to give the matter his attention, but after the departure of the Governor, nothing more was done about it.

Hardly had Governor Crawford reached home before a great amount of ammunition and supplies was shipped to Kansas for the Indians, who were even then on the war-path. Governor Crawford by threat of burning the supply-caravan, induced General Sherman to take it to Fort Larned instead of turning it over to the savages. There it was held until a compromise was made with the Indians in the fall of 1867. Governor Crawford, speaking of the Indian situation of that year, says:

Portions of five tribes of hostile Indians—allied for purposes of war and crime, thoroughly organized, armed, and equipped, and regularly receiving their annuities and other supplies from the Government, under treaty stipulations—constituted the main force which was operating with such deadly effect in Western Kansas.

The hostile Indians, having succeeded in murdering and scalping many men, women, and children, and capturing or destroying property to the value of millions of dollars, and in also completely blockading the routes of travel (except when opened by military escort) from Kansas to the mineral States and Territories west; and believing, as they had reason to believe, that they would be sustained by the continued leniency of the Government, became so emboldened as seriously to threaten the destruction of our entire western border.

In 1868 a Cheyenne Band threatened Council Grove but were turned from their purpose. In August of that year people were murdered in the Solomon and Republican valleys. The climax of the wars with the plains Indians in Kansas, came in the Battle of Beecher Island, on the Aricaree. General Sherman, hearing that a small band of Indians were entering Northwestern Kansas, sent Colonel Forsythe of his personal staff, with fifty men, to turn them back. On the night of September tenth, the party camped on the north bank of the Aricaree, opposite a small, sandy island, known as Beecher's Island. The river was dry at that time of the year.

Early in the morning, a large band of Indians attacked the camp. The men, compelled to leave their camp equipment, retreated to the island, fighting bravely and driving their horses and mules with them. During the day two more attacks were made, but in each case the savages were repulsed. More than half the white men were wounded, and all were without food or shelter. The situation seemed desperate. Ringed in by the enemy, there seemed no way of escape.

But two scouts, Jack Stilwell and James Trudeau, bravely volunteered to try to reach Fort Wallace, ninety miles away, and bring back aid to their comrades. After three days of hairbreadth escapes, they reached the fort, and aid was sent to the beleaguered men on Beecher

Island. They had remained there nine days in all, hemmed in with Indians, waiting for help. It was afterwards ascertained that the Indians had lost between seven and eight hundred warriors in the nine days. The great Cheyenne Chief, Roman Nose, was killed.

After this, the Indians still continued to give trouble. Being constantly appealed to for aid, Governor Crawford, on November 4, 1868, resigned the governorship and was appointed Colonel of a newly recruited regiment—the Nineteenth Kansas Volunteers. After a hard winter campaign, the Indians were finally subdued for all time in Kansas, and the regiment was paid off and mustered out of service on April 18, 1869, at Fort Hays.

Governor Crawford, after fifty-two years of active influence for good in Kansas, died at his home in Topeka, in the year 1913, at the age of seventy-eight years. His last days were quiet and peaceful, and many of them were devoted to his beloved farm. But though retired from strenuous political life, he retained his interest in Kansas and her advancement until the very last. Every suggestion for the advancement and help of mankind found in him an ardent advocate.

His funeral was attended by hosts of his old friends and admirers, men who honored him while alive and now reverence his virtues after death.

CHAPTER XLIX

NEHEMIAH GREENE

BY MRS. EDITH CONNELLEY ROSS

Nehemiah Greene, the only Kansas Lieutenant Governor to attain the governorship by resignation of his superior, was born in Hardin County, Ohio, March 8, 1847. He was educated in the Ohio schools and at the Wesleyan University. After his graduation he taught school in Logan and Champaign counties.

In March, 1855, he came to Kansas. He settled on a claim in Douglas County. However, as the times were not peaceful nor prosperous, he was almost forced to abandon it. It did not yield a living.

He was admitted to the bar in 1857, and practiced law for two years. At the end of that period he returned to the state of his nativity and there entered the ministry. His sincerity, brilliance, and kindness made him the beloved friend of all his flock.

But, in 1862, when Lincoln called for volunteers, Nehemiah Greene left his church, and became the Lieutenant of Company B, Eighty-fifth Ohio Infantry. In the Civil War, he served under General Cox in his famous West Virginia campaign. He was a brave soldier, and as generous and kind as he was brave. After the West Virginia campaign, he, along with his regiment, was transferred to the Army of the Cumberland, where he served in General William Tecumseh Sherman's army until 1864. He was appointed Major of the One Hundred and Fifty-third Ohio, and with them took part in the famous One Hundred Days campaign in West Virginia.

Major Greene was never a strong man physically. His lungs always troubled him, and it was only the undaunted spirit of the man that sustained him in his arduous soldier-life. But in spite of his determination, his failing health finally ended his military career. This came about through the following circumstances.

One hot day, the men of his regiment were compelled to march steadily under the blazing sun. They were loaded heavily with equipment, and Major Greene, his sympathies excited by their plight, tried to relieve them by carrying as many knap-sacks as he could lift. This brought on a violent hemorrhage of the lungs, and left him so ill and exhausted that he was compelled to resign from the army.

In 1865 he returned to Kansas, in the capacity of a minister of the gospel. He was sent to Manhattan by the Kansas Conference of the Methodist Episcopal Church. Here he remained for two years, serving his church faithfully and well.

As the Republican candidate, he was elected Lieutenant-Governor of Kansas in 1866. When Governor Crawford resigned on November 4, 1868, Mr. Greene took the oath of office, and became Governor of Kansas. He held the office a few days over two months. Nothing of very great political importance happened in Kansas during the time.

Governor Greene had in his youth married Miss Ida Leffingwell, of Williamsburg, Ohio. She died in 1870, leaving three children—Glenzen S, Effie, and Alice. In 1873 Governor Greene remarried—to Miss Mary



GOV. NEHEMIAH GREENE

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Sturdevant, of Rushville, N. Y. They had two children, Burtis U., and Ned M.

After the election of Governor Harvey, Mr. Greene still retained his interest in political affairs. In 1880, he was elected to the Kansas Legislature. At the end of his service there, he retired to private life. Trouble with his lungs caused him much pain and worry. Though not able to preach often, because of it, many residents of Manhattan and surrounding towns still recall his spirited and witty addresses on public and patriotic occasions.

Governor Nehemiah Greene died at his home in Manhattan, January 12, 1890.

CHAPTER L

JAMES MADISON HARVEY

BY MRS. EDITH CONNELLEY ROSS

James Madison Harvey, known in this day as "Old Honesty," was born in Monroe County, Virginia, September 21, 1833. He removed with his parents to Illinois, and received his education in the schools of that State. He later studied civil engineering. In 1854 he married Charlotte Cutter, of Adams County, Illinois. They came to Kansas in 1859, and located in Riley County.

Mr. Harvey became a firm Anti-slavery man, and fought bravely in the war. He served as Captain of Company G, Tenth Kansas Volunteer Infantry, and took part in the Battle of Prairie Grove. Afterwards, he was in a strenuous campaign through Missouri, Arkansas, and the Indian Territory. He was also chosen Colonel of a volunteer regiment sent to repel Price, in his raid. In 1865 Captain Harvey was mustered out with his regiment.

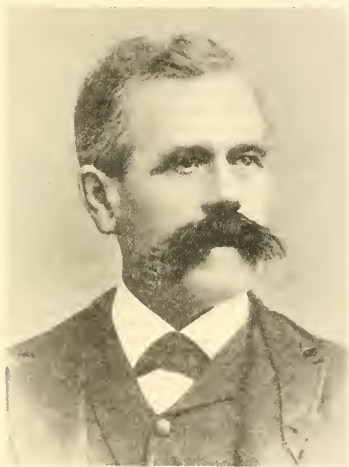
In the fall of 1865 he was elected to the Legislature, where he rendered valuable aid in untangling many of the problems left by the war, and the unsettled state of Kansas affairs. He was re-elected by the Republicans against Thaddeus H. Walker, candidate of the Liberal Republicans. The Democrats put forward no candidate. In 1866 he was chosen to represent the Seventh District in the State Senate.

In the fall of 1869, he was elected as the Republican candidate for Governor. He was re-elected to that office in 1873. During his administration the State of Kansas advanced steadily along all lines of progress. Governor Harvey pretended to no great erudition—his was rather the homely knowledge and philosophy, the native shrewdness of the surveyor and farmer. But his unswerving honesty, his tenacity of purpose, his really superior mind, were all at the service of Kansas, and she profited richly by them.

The Legislature of 1869, under Governor Harvey, was the first body to meet in the State Capitol, after the completion of its first wing, the east one. Before, all the official business had been conducted in a small row of buildings on Kansas Avenue, known as "State Row."

Indian troubles were still rife, at this time, though not so serious as during the administration of Governor Crawford. The Indians harried the border, entering at the northwest. Militia, sent to the Republican, Saline and Solomon valleys, together with the presence of the United States troops, kept the Indians fairly within bounds.

The cattle trade grew by leaps and bounds, at this time, and the "cowboy" and the "Longhorn," were thick on the Kansas prairies. Also, at this time, the state received a liberal contribution of the worst elements of the older states—men and women, eager to prey on the rich and reckless cowmen. This it required stern measures to check. Sheriffs and vigilance committees were kept busy by the disorder and violence rife in the western towns. Saloons, dance-halls, and gambling dens ran wide open for the benefit of the cowboy. But law and order gradually



GOV. JAMES M. HARVEY

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grew, and prosperity increased. The shipments of cattle at Wichita and Dodge City seldom were less than 200,000 head a year.

In March, 1869, the first train on the Atchison, Topeka and Santa Fe Railroad reached Topeka, and on the first of September, 1870, the Union Pacific Railroad reached Denver. This, of course, brought immense bands of emigrants to Kansas. In 1872, Kansas cast a larger vote than any New England state, excepting Massachusetts. Under the census of 1870, Kansas became entitled to three Representatives in Congress. Land companies all over the world advertised Kansas. Her advantages to the new settler were described in many languages. The Kansas Pacific Rail-

road also worked along this line, and brought immense numbers of foreigners to Kansas. These became good, steady citizens, and are today among the foremost farmers and tradesmen of the State.

The emigrants were settled in colonies, and many quaint old-world customs and legends were transplanted to Kansas, and are still preserved intact on the prairies. Swedish, Scotch, English, and Welsh were the leading colonists of this time.

During the administration of Governor Harvey, the Grand Duke Alexis, of Russia, with his suite, made their celebrated exploring and hunting trip over the Kansas plains. They were received in Topeka by Governor Harvey, and the Legislature. Some old people of to-day can recall the "amazing splendor" of that occasion.

In 1870, the Labor Party organized. It held its first state convention in September of that year. A platform was determined on. Two of the "planks" were: two thousand dollars exempt from taxation, and the natural right to land.

At this time, the farmers of Kansas were beginning to feel keenly the need of co-operation and protection. With the growing of agriculture and trade, came the demand for system and advice. In consequence of this feeling, came the demand for a grange, which was accordingly organized, in 1872. Many thousands of farmers joined the organization.

Governor Harvey died, April 15, 1895. He was survived by four daughters and two sons.

Kansas sincerely mourned the honest, far-seeing man who had given so freely of his life to her service. And she is far richer for his steady, kind guidance and help, and his unassuming upright life.

CHAPTER LI

THOMAS A. OSBORN

By MRS. EDITH CONNELLEY ROSS

Thomas A. Osborn, the sixth governor of Kansas, was born at Meadville, Pennsylvania, October 26, 1836. There he attended the public schools, and also began his printer's apprenticeship. By his work at the printer's case he paid his way through Alleghany College.

In 1856 he commenced the study of law in the office of Judge Derriekson, of Meadville. He was admitted to the bar in Michigan in 1857. In November of the same year he came to Kansas. He stopped at Lawrence, and obtained employment as a compositor on the *Herald of Freedom*. By industry and ability he soon became foreman, and the paper was often left completely in his hands.

Before he was twenty-two years old Thomas A. Osborn was practicing law at Elwood, Doniphan County. He was recognized as a good lawyer and a man of integrity and ability. He was a firm Republican and Free-State man.

In 1859 he was elected Senator from Doniphan County, and took his seat in 1861. The following term he was chosen President of the Senate. He filled this position during the absence of the Lieutenant-Governor, and during the impeachment trial of Governor Robinson.

Mr. Osborn was elected Lieutenant-Governor of Kansas in 1862, defeating John J. Ingalls. At the expiration of his term of office he was appointed United States Marshal of Kansas by President Abraham Lincoln. He held this position until 1867, during which time he made his home in Leavenworth. He was removed from office for opposing the policy of President Johnson.

The wedding of Mr. Osborn to Miss Julia Delehay, of Leavenworth, took place in 1870. Miss Delehay was a beautiful and talented woman, a blood-relation of Abraham Lincoln. They had one son, Edward, born in 1871.

In 1872 Mr. Osborn was nominated as the Republican candidate for Governor of Kansas. He was elected, and began his term in 1873. The year of 1874 was the dreadful "Grasshopper Year" of Kansas—the year when these pests destroyed all crops and caused famine and untold suffering. Governor Osborn called a special session of the Legislature, which decided the emergency must be met by the issue of county bonds. Relief committees were organized, and relief sent to the sufferers. Also,

during this year, the Indians began stealing from the settlers of Barber County, and the southern border generally. United States Cavalry, sent to recover the plunder, unfortunately killed a son of Little Robe, a Cheyenne Chief. This precipitated murder and raids.

Governor Osborn was in a position requiring great diplomacy. Some citizens demanded immediate vengeance, and some urged unlimited forbearance. However, he steered a successful middle course, subduing the savages, keeping the militia on the border, and yet not offending the more timid citizens by reckless fighting.



GOV. THOMAS A. OSBORN

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Governor Osborn was a far-sighted and prudent man, and urged on the Legislature the necessity of economy. His administration was noted for careful handling of the State funds.

Also, at this time, much was done toward colonizing and settling more land. Every encouragement was given the settler. A huge band of Mennonites from Southern Russia settled in the Arkansas Valley in 1874. Owing to the increase of population a number of new counties were organized.

In 1876 came the Centennial Exposition at Philadelphia. Thirty

thousand dollars was spent for a beautiful Kansas exhibit. This brought Kansas much before the public eye. Her merits were more than ever discussed and investigated, and many new citizens were added to her people as a consequence.

On January 29, 1873, the two houses of the Legislature met in a joint session, to ballot for a United States Senator to succeed Pomeroy, whose term had expired. Before the vote was taken State Senator Alexander M. York rose and accused Pomeroy of bribing him to vote for him—Pomeroy. Pomeroy was defeated.

On the twenty-fourth of March, Senator Caldwell resigned and Governor Osborn appointed Robert Crozier to fill his unexpired term. Also, he appointed John Francis to succeed the State Treasurer, Josiah E. Hayes, who had been impeached and resigned.

In 1877, Governor Osborn was defeated for United States Senator by Preston B. Plumb.

He was appointed United States Minister to Chili by President Hayes in 1877. He filled this distinguished position for four years, at the end of which time he was sent by President Garfield to Brazil as United States Minister. His diplomatic career was distinguished for its scrupulous care and attention to the business and interest of the United States.

On his return to Kansas, in 1885, he made it known that he had no further desire for public office, preferring private life. But he was elected State Senator in 1889 by Shawnee County. He was active politically till the day of his death. In 1888 he was head of the Kansas Delegation at the National Republican Convention.

Governor Osborn's wife, always fragile in health, died in 1892. In 1898 he became engaged to Mrs. Marguerite Fowler Richmond, of Meadville, Pennsylvania. She was a beautiful woman, and of a noted family. But before the wedding took place Governor Osborn died. His death occurred February 4, 1889, at Meadville, a few days before the time fixed for the wedding. It was caused by a hemorrhage of the stomach. Governor Osborn's body was brought to Kansas, and placed beside that of his wife in a Topeka cemetery.

He was one of the most brilliant governors of Kansas, and his long career as an honored statesmen is a source of State pride.

CHAPTER LII

GEORGE T. ANTHONY

BY MRS. EDITH CONNELLEY ROSS

George T. Anthony was born on a farm near the town of Mayfield, Fulton County, New York, June 9, 1824. He came of Quaker stock, both his parents being of the Society of Friends. From them he inherited his love of liberty, his unerring sense of justice, his hatred of slavery and all its attendant evils.

When he was but five years of age his father died. He was the youngest of a family of five children, and the mother had a hard time to keep her little ones from want. So he early came in contact with the hardships and serious phases of life.

His youth was spent on a farm. At eighteen he apprenticed himself to a tinner, at Union Springs, Cayuga County. He followed this trade as a journeyman for five years. The necessity of earning his living made his attendance at any regular terms of school an impossibility. His education was acquired during short intervals snatched from his work, when he studied and read to the best of his ability. But though his education lacked the polish and varied accomplishments of a college training, he gathered a broad fund of knowledge, and his intimate acquaintance with the realities of life, with people and their varied problems, deepened his sympathies and gave him an insight into human nature that many a graduate lacks.

When nineteen years old he settled in Medina, New York, where he opened a small hardware store. He continued this enterprise for nine years, working fourteen to sixteen hours a day. It was at this time that he met his wife, Miss Rose A. Lyons, of Syracuse, to whom he was married, December 14, 1852. Later he entered the commission business, and in due time was made Loan Commissioner for Orleans County. This position he held for three years.

When President Lincoln issued his call for additional troops, in 1862. George T. Anthony was chosen one of a committee of seven to organize troops in the twenty-eighth District of New York. He threw himself into the work with great fervor, and in four days organized the Seventeenth New York Independent Battery of Light Artillery. He was commissioned Captain of this Battery when it was mustered in, August 26, 1862. He saw continuous active service in the war until June 12, 1865, when the officers and men of the Battery were mustered out. The

Battery was noted for its fine appearance and training, and upon its discharge George T. Anthony was brevetted Major of Volunteers for gallant and meritorious service.

Mr. Anthony and his wife came to Kansas in 1865, and located in Leavenworth. There he edited the *Leavenworth Daily Bulletin* and the *Leavenworth Daily Conservative*. He subsequently became proprietor and editor of the *Kansas Farmer*. In this enterprise his broad knowledge of farming stood him in good stead. He held before the farmers a



Gov. GEORGE T. ANTHONY

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higher standard of home life and recommended a rotation of crops, system in farming, care of machinery and stock, and many other innovations, far in advance of the times.

In December, 1873, he was appointed Assistant Assessor of United States Internal Revenue, and on July 11, 1868, was made Collector of Internal Revenue.

At the expiration of his term Anthony was appointed President of the Kansas State Board of Agriculture, which position he held three years. He was then appointed one of the Board of Managers for the

Philadelphia Centennial Exposition, which place he filled with great ability for two years.

In 1876 Anthony was nominated as the Republican candidate for Governor of Kansas, and elected. In his message to the Legislature of 1877 he recommended a reformatory for youths, apart from the penitentiary. Several important acts relating to state institutions were passed at this session of the Legislature.

During the year 1877 the temperance movement advanced rapidly in Kansas. Thousands of persons signed the pledge, and a State Temperance Society was organized. Also the "Woman's Christian Temperance Union." A temperance wave, forerunner of prohibition, was sweeping the State.

Many interesting events of minor historical value filled Governor Anthony's administration. It was during his first year as Governor that the first telephone in the State of Kansas was installed, at Manhattan. A strike of the Atchison, Topeka and Santa Fe Railroad employees became so serious as to demand the presence of troops to subdue it. Governor Anthony sent them immediately to the scene of action and stopped the rioting.

In September, 1878, the Indians on the Western frontier again began hostilities. When they were in the vicinity of Fort Dodge, Governor Anthony appealed to the general government for aid. As this was refused the Governor sent Adjutant General Noble, fully equipped, to protect the threatened districts. After committing a series of outrages the savages were finally subdued. Many were captured, tried in the criminal courts of the State, and punished. This was the last Indian raid in Kansas.

Because of political dissensions, Governor Anthony's candidacy for Governor in 1879 was defeated.

In 1881 he was appointed General Superintendent of the Mexican Central Railroad, which position he held two years. He was elected to the Kansas Legislature in 1885 from Leavenworth County. It was due to his efforts during this session that the National Soldiers Home was located in Kansas. In 1889 the Executive Council of Kansas elected Governor Anthony a member of the Board of Railroad Commissioners. Three years later he was re-elected. He was appointed Superintendent of Insurance by Governor Morrill in 1895, which position he was holding at the time of his death. This occurred on August 5, 1896. He was buried in a Topeka cemetery. His funeral was very simple. He was survived by his wife and one son.

Governor Anthony was aggressively honest, always eager for the advancement of his beloved Kansas, a loyal, great-hearted citizen. His oratory will be remembered for its beauty of logic and reason.

CHAPTER LIII

JOHN PIERCE ST. JOHN

BY MRS. EDITH CONNELLEY ROSS

John Pierce St. John, the eighth governor of Kansas, was born at Brookville, Franklin County, Indiana, on the twenty-fifth of February, 1833. His parents came originally from New York State.

The first fourteen years of St. John's life were spent on his father's farm. The boy obtained only such education as the crude public schools of that period and locality furnished.

In 1848 he removed with his parents to Olney, Illinois. Here both his parents died soon after settling in their new home. In 1852 he crossed the plains to California. There he had a varied career—he mined, chopped wood, clerked—anything to pay his expenses. He also fought in the Indian Wars of 1853-54, in Northern California and Southern Oregon. Here he learned the endurance of a soldier, being twice wounded and often exposed to the greatest danger. But his early ambition to be lawyer never faltered during his life of adventure, and at night, after a day's hard work, he would study the few law books he had purchased, by the flickering light of the fire.

During this period of adventure, he visited Mexico, South America, the Sandwich Islands, and many other places of interest.

In 1859 he returned to Illinois, poor in purse, but rich in experience and knowledge of human nature. He completed his law studies in the offices of Starkweather and McLain, at Charleston, Coles County. In this city he married his wife, Susan J. Parker, on the twenty-eighth of March, 1860. Two children were born to them, John P. St. John, Jr., and Lulu.

During the Civil War, St. John served as Captain of Company C, 68th Illinois Volunteer Infantry, enlisting in April, 1862. Later he organized the 143d Regiment, Illinois Volunteer Infantry, of which he was Lieutenant-Colonel. He rendered gallant service during the war. In 1865 he moved to Independence, Missouri, where he practiced law for four years. He then located permanently in Olathe, Kansas.

St. John was an ardent Republican, standing firmly for whatsoever he believed to be right.

In 1872 he represented his district in the State Senate. In 1876 he declined the nomination for Governor of Kansas tendered to him by the Prohibition party. However, he was elected to that office two

years later by the Republicans, and held the Governorship for two terms. He was defeated for a third term in 1882, by George W. Glick.

The Legislature of 1879 provided for the building of the west wing of the State House, and for the erection of a State Reform School, at Topeka. Also, as Governor St. John was a firm temperance man, and as the temperance movement was steadily gaining in power, the Legislature voted by a joint resolution to submit to a vote of the people an



Gov. JOHN P. ST. JOHN

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amendment to the Constitution of Kansas, prohibiting within the state the "manufacture and sale of intoxicating liquors," except for medical and scientific purposes. This amendment was adopted at the general election in 1880.

In 1881 the Legislature passed the Prohibitory Law, an act to enforce the constitutional amendment, and since then Kansas has stood staunchly for prohibition, and profited greatly thereby.

Beginning in 1874, many colored people emigrated to Kansas from the South. This emigration culminated in 1879 in a grand rush for Kansas by large numbers of ex-slaves. This influx was known as the

"Exodus" and so important was it that the "Exoduster" became well known to Kansas politics and history. Poor, homeless, trustful, the Exoduster displayed the traits of his race in unfailing cheerfulness and childlike trust in Providence. A Freedman's State Central Association was formed, with Governor St. John at the head, and much was done for the relief of the negroes. Large sums of money were donated for that purpose. Many of the Exodusters grouped together and founded the town of Nicodemus, in Graham County. Others settled on small patches in the different Kansas towns and gradually acquired homes.

In 1869, by a treaty, the Osage Indians had sold their lands, amounting to 8,000,000 acres to the Leavenworth, Lawrence and Galveston Railroad Company. The settlers on the land feared they would lose their homes, so in 1874, suit was brought to test the validity of the patents issued to the Railroad companies for the Osage lands. After seven years of waiting, the case was decided in favor of the settlers.

During Governor St. John's administration, President Hayes and General Grant visited Kansas. They were much surprised and gratified at her excellent condition, and paid many compliments to her splendid schools and institutions, her patriotism and advancement.

Governor St. John's administration was distinguished for straightforward honesty. The Governor's enthusiasm for rigid standards of honor was so great as to almost amount to fanaticism. The administration was not marred by a single questionable act.

In 1884, when the Republican National Convention at Chicago refused to take any position against the saloon, he left the Republican party and joined the Prohibitionists. In July, 1885, he was nominated by that party for President and received over 150,000 votes. This defeated Blaine.

Later, he joined the People's Party in Kansas. He was always foremost in any party that seemed to him to offer most advantages for mankind.

Governor St. John died at Olathe at the age of eighty-three years, August 31, 1916.

The enactment of the statutes giving Kansas the Prohibitory Law came in the administration of Governor St. John, as already stated. This was the principal achievement of Governor St. John. It was an important event in the history of Kansas, and is treated in the following chapter.

CHAPTER LIV

PROHIBITION IN KANSAS

BY CLARA FRANCIS, LIBRARIAN, KANSAS STATE HISTORICAL SOCIETY

FIRST LIQUOR LEGISLATION

Prohibition in Kansas was no sudden uprising of a people against the liquor traffic; no movement of a few fanatics, long haired men and short haired women; nor should it be attributed to a puritanical desire to legislate morals into a state. Rather it was a crystallization of the slowly developed sentiment of a majority of the people in Kansas into an expression on the dramshop laws under which the liquor traffic was operated.

That Kansas should have been the first state to incorporate a prohibitory amendment in her constitution is not unique. She was zealously striving for a better liquor law; she had the benefit of the experience of other states. And furthermore she was young; she had no traditions to violate and few precedents to follow. With her the times were plastic. One of her enemies was the liquor traffic, and with a vision far beyond her years she started out to destroy it.

Between the passage of the prohibitory amendment and the vote upon it, nearly two years elapsed. And they were two years of strife, each faction contending vigorously for its own belief. There was not a household in which prohibition and anti-prohibition were not discussed; there was not a pulpit from which the principles of temperance were not heard; there was not a platform whereon the advocates of one side or the other had not expounded its views. The newspapers argued the question pro and con, sometimes with extreme bitterness, and sometimes with tranquil earnestness and justice, desiring only the "greatest good to the greatest number."

It was the people who were to decide this question, and it was the people who were thinking deeply upon it. The vote was the final word of the people of the whole state, not of any one locality, nor of any one nativity, for it came from a population that had been drawn from nearly every quarter of the United States. And to attribute the result to any one faction or set of people is to make a great mistake. Public opinion is easily traced and to follow it on the temperance movement in Kansas needs no special insight. But to understand its growth one should begin at the very beginning.

The dram-shop law of 1855, taken bodily from the Missouri Statutes, was a local option law, and a reasonably good one even though one of the execrated "Bogus Laws." Because it was the first liquor law effective in Kansas, through the action of the Territorial Legislature, and because all further action in restraint of dram-shops was based upon it, it is here given in full:

AN ACT to restrain dram shops and taverns, and to regulate the sale of intoxicating liquors

Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows:

Section 1. A special election is hereby ordered to be held on the first Monday of October, in the year of 1855, and on the first Monday of October every two years thereafter, in each municipal township in every county in the territory, and in each incorporated city or town in the territory, to take the vote of the people upon the question whether dram shops and tavern licenses shall be issued in the said township, incorporated city or town, for the next two years thereafter.

See. 2. At said election polls shall be opened at the usual place of voting in each township, incorporated city, or town, which shall be headed as follows, respectively: "In favor of dram shop," "Against dram shop;" and if the voting shall be by ballot, ballots shall be inscribed as above, respectively.

See. 3. At such election all the qualified voters of the township, or of any incorporated city or town, shall be allowed to vote in such township, or incorporated city or town, and not elsewhere.

See. 4. Upon election being held, the tribunal transacting county business for the several counties in the territory shall examine, ascertain and adjudge in what township, incorporated city or town, a majority of all the qualified voters of said township, incorporated city, or town, have voted affirmatively in favor of dram shops in said township, incorporated city, or town, and thereupon, the tribunal transacting county business in the respective counties in the territory may, during the next ensuing two years, grant license to dram shops, tavern keepers and grocers, to such persons and under such restrictions as are hereinafter designated and provided.

See. 5. For and during the two years next ensuing the said election, no dram shop or tavern license shall be granted to any person within any township, incorporated city, or town, unless a majority of the votes polled at said election shall declare in favor of granting said license.

See. 6. Before a dram shop license, tavern license, or grocer license shall be granted to any person applying for the same, such person shall present to the tribunal transacting county business a petition or recommendation signed by a majority of the householders of the township; if in the county in which such dram shop, tavern or grocery is to be kept, or if the same is to be kept in an incorporated city or town, a petition signed by a majority of the householders of the block or square in which said dram shop or tavern or grocery is to be kept, recommending such person as a fit person to keep the same, and requesting that a license be granted to him for such purpose.

See. 7. The city authorities of an incorporated town in this territory, authorized by its charter to grant dram shop or tavern license or grocers' license, shall only grant such license to persons who have previously secured a similar license from the tribunal transacting county business for the county in which said city or town is situated.

Sec. 8. Upon every license granted to a dram shop keeper and upon any license granted to a tavern keeper or grocer, there shall be levied a tax of not less than ten dollars nor more than five hundred dollars, for county purposes, for every period of twelve months, the amount of tax to be determined by the tribunal granting the license.

Sec. 9. If any person who, without taking out and having a license as grocer, dram shop keeper or tavern keeper, shall, directly or indirectly, sell any spirituous, vinous, or fermented or other intoxicating liquors, shall be fined in any sum not less than one hundred dollars for each offence; and any person convicted of violating this provision shall, for every second or subsequent offence, be fined in a sum not less than the above named, and shall in addition thereto, be imprisoned in the county jail not less than five nor more than thirty days.

Sec. 10. Any person, having license as aforesaid, who shall sell any intoxicating liquor to any slave without the consent of the master, owner or overseer of such slave, shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than one hundred dollars nor more than five hundred dollars, and imprisonment in the county jail not less than ten nor more than thirty days, and shall, upon conviction, forfeit his license; and no license as grocer, dram shop keeper or tavern keeper shall again be granted to said person during the two years ensuing the said conviction.

Sec. 11. Any person who shall keep open any ale, beer or porter house, grocery, dram shop or tippling house, or shall sell or retail any fermented, distilled or other intoxicating liquors, on the first day of the week, commonly called Sunday, shall on conviction thereof, be adjudged guilty of misdemeanor, and fined in a sum not less than one hundred dollars nor more than five hundred dollars, and shall be imprisoned in the county jail not less than ten days nor more than thirty days; if such person is licensed as grocer, dram shop keeper, or tavern keeper, he shall, in addition to the above provisions, forfeit said license, and shall not again be allowed to obtain a license under the law for a period of two years next after conviction.

Sec. 12. Before any person shall be licensed as a dram shop keeper or grocer, or tavern keeper, under the provisions of this act, he shall execute to the tribunal transacting county business, in favor of the county where he appeals for a license, a bond in the sum of two thousand dollars, with at least two securities, to be approved by the court, conditioned that he will not keep a disorderly house; that he will not sell, or permit to be sold, any intoxicating liquors to any slave without the consent of the master, owner or overseer of such slave; that he will not keep his dram shop, tavern or grocery open on Sundays; nor will he sell, allow to be sold, thereat, on Sunday, directly or indirectly, any intoxicating liquor: and upon said person being convicted of any of the offences enumerated therein, suit may be brought against said principal and securities, to recover the amount of the fine or fines adjudged against him on said conviction, in any court of competent jurisdiction.

This act to take effect and be in force from and after its passage.

This law was in force for four years, or until 1859, when the general revision did away with these so-called "Bogus Laws." Some scattered communities, however, had not been content with its provisions. Desiring more stringent measures, they had sought to accomplish prohibition by organizing towns wherein the sale of liquor was prohibited, and where a clause inserted in the deeds revoked the title should liquor

ever be sold in any building erected on the property. Emporia was one of these towns, Topeka and Baldwin were others.

In casting about for the first glimmerings of prohibition in Kansas there arises for consideration the social movement involved in various lodges and secret societies. During the period between 1855 and 1859 there were such orders organized through the territory and most of them embodied temperance pledges in their constitutions. These lodges were often the only social outlet of remote groups of people, therefore the membership was large and the interest keen. Essentially, their share in fostering temperance sentiment was no inconsiderable one.

THE TOPEKA MOVEMENT

The Topeka Legislature, authorized by the Topeka constitution, had temperance brought to its notice immediately upon its assembling. This was the Free-State movement which so long stood in opposition to the cause of the general Government, and which represented the real sentiment of the people of Kansas. The Legislature convened on March 4, 1856, and the next day the House was asked for the use of Constitutional Hall, its place of meeting, for a temperance meeting. This request was granted. On the 11th the following memorial on the subject of prohibition was presented to the House by John Brown, Jr., one of its members. This memorial came from fifty-six women of Topeka, and on motion of Mr. Tuton was accepted, and on motion of Mr. William Crosby was referred to the committee on "Vice and Immorality."

To the Honourable the Senate and the House of Representatives of the State of Kansas:

The undersigned your memorialists, citizens of Kansas, and the wives and daughters of your constituents beg leave respectfully to present to your honourable body that in the opinion of your memorialists the public interests require that suitable laws be immediately passed to prevent the manufacture and importation for sale or use as a beverage within the State of Kansas of any distilled or malt liquors.

It is not necessary for us in view of your own observations and the united testimony of all experience to enter into a minute discussion of the evils resulting to all classes of society from the use of intoxicating drinks as a beverage. Ever since the first manufacture it has been the aim of legislators to pass restraining laws, to prevent its use each year in the older states of the union new enactments have been found necessary until the Statute books have become literally loaded down with provisions on this subject.

It was not until within a few years that the true method was devised for its eradication and then those imaginary rights long established and entrenched behind the bulwark of law, and even of State constitutions were found in the way of an effectual remedy. Not so in Kansas here every thing is new, and those privileges acquired by law and long established customs do not exist. No one can point to the precedent of several general generations to sustain him in doing that which he frankly admits to be a wrong upon Society. Here in Kansas we are laying the founda-

tion of a new society and you as the first law making power recognized by the people should examine with the greatest circumspection the evils existing in older States and by wise and judicious enactments protect the moral and social interests of the community. You will not [attempt] to pass by or neglect the enacting of stringent laws for the sale of lottery tickets the selling of unwholesome food, the adulterating of flour &c.

How then can you fail to give attention to a subject which improves a whole nation brings wretchedness and misery in its train, fills the land with mourning and sends the widow's wail and orphans sob to heaven for relief.

Into the plastic material which you have the power to mould into form, and clothe with lineaments and breath and in view of the great suffering entailed on us the females of the State who are unable by persuasion and kindness to influence those we love in the channel which leads to temperance prosperity and happiness and in view of their oft repeated declarations that if the destroyer could be removed from their sight and reach they would abstain from its use we therefore urgently but respectfully pray you to take our memorial into consideration and enact such laws in consonance with its spirit which your wisdom may suggest.

(Signed) MRS. L. M. MOORE and 55 others,
The ladies of Topeka.

A second memorial was presented by Mr. Brown on March 12th, from ninety women of Lawrence, "praying the passage of stringent prohibitory laws, in relation to the sale and use of intoxicating liquors." This memorial was likewise referred to the committee on Vice and Immorality. No further action was taken on these petitions, for on March 15th the Legislature took a recess until July 4th, when it convened only to be dispersed immediately after roll call, by Col. Sumner and his command on the order of the Government of the United States.

Women, however, were not the only early temperance workers, nor was all the strength of the movement found in petitions. There were men who were willing to go some lengths to keep the liquor traffic in bounds. In the spring of 1856 a Missourian opened a saloon in Big Springs. The few inhabitants protested in vain. He continued his business apparently secure in the protection of his friends. Finally, failing to dislodge him by more peaceful means, forty men went to his establishment, took out three barrels of whiskey and burned them. The agitation on the question of temperance had had its effect on this little community of Douglas county. From this time on the destruction of liquor by an exasperated community was not of infrequent occurrence. In this instance the man's nativity doubtless militated strongly against him.

"Topeka, a little later, was likewise the scene of a whisky riot." In spite of a provision made by the Topeka Association against the sale of intoxicating liquors, saloons had opened in the town, but had been quickly put out of business. In the spring of 1857 a liquor establishment of some pretensions was opened on Kansas Avenue. Because of the capital invested in stock and equipment a good deal of uneasiness was felt, and there was some hesitation manifested as to the wis-

dom of attempting to deal with it as its forerunners had been dealt with. However an altercation brought matters to a climax. One of the patrons in a half drunken rage began the smashing. No sooner had the sound of the fray traveled through the open windows and doors than assistance rallied to him. Bottles and glasses went through the windows, while kegs and barrels were rolled into the street, the heads knocked in and the contents emptied into the gutters.

When everything had been destroyed the raiders went on to another place where beer was known to be stored and poured that into the street. Uncontrollably excited they pursued their quest through the town, visiting every place where the slightest suspicion could rest. Blood was spilled as well as liquor, and lawsuits grew out of this wholesale destruction. It was said that over \$1,500 worth of property was smashed and poured out.

THE ACT OF 1859

Upon the revision of the laws in 1859 the dram shop law was much changed and became more difficult of enforcement as will be noted by a careful reading of its provisions.

AN ACT to restrain Dram Shops and Taverns, and to regulate the sale of Intoxicating Liquors

Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas:

Section 1. That, before a dram shop license, tavern license or grocery license shall be granted to any person applying for the same, such person, if applying for a township license, shall present to the tribunal transacting county business, a petition of recommendation, signed by a majority of the householders of the township or the county in which such dram shop, tavern or grocery is to be kept, or, if the same is to be kept in an incorporated city or town, then to the city council thereof, a petition, signed by a majority of the householders of the ward in which said dram shop, or tavern, or grocery is to be kept, recommending such person a fit person to keep the same, and requesting that a license be granted to him for such purpose.

Sec. 2. That upon every license granted to a dram shop keeper, and upon every license granted to a tavern keeper or grocery, there shall be levied a tax of not less than fifty dollars nor more than five hundred dollars, for every period of twelve months, the amount of tax to be determined by the tribunal granting the license. The said tax to be paid into the treasury of the county or city granting such license. And it shall be the duty of the board of county supervisors to appropriate all moneys received for license under this act for the benefit of the township in which such license was granted.

Sec. 3. That any person, without taking out and having a license as grocer, dram shop keeper, or tavern keeper, who shall, directly or indirectly, sell any spiritous, vinous or fermented, or other intoxicating liquors, shall be fined in any sum not more than one hundred dollars for each offence, and any person convicted of violating these provisions shall, for every second or subsequent offence, be fined a sum not more than the above named, or may be indicted for a misdemeanor, and fined not less than five hundred dollars, and imprisoned in the county jail not more than six months.

Sec. 4. That any person who shall keep open any porter, ale, or beer house, grocery, dram shop or tippling house, or shall sell or retail any fermented, distilled or intoxicating liquors on the first day of the week, commonly called Sunday, the fourth of July, or upon an election day, shall, on conviction thereof be adjudged guilty of a misdemeanor, and fined a sum not less than twenty-five dollars nor more than one hundred dollars, and be imprisoned in the county jail not less than ten nor more than thirty days. If such person is licensed as a grocer, dram shop keeper, or tavern keeper, he shall, in addition to the above provisions, forfeit his license, and shall not again be allowed to obtain a license under the law for the period of two years next after conviction.

Sec. 5. That, before any person shall be licensed as a dram shop keeper, or grocer, or tavern keeper, under the provisions of this act, he shall execute, to the tribunal granting such license, a bond, in the sum of two thousand dollars, with at least two securities to be approved by said tribunal, conditioned that he will not keep a disorderly house; that he will not sell or permit to be sold any intoxicating liquors to any minor without the consent of the guardian of such minor; that he will not keep his dram shop, tavern or grocery open on Sundays, fourth of July, or any election day, nor will he sell or allow to be sold thereat, on Sunday, fourth of July, or any election day, directly or indirectly, any intoxicating liquors: and, upon said person being convicted of any of the offences enumerated therein, suit may be brought against said principal and securities, to recover the amount of the fine or fines adjudged against him on said conviction, in any court of competent jurisdiction.

Sec. 6. That it shall be unlawful for any person or persons, by agent or otherwise, to sell intoxicating liquors to persons intoxicated or who are in the habit of getting intoxicated, or any married man, against the known wishes of his wife.

Sec. 7. That all places where intoxicating liquors are sold, in violation of this act, shall be taken, held and declared to be common nuisances, and all rooms, taverns, eating houses, bazaars, restaurants, groceries, coffee houses, cellars or other places of public resort, where intoxicating liquors are sold in violation of this act, shall be shut up and abated as public nuisances.

Sec. 8. That it shall be unlawful for any person to get intoxicated, and every person found in a state of intoxication shall, upon conviction thereof before any justice of the peace, be fined the sum of five dollars.

Sec. 9. That every person who shall, by the sale of intoxicating liquors, cause the intoxication of any other person, such person or persons shall be liable for and compelled to pay a reasonable compensation to any person who may take charge of and provide for such intoxicated person, and one dollar per day in addition thereto for every day such intoxicated person shall be kept in consequence of such intoxication, which sum may be recovered by a civil action before any court having jurisdiction.

Sec. 10. That every wife, child, parent, guardian, employer, or other person, who shall be injured in person or property or means of support, by any intoxicated person or in consequence of intoxication, habitual or otherwise, of any person, such wife, child, parent, guardian, employer or other person shall have a right of action in his or her own hand against any person who shall by selling intoxicating liquors, have caused the intoxication of such person for all damages actually sustained, as well as exemplary damages; and a married woman shall have right to bring suits, prosecute and control the same and the amount recovered, the same as if a *feme sole*, and all damages recovered by a minor under this act shall be paid either to such minor or to his or her parents,

guardian or next friend, as the court shall direct, and all suits for damages, under this act, shall be by civil action in any of the courts of this Territory having jurisdiction thereof.

Sec. 11. That the giving away of intoxicating liquors or other shifts or devices, to evade the provisions of this act, shall be deemed and held to be an unlawful selling within the provisions of this act.

Sec. 12. That for all fines and costs assessed against any person or persons for any violation of this act, the real estate and personal property of such person or persons of every kind, without exemption, shall be liable for the payment thereof, and such fines and costs shall be a lien upon such real estate until paid; and, in case any persons shall rent or lease any building or premises, and knowingly suffer the same to be used and occupied for the sale of intoxicating liquors, contrary to this act, such building and premises so leased and occupied shall be held liable for and may be sold to pay all fines and costs assessed against the person occupying such building or premises for any violation of this act.

Sec. 13. In all prosecutions under this act, by indictment or otherwise, it shall not be necessary to state the kind of liquors sold, but shall be necessary to describe the place where sold, and for any violation of the fourth or fifth sections, it shall not be necessary to state the names of any person to whom sold, and, in all cases, the person or persons to whom intoxicating liquors shall be sold, in violation of this act, shall be competent witnesses, to prove such fact or any other tending thereto.

Sec. 14. Justices of the peace shall have jurisdiction and take cognizance of offences under this act, and shall have authority to impose fines not to exceed one hundred dollars, or to bind over for appearance at the proper court, under the act concerning criminal procedure.

Sec. 15. All incorporated cities, containing one thousand inhabitants or more, shall be entirely exempt from the operations of this act, and such cities shall have full power to regulate licenses for all purposes and dispose of the proceeds thereof.

Sec. 16. This act shall take effect and be in force from and after its passage.

Approved February 11, 1859.

The exemption of all incorporated towns of 1,000 or more inhabitants did not meet with unqualified approval, and other provisions of the law failed to entirely satisfy the temperance people. There was a strong sentiment among them for a law so stringent that prohibition of the liquor traffic would result.

THE WYANDOTTE CONSTITUTIONAL CONVENTION

In the meantime the constitutional convention was soon to meet at Wyandotte and some expression of the already strong temperance sentiment in the territory was looked for there. Without disappointment it came on July 11, 1859, when Mr. John Ritchey, a delegate from Shawnee county, introduced the following resolution:

Resolved, That the constitution of the State of Kansas shall confer power on the legislature, to prohibit the introduction, manufacture, or sale of spiritous liquors within the State.

On motion of Mr. Blunt this resolution was referred to the Committee on Legislative Department. On July 23 the matter came up

for discussion when Mr. H. D. Preston, of Burlingame, offered the following section:

Sec. —. The legislature shall have power to regulate or prohibit the sale of alcoholic liquors, except for mechanical and medicinal purposes.

A motion was made to table the section, but it failed to carry, and a warm discussion followed. Solon O. Thacher, of Lawrence, was opposed to the section. He held that it would be a grievous mistake to load special legislation on the constitution, believing that it would tend to defeat it before the people. And that if eventually a prohibitory law was demanded by the people the legislature could, and should, pass such an act but that enemies of the constitution would be only too glad to seize upon a provision of that kind. He closed his argument with an appeal:

Don't let us jeopardize the interests of our party by bringing in questions of this kind. In New York it was sought to be inserted there, but it was opposed by the strongest temperance men in the State, upon the ground that it was not in the issues at all. The great issue with us being freedom or slavery, let us settle this question. I beg of you not to incorporate a handle for our enemies to employ against us. Leave it to the Legislature, and let us pass only upon our legitimate business.

One of those strongly in favor of the sections was William Hutchinson, the newspaper correspondent, and a delegate to the convention from Shawnee county. Among other things he said:

. . . I believe there is some necessity for the passage of this section. If it were true that we are to struggle forever for the freedom of Kansas; if it were true that the one question of slavery was to be kept forever alive in Kansas, then I would like to see nothing but what would bring "nigger" before our eyes; but I believe there are questions of the utmost importance which will come before us, as well as that question. If we are looking to the future moral as well as political well being of Kansas, let us throw a guard around it, while the power is in our hands. It can do no harm. I doubt whether there is a man in the whole state who will vote against the constitution in consequence of a provision of that kind.

Another delegate opposed to the section was J. G. Blunt, of Leavenworth. He objected to voting down the constitution by loading it with extraneous issues, and maintained that the history of the temperance cause in the United States had proved that little good ever resulted from attempting to legislate upon it in this way. "The legislature has jurisdiction over this matter, and has authority to pass stringent laws upon the subject." Mr. J. M. Winchell, the president of the convention, was likewise opposed to it, believing the section to be unnecessary.

Mr. Preston objected to Mr. Thacher's arguments and in defense of the section said:

I want to know if we have not several articles in substance like this, already in the constitution, saying the legislature shall have power to do

this thing and that thing? If the legislature has power to act without special constitutional enactment, why not say that they shall have power to do what they please? If the legislature should ever want to enact a liquor law, I suggest that there should not be anything in their way.

Mr. Stinson of Leavenworth made the statement "that in Maine, where there is no constitutional provision, a law has been declared constitutional more stringent than any you will get here."

After some further argument Mr. Preston withdrew the section, and the discussion of the subject of temperance legislation was dropped in the Wyandotte Constitutional Convention.

GROWTH OF TEMPERANCE SENTIMENT

During the years following, temperance sentiment continued to grow, and agitation went on. There were "liquor spillings" here and there, and various other forms of dissatisfaction were manifested. In 1860 an act was passed by the Territorial Legislature prohibiting the sale, exchange, gift or barter of spiritous liquors or wine to any Indian within the Territory, unless directed by a physician for medical purposes. A heavy penalty was attached to any violation of this law. By this time the Indians had become so adept at evasions and excuses to obtain whiskey, that there was great need of this enactment, and it was but a matter of protection for them.

On October 9, 1861, occurred the first annual meeting of the Kansas State Temperance Society, and the following resolutions were unanimously passed:

Resolved, That we look to the churches of our State for earnest co-operation in the work of Temperance, and we suggest that self-defense will demand total abstinence from intoxicating drinks as a beverage as one test of membership.

Resolved, That we invite and expect all Ministers of the Gospel to actively support our cause, and hope that in every part of the State, they will take immediate steps to organize auxiliary societies.

Resolved, That every friend of Temperance should labor for the enactment of a law, prohibiting the sale of all alcoholic drinks as a beverage in our State.

Resolved, That the sale of intoxicating liquors as a beverage should be put upon a par with other crimes, and be punished as severely at least as theft.

Resolved, That the practice of using domestic wines in families is deleterious to the interests of the Temperance cause.

Resolved, That as temperance men we discountenance the use and sale of intoxicating liquors as a beverage by refusing our patronage to those who engage in their manufacture and sale, especially by refusing to dispose of our products for their manufacture.

The personnel of this convention is interesting, names appearing that had been known to the territory from the beginning. These men were those who had helped in the Free-State movement, who had been members of the Territorial assemblies, and who had been prominent in various other ways. Dr. Amory Hunting was senior vice-president,

H. M. Greene was secretary pro tem. Among the new officers elected that year were J. P. Root, H. A. Seaver, Abraham Ellis, who afterwards was known as "Bullet-hole Ellis" on account of a bullet-hole in his forehead which he received at the hands of Quantrill on March 7, 1862. Benoni Wheat, W. W. Updegraff, J. C. Douglas, F. W. Giles, J. C. Burnett, a member of the Wyandotte Constitutional Convention, and Dr. Peter McVicar, all representative citizens and coming from then widely scattered communities.

It was during the Civil War that a precedent for Carrie Nation and her hatchet was established by the women of Mound City. It had been an unwritten law that no saloons should exist in the town. But an enterprising individual, seeing what he thought a good opening on account of a command of soldiers stationed nearby, came into the village and started a bar-room. It of course became an intolerable nuisance to the citizens. Drunken soldiers were a common sight. Practically all of the able-bodied men were in the army, so the women undertook to cope with the situation. One morning a wagon load of women from the direction of Moneka, a village a mile and a half northwest of Mound City, drove into town. They were supplied with hatchets and axes, and were soon joined by a squad of their Mound City sisters. The company marched straight to the open door of the saloon and filed in. Some one made a move to intervene, but was promptly stopped by a revolver in the hands of a bystander, who told him he would shoot if he attempted to interfere with the women. The women drove out the bar-keepers and the loungers, and then deliberately broke every bottle, glass and decanter in sight, and knocked in the heads of every barrel and keg. Having completed their work they filed out and went to their homes, and a saloon was no more in Mound City, for the result was a prohibition that prohibited for many years without assistance of law or courts.

By 1866, so strongly were people becoming imbued with temperance principles that a measurable prohibition of the liquor traffic was being enforced in many of the counties of the state and in several of the cities of the third class. This year saw the enactment of a special law for the benefit of the public schools of the town of Humboldt in Allen County. The money derived from the granting of a dram-shop license was to be turned to the use of the schools in that village. A vicarious good to grow from ill-gotten gains. This plan was also followed in some other localities.

The winter of 1866-1867 found distinguished speakers from abroad working in the temperance cause in Kansas. One of them, Dr. Charles Jewett, of Connecticut, lectured in Topeka during the session of the Legislature. All this was inclined to stimulate legislative activity along the line of temperance, and that winter, 1867, the dram-shop act of 1859 was amended. The change in section one of the law was a distinct advance, providing as it did, that the petition or recommendation presented to the county tribunal for a township license must be signed by a majority of both *male* and *female* residents of the township, of twenty-one years of age and over. If the petition was for a town or

city it must contain the signatures of a majority of the residents of the ward of twenty-one years of age or over, both *male* and *female*, before its presentation to the city council. Section two was amended in the amount of tax levied, "not less than \$50 nor more than \$500 for every period of twelve months." Section fifteen was repealed. This section exempted all corporate cities of 1,000 or more inhabitants from the operations of the act and gave them the power to regulate licenses and dispose of the proceeds derived therefrom.

There was likewise passed at this session of the Legislature an act prohibiting the sale of intoxicating liquors in the unorganized counties of the state. The penalty for violation of this law was a fine of not less than \$100 nor more than \$1,000, or confinement in jail for a term of not less than four nor more than twelve months.

THE LAW OF 1868

By legislative act approved Feb. 18, 1867, the appointment of a commission was authorized to revise and codify the laws. Their report was adopted by the Legislature of 1868. And on March 3, 1868, "An Act to restrain dramshops and taverns and to regulate the sale of intoxicating liquors" was approved. The basis for this law was the law of 1859 amended in 1867, and as will be seen, it differed very little from the law of 1859.

AN ACT to restrain dramshops and taverns, and to regulate the sale of intoxicating liquors

Be it enacted by the Legislature of the State of Kansas:

Section 1. Before a dramshop license, tavern license or grocery license shall be granted to any person applying for the same, such person, if applying for a township license, shall present to the tribunal transacting county business a petition or recommendation, signed by a majority of the residents of the township, of twenty-one years of age and over, both male and female, in which such dramshop, tavern, or grocery is to be kept; or if the same is to be kept in any incorporated city or town, then to the city council thereof, a petition signed by a majority of the residents of the ward, of twenty-one years of age and over, both male and female, in which said dramshop, tavern, or grocery is [to be] kept, recommending such person as a fit person to keep the same, and requesting that a license be granted to him for such purpose: Provided, That the corporate authorities of cities of the first and second class may, by ordinance, dispense with the petition mentioned in this section.

Sec. 2. Upon every license granted to a dramshop keeper, and upon every license granted to a tavern keeper or grocery keeper, there shall be levied a tax of not less than one hundred dollars nor more than five hundred dollars for every period of twelve months; the amount of the tax to be determined by the tribunal granting the license; the said tax to be paid into the treasury of the county or city granting such license. And it shall be the duty of the board of county commissioners to appropriate all moneys received by such tribunal for license under this act, for the benefit of the township in which such license was granted; and all incorporated cities shall appropriate the moneys received by such cities for license under this act, as the council thereof may provide.

Sec. 3. Any person, without taking out and having a license as

grocer, dramshop keeper or tavern keeper, who shall, directly or indirectly, sell any spirituous, vinous or fermented or other intoxicating liquors, shall be fined in any sum not more than one hundred dollars for each offense; and any person convicted of violating these provisions, shall, for every second or subsequent offense be indicted for a misdemeanor, and fined not less than five hundred dollars and imprisoned in the county jail not more than six months.

Sec. 4. Any person who shall keep open any porter, ale or beer house, grocery, dramshop or tippling house, or shall sell or retail any fermented, distilled or intoxicating liquors on the first day of the week, commonly called Sunday, the fourth of July, or upon any election day, shall, on conviction thereof, be adjudged guilty of a misdemeanor, and fined a sum not less than twenty-five dollars nor more than hundred dollars, or be imprisoned in the county jail not less than ten nor more [than] thirty days, or by both such fine and imprisonment. If such person is licensed as a grocer, dramshop keeper or tavern keeper, he shall, in addition to the above provision, forfeit his license, and shall not again be allowed to obtain a license under the law for the period of two years next after conviction.

Sec. 5. Before any person shall be licensed as a dramshop keeper, or grocer, or tavern keeper under the provisions of this act, he shall execute to the tribunal granting such license a bond to the sum of two thousand dollars, with at least two securities, to be approved by said tribunal, conditioned that he will not keep a disorderly house; that he will not sell or permit to be sold any intoxicating liquors to any minor, without the consent of the guardian of such minor; that he will not keep his dramshop, tavern, or grocery open on Sundays, fourth of July, or any election day, nor will he sell or allow to be sold thereat, on Sunday, fourth of July, or any election day, directly or indirectly, any intoxicating liquors; and, upon said person being convicted of any of the offenses enumerated therein, suit may be brought against said principal and securities, to recover the amount of fine or fines adjudged against him on said conviction, in any court of competent jurisdiction.

Sec. 6. Every person who shall, directly or indirectly, knowingly sell, barter or give away any intoxicating liquor to any person who is in the habit of being intoxicated, after notice shall have been given him by the wife, child, parent, brother or sister of such person, or by any civil officer charged with the care and custody of the poor of the township, city or ward where he resides, that such person is in the habit of being intoxicated, or to any person in a state of intoxication, or to any minor without the consent of his parents or guardian, shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by fine not less than five nor more than one hundred dollars, or by imprisonment not less than ten nor more than sixty days, or by both such fine and imprisonment.

Sec. 7. All places where intoxicating liquors are sold, in violation of this act, shall be taken, held and declared to be common nuisances; and all rooms, taverns, eating houses, bazaars, restaurants, groceries, coffee houses, cellars or other places of public resort, where intoxicating liquors are sold in violation of this act, shall be shut up and abated as public nuisances.

Sec. 8. It shall be unlawful for any person to get intoxicated; and every person found in a state of intoxication shall, upon conviction thereof, before any justice of the peace, be fined the sum of five dollars.

Sec. 9. Every person who shall, by sale, barter or gift of intoxicating liquors, cause the intoxication of any other person, such person or persons shall be liable for and compelled to pay a reasonable compensation to any person who may take charge of and provide for such intoxi-

cated person, and five dollars per day in addition thereto for every day such intoxicated person shall be kept in consequence of such intoxication; which sum may be recovered by a civil action before any court having jurisdiction.

Sec. 10. Every wife, child, parent, guardian, employer or other person, who shall be injured in person or property or means of support, by any intoxicated person, or in consequence of intoxication, habitual or otherwise, of any person, such wife, child, parent, guardian, employer or other person shall have a right of action in his or her own name against any person who shall, by selling, bartering or giving intoxicating liquors, have caused the intoxication of such person, for all damages actually sustained, as well as exemplary damages; and a married woman shall have the right to bring suits, prosecute and control the same and the amount recovered, the same as if unmarried; and all damages recovered by a minor under this act shall be paid either to such minor or to his or her parents, guardian or next friend, as the court shall direct; and all suits for damages, under this act, shall be by civil action in any of the courts of this state having jurisdiction thereof.

Sec. 11. The giving away of intoxicating liquors, or other shifts or device to evade the provisions of this act, shall be deemed and held to be an unlawful selling within the provisions of this act.

Sec. 12. For all the fines and costs assessed against any person or persons for any violation of this act, the real estate and personal property of such person and persons, of every kind, not exempt, shall be liable for the payment thereof, and such fines and costs shall be a lien upon such real estate until paid; and, in case any person or persons shall rent or lease any building or premises, and knowingly suffer the same to be used and occupied for the sale of intoxicating liquors, contrary to this act, such building and premises, so leased and occupied, shall be held liable for and may be sold to pay all fines and costs assessed against the person occupying such building or premises, for any violation of this act.

Sec. 13. In all prosecutions under this act, by indictment or otherwise, it shall not be necessary to state the kind of liquors sold, but shall be necessary to describe the place where sold; and for any violation of the third or fourth sections, it shall not be necessary to state the name of any person to whom sold; and, in all cases, the person or persons to whom intoxicating liquors shall be sold, in violation of this act, shall be competent as witnesses to prove such fact or any other tending thereto.

Sec. 14. All sales of intoxicating liquors, made by a keeper of a dramshop, on a credit, shall be void and of no effect, and the debt thereby attempted to be created shall not be recoverable at law.

Sec. 15. This act shall take effect and be in force from and after its publication in the statute book.

Approved, March 3, 1868.

INFLUENCE OF TEMPERANCE SOCIETIES

Until 1870 the temperance movement in Kansas had no real cohesion, but from that date to the time of the vote on the prohibitory amendment a continued and united effort was made to bring about a satisfactory change in the dramshop law. By 1870 temperance was a topic of nationwide discussion. The church, always a vital power in the temperance movement, was holding revivals throughout the country. The Murphy or Blue Ribbon Workers were increasing in numbers. And all this was leading up to the "Woman's Crusade" inaugurated at Hillsboro, Ohio,

in 1873, when after a temperance revival the women of the town undertook by a crusade of prayer to drive the saloons from their city.

Prior to this time, probably the most potent factor in the temperance movement in Kansas had been the Independent Order of Good Templars, a national temperance society, organized at Utica, N. Y., in 1851, and an outgrowth of the Sons of Temperance which had been organized some ten years previous. Article two of its constitution was the pledge that "No member shall make, buy, sell or use, as a beverage, any spiritous or malt liquors, wine or cider, and shall discountenance the manufacture and sale thereof, in all proper ways." In 1858 Tecumseh had a flourishing lodge of Good Templars. Lawrence, too, was an early stronghold. On September 26, 1860, a Grand Lodge was organized at Leavenworth by delegates from ten subordinate lodges over the territory. At one time and another previous to the organization of the Grand Lodge there had been thirty-four subordinate lodges in Kansas.

The Grand Lodge proceedings of 1866 speak of an awakened interest in temperance throughout the land. In New York a National Temperance Society had been organized issuing publications and sending out lecturers. And some discussion was evoked as to the propriety of making the Kansas Grand Lodge an auxiliary society to the National Temperance association that they might gain thereby the advantage of the "powerful advocacy of its press and the influence flowing from its publishing house." For some years the Good Templars in Kansas had deprecated the lack of temperance literature and were therefore anxious to seize opportunities that offered the publicity of the press, and gave them a channel for their propaganda.

In 1871 a member of the Good Templars brought to the Grand Lodge the suggestion that some action be taken to secure an amendment to the laws on the suppression of the liquor traffic, "the laws, as they now stand, being practically a dead letter." He asked that petitions be circulated and presented to the Legislature at its next session praying for "a law which shall better suppress the sale of intoxicating drinks." The Good Templars had by this time increased to 173 lodges in the state with a total membership of some 3,000 people, and had, of course, a corresponding influence in public affairs.

The effect of their work developed in the legislative session of 1872 when Dr. James H. Whitford of Garnett introduced, on January 11, House bill No. 7, "An Act to provide against the evils resulting from the sale of intoxicating liquors in the State of Kansas." The temperance people were fortunate in securing the ear of a man of Dr. Whitford's type. He understood legislative procedure, having served in the House of Representatives in 1870, and was a man of large and varied experience. He was born in Circleville, Ohio, in 1822, and as a boy helped his father in a wool-carding mill. After reaching manhood he was for a time engaged in the contracting and construction of public works in both Ohio and Virginia. In 1852 he went to California, where he mined gold for two years. Returning to his native state he began the study of medicine in 1856, attending Starling Medical College, and graduated in

1858. He practiced at Royalton, Ohio, until the beginning of the Civil War, and in August, 1861, was appointed assistant surgeon to the 30th Ohio Infantry, and commissioned surgeon in March, 1862, which position he filled until July 29, 1865. After the battle of Antietam he acted as Brigade surgeon, and after Chickamauga as Medical Director of the Fourth Division, Fourteenth Army Corps. For some months he served as Medical Director of the Wheeling district. After the close of the war he practiced at Circleville for a short time, moving to Garnett, Kansas, in 1867, where he continued the practice of his profession.

Unfortunately no copy of House Bill No. 7, nor its substitute, has been preserved. We can only judge it by its title, by newspaper notices, and by the antagonism created against it among the liquor-dealing element in the state. The bill was introduced, as has been noted early in the session, and on account of the opposition dragged a weary length through the House. Dr. Whitford had been made chairman of the special committee on bills relating to the sale of intoxicating liquors. With three others on this subject, House bill No. 7 was referred to his committee. On January 25, it was reported back to the House without amendment and with the recommendation that it pass. Later it was returned to the committee for further consideration and on Feb. 6, they reported a substitute to the House. A minority report was made on Feb. 8, and here follows:

MR. SPEAKER: The undersigned, a minority of your Committee to whom was referred all bills and petitions relating to the sale of intoxicating drinks, unable to agree with the majority of said Committee in all the details of their report, beg leave to submit the following report:

By the provisions of the bill recommended by the Committee but one grade of license is to be granted, and that embracing the sale of all kinds of distilled wines and fermented liquors, thus throwing the whole of the traffic in the milder beverages, such as wines and fermented liquors into the hands of the licensed whisky shops; especially will this be the case under the heavy license and bonds required to obtain a license. We think this policy unwise, because many of our citizens, especially those of foreign birth, who are in the habit of using these milder beverages seldom or never indulge in the more hurtful and intoxicating liquors, and they would not desire to be obliged to go into and patronize the whisky saloon, in order to get a glass of wine or of beer. Instead of giving a monopoly of the sale of all these beverages to the whisky saloons virtually, prohibiting wine and beer houses, we would reverse the rule and authorize the selling of wines and fermented liquors manufactured within this State, on mild and equitable terms, holding, of course, the licensed party to a strict responsibility for any violation or abuse of his privilege, while we demanded of the dealer in distilled, drugged and adulterated liquors heavier license and severer penalties.

To accomplish this, the minority of your Committee recommended the following amendment as an addition to section one of the bill reported by the Committee:

Provided, That for the exclusive sale of wines and fermented liquors, manufactured within this State, the bond for license shall be in the sum of five hundred dollars, and conditioned that he will only sell wines and fermented liquors manufactured within this State, and

Provided further, That the tax for said license shall not exceed two hundred dollars for any one year; and

Provided further, That nothing herein contained shall be construed to prevent the manufacture of wine and fermented liquors within the State from selling at wholesale in the usual way, without having obtained a license under the provisions of this act.

G. P. SMITH,
E. SELLS.

From accounts drawn from several newspapers it appears that Section one of this bill provided that a bond of \$3,000 must be given as security before a license could be obtained. Section two provided that it should be unlawful to sell to minors, to intoxicated persons or to those in the habit of getting intoxicated. Section four provided that every person who should by the sale of intoxicating liquor cause intoxication of any other persons should be liable for and should be compelled to pay a reasonable compensation for the care of such intoxicated person. Section five provided for the right of action against the seller of intoxicants in the event of injury in person, property or support. The remaining sections defined fines and penalties for violation of the law and were not included in the account. On February 13th the bill came up for final consideration and passed the House by a vote of 57 yeas to 34 nays. On the 14th it was messaged to the Senate and there was referred to a special committee who eventually reported it back to the Senate with some amendments. It was re-committed for further consideration, and later, the Senate, in Committee of the Whole, moved that the special committee be instructed to report as soon as the bill was printed. But since this motion was had only four days prior to the adjournment of the Legislature, and since no action was taken on it, it is but natural to believe that the bill died in the hands of the committee.

The petitions submitted to the Legislature asking for favorable action on this bill were surprisingly numerous and proved the activity of the Independent Order of Good Templars. Nearly fifty petitions were presented to the House and some fifteen to the Senate. A conservative estimate of the number of signatures would place it at 6,000 names. Seven remonstrances against any change in the laws governing the liquor traffic were submitted, aggregating some 3,000 signatures.

The newspapers took an active part in this campaign, those of Leavenworth and Atchison were naturally strongly opposed to any change in the liquor laws. *The Leavenworth Times* of January 28th had this to say:

The new liquor law is demanding the attention of the people of the state to a very large extent. It does not seem possible that the legislature will seriously attempt to pass the proposed law.

If they do, it can never be enforced in this city, and will only result in the abandonment of all laws for licensing and restraining the traffic.

Iowa has a law similar to the one proposed in our State, and the result there is that anyone who can buy a gallon of whisky becomes a retailer.

In Massachusetts prohibitory laws have proved failures, and the use

of liquors have constantly increased since the law was passed. Good sense ought to govern, and we think will. If so, our legislature will let well enough alone, and we will move along smoothly.

The Atchison Weekly Champion of February 3rd had a long article on "The Liquor Law," from which the following is quoted:

Every year for at least ten years back, there have been members of the legislature who have insisted on tinkering away at the liquor laws. Occasionally they have made changes, and in one or two instances have submitted entirely new acts for the old acts. The legislature of this winter is, as usual, discussing the subject of the liquor law.

Then follows an argument on the impossibility of a law, unsustained by public sentiment, becoming effective. The same argument that has been used since time immemorial against any legislation tending to raise the moral standard of a people. The article closes with this paragraph:

And hence we go back to the first principles of legislation and urge our legislators to remember that laws not sustained by the popular will are always, in this country, inoperative, inexpedient, impractical and useless. It is well to let well enough alone.

Many open letters were published in the papers both for and against the proposed liquor law, but the policy of the larger newspapers was undoubtedly against so stringent a measure, and inclined strongly to the "let well enough alone" theory.

That the liquor dealers took an active hand in the campaign is shown by the following newspaper extracts:

One day last week German circulars were distributed around town calling a meeting of the Germans for the evening.

The object was to effect an organization for the purpose of defeating any movement for changing the laws of the state in relation to the sale of liquor, and to meet and defeat temperance work in general.

A convention is called for the 30th of January, to meet at Topeka. . . . This convention is styled "anti-temperance."

What are we coming to is a problem worthy the serious attention of all who have the welfare of the community at heart. That the labors of the friends of temperance and sobriety, and of implanting principles of industry and morality in the characters of the youth of our land, have a work to do, the magnitude of which is daily increasing, should be recognized as a startling reality. *Topeka State Record*, Jan. 24. 1872.

From the *Leavenworth Times* we find that the "Anti-Liquor Law Convention" came off according to plans, and that its meeting was considered successful. There were present 119 delegates from over the state, resolutions were passed, and the convention adjourned subject to call. The resolutions were to the effect that all restrictions necessary were already imposed by the dramshop act of 1868. They recited that the liquor dealers were among the heaviest tax payers in the state. That they were a most respectable body of business men "desirous of obeying every just law, and the legislation on so personal an affair as what a man should eat and drink was contrary to the constitution of the United States and all

liberty." They further stated that experience had proven such stringent laws ineffectual and that the convention should "heartily unite against the movement now on foot to crush our social liberties by fanatics. And that further trust be refused any party that upholds the principles enunciated in the temperance law now before the legislature." Copies of these resolutions were sent to the Speaker of the House and to the President of the Senate to be presented to the Legislature as a protest against the law.

A resolution looking to a permanent organization of the liquor dealers was also passed.

The activity of the temperance people, and they were exceedingly busy during the legislative session, is shown through the many announcements of temperance meetings and in fact that the State Temperance Union held its annual meeting in Topeka while the Legislature was in session. An urgent invitation was extended to the Legislature to attend the sessions of the Temperance Union.

How this invitation was received is illustrated by an extract from the *Leavenworth Times* of January 18.

Yesterday a letter was sent to a prominent brewer of Leavenworth, stating that if he wanted to defeat the bill regulating the sale of intoxicating liquors, he would have to send up some beer, and this afternoon (Jan. 16), when the legislature received an invitation to attend a session of the State Temperance Convention, the announcement was also received that five kegs of beer had arrived from Leavenworth. So much for a practical joke.

On motion of Gen. Strickler the representatives of the *Times*, *Commercial* and *Call* were included in the invitation to the Temperance Convention, and the anti-Temperance men, not to be thwarted by anything of this kind, included the reporters in the invitation to the beer banquet. The Congressional aspirants, who were obliged to attend both "blow-outs" were somewhat exhausted and hope to have more harmony among their constituents hereafter.

Of a meeting on the evening of February 5th the newspaper says that the temperance men rallied in force at representative hall. "Not only were the cold-water men there but the cold-water girls as well. On a whole it was a temperance victory, and an ice-water ovation. Speeches were made, all for the bill." That the bill was already lost was a foregone conclusion, and probably none knew it better than the "cold water men," but public sentiment was being educated.

THE REPUBLICAN PARTY RECOGNIZES TEMPERANCE

In 1873 prohibition began to be talked of in Kansas but not hopefully. The Legislature of that year was inclined to leave temperance legislation alone. A bill was introduced in the House to amend the dram-shop law of 1868 but was reported adversely by the committee to which it was referred. By the next year temperance was once more to the fore. The "Women's Crusade" had reached the state and in several towns women went into saloons, praying with the saloon keepers and the patrons. In

some instances they had even engaged in "liquor spilling." From the stories of that crusade, that have been handed down, it is hard to decide which the men felt the most keenly having the women pray with them or having them empty the whiskey bottles and barrels. One was an annoyance and a humiliation, the other angered them! Certain it is that many fairly reputable citizens and politicians were prayed over by the women of the towns in which they lived, and it is a matter of history that more than one wife was forbidden to "go out with the praying women."

In the Legislature of 1874 House Bill 209 was the menace to the liquor dealers. It passed the House and was messaged to the Senate where it was referred to the committee on Retrenchment and Reform. John P. St. John, who was a member of the Senate, made a desperate effort in behalf of the bill. It was finally reported but its consideration was blocked by innumerable motions and finally it died on the calendar. That session some thirty-four petitions asking for a *prohibitory* law were presented to the Senate, and that the liquor dealers regarded the movement seriously is evidenced from the presenting of a petition "containing over 12,000 bona fide signatures" from citizens of Kansas "protesting against any alteration or amendment of the present liquor law."

Public sentiment was becoming more favorable to the cause of temperance. A deeper sense of responsibility was being manifested by legislators. At the Republican State Convention of 1874 one of the planks in the platform was an indorsement of temperance principles. "Resolved, That drunkenness is one of the greatest curses of modern society, demoralizing everything it touches, imposing fearful burdens of taxation upon the people, a fruitful breeder of pauperism and crime, and a worker of evil, continually. Hence we are in favor of such legislation both general and local as experience shall show to be the most effectual in destroying this evil." This was the first recognition of the question in Kansas, by a great political organization, and it at least pledged that party to its discussion.

ATTEMPT TO AMEND THE LAW OF 1868

On September 10 and 11, 1874, a Temperance convention was held at Leavenworth for the purpose of organizing a Temperance party. There had been much argument among temperance advocates and workers as to the advisability of such a step. Five years before, the National Prohibition party had been organized at Chicago, Sept. 1, 1869. The movement was inaugurated in the Grand Lodge of the Independent Order of Good Templars at a meeting at Oswego, N. Y. And a committee had issued a call for a national convention to organize a prohibition party. There were present at that convention 500 delegates, from 20 states. The causes leading up to this move on the part of temperance organizations were very simple and a recital of them can not be out of place here. During the Civil War persons engaged in the liquor trade of the United States had organized for offensive and defensive warfare against all prohibitory legislation. Their plan was

to attempt to secure if possible the repeal of all existing prohibitory laws, or failing in this, to prevent their legal enforcement. The Brewer's Congress of 1867 declared they would sustain no candidate of whatever party in any election, who was, in any way, disposed toward total abstinence. Both the Republican and Democratic parties had refused to declare for prohibition, both could be arraigned for complicity with the liquor traffic. There was a conflict in state and federal authority. A national policy of license and a local law of prohibition demanded a new party entirely committed to the overthrow of the legalized traffic in liquors. This last argument could be used in favor of organizing local prohibition parties and doubtless entered into the initial steps which led to the Leavenworth convention. At that convention a ticket was nominated headed by Dudley C. Haskell as the candidate for Governor. Mr. Haskell declined to run, as did many of the other nominees, and the ticket put into the field was not strong enough to create great feeling. There were only nine counties of the State represented in the convention, and among temperance workers generally there was a disposition to withhold approval and support. It is interesting to note here that this year (1874) the prohibition candidate for president received 110 votes from Kansas.

The Kansas Grand Lodge of Good Templars passed resolutions endorsing the Leavenworth convention and recommending that the members of the subordinate lodges labor to secure the election of the State Temperance ticket. The movement, however, was in a measure a failure and the strong endorsement of temperance principles in the Republican state platform of that year (1874), discouraged further attempts to organize a separate party at that time. The temperance following naturally looked to the Republican party in Kansas to carry out their principles and in this they were not to be disappointed.

There were three different bills introduced in the Senate of 1875 to amend the dram-shop act of 1868, these either died on the calendar or were killed in committee. Three bills were also introduced in the House that year, one, House Bill 9, was passed and messaged to the Senate where it was referred to the committee on Judiciary which reported it back with the recommendation that it be rejected, since its object was already accomplished by laws on the statute book.

Renewed effort was made in 1876 to secure legislation relating to restraint of dram-shops. A bill, number 216, was introduced in the House by J. J. A. T. Dixon of Russell county, on January 24; it passed on February 22, fifty-five yeas and 38 nays. At the evening session Mr. Glick asked to have spread upon the journal this protest:

Mr. Speaker: I enter my protest against the passage of House Bill no. 216, An act to amend section 1 of chapter 35 of the General Statutes of 1868, relating to dramshops, for the following reasons:

1. A prohibitory liquor law, wherever tried, has been a failure, and has not accomplished its purposes. This proposition is conceded by all those who have given the subject a careful consideration, and were not controlled by fanaticism.

2. This bill, if passed into a law, will result in the increased use of intoxicating liquors, as no one will attempt to enforce such a law.

3. The regulation and control over the traffic in intoxicating liquors in cities is an absolute necessity for the preservation of the peace and good order of society, and that control over it is taken away by this bill.

4. The revenue derived from the sale of intoxicating liquors aids in paying the burdensome expenses following in the wake of such sales, but by this law the burdens on the public are increased, while the ability of the public, and more especially the cities, to prevent them is decreased.

5. The liquor traffic will, by this bill, if it becomes a law, greatly increase the number of places wherein liquor is sold, and as a necessary result the evils of the traffic will be greatly increased, the expenses of protecting life and property and preserving the peace of the public in cities greatly increased, with no resulting benefit from this bill, if it becomes a law.

6. The evils resulting from abolishing the license system will result in turning politics of cities over to those who will secure the election of officers who will not prosecute or aid in enforcing the law, by which the moral character of all cities will suffer and crime will be greatly increased, with no adequate power to prevent it.

I am satisfied that my constituents do not desire any change in the present liquor law. I believe they are satisfied with its provisions, and under its operation they have been able to control its traffic, prevent the evils and abuse incident thereto, and preserve the peace and quietude of the city, and prevent increased immorality and law-breaking without being compelled to submit to increased taxation that would be needed if this bill becomes a law.

G. W. GLICK.

We join in the foregoing.

J. M. HEDDENS,
JOHN BATES,
C. C. DUNCAN,
A. J. CAMPBELL,
SANFORD HAFF.

The next day, February 23, a member from Leavenworth moved to reconsider the vote on House Bill 216, but his motion was lost, and the bill was messaged to the Senate February 28. It was killed on March 2, two days before final adjournment of the Legislature.

CONTINUATION OF THE WORK

There was a reform ticket in the field in 1876 but the vote polled was so insignificant that it has not been thought worth while to follow it. The candidate for Governor was a member of the Independent Order of Good Templars and a man believing firmly in prohibition, but he received only 393 votes. The Temperance Convention had nominated St. John but he declined the nomination.

In the Legislature of 1877 the friends of temperance were again active. A bill was introduced in the Senate to amend the dram-shop law of 1868. It passed and was sent to the House, where it was referred to the committee on Judiciary and that was the last heard of it. Petitions were presented in both branches of the Legislature asking for favorable consideration of this bill, but they came to nothing.

The Murphy or Blue Ribbon movement swept over the state this year. It had been inaugurated in Lawrence by E. B. Reynolds of Indiana. In speaking of this movement the Proceedings of the Grand Lodge of Good Templars for 1878 says: "While it has doubtless done great good and the cause of temperance thereby been materially advanced, it can never supply the place of our Order. . . . We are now approaching a crisis. Our State is making a mighty effort to free itself from the terrible thralldom of intemperance. Our Order was the first organization to hoist the banner of temperance in the State; it should continue to be first in carrying forward this great work, not opposing any other organizations, but working with them for the accomplishment of the same grand purpose; and when we shall have conquered the last enemy the first shout of final victory should ascend from our ranks."

The following year, 1878, was election year and the temperance people over the state were interested in the candidacy of John P. St. John for Governor. He had been identified with the temperance movement ever since coming to Kansas in 1869, had lectured for the cause and had, during his service in the State Senate, been a strong partisan in temperance legislation. The Republican platform of this year recognized the growth of temperance sentiment in the party by inserting the following: ". . . earnest in securing election . . . to the Legislature, men who will represent upon all questions the best sentiment of the people, and who will labor earnestly for the enactment of such laws as the best interest of society, temperance and good order shall demand." During this year a temperance revival was in progress over the state; a temperance camp meeting was held at Lawrence; total abstinence was urged, and following the Blue Ribbon workers hundreds signed the pledge. Wilder says, "The people heard this gospel gladly, and the lawyers and politicians went with the crowd. So Kansas conquered ruffianism, rebellion, and rum. . . ." On the other hand the liquor dealers were violating every restrictive feature of the license law. There was among them a spirit of lawlessness and shamelessness that was more detrimental to their cause than any other one thing. With defiance they sold liquor on Sunday, sold to minors, to besotted drunkards, and to any one who brought the money. So great became their utter disregard of law that not only the well known temperance advocates, but all classes of people began to discuss the advisability of advanced legislation on the subject.

J. R. DETWILER

About this time a zealous worker in the temperance cause living at Osage Mission, J. R. Detwiler, became convinced that the hour had struck for united action for a prohibitory law. No practical suggestions had heretofore borne fruit. There had been much discussion, many petitions, and some legation, but still the liquor traffic flourished. Mr. Detwiler began at the beginning and counceled a constitutional amendment

that would prohibit the liquor traffic in the state, since it was not believed that the Legislature could legally enact a prohibitory measure sufficiently stringent. He began to investigate the subject and came to the conclusion that in any event the submission of a constitutional amendment afforded an excellent method of measuring public sentiment on the saloon question. It had been maintained that the people were not prepared for so radical a measure, and of course it would follow that a law not supported by public sentiment would fail of enforcement and the moral effect would be correspondingly detrimental. He says, "The more I considered the scheme the stronger became the impression that it was feasible, and that the time to strike had come."

Strong in this belief, he wrote an article on the liquor traffic and took it to a local paper for publication. It was refused, the editor considering it too radical. Thereupon Mr. Detwiler, acting upon the advice of a friend, who like himself was an ardent prohibitionist, decided to establish a temperance paper devoted to prohibition. And it was thus that the *Temperance Banner* was raised in October, 1878, and continued through two years of stormy effort. The leading editorial of the first number advocated both state and national prohibition of the liquor traffic by constitutional law.

Mr. Detwiler took a bundle of these papers and went to Fort Scott to attend the Grand Lodge of the Independent Order of Good Templars. He distributed his paper, and his proposition met with favor. At this meeting the following resolution was adopted:

Resolved, That we, as a Grand Lodge, petition the Legislature of the State of Kansas, that they do submit to the people of said State, at the ballot box a constitutional amendment prohibiting the importation, sale and manufacture of intoxicating liquors within the boundary of the aforesaid State.

Resolved, That a committee of three be appointed to prepare said petition and present the same at the sitting of the next Legislature.

The committee named consisted of J. J. Fields, James Grimes and L. Brown. At this meeting of the Grand Lodge Mr. Detwiler was chosen Grand Worthy Chief Templar, which placed him at the head of the order in Kansas. The provisions of the resolution were carried out, the petition drafted and copies sent to the 200 subordinate lodges to be circulated among the voters of the state. The success of this effort will be shown later.

JOHN P. ST. JOHN ELECTED GOVERNOR

Meanwhile the election had passed off, giving St. John a majority of 2,744 votes. He was duly inaugurated and on January 16th [1879] delivered his message to the joint session of the Senate and House of Representatives. On the subject of temperance he had this to say:

The subject of temperance, in its relation to the use of intoxicating liquors as a beverage, has occupied the attention of the people of Kansas to such an extent, that I feel it my duty to call your attention to some

of its evils, and suggest, if possible a remedy therefor. Much has been said of late years about hard times, and extravagant and useless expenditures of money; and in this connection, I desire to call your attention to the fact, that here in Kansas, where our people are at least as sober and temperate as are found in any of the States in the west, the money spent annually for intoxicating liquors would defray the entire expenses of the State government, including the care and maintenance of all its charitable institutions, Agricultural College, Normal School, State University, and Penitentiary—and all for something that, instead of making mankind nobler, purer and better, has not only left its dark trail of misery, poverty and crime, but its direct effects, as shown by the official report, have supplied our State prison with one hundred and five of its present inmates.

Could we but dry up this one great evil that consumes annually so much wealth, and destroys the physical, moral, and mental usefulness of its victims, we would hardly need prisons, poor-houses, or police.

I fully realize it is easier to talk about the evils flowing from the use of intoxicating liquors as a beverage than it is to provide a remedy for them. If it could be fully accomplished, I am clearly of the opinion that no greater blessing could be conferred by you upon the people of this State than to absolutely and forever prohibit the manufacture, importation, and sale of intoxicating liquors as a beverage. But many people insist that a prohibitory law could not, or at least would not, be enforced, and that any law cannot be, or is not, enforced, is worse than no law at all.

I have too much faith in the people of Kansas to believe that any law intended to, and the effect of which would be to promote the moral, physical and mental condition of mankind would not be rightly enforced. Yet, desiring the passage of no law in relation to the enforcement of which there could be any doubt, and with a view to the adoption of such measures only as will be backed up and enforced by the moral sentiment of our people, I respectfully call your attention to the first section of what is commonly known as the dramshop act, which reads as follows:

“Before a dramshop license, tavern license, or grocery license shall be granted to any person applying for the same, such person, if applying for a township license, shall present to the tribunal transacting county business a petition or recommendation signed by a majority of the residents of the township of twenty-one years of age and over, both male and female, in which such dramshop, tavern, or grocery is to be kept; or if the same is to be kept in any incorporated city or town, then to the city council thereof, a petition signed by a majority of the residents of the ward, of twenty-one years of age and over, both male and female, in which said dramshop, tavern, or grocery is to be kept, recommending such person as a fit person to keep the same, and requesting that a license be granted to him for such purpose: Provided that the corporate authorities of cities of the first and second class may by ordinance dispense with petition mentioned in this section.” And earnestly recommend that said section be amended by striking out the proviso therein contained, and requiring the party desiring a license under said section to publish his petition, with the names of the signers thereto, in some newspaper printed and of general circulation in the town, city or township in which he desires to obtain such license; or, in case no newspaper is so published, then in some newspaper published in the county and of general circulation;—and thus place all the cities, towns and townships in the State, irrespective of the particular class to which they belong, on an equal footing, and let the people in each locality settle this question for themselves.

The first action of the House following the suggestion contained in the Governor's message, was a resolution requesting the Committee on Temperance to examine the statutes with reference to needed legislation and report to the House by "bill or otherwise." This was on January 21st; on the 23d a bill to amend the dram-shop act of 1868 was introduced by W. M. Moore of Republic County, House bill 86. The bill was referred to the committee on Temperance and on February 13th it was reported back, together with House bill 188, with the recommendation that the "substitute herewith be passed." House bill 188 had been introduced on February 7 by Thomas J. Calvin, chairman of the Committee on Temperance. The substitute for these bills passed the House by a vote of 75 for and 25 against, and was sent to the Senate on March 6, where on the 8th it failed to receive a constitutional majority.

In the meantime House bill 110, regulating the sale of intoxicating liquors, was introduced by George Taylor of Clay county. This bill was reported adversely by the committee on temperance. On February 10, House Joint Resolution Number 5, proposing an amendment to Article 15 of the constitution of Kansas relating to the manufacture, importation and sale of intoxicating liquor was introduced by Charles E. Faulkner, of Salina, who was chairman of the Ways and Means committee. It was referred to the committee on Judiciary and later to the committee on Temperance, who reported it to the House with the recommendation that it be passed. On February 14 a fourth bill in restraint of dram-shops was introduced in the House by George L. White of Belleville. This bill was referred to the committee on Federal Relations and no further action was taken. House bill 336, an act to authorize county commissioners and councils of incorporated cities to grant a license for the sale of intoxicating liquor for medicinal purposes, was the next temperance measure introduced in the House. It passed on March 6th and was messaged to the Senate where not having a constitutional majority it failed to pass.

The Senate, too, was doing its share in the introduction of temperance measures. On January 21, Senate bill 17, an act to amend the dram-shop act of 1868 regulating the sale of intoxicating liquors, was introduced by Senator Grass, of Independence. It was referred to the committee on Judiciary, reported back, and referred to the committee on Retrenchment and Reform, by them reported to the Senate with the recommendation that Senate bill 32 be substituted, which was agreed to. Senate bill 32 was introduced by Senator John T. Bradley, of Council Grove, and was an act to amend Chapter 35 of the General Statutes of 1868, an act to restrain dram-shops. The bill was referred to the committee on Judiciary, recalled and sent to the committee on Retrenchment and Reform, and by them reported favorably to the Senate. A third temperance measure was introduced by Senator R. M. Williams, of White Cloud, Senate Bill 115, this bill was allowed to die on the calendar. The next to be introduced in the Senate was Senate bill 150, by Senator C. M. Kellogg of Clay Center; it went the usual round and was recommended for passage by the committee of the Whole, when,

in the interest of another temperance measure, Senator Kellogg moved that his bill be stricken from the calendar. Senate bill 157 was introduced by Senator George F. Hamlin, referred to the committee on Retrenchment and Reform and by them referred to the committee of the Whole Senate. Here it dragged along with frequent postponements, and was eventually brought up with the substitute for House bills 86 and 188, when, on March 7 the committee recommended the rejection of Senate bill 157.

SENATE JOINT RESOLUTION NO. 3.

In the meantime petitions began to drift in to the Senate and House. Mr. Detwiler, the representative of the Good Templars, arrived in Topeka with the monster petition circulated by that Order and began a bombardment of the Legislature that, up to that time, was unique. Beside presenting the petition as a whole to both branches of the Legislature, he copied and arranged the names according to legislative districts and approaching three or four members daily presented them with a petition from their own constituents asking each to examine the petition and present it to the body of the Legislature to which he belonged. Thus a perfect fusillade of petitions was kept up for a week or ten days. Having accomplished this first bit of strategy to his satisfaction, Mr. Detwiler went to the office of Judge N. C. McFarland, a zealous temperance worker, a man of state wide reputation for integrity and of no mediocre ability as a lawyer, and asked him to draft a joint resolution submitting an amendment to the constitution of the state relative to the manufacture and sale of intoxicating liquors. It must be an amendment that would stand the severest tests and Judge McFarland by reason of his knowledge of governmental functions, was a man eminently fitted to do the work. Two days later he gave Mr. Detwiler the resolution afterward known as Senate Joint Resolution Number 3. It was introduced on February 8 by Senator Geo. F. Hamlin, of Linn County, referred to the committee on Judiciary, reported back February 13, with the recommendation that it be referred to the Committee of the Whole and printed. Work had been done very quietly because of the strong liquor lobby fighting Senate Bill 32, a measure brought forward by the State Temperance Union and introduced by Senator Bradley, and one following closely the recommendations of the governor in his message. As the fight on this bill waxed hotter the Joint Resolution offered an escape to the harassed Senators, who were standing between the devil and the deep sea. When the Bradley bill came up for consideration in Committee of the Whole, on February 14, it was recommended and agreed to, that Joint Resolution 3 be substituted therefor. The liquor lobby, feeling certain that the measure would be killed in the House, and preferring its chances to the Bradley bill, offered not the slightest objection, and when the Resolution came up for consideration on February 21, no fight was made on it in the Senate, where it passed with a vote of 37 yeas and no nays, three absent or not voting.

As the fight over temperance legislation grew the activity of the temperance cohorts increased. Reports coming in from over Kansas show that this activity was by no means confined to the larger towns of the state. A correspondent to the Commonwealth from Salina says that "the mayor, marshal, council, police, Temperance Union and preachers are stirring up the *saloonatics* until you can't rest." Newspapers friendly to temperance were asked to copy notices of the different activities, reports of meetings, announcements, et cetera. The churches were sponsoring petitions praying for an amendment to the "Dram Shop Act," in accordance with the recommendation of the Governor's message. The State Temperance Union was working along the same line. In the early stages of the fight feeling was divided as to the advisability of a prohibitory amendment. By many an earnest worker in the cause, it was thought to be too radical, that the time was not ripe for so arbitrary a measure; that an amendment to the dramshop act would be much more likely to receive the sanction of all public opinion. But that was the weak spot of their reasoning. The radical measure was their one hope and the leaders saw it. The dram shop act, being apparently the most logical thing for the Legislature to undertake to strengthen, the liquor interests had concentrated their forces upon it; they had such an amendment beaten almost before it was introduced. The jump of the temperance element to a constitutional amendment looked to the liquor dealers like weakness, and in a most complacent manner they refused to take it seriously. There were two chances to defeat it after its introduction in the Senate—the House and finally the people. And the dealers put great faith in the people. The introduction of the constitutional amendment into the temperance fight was an astute political move.

VICTORY IN THE LEGISLATURE

The fight in the House was close and intensely bitter. Both factions were busy. The liquor dealers were active with influence, whisky and petitions, everywhere doing what they could. The temperance workers were just as industrious. The "banner temperance town of the state, Hutchinson," sent up a delegation to, according to the anti-newspapers, "bulldoze the dram-shop act through the Legislature." The delegation consisted of L. A. Bigger, J. V. Clymer, Hiram Raff and Henry Hegwer, and were a decided addition to the temperance wing in the fight. Governor St. John was often seen on the floor of the House counselling with the strong, and urging the weak to support the Senate Resolution. Wives of members came from their homes to urge their husbands to vote for it, and the final victory has very properly been credited to these women, who at the last moment caused their husbands to change their votes. The Resolution was messaged to the House on February 21st; on the 26th it was reported from the committee on Temperance with the recommendation that it be passed and was read the third time and put on passage on the 5th of March. A call of the House was ordered and a stiff fight was put up by members opposed to the Resolution, but the

feeling of the members in favor of it was strong enough to override all oppositions and on final roll call the vote resulted in 88 for the Resolution, 31 against, and 10 absent or not voting.

REVIEW OF FORCES THAT HELPED

It was a tremendous victory for the temperance people, and the causes entering into it can best be realized by a brief survey of the newspapers during those days of bitter fighting. Through them a glimpse is given of the varied and continuous activities of the temperance interests. Of their concerted action and their astonishing organization, carried on through a fight of over a year and a half to the final vote of the people on the prohibition amendment in November, 1880. The aggressiveness of the liquor faction can also be followed, and one can but marvel at their loose organization and their lack of foresight and political acumen. That they did not realize in time the sincerity of the movement opposed to them, and the deep seated sentiment that actuated it, is the only conclusion to be drawn.

The churches had always been a strong influence in the temperance cause. During revivals, the week of prayer and other religious meetings temperance had had its share of discussion. As a moral issue it came well within the province of the church to aid in the regulation of the liquor traffic where possible. So it was not surprising that the churches of Kansas should strike hands with the various temperance organizations in the state and bear their part in the fight now at hand. Especially did the churches in Topeka make strenuous efforts during the legislative session of 1879. Temperance meetings were the order of the moment. At the Methodist church in Topeka, the pastor, Rev. J. E. Gilbert, on January 5th, spoke on "What ought the State Legislature to do in behalf of Temperance?" At the close of the meeting seventy-five persons remained to confer as to some mode of action. Names were given to form a nucleus for the work and it was found that all the churches in the city were represented. The newspaper account of the meeting is interesting: ". . . several ladies and gentlemen tarried to consider what might be practicable in reference to legislation on a prohibitory law. Several persons made brief remarks, and though there was not an exact agreement as to the best plan of action, there was quite a unanimity of feeling that aggressive measures should be adopted at as early a day as possible. Accordingly it was agreed that Mr. Gilbert should confer with the pastors of other churches in the city and arrange for a meeting on Thursday evening to consider this all-important subject. A committee of three was appointed to act upon the subject under consideration, and report at a meeting to be held at the M. E. Church on Sunday evening next. Rev. Mr. Gilbert stated that at that time there would probably be good speakers from abroad. It would appear from the exhibition of feeling at the meeting that vigorous efforts in the city and state in the cause of temperance are foreshadowed."

About this time there was being sent out over the state from a

Chicago publishing house a little book entitled "The Blue Ribbon Workers" by James M. Hiatt, containing sketches of the lives and acts of reformed drunkards who were then in temperance work. This volume met with a good deal of success, and was calculated to bolster the weak and help along the feeble in the temperance movement; and while a small thing in itself, is indicative of the never ceasing effort of the temperance reformers.

The Woman's National Christian Temperance Union assembled in convention at Baltimore, passed a resolution suggesting that a month of prayer be held and asked that pastors in all churches be invited to preach a temperance sermon during that period. January was the month determined upon, and it was very generally observed through Kansas. Thus were the churches and other organizations already beginning to get hold of individuals and prepossess their minds in favor of any stringent temperance legislation likely to be enacted.

The Union Temperance meeting at Topeka was a successful event, and the "pastors of the various churches were present, and took an active part in the discussion of the best means of bringing about prohibition in this state." A committee was named, having as one of its members the chief justice of the state, to "consult and adopt the best method of framing a petition to the legislature in relation to changing the dram shop act." At all of these meetings, and they were held weekly thereafter, out of town speakers were present and music was a great feature.

The executive committee of the State Temperance Union met in Topeka on January 14. The resolutions adopted at the meeting embody the recommendations in Gov. St. John's message and in the form of a petition were to be presented to the Legislature, after being circulated throughout the state for signatures. The members of this committee were men of some prominence in Kansas, J. H. Rice, J. B. Abbott, Albert Griffin, W. A. H. Harris, D. Shelton and others. A committee of three was appointed to organize the temperance elements of the state for work. Temperance lecturers were to be placed in the field by the State Temperance Union, and they were to hold meetings throughout the state. Murphy Temperance clubs and Phalanxes of Temperance Volunteers were to be organized. It was also resolved to hold the annual Temperance Campmeeting and continue it 12 days, Messrs. Rice, Shelton and Harris were named as a committee on the Campmeeting.

By this time temperance was a live issue in Kansas, lecturers from out of the state were invited to address the Legislature. George Calderwood of Ohio accepted such an invitation for the evening of January 24th. An audience of 150 persons gathered in Representative Hall. A report of the meeting says: "From the great number of absent members, it is but fair to presume that they are not all in full accord with the temperance enthusiasts of the day. Mr. Calderwood is a pleasant speaker and indulges in many of the familiar expressions of the modern temperance lecturer. He is in favor of a prohibitory law, and on the adoption of such a law, favors the right of the fair sex to exercise the

election franchise. . . . The lecture was well received as was evidenced by the applause."

Gen. S. F. Carey was granted the use of the hall of the House of Representatives for a temperance lecture on the evening of February 5th. Temperance mass meetings were held frequently and were, to quote from the reports, "marked with great enthusiasm."

The newspapers discussed at length the various measures before the Legislature, and in all the discussion but little space is given to bills



MRS. DRUSILLA WILSON

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

on the subject of temperance. The activities of the temperance organizations are duly chronicled, but prospective legislation along that line is not noticed until the latter part of February, when the fight was almost won.

Early in February the National Woman's Christian Temperance Union held a meeting in Topeka; the speakers were Mrs. M. B. Smith, president of the Union in Kansas, and Mrs. Drusilla Wilson of Lawrence. Rev. Gilbert presided. This meeting was so largely attended that there was standing room only. It was held in Costa's Opera House, one of the largest halls in the town. From the beginning women took

an aggressive part in the temperance campaign. A great deal of charity work was undertaken, prayer meetings and temperance meetings were held and an attempt made to establish coffee houses, but with rather an indifferent success. Many of these women had been among those who had worked in the "Woman's Crusade," who had gone into the saloons praying with the barkeepers and the patrons. They knew the weak points in the operation of the dram-shop law, and they were aware of all the evasions in its enforcement. Such women were no mean enemies to the liquor traffic.

A word should be said in passing of a very unusual woman who did much for the temperance cause—Drusilla Wilson. With her husband, Jonathan, she settled in Lawrence in 1873, just as the "Woman's Crusade" was taking form. She became identified with the temperance workers of the town and was made the president of their local Temperance association. In her diary she says "It was undertaken with many misgivings on my part lest I might not do justice to the cause, but this crusade was an inspiration of the Holy Ghost, sent from Heaven to arouse action in this great work." Her account of her work is of great interest, and should, but for its length, be repeated here. She was a speaker in constant demand, and with her husband traveled over the state holding mass meetings and circulating petitions. She says: "We started from home in this work the latter part of November, 1879. Completed the campaign and got home the evening before election in November, 1880. . . . We traveled in our carriage during our campaign work over 3,000 miles, held meetings for the Amendment, organized a number of Bands of Hope and gave a number of Sunday School talks. She was 64 years of age at this time. Mrs. Wilson died at Carmel, Indiana, June 9, 1908.

Late in February the Rev. J. E. Gilbert announced the prospective visit of Francis Murphy to Topeka. He says: "As he is my personal friend, I feel prompted to utter a word in his behalf to prepare the public for his proper reception." Mr. Gilbert was one of the most earnest temperance workers in Topeka. He was a brilliant man, and not a little of the success of the temperance campaign of 1879 might be attributed to his advice and work in the beginning. Other clergymen were helpful but Mr. Gilbert had in a high degree what would be called at this day, efficiency. He had great executive ability and was one of the strongest organizers in the local camp of temperance workers. He came to the Topeka M. E. Church from the east and remained a little less than three years. He was a man in advance of his time even in a broader field than Topeka, so it was not surprising that he should return to a larger conference. Never of robust health Mr. Gilbert did not live long; he died in Washington, D. C.

The days of the Legislature were by this time few and at last Senate Joint Resolution Number 3 had reached the House.

The Commonwealth of March 6th had this to say on its passage there:

The most exciting and interesting item in the House since the Senatorial election, was last night during the consideration of Senate Joint

Resolution 3, proposing an amendment to the constitution relating to the manufacture and sale of intoxicating liquors. Requiring two thirds of all the votes of the House to pass it, its passage was stubbornly resisted; at one time the friends of the measure despaired of their ability to push it through, and began to change their votes, saving the point to move a reconsideration of the vote; but as the members slowly came in and cast their votes in the affirmative, it became apparent that it was possible to pass the resolution. Changes were again made and finally the result was announced, yeas 88, nays 34; the friends of the measure then gave way to an expression of their joy at the result, which was only suppressed by the speaker's free use of his gavel.

ORGANIZING FOR THE ELECTION

After the adjournment of the legislature there was a noticeable decline in temperance activities. The visit of Francis Murphy to Kansas was the only occurrence of note following immediately on the adjournment. A Topeka paper of March 11 says of him: "This wonderful man has come and gone. His first appearance in these parts was last Sunday night . . . he addressed some 1,200 people, including a large number of prominent citizens from all parts of the state. He certainly is a speaker of great force. . . . We imagine he is more like Paul of old than any man that ever ascended the rostrum since the days of that mighty apostle. We can no longer question that he will be a powerful attraction to the Grand National Campmeeting which will very likely take place at Bismark Grove (Lawrence) next September."

In the latter part of the month an excursion to Gove county under the auspices of the State Temperance Union went out over the Kansas Pacific Railway from Kansas City to Buffalo. The excursion was for the special benefit of Francis Murphy and there went with him a number of prominent people, J. H. Rice, Dr. Callahan of Leavenworth, the Gleeds, Charles and Willis, one on the *Kansas City Journal* the other on the *Lawrence Standard*, Prof. M. L. Ward, S. J. Gilmore, Mr. and Mrs. Presby, J. C. Hebbard, several clergymen, and newspaper representatives. The trip was one extended temperance jubilee, at every stop there was an address and songs. Gen. Rice was one of the most fiery speakers; he indicted the "monster rum" as the "sum of all villainies in Kansas," and he said "seed has been sown during this tour that may bear rich fruitage during the season." It is unnecessary to add that he was right.

The early summer of 1879 was spent by the temperance people in getting all in readiness for their campmeeting which was to be held at Bismark Grove, August 15 to 27. Early in August newspapers began to publish articles and editorials against prohibition, no great degree of feeling was displayed, but it was rather made light of, none seemed to regard it seriously enough to show real excitement, the general cry was that it would be impossible to enforce any laws framed under such an article in the constitution.

The Campmeeting was advertised widely, the "cold water brigade are soon to assemble with Francis Murphy and other celebrities" was

heard on all sides. On August 12th the *Topeka Commonwealth* published an editorial on "Temperance and Politics," it deplored the attempt to make political capital out of the approaching temperance campmeeting. It insisted that there was no intention among prominent members of any party to make prohibition or anti-prohibition a party shibboleth. The article warned Republicans that the question of the constitutional amendment must be kept out of the party platform. The *Commonwealth* was not in favor of prohibition but discussed the matter in a sane, quiet way. The main argument against it being that it could never be enforced, and a law not enforced was a detriment, and in some instances, a menace to the morals of a community. The editorial closed with this statement: "Gov. St. John and other state officers have a perfect right to go to the Bismarek meeting and there advocate their views, and to undertake to make political capital against those who do so, will injure those who do it." This last was called forth by anti-prohibition papers threatening all state officers who inclined to tolerate temperance views or temperance workers.

CAMPAIGN FOR THE AMENDMENT

The opening of the temperance Campmeeting was a loudly-heralded affair. Gov. St. John made the address of welcome. There were speakers from many states: George W. Bain of Kentucky, a widely known temperance speaker; A. B. Campbell, then of Illinois, later of Kansas; Rev. J. E. Tilton and J. J. Hickman of Kentucky, Elias Johnson of Brooklyn, N. Y., J. E. Letton of Louisville, Dr. Gibbons of Colorado, Mrs. J. Ellen Foster of Iowa, and Ada Van Pelt of Nebraska. Besides all these was the great stellar attraction Francis Murphy, who was accompanied by his son, a prepossessing youth and already developing powers of oratory not unlike his father. They were just back from a great campaign in California. Of local speakers there were Miss Amanda Way, a woman of very pleasing address, a friend of Drusilla Wilson, and like her, a power for temperance work; Gen. J. H. Rice another well known worker, a newspaper man and a vigorous speaker. As a special feature four Indians were brought from their reservation in the Indian Territory, and spoke at one of the meetings.

The great day at the Campmeeting was August 26th, when the attendance was estimated at 25,000 people, and when they were obliged to take turns at listening to the speakers. Much had been done to make Bismarek Grove, attractive fountains had been put in, a great tabernacle built capable of seating 5,000 persons, and lighted with gas made on the grounds from the "new automatic Batty process." At that time the Grove was under the management of the Kansas Pacific Railway Company, and was a popular resort.

The music was a special feature of the Campmeeting, some of the finest bands in the state were there. The Rev. Robert Brown of the Leavenworth Conservatory of Music had prepared a singing book of a hundred pages for use. He was in charge of the music and he took with

him his entire choir from Leavenworth and had as an assistant Prof. A. B. Brown of the Springfield (Mo.) Conservatory of Music.

A Military Day was held during the progress of the Campmeeting and military companies from over the state were in attendance. Special excursions were run to Bismark Grove from various points and everything possible for the success of the meeting was done. Some newspapers kept special representatives in tents on the grounds, while others were content to write up the meetings at long distance and headed their descriptions "Whaling Whisky."

A church encampment followed the Temperance Campmeeting at Bismarek and many of the prominent speakers remained to make temperance speeches there, and to later fill dates in the smaller towns and outlying country districts of the state.

The result of such a temperance meeting as that held at Bismarek would essentially give a great impetus to the work and to the temperance sentiment. Enthusiasts were raised to a plain of exaltation; the indifferent were impressed by the earnestness of the workers and were influenced unconsciously. While into the minds of the anti-prohibitionists, still scoffing, there began to enter a certain fear. The "Anti" papers showed it by taking on a vindictive, and even threatening tone, and personalities began to be indulged in.

The State Temperance Union held its annual meeting in September in Topeka, and was well attended. Officers were elected and the committee on campaign work presented its plan of activity. It was decided to maintain a central office, where lectures could be arranged for, literature kept for distribution and where reports were to be sent in from workers over the state, who were to tell of their successes and of the obstacles most in their way. A good financial plan was to be evolved by the executive committee so that funds might be available to push the work efficiently during the ensuing winter. The executive committee was likewise to see that within the next three months there was an organization in each county in the state.

All temperance societies, churches and organizations interested in temperance had been requested to send two or more delegates to this convention to "prepare for this great work."

Prohibition clubs began to be formed and from all over the state came notices of temperance picnics and campmeetings. Temperance campaigns were carried on in towns known to be liquor strongholds, in one or two places it was necessary to erect a temporary building in which to hold meetings, so strong was the town sentiment.

Literary societies became impressed with the popular topic, and debates were held. "Resolved, That intemperance has caused more suffering than war," and kindred thoughts were hurled at listening audiences. The subject was unlimited and the debates found great favor in the country school houses.

At the annual meeting of the Grand Lodge of the Independent Order of Good Templars, Mr. Detwiler, the Chief Templar, said in his report: "In view of the fact that the measure (the prohibitory amendment) was

originated and has been thus far carried forward by our Order, I respectfully recommend that you make ample provisions at this session for a vigorous campaign that will result in placing one of the great principles of our Order in the organic law of the State. And place our State in the front rank of advancing civilization. In mapping out our campaign I would call your attention to the importance of a liberal use of printer's ink. . . . I would also recommend the holding of campmeetings in as many different parts of the State as your funds will warrant. . . . That each lodge be requested to hold some public entertainment, and the net proceeds of such be forwarded to your Executive Committee as a special campaign fund, and used to defray the expenses of the campaign." It is interesting to note that most of the prominent out-of-state speakers at the Bismarck campmeeting were members of the Order of Good Templars, as were also most of the temperance workers residing in the state.

In November there began to be circulated through the newspapers the "story" that the proposed prohibition amendment was "bogus." That it was introduced and supported by the whisky element in the legislature to kill a certain temperance law. That portion excepting the sale of intoxicating liquors for medical, mechanical and scientific purposes was seized upon and exploited. One paper that led in denominating the amendment "bogus" says: "That legalizes the sale for medical, for scientific, and for mechanical purposes. It puts it beyond legislative prohibition, if not legislative control, for these purposes. It means free whisky. . . . That amendment is bogus, will make Kansas sickly; it will stimulate the drug business. Whisky for the toothache. To prevent measles. . . . Boys will use it to study astronomy. . . . Men will be unable to set out a cabbage plant without it. No we are not for the constitutional amendment."

Another paper in reply to the charge that the prohibition amendment and the amendment repealing the \$200 tax exemption were put through by combination makes the following statement: "The truth is that the prohibition amendment originated with the enemies of temperance in the Senate, where it was passed as a substitute for the legislation asked for by the friends of the cause. When it went to the House the temperance men finally concluded to accept it, and make their fight on that line before the public. Finding it was that or nothing, they concluded to take what they could get. Thereupon the whisky men turned round and undertook to defeat the amendment also, but failed. There was no combination in the matter at all. The proposed amendments were passed separately, and each on its own supposed merits."

The New Year brought an increased activity among temperance workers, meetings were held in every village and hamlet, distinguished lecturers were in the field and the campaign was in full swing. Newspapers were discussing every phase of the proposed amendment. Politics were entering into the fight. St. John was called a "meddlesome governor" and the attacks upon him were continuous. In the minds of many people the governor and the prohibitory amendment meant almost

the same thing. In spite of repeated denials the opposition papers continually harped on the effort that was being made to put a prohibition plank into the Republican platform, and make it a party issue. The prohibition papers were quite as unreasonable, anyone who was not in favor of the amendment was a "whiskyite" and a "gin-slinger," and there was no truth in him; he was a menace to society and had no place in the state body politic. Friends of the cause were called upon to see to his political downfall. By the latter part of January public sentiment had been lashed to a high degree of feeling.

On January 21st the liquor dealers inaugurated a public campaign by organizing the People's Grand Protective Union of Kansas. The meeting was attended "by a body of men, who taken as a whole, are not to be exceeded in respectability of character and material responsibility by any other voluntary organization in the whole State; men who knowing their rights dare, and have the ability to maintain them; men of large stake in the country, and therefore the most desirous of preserving constitutional order . . . they come from all parts of the state and will exercise their individual as well as their collective influence in their several localities."

There were present at this meeting 125 delegates from over the state, many interested in the cause. The resolutions adopted were as follows:

Resolved—That the Prohibition Amendment of the constitution of the State of Kansas, if adopted, would be a law, in its practical application, far beyond the public sentiment of the people, and would be inoperative, that its adoption would take the whole subject of Temperance out of the power of the Legislature, leaving the people without remedy. Laws so stringent that they cannot be enforced, are destructive of all good, because they teach men not to respect the restraining power of the law. The laws now upon the Statutes of the State, are as stringent as can be enforced, and may be amended or repealed as public interest or public sentiment shall demand. The amendment if adopted, would do what no Constitution of any state in this Union now does; it would legalize the manufacture and sale of liquor, unrestrained by law, and the liquor once purchased and in the hands of the purchaser, its use cannot be controlled; thereby offering a premium to falsehood, perjury and intemperance.

Interviews were given out by prominent liquor dealers of Leavenworth and elsewhere in which it was stated that the People's Grand Protective Union had money to spend on the campaign to defeat St. John and the prohibitory amendment. It was claimed that the governor was using the amendment to carry himself into a second term.

Subordinate Unions of the People's Protective Union had been organized and the opposition papers were filled with encouraging reports from every Union. The central committee of the Union, with offices in Topeka, sent out statements of the flourishing condition of the association. Of their financial backing, and of the "Numerous letters and telegraphic dispatches received, full of encouragement, from friends of equal rights in other states, breathing the true spirit of loyalty to the Nation and to its constitutional and free government, and extending the best sympa-

thy of the writers to the Union, in the struggle now before it." Similar letters and dispatches were received from "individuals of known reputation for private and public worth, pledging their support in most encouraging terms." Every public meeting of the central committee of the Union brought forth an outburst of rhetoric from its supporting newspapers. The high moral tone of its platitudes spread over the state. Its sympathizers demanded a slaughter of all temperance candidates. Tabulations were published showing the amount of grain used by distilleries, the number of men employed, the cost of labor, and the taxes paid to the government. It was repeatedly published of the Union that it was "a strong organization, and meant business." All of which was true, but its "organization" was late in the field, and it underestimated public sentiment.

The *Kansas State Journal*, George W. Reed, editor, was the organ of the liquor dealers while the *Topeka Daily Capital* under Maj. Hudson was the staunch supporter of the prohibitionists. Each accused the other in furious editorials, and indulged in the bitterest personalities. It was claimed that money was being sent into the state from Illinois, Kentucky, Missouri and Iowa with which to buy up newspapers and conventions in order to defeat the prohibition amendment. A return charge was that the State Temperance Union was using money for St. John's campaign that had been sent to help carry the amendment. The following purported to have been copied from the *New York Independent*, of date some time during July or August, 1880: "Ye who have money to spare, hear the voices from Kansas that cry for help, and draw your checks at sight, forwarding the same to Gov. St. John or Rev. A. M. Richardson, of Lawrence, the first president, and the second the secretary of the war department that carries on the battle. How a few thousand dollars would brace them for a harder fight."

A temperance paper at Newton claimed that it had received an anonymous letter "threatening us with dire destruction of property and maltreatment of person if we don't mind our own business and let the whisky interests alone."

GOV. ROBINSON AGAINST PROHIBITION

Topeka was said to be the headquarters of the "whisky ring" and papers over the state were placing nearly every candidate under suspicion from one side or the other. Speakers were hurried here and there, and debates were the order of the moment. Gov. St. John, Sidney Clarke and others were prominent on the affirmative side, while ex-Governor Charles Robinson and S. N. Wood were the leaders of the negative.

In a debate at the Bismarck meeting Gov. Robinson spoke of his own record and of the practical temperance of his life. He said that he felt this ought to insure him freedom from the attacks of the temperance people. He made the usual points that the exceptions in the amendment would make the liquor traffic free—that local option was the best preventive of drunkenness. John B. Finch of Nebraska replied to him.

After these two speeches the meeting resolved that its faith in the wisdom and efficacy of "our" contemplated prohibitory "experiment" was unshaken, rather "materially strengthened" and they also reaffirmed their implicit confidence in the personal and official integrity of Gov. John P. St. John.

The National Christian Temperance Union met at Bismarck Grove, August 26 and 27, "it is the solemn duty of every temperance advocate from every state and territory to flock to the standard and lend assistance during the momentous crisis. . . . (Kansas) will be a beacon light leading her sister states to the same harbor of safety and sunshine," was the admonition to temperance workers. This meeting brought into the state Frances Willard, J. Ellen Foster, Miss Youmans, Maj. George Woodford, and many more prominent temperance speakers. After the meeting they made a round of speeches through the state contributing much to the brilliancy of the campaigns.

Meanwhile the State conventions of the parties were being held and prohibition and anti-prohibition lines were being more closely drawn. The Republican party refused to incorporate the prohibitory amendment as a party measure in its platform. The *Capital* in commenting on it says: "An entirely unnecessary omission . . . and one that has created much unfavorable comment, is the absence of a plank on temperance. . . . Whatever may have been the motive, or whether there was any motive at all, . . . the impression that goes abroad is that the issue was dodged—that like the late Greenback and Democratic conventions, the Republicans were afraid to take the bull by the horns." Col. Jennison tried to force a resolution through the Republican State convention after the nomination of St. John, pledging the party to an enthusiastic support of its nominee "because of his devotion to the cause of temperance and prohibition," and because his "nomination is due to his vigorous opposition to the traffic in intoxicating drinks." No action was taken on the suggestion, however.

As election day drew nearer more aggressive work than ever was done by the temperance element. At the other extreme was a surprising inertness on the part of the liquor dealers. Whether they were lulled to a false security by the action of the Republicans in refusing to endorse the amendment or whether their money gave out, is hard to prove. But soon after the Republican convention, which was September 3rd, their own newspapers ceased publishing vituperative editorials, and open letters were no longer to be read on their sheets. However the evening before the election they circulated at Topeka a circular addressed "to the Voters of Kansas" saying that "The falsely so-called 'Temperance Party' or 'St. Johnites,' have presented the question of a prohibitory amendment to the State Constitution, forever outlawing the manufacture and use as a beverage, of alcoholic liquors. Let the voters of Kansas stop and reflect upon the effect of the passage of this amendment." The arguments used in the body of the circular were those which they invariably used. The law was an innovation, derogatory to public liberty, it was "sumptuary and gustatory," it would retard immigration,

depreciate farm values, and engender bitterness and contention and finally it would involve an endless and expensive litigation. The temperance people did not abate their activity a particle. Clergymen were asked to deliver on the Sunday before election, sermons on prohibition, and there was a very general response to the request. In some churches it was almost a day of prayer and fasting. The last issues of the temperance newspapers, especially those established for work during the campaign, were full of warnings and advice. The *Lawrence Palladium*



MRS. CARRIE A. NATION, THE FAMOUS SALOON SMASHER AND
ADVOCATE OF PROHIBITION

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Society]

said, "Don't hesitate to scratch every doubtful name—vote for no one whose record on this question is not beyond dispute—pay little attention to mere party lines. Be sure of your men, no matter to what party they belong! The other side will vote their principles regardless of party. . . . So far as our state election is concerned, it is a square fight between the prohibitionists and the anti-prohibitionists."

VICTORY AT THE POLLS

The day of reckoning was at last at hand, the votes were cast and when the returns were made up it was found that the vote for the amend-

ment was 92,302, while the vote against was 84,304; it had carried by 7,998 votes. The first battle had been won and it now remained for the newly elected Legislature to justify the faith of its constituents and crystallize into law the spiritual force that had swept the state.

THE BANNER

As a farewell the *Temperance Banner*, a paper established at Osage Mission in the interest of the prohibition movement, published the following editorial in its last issue, November 11, 1880:

GOOD-BYE

Over two years ago we started the BANNER in the interest of Constitutional Prohibition, and have urged the measure in our weakness with all the energy we possessed. The battle has been fought, and the result is before our readers.

We had a single purpose in view when we embarked in the newspaper business. Our eye has been steadily fixed upon that object. Our readers can judge how nearly we hit the mark.

If the BANNER has added a blessing to any home, or benefited our fellow man, we have our reward. If it has not, we rest content in the consciousness of having performed our duty according to the light we had. That we have made mistakes, is evidence of our humanity.

We are grateful to the editorial fraternity for the courtesy extended to us and shall ever look upon the past two years of our life with pleasant memories. While we verily believe that we have given a valuable consideration for all we received, yet we extend our hearty thanks to all our patrons for favors they have so liberally bestowed upon us, and while the newspaper enterprise has not paid us a financial consideration, the experience has been a valuable schooling for us. We have learned something of the blackest and brightest phases of human character. We have come in contact with men whose souls have been steeped in avaricious selfishness until they are withered and shriveled up so small that they could fly through the eye of a cambric needle four-abreast. We have met others whose hearts swelled with philanthropic sentiments and sent forth an electric current of human kindness that inspired us with new hopes, new desires and grander purposes.

We fold our tent in peace, camp on the field, rest on our arms, sleep in security, to be awakened at the first sound of Gabriel's trumpet.

CHAPTER LV

GEORGE W. GLICK

BY MRS. EDITH CONNELLEY ROSS

George W. Glick was born at Greencastle, Fairfield County, Ohio, July 4, 1827. He was of German extraction, his great-grandfather having come to America from Germany in time to fight in the war of the Revolution. His father was prominent in local politics, and the boy learned much of honorable public service early in his youth. When he was five years old the family removed to a farm near Fremont, Ohio. Here he lived till he was twenty-one. He received a good education, and showed himself to be of a studious and practical disposition.

When twenty-one years old he entered the office of Buckland and Hayes, as a law student. Two years later he was admitted to the bar with the Cincinnati Law School students by the Supreme Court. He immediately opened an office in Fremont, where his intelligence and capacity for hard work gained him a rapidly growing patronage. He later removed to Sandusky City, where, in 1858, he was nominated for Congress for his district, by the Democrats. He declined the honor, but the same year, ran for State Senator. In this venture he was defeated. Later he was elected Judge Advocate General of the Second Regiment, Seventeenth Division of Ohio Militia, ranking as a Colonel.

In 1858 he was married to Miss Elizabeth Ryder, of Fremont. Two children were born of this union, a son, Frederick, and a daughter, Jennie.

Late in the year of 1858, Glick came to Kansas, and settled in Atchison. He became the partner of Mr. Alfred G. Otis in a law business. The firm was very successful and continued until 1873, when an affection of the throat compelled Glick to discontinue the business.

Glick was a soldier in the Second Kansas Militia, under Colonel M. Quigg. He was wounded at the battle of the Big Blue.

Glick was elected to the Legislature of 1863. He was re-elected in 1864, 1865, 1866, 1868, 1874, 1876, and 1882. In the session of 1876 he held the position of Speaker *pro tem*, in which place he evinced great fairness and wisdom. Also, in this year, he was appointed Treasurer of Managers of the Centennial Exposition by Governor Osborn, which place he ably filled.

Glick was always a firm Democrat, and was sent by that party as a delegate to the Democratic National Conventions of 1856, 1868, 1884, and 1892. In 1868 he had been nominated for Governor by his party,

and, though sure of defeat, he answered the party call, and ran. Again in 1882 he was nominated, and entered heartily into a most strenuous campaign. This time he was elected, over great odds, defeating Governor St. John, the Republican candidate, for a third term. He entered upon his administration in 1883. It was an administration marked by economy, foresight, and fairness. In spite of party prejudices this has been generally admitted.

Kansas had grown so prosperous, that, in 1884, aid was sent by the



Gov. GEORGE W. GLICK

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farmers of the State to the flood-sufferers of Ohio. Sixty-one carloads of corn, the golden treasure of Kansas, were shipped that year, for charity. Also a trainload of corn was shipped by the Kansas G. A. R. to aid in building a Confederate Soldiers Home, in Virginia.

Governor Glick, while not favoring promiscuous dealing in intoxicants that had existed before the Prohibitory law passed, considered the act premature, rash, and unwise. So he recommended the re-submission of the Prohibitory amendment. Nothing came of it.

On March 31, 1883, the Executive Council of Kansas appointed the

first Board of Railroad Commissioners, consisting of three members for the State of Kansas.

On the eighteenth of March, 1884, a special session of the Legislature was called to deal with the "foot and mouth disease," prevalent to an alarming degree among the cattle. Few bills other than those relating to the cattle situation were passed at this session.

In 1884 the Government of the United States established at Lawrence, a school for training and educating the Indians. This school is known as Haskell Institute.

During Governor Glick's administration, the State Woman's Suffrage Association was organized. It was at this time, also, that Congress passed an act establishing a National Soldiers Home at Leavenworth.

At the election of 1884 Governor Glick was again the Democratic nominee. But the Republican candidate, John A. Martin, was elected. In 1885, Governor Glick was appointed Pension Agent, at Topeka, by President Cleveland, to which office he was reappointed when Mr. Cleveland again came into office. He served several terms as President of the State Board of Agriculture, and in 1908 was President of the State Historical Society. His life, after his retirement from politics, was spent alternately between his home in Atchison and an orange grove which he owned in Florida. In the winter of 1910, he fell, while at that place, and sustained the injury of a broken hip. His advanced age made it impossible for him to recover, and after a year of suffering, he died, on the thirteenth of April, 1911. He was eighty-three years old.

Governor Glick was an honorable, upright man. He gave freely of the best that was in him for the good of the State whose destinies he was guiding. Republicans and Democrats heartily agree as to the honesty, foresight, and kindness of Governor Glick.

The Legislature which met in 1913 appropriated the sum of \$6,000 for a marble statue of Governor Glick to be placed in Statuary Hall, Washington. This statue was placed in the Hall June 24, 1914, and formally accepted July 18, 1914.

CHAPTER LVI

JOHN A. MARTIN

BY MRS. EDITH CONNELLEY ROSS

John A. Martin, tenth Governor of Kansas, was born at Brownsville, Fayette County, Pennsylvania, March 10, 1839. He received a fair education in the common branches, and in his youth perfected himself in the printer's art. In 1857 he was in the office of the *Commercial Journal* at Pittsburgh. During the fall of that year he came to Kansas, a boy of only 19 years. But his experiences in the early days tended to make him a man in courage and intelligence—in everything but years.

Martin worked a few months in the office of the *Squatter Sovereign* at Atchison, and then entered the service of James Redpath as a compositor on the *Crusader of Freedom*. In the fall of 1858, he purchased the *Squatter Sovereign* and changed its name to the *Freedom's Champion*. This newspaper he conducted till the day of his death, and its columns were always devoted to the cause of the oppressed. Later, the name of the paper was again changed, this time to the *Atchison Champion*.

Martin was a fervent Free-State man, and an enthusiastic Republican. Kansas was quick to see the value of such a man, and in 1859 Martin was elected Secretary of the Wyandotte Constitutional Convention—an honor and responsibility coveted by much older men. This was before he was twenty-one years old. He served as a delegate to the Territorial Convention of 1860, at Lawrence, and later in that year was sent to the Chicago National Convention. In 1859 he was elected State Senator from Atchison and Brown counties. Thus he was a member of the First State Legislature.

In the summer of 1861 Martin helped organize the Eighth Kansas Infantry, of which he was appointed Lieutenant-Colonel. He served on the Missouri border during the fall and winter of 1861. In 1862 he was made Provost-Marshall of Leavenworth, and he went in command of his regiment to Corinth in March of that year.

Colonel Martin fought gallantly all through the Civil War. He was with four great armies during that time—the Army of the Frontier, the Army of the Mississippi, the Army of the Ohio, and the Army of the Cumberland. He was present at the battle of Missionary Ridge, where his heroic fighting was as gallant as in his numerous other battles. Soon after being mustered out, at the close of the war, he was brevetted Brigadier-General, for gallant and meritorious service.

Colonel Martin always retained his love for his old comrades and was always certain of their unfaltering loyalty. He was the first Department Commander of the G. A. R. in Kansas, and was always active in any service for the veterans. The Soldiers Orphans Home at Atchison was in a great measure due to his labors. In 1878 he was appointed on the Board of Managers of the National Soldiers' Homes.

On June 1, 1871, he married Miss Ida Challis. Seven children were born to them.



GOV. JOHN A. MARTIN

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In 1884 Colonel Martin was elected Governor of Kansas, and in 1886 he was re-elected. The beginning of his administration was very difficult, and he was besieged by hordes of office-seekers. This, on account of the previous Democratic administration.

At first, Governor Martin was not a prohibitionist, but in time, as he saw the beneficial effects of prohibition, he became converted to be one of its most ardent champions. During Governor Martin's administration six educational institutions were established in Kansas, and 182 school houses were built in 1887. Also, the State Reformatory was located at Hutchinson, and opportunities for reform were provided for

young law-breakers. During this administration, *The Annals of Kansas*, a compilation of Kansas history extremely valuable, was written and published by D. W. Wilder.

In March of 1886, a strike and serious disturbances on the Missouri-Pacific Railroad, in Missouri and Kansas, demanded the attention of Governor Martin. Rioting caused the Governor to send the First Kansas Militia to the scene of action. After being the cause of great inconveniences and suffering, the strike was settled in April.

A bill was passed by the Legislature of 1887, conferring on women of Kansas the right to vote at school, bond, and municipal elections. This was one of the first steps toward the complete suffrage the State enjoys today.

Kansas had steadily progressed in prosperity and her towns and broad farming lands had increased immensely in value. This led to a "Boom" during which magnificent cities were erected—on paper—real towns increased in size. Many syndicates were organized to deal in Kansas real estate. Long blocks of buildings were erected in unnecessary towns, and the prairie was long after dotted with rusting pipes and hydrants—the only tangible evidences of these useless towns. The end of 1888 saw the great Kansas "boom" collapse, and, as this year had also had a failure of crops, Kansas experienced a panic. But this check in prosperity was comparatively brief.

There was a contest for the county seat between towns in several counties. Bitter rivalries and feuds resulted, the worst being the Stephens County, where several people were killed. On an appeal made to the Governor for help, a regiment of militia was sent to this county. In 1888 Greeley County was organized, thus completing the organization of the 105 Kansas counties.

At the expiration of his term as Governor, Colonel Martin returned to Atchison and resumed his work on the *Champion*. But in less than a year he was stricken by a fatal sickness. He died at Atchison October 2, 1889. He was buried, at his request, in the uniform he had so nobly worn in life.

CHAPTER LVII

LYMAN U. HUMPHREY

By MRS. EDITH CONNELLEY ROSS

Lyman Underwood Humphrey, eleventh governor of Kansas, was born July 25, 1844, at New Baltimore, Stark County, Ohio. He received a common school education, but left high school during his first year there to enlist in the army. On October 7, 1861, he enlisted in Company I, 76th Regiment, Ohio Volunteer Infantry. This Company was placed in the Army of the Tennessee.

Mr. Humphrey fought in many campaigns of the Civil War, and was promoted to First Lieutenant. He commanded a company during the Atlanta Campaign, and also on the famous march to the sea. He was wounded during his service. He was mustered out, after serving nearly four years, on the 9th of July, 1865. So, he was a seasoned veteran before his twenty-first birthday.

After leaving the army, Mr. Humphrey attended Mount Union College for one term, and afterward spent a year in the law department of the Michigan University. After receiving his diploma he went to Shelby County, Missouri, where he taught school, and helped publish the *Shelby County Herald*.

In 1871 he came, with his mother and brother, to Independence, Kansas, and there established the *Independence Tribune*. Two years later he took up the practice of law, and acquired a large patronage.

On December 25, 1872, he married Miss Amanda Leonard, of Beardstown, Illinois. Two sons were born to them.

Mr. Humphrey was a staunch Republican, and was elected by that party to the Legislature of 1876. In 1877 he was elected to fill out the unexpired term of Lieutenant-Governor, and at the end of that time was elected for a full term of two years. He presided over the Senate of 1879.

He was elected to the State Senate of 1884, and was chosen President of that body. In this session he introduced the resolution to strike out the word "white" from the constitutional provision relating to the state militia. In 1888, he was elected Governor of Kansas, and began his service in 1889. He was re-elected in 1890.

The manufacture of sugar from sorghum was the industry attracting the greatest notice in Kansas in 1889. Several factories had been erected, experiments were conducted by government chemists, and public

attention in Kansas centered on sugar. The Legislature of 1889 passed an act increasing the bounty on Kansas sugar from \$15,000 to \$40,000. But the result of the experiments were discouraging, as it was found that sugar could not be manufactured at a profit by "Roller" process. The "Diffusion" process promised better results, but in spite of that, the sugar industry in Kansas did not make the advance it had promised.

However, the salt industry flourished. Fine clean salt deposits of great depth encouraged the establishment of large plants at Hutchinson, Lyons, Great Bend, and many other towns.



Gov. LYMAN U. HUMPHREY

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The year 1889 was also famous for producing the greatest corn crop in the annals of the State.

As growing trade and agriculture demanded a deep-water harbor for the products of Western and Southern States, Governor Humphrey called a convention of delegates from these States to meet in Topeka to discuss the matter. Six hundred men, among them many of prominence, attended this Deep-Harbor Convention. The meetings were presided over by Senator Plumb. This convention was successful in securing Congressional aid for the work.

In 1889 Congress opened up Oklahoma to settlers. On a part of the Cherokee reservation—a strip of land sixty miles wide, laying between Kansas and Old Oklahoma—forty thousand people were waiting for the opening. Everything was ready—town sites selected, land offices open, the capitol of the new land located, and named. At noon on April 22, the land was formally opened, and the mass of humanity entered. It has been estimated that Kansas lost over fifty thousand people at this time.

During this administration, the anti-Prohibitionists made much trouble in Kansas. They declared no State had the power to prevent liquors, in their original sealed packages, being brought within its border. Saloons sprang up over the state. Citizens protested, even sending liquor back, and stopping the sale by force. At last Congress was appealed to, and the Wilson Bill, or the “anti-Original Package law,” passed. This bill gave a state the right to exercise police regulations over all packages sent within its borders, whether the packages were in their original form or not.

In 1889 the Farmers Alliance became an active political force. The tendencies of the Alliance were socialistic. The Alliance charged that the government oppressed the working man, permitted unjust discrimination for the benefit of corporations, gave undue protection and privilege to capital, and was responsible for other abuses. They demanded redress for their wrongs—exemption from too much taxation, mortgage and debt, and no unjust discrimination between rich and poor.

At a convention called at Topeka, June 12, 1890, the Alliance organized, together with the Industrial Union, the Patrons of Husbandry, the Knights of Labor, the Farmers Mutual Benefit Association, and the Single Tax Club, into a new party known as the People’s or Populist Party. In the election of 1890, four tickets were in the field, the Republican, headed by Governor Humphrey, the Democratic, by Charles Robinson, the Populist, by John F. Willets, and the Prohibitionists, by a Mr. Richardson. The Republicans won the Governorship, but the Populists elected a majority of the Legislature.

William A. Peffer was elected United States Senator by this Legislature. It also passed an act providing for the promotion of irrigation, and another providing for an eight-hour day for all State employees. The first Monday in September was declared a legal holiday—Labor Day. Provision was also made for submitting amendments to the constitution.

To continue work on the State-House \$60,000 was appropriated. Appropriations in the interest of agriculture were made by this Legislature.

The population of Kansas had increased steadily, and grew more prosperous. One band of settlers from Russia sent back to their native land \$10,000, and an offer to bring over three hundred emigrants. This is only an instance of the general prosperity that had come to the settlers of Kansas.

On December 20, 1891, Senator Preston B. Plumb, United States Senator from Kansas, died, and Governor Humphrey appointed Hon. Bishop W. Perkins to fill out his unexpired term.

After retiring from the governorship, Mr. Humphrey resumed the practice of law. In 1892 he was defeated for Congress, as the Republican candidate in his District.

Governor Humphrey died at Independence, Kansas, September 12, 1915, at the age of seventy-one years.

CHAPTER LVIII

LORENZO D. LEWELLING

BY MRS. EDITH CONNELLEY ROSS

Lorenzo D. Lewelling, the twelfth Governor of Kansas, was born December 21, 1846, near Salem, Henry County, Iowa. His father was a Quaker minister. He died in 1848. Seven years later the mother was burned to death. She left a large and helpless family. For a short time Lorenzo made his home with a married sister, but poverty compelled him to leave this refuge and face the world alone. He did any labor that was honest, and his early life was one continuous terrible struggle.

When the Civil War broke out he enlisted in an Iowa regiment. But fighting was against the Quaker creed, and his relatives secured his discharge. After many vicissitudes, he joined a bridge-building corps at Chattanooga, Tennessee. Here he accumulated a small sum of money, with which he entered Eastman's Business College, at Poughkeepsie, New York. After his graduation he worked his way westward, laboring as a tow-boy, a carpenter, a section hand. Once again in Iowa, he earned enough money to enter Whittier College, at Salem. He graduated from this institution when about twenty-one years old, and became a teacher in the Iowa State Reform School.

On April 18, 1870, he married Miss Angie Cook, a teacher in the schools of Red Oak, Iowa. After his marriage he tried farming, which he soon abandoned to found the *Register*, a Republican weekly, at Salem.

In 1872 Mr. and Mrs. Lewelling were appointed to have charge of the Girls' Department, Iowa State Reform School, which position they held fifteen years, with the exception of two, during which he founded and edited an anti-ring Republican paper known as the *Des Moines Capital*. Mrs. Lewelling died while Matron of the School, leaving three daughters. Some time later Mr. Lewelling married Miss Ida Bishop, by whom he had one child, a daughter.

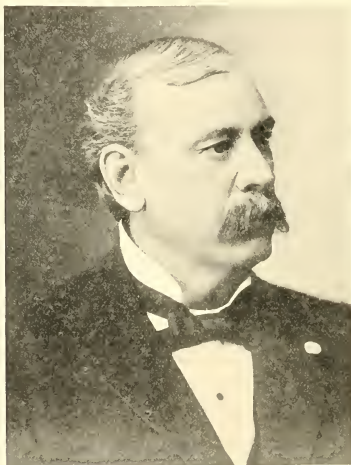
In 1887 he brought his family to Wichita, Kansas, and in 1892, was nominated by the Populist party for Governor, and was elected.

Governor Lewelling was inaugurated January 9, 1893, and was Governor of Kansas during the stormiest legislative session in her history.

The Republicans had a majority in the House, but the Populists claimed that it had been secured by fraud. Both parties claimed the right to organize the House. The Republicans elected George L. Douglas speaker, and the Populists J. M. Dunsmore. Prentiss says:

Both Speakers occupied the same desk, and during the first night slept under the same blanket on the floor in the rear of the Speaker's desk, each one with a gavel in his hand.

Governor Lewelling recognized the Dunsmore House as legal, on the third day. The Republicans protested, and both Houses continued to sit. An arrangement was effected by which one house met in the morning and the other in the afternoon. Attempts to settle the difficulty were in vain.



GOV. LORENZO D. LEWELLING

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The Senate and House met in joint session and elected John Martin United States Senator.

L. C. Gunn, a business man of Parsons, was summoned to testify in a case by the Douglas House. He refused to come, saying the Republican House was illegal, and was arrested by a Republican Sergeant-at-arms. The matter was brought before the Supreme Court. Pending the decision, the officers of the Populist party barricaded themselves in the Hall of Representatives. The next morning, the door was smashed in by members of the Republican House, which entered and took possession.

The situation looking serious, Governor Lewelling called out several companies of State Militia. Guns were brought up and artillerists ordered from Wichita. Sheriff Wilkinson announced himself the only regular guardian of the county peace, and swore in a large force of deputies, acting in the interest of the Republicans.

There was much excitement and Topeka was filled with well-armed men. The Republican House was in a state of siege, food being passed up to the Representatives in baskets lowered from the windows of Representative Hall. On the third day a decision was reached that the Republican House should hold the hall, and the Populists meet elsewhere. This ended the Legislative War of 1893.

On the twenty-fifth of February, the Supreme Court affirmed the constitutionality of the Republican House, and the two Houses united.

So much time was taken up in settling the war that but few laws were passed during this session. However, a constitutional amendment giving women the right of suffrage was submitted to the vote of the people in the election of 1894.

During the administration of Governor Lewelling, the World's Columbian Exposition was held at Chicago, and Kansas was well represented.

In 1894 a general unrest was evident among the poorer people and the laboreis. There were many strikes and much discontent and suffering.

In this year it was discovered that Kansas was the possessor of rich oil and gas fields. Many companies were organized, land was leased, and large operations were started. Thus another national resource was added to the wealth of Kansas.

Governor Lewelling was renominated in 1894, but the Republicans carried the election. In 1896 he was elected to the State Senate, and in 1897 was appointed by the Executive Council one of the Board of Railroad Commissioners. He was Chairman of this organization until it was abolished by the Legislature of 1898.

Governor Lewelling died at Arkansas City September 3, 1900. Of all the Governors of Kansas, he probably had most sympathy for the poor.

CHAPTER LIX

EDMUND N. MORRILL

BY MRS. EDITH CONNELLEY ROSS

Edmund N. Morrill, thirteenth Governor of Kansas, was born at Westbrook, Cumberland County, Maine, February 12, 1834. He came of a prominent New England family. He was educated in the common schools, and at Westbrook Academy, and also learned the tanning trade in his father's shop. After a couple of business ventures he came to Kansas, at the age of twenty-three, and settled in Brown County. In company with a partner he erected a saw mill, which was burned shortly afterward. It required much time and labor for Morrill to pay off the debt occasioned by this misfortune.

Morrill was a member of the first Free-State Legislature, in 1857. In 1858 he was elected a member of the Legislature under the Lecompton Constitution, but the Constitution failed of adoption. At the beginning of the Civil War Morrill enlisted as a private in Company C, Seventh Kansas Cavalry. He was promoted to the rank of Captain, and, later, to Commissary of Subsistence. He was in charge of the Government stores at Forts Henry and Donelson. In 1865 he was honorably discharged. He returned to Brown County and was elected Clerk of the District Court in 1866. In 1867 he was elected County Clerk and in 1868 was again elected clerk of the District Court. In 1869 and in 1871 he was elected County Clerk. In 1872 he was elected State Senator and he was re-elected in 1876.

He was elected Congressman-at-large in 1882 by a large majority. In 1884, 1886, and 1888, he was elected to Congress from his home district. He was ever a friend of the old soldier, and was active in securing pensions for them. Mr. Morrill declined a re-election to Congress in 1890, and retired to private life.

He was twice married, his first wife dying childless. The second one bore him two daughters and a son.

In 1894 he was elected Governor of Kansas by the Republican party. An Appellate Court was established by the Legislature. This was demanded by the immense amount of business before the Supreme Court.

Governor Morrill favored a Constitutional Convention. Among other things to be remedied he called attention to the fact that the legislative sessions were too limited in time, that there should be a constitutional prohibition of trusts and combinations for the purpose of raising prices,

and that there should be a change in the apportionment laws, so that representation should be more equal.

An act was passed during Morrill's administration appropriating \$30,000 for irrigation experiments, and a Board of Irrigation was appointed. This has resulted in much good for Kansas.

A law was also passed providing a fine and imprisonment for giving or taking a bribe.



GOV. EDMUND N. MORRILL

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But the Legislature of 1896 did not enact any important laws, nor was its session marked by the stormy vicissitudes of the body immediately previous.

Kansas prospered steadily. Her gas resources proved to be far beyond all expectation, and manufactories, and smelters grew up in the gas fields.

In 1896 Governor Morrill was unanimously renominated for Governor. But this year, being the famous "Free Silver" year, when politics were confused and upset, he was defeated.

He then retired to private life, resuming his banking and real estate

business at Hiawatha. Here he dwelt, until his death, which occurred in Santa Rosa Hospital, San Antonio, Texas, March 14, 1909.

Mr. Morrill accumulated a large fortune, mostly through land speculations. But his riches never caused him to oppress the poor, and it developed in the campaign of 1896 that he had never foreclosed a mortgage.

CHAPTER LX

JOHN W. LEEDY

By MRS. EDITH CONNELLEY ROSS

John W. Leedy was born in Richland County, Pa., March 8, 1849. His ancestors were of Swiss extraction. His people were Dunkards, and their simple piety and integrity of character had their influence on the boy. His father died when he was very young, leaving his family in straitened circumstances. So the boy was thrown on his own resources, and began life as a farm-hand. This left but little time for school, and a few months spent in rural schools represented his only opportunity for education.

Leedy was fourteen years old in 1864, and he then endeavored to enlist in a military company. But the protests of his mother and his own youth prevented his being accepted. However, he followed the company to the front and was with it until the close of the war.

In 1865 he went to Princetown, Indiana, and for three years clerked in a store. As this indoor occupation proved injurious to his health, he went to Carlinville, Illinois, and worked on a farm for five years. At the end of this period he purchased a small farm with his savings.

He married Miss Sarah J. Boyd, of Frederickstown, Ohio, by whom he had three children. They moved to Coffey County, Kansas, in 1880, and took a farm near Leroy. He accumulated some property, which was later lost through business reverses.

Governor Leedy was a Republican, but in 1872 he went over to the Democratic party, remaining there until the Populist party was organized; then he became Populist. He was elected State Senator in 1892 as a Populist.

In 1896 he was elected Governor, being the second chief executive chosen by the Populist party. The Legislature of 1896 elected William A. Harris, an ex-Confederate soldier, United States Senator from Kansas. This Legislative session was the longest in Kansas history, lasting sixty-seven days. Over 2,000 bills were introduced, but less than three hundred were passed. A Text Book Commission consisting of eight members was created to be appointed by the Governor with the consent of the Senate.

During the campaign of 1898 the matter of regulating railroad charges by law was much discussed. A special session of the Legislature, to consider railroad matters, was called by Governor Leedy, which continued from December 21 until January 9, when Governor Stanley was

inaugurated. The old Board of Railroad Commissioners was abolished, and a "Court of Visitation" established. This Court was given a general supervisory power over all railroads operating in Kansas. Other legislation was enacted at this session.

Governor Leedy was renominated in 1898, but was defeated at the polls. During the administration of Governor Leedy, war with Spain was declared by the United States. Four regiments were raised in Kansas. Three of these were not called to the field. The Twentieth



GOV. JOHN W. LEEDY

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Kansas distinguished itself in the Philippines and its record is a source of great pride to Kansas. The work of Kansas soldiers in this war is treated more fully in another article.

Kansas had recovered from the "hard times" and grew and flourished under the Leedy regime. Industries received a new impetus, and agriculture gained immensely. The farm products of Kansas for the year 1897-98 amounted to \$288,259,056, which showed a gain of \$4,350,631 over the preceding biennial period.

At the close of his term as Governor Mr. Leedy became interested in mining operations around Galena. He went to Alaska in 1901, but finally located at White Court, Alberta, Canada. There he still resides.

CHAPTER LXI

WILLIAM EUGENE STANLEY

BY MRS. EDITH CONNELLEY ROSS

William Eugene Stanley, fifteenth Governor of Kansas, was born December 28, 1844, in Knox County, Ohio. In 1869 his parents moved to Hardin County, where he was reared to manhood.

Stanley's father was a physician, and a man of good character and much influence in the community. He sent his son through the common schools. Later Stanley entered the Ohio Wesleyan University, at Delaware, Ohio. However, he left this institution before his graduation, and entered the office of Bain & King, at Kenton, where he studied law. Afterwards, he continued his studies in the firm of Conover & Craighead, at Dayton. He was admitted to the bar in 1868.

Two years after he received his diploma he came to Kansas, and located in Jefferson County, where he began the practice of his profession. Soon after settling in Jefferson County he was elected County Attorney.

He located at Wichita in 1872. He served as County Attorney of Sedgwick County three terms. Following his last term as County Attorney, he was elected to the State Legislature. He served one term in that body. An appointment as Judge of the Court of Appeals was tendered to him by Governor Morrill, but this honor he declined.

In 1876 Mr. Stanley was married to Miss Emma L. Hillis, of Wichita, Kansas. Of this union were born three children, two sons and a daughter.

Mr. Stanley followed his law practice industriously, and became well-known to the state at large as an honest, intelligent, hard-working man.

The Republican State Convention which met at Hutchinson in June, 1898, nominated him as the candidate for Governor. He was elected by a large majority. During this administration, marked progress was made in the recovery from the effects of the "boom" of the eighties. Speaking of the spirit of that time, Prentiss says:

The late summer of 1899 found the State in peace. The political contests, which had been sharp and severe for some years, and marked with mutations of fortune, had taught Kansas people that the State was safe in the hands of its honest citizens, without regard to their party designations. An era of good feeling prevailed. The losses sustained in the collapse following the boom of 1887 had been largely made up. A singular feature of the recovery in the "boom towns," which in their speculative days, had scattered their houses over a great area, was their

practical consolidation. Houses which had stood in empty desolation in the midst of boundless "additions," were removed nearer to the actual center of population, renovated and repaired, and became again places of business and the homes of men.

The discharge of the heavy public and private indebtedness of Kansas was going on at a rate that surprised financial authorities, but the explanation was found in the great natural resources of the State. When asked how Kansas in seven years paid off more than \$100,000,000 of debt, it was answered that, in those seven years, Kansas produced four billion dollars' worth of farm products and live stock.



Gov. WILLIAM E. STANLEY

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Governor Leedy had been censured for calling a special session of the Legislature to enact laws to regulate the railroads, through the Court of Visitation. Governor Stanley, while recommending a much more conservative policy and much more leniency towards the railroads, still displayed a firm inclination to support the Leedy measure and give it a fair test. However, a suit to test the validity of the Court resulted in its being declared unconstitutional.

As a measure of economy, Governor Stanley urged on the Legislature the abolition of many useless offices, but no steps were taken by that body

along this line. Acts were passed appropriating money to complete the State House, to establish a binding-twine plant at the penitentiary, to create a Traveling Library Commission, and many other measures demanded by the growing needs of the State.

By the Legislature of 1901, a new Board of Railroad Commissioners was created and their duties defined. An appropriation of \$47,000 was made to pay the transportation of the Twentieth Kansas. The good-roads question was agitated, a commission appointed, its powers and duties defined, and a tax levy fixed to meet the expenses.

Joseph R. Burton was elected United States Senator by the Legislature. This body also accepted the Pike-Pawnee Village site as a gift to the State, and appropriated \$3,000 to appropriately mark and fence the place.

A strike of the convicts at the penitentiary in 1901 resulted in the killing of two of them and the punishment of the ringleaders. There was also a revolt at the United States prison at Fort Leavenworth, in which twenty-seven convicts escaped. Eighteen of these were killed or captured within a few days.

After retiring from the Governor's office, Mr. Stanley returned to Wichita and resumed his law practice. This profession he continued to follow until his death, which occurred October 13, 1910.

CHAPTER LXII

WILLIS J. BAILEY

BY MRS. EDITH CONNELLEY ROSS

Willis J. Bailey, was born in Carroll County, Ill., October 12, 1854. He received his education in the common schools, at Mount Carroll High School, and at the University of Illinois. He graduated from this latter institution in 1879. His intention had been to study law, but his life as a Kansas farmer never gave him the necessary time. However, his alma mater conferred the degree of LL. D. on him in 1904. In 1879, Mr. Bailey came to Kansas in company with his father. They located in Nemaha County.

Mr. Bailey saw the richness of the soil, and the vast opportunities the future held for Kansas land. So he resolved to possess as much of it as possible. He first bought eight hundred acres, to which he has since added much. The land increased in value with marvelous rapidity, and this, together with stock-raising, made him one of the wealthy men of Kansas. The town of Baileyville was founded on a corner of the Bailey farm, and the surrounding country became thickly settled. Large rich farms in a fine state of cultivation mark that portion of the country.

Mr. Bailey is an earnest Republican. In 1888 he was elected to the Legislature, and in 1890 he was re-elected. He was President of the Republican State League in 1893, but was defeated as the Republican candidate for Congress from the First District, in 1896. In June, 1898, he was nominated for Congressman-at-large by the Republican State Convention at Hutchinson, and elected. At the end of his term he went back to the farm, where he remained until he was nominated for Governor of Kansas, in 1902. He was elected, and began his term in January, 1903.

It was urged against him in the campaign, both in jest and seriously, that he was unmarried. But this cause of criticism he soon removed. While Governor, he married Mrs. Ida B. Weed.

The Legislature of 1903 elected Chester I. Long United States Senator. Acts were passed providing for tuition fees at State Institutions, continuing the bounty on sugar beets, prohibiting the use of the slot-machine as a gambling device, placing suburban electric railways under control of the Board of Railroad Commissioners, appropriating \$100,000 for the Louisiana Exposition, and other important acts.

Heavy floods in the spring of 1903 did much damage to Kansas. The

greatest losses were sustained at Topeka, Lawrence, and Kansas City. Much property was destroyed, and many people were drowned. So serious was the situation that Governor Bailey called a special session of the Legislature to deal with it. Attempts to make direct appropriations for the relief of the flood sufferers failed, but means enabling them to help themselves were found. And \$33,000 was raised for their relief by Kansas people.

In the second year of Governor Bailey's term, Joseph R. Burton, United States Senator from Kansas was tried on a bribery charge and



GOV. WILLIS J. BAILEY

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convicted. He was sentenced to a fine of \$2,500 and six months' imprisonment. Many people believed his prosecution malicious, and that he had not violated any law, either moral or statutory.

In 1904, Kansas towns again suffered from floods, though not so severely as in the previous year.

Beginning Monday, May 30, 1904, a three-days' celebration of the Semi-Centennial Anniversary of the organization of the Kansas Territory under the Kansas-Nebraska Act was held at Topeka.

Kansas was well represented at the Louisiana Purchase Exposition, and "Kansas Day" there was fittingly celebrated.

The State Capitol of Kansas was finally completed in 1903. It had been thirty-three years in building.

At the close of his term as Governor, Mr. Bailey removed to Atchison, and in 1907 became vice president and manager of the Exchange National Bank of that city.

Though often urged to become a candidate for high offices by the Republican party, since his retirement, Mr. Bailey has never been active in the political field. He was elected a director of the Kansas City Federal Reserve Bank in July, 1914.

CHAPTER LXIII

EDWARD W. HOCH

BY MRS. EDITH CONNELLEY ROSS

Edward W. Hoch, seventeenth Governor of Kansas, was born at Danville, Kentucky, March 17, 1849. He attended the common schools of that place, after which he entered the Central University of Danville. However, he did not remain until his graduation, but left school to enter a newspaper office. He spent three years learning to be a printer, after which he came to Kansas. In Marion County, he pre-empted 160 acres of land and became a farmer.

He soon gave up farming for the life of a country editor. He had many a hard struggle to keep his enterprise afloat, and it seemed at times that the paper was foredoomed to failure. In addition to the usual trials of the country editor, Hoch suffered much loss through the grasshoppers in 1874. It took him till 1876 to fully recover and pay up all his debts.

On May twenty-third of that year he was united in marriage with Miss Sarah L. Dickerson of Marion. They have four children, two sons and two daughters.

Hoch was a staunch Republican; his paper strongly advocated Republican principles. He was recognized by the Republican leaders as a man to be considered in settling party matters. He was elected to the Legislature in 1888 and again in 1892. This latter term was during the "Legislative War," and Mr. Hoch worked hard to gain recognition for the Republican House.

In 1894 he was urged to become a candidate for Governor. He did not do so, but in 1904 he was nominated and elected by the Republican party. He was re-elected in 1905.

The feature of the Legislature of 1905 was the contest of the State of Kansas with the Standard Oil Company. The oil resources of Kansas reached an advanced stage of development prior to this time. Oil fields in Neosho, Wilson, Montgomery, Chautauqua, Franklin and Miami counties were brought up to a production of over 3,000,000 barrels a year. It was a new industry in Kansas, and there were no laws governing the oil business. The oil producers felt the need of such laws, and determined to secure their enactment if possible. On the twelfth of January, a meeting was held in the office of H. E. West, at Peru, Kansas. William E. Connelley was directed to draft a call for a state meeting of the pro-

ducers. Pursuant to this call they assembled at Topeka, and on the 19th of January, Connelley formulated the following resolutions, which were adopted by this meeting, and which organized the Kansas Oil Producers Association. They also outlined the laws believed necessary for the conservation and future development of the oil business.

Resolved, That it is the sense of this association that the State of Kansas ought to erect and maintain a refinery for oil, of the capacity of at least 5,000 barrels daily.



Gov. EDWARD W. HOCH

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Resolved, That it is the sense of this association that a law should be enacted by the present legislature making all pipe-lines now built and those to be constructed in the future for the transportation of oil common carriers, subject to all the laws, duties and obligations of the same, and that said lines be regulated in all matters by some competent authority, to be designated by the legislature.

Resolved, That it is the sense of this association that the legislature ought to protect the industries of this state by a law providing heavy penalties for its violation, and which should prohibit any dealer, owner or manufacturer from selling his products at a lower price in one portion of the state than in another portion thereof, all items of cost considered,

thereby creating a monopoly and destroying competition in manufacture, trade, and commerce.

Resolved, That it is the sense of this association that the present legislature should by law provide for transportation rates and charges by railroads and pipe-lines that will enable the producers of oil in this state to sell their product or any portion thereof at a fair profit for fuel and other purposes.

Resolved, That it is the sense of this association that the present legislature should provide a competent board of inspection, to be supported by reasonable fees collected for services performed, to protect the resources of the state by the proper action concerning dry, abandoned, imperfect, exhausted or dangerous oil or gas-wells. Also for the inspection and proper grading of the crude oil produced in the state, and having authority to act upon the appeal of producers or purchasers in case of dispute.

Resolved, That it is the sense of the Kansas oil producers, in convention assembled, that the action of Governor Hoeh in recommending such legislation as will protect the Kansas producers of crude petroleum and the refiners of the same from the crushing and throttling grasp of monopolistic influences is most heartily and sincerely commended as the act of a man to whom the interests and welfare of the people of this state are very dear; and we furthermore thank him from our innermost hearts for his manly actions and his mode of encouragement to the oil producers of the state.

Resolved, That the thanks of this association be tendered all the members of the present legislature for the manifest disposition shown to preserve and foster the oil industries of Kansas.

Governor Hoeh aided in securing the enactment of the seven laws demanded. That providing for the erection of a State refinery was declared unconstitutional by the Supreme Court. The other laws have stood the test of time, and have demonstrated the wisdom of their enactment. The Anti-Discrimination law has proven one of the most beneficial ever enacted. It immediately reduced the price of kerosene in the territory west of Manhattan from an average of twenty-one cents a gallon to an average of twelve cents a gallon. On the one item of oil it has saved annually to the people of Kansas at least six hundred thousand dollars. It is a general law, and applies to packing-house products, flour, and all other manufactured articles. It is a conservative estimate to say that the Anti-Discrimination law has saved the people of Kansas annually one million dollars since its enactment.

Other important acts of this Legislature provided for the uniformity of railroad freight rates, the regulating of the working-hours of railroad employes, and the prohibition of special privileges. A child-labor law was passed and an act was also passed providing juvenile courts. Provision was made for a State Printing Plant. The D. A. R. were given an appropriation to mark the old Santa Fe Trail.

From September 26 to 29, the Pike Centennial was celebrated in Republic County, and by the school children generally, over the state.

The Legislature of 1907 elected Charles Curtis United States Senator. An act was passed by this Legislature reducing the railroad fare from three to two cents per mile, and an anti-pass law was enacted. A tax law

providing for the assessment and taxation of property at its real value, was passed.

In 1908 Governor Hoch called a special session of the Legislature at which he urged the enactment of a primary election law, giving the people a chance to express their choice for United States Senator. This act was passed, along with several others.

Since he retired from the Governor's office, Mr. Hoch has done much in the lecture field. His eloquence has made him a favorite on the lecture platform. His son has active management of his paper. The family resides at Marion. He is now a member of the Board of Administration, in charge of the educational institutions of the State.

CHAPTER LXIV

WALTER ROSCOE STUBBS

By MRS. EDITH CONNELLEY ROSS

Walter Roseoe Stubbs, the eighteenth governor of Kansas, was born November 7, 1858, near Richmond, Wayne County, Indiana. He is of Quaker parentage, and boasts as his proudest heritage, the qualities and traits of that people. When he was still a child his parents removed to Iowa. From there they came to Kansas and settled at Hesper, Douglas County.

Stubbs was educated in the Douglas County public schools. For a time he attended the Kansas University, but did not graduate. As his parents were not wealthy, he was compelled to work. He engaged in many occupations, among them, clerking, farming, and driving a mule team. This latter labor suggested opportunities to him. So, before his twenty-first year, he had secured a pair of mules. With these he took a contract for grading a bit of railroad. With the assistance of another team he completed the work and made a small profit. This was the beginning of his contracting business. He came to be one of the best known railroad contractors in the West.

Mr. Stubbs did not enter the political arena until after his fortieth year. In 1902 he was nominated by the Republicans of Douglas County for representative in the Legislature. Though he had not solicited this office, he was elected, and he endeavored to fill it faithfully. He was re-elected in 1904. In that year he was also Chairman of the Republican State Central Committee.

Economy in the management of the State's finances was one of his special issues. As speaker of the House he appointed a committee to investigate the matter of an excessive number of employes of the Legislature. The result of this was the reduction of three hundred and twenty people—in 1903—to less than seventy people in 1905.

In 1906 he was elected to the Legislature for the third time. He was nominated for Governor by the Republican party in 1908, and was the first Kansas Governor to receive his nomination direct from the people at a state-wide primary.

The Legislature of 1909 elected Joseph L. Bristow United States Senator from Kansas. Governor Stubbs urged the formation of a Public Utilities Commission. Also the need of better roads in Kansas.

An act was passed by this Legislature establishing a standard of

weights and measures for staple products, and people appointed to examine and correct scales and measures. Several acts restricting insurance companies were passed. A child labor bill to protect children under fourteen years of age was passed, the use of intoxicating liquors on trains passing through Kansas was forbidden, precautions were taken against floods. An appropriation of \$200,000 was made to erect a building at Topeka, as a Memorial to the soldiers and sail-



GOV. WALTER R. STUBBS

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ors of the Civil War. The building was to house the G. A. R. and the Kansas State Historical Society.

Liberal provision was made for the maintenance of State Institutions.

The Legislature of 1911 passed many progressive acts, protecting the interests of the citizens of Kansas. Among them, the most discussed was Senator Dolley's "blue sky" law—a law providing for the regulation and supervision of investment companies. This made the establishment and operation of a "wild cat" company an impossibility in Kansas.

In addition to a large appropriation for the use of State Institutions, \$100,000 was appropriated by this Legislature for the establishment of a new State Insane Asylum.

Some little trouble was experienced in Southeastern Kansas in the enforcement of the Prohibitory law. There was talk of a special session to consider steps to combat a plague which killed many horses. However, the situation proved not to be serious enough to necessitate this measure, and nothing was done about it.

After leaving the office of Governor, Mr. Stubbs returned to his home at Lawrence, Kansas. Here he is the owner of a beautiful estate known as "Wind Hill." He is now engaged in the business of raising cattle, and has large ranches in Colorado, New Mexico, and Texas. He is one of the most enterprising citizens of Kansas.

CHAPTER LXV

GEORGE H. HODGES

The administration of Governor George H. Hodges achieved much for Kansas. Governor Hodges had had much experience in dealing with public institutions of the State. He had served in the Senate with distinction, and was thoroughly familiar with the needs of Kansas and her institutions. He gave the state a genuine, thorough business administration. In the Senate Journal of 1913, at page 847, will be found a review of the administration of Governor Hodges. A careful study of that document will show that much was done for the good of Kansas during his official term.

In the ceremonies of surrendering his office and the installation of his successor, Governor Hodges reviewed the work of his administration. It is the best account of what he accomplished to be found, as follows:

We close our administration today with the consciousness that every obligation, pledged or implied, has been complied with. Of the fourteen platform pledges possible to fulfill, thirteen have been written into the statute books of this state. We have given Kansas the full measure of our limited ability. The public has but scant concern for the retiring public official. His efforts are ended. But they view new officials with an honest measure of expectation. I do not believe it is in bad taste to recount a few of the records of Democratic accomplishment.

We believed, and the public in general thought, that this state was upon a cash basis. We found one-fourth of the 1913 taxes, amounting to \$832,000, drawn in advance, and practically all spent, in the liquidation of bills contracted in 1912.

A penitentiary burned to the ground, was committed to our keeping—encumbered with an indebtedness of \$19,000. We leave it rebuilt, and in the best physical condition and the best moral condition known in its history.

The finest penal twine plant in the world has been built, and for the first time in the history of the state an adequate supply of filtered water is now furnished the prison.

We leave the beautiful Memorial hall finished, while it was bequeathed to us an enclosed building with a \$10,400 indebtedness against it.

We have a state textbook plant that solves the school book question for all time to come.

Both the tuberculosis sanitarium at Norton and the insane asylum at Larned are completed. Sewers, power plants, water supplies, are provided, that will be adequate for the growth of that institution for twenty years to come. The orphan's home at Atchison, the institution for the feeble-minded at Winfield, the state hospital at Osawatomie, have all been provided with adequate water supplies. Silos of 3,000



Gov. GEORGE H. HODGES

[Photograph by Willard, Topeka]

tons' capacity have been built during the past two years at the state institutions.

Wonderful improvements have been made at the Osawatomie hospital. Food and supplies were being stored in rat-infested vermin-ridden rooms. They are now taken care of in a magnificent fireproof building. A cold storage plant of more than adequate size has been built. Splinter floors and roach-infested wainscoting have been replaced with tiled floors and tiled wainscotings, and the institution is now in splendid physical condition, which should be a pride to the people of the state.

Our great educational institutions, instead of pulling against each

other, are now articulating and working harmoniously one with the other, under a single board. The wonderful improvement made in these institutions is the result of the one board experiment, so-called, and it proved beyond the peradventure of a doubt, that in limited numbers accountability and responsibility defined.

The change in the oil inspection department has netted the state an additional revenue of \$35,500 more a year than ever before.

The grain department has been an asset to the state rather than a liability.

We have paid a bond of \$211,000 during our administration.

I believe there is directly attributable to the efficiency of the fire marshal's department, almost a million dollars less fire loss a year than in the past.

The obnoxious direct inheritance tax laws were repealed and in lieu thereof a corporation tax law was passed, which has netted the state almost \$200,000 the first year of its activity.

The women of Kansas have been recognized by this administration for the first time in the history of the state, and while there was but one position of responsibility held by a woman when I became executive, there are now twenty-three who are a part of this administration; and the board that I deem the most important in the state has as one of its members a woman. We have women superintendents at the schools for the deaf, the blind, the orphan asylum, the girls' industrial school, and women also fill other positions of responsibility. These women appointees have lived up to the full measure of their responsibility.

There has been no department of state that we are responsible for but that has filled every expectation. You will pardon my calling attention to the wonderful record of the bank commissioner's department. There have been eight bank failures and in only one instance was it necessary to appoint a receiver, the cost of such receivership amounting to less than a thousand dollars. The other seven banks that failed were reorganized and put in a going condition at less than an average cost of \$225 to each bank. Not a depositor has lost a penny, nor has a dollar been taken from the depositors' guaranty fund to replace any loss. We but ask a comparison in this department, as well as in all others, with former administrations.

We said in the campaign that the departments under our control would be administered economically and with the lowest possible expense. A comparison of the maintenance of all the state institutions—other than educationally—will show a decrease as compared with the expenditures of two years ago.

State institutions have been builded that were necessary. Water supplies have been provided. Irrigation plants have been completed. The operations of farming have been increased a hundred per cent, and the decided increase in the number of scholars in our schools have necessitated a greater expenditure than heretofore for educational purposes.

The expense of conducting the department directly under my charge—the executive office and resident—has been \$18,000 less during my

tenure of office than the amount spent the last two years by my predecessor.

It might not be amiss to speak a word about the greatest social problem that confronts the state, namely, the penitentiary. It has been the interpretation of the pardon board, pardon clerk and myself that when a prisoner serves his minimum sentence he should be paroled if he has a clear prison record. The governor's function in board paroles is merely clerical. He should be relieved of that burden and the action of the board should be final.

The board has paroled a few over 400 during the past two years. In other words, that many prisoners have served their minimum term and have been released. The executive has paroled up to and including December 1, 204. There are men who have not served their minimum. In every case the pardon board has investigated thoroughly and in a painstaking manner, the record of these men, and they have recommended them for executive clemency. The chairman of the board advises me that seventy of these men have been paroled because they were in an advanced stage of consumption, paralyzed or crippled. A number of these men were paroled that they might die outside of the prison walls. Of the 200 given executive clemency, but twenty-seven have violated their paroles. The balance of these men are by their honest efforts winning their way back into society, providing for their wives and families, and becoming constructive citizens. I feel that giving these men a chance to become self supporting is one of the most pleasing duties of an executive.

It is true that divers and sundry rumors have been set afloat in opposing papers saying that we had been overstepping the bounds of reason in the matter of paroles, but we do not feel that we have.

A commission has been appointed, and their recommendations are filed in the office of the governor-elect for the further improvements of the Kansas penitentiary, and I feel that it is highly important that the men who are confined behind the prison walls should be housed in such a manner that when they have served their minimum sentence they will not leave the prison infected with tuberculosis, as quite a percentage of the men now are.

The experience of my tenure of office emphasizes to me the necessity of a change in the departments of state to procure that which the public desires—greater efficiency and more economy. The shortened ballot and a legislature consisting of one body of a small number of legislators, will be a step in the direction of a solution of the problem. The same recommendation applies with equal force to county officials.

The prohibition laws of our State have been enforced equally as well if not better than ever in the history of Kansas.

In looking back over the efforts of the various departments of this administration the past two years, I commend myself upon having appointed loyal, efficient Kansans, who have placed their state obligations above personal desire or politics. I have given this state my best

efforts and I feel more than satisfied with the results accomplished, and while it perhaps may be presumptuous to prophesy, but I doubt very much whether there will be a single law of moment passed by the last legislature that will be repealed, or that a single policy of moment now in effect in any of the state departments will be changed. Minor details may be changed, as is always the case, as we correct by the benefits of experience.

I bespeak for my successors from the Democratic papers of this state, that which has been denied me by the Republican press—the truth. I earnestly hope that the citizenship of Kansas, irrespective of politics, will co-operate with the governor of this State in each and every righteous endeavor that he may attempt. I earnestly wish for him a successful administration. Our love for our great commonwealth and our loyalty to Kansas, not only inspires me, but should inspire every Kansan, irrespective of politics, to be ready to assist in any and every manner whatsoever for the continued growth, prosperity and upbuilding of the great Sunflower state.

CHAPTER LXVI

ARTHUR CAPPER

BY CECIL HOWES

Arthur Capper was the first native Kansan to be elevated to the highest office in the gift of the people of his State. He came into office under a severe handicap, and the first few months of his term was marked by two outstanding achievements.

He found the upper branch of the Legislature entirely out of sympathy with his plans, and that the State Institutions were managed by his political opponents. He compelled the Democratic Boards to give the State real service without politics as the controlling factor.

He proved to the voters of the State that he meant what he said when he made his campaign speeches promising certain things. He regarded these promises as notes, to be paid, "according to the bond."

Without any other matters of State this record alone would probably have given Governor Capper a second term, but there were so many things of real value accomplished during the administration that he was re-elected by a plurality of 162,000, the largest ever given a candidate for a State office in Kansas.

The Governor had promised an economical administration. The attempt of the opposition to load down the appropriation bills, was broken up by the Governor himself; he vetoed bills and parts of bills that carried appropriations he believed unnecessary. During the entire two years he has been in office, the Governor has kept close watch of all the financial affairs of the State. While it could not be expected that a growing State could reduce expenditures, he has been able to prove that a growing State could get a real dollar's worth of service or goods for every dollar it spent. In working over the financial affairs of Kansas, Governor Capper discovered many faults of the old systems, and he has asked the Legislature to give the State a budget system as a means of preventing much waste which cannot be prevented under the present plan.

As the result of the Governor's efforts, the Legislature named an Efficiency and Economy Commission, which spent nearly two years investigating all the State institutions and departments. It has urged a radical change in the administrative affairs of the State, consolidating boards, reducing the number of administrative officers and providing for the hiring of experts in different lines to handle the business of the different departments outside of those of the constitutional officers. Just be-



HON. ARTHUR CAPPER, GOVERNOR OF KANSAS

[Photograph by Willard, Topeka]

fore the Legislature was to convene at the opening of his second term, the Governor called one hundred business men from all parts of the State, to Topeka. They submitted recommendations for revising the systems of city and county governments to make the administration of local affairs much more economical and efficient by centralizing the power of administration and fixing the responsibility of the officers.

The first term of Governor Capper really put several milestones in the path of Kansas achievement. Here are some of the things Kansas is proud of discussing:

Provision for pensions for mothers who are deprived of adequate support, and who must break up their homes unless they can have help from the counties where they live. The law, being the first one drafted, is, of course, defective in some respects, and the Governor has urged some important changes that will widen the scope and possibilities of this humanitarian Statute.

Civil Service has been adopted in the State Institutions and departments.

A bureau for the education of mothers in the care of the babies—potential citizens—was established. The activities of this bureau can be easily followed by the reduction in the death rate of babies wherever the bureau opened its campaigns.

The most crooked election ring in the State was broken up, and the last election in Kansas City, Kansas, is said by the citizens there to have been the cleanest election held in the city for fifteen years.

The worst political and judicial scandal in the history of the State, the natural gas litigation and receivership, with its thousands of dollars in fees to political lawyers, was given an airing that is certain to bring remedial legislation which will prevent a recurrence of such bold and shameless looting.

The establishment of an Industrial Commission to investigate and give relief to the women-workers in stores and factories and with authority to limit the hours of labor, fix the wages and determine the conditions under which women may work in Kansas.

While Arthur Capper was campaigning there had been a pardon granted a banker who had defrauded the depositors of a bank. In a speech the Governor declared that he was in favor of the prison for big as well as little thieves. During his first term as Governor, not a single pardon was granted except for final discharges of prisoners and then only conditional upon good behavior and although extreme pressure was brought, the Governor refused to even parole some of the big thieves in the Kansas prison.

The big printing establishment of Arthur Capper is often spoken of as the "best oiled" machine of its size in the country. It works so smoothly that one hardly knows there is a guiding hand. This is done by the employment of thoroughly competent people for handling each department. It is the Governor's idea that a State could be run in just about the same way,—no fuss nor feathers, and no brass band. That is the way Arthur Capper has tried to run Kansas in the past two years, and

will continue to run it for the next two. He hires the most competent men and women he can find for the State positions, and holds them directly responsible for the proper performance of their duties. There has been less friction, less political opposition and more correlation of the State departments and institutions, resulting in greater economy and efficiency in the administration of affairs than Kansas has ever known, and it has been done so unobtrusively that many do not realize the tremendous happenings in State business that have taken place in the past two years.

CHAPTER LXVII

MILITARY HISTORY

No state ever made a better military record than has the State of Kansas. The disorders of the Territorial days developed the military spirit of the Kansas pioneers. The Territorial period was, in fact, part of the Civil War,—the preliminary struggle. The Free-State men were nearly all under arms during the conflict with the Border-Ruffians. That training counted much for the Kansas regiments in the field in the Rebellion. There is no record of any Kansas regiment in the Civil War, Indian wars, or Spanish American War, Border wars, or any other conflict, where the Kansas troops in any way failed to meet the highest requirements of military service. There are innumerable instances of extraordinary achievement by Kansas troops in these wars. The records show that Kansas always furnished more men than the requisition of the Government called for. The Kansas people are peace-loving and prefer to till the soil and engage in other pursuits required to develop the industries of the State. But if they have to fight, they know how. No more patriotic people ever lived than those of Kansas. When called on to render military duty, they have promptly responded, and, as above said, in larger numbers than requisitioned. In the Civil War Kansas furnished more enlisted men than she had voters, a record which is not approached by any other State. If any proof were needed of the intense loyalty of Kansas people, this might be presented as the strongest evidence.

It is much regretted by this author that the limits of this work prevents an exhaustive review of the splendid service of every military organization ever produced by Kansas.

Following is presented a brief account of the service of each regiment.

The military tables quoted herein are from the *Andreas History of Kansas*.

FIRST REGIMENT KANSAS VOLUNTEER INFANTRY

The First Regiment of Kansas Volunteer Infantry was raised under the call for troops made by President Lincoln May 8, 1861. The regiment had its rendezvous at Camp Lincoln, near Fort Leavenworth, and was recruited between the 20th of May and June 3rd, on which day it was mustered into the United States service.

The following officers, commissioned by Governor Charles Robinson, constituted the Field and Staff:

George W. Deitzler, Lawrence, Colonel; Osear E. Learnard, Burlington, Lieutenant-Colonel; John A. Halderman, Leavenworth, Major; Edwin S. Nash, Olathe, Adjutant; George H. Chapin, Quindaro, Quartermaster; George Buddington, Quindaro, Surgeon; Ephraim Nute, Lawrence, Chaplain.

This regiment was recruited, organized, drilled and mustered into service in practically two weeks' time. And within but little more than a week from the day its soldiers first responded to their names on the muster roll they were ordered into active service. On June 13th seven companies of the First Kansas left Leavenworth for Kansas City, and on the 20th the remainder of the regiment followed. Their objective was Springfield, Mo., where they were to join the army of General Nathaniel Lyon. At Kansas City the regiment was reinforced by a battalion of United States Infantry and two companies of United States Cavalry commanded by Major Sturgis, U. S. A., and together they moved southeast, joining General Lyon at Grand River on the 7th of July. On July 10th the entire command reached Springfield, already occupied by the forces of General Sigel. Here the First Kansas tasted some of the privations of real war, for supplies were practically exhausted and fresh beef, without salt, was the only luxury the commissary afforded.

The regiment received its "baptism of fire" at Dug Springs, whither Lyon had gone to intercept a confederate force advancing from Cassville. This encounter was successful, the detachment from McCulloch's division being speedily dispersed by Lyon's command. The Dug Springs skirmish was but a preliminary to the battle of Wilson's Creek, which occurred some days later, and in which the First and Second Kansas, "raw regiments," were to have their first experience of desperate conflict.

Lyon had moved his army as far as Dug Springs to test the strength of the enemy, and having forced them to retreat, he returned to Springfield. He was fully aware that the rebels were concentrating their forces on Wilson's Creek, twelve miles southwest of Springfield, and that his own position was becoming daily more dangerous. The strategy of this movement was plain to him and he made repeated attempts to "draw" the Confederates. In these he failed, and realizing the impossibility of any retrograde movement, pressed upon as he would be, by such superior numbers, Lyon determined to force a battle by attacking the enemy in their camp.

He called a council of his Field Officers on the evening of August 8th and made the following statement to them:

Gentlemen, there is no prospect of our being reinforced at this point; our supply of provisions is running short; there is a superior force of the enemy in front, and it is reported that Hardee is marching with nine thousand men to cut our line of communication. It is evident that we must retreat. The question arises, what is the best method of doing it? Shall we endeavor to retreat without giving the enemy battle beforehand and run the risk of having to fight every inch along our line of retreat? Or shall we attack him in his position and endeavor to hurt him so that he cannot follow? I am decidedly in favor of the latter plan. I propose to march this evening with all our available force, leaving only a small

guard to protect the property which will be left behind, and, marching up the Fayetteville road, throw our whole force upon him at once and endeavor to rout him before he recovers from his surprise.

For some reason Lyon's plan, which was both bold and skillful, was not carried into effect on the evening of the 8th, as first proposed, but was postponed for a day. To carry out his plans he divided his army into two divisions, the main body of about 3,000 men he commanded himself, the other of some 1,500 was under General Sigel.

Early in the morning of August 10th, moving as pre-arranged, Lyon's command reached the left rear of the enemy. Here he placed his batteries in position and opened fire almost simultaneously with Sigel, who had moved by the Fayetteville road to a position also in the rear of the enemy, but on their right. Lyon's hope through this maneuver was to demoralize the Confederate force quickly by throwing it upon its own center.

The First Kansas came onto the battlefield following the First Missouri and the First Iowa, and with the First Missouri, occupied the center of the field. The Second Kansas was held in reserve during the early part of the engagement and did not go into action until shortly before General Lyon was killed. Owing to the advanced position held by the First Kansas it contended, from the moment of entering the fight, with most fearful odds. Andreas' History of Kansas says:

The rebels led battalion after battalion against the determined little band (the First Kansas and the First Missouri) only to be repeatedly driven back in confusion, and from the beginning to the close of the struggle, in the language of the official report "all the officers and men of this command fought with a courage and heroism rarely, if ever equaled."

Sigel's assault on the enemy's right had been disastrous to his command; the rebels had returned his attack, dispersed his men, captured his guns and sent him flying back to Springfield, thus leaving Lyon's division to bear the brunt of the battle. Counting on reinforcements from Sigel, the Second Kansas was brought into action as the enemy, moving under the protection of the stars and stripes captured from Sigel's division, had attained a desired position, and as the battery aiding in the deception, poured charge after charge of shrapnel and canister into the Union ranks. This devastating fire raked the Second as it moved to its position, severely wounding its Colonel, Robert B. Mitchell. General Lyon, taking Mitchell's place received his death wound, as he led the Second in its charge. Major Sturgis in his official report of the battle says of this crisis:

After the death of Gen. Lyon, when the enemy fled, and left the field clear so far as we could see, an almost total silence reigned for a space of twenty minutes.

Our brave little army was scattered and broken; over 20,000 foes were still in our front, and our men had had no water since five o'clock the evening before, and could hope for none short of Springfield, twelve miles distant. If we should go forward, our success would prove our certain ruin in the end; if we retreated, disaster stared us in the face; our ammunition was well-nigh exhausted, and should the enemy make

this discovery, through a slackening of our fire, total annihilation was all we could expect.

So sanguinary was this battle that the Confederate reports refer to the ridge where it was fought as "Bloody Hill." Of the close of the engagement Andreas has this to say :

When the struggle was fiercest, and the combatants were literally fighting muzzle to muzzle, three companies of the First Kansas, with a remnant of the First Missouri and First Iowa, took possession of an eminence on the right flank of the enemy, which commanded the position they were endeavoring to gain, and as the rebels charged up the bluff, they encountered such a fearful storm of lead, both from the front and right, that they fell back appalled, nor even attempted to rally their flying disorganized forces. This rout practically ended the battle. For six hours it had raged almost without respite. The troops, many of them hardly long enough in the service to have grown familiar with their own names on the muster-roll, passed the ordeal of their first battle in a manner that no veteran need have scorned. The first gun broke the stillness of the early morning at about 5 o'clock. The last was fired at half past eleven. Then the order was given by General Sturgis to retire, and the exhausted and broken column preceded by the ambulances containing their wounded, left the field, and fell back to Springfield.

Official reports give the numbers engaged in the battle of Wilson's Creek as 20,000 Confederates and 5,000 Union soldiers.

From Springfield a forced march was made by the Union troops to Rolla, and from that point the First Kansas was ordered to St. Louis and thence to Hannibal. They were employed until January, 1862, in guarding different posts on the Hannibal & St. Joseph, and Missouri Pacific railways. In January the regiment was ordered to Lexington, Mo., and from there was sent to Fort Leavenworth and granted a furlough of ten days.

At the expiration of this time it joined the army of General Curtis, which was destined for New Mexico. The rendezvous was Fort Riley and there the regiment remained during the winter. In the meantime the "New Mexico expedition" was abandoned and in May the First Kansas was ordered south. Its destination was changed from Pittsburg Landing, Tenn., to Columbus, Ky., which place it reached in June. And from then until late in September it was again used in guard duty, guarding the Mobile & Ohio Railroad, with headquarters at Trenton, Tenn.

In October the First Kansas became a part of McPherson's Brigade, and was ordered to reinforce Gen. Rosecrans at Corinth. Under his command it took part in the pursuit of Van Dorn, going as far as Ripley, Miss. The regiment was then transferred to Col. Deitzler's Brigade and with Gen. Grant's forces was to be sent to Jackson and Vicksburg. But further pursuit of Van Dorn's army being engaged in, the brigade returned from Oxford, Miss., and occupied Holly Springs, and from this point was ordered to Salem, Miss., to intercept Van Dorn's retreat. During the month of December the regiment was quartered in Memphis, and from January, 1863, to July, participated in the operations before Vicks-

burg, being employed chiefly in scout and picket duty. During the winter of 1863 and 1864 it was stationed at Black River Bridge, taking part in General McArthur's Yazoo River expedition. In the spring it was once more on scout and picket duty about Vicksburg, but its term of enlistment was drawing to a close. On June 1st, under command of Lieutenant-Colonel Spicer, the regiment embarked on the "Arthur" bound for Fort Leavenworth—and home. On the 17th of June the men were mustered out. Two companies of veterans, New Company B and New Company D, remained in the United States service until the close of the war, when they were honorably discharged at Little Rock, Ark., August 30th, 1865. During its service the regiment took part in thirty battles and skirmishes, a detailed account of which would occupy more space than can be allotted here.

In closing this brief account of the First Regiment of Kansas Volunteers the tribute paid them by Prentiss in his Battle Corners should have a place.

The field will always be of interest to Kansans, for of the four full volunteer infantry regiments who fought here, two were from Kansas, and they were the First and Second; here, too, Iowa had her First, and loyal Missouri her First. These were the "first-fruits" offered by Kansas on the altar of our common country. These were the "boys" who went into the war before the days of calculation; before drafts or bounties had been heard of. The Kansas "boys" went into the battle raw volunteers, they came out of it veterans. They fought beside regular soldiers of the United States army, and they fought as long and as well. The battle was a field of honor to all concerned. From it came seven Major Generals and thirteen Brigadier Generals of the Union army, and of these the two Kansas regiments furnished their quota, when it is remembered that with Lyon's column there were three battalions of regular infantry and two light batteries, the officers of which were more naturally in the line of promotion.

The great figure of the battle was Gen. Lyon; his death sanctified the field. If every other event that occurred there were forgotten, it would still be remembered that Lyon died there. Kansas in her proud sorrow remembers that it was as he led the Second Kansas to one more desperate charge that he fell.

SECOND REGIMENT KANSAS VOLUNTEER INFANTRY

The Second Regiment of Kansas Volunteer Infantry was raised in response to the first call for troops made by President Lincoln, April 15, 1861. This call was for 75,000 men to serve for three months. During May and early June the regiment was recruited and rendezvoused at Lawrence, where it was organized June 11th. It was mustered into the United States service June 20th, at Kansas City, Mo.

Gov. Charles Robinson commissioned the following officers for Field and Staff:

Robert B. Mitchell, Mansfield, Colonel; Charles W. Blair, Fort Scott, Lieutenant-Colonel; William F. Cloud, Emporia, Major; Edward Thompson, Lawrence, Adjutant; Shaler W. Eldridge, Lawrence, Quartermaster; Aquila B. Massey, Lawrence, Surgeon; Randolph C. Brant, Lawrence, Chaplain.

Like the First Kansas, the Second was destined to become a part of Lyon's army. The regiment left Kansas City on the 26th of June to join the brigade of Major Sturgis at Clinton, Mo., and from there proceeded to Lyon's Division, which it joined near the Osage river, in St. Clair county. From there the entire Division marched to a point near Springfield where camp was established and the work of drilling troops was commenced. The First and Second Kansas Volunteers formed a brigade commanded by Col. Deitzler of the First Kansas regiment.

On July 22nd a portion of the Second was in the engagement at Forsythe, that being their first experience under fire. The regiment was also in the skirmish at Dug Springs and a few days later distinguished itself at the battle of Wilson's Creek. This battle was perhaps one of the bloodiest of the Civil War, and was fought against such terrific odds that utter annihilation was the only thing expected. The Colonel of the Second, Mitchell, was seriously wounded and the gallant Lyon, bleeding from wounds already received, was killed as he was preparing to lead the Second in a bayonet charge.

After Wilson's Creek the Second, or what was left of it, with the remainder of Lyon's little army, fell back to Rolla and from there went on to Hannibal, en route for Kansas. At Hannibal, Col. Williams of the Third Iowa took a portion of the Second on an expedition to Paris, Mo., to aid in driving rebel troops from that town, and to remove to a place of safety money that was there in the bank. On their return, at Shelbyville, they encountered a considerable force of Confederates but managed to escape them and reach Macon City. From this point the Second was sent to Bloomfield and from there came on to St. Joseph, by rail, arriving in the night and surprising the Confederates who held that post. They succeeded in routing the rebels and held the post until the arrival of troops to permanently garrison it. At St. Joseph the Second took boat for Leavenworth, and stopping at Iatan, attacked and dispersed a small rebel force. Soon after its arrival at Leavenworth the regiment was ordered to Wyandotte to defend the town against threatened invasion by Price. Price retreated and the Second returned to Leavenworth where, having finished its term of service, it was mustered out October 31, 1861.

SECOND REGIMENT KANSAS VOLUNTEER CAVALRY

The Second Kansas Cavalry was evolved through various regimental changes. It had its beginning in the authority granted Alson C. Davis by Maj. Gen. Fremont to raise a regiment in Kansas. This authority was given in October, 1861. The regiment was designated the Twelfth Kansas Volunteers and the rendezvous was appointed at Fort Leavenworth.

The organization, commenced November 8th, consisted in mustering into the United States Service the following officers: Cyrus L. Gorton of Leavenworth, Adjutant; Julius G. Fisk of Wyandotte, Quarter-

master; Dr. J. B. Welborne, Wyandotte, Surgeon. Five companies were organized between November 22nd and December 15th, 1861. On December 26th, by order of Governor Robinson, four companies of Nugent's Regiment of Missouri Home Guards were attached to the newly organized regiment and its designation changed from the Twelfth to the Ninth Kansas Volunteers. These last four companies raised for home service, had been organized that fall in Douglas, Johnson and Miami counties, and were under the command of Lieutenant-Colonel Mewhinney of Douglas county. They had temporarily attached themselves to Nugent's regiment, and their term of enlistment would expire February 4th, 1862.

The organization of the Ninth Kansas, with ten squadrons, was completed on the 9th of January, when the Field and Staff consisted of the following officers:

Colonel Alson C. Davis, Wyandotte; Lieutenant-Colonel Owen A. Bassett, Lawrence; Major Julius G. Fisk, Quindaro; Adjutant Cyrus L. Gorton, Leavenworth; Quartermaster, Luther H. Wood, Kansas City, Mo.; Surgeon Joseph P. Root, Wyandotte; Chaplain Charles Reynolds, Fort Riley.

The regiment on January 20th, 1862, moved to Quindaro to go into winter camp and begin steady drilling. On the 4th of February the four companies of Home Guards were mustered out, reducing the regiment to six squadrons. On February 28th, Maj. Gen. Hunter, commanding the Department of Kansas, assigned to the Ninth three companies formerly belonging to the Second Kansas Volunteer Infantry and now reorganized for three years' service, also two companies formerly belonging to the Eighth Kansas Volunteers and one company which had been part of the Third Kansas. The last three companies were a part of the Ninth for a few weeks only, in March they were transferred to another regiment.

All these changes brought about a change in the Field and Staff, which now was made up of the following: Robert B. Mitchell, Colonel, Mansfield; Owen A. Bassett, Lieutenant-Colonel, Lawrence; Charles W. Blair, Major, Fort Scott; John Pratt, Adjutant, Lawrence; David R. Coleman, Battalion Adjutant, Paris; Cyrus L. Gorton, Quartermaster, Leavenworth; Joseph P. Root, Surgeon, Wyandotte; Charles Reynolds, Chaplain, Fort Riley.

The regiment was ordered from Quindaro to Shawneetown March 12th, and on the 15th its name was changed to the Second Kansas Volunteers, and changed again, March 27th, to the Second Kansas Cavalry, this designation was retained throughout its service.

The Second left Shawneetown April 20th, having been ordered to report at Fort Riley where it was to join the New Mexico expedition. The regiment remained at this post until June 9th, when it was ordered to join the Indian Expedition then concentrating at Humboldt. In the meantime detachments from the Second had been ordered to various points, so that as a regiment the Second was to see little service together. Two squadrons were left in Kansas for garrison duty, two

were sent into Colorado, and several officers and men had been detached and ordered on battery service with a brigade in Tennessee. Therefore it is possible to outline only the service of this cavalry regiment.

At the close of the Indian Expedition, which took the Second to Park Hill, Cherokee Nation, the regiment returned to Fort Scott. From there they went into Missouri in pursuit of raiders, and from that time were used to guard supplies, to hold posts and as a scouting force, serving most in Missouri and Arkansas. They participated in innumerable skirmishes and many battles, seeing much hard fighting. The principal engagements in which they took part were Newtonia, Old Fort Wayne, Cane Hill, Prairie Grove and Cabin Creek.

The companies of the Second regiment were mustered out in 1865 at irregular intervals, following their terms of enlistment, the last being four companies at Fort Gibson, on June 22nd.

THIRD AND FOURTH KANSAS VOLUNTEER REGIMENTS

The following history of the Third and Fourth Kansas Volunteer regiments is taken from the Thirteenth Biennial report of the Adjutant-General of Kansas. It explains the apparent irregularity in the numbering of the Kansas regiments, and gives an excellent account of the authority, and the conditions under which these regiments were raised.

When the Civil war began, in 1861, Kansas had just been admitted to the Union as a State, and the newly organized State government was scarcely in running order when it became necessary to raise troops to defend the border and respond to the requisition of the President for volunteers. However, two regiments were quickly placed in the field—the First and Second Kansas Infantry Regiments, whose bravery and heroism at the battle of Wilson Creek have given unfading luster to the name of Kansas. Both of these regiments were ordered out of the State as soon as organized. Had the State government been permitted to control the organization of the two succeeding regiments much confusion would have been avoided, and more systematic records would have been left of the organizations originally designated the Third and Fourth Kansas Volunteers. Senator James H. Lane, however, was commissioned a brigadier general of volunteers, and came to Kansas from Washington with a roving commission to raise regiments of volunteers. He proceeded in accordance with his own will, in a great measure independent of the State government, to raise troops; the Third and Fourth Kansas Volunteers were raised under his authority. These two regiments, together with the Fifth Kansas Cavalry, organized about the same time, constituted what was then known as "Lane's Brigade."

Elementary ideas of military organization seemed to prevail at the time the Third and Fourth Kansas regiments were organized, as they were regiments of mixed arms, mainly infantry, but each regiment possessing cavalry and artillery companies. The Fifth regiment was purely cavalry.

When the battle of Wilson Creek was fought (August 10, 1861) scarcely a battalion of these organizations had been recruited, but, expecting that Price and McCulloch would immediately follow their dearly bought victory by an invasion of Kansas, enlistments became rapid, and

in a short time about 2,500 men had been enrolled. By the presence of these newly organized troops along the Missouri border Kansas was saved from rebel invasion when Price moved north to the capture of Lexington. While not constituting a very imposing army, Price had recently had a specimen of Kansas fighting at Wilson Creek, and the presence of these Kansas regiments along the state line suggested a delay that he could ill afford to risk in his desire to reach the Missouri river before General Fremont could throw an opposing army in his way.

The Third and Fourth Kansas volunteer regiments were neither at any time complete organizations, and after the danger of an invasion by Price had passed recruiting for these organizations became very slow; the regiments being organized under state authority were securing most of the new enlistments. The new organizations presented more promising possibilities for position or promotion, and, beside, were cavalry regiments, and the experienced horsemen of the West preferred to ride when an opportunity to do so was at hand.

In the spring of 1862 the War Department ordered the reorganization and consolidation of the Third and Fourth Kansas regiments. This was done, the infantry companies forming a new regiment, thereafter known as the Tenth Kansas Volunteer Infantry. It would have been very proper to have designated the new consolidation as either the Third or Fourth Kansas Volunteers, instead of the Tenth, but both regiments thought their regimental designation the one to adopt, and to settle the contention the next vacant number was assigned to the reorganization. The cavalry companies were transferred to the Fifth, Sixth and Ninth Kansas Cavalry regiments, and the artillery companies were consolidated into the First Kansas Battery. . . .

As the Third and Fourth Kansas were original and distinct organizations, and performed brave and faithful service for eight months or more as such, it seems proper that a record should be made of them as distinctive regiments, and the individual records of the men recorded. Their service was rendered forty years ago; it is a tardy justice, and but few of the men recorded live to know that a place has been given them in the records of the civil-war regiments of Kansas. . . .

The records as relates to the date of consolidation of the reorganized companies of the Third and Fourth Kansas are not absolutely certain. The consolidation was made in accordance with a letter of instruction, Department of Kansas, dated February 20, 1862. The consolidation was effected April 3, 1862. The cavalry companies were transferred about the same time. . . .

The artillery companies were consolidated by authority of Special Orders No. 42, District of Kansas, dated April 24, 1862. The organization of the consolidated battery (First Kansas Battery) was effected about June 1, 1862.

The Third Regiment had for its Field and Staff, James Montgomery, Mound City, Colonel; James G. Blunt, Mount Gilead, Lieutenant-Colonel; Henry H. Williams, Osawatomie, Major; Casimio B. Zularsky, Boston, Mass., Adjutant; John G. Haskell, Lawrence, Quartermaster; Albert Newman, Surgeon; H. H. Moore, Chaplain.

The Field and Staff of the Fourth Regiment consisted of the following: William Weer, Wyandotte, Colonel; John T. Burris, Olathe, Lieutenant-Colonel; Otis B. Gunn, Atchison, Major; James A. Phillips, Adjutant; A. Larzalere, Quartermaster; John W. Scott, Iola, Surgeon; Reeder M. Fish, Chaplain.

FIFTH REGIMENT KANSAS VOLUNTEER CAVALRY

The organization of the Fifth Kansas Cavalry was begun in July, 1861, with the following officers as members of its Field and Staff: Colonel, Hampton P. Johnson, Leavenworth; Lieutenant-Colonel, John Ritchie, Topeka; Major, James H. Summers; Adjutant, Stephen R. Harrington, Washington, D. C.; Quartermaster, James Davis, Leavenworth; Surgeon, E. B. Johnson, Leavenworth; Chaplain, Hugh D. Fisher, Lawrence.

The active service of this regiment began on July 17th, when a detachment of two companies left Fort Leavenworth for Kansas City to form part of an expedition to Harrisonville, Mo. Following this, the detachment moved to Fort Scott where it joined the regiment, with Col. Johnson in command. From Fort Scott it did scouting duty. Its first battle was Drywood, September 2nd, 1861; and in its second engagement, where it attacked a rebel regiment at Morristown, Colonel Johnson was killed.

The Fifth was used in continuous scouting duty during the fall, and went into winter quarters at Camp Denver near Barnesville, Kansas. Here Lieutenant-Colonel Powell Clayton assumed command, finding a regiment of good fighters, but poorly equipped and poorly drilled. About the middle of March he moved the regiment to camp ground south of Fort Scott where the time was spent in drilling and perfecting the organization. From that camp the Fifth started upon its career, regarded as second to no regiment that Kansas sent into the field.

This regiment saw hard service scouting through Missouri and Arkansas. Detachments from it acted as escort to supply trains, and did duty in pursuit of raiders. Every service that a scouting regiment could do the Fifth was called upon to perform. It was not its luck to be in any big engagements, but its success in sorties upon guerilla bands was of the kind that carried terror to the hearts of the marauders. It is impossible to give a record here of its many skirmishes and encounters with the enemy. Every regiment that did scout duty saw hard service and great privation, and the story of the Fifth Kansas differs in no way from that of other scouting regiments. Its chief engagements were at Carthage, Morristown, Lexington, Little Blue, Big Blue, and Newtonia, all in Missouri.

During September, 1864, several companies of the regiment were mustered out, their term of service having expired. The re-enlisted veterans of the Fifth were mustered out at Duvall's Bluff, Ark., June 22, 1865.

SIXTH REGIMENT KANSAS VOLUNTEER CAVALRY

The organization of the Sixth Cavalry began in July, 1861, when W. C. Ransom and others from Fort Scott visited General Lyon, then in command of the Military Department of the West, and asked author-

ity to raise troops for home defense. The southeast portion of the state was an exposed quarter and entirely unprotected from invasion. Upon the representations of these citizens of Fort Scott Gen. Lyon granted permission to raise three companies of infantry to be stationed at that place. The companies were quickly recruited and put under the command of Major W. R. Judson. They proved inadequate for the protection of the border and Major Prince, the commandant at Fort Leavenworth, was appealed to for authority to raise more troops. This was granted on August 12th, and five more companies were speedily organized and mustered into the United States service for three years.

Having eight companies fully organized, measures were at once taken to form a regimental organization. Accordingly on the 9th of September an election for Field Officers resulted in the following:

Colonel, William R. Judson; Lieutenant-Colonel, Lewis R. Jewell; Major, William T. Campbell; Adjutant, Charles O. Judson; Quartermaster, George G. Clark; Surgeon, John S. Redfield.

After the organization was accomplished two more companies were recruited and added to the strength of the regiment, which then consisted of three infantry and four cavalry companies. These were kept continually busy at garrison duty and in scouting the country watching the movements of the enemy.

In the spring of 1862 the "Home Guards" were mustered out of service and on March 27th orders were issued to reorganize the Sixth as a cavalry regiment. This was effected with but slight change in the Field and Staff. Isaac Stadden succeeded C. O. Judson as Adjutant; Simeon B. Gordon succeeded C. G. Clark as Quartermaster, and Richard Duvall was made Chaplain.

Upon its reorganization detachments from the Sixth were stationed along the eastern border of Kansas, with headquarters at Paola. They were employed in breaking up the bands of guerrillas making forays into the state. In July they formed part of an expedition into the Cherokee Nation and from that date were on the move constantly in pursuit of various Confederate forces. The regiment took part in the battle of Cane Hill, where Lieutenant-Colonel Jewell was killed; and also was in the engagement at Prairie Grove, immediately following. Afterward the Sixth moved with Gen. Blunt on his Van Buren expedition, following which they were ordered to Missouri where they went into winter camp.

The Sixth not being up to regulations as to size, three more companies were recruited. In June, 1863, the regiment marched with Gen. Blunt into the Cherokee Nation, and later moved into Arkansas, where it did almost continuous duty until its term of enlistment expired. Andreas says of this regiment, "The duties required of the Sixth were not such as call forth the impetuous daring and unyielding bravery that come to men in brilliant and desperate engagements, but rather those that test a soldier's endurance and strength of nerve—wearry, harassing pursuits of an enemy over a country of which he knows every by-way and hidden path; scouting through forests and moun-

tain passes . . . exposed to the bullet of the secret and stealthy foe; and all without the excitement of any brilliant victory or expectation of great renown."

The battles in which the regiment bore its part were, Morristown, Newtonia, Old Fort Wayne, Cane Hill, Prairie Grove, Honey Springs, Prairie D'Ane, Poison Springs, and Jeukins Ferry. Part of the Sixth was mustered out at Fort Leavenworth in December, 1864, and the remainder at Duvalls Bluff, Ark., July 18, 1865.

SEVENTH REGIMENT KANSAS VOLUNTEER CAVALRY

The Seventh Kansas Cavalry was organized October 28, 1861, and mustered into service at Fort Leavenworth. The following were the officers of the Field and Staff:

Charles R. Jennison, Colonel, Leavenworth; Daniel R. Anthony, Lieutenant-Colonel, Leavenworth; Thomas P. Herrick, Major, Highland; John T. Snoddy, Adjutant, Mound City; Robert W. Hamer, Quartermaster, Leavenworth; Joseph L. Weaver, Surgeon, Leavenworth; Samuel Ayres, Chaplain, Leavenworth.

Immediately after its organization the Seventh was ordered into active service, being sent to Missouri. Here it served during the fall and winter of 1861 and 1862, taking part in many skirmishes. The last of January the regiment moved to Humboldt, Kansas, where it remained until March 25th, when it was ordered to Lawrence. From there it was ordered to report at Fort Riley for an expedition into New Mexico. This order was countermanded and the regiment was sent south, embarking on transports at Leavenworth, May 27-28, 1862; it disembarked at Columbus, Ky., and was used from there in escort duty for repair gangs on the Ohio & Mobile Railroad. The regiment reached Corinth, Miss., and from that point moved on to Rienzi, where it arrived July 23, 1862. There it was assigned to the First Cavalry Brigade under the command of Col. Philip H. Sheridan, remaining at the post until it was evacuated, September 30, 1862. During the stay of the Seventh at Rienzi the men were in the saddle almost constantly and were engaged in several severe skirmishes. Two squadrons of the Seventh were in the battle of Iuka, and in the retreat of the rebels following that engagement, the Kansas regiment had the advance.

From Rienzi the regiment returned to Corinth, and moved on to Grand Junction where it joined Grant's army, concentrating for the Mississippi expedition. Following this expedition the Seventh was ordered to Tennessee, December 31st. During the remainder of the winter it was employed in guarding a portion of the Memphis & Charleston railroad. In April it moved south, the objective being Bear Creek, Ala., where it was to join the forces of Col. G. M. Dodge. The Seventh was continually on the move through the spring and summer, doing much heavy fighting; in an encounter with Forrest's command at Byhalia, the Kansas regiment distinguished itself for dash and valor.

The term of service for the Seventh was completed while the regiment

was at La Grange, Tenn., but four-fifths of the men re-enlisted as veteran volunteers and were mustered in at Memphis, January 21, 1864. From that point they were sent to Leavenworth on furlough of thirty days. Following this the regiment was re-equipped at St. Louis and returned to Memphis, where it was again engaged in escort duty for repair workers on the Memphis & Charleston railroad. Early in July it took the advance in the progress of Gen. A. J. Smith's infantry force into Mississippi, and later acted as rear guard for the same force. On this expedition heavy fighting was encountered, at its close the regiment returned to Memphis and thence to St. Louis, reporting to General Rosecrans September 17, 1864. During the winter it was used in scouting expeditions and guard duty, and remained in the St. Louis District until July, 1865, when on the 18th, it was ordered to Omaha, Neb. From that point it was moved to Fort Kearney and from there returned to Fort Leavenworth, where on September 29, 1865, it was mustered out.

The principal battles in which the Seventh took part were Little Blue, Mo.; Independence; Lamar and Holly Springs, Miss.; Tupelo; Iuka; Memphis, Tusculumbia and Florence, Ala.; and Corinth, Miss.

EIGHTH KANSAS VOLUNTEER INFANTRY

In July, 1861, Governor Robinson received an order authorizing the recruiting of the Eighth Kansas Regiment. The organization was begun in August. It was originally intended that this regiment should be recruited for service within the State and along the border. At this time Kansas was beset on three sides, hostile Indians on the west and south, and Missouri, over-run with rebel hordes, as great a menace on the east. Like many of the Kansas regiments the Eighth as first organized was a mixed body of troops, six infantry and two cavalry companies. The regimental officers under the first organization were: Colonel, Henry W. Wessels, U. S. A.; Lieutenant-Colonel, John A. Martin, Atchison; Major, Edward F. Schneider; Adjutant, S. C. Russell; Quartermaster, E. P. Bancroft. Within the three months following this organization there occurred many changes in the regiment. Colonel Wessels was ordered to the command of his own regiment in the regular army; the cavalry companies were transferred to another regiment and the Eighth became an infantry organization with Field and Staff as follows:

FIELD AND STAFF

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Henry W. Wessels.....		Pro. from Maj. 6th U. S. Inf.; ordered to rejoin his com. in the U. S. A. per G. O. No. 4. W. D., series of '62.
Robert H. Graham.....		Dis. Jan. 27, '62, to date Nov. 11, '62; died near St. Louis. Nov. 11, '62.
John A. Martin.....	Nov. 1, '62...	Mus. out Nov. 15, '64.

Names and rank	Date of muster	Remarks
<i>Lieut. Colonel</i>		
John A. Martin.....	Oct. 27, '61...	Pro. Col. Nov. 1, '62.
James L. Abernathy...	Nov. 1, '62...	Res. Nov. 8, '63.
Edward F. Schneider...	Dec. 21, '63...	Res. June 11, '64.
James M. Graham.....	June 26, '64...	Res. Sep. 23, '64, Atlanta, Ga.
John Conover	Oct. 21, '64...	Mus. out with reg. Nov. 28, '65.
<i>Major.</i>		
Edward F. Schneider...	Sep. 17, '61...	Pro. Lieut. Col. Dec. 21, '63.
James M. Graham.....	Dec. 21, '63...	Pro. Lieut. Col. June 26, '64.
John Conover	Aug. 23, '64...	Pro. Lieut. Col. Oct. 21, '64.
Henry C. Austin.....	Nov. 16, '64...	Mus. out with reg. Nov. 28, '65.
<i>Adjutant.</i>		
Sheldon C. Russell....	Oct. 23, '61...	Res. Nov. 15, '62.
James E. Love.....	Nov. 17, '62...	Pro. Capt. Co. K, July 16, '63.
Solomon R. Washer....	July 31, '63...	Mus. out with reg. Nov. 28, '65; wounded in action Sept. 19, '63, Chickamauga, Ga.
<i>Quartermaster</i>		
E. P. Baneroft.....	Oct. 22, '61...	Pro. Maj. 9th K. V. C., Apr. 1, '62.
Benjamin B. Joslin.....		Mus. out Feb. 28, '62, date of consolidation.
Alfred Robinson	Apr. 2, '62...	Absent without leave; name dropped from the rolls after three years' service; supposed to have been mustered out.
Adam Cosner	Sep. 1, '64...	Mus. out with reg. Nov. 28, '65.
<i>Surgeon</i>		
J. B. Woodward.....	Oct. 4, '61...	Trans. to 9th K. V. C. Feb. 28, '62.
Oliver Chamberlain ...	Dec. 10, '61...	Res. Sep. 22, '64.
Nathaniel C. Clark....	Nov. 14, '64...	Mus. out with reg. Nov. 28, '65.
<i>Asst. Surg.</i>		
George W. Hogeboom...	Oct. 23, '61...	Pro. Surgeon 11th K. Vols.; Sep. 25, '62.
John Butterbaugh	Nov. 9, '62...	Res. Mar. 4, '64.
Samuel E. Beach.....	May 25, '63...	Died of Disease, Nashville, Tenn., Nov. 4, '63.
Edwin J. Taleott.....	May 1, '64...	Res. Feb. 15, '65.
<i>Chaplain</i>		
John Paulson	June 17, '63...	Mus. out with reg. Nov. 28, '65.

During the winter, spent on the Kansas border, the Eighth was whipped into shape, its principal work being guard duty. Late in May orders were received to send South all troops possible to spare. The Eighth embarked at Leavenworth May 27, 1862, on board the steamer *Emma*, bound for Columbus, Ky.; the regiment was a part of General Robert B. Mitchell's brigade which consisted entirely of Kansas troops, the First, Seventh and Eighth regiments and the Second Kansas Battery. From Columbus the brigade moved to Corinth, where it was assigned to the Ninth Division of the Army of the Mississippi under command of General Jeff C. Davis. After service in the country about Corinth, the Eighth, on the 18th of August, with the Ninth Division, marched to reinforce the Army of the Ohio. The trip was from Florence, Alabama, to

Louisville, Kentucky. The command, stripped for the campaign, transportation cut to the minimum, baggage abandoned, was organized in light marching order. The Report of the Adjutant General of Kansas says of this march: "At two o'clock on the morning of August 26th, this terrible campaign commenced. . . . The fiery southern sun beat upon the marching column like the heat of a furnace; the dust was almost insufferable, . . . and water was very scarce, the only reliance, except at long intervals, being ponds. . . . These ponds had become stagnant during the long drouth, and their surface was, in nearly all cases, covered with a foul green scum, which had to be pushed aside to get at the water." The command reached Nashville on September 4; here it rested a week and leaving September 11th, reached Louisville on the 26th. The end of this arduous campaign was the battle of Perryville.

After skirmishes in Kentucky the regiment was ordered to Nashville, where Colonel John A. Martin was appointed Provost Marshal. This was the middle of December, 1862. In Nashville, the Eighth remained six months doing provost guard duty. June 8th, 1863, orders were received directing the Eighth Kansas to proceed to Murfreesboro and rejoin its Division. It remained at Murfreesboro until the 24th when the army advanced on Tullahoma and Shelbyville. In this campaign the rain and mud was added to the exhaustion of fighting. One of the officers of the Eighth endorsed a copy of his muster-roll for the Adjutant General's office with the following statement:

I make this roll lying flat on my belly on the ground, with a rubber blanket for a desk. If I was at Washington in a comfortable room, supplied with a hundred dollar desk, a gold pen, black, blue, red and purple inks, the latest and best patent rulers, and plenty of "red tape," I could make a more artistic copy. But I have been constantly soaked with rain for seven days and nights; there isn't a bone in my body that doesn't ache; my fingers are as numb as though they were frozen, and my clothes are as stiff with Tennessee mud as my fingers are with chill. Under the circumstances this is the best I can do. If any first-class clerk in the department thinks he could do better, let him duck himself in the Potomac every five minutes and wade through mud knee deep for six days, and then try it on. If he succeeds, I will change places with him with great pleasure.

His roll was a frightful mass of blots and blotches, but it was never sent back "for correction."

Following this campaign the Eighth received repeated commendation from its superior officers and circular orders were issued complimenting the officers and men in high terms. The regiment went into camp at Winchester immediately following the Tullahoma campaign, remaining there until the 17th of August, when it crossed the Cumberland Mountains preparatory to the Chickamauga campaign. Of this battle much has been written and but brief quotation can be made here from the Report of the Adjutant General of Kansas:

After forming we were rapidly advanced through the rugged forest, but had proceeded only a few hundred yards when a terrific volley saluted us, rapidly succeeded by another and another. The two hostile

forces met with out skirmishers in front, and in an instant were furiously engaged in desperate combat. Our men promptly replied to the rebel fire, and at once the roar of battle became one steady, deep jarring thunder. Our line was moved forward firmly, until it rested along the brow of a small rise of ground. (The Twenty-fifth Illinois was then ordered to a position in the front line.) The crash of musketry grew denser and more terrific, and the artillery added its thunder to the furious raging of the battle storm. The rebels rushed forward line after line of troops, charging with desperate valor and impetuosity, but our men held their position firmly and defiantly, firing with such coolness and precision that at every discharge great gaps were cut in the enemy's lines, and bleeding, broken, staggering, they reeled before the awful hail of leaden death that greeted them. In vain they rallied and advanced again and again—they could not move our firm, unyielding lines. For half an hour this desperate struggle was thus continued. The carnage on both sides was dreadful. In that brief time over a third of our Brigade were killed and wounded, and still the frightful carnival of slaughter raged unabated. . . . Bullets flew like hail stones, grape and canister, shot and shell, whistled and crashed through and over and around the devoted ranks, but the heroism of the men rose with the terrible grandeur and desperation of the awful battle, and they stood like walls of adamant before the fury of the storm.

After the battle of Chickamauga the Eighth went into camp at Chattanooga. Hard fighting was continued and the Kansas regiment bore its part in all of it, going through the Atlanta campaign. The battles in which it served can only be mentioned here. They were Mission Ridge, Kenesaw Mountain, Peach Tree Creek, Atlanta, Jonesboro, Franklin, and Nashville. In all of these the Eighth upheld its high standard and returned to Kansas to be discharged January 5, 1866. It was one of the first regiments in the field and had a glorious history.

NINTH KANSAS VOLUNTEER CAVALRY

The Ninth Kansas was organized at Fort Leavenworth, March 27, 1862, under the following field and staff.

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Edward Lynde	Mar. 24, '62 . . .	Mus. out Nov. 25, '64, DeVall's Bluff, Ark.
<i>Lieut. Colonel</i>		
Charles S. Clarks	Jan. 2, '62 . . .	Mus. out Jan. 16, '65, DeVall's Bluff, Ark.
Willoughby Doudna . . .	May 15, '65 . . .	Mus. out July 17, '65, DeVall's Bluff, Ark.
<i>Major</i>		
James M. Pomeroy . . .	Feb. 28, '62 . . .	Mus. out Jan. 16, '65, DeVall's Bluff, Ark.
Edwin P. Bancroft . . .	Apr. 1, '62 . . .	Res. Feb. 19, '63.
Willoughby Doudna . . .	Aug. 21, '63 . . .	Pro. Lieut. Col. May 14, '65.
Linin K. Thacher	Jan. 5, '63 . . .	Mus. out Nov. 25, '64, DeVall's Bluff, Ark.; w'd in skirmish Osage river, Mo., 1863.
J. Milton Hadley	May 15, '65 . . .	Mus. out July 14, '65, DeVall's Bluff, Ark.

Names and rank	Date of muster	Remarks
<i>Adjutant</i>		
Luin K. Thacher.....	Oct. 14, '62...	Pro. Maj. Jan. 5, '63.
Albert D. Searle.....	July 9, '63...	Res. Oct. 10, '64.
<i>Bat. Adjutant</i>		
John W. Hatcher.....	Apr. 1, '62...	Pro. Reg'l. Commis'y, Oct. 14, '62.
Hayden M. Thompson.	May 28, '62...	Mus. out July 29, '62.
<i>Quartermaster</i>		
William Rosenthal	Feb. 5, '63...	Res. Sep. 12, '64.
Jonathan B. Snider....	Oct. 31, '64...	Mus. out July 17, '65, DeVal's Bluff, Ark.
<i>Commissary</i>		
John W. Hatcher.....	Oct. 14, '62...	Res. Aug. 12, '64.
Isaac O. Pickering.....	Sep. 3, '64...	Mus. out July 17, '65, DeVal's Bluff, Ark.
<i>Surgeon</i>		
Henry C. Bostwick....	Mar. 27, '62...	Res. Jan. 2, '63.
William Wakefield	Apr. 4, '63...	Mus. out Mar. 8, '65, DeVal's Bluff, Ark.
<i>Assist. Surgeon</i>		
William Wakefield	Sep. 2, '62...	Pro. Serg. Apr. 4, '63.
Norman T. Winans.....	Apr. 6, '63...	Mus. out Nov. 25, '64, DeVal's Bluff, Ark.
Abijah J. Beach.....	Jan. 14, '64...	Mus. out July 17, '65, DeVal's Bluff.
<i>Chaplain</i>		
Gilbert S. Northrup...	Mar. 27, '62...	Res. Mar. 9, '63.
Strange Brooks	Mar. 24, '64...	Mus. out Nov. 25, '64, DeVal's Bluff.

Upon the organization of the regiment, the various companies were assigned to different fields of action. Company A was ordered to Fort Union, New Mexico, Company B to Northern Colorado to build Fort Halleck, Company C was sent to Fort Riley, Company G to Fort Lyon, Colorado, and Company I to Fort Laramie. Companies D, E, F, and H, commanded by Colonel Lynde, spent the month of August, 1862, in the pursuit of General Coffey in Western Missouri.

On the 30th of September, 1862, Colonel Lynde was in the attack on General Cooper and General Rains near Newtonia, Missouri. The Union troops were defeated.

In November the Ninth was engaged in escort duty from Fort Scott, Kansas, to Cane Hill, Arkansas. It was also engaged in the duty of guarding General Blunt's supply train at Rhea's Mills. It was on the expedition to Van Buren and Fort Smith, after which it was again put on escort duty.

In June, 1863, it was stationed along the border to guard against guerilla raids. A part of the regiment was in the battle near Westport, where the rebels were concealed behind stone walls, and were defeated.

In August, 1863, the Ninth was in the pursuit of Quantrill after he sacked Lawrence. Captain Coleman was one of the most active officers in that pursuit.

In the fall of 1863, General Shelby and General Coffey retreated from

Missouri. Their command was followed by General Ewing, and the Ninth was part of his force. This pursuit was through Neosho, Missouri, into Arkansas, and to the south of the Boston Mountains.

In 1864 the Ninth was assigned to the army of General Steele and ordered to Little Rock. At Springfield, Missouri, the destination of the regiment was changed to Fort Smith. The summer was spent in Arkansas along the Arkansas River doing scout duty and making expeditions into the surrounding country.

In July, the Ninth was sent to Little Rock where it engaged in active service against numerous rebel bands under Marmaduke and other noted rebel commanders.

The regiment remained on duty at Little Rock and Duvall's Bluff until its term of service expired. Some were mustered out at Duvall's Bluff, and a portion of the regiment was sent to Fort Leavenworth, where it was discharged.

TENTH KANSAS VOLUNTEER INFANTRY

The Tenth Kansas was formed of the Third and Fourth Kansas regiments, and a small portion of the Fifth. The consolidation was formed at Paola, Kansas, April 3, 1862, under the following field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
James Montgomery . . .	July 24, '61 . . .	Trans. to 2d Reg. S. C. Col'd Vol.
William Weer	June 29, '61 . . .	Dism'd the service by G. O. No. 123, dated Hdqr. Dep. of Mo., St. Louis, Aug. 20, '64.
William F. Cloud	Mar. 28, '62 . . .	Trans. to 2d K. V. C. June 1, '62.
<i>Lieut. Colonel</i>		
James G. Blunt	July 24, '61 . . .	Pro. Brig. Gen. U. S. Vols. Apr. 8, '62.
John T. Burris	July 24, '61 . . .	Mus. out with reg. Aug. 20, '65; pro. Brev. Col. Mar. 13, '65.
Charles S. Hills	Mar. 1, '65 . . .	Pro. Brev. Col. Mar. 25, '65; mus. out Aug. 30, '65, Montgomery, Ala.
<i>Major</i>		
Otis B. Gunn		Res. May 5, '62.
Henry H. Williams . . .	July 24, '61 . . .	Mus. out with reg. Aug. 20, '64.
<i>Adjutant</i>		
Casimio B. Zulavsky . . .	July 24, '61 . . .	Mus out, date unknown.
James A. Phillips	July 24, '61 . . .	Pro. Maj. 3d Indian H. G., July 20, '63.
Thomas McGannon . . .	May 29, '63 . . .	Mus. out with reg. Aug. 20, '64.
<i>Quartermaster</i>		
A. Larzalere		Assigned to 3d Indian H. G.
Alfred Gray	Feb. 11, '62 . . .	Trans. to Co. B, 5th Kan. Cav.
John G. Haskell	July 24, '61 . . .	Pro. Capt. and A. Q. M., U. S. Vol., June 11, '62.
Alfred J. Lloyd	Aug. 13, '62 . . .	Pro. Capt. and A. Q. M., U. S. Vol., April 7, '64.

Names and rank	Date of muster	Remarks
<i>Surgeon</i>		
Albert Newman	July 24, '61...	Mus. out Feb. 14, '62.
Mahlon Bailey		Res. May 2, '62.
John W. Scott.....	Aug. 15, '61...	Res. May 9, '63.
J. B. Woodward.....	Oct. 4, '61...	Res. May 20, '64.
Henry H. Tuttle.....	June 7, '64...	Mus. out Aug. 30, '65, Montgomery, Ala.
<i>Asst. Surgeon</i>		
Edwin Grant		Mus. out, date unknown.
Richard W. Shipley.....		No evi. of mus. out on file.
George A. Miller.....	Aug. 28, '62...	Res. date unknown.
P. Gould Parker.....	Mar. 20, '62...	Res. July 23, '64.
Henry H. Tuttle.....	Sep. 10, '62...	Pro. Surgeon June 7, '64.
<i>Chaplain</i>		
H. H. Moore.....	July 24, '61...	Mus. out Feb. 14, '62.
Reeder M. Fish.....	Sep. 4, '61...	No evi. of mus. out on file.
John H. Drummond...	May 1, '62...	Mus. out with reg. Aug. 20, '64.

After the consolidation, the regiment was ordered to Fort Scott, where it was attached to Colonel Doubleday's forces designed to make an expedition into the Cherokee Nation.

On the 13th of June, 1862, the regiment marched from Fort Scott for Osage Mission, from which point it went to Humboldt. From Humboldt, with other forces, it marched to Baxter Springs, and was then attached to Colonel Solomon's brigade. From Baxter Springs the expedition marched to Cowskin Prairie. The Indians were not found and the pursuit was continued. Early on the morning of July 3, 1862, the Indian camp was discovered on a steep and rocky hill. The camp was charged and the Indians dispersed.

The regiment returned to Fort Scott in August, where it was attached to the Second Brigade, commanded by Colonel Weer.

The Tenth Kansas saw service in Missouri in the pursuit of Colonel Coffey and Colonel Cockrell, and was in the engagement in Newtonia. It was at the battle of Cane Hill, and at Prairie Grove. It participated in the pursuit of Hindman to Van Buren.

In March the regiment was at Fort Scott and granted a furlough of twenty days.

In the summer of 1863 the Tenth Kansas was in constant service in Western Missouri and at Kansas City. In January, 1864, it was ordered to Alton, Illinois, to have charge of the military prison there.

The Tenth was at St. Louis from May until August, 1864, where it served as provost guard of that city.

From St. Louis the regiment was sent to Fort Leavenworth, where it was discharged.

The Tenth Kansas Veteran Regiment was made up of four companies, as shown in the report of the Adjutant-General. Two companies, F and I were recruited, and were named Companies A and B. The veteran regiment was commanded by Major H. H. Williams from its organization until the last of August, 1864. It was then sent to Pilot Knob, Missouri,

Major Williams having been detailed to command Schofield Barracks at St. Louis.

On the 7th of November, the regiment embarked at St. Louis for Paducah, Kentucky. On the 28th of November, it arrived at Nashville, and on the 29th it arrived at Columbia, Tennessee. Here it was assigned to the Fourth Army Corps.

After the battle of Franklin, it fell back with General Schofield's army and was stationed at Nashville until the 16th of December.

In the assault on Hood's position at Nashville, the Tenth was deployed as skirmishers in advance of the Second brigade, where it drove back the rebel skirmish line and silenced a battery.

It was also in the action on the 16th and 17th, and in the pursuit of the rebels when they retreated.

The veterans saw much service in the South during the winter of 1864. It was at Eastport, Miss., Waterloo, Ala., and at Vicksburg. At Vicksburg the regiment was transferred to New Orleans and camped at Chalmette until the 7th of March. On the 7th it embarked for the Mobile expedition, stopping at Fort Gaines and camping on Dauphin Island at the entrance to Mobile Bay.

On the 20th it went up the Bay to the mouth of Fish River, and later went into camp at Donnelly's Mills. It was in the siege which followed, and was deployed as skirmishers in front of the entire brigade. Mobile was evacuated on the 11th, and the Union soldiers took possession on the 12th. On the following day, the Tenth marched for Montgomery, Alabama, where it arrived on the 25th. It remained at Montgomery, with headquarters at Greenville, until the following August, doing provost duty. It was mustered out at Montgomery the last of September, when it was sent to Fort Leavenworth for final discharge.

The Tenth saw much hard service, and was one of the good regiments in the Union forces during the war.

ELEVENTH KANSAS VOLUNTEER CAVALRY

President Lincoln issued the call on July 2, 1862, for additional troops. Under the call, the Kansas quota was three regiments of infantry. General James H. Lane was authorized by the War Department to recruit these troops. He empowered Thomas Ewing, Jr., then Chief Justice of the Kansas Supreme Court, to raise one of the regiments. The regiment so raised by General Ewing was the Eleventh Kansas Infantry, afterwards changed to Cavalry. Following is the field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Thomas Ewing, Jr., . . .	Sep. 15, '62 . . .	Pro. Brig. Gen. U. S. Vol. Mar. 13, '63.
Thomas Moonlight . . .	Apr. 25, '64 . . .	Mus. out July 17, '66, Ft. Kearny, N. T.

Names and rank	Date of muster	Remarks
<i>Lieut. Colonel</i>		
Thomas Moonlight	Sep. 29, '62 . . .	Pro. Col. Apr. 25, '64.
Preston B. Plumb	May 17, '64 . . .	Mus. out Sep. 13, '65, Ft. Leav.
<i>Major</i>		
Preston B. Plumb	Sep. 25, '62 . . .	Pro. Lieut. Col. May 17, '64.
Martin Anderson	Nov. 22, '63 . . .	Mus. out Sep. 18, '65, Ft. Leav.; pro. Col. by brevet Mar. 13, '65.
Edmund G. Ross	Apr. 24, '64 . . .	Mus. out Sep. 20, '65, Ft. Leav.; pro. Lieut. Col. by brevet Mar. 13, '65.
Nathaniel A. Adams . .	May 19, '64 . . .	Mus. out Aug. 9, '65.
<i>Adjutant</i>		
John Willans	Sep. 4, '62 . . .	Pro. Capt. and Asst. Adj. Gen. U. S. Vol. May 31, '63.
James E. Greer	Nov. 2, '63 . . .	Pro. Capt. Co. I, Aug. 20, '64.
Ira I. Taber	Oct. 12, '64 . . .	Mus. out Aug. 19, '65.
<i>Quartermaster</i>		
James R. McClure	Sep. 10, '62 . . .	Mus. out Aug. 10, '65.
<i>Commissary</i>		
Robert J. Harper	Oct. 8, '63 . . .	Mus. out Aug. 18, '65.
<i>Surgeon</i>		
George W. Hogeboom . .	Sep. 27, '62 . . .	Resigned June 2, '63.
Richard M. Ainsworth . .	June 23, '63 . . .	Dismissed by order of President, July 21, '65.
<i>Asst. Surgeon</i>		
Richard M. Ainsworth . .	Sep. 20, '62 . . .	Pro. Surgeon, June 23, '63.
Josiah D. Adams	Oct. 11, '62 . . .	Mus. out Sep. 20, '65.
Granville C. Taylor . . .	Apr. 19, '64 . . .	Mus. out Aug. 19, '65.
<i>Chaplain</i>		
James S. Cline	Oct. 11, '62 . . .	Mus. out July 7, '65.

The service of the Eleventh Kansas has been noted to a large extent in the body of this work. That portion which has not been mentioned consisted of the service in Wyoming. In February, 1865, most of the regiment was assembled at Fort Riley, from which point it marched to Fort Kearny, Nebraska. This was one of the hardest marches of the war. There were heavy storms of snow and sleet, and the soldiers suffered intensely from the cold. The march was made, however, in twelve days.

On the 7th of March, the regiment started for Fort Laramie. This was also a terrible march. How the men survived it is a mystery. At the Sioux Agency, thirty miles below Fort Laramie, a halt was made to wait further instructions. After a short stop the regiment went on to Fort Laramie and then to Platte Bridge. Here headquarters were established, and the work of protecting the telegraph line over the Oregon Trail commenced. The Indians were also held in check. It was found that the ammunition forwarded from Fort Leavenworth was not suitable for the carbines carried by the Eleventh, and there was a great delay in getting suitable ammunition. Colonel Plumb was assigned the duty of protecting the Overland Stage Line from

Camp Collins, Colorado, to Green River, nearly four hundred miles. He was given command of Companies A, B, F, L, and M. This service Colonel Plumb performed to the satisfaction of the Stage Company and of the Government. He re-established the service and maintained it.

The remainder of the regiment at Platte Bridge was attacked by thousands of Sioux Indians on the 22nd of July. Major Martin Anderson was in command of Platte Bridge, and fought the battle of that name. It was a heroic engagement, many accounts of which may be found in histories of those times.

The regiment was mustered out at Fort Leavenworth in September, 1865.

TWELFTH KANSAS VOLUNTEER INFANTRY

The Twelfth Kansas Infantry was mustered in at Paola, September 25, 1862, under the following field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Charles W. Adams....	Sep. 30, '62...	Pro. Brev. Brig. Gen. Feb. 13, '65; wounded in action, Apr. 30, '64, Jenkin's Ferry, Ark.; mus. out with reg. June 30, '65.
<i>Lieut. Colonel</i>		
Josiah E. Hayes.....	Sep. 30, '64...	Pro. Brev. Brig. Gen.; wounded in action and captured by enemy, Apr. 30, '64, Jenkin's Ferry, Ark.; limb amputated above the knee; exchanged Feb. 25, '65; mus. out July 15, '65.
<i>Major</i>		
Thomas H. Kennedy...	Sep. 30, '62...	Mus. out with reg. June 30, '65.
<i>Adjutant</i>		
Charles J. Lovejoy....	Sep. 30, '62...	Res. Apr. 28, '65, Little Rock.
<i>Quartermaster</i>		
Andrew J. Shannon...	Sep. 30, '62...	Pro. Capt. and Asst. Pro. Marshal Mar. —, '64.
Joshua Clayton	May 22, '64...	Mus. out with reg. June 30, '65.
<i>Surgeon</i>		
Cyrus R. Stuckslager...	Sep. 30, '62...	Mus. out with reg. June 30, '65; capt'd by the enemy, Apr. 30, '64, Jenkin's Ferry, Ark.; exchanged June 28, '64.
<i>Asst. Surgeon</i>		
Thomas Lindsay	Sep. 30, '62...	Mus. out with reg. June 30, '65.
John F. Everhart.....	Sep. 30, '62...	Resigned Nov. 4, '63.
<i>Chaplain</i>		
Werter R. Davis.....	Sep. 30, '62...	Resigned Jan. 26, '64.
William Sellers	Mar. 26, '64...	Resigned Apr. 12, '65.

The Twelfth Kansas, upon its muster into the service, was scattered along the border to hunt guerrillas and bushwhackers, and to protect the State from bands of these Ruffians.

In the winter of 1863, most of the regiment was at Fort Smith. From that point it did escort duty. In February the different parts of the regiment were reunited at Fort Smith. On the 23rd of March the regiment left Fort Smith, and on the 9th of April, joined General Steele's command, which arrived at Camden, Arkansas, on the 16th, remaining until the 26th. It was in the battle of Jenkin's Ferry, after which it returned to Fort Smith by way of Little Rock, reaching the former city on the 17th of May. During the summer the regiment was employed on the fortifications about Fort Smith. It did escort duty in the winter of 1864. In February, 1865, it was stationed at Little Rock, where it was mustered out of service June 3, 1865.

THIRTEENTH KANSAS VOLUNTEER CAVALRY

The Thirteenth Kansas was one of the three regiments of the quota assigned to Kansas under the call of July 2nd, 1862. It was recruited by Cyrus Leland, Sr., who was authorized thereto by General James H. Lane. It was organized on the 10th of September, 1862, and mustered into service on the 20th of September under the following field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Thomas M. Bowen.....	Sep. 20, '62...	Brev't Brig. Gen. Jan. 13, '65; mus. out June 28, '65.
<i>Lieut. Colonel</i>		
John B. Wheeler.....	Sep. 20, '62...	Mus. out with reg. June 26, '65.
<i>Major</i>		
Caleb A. Woodworth....	Sep. 20, '62...	Mus. out June 26, '65, Little Rock, Ark.
<i>Adjutant</i>		
William P. Badger.....	Sep. 20, '62...	Resigned Oct. 10, '63.
George W. Smith.....	Oct. 13, '63...	Mus. out June 26, '65, Little Rock, Ark.
<i>Quartermaster</i>		
Cyrus Leland	Sep. 20, '62...	Mus. out June 26, '65, Little Rock, Ark.
<i>Surgeon</i>		
William M. Grimes.....	Sep. 20, '62...	Resigned Oct. 20, '64, Ark.
Amos H. Caffee.....	Feb. 15, '65...	Mus. out June 26, '65, Little Rock.
<i>Asst. Surgeon</i>		
John Becker	Sep. 20, '62...	Res. Feb. 27, '64, Arkansas.
Richard W. Shipley....	Oct. 1, '62...	Res. Oct. 6, '63, Dept. Mo.
<i>Chaplain</i>		
Daniel A. Murdock....	Sep. 20, '62...	Died of disease, Springfield, Mo., Apr. 28, '63.
Ozem B. Gardner.....	Sep. 1, '63...	Killed in action, Nov. 25, '64, Timber Hill, C. N.

In October the regiment was assigned to the Division of General Blunt. Its first service was in Northwestern Arkansas, and the Cherokee Nation. It was in the battle of Old Fort Wayne, and in all the

operations in that region under command of General Blunt, being in the battles of Cane Hill, Prairie Grove, and Van Buren. It saw hard service at Prairie Grove, where it occupied a very important position. On the 7th of January, 1863, the regiment was ordered to Springfield, Missouri.

On the 19th of May it marched to Fort Scott, and was stationed at Drywood for two months. A part of the regiment was granted a furlough. In August, 1863, the regiment was again attached to the command of General Blunt, and took part in the campaign in the Indian territory and Northwest Arkansas.

In the winter of 1864-5 it was on duty at Fort Smith. On the 3rd of March it was ordered to Little Rock, where it was mustered out of service on the 26th of June. It was then sent to Fort Leavenworth, where, on the 13th of July, it was finally discharged.

FOURTEENTH KANSAS VOLUNTEER INFANTRY

In the spring of 1863, four companies were recruited for a personal escort of Major-General Blunt. It was soon determined to raise additional troops for service on the frontier and the recruiting of the whole regiment was authorized. During the summer and fall of 1863 the organization of the regiment was partially completed under Major T. J. Anderson with the following field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Charles W. Blair.....	Nov. 20, '63...	Mus. out on det. roll, Leav'th, Aug. 21, '65, to date Aug. 11, '65.
<i>Lieut. Colonel</i>		
Charles W. Blair.....	Sep. 26, '63...	Pro. Col. Nov. 20, '63.
John G. Brown.....	Mar. 5, '64...	Res. Aug. 5, '64, Fort Smith.
J. Finn Hill.....	Nov. 22, '64...	Died of pulmonary consumption, St. Louis, May 11, '65.
Albert J. Briggs.....	June 3, '65...	Mus. out with reg. June 25, '65.
<i>Major</i>		
Daniel H. David.....	Sep. 26, '63...	Dism'd Jan. 7, '64, Ft. Smith.
Charles Willetts.....	Nov. 12, '63...	Res. Apr. 29, '65, Pine Bl'f, Ark.
John G. Brown.....	Nov. 20, '63...	Pro. Lieut. Col. Mar. 5, '64.
J. Finn Hill.....	Jan. 20, '64...	Pro. Lieut. Col. Nov. 22, '64.
William O. Gould.....	Mar. 19, '64...	Mus. out on det. roll, Leavenworth, Aug. 22, '65, to date, Aug. 11, '65.
Albert J. Briggs.....	May 4, '65...	Pro. Lieut. Col. June 3, '65.
William N. Bixby.....	June 3, '63...	Mus. out with reg. June 25, '65.
<i>Adjutant</i>		
William O. Gould.....	Nov. 1, '63...	Pro. Major, Mar. 19, '64.
Alexander D. Nieman...	July 29, '64...	Pro. Cap. Co. D, June 4, '65.
George W. Williams...	June 10, '65...	Mus. out with reg. June 25, '65.
<i>Quartermaster</i>		
George W. Huston....	Oct. 17, '63...	Prisoner of war from June 18, '64, to May 27, '65; mus. out with reg. June 25, '65.

Names and rank	Date of muster	Remarks
<i>Commissary</i>		
Josiah G. Haskell.....	Nov. 9, '63...	Mus. out with reg. June 25, '65.
Count S. Steel.....	June 3, '65...	Died of pneumonia on board steamer, on the Ark. river, May 4, '65.
<i>Surgeon</i>		
Albert W. Chenoweth...	Jan. 1, '64...	Mus. out with reg. June 25, '65.
<i>Asst. Surgeon</i>		
Albert W. Chenoweth...	Aug. 21, '63...	Pro. Surgeon, Jan. 1, '64.
Willis J. Peak.....	Aug. 20, '64...	Mus. out with reg. June 25, '65.

The escort of General Blunt was attacked at Baxter Springs, Missouri, on the 6th of October, 1863. The guerrillas were led by Quantrill and the battle was a massacre and is known in history as the Baxter Springs Massacre. The regiment arrived at Fort Smith on the 3rd of December, 1863, where its organization was completed. It remained at Fort Smith until February, 1864, when it was sent on an expedition into the Choctaw country under Major J. G. Brown.

It was ordered to form a junction with Colonel Phillips at North Fork Town, from which place the united force was to march to Boggy Depot, Chickasaw Nation. At North Fork Town orders were received for six companies under Major Brown to return to Fort Smith. This force was sent down the Arkansas river to Ozark, Arkansas.

On the 6th it marched on the Camden expedition and was in the battle of Prairie D'Ane.

A detachment of seventy men of the Fourteenth was under Colonel Phillips when attacked at Poison Spring, Arkansas, by several thousand of the enemy, and escaped only after a heroic resistance.

On January 1st, 1865, the Fourteenth was ordered to Clarksville, Arkansas, to protect the navigation of the Arkansas River and disperse desperate bands of guerrillas in that vicinity. On the 17th, two steamboats, the *Chippewa* and *Annie Jacobs*, having a large number of refugees and several companies of soldiers on board, were attacked by a rebel force at Roseville, below Fort Smith. The *Chippewa* was captured and destroyed. The *Annie Jacobs* was disabled but succeeded in gaining the north shore. A third boat was attacked but also succeeded in gaining the north shore, where all escaped except seven killed and some wounded. A detachment of the Fourteenth remained with the disabled steamboats until the *Annie Jacobs* was repaired and made ready for service.

The Fourteenth was transferred to the Second Brigade, Seventh Army Corps, and ordered to report at Pine Bluff, for which point it embarked on the 25th of February, 1865. It arrived at Pine Bluff on the 27th and was in service there until May, when it was ordered to Fort Gibson.

On the 25th of June, 1865, the Fourteenth was ordered to Lawrence, Kansas, to be mustered out. It was finally discharged on the 20th of August, 1865.

FIFTEENTH KANSAS VOLUNTEER CAVALRY

The Fifteenth Kansas Volunteer Cavalry was recruited after the Lawrence Massacre, in 1863. It was raised for the express purpose of protecting the eastern border of Kansas. It was mustered in at Leavenworth in the fall of 1863, with the following field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Charles R. Jennison...	Oct. 17, '63...	Dis. the service, June 23, '65, by sentence of G. C. M.
William F. Cloud.....	July 26, '65...	Mus. out with reg. Oct. 19, '65, Leavenworth, Kan.
<i>Lieut. Colonel</i>		
George H. Hoyt.....	Oct. 18, '63...	Resigned July 19, '65; pro. Brev. Brig. Gen. Mar. 13, '65.
Henry C. Haas.....	Sep. 3, '65...	Mus. out with reg. Oct. 19, '65, Leavenworth, Kan.
<i>Major</i>		
Robert H. Hunt.....	Oct. 2, '63...	Pro. Brev. Lieut. Col. June 19, '65; no evidence of mus. out on file.
John M. Laing.....	Oct. 19, '63...	Dis. Mar. 20, '65, per sentence G. C. M.
Henry C. Haas.....	Oct. 20, '63...	Pro. Lieut. Col. Sep. 3, '65.
Benjamin F. Simpson.	June 7, '65...	Mus. out with reg. Oct. 18, '65, Fort Leavenworth, Kan.
Leroy J. Beam.....	Sep. 27, '65...	Mus. out with reg. Oct. 19, '65, Leavenworth.
<i>Adjutant</i>		
Joseph Mackle	Sep. 1, '63...	Mus. out with reg. Oct. 19, '65, Leavenworth.
<i>Quartermaster</i>		
George W. Carpenter..	Sep. 1, '63...	Pro. Capt. and A. Q. M., U. S. Vols., Nov. 22, '64.
Sannel P. Warren....	Mar. 22, '64...	Mus. out Oct. 19, '65, Leav'th.
<i>Commissary</i>		
John Francis	Oct. 27, '63...	Res. June 12, '65.
George E. Clark.....	Aug. 20, '65...	Mus. out with reg. Oct. 19, '65, Leavenworth.
<i>Surgeon</i>		
Augustus E. Denning..	Sep. 28, '63...	Died of disease, Leavenworth, Jan. 6, '64.
Edward Twiss	June 14, '64...	Mus. out with reg. Oct. 19, '65, Leavenworth.
<i>Asst. Surgeon</i>		
Edward Twiss	Oct. 31, '63...	Pro. Surgeon, June 14, '64.
Samuel Ashmore	Sep. 27, '64...	Mus. out with reg. Oct. 19, '65, Leavenworth.
<i>Chaplain</i>		
Benjamin L. Read.....	Oct. 23, '63...	Mus. out with reg. Oct. 19, '65, Leavenworth, Kan.

Company C was sent to Independence, Missouri. The remainder of the regiment was stationed in camp near Fort Leavenworth until

November. Two companies were then assigned to duty in the City of Leavenworth. One company was sent to Paola and another to Fort Scott. Later the other companies were distributed along the posts of the border.

In 1864 Colonel Jennison was ordered to Mound City and placed in command of the First Sub-district of Southern Kansas. Upon the appearance of General Price in Missouri, in 1864, the various companies of the regiment were reassembled, and the Fifteenth was made a part of the First Brigade under command of Colonel Jennison.

Its principal service was in the Price raid, which has already been treated in this work.

The regiment was mustered out at Leavenworth, Kansas, October 19, 1865.

SIXTEENTH KANSAS VOLUNTEER CAVALRY

The Sixteenth Volunteer Cavalry was organized in the year 1863 with the following field and staff:

Names and rank	Date of muster	Remarks
<i>Colonel</i>		
Werter R. Davis.....	Oct. 8, '64...	Mus. out with reg. Nov. 28, '65.
<i>Lieut. Colonel</i>		
Werter R. Davis.....	Mar. 10, '64...	Pro. Colonel Oct. 8, '64.
Samuel Walker	Oct. 8, '64...	Mus. out with reg. Dec. 6, '65.
<i>Major</i>		
James A. Price.....	Feb. 29, '64...	Res. Oct. 7, '64.
Wilber F. Woodworth.	Apr. 27, '64...	Res. June 20, '65.
James Ketner	Oct. 8, '64...	Mus. out with reg. Dec. 6, '65; pro. Brevet Col. Mar. 13, '65.
Clarkson Reynolds	Oct. 8, '64...	Mus. out with reg. Dec. 6, '65.
<i>Adjutant</i>		
Philip Doppler	Nov. 18, '63...	Pro. Capt. Co. E, Feb. 4, '65.
Jonas G. Dodge	Mar. 20, '65...	Mus. out Nov. 28, '65.
<i>Quartermaster</i>		
William B. Halyard...	Nov. 24, '63...	Mus. out Nov. 28, '65.
<i>Commissary</i>		
William P. Miller.....	June 30, '64...	Mus. out Nov. 28, '65.
<i>Surgeon</i>		
James P. Erickson....	July 1, '64...	Died of chronic dysentery. Ft. Conner, D. T., Sep. 21, '65.
John A. Hart.....	Nov. 16, '65...	Mus. out Nov. 28, '65.
<i>Asst. Surgeon</i>		
George A. Benjamin...	Mar. 6, '64...	Dis. for incompetency Mar. 18, '65, to date from mus. in.
John A. Hart.....	May 20, '65...	Pro. Surgeon, Nov. 16, '65.
<i>Chaplain</i>		
Thomas J. Ferril.....	Oct. 8, '64...	Mus. out Nov. 28, '65.

Being organized at so late a period, the Sixteenth did not see much active service. It was in the battle of the Big Blue, and was a part of the force which pursued General Price.

A detachment of this regiment was sent to the Plains under Colonel Samuel Walker, where it performed post and escort duty.

The Sixteenth contained many veterans and was composed of as good material as any Kansas regiment. It was unfortunate in not having an opportunity to show its fighting qualities.

SEVENTEENTH KANSAS VOLUNTEER INFANTRY

The Seventeenth Kansas Volunteer Infantry was organized under the President's call of April 23, 1864. It was mustered into service on the 28th of July, at Fort Leavenworth, under the following field and staff:

Names and rank	Date of muster	Remarks
<i>Lieut. Colonel</i>		
Samuel A. Drake.....	July 29, '64...	No evi. of mus. out on file.
<i>Adjutant</i>		
D. C. Strandridge.....	July 8, '64...	No evi. of mus. out on file.
<i>Quartermaster</i>		
B. D. Evans.....	July 8, '64...	No evi. of mus. out on file.
<i>Asst. Surgeon</i>		
Geo. E. Buddington...	July 8, '64...	No evi. of mus. out on file.

The first duty of the 17th was as a garrison at Fort Leavenworth. The regiment was soon divided into detachments and sent to Fort Riley, Lawrence, and Cottonwood Falls. It was ordered to Paola in September, 1864, and did good service in the Price raid.

It was mustered out November 16th, 1864.

EIGHTEENTH KANSAS VOLUNTEER BATTALION

This Battalion was commanded by Major Horace L. Moore of Lawrence, who had been Lieutenant-Colonel of the Fourth Arkansas Cavalry. The Battalion numbered three hundred and fifty-eight. It was recruited to protect the frontier from Indian attacks, and was organized in July, 1867.

On the 21st of August, 1867, a force of Indians, reported eight hundred strong, attacked the Tenth Cavalry on the Republican River. The troops were forced to fall back to the vicinity of Fort Harker. On the 30th of August, Major Moore met a portion of this Indian band and defeated it. The Eighteenth was actively engaged in the Indian service until the 15th of November, when it was mustered out of the service.

NINETEENTH KANSAS VOLUNTEER CAVALRY

The Indian troubles on the border continued through the year 1868. The Nineteenth Kansas Volunteer Cavalry was mustered into service October 20, 1868, under the following field and staff:

Colonel, Samuel J. Crawford; Lieutenant-Colonel, Horace L. Moore; Major, William C. Jones; Adjutant, James M. Steele; Surgeon, Mahlon Bailey; Quartermaster, Luther A. Thrasher, all of Topeka.

It has already been stated in this work that Colonel Crawford resigned as Governor of Kansas to organize the Nineteenth for the defense of the frontier. The regiment contained 1,200 men. It left Topeka November 5, 1868, for the Indian country. On the 14th it crossed the Arkansas River, and on the 28th joined General Sheridan on the North Canadian.

The day before this junction had been formed, the Indians had been attacked on the Washita by General George A. Custer. The Indians were commanded by Black Kettle and other chiefs. They were defeated by General Custer. General Sheridan's force pursued the Indians, compelling them to surrender on the 24th of December. They gave up many captives.

After the campaign, the Nineteenth Kansas returned to Fort Hays, in March, 1869, and were mustered out at that place on the 18th of April.

FIRST KANSAS COLORED VOLUNTEER INFANTRY

This was one of the first colored regiments organized in the Civil War. In August, 1862, General James H. Lane, appointed Captain James H. Williams of the Fifth Kansas Cavalry, Recruiting Commissioner for that part of the State lying north of the Kansas River, and Captain H. C. Seaman, for that part of Kansas lying south of the river. They raised a colored regiment. Within sixty days, five hundred men had been secured, but there was some opposition to their being mustered into the United States service. They were, however, mustered on the 13th of January, 1863. Before they were mustered, they had been attacked by the rebels under Colonel Cochran, but gave a good account of themselves.

During the winter of 1863, four companies were added and the regiment was organized on the 2nd of May, 1863, with the following field and staff:

Colonel, James M. Williams; Lieutenant-Colonel, John Bowles; Major, Richard G. Ward; Adjutant, Richard J. Hinton; Quartermaster, Elijah Hughes; Surgeon, Samuel C. Harrington; Chaplain, George W. Hutchingson.

The regiment saw much service during the war. The Confederate government was much opposed to the enlistment of colored men by the Federal Government, and passed barbarous laws, prescribing punishment of those who should be captured. In reply to these laws, President Lincoln issued his order on the 30th of April, 1863, ordering "that for every soldier of the United States killed in violation of the rules of war, a rebel shall be executed; and for every one enslaved by the enemy or sold into slavery, a rebel soldier shall be placed at hard labor on public works, and continued at such labor until the other shall be released and receive the treatment due a prisoner of war."

On the 27th of June, 1863, the First Kansas Colored Volunteer Infantry was made a part of the escort of a valuable train of supplies from Fort Scott to Fort Gibson. This train and escort were attacked at Cabin Creek, July 1, 1863, by General Cooper and some Indian forces. The Union troops saved the train and proceeded with them to Fort Gibson, where it arrived on the 5th of July.

On the 17th of July the regiment bore an honorable part in the battle of Honey Springs south of Fort Gibson.

The regiment had part in the movements of the Union troops about Fort Smith, operating much on the Arkansas River and about Camden, Arkansas. This regiment never failed to give a good account of itself in any battle they served in which it was engaged.

SECOND KANSAS COLORED VOLUNTEER INFANTRY

This regiment was organized in October, 1863, at Fort Smith, Arkansas, under the following field and staff:

Colonel, Samuel J. Crawford, Garnett; Lieutenant-Colonel, Horatio Knowles; Major, James H. Gillpatrick, Junction City; Adjutant, John R. Montgomery, Little Rock, Ark.; Quartermaster, Edwin Stokes, Clinton; Surgeon, George W. Walgamott, Lawrence; Chaplain, Josiah B. McAfee, Topeka.

This was a famous regiment. It performed long, arduous and brilliant service. Its stand at Jenkins Ferry, Arkansas, was not surpassed in bravery by any troops in the service of the United States. For a complete account of the service of this regiment, students are referred to *Kansas in the Sixties*, by Governor Samuel J. Crawford.

FIRST KANSAS VOLUNTEER BATTERY

The First Kansas Volunteer Battery was mustered into service July 24, 1861, under the following field and staff. Captain, Thomas Bickerton; First Lieutenant, Norman Allen, both of Lawrence; Second Lieutenant, Hartson R. Brown; First Sergeant, John B. Cook, Auburn; Second Sergeant, Shelby Sprague, Prairie City; Corporal, John S. Gray, Mound City.

It at that time, numbered about 50 artillerymen. Many recruits were added in the early part of 1862. This battery was at the battle of Prairie Grove, and rendered good service there. It was at Rolla, Missouri, July 9, 1863, on which day it departed for St. Louis.

Lieutenant Norman Allen was promoted February 25, 1862, to the rank of Captain. He died of pneumonia at St. Louis, July 10, 1863. The battery was then commanded by Lieutenant Thomas Taylor, Lieutenant H. R. Brown having been mustered out February 15th. The following is the summary of this Battery made by the Adjutant General.

Directly succeeding this (the death of Capt. Allen), they were ordered to Indiana, and took an active part in capturing Morgan's guerrilla band, then on their celebrated raid through that State. After this, they were ordered to St. Louis, and subsequently to Columbus, Ky. They served with distinction in all the principal actions in which the armies of the Tennessee and Mississippi were engaged, and their numbers were greatly reduced by the casualties of war, and by disease.

The battery was mustered out at Leavenworth, July 17, 1865.

SECOND KANSAS VOLUNTEER BATTERY

The Second Kansas Volunteer Battery was organized under the direction of Major C. W. Blair, of the Second Kansas Cavalry. The organization was completed in September, 1862, and on the 19th of that month it was mustered at Fort Scott, with the following field and staff:

Charles W. Blair, Fort Scott, commanding; First Lieutenant, Edward A. Smith; First Lieutenant, David C. Knowles; Second Lieutenant, Andrew G. Clark, all of Fort Scott; Second Lieutenant, Aristarchus Wilson, Mapleton; First Sergeant, William Requa, Mount Gilead; Quartermaster Sergeant, William H. Boyd, Mansfield.

Its entire force at that time numbered 123 officers and men. Its equipment was two twelve-pounder field howitzers and four six-pounder guns. It was assigned to the First Brigade, First Division, Army of the Frontier.

On the 13th of September, a section of this battery was taken by General Solomon into Missouri. It was in all the movements of the pursuit of General Hindman, and was at Pea Ridge on the 18th of October.

When General Blunt moved on Cane Hill the battery was left to guard supply trains at Lindsay's Prairie. From there it went to Rhea's Mills, from which point it was ordered to Fort Scott, reaching that point on the 3rd of December, and remaining until the 10th of May, 1863.

A portion of this battery was stationed at Baxter Springs in May, 1863. On the 24th of June it was ordered to Fort Smith.

It was in the battle of Honey Springs and was at Fort Gibson until the 22nd of August.

In November, 1863, the battery was ordered to Fort Smith. Here four ten-pounder Parrott were added to its equipment. The battery remained at Fort Smith until June, 1864.

This battery rendered fine service and saw much hardship. It was discharged on the 15th of August, 1865, at Leavenworth.

THIRD KANSAS VOLUNTEER BATTERY

The Third Kansas Volunteer Battery was first made up as a cavalry company by Henry Hopkins and John F. Aduddell. It was known as Company B, Second Kansas Cavalry, and its officers were Henry Hopkins, Captain; John F. Aduddell, First Lieutenant; Oscar F. Dunlap, Second Lieutenant. It was first designed to send this battery to New Mexico, but that expedition was abandoned.

The battery marched to Fort Larned, from which point it marched to rejoin its regiment at Dry Wood, where it arrived September 23, 1862.

A rebel battery was captured at Old Fort Wayne, October 20, 1862. Company B was detached from the Second Kansas Cavalry to man this captured battery, which was afterward known as Hopkins' Kansas Battery. At the time of capture it consisted of four guns. Three of these were six-pounders, and one a twelve-pounder howitzer. The

battery was in the battle of Cane Hill. It was also at the battle of Prairie Grove. It was in the pursuit of Hindman to Van Buren. It was then transferred to the Third Brigade, under Colonel Clond. Later it was transferred to the Indian Brigade under Col. William A. Phillips.

The battery was in the engagements at Cabin Creek and Honey Springs. It went into camp at Van Buren, Arkansas, September 2, 1863.

October 1, 1863, it was organized into a permanent battery of light artillery, and known as the Third Kansas Battery.

A detachment of the battery was sent to Little Rock. The commissioned officers and the men whose terms of enlistment had expired were mustered out on the 19th of January, 1865, at Leavenworth. The remainder of the battery was detained at Little Rock until the 21st of July, 1865, and mustered out on the 11th of August, at Leavenworth.

HOLLISTER'S BATTERY

Orders were received at Fort Leavenworth, May 22, 1862, to detail 150 non-commissioned officers and privates from the Second Kansas Cavalry, to man a battery of six-pounder Parrott guns. The officers assigned were as follows: Henry Hopkins, Captain, from Company B; R. H. Hunt, First Lieutenant, from Company I; J. B. Rankin, Second Lieutenant, from Company H; Joseph Cracklin, Second Lieutenant. He had been the Second Battery Adjutant. The name of the battery was then changed from Hollister's to Hopkins.

On the 28th of May it went aboard a steamboat and proceeded to Columbus, Kentucky, where it arrived June 6th. In July it was assigned to Rosecrans' Army.

In August, Captain Hopkins, First Lieutenant Hunt, and Second Lieutenant Cracklin, were ordered to rejoin their regiments in Kansas. The men were then mounted and attached to General Sheridan's brigade. On the 17th of August they were transferred to General Mitchell's command, at Iuka. These troops moved to join General Buell on the 18th of August. They passed through Florence (Alabama), Columbia, Franklin, and Triune, to Murfreesboro, Tenn. From there they moved to Nashville.

They were in the battle of Perryville, on September 28th.

The detachment was in the pursuit of Morgan.

In 1862 all detachments were ordered to report to their respective regiments and commanders. Pursuant to this order this detachment arrived at Fort Leavenworth, October 26, 1862.

INDIAN REGIMENTS

Many of the Five Civilized Tribes remained loyal to the Union during the Civil war. Hundreds of these loyal Indians were compelled to leave their tribes because of the hostilities of their brethren at the instigation of the Southern Confederacy. General Albert Pike made

treaties with these tribes by which they attempted to take their territory into the Southern Confederacy. Many of the Indians, in pursuance of this treaty, enlisted in the Southern armies. These made war on those who wished to remain loyal to the Union. They became refugees in Southern Kansas, assembling mostly in the country of the Osages, the majority of whom remained loyal. The Government authorized the organization of Indian regiments of these refugees and any other loyal Indians desiring to enlist in the Union army. The Indian regiments were officered by Kansas soldiers. There were Indians from all of the Five Civilized Tribes in these regiments. It is possible that the Cherokees furnished more recruits than any other tribe.

Soon after the Cherokees settled in the country now embraced in Oklahoma, a Baptist mission was established among them by a Rev. Mr. Jones. The mission was near the Arkansas line, and not far from the town of Cincinnati, Arkansas. Jones taught the Indians, principally full-blood Cherokees, anti-slavery sentiments. When one was converted to the belief against slavery, he was given a pin or badge to wear. These came to be known as "Pin Indians," from the fact that they wore these distinctive pins. In the Civil War, a "Pin Indian" was a loyal Indian. In the annals of the Civil War will be found many references to Pin Indians, and it was believed necessary to state here the origin of the name.

The field and staff of each of the three Indian regiments is set out:

FIRST INDIAN REGIMENT

Names	Rank	Date of Commission
William A. Phillips.....	Major	June 2, 1862.
James A. Phillips.....	Major	July 10, 1862.
J. H. Gillpatrick.....	First Lieut. and Adj.....	Nov. 1, 1862.
Salmon S. Prouty.....	First Lieut. and R. Q. M.....	June 21, 1862.
John Chess	First Lieut. and Adj.....	May 28, 1863.
Alfred F. Bicking.....	First Lieutenant	Sep. 10, 1862.
Ferdinand R. Jacobs.....	First Lieutenant	Sep. 10, 1862.
Robert T. Thompson.....	First Lieutenant	Apr. 1, 1863.
Francis J. Fox.....	First Lieutenant	Sep. 10, 1862.
Albert Flanders	First Lieutenant	July 1, 1863.
Benj. F. Ayres.....	First Lieutenant	Mar. 29, 1863.
Milford J. Burlingame...	First Lieutenant	Dec. 29, 1863.
Frederick Crafts	First Lieutenant	Sep. 10, 1862.
Eli C. Lowe.....	First Lieutenant	Sep. 10, 1862.
William Roberts	Second Lieutenant	July 1, 1863.
John D. Young.....	Second Lieutenant	Aug. 25, 1864.

SECOND INDIAN REGIMENT

Names	Rank	Date of Commission
John Ritchie	Colonel	
Fred. W. Schuarte.....	Lieut. Colonel	
E. W. Robinson.....	First Lieut. and Adj.....	
John C. Palmer.....	First Lieut. and Adj.....	
George Huston	First Lieut. and R. Q. M.....	

Names	Rank	Date of Commission
A. J. Ritchie.....	Surgeon	
M. A. Campdorus.....	Assistant Surgeon	
James H. Bruce.....	Captain	May 27, 1863.
Joel Moody	Captain	Unknown.
Charles Lenhart	First Lieutenant	Oct. 15, 1862.
John M. Hunter.....	First Lieutenant	Sep. 14, 1862.
James M. Bruce.....	First Lieutenant	Unknown.
William H. Kendall.....	First Lieutenant	Dec. 8, 1862.
John Moffit	First Lieutenant	Unknown.
E. P. Gilpatrick.....	First Lieutenant	Unknown.
A. J. Waterhouse.....	First Lieutenant	
Silas Hunter	First Lieutenant	June 2, 1862.
David A. Painter.....	First Lieutenant	June 2, 1862.
—— Scott	First Lieutenant	June —, 1862.

THIRD INDIAN REGIMENT

Names	Rank	Date of Commission
William A. Phillips.....	Colonel	July 11, 1862.
John A. Foreman.....	Major	July 11, 1862.
William Galliher	First Lieut. and Adj.....	July 11, 1862.
Alfred Larzelere	First Lieut. and R. Q. M..	July 11, 1862.
A. C. Spillman.....	Captain	Nov. 4, 1862.
Henry S. Anderson.....	Captain	Nov. 15, 1862.
Maxwell Phillips	Captain	May 28, 1863.
Solomon Kaufman	Captain	May 28, 1863.
Luke F. Parsons.....	First Lieutenant.....	July 11, 1862.
John S. Hanway.....	First Lieutenant.....	July 11, 1862.
Andrew W. Robb.....	First Lieutenant.....	July 11, 1862.
Harmon Scott	First Lieutenant.....	July 11, 1862.
Benjamin Whitlow	First Lieutenant.....	July 11, 1862.
Charles Brown	First Lieutenant.....	Apr. 1, 1863.
William McCullough	Second Lieutenant.....	Dec. 31, 1862.
Basil G. McCrea.....	Second Lieutenant.....	Dec. 31, 1862.
Jule C. Cayott.....	Second Lieutenant.....	May 28, 1863.

PRICE RAID CLAIMS

In the Price Raid, much property was destroyed. A great deal of it belonged to Kansas people. The owners of this property had a valid claim against the Government for the amounts of the losses they could establish. The following condensed statement is quoted from the *Andreas History of Kansas*, pages 207-8.

The Price raid and Curtis expedition cost the citizens of Kansas, besides the labor, loss of life, and such incidental losses as could not be computed, not less than half a million dollars. The Government was of course bound to reimburse them, so far as the losses could be established as valid claims, growing out of the war in which the country was then engaged. The Legislature of 1865 made provision for the assumption and payment of the claims by the State, looking to the General Government for reimbursement. A commission was appointed to examine and audit such claims as might be presented. In addition to the just claims which came before the committee came an avalanche of bogus

claims. The aggregate amount of claims presented was upward of \$2,000,000. One-half of them required little consideration to be rejected. The Commissioners allowed, as appears by the report of T. J. Anderson, Adjutant General, November 30, 1866, the following:

Services rendered	\$197,327.34
Materials, supplies and transportation furnished	152,530.54
Damage sustained	106,806.05
Miscellaneous claims	36,290.90
Total.....	\$492,644.83

The Commissioners further reported several claims received subsequent to November 1, on which no action had been taken.

The Legislature of 1867 assumed the payment of the awards, and again referred them to a special committee to be re-audited and corrected.

This Examining Board of Commissioners was appointed by Gov. Crawford, March 26. The members were: D. E. Ballard, W. H. Fitzpatrick and William N. Hamby. It entered upon the work of re-examination April 1, and reported to the Governor July 1. The awards made were as follows:

Amount allowed for services.....	\$218,398.75
Allowed for supplies and transportation.....	81,682.32
Allowed for damages sustained.....	131,693.83
Allowed for property lost, and miscellaneous..	35,518.47
Total.....	\$467,293.37

The amount allowed for "services" by the above report exceeded the awards of the first auditing commission \$21,061.41; on the items of supplies, transportation, damages, property lost, etc., the committee made large deductions. The Governor, in his message, January, 1868, says:

"A portion of this discrepancy can doubtless be accounted for by an honest difference of opinion between the two boards in regard to the prices of material, etc., while another portion, I regret to say, can only be accounted for by a package of forged or fabricated vouchers, amounting to some \$18,000, which were placed in my possession by the Examining Commission when they made their report, in compliance with the law. These forged or fabricated claims purport to have been sworn to before the Secretary of the Price Raid Commission. Whether he has been imposed upon by unknown parties is not for me to determine; but I respectfully refer the whole subject to the Legislature, with the earnest recommendation that a thorough and searching investigation be made of the entire affair, so as to prevent undue suspicion from attaching to those who might be farthest from the commission of such a crime. Besides, if the Commissioners should have been mistaken in judging these claims to be forged, when in fact they were genuine, then an investigation is due, in order that the innocent may not suffer."

An investigating committee reviewed the original Price raid awards, and, in January, 1868, reported that it found many claims dishonestly allowed. The Legislature, March 3d, passed a new Price raid bill.

The Legislature of 1869 provided for a third Board of Commissioners to audit the Price raid and Curtis expedition claims. The new Commissioners were Levi Woodward, David Whittaker and T. J. Taylor. The awards of the committee, as reported to Adj. Gen. Whittaker, September 1, 1869, were as follows:

Services rendered	\$233,345.47
Materials, supplies and transportation furnished	111,352.53
Damages sustained	159,191.34
Miscellaneous claims	36,627.64

Total.....\$540,516.98

The Adjutant General further reported, January 12, 1870, that, in addition to the above, there had been allowed by various committees of the Legislature, and by the State Auditor and Treasurer, \$6,701.13, making the total amount of the debt accruing from the Price raid and the Indian expedition of Gen. Curtis, \$547,218.11. The State had previously assumed \$500,000 of this debt, and the Adjutant General, in his report, suggested to the Governor that he recommend the assumption of the balance (\$47,218.11).

The amount of the claims being thus finally settled by the State, the claim was pressed upon the Government for settlement. February 2, 1871, Congress passed a bill providing for the auditing of the claims. Under its provisions, a commission was appointed by the Secretary of War to audit the Price raid claims. Its members were: James A. Hardie, Inspector General U. S. A.; J. D. Bingham, Quartermaster U. S. A., and T. H. Stanton, Paymaster U. S. A. The members of the commission met at Topeka, March 17, and having duly investigated the claims in detail, repaired to Washington late in the month, and reported their award to the Secretary of War, as the basis of an appropriation for the settlement of the claims. On their report the House Committee on Claims reported to appropriate the sum of \$337,054.00 for the payment of the Price raid claims. June 8, 1872, Congress appropriated that sum as recommended, and on August 13, Gov. Harvey, in behalf of the State, received the amount awarded. The amount was received by State Treasurer Hayes and disbursed, as stated in his report of December 30, 1872, as follows:

"On the seventeenth of August I received the sum of \$336,817.37, which had been appropriated by act of Congress to the State of Kansas, in payment for a certain class of military claims; while for the interest on the debt thus paid, and for other classes of claims contracted at the same time, and for which Union Military Scrip had been issued, no provision was made. There being no law governing my action in case of partial payment, and believing it would be wronging the claimants, either to wait action by the Legislature or to pay those first presented in full, I decided to pay without interest that class of scrip only which had been allowed by Congress, and to issue certificates showing the amount of interest then due on the same.

"The scrip issued for the Curtis expedition against the Indians, and for the services of certain irregular companies in the Price raid, although not allowed by Congress, has been paid, as it was found impossible to distinguish by the warrants for what kind of service they had been issued. There will therefore be a deficiency in the funds for the payment of scrip issued for services, transportation, supplies and miscellaneous, including the Curtis expedition, to the amount of \$94,348.48, exclusive of interest; in addition to which there still remains outstanding interest certificates issued on scrip paid to the amount of \$124,000, and scrip given for damages, \$151,191.34—to all of which I would respectfully call your attention, and recommend that some early and final disposal be made of the same."

The manner in which Treasurer Hayes disbursed the funds and other suspected misdemeanors led to articles of impeachment being found against him. He resigned, and the impeachment was not prosecuted.

The Legislature of 1873 created another Price Raid Commission, to audit the outstanding claims, after deducting what had already been paid out of the Congressional appropriation. The final report, made February 25, 1874, shows the following outstanding claims:

Damage scrip	\$159,191.34
Estimated interest on same.....	78,000.00
Service and other scrip.....	94,348.48
Estimated interest on same.....	46,000.00
Additional claims of 1872.....	1,018.16
Additional claims of 1873.....	236.50
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Total outstanding scrip.....	\$378,794.48

Adding the Congressional appropriation of \$336,817.37, the total cost of the Price raid and Curtis expedition was \$715,611.85, of which sum \$378,794.48 fell upon the State.

In 1879 a new Price Raid Committee was appointed, which reported February 17, 1881, claims still outstanding, amounting to \$75,047.71, besides certificates of interest issued for \$67,561, by Treasurer Hayes in 1872 on military scrip, the principal of which was paid by him. The additional claims audited by the last committee and reported by them as still outstanding will largely increase the amount of expense to the State over that above stated. To the future historian is left the task of making a final summary.

TABLES

STATEMENT OF THE NUMBER OF MEN CALLED FOR BY THE PRESIDENT OF THE UNITED STATES, AND THE NUMBER FURNISHED BY THE STATE OF KANSAS FROM APRIL 15, 1861, TO JUNE 30, 1865

Date of Call	For what Period	Quota	Men Furn'd
April 15, 1861, for 15,000 militia.....	Three months	650
May 3, July 22 and 25, 1861, for 500,000 men.....	Three years	3,235	6,953
July 2, 1862, for 300,000 men.....	Three years	1,771	2,936
August 4, 1862, for 300,000 militia.....	Nine months	1,771
October 17, 1863, and February 1, 1864, for 500,300 men.....	Three years	3,523	5,374
March 14, 1864, for 200,000 men.....	Three years.....	1,409	2,563
April 23, 1864, militia.....	One hundred days	441
July 18, 1864, for 500,000 men.....	One, two and three years....	3,729	351
December 19, 1864, for 300,000 men.....	One, two and three years....	1,222	829
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Total	16,654	20,097
		<hr/>	
Surplus	16,654	
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		3,443	

CASUALTIES IN KANSAS REGIMENTS DURING THE WAR.

Regiment	Officer	Number Killed	Number of Wounds Received	Deaths by Disease	Deserted	Expelled	Discharged	Discharged by Disability	Dismissed	Resigned	Resigned	Missing
		Men	Officers	Men	Officers	Men	Officers	Men	Officers	Men	Officers	Men
First Infantry	11	86	1	23	1	25	1	269	1	2	36	1
Second Infantry	1	50	1	15	1	93	1	91	1	1	14	1
Fifth Cavalry	4	40	1	11	1	191	1	113	1	1	27	1
Sixth Cavalry	1	1	1	18	1	56	1	117	1	1	31	1
Eighth Cavalry	1	1	1	129	1	340	1	10	1	1	11	1
Ninth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Tenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Eleventh Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twelfth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Thirteenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Fourteenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Fifteenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Sixteenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Seventeenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Eighteenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Nineteenth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twentieth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-first Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-second Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-third Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-fourth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-fifth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-sixth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-seventh Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-eighth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Twenty-ninth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
Thirtieth Cavalry	1	1	1	132	1	180	1	23	1	1	128	1
First Colored Infantry	1	155	1	10	1	165	1	154	1	1	10	1
Second Colored Infantry	1	1	1	16	1	187	1	62	1	1	15	1
Third Colored Infantry	1	1	1	20	1	20	1	20	1	1	1	1
Fourth Colored Infantry	1	1	1	17	1	17	1	17	1	1	1	1
Fifth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Sixth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Seventh Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Eighth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Ninth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Tenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Eleventh Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twelfth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Thirteenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Fourteenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Fifteenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Sixteenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Seventeenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Eighteenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Nineteenth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twentieth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-first Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-second Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-third Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-fourth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-fifth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-sixth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-seventh Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-eighth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-ninth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
Thirtieth Colored Infantry	1	1	1	1	1	1	1	1	1	1	1	1
First Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Second Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Third Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Fourth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Fifth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Sixth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Seventh Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Eighth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Ninth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Tenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Eleventh Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twelfth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Thirteenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Fourteenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Fifteenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Sixteenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Seventeenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Eighteenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Nineteenth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twentieth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-first Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-second Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-third Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-fourth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-fifth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-sixth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-seventh Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-eighth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-ninth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
Thirtieth Artillery	1	1	1	1	1	1	1	1	1	1	1	1
First Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Second Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Third Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Fourth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Fifth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Sixth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Seventh Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Eighth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Ninth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Tenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Eleventh Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twelfth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Thirteenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Fourteenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Fifteenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Sixteenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Seventeenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Eighteenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Nineteenth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twentieth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-first Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-second Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-third Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-fourth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-fifth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-sixth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-seventh Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-eighth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Twenty-ninth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
Thirtieth Engineer	1	1	1	1	1	1	1	1	1	1	1	1
First Signal	1	1	1	1	1	1	1	1	1	1	1	1
Second Signal	1	1	1	1	1	1	1	1	1	1	1	1
Third Signal	1	1	1	1	1	1	1	1	1	1	1	1
Fourth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Fifth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Sixth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Seventh Signal	1	1	1	1	1	1	1	1	1	1	1	1
Eighth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Ninth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Tenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Eleventh Signal	1	1	1	1	1	1	1	1	1	1	1	1
Twelfth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Thirteenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Fourteenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Fifteenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Sixteenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Seventeenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Eighteenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Nineteenth Signal	1	1	1	1	1	1	1	1	1	1	1	1
Twentieth Signal	1	1	1	1	1							

GOVERNOR'S MILITARY STAFF—1863-1865
HIS EXCELLENCY THOMAS CARNEY, GOVERNOR AND COMMANDER-IN-CHIEF
January 12, 1863, to January 9, 1865

Office	Name	Rank	Appointed	Remarks
Adjutant General	Gulford Pouley	Brigadier General	February 27, '63	Re'd with rank of Col. March 2, '64 under act of February 24, 1864; resigned May 2, '64
Quartermaster General	C. K. Holliday	Colonel	May 2, '64	Resigned March 31, 1865
	Edward Russell	Brigadier General	March 3, '63	Re'd with rank of Col. May 2, '64 under act February 24, '64
Paymaster General	John G. Otis	Colonel	February 19, '63	
Judge Advocate	J. P. Love	Colonel	February 19, '63	
	Chas. G. Foster	Colonel	February 19, '63	Ap'd under act of May 7, '61
	A. W. Spaulding	Colonel	February 19, '63	
	S. M. Slickler	Colonel	February 19, '63	
	C. V. Esbridge	Colonel	February 19, '63	
	Zediah Miller	Colonel	February 19, '63	
	J. C. Hemingway	Colonel	August 24, '63	
	Thos. H. Butler	Colonel	September 12, '63	
	D. Breckney	Colonel	November 10, '63	
	J. A. McGonigle	Lieutenant Colonel	March 2, '64	
Aides de-Camp	F. H. Drenning	Lieutenant Colonel	March 2, '64	
	Geo. R. Swallow	Lieutenant Colonel	March 2, '64	
	R. F. Atwood	Lieutenant Colonel	April 23, '64	
	Wm. Shepherd	Lieutenant Colonel	July 5, '64	Ap'd under act February 21, '64
	W. Burlingame	Lieutenant Colonel	July 12, '64	S'l aide ap. ser. d'g Price raid
	W. C. Crawford	Lieutenant Colonel	October 10, '64	S'l aide ap. ser. d'g Price raid
	A. S. Hughes	Lieutenant Colonel	October 10, '64	S'l aide ap. ser. d'g Price raid
	W. Rosenthal	Lieutenant Colonel	October 10, '64	S'l aide ap. ser. d'g Price raid
	John W. Brown	Lieutenant Colonel	October 10, '64	

GOVERNOR'S MILITARY STAFF, 1865
HIS EXCELLENCY SAMUEL J. CRAWFORD, GOVERNOR AND COMMANDER-IN-CHIEF, IN AUGURATED, JANUARY 9, 1867

Office	Name	Rank	Appointed	Remarks
Adjutant General	T. J. Anderson	Colonel	April 11, '65	App'd under act February 13, '65
Quartermaster General	D. E. Ballard	Colonel	February 18, '65	App'd under act February 13, '65
Paymaster General	John K. Rankin	Colonel	February 18, '65	App'd under act February 13, '65
Surgeon General	N. T. Whanna	Colonel	February 18, '65	App'd under act February 13, '65
	Charles Dinand	Lieutenant Colonel	April 10, '65	App'd under act February 13, '65
Aides de-Camp	Cyrus Roland, Jr.	Lieutenant Colonel	April 10, '65	App'd under act February 13, '65
	E. G. Ross	Lieutenant Colonel	April 10, '65	App'd under act February 13, '65
Assistant Adjutant General	H. T. Beman	Major	April 10, '65	App'd under act February 13, '65

OFFICERS FROM KANSAS ABOVE THE RANK OF COLONEL COMMISSIONED BY THE PRESIDENT

MAJOR GENERAL

Name	Date of Commission	Remarks
James G. Blunt.....	November 29, 1862.....	Honorably mustered out July 29, 1865.

BRIGADIER GENERALS

Name	Date of Commission	Remarks
Robert B. Mitchell.....	April 8, 1862.....	Honorably mustered out January 15, 1866
James G. Blunt.....	April 8, 1862.....	Promoted Major General, November 29, 1862
Albert L. Lee.....	November 29, 1862.....	Resigned May 4, 1865
G. W. Ditzler.....	November 29, 1862.....	Resigned August 27, 1863
Thomas Ewing, Jr.....	March 13, 1863.....	Brevetted Major General, March 13; resigned February 23, '64
Powell Clayton.....	August 1, 1864.....	Honorably mustered out, August 24, 1865

BREVET BRIGADIER GENERALS

Name	Date of Commission	Remarks
Thomas M. Bowen.....	February 13, 1865.....	Colonel 13th Kan. Vol. Inf.; dismissed June 28, '65; reinstated Nov. 22, '65; hon. dis'd to date June 28, '65
James M. Williams.....	February 13, 1865.....	Colonel First Kansas Colored Volunteer Infantry; mustered out October 1, 1865
Charles W. Blair.....	February 13, 1865.....	Colonel Fourteenth Kansas Volunteer Cavalry; mustered out August 11, 1865
Thomas Moonlight.....	February 13, 1865.....	Colonel Eleventh Kansas Volunteer Cavalry; mustered out July 17, 1865
Charles W. Adams.....	February 13, 1865.....	Colonel Twelfth Kansas Volunteer Infantry; mustered out June 30, 1865
John Ritchie.....	February 21, 1865.....	Colonel Second Regiment Indian Home Guards
Samuel J. Crawford.....	March 13, 1865.....	Colonel Second Kansas Colored Volunteer Infantry
John A. Martin.....	March 13, 1865.....	Colonel Eighth Kansas Volunteer Infantry
James Keiser.....	March 13, 1865.....	Major Sixteenth Kansas Volunteer Cavalry; mustered out December 6, 1865
George H. Hoyt.....	March 13, 1865.....	Lieutenant Colonel Fifteenth Kansas Volunteer Cavalry
William R. Judson.....	March 13, 1865.....	Colonel Sixth Kansas Volunteer Cavalry
Edw d F. Schneider.....	March 13, 1865.....	Lieutenant Colonel Eighth Kansas Volunteer Cavalry
Samuel Walker.....	March 13, 1865.....	Lieutenant Colonel Sixteenth Kansas Volunteer Cavalry
Charles Ximoloe.....	April 2, 1865.....	Major and Assistant Adjutant General United States Volunteers

SPANISH-AMERICAN WAR REGIMENTS

The Field and Staff and account of service for each of the four regiments of the Spanish-American War, are quoted from the official Report of the Adjutant-General.

THE TWENTIETH KANSAS

It was the good fortune of the Twentieth Kansas to be assigned to active service in the field in the Spanish-American War. There is no doubt that the other three regiments would have rendered distinguished service had the opportunity offered. They were, however, denied the privilege of demonstrating what they could do on the field of battle.

The achievement of the Twentieth will always be one of the events in Kansas history of which the State will be proud. Its campaign in the Philippine Islands makes it immortal. It never faltered in the full performance of any duty. Both the men and the officers of that regiment have continued to distinguish themselves, and to bring honor to the State. No better soldier nor competent officer is to-day in the army of the United States than General Frederick Funston. His brilliant record as a soldier is familiar to all the people of the United States. General Wilder S. Metcalf is one of the foremost citizens of the State, and has recently rendered pre-eminent service in the Kansas National Guard. He has been called to the councils of the State, having been recently elected State Senator from Douglas County. Dr. Charles S. Huffman, of Cherokee County, is one of the eminent physicians of Kansas. He has been a member of the Kansas State Senate for twelve years, and has just been elected to another four-year term. His service in capacity of Legislator has been of great value to Kansas. General Charles I. Martin is the present efficient Adjutant-General of Kansas. He has held this position for some years. His work has made the Kansas National Guard the equal to that of any State, and superior to many. He is favorably known in the military circles of America.

References of this nature might be indefinitely extended in speaking of the Twentieth Kansas. Captain Clad Hamilton and many others have rendered the country services beyond computation. Captain Hamilton is still at the front as this is written. He has been promoted to major in the Kansas National Guard.

The field and staff of the Twentieth Kansas were as follows:

FIELD AND STAFF

Name and Rank	Residence	Date of Enrollment	Date of Muster-In	Remarks
Colonel				
Frederick Funston	Iola	May 13, '98	May 13, '98	Mustered in as Col.; pro. Brig. Gen'l May 4, '99; wind. in a May 4, '99, at Santo Tomas, P. I.
Wilder S. Metcalf	Lawrence	May 11, '98	May 9, '99	Mustered in as Maj.; pro. Col. May 9, '99; mustered out with regt.; wind. in a Feb. 22, '99, at Calocaco, Luzon, P. I.
Lieut. Colonel				
Edward C. Little	Ablene	May 10, '98	May 10, '98	Mustered in as Lt. Col.; mustered out with regt.; accidentally wind. Jan. 17, '99, near Manila, P. I.
Major				
Frank H. Whitman	1st Lt. 2d Inf. U. S.	May 10, '98	May 16, '98	Mustered in as Maj.; mustered out with regt.
Wilder S. Metcalf	Lawrence	May 11, '98	May 11, '98	Mustered in as Maj.; pro. Col. May 9, '99; disc. to accept commission as Maj. of 36th Inf.
William H. Bishop	Salina	May 2, '98	May 2, '98	Mustered in as Capt. Co. F; pro. M. J. May 9, '99; wind. in a Apr. 27, '98; at Analtit, P. I.
Charles I. Marlin	Fort Scott	April 30, '98	July 22, '99	Mustered in as Capt. Co. F; pro. Maj. July 22, '99; mustered out with regt.
Major and Surgeon				
John A. Rafter	Holton	May 13, '98	May 13, '98	Mustered in as Maj. and Surg.; mustered out with regt.
Capt. and Asst. Surg.				
Henry D. Smith	Washington	May 13, '98	May 13, '98	Mustered in as Capt. and Asst. Surg.; mustered out with regt.
Charles S. Hurman	Columbus	May 13, '98	May 13, '98	Mustered in as Capt. and Asst. Surg.; mustered out with regt.
Chaplain				
John G. Schlemmatt	Phillipsburg	May 12, '98	May 12, '98	Mustered in as Chap.; mustered out with regt.
First Lieut. and Adj.				
William A. DeFord	Ottawa	May 9, '98	May 13, '98	Mustered in as 1st Lt. and Adj.; resigned Aug. 21, '98
Charles B. Walker	Kansas City	April 27, '98	Aug. 28, '98	Mustered in as 1st Lt. Co. B; assigned Adj. Aug. 28, '98; pro. Capt. Aug. 17, '99; assigned to Co. B
Cassius E. Warner	Fort Scott	April 31, '98	Sept. 2, '99	Mustered in as 1st Lt. Co. B; pro. Sergt. Maj. Sept. 2, '99; mustered out with regt.
First Lieut. and Q. M.				
Lafayette C. Smith	Winconda	May 16, '98	May 16, '98	Mustered in as 1st Lt. and Q. M.; resigned July 9, '98
Walter F. Holl	Iola	April 30, '98	July 9, '98	Mustered in as 1st Lt. Co. I; appointed Q. M. July 9, '98; mustered out with regt.
Sergeant Major				
Frederick R. Dodge	Leavenworth	May 13, '98	May 13, '98	Mustered in as Sergt. Maj.; pro. 2d Lt. Sept. 24, '98; assigned to Co. I
Cassius E. Warner	Fort Scott	April 30, '98	May 12, '98	Mustered in as Corp. Co. F; pro. Sergt. Maj. Sept. 25, '99; pro. 2d Lt. Co. F, May 9, '99
John G. Wate	Leavenworth	May 3, '98	May 13, '98	Mustered in as Corp. Co. F; pro. Sergt. Maj. Sept. 25, '99; pro. 2d Lt. Co. F, May 9, '99
Harry W. Brent	Parsons	June 13, '98	June 13, '98	Enrolled as priv. Co. G; pro. Sergt. Maj. Sept. 3, '99; mustered out with regt.
Q. M. Sergeant				
James A. Hammad	Baldwin	May 12, '98	May 13, '98	Mustered in as Q. M. Sergt.; dishonorably disc. Aug. 25, '98
James T. Mitchell	Iola	June 14, '98	June 14, '98	Enrolled as priv. Co. I; pro. Q. M. Sergt. Aug. 1, '99; mustered out with regt.
Geo. W. Winterburn	Fort Scott	June 11, '98	June 14, '98	Enrolled as priv. Co. I; pro. Q. M. Sergt. Aug. 1, '99; mustered out with regt.
Wilfred W. Nelson	Iola	June 11, '98	June 14, '98	Enrolled as priv. Co. I; pro. Q. M. Sergt. Aug. 1, '99; mustered out with regt.
Hospital Steward				
Jonathan E. Chastain	Iola	June 14, '98	June 14, '98	Enrolled as priv. Co. I; pro. Hosp. Stew. Oct. 13, '98; disc. Aug. 27, '99
Seth A. Hammel	Topeka	May 13, '98	May 13, '98	Mustered in as Hosp. Stew.; disc. Aug. 27, '99
Myron D. Butler	Holton	May 13, '98	May 13, '98	Mustered in as Hosp. Stew.; disc. Aug. 27, '99
Wm. F. Hungerford	Topeka	May 13, '98	May 13, '98	Mustered in as Hosp. Stew.; disc. for dlt. Oct. 8, '98
Elmer Butler	Devon	April 30, '98	May 12, '98	Enrolled as priv. Co. F; pro. Hosp. Stew. Sept. 3, '99; mustered out with regt.
Viney T. Boaz	Girard	June 14, '98	June 14, '98	Enrolled as priv. Co. F; pro. Hosp. Stew. Sept. 3, '99; mustered out with regt.
John A. Buchanan	Topeka	June 13, '98	June 13, '98	Enrolled as priv. Co. K; pro. Hosp. Stew. Sept. 3, '99; mustered out with regt.
Chief Trumpeter				
Charles F. Barnfield	Kansas City	April 27, '98	May 8, '98	Mustered in as music Co. B; pro. chief trumpeter June 19, '98; trans. to Co. B; pro. Sergt. April 11, '99

The Twentieth Kansas Volunteer Infantry was organized at Topeka, May 9 to 13, 1898. The companies constituting the regiment were to a large extent raised in counties as designated below:

Company A, in Shawnee County, May 9, 1898.

Company B, in Wyandotte County, May 9, 1898.

Company C, in Leavenworth County, May 13, 1898.

Company D, in Crawford County, May 11, 1898.

Company E, in Anderson, Coffey and Woodson counties, May 10, 1898.

Company F in Bourbon County, May 12, 1898.

Company G, in Wilson and Montgomery counties May 12, 1898.

Company H, in Douglas County, May 9, 1898.

Company I, in Miami, Shawnee and Bourbon counties, May 12, 1898.

Company K, in Franklin and Linn counties, May 11, 1898.

Company L, in Geary and Dickinson counties, May 10, 1898.

Company M, in Salina, Ottawa and McPherson counties, May 10, 1898.

The regiment broke camp at Topeka and moved by rail to San Francisco, California, where it arrived May 20, 1898, and was assigned to Camp Merritt. Until June 18, the regiment was under command of Lieutenant-Colonel E. C. Little; at this date, Colonel Frederick Funston arrived and assumed command of the regiment. During June the regiment was recruited to its full complement of enlisted men. On August 5 the regiment moved station to Camp Merriam, San Francisco, California. The regiment remained here, undergoing constant drill and military instruction, until the latter part of October.

On the 27th of October the field and staff and second and third battalions embarked on the United States transport *Indiana*, and at four o'clock P. M. sailed for Manila, P. I., via Honolulu. The first battalion, under the command of Lieutenant-Colonel E. C. Little, sailed from San Francisco for Manila by the same route at eleven o'clock A. M., November 9, on the United States transport *Newport*.

The *Indiana* arrived at Manila on December 1, and the *Newport* on December 6, 1898. The third battalion landed on December 8, and the first and second battalions on the 11th. The first battalion was stationed at "La Rosa Tobacco Warehouse;" the second battalion, with regimental headquarters, at the "Administracion de Hacienda;" and the third battalion at "Aldecoa & Co.'s godown." The first battalion was moved, on January 8, 1899, to the "Cuartel de Infanteria," the tobacco warehouse being located in the smallpox-infected district, but moved back again on the tenth, and remained there until January 25, when it was moved to "No. 73 Lunetta." This battalion lost a number of men from smallpox.

On February 4, at about ten o'clock P. M., the outpost of the regiment was attacked, and the second and third battalions, under regimental commander, moved rapidly to its support. These outposts were on the extreme left of the American lines, and were being firmly held by Captain A. G. Clarke and Lieutenant Krause with about sixty men from various companies. A sharp fire was kept up all night, and, intermittingly, until

noon of the 5th, when an advance of the entire brigade line was ordered and executed, the first battalion having in the meantime joined the command. The enemy were quickly driven back beyond two lines of entrenchments to their blockhouse, about two miles north of Manila. Here our lines fell back about 1,000 yards, but advanced, without opposition, and reoccupied the advanced point the following morning (February 6). On the 7th, Colonel Funston asked and received permission to attack the insurgent forces in his front. He immediately moved against them with four companies (B, C, E, and I), driving them from their position, with heavy loss after a sharp fight lasting about forty-five minutes.

February 10, at 3:30 P. M., orders were received to assault and take the town of Caloocan in conjunction with the First Montana Infantry and the Third U. S. Artillery (acting as infantry). The left was protected by two companies of the First Idaho Infantry, and the line reinforced by two guns each from the Sixth U. S. and Utah Light Artillery. After a half hour's shelling of the town by the fleet the advance began gradually swinging to the right. The enemy was rapidly driven through and beyond the town, where our line was halted and formed for the night. On the day following (February 11), position was taken about one-half mile beyond Caloocan church, and entrenched, where the regiment lay in the face of an almost continuous fire from the enemy until the evening of March 24, when it was moved to LaLoma church, about a mile to the southeast.

March 25, at 6:30 A. M., the advance began—the Twentieth Kansas in the center of the brigade line—the entire division gradually swinging to the left until stopped by the Tuliajan River, where the enemy was strongly entrenched on the north bank. A crossing under the enemy's fire was finally accomplished by each company of the second and third battalions in its own front, company E, under command of Captain William J. Watson, meeting with especially strong resistance. The insurgents were driven from their position with heavy loss. The entire regiment had crossed to the north bank at about nine o'clock A. M. At seven o'clock A. M. the following day (26th) the command moved forward with little resistance from the enemy. On the 27th, shortly after noon, companies II and I were called into action on the left of the road, engaging the enemy across the Marilao River. Being unable to dislodge the enemy, the regimental commander, with one platoon of Company C, crossed the river on a raft and attacked the enemy in the rear, capturing twenty-eight prisoners and rifles, in addition to a large number of killed and wounded. This platoon returned and the command moved down and crossed at the town of Marilao, where an attack by the insurgents was met and the enemy driven beyond the Santo Maria, Bigaa and Guiguinto rivers. Just north of the Guiguinto River the advance was checked by a spirited fire from the enemy. A line was formed, and, after a sharp action lasting twenty minutes, the fire of the insurgents was checked.

On March 30, at about 2:30 P. M. the advance was continued, with the first battalion in support, to the main road leading into Malolos, where, resistance being met with, the line was halted for the night. On

the 31st the regiment, on the right of the brigade, advanced on the city of Malolos. Colonel Funston, with a small detachment of Company E, pushed forward in front of the command, and was the first to enter the public square of the city, meeting but slight resistance. A line was established about one mile north of Malolos, where the command rested.

April 25, active operations were again renewed, and the Twentieth Kansas, in conjunction with the First Montana, moved against the insurgent entrenchments north of the Bagbag River. After a spirited shelling of the enemy's works by the armored train from a position one-half mile away, Company K, under command of Captain Boltwood, advanced rapidly to the river and drove the enemy from their position. On the 26th the advance was renewed until opposite the town of Calumpit. An incessant firing was maintained for the remainder of the day and a part of the 27th. It being too costly to force a passage of the river at the railroad, the regimental commander, with forty-five men from various companies, crossed the river one-fourth of a mile below the railroad bridge and attacked the enemy in the rear, driving them from their position. The remainder of the Twentieth Kansas, with the Montana regiment, crossed at the railroad bridge, and the insurgents were rapidly driven northward through the town of Apalit, where the regiment halted until May 4.

On the morning of May 4 the Twentieth Kansas and First Montana marched north along the railroad. At about nine o'clock A. M. the third battalion, leading the advance, encountered the enemy entrenched on the north bank of the Santo Tomas River, and promptly engaged them. Company H, supporting a battery of one Hotchkiss and one Gatling gun, deployed on the right of the railroad, and later Company C deployed to the right of H. Company H running out of ammunition, was relieved by Company I. Company D advanced along the line of the railroad, firing on the enemy to the left. After a sharp engagement of an hour's duration, the insurgents retreated to their entrenchments north of Santo Tomas station and made a determined stand. Companies C, D and I crossed upon the broken railroad bridge, and, reenforced by companies G and E, of the second battalion, charged the enemy and drove them from the field. The regiment rested at Santo Tomas.

On May 6 the command occupied San Fernando. On the evening of May 8 the outposts were attacked by the enemy in force, who were driven off after an hour's engagement, in which companies B, C, D, H, I and M took part. On May 24, at 8:30 A. M., the regiment moved out under the command of Major Whitman to attack the enemy north of San Fernando, the third battalion being left in reserve. The first and second battalions made a detour to the right under cover of the woods, and arrived within 150 yards of the enemy before being discovered. The first battalion, consisting of companies A, B, and L, deployed, and attacked the enemy in front. The second battalion, companies E, G, K, and M, deployed at nearly right angles with the trenches and pushed the enemy in a southerly direction along the trenches, completely routing and driving them from

the field in disorder. The first battalion followed the enemy through and beyond Bacolor.

May 25, at six o'clock A. M., General Funston, with a reconnoitering party consisting of companies D, H, and one platoon of I, and two companies of the First Montana, marched through Bacolor to Santa Rosa, engaging the enemy in a skirmish of about an hour's duration. Having accomplished the object of the movement, he returned to San Fernando at four P. M. At this hour, our outposts being threatened on the north, companies A, B, C, D, E, F, G, I, and K, sent out to reinforce, engaged the enemy and drove them north beyond Calulit our forces retiring to that point. On the morning of May 26 the outposts being attacked, companies B and F reenforced company L and drove off the enemy. Until the 16th of June the outposts were quiet, although rumors of an attack on San Fernando caused extra vigilance to be observed.

On the morning of June 16 a large body of insurgents attacked the Kansas and Montana lines, the assault extending around the city. Companies D and G were on duty at the outposts, and were promptly reenforced by companies C and H, followed shortly by the entire regiment. Companies C and E, under command of Major Bishop, moving under cover of a strip of timber, surprised a body of insurgents, and, moving by the left flank, drove them to the west and north in the greatest disorder, killing and wounding a large number. After an engagement lasting an hour the enemy retreated, having suffered a heavy loss. The forces at San Fernando were again attacked during the night of June 22, the firing beginning on the east side of the city. It was heavy for a time, but by the time it reached the Twentieth Kansas it became half-hearted and was easily repulsed.

On June 24 the first and third battalions, and on the 25th the second battalion, were returned to Manila, having been on the firing line since February 4—140 days. Those had been days of hardship and misery, beneath a tropical sun, whose intense rays beat down on the heads of the struggling lines as they fought their way forward across marshy rice-fields, through stagnant pools and over innumerable rivers, and through almost impassable bamboo jungles; it was a period of constant discomfort. Yet, with all this, every duty was cheerfully performed. The first and third battalions were quartered at the "Cuartel de Espana," and the second battalion at the "Cuartel del Fortin," where they remained, performing provost duty, until the 12th of July. On this date, companies C, D, H, and I, constituting the third battalion, were moved to Paranaque, and there reported to General Lawton, relieving a detachment of the Fourteenth U. S. Infantry. This battalion remained performing duty at this station until August 9, at which date they were marched back to Manila and assigned to the "Cuartel de Espana."

The foregoing sketch has made no reference to the losses that the regiment suffered. During those days of constant fighting the regiment suffered a loss of 3 officers and 30 enlisted men killed and 10 officers and 120 enlisted men wounded. The entire loss of the regiment by disease was 35 enlisted men. During that period on the firing line the regiment

always advanced, driving the enemy before them—never making a retrograde movement.

On the 2nd of September, 1899, the regiment embarked on the United States transport *Tartar*, and sailed out of Manila Bay on September 3, at 5:30 P. M., arriving at Hong-Kong on the morning of September 6, and remaining at this port until the afternoon of September 14. On this date the *Tartar* sailed by way of Maji and the Inland Sea to Yokohama, arriving on the evening of the 20th. On the morning of the 25th the transport sailed for San Francisco, reaching that port on the evening of October 10.

On the morning of the 11th the regiment disembarked and marched to camp at the Presidio, and on the 28th of October was mustered out and discharged from the service of the United States.

On the 3rd of November, at Topeka, a reception was extended to the members of the regiment by the people of Kansas, who came in vast numbers from all quarters of the state to do honor to the brave boys who had added a new luster to the name of Kansas.

The Twenty-first Kansas Volunteer Infantry was organized and mustered into the United States service at Topeka, Kansas, on May 12-14, 1898. As indicated by the muster-out rolls, the several companies were recruited at points indicated below:

- Company A, Great Bend, May 14, 1898.
- Company B, Garden City, Dodge City, and Larned, May 14, 1898.
- Company C, Wichita, May 12, 1898.
- Company D, Smith Center, May 14, 1898.
- Company E, Hutchinson, May 12, 1898.
- Company F, Winfield, May 13, 1898.
- Company G, Osage City, May 13, 1898.
- Company H, El Dorado, May 13, 1898.
- Company I, Hays City, May 14, 1898.
- Company K, Kingman, May 14, 1898.
- Company L, Wellington, May 14, 1898.
- Company M, Marion and McPherson, May 13, 1898.

On the 17th of May, 1898, the regiment left Topeka by rail for Lysle, Georgia, where it went into camp at Camp George H. Thomas, and remained at that station until August 25, 1898. During the time spent at this camp, the regiment was given constant and thorough military instruction, and soon became a well-disciplined body of troops: and the officers and men waited anxiously for orders that would take them into active field service. Much sickness prevailed in the regiment during this time, and the twenty deaths from disease that the regiment suffered were nearly all at this camp, and from typhoid fever.

On August 25 the regiment was moved by rail to Camp Hamilton, Kentucky, arriving there on the 26th. The regiment remained at this station until September 25, 1898, on which date it was ordered to pro-

TWENTY-FIRST KANSAS VOLUNTEER REGIMENT

The field and staff of the Twenty-first Kansas Volunteer Regiment were as follows:

FIELD AND STAFF				Remarks
Name and Rank	Residence	Date of Enrollment	Date of Muster-In	
Colonel				
Thomas G. Fitch.....	Wichita	May 14, '98.....	May 14, '98.....	Mustered in as Col.; mustered out with regt.
Lieut. Colonel				
Charles McCrum	Garnett	April 23, '98.....	May 14, '98.....	Mustered in as Lt. Col.; mustered out with regt.
Major				
Harry A. Smith.....	3th U. S. Infantry.....	April 26, '98.....	May 14, '98.....	Mustered in as Maj.; mustered out with regt.
Willis L. Brown.....	Kingman	April 27, '98.....	May 14, '98.....	Mustered in as Maj.; mustered out with regt.
First Lieut. and Adj.				
John B. Nicholson.....	Atchison	May 14, '98.....	May 14, '98.....	Mustered in as 1st Lt. and Adj.; resigned June 1, '98
Henry W. Parker.....	Leavenworth	May 14, '98.....	June 3, '98.....	Mustered in as Sergt. Maj.; pro. 1st Lt. and Adj. June 3, '98; resigned Oct. 22, '98
William W. McCarty.....	Winfield	May 3, '98.....	Oct. 24, '98.....	Mustered in as 2d Lt. Co. F; pro. 1st Lt. and Adj. Oct. 24, '98; mustered out with regt.
First Lieut. and Q. M.				
John C. Little	Columbus	May 7, '98.....	May 14, '98.....	Mustered in as 1st Lt. and Q. M.; mustered out with regt.
Major and Surg.				
Frank C. Armstrong	El Dorado	May 2, '98.....	May 14, '98.....	Mustered in as Maj. and Surg.; mustered out with regt.
Capt. and Asst. Surg.				
Thomas C. Biddle.....	Emporia	April 27, '98.....	May 14, '98.....	Mustered in as Capt. and Asst. Surg.; mustered out with regt.
Frederick W. Turner.....	Marysville	May 8, '98.....	May 14, '98.....	Mustered in as Capt. and Asst. Surg.; mustered out with regt.
Chaplain				
Wm. E. Woodward.....	Larned	May 10, '98.....	May 14, '98.....	Mustered in as Chap.; mustered out with regt.
Sergeant Major				
Parker, Henry W.....	Leavenworth	May 14, '98.....	May 14, '98.....	Mustered in as Sergt. Maj.; pro. 1st Lt. and Adj. June 3, '98
Wilson, Frank	Junction City	April 30, '98.....	May 10, '98.....	Mustered in as 1st Lt. and Adj. June 3, '98; trans. to Co. E, 21st Kan., June 4, '98; pro. Sergt. Maj. June 4, '98; red. to 1st Lt. Co. E, Nov. 12, '98
O'Connor, John H	Winfield	May 4, '98.....	May 13, '98.....	Mustered in as Q. M. Sergt. Co. F; pro. Sergt. Maj. Nov. 13, '98; mustered out with regt.
Q. M. Sergeant				
Wood, Ira N.....	Larned	May 2, '98.....	May 14, '98.....	Mustered in as Regt. Q. M. Sergt.; mustered out with regt.
Hospital Steward				
Bellowsine, Charles	El Dorado	May 5, '98.....	May 14, '98.....	Mustered in as Hosp. Stew.; mustered out with regt.
McKenzie, Jay A.....	El Dorado	May 14, '98.....	May 14, '98.....	Mustered in as Hosp. Stew.; mustered out with regt.
Spencer, Herbert	Lawrence	May 11, '98.....	May 14, '98.....	Mustered in as Hosp. Stew.; on detached duty; disc. Dec. 13, '98

ceed to Fort Leavenworth, Kansas, preparatory to the muster-out of the regiment.

Arrived at Fort Leavenworth September 27, and immediately went into camp. On the succeeding day the regiment was furloughed for thirty days. This furlough was extended to November 10, 1898.

The regiment was mustered out and discharged from the United States service on December 10, 1898.

This regiment was made up of sturdy material, well officered, and it is a source of regret to officers and men that they were not given an opportunity to demonstrate their efficiency in the field.

The companies constituting the Twenty-second Kansas Volunteer Infantry were made up from the local county and the counties adjacent to the several recruiting stations designated below:

- Company A, at Parsons.
- Company B, at Concordia.
- Company C, at Beloit.
- Company D, at Holton.
- Company E, at Emporia.
- Company F, at Columbus.
- Company G, at Norton.
- Company H, at Emporia.¹
- Company I, at Clay Center.
- Company K, at Seneca.
- Company L, at Atchison.
- Company M, at Blue Rapids.²

Immediately after organization the various companies proceeded by rail to Topeka and went into quarters at Camp Leedy, where the men of each company were re-examined and mustered into the service of the United States, on the several dates from May 11 to 17, inclusive, for a period of two years, unless sooner discharged.

The regiment remained at Camp Leedy until May 25, when it broke camp and proceeded by the Missouri Pacific and Baltimore & Ohio railways to Camp Alger, Virginia, where it arrived May 28. While at Camp Alger the War Department directed the regiment to be recruited to a maximum of 106 enlisted men to each company. For this purpose a limited number of officers were obtained to fill the regiment to its maximum strength of 1,272 enlisted men.

After a little more than two months of incessant drill and other military instruction necessary to fit recruits for active service in the field, the regiment marched from Camp Alger to Thoroughfare, Virginia, a distance of about fifty miles, camping by way at Burke's Sta-

¹ Company H was known as the "College Company," and was made up of students of the State Normal School, the State University, and the State Agricultural College and Washburn College.

² A majority of Company M were from Manhattan.

TWENTY-SECOND KANSAS VOLUNTEER REGIMENT

The field and staff of the Twenty-second Kansas Volunteer Regiment were as follows:

FIELD AND STAFF

Name and Rank	Residence	Date of Enrollment	Date of Muster-In	Remarks
Colonel				
Henry C. Lindsey	Topeka	May 17, '98	May 17, '98	Mustered in as Col.; mustered out with regt
Lieutenant Colonel				
James Graham	St. Mary's	May 17, '98	May 17, '98	Mustered in as Lt. Col.; mustered out with regt
Major				
Alexander M. Harvey	Topeka	May 17, '98	May 17, '98	Mustered in as Maj.; mustered out with regt.
Chase Porter	Topeka	May 18, '98	May 18, '98	Mustered in as Maj.; mustered out with regt
First Lieut. and Adj.				
Clay Allen	Erie	May 17, '98	May 17, '98	Mustered in as Adj.; mustered out with regt.
First Lieut. and Q. M.				
Henry A. Lamb	Parsons	May 17, '98	May 17, '98	Mustered in as Q. M.; died of dis. at Washington, D. C., Aug. 25, '98
Charles Lindsey	Topeka	May 11, '98	Sept. 3, '98	Mustered in as Regt. Q. M. Sergt.; pro. 1st Lt. and Asst. Surg. July 15, '98; mustered out with regt.
Major and Surgeon				
Josephus P. Stewart	Clay Center	May 17, '98	May 17, '98	Mustered in as Maj. and Surg.; mustered out with regt.
Capt. and Asst. Surg.				
Louis C. Duncan	Meriden	May 17, '98	May 17, '98	Mustered in as Capt. and Asst. Surg.; mustered out with regt.
1st Lt. and Asst. Surg.				
Waldimir de Niehman	Pittsburg	May 17, '98	May 17, '98	Mustered in as 1st Lt. and Asst. Surg.; pro. Maj. and Brig. Surg. July 15, '98
Frank H. Martin	Topeka	May 17, '98	July 16, '98	Mustered in as Hosp. Stew.; pro. 1st Lt. and Asst. Surg. July 16, '98; mustered out with regt.
Chaplain				
Valeha H. Biddison	St. Mary's	May 17, '98	May 17, '98	Mustered in as Chap.; mustered out with regt.
Sergeant Major				
Petara, Samuel H.	Manhattan	May 17, '98	May 17, '98	Mustered in as Sergt. Maj.; mustered out with regt.
Q. M. Sergeant				
Lindsey, Charles	Topeka	May 11, '98	May 17, '98	Mustered in as Regt. Q. M. Sergt.; pro. Q. M. Sergt. 3, '98
Streeter, Herbert C.	Topeka	May 17, '98	May 17, '98	Enrolled priv. Co. 1; pro. Q. M. Sergt. Sept. 6, '98; mustered out with regt.
Chief Musician				
Lidourance, Thurlow W.	Cherryvale	May 17, '98	May 17, '98	Mustered in as chief music.; mustered out with regt.
Principal Musician				
Moss, John A., Jr.	Winfield	May 3, '98	May 17, '98	Mustered in as prin. music.; mustered out with regt.
Carroll, Charles L.	Owego	May 17, '98	May 17, '98	Mustered in as prin. music.; mustered out with regt.
Hospital Steward				
Martin, Frank H.	Topeka	May 17, '98	May 17, '98	Mustered in as Hosp. Stew.; pro. 1st Lt. and Asst. Surg.; July 16, '98
Bohl, J. Wilkes	Topeka	May 17, '98	May 17, '98	Mustered in as Hosp. Stew.; mustered out with regt.
Latta, J. Crawford	Clay Center	June 15, '98	June 15, '98	Mustered in as Hosp. Stew.; mustered out with regt.

Hosp. Stew. Aug. 1, '98; mustered out with regt.

tion, Bull Run, and Bristow, arriving at Thoroughfare on August 9.

On August 27 the regiment was again moved, by rail, to Camp Meade, near Middletown, Pa., and on September 9, from thence to Fort Leavenworth, Kansas.

At Fort Leavenworth the regiment was furloughed for thirty days, preparatory to being mustered out of the service. The regiment was mustered out and discharged on November 3, 1898.

The Twenty-second Kansas was composed largely of farmers' sons, with a liberal percentage of young men from the various institutions of learning of the state. With such material, had the exigencies of the service called the regiment to the field, its record would not have discredited the fair name of the state it represented.

The Twenty-third Kansas Volunteer Infantry was a two-battalion organization, of eight companies, and was composed entirely of colored men. Lieut.-Colonel James Beck commanded the regiment during its term of service. The membership was well scattered through the towns in the eastern part of the state. A majority of each company was recruited in the vicinity of the towns specified below; the date given is the date of the muster-in of each company:

Company A, Topeka, July 2, 1898.

Company B, Lawrence, July 5, 1898.

Company C, Kansas City, Kan., July 9, 1898.

Company D, Fort Scott, July 9, 1898.

Company E, Wichita, July 14, 1898.

Company F, Parsons, Coffeyville, and Fort Scott, July 16, 1898.

Company G, Kansas City, Kan., July 16, 1898.

Company H, Atchison, July 19, 1898.

The regiment broke camp at Topeka on August 22, 1898, and proceeded to New York by rail.

It sailed from New York on August 25, on the steamer *Vigilancia* for Santiago, Cuba, arriving there August 31, 1898. The regiment proceeded immediately by rail to San Luis, reaching that point on September 1. Hostilities having ceased, the duties which devolved upon the regiment, though arduous, were of a peaceful character. Excellent discipline was maintained and all duties were cheerfully and faithfully performed.

The regiment camped in the vicinity of San Luis until February 28, 1899, when it proceeded by rail to Santiago, where it embarked on the steamer *Minnewaska*, on March 1, 1899, and sailed for Newport News, Virginia, arriving there March 5, 1899.

On March 6 the regiment proceeded by rail to Fort Leavenworth, Kansas, reaching that point on the 10th of same month. The regiment was mustered out on April 10, 1899.

The Twenty-third Kansas was an organization that soon became thoroughly drilled and maintained at all times excellent discipline. The

TWENTY-THIRD KANSAS VOLUNTEER REGIMENT

The field and staff of the Twenty-third Kansas Volunteer Regiment were as follows:

FIELD AND STAFF				
Name and Rank	Residence	Date of Enrollment	Date of Muster-In	Remarks
Lieutenant Colonel				
James Beck	Manhattan	June 27, '98	July 14, '98	Commissioned Maj. June 27, '98; mustered in as Lt. Col.; mustered out with regt.
Major				
John M. Brown	Topeka	June 28, '98	July 15, '98	Mustered in as Maj.; mustered out with regt.
George W. Ford	Fort Scott	July 15, '98	July 15, '98	Mustered in as Maj.; mustered out with regt.
2d Lieut. and Adj.				
Samuel T. Jones	Kansas City, Kan.	July 2, '98	July 9, '98	Mustered in as 2d Lt. Co. C; detailed Batt. Adj. July 15, '98; appointed acting Regt. Adj. July 27, '98; mustered out with regt.
2d Lieut. and Q. M.				
Frederick M. Stone	Lawrence	June 28, '98	July 5, '98	Mustered in as 2d Lt. Co. B; detailed Batt. Q. M. July 12, '98; appointed acting Regt. Q. M. July 20, '98; mustered out with regt.
1st Lt. and Asst. Surg.				
Charles S. Sunday	Topeka	June 27, '98	June 27, '98	Mustered in as 1st Lt. and Asst. Surg.; honorably disc. Dec. 24, '98
Fred'k D. G. Harrey	Kansas City, Kan.	June 28, '98	June 28, '98	Mustered in as 1st Lt. and Asst. Surg.; honorably disc. Dec. 24, '98
Sergeant Major				
Jones, Theophilus T.	Topeka	July 2, '98	July 19, '98	Mustered in as Sergt. Co. H; pro. Sergt. Maj. Oct. 3, '98; mustered out with regt.
Q. M. Sergeant				
Harris, Arthur C.	Topeka	July 2, '98	July 2, '98	Mustered in as Q. M. Sergt. Co. A; red. in rts. Aug. 20, '98; pro. Sergt. Sept. 6, '98; pro. Regt. Q. M. Sergt. Oct. 12, '98; mustered out with regt.
Hospital Steward				
White, James F.	Topeka	July 18, '98	July 18, '98	Mustered in as Hosp. Stew.; mustered out with regt.
Paterman, Robert P.	Kansas City, Kan.	July 2, '98	July 9, '98	Mustered in as Sergt. Co. C; pro. Hosp. Stew. Aug. 8, '98; mustered out with regt.

officers were all men of intelligence, and the enlisted men obedient and prompt in the performance of all duties required of them, and the regiment received the commendation of the officers under whose command it served. The state of Kansas may be well proud of the record of the Twenty-third Kansas.

SPECIAL ARTICLES

THE LECOMPTON MOVEMENT

BY RALPH R. PRICE

The Kansas-Nebraska Bill gave to the new territory of Kansas more notoriety than any other territory that has ever been organized. The territorial struggle of "bleeding Kansas" kept the name prominently before the eyes of the nation. The bountiful crops of sunny Kansas have become known throughout the world. Prairie fires and blizzards, drouths and floods and grasshoppers, boom-times and hard-times have each in turn advertised Kansas. Kansas sent more soldiers to the Union army than she had voters when Sumter fell. A larger per cent of her citizens joined the Union army than of any other state or territory. After the Civil war, Kansas became distinctly the soldier state of the Union.

Kansans believe they are of a superior race—a select people. The Puritans sought the new world to gain privileges for themselves; but the Kansans were missionaries—crusaders who conquered both nature and the pro-slavery powers in order to give to the world a new, free commonwealth. Kansans feel that they have a reputation to uphold wherever they may go.

In short, Kansas has been more advertised than any other state that ever entered the Union. She also had more constitutions than any other territory that ever sought statehood. Verily her struggle "to the stars" was "through difficulties." The slave-holding interests regarded Kansas as the last possible chance they would ever have of gaining one more slave state to counterbalance California which had given to freedom a majority of one state in the United States Senate.

From many points of view, the most important phase of the struggle over the admission of Kansas to statehood was the contest waged both in Congress and in Kansas over the notorious Lecompton constitution. In order clearly to understand this Lecompton movement, we need to recall certain pertinent preceding facts in our national history.

We recall the acrimonious contest over the annexation of Texas; and when we note the significant fact that the admission of Texas gave the slave power a majority of two states in the United States Senate, together with the fact that Texas was the last slave-state ever admitted, we appreciate more clearly the reason for the contest over its admission. This was in 1845. Then came the admission of Iowa in 1846, and of Wisconsin in 1848. The two sections were now equally balanced. The admission of California in the Compromise of 1850 gave the free North a majority of one, for the first time since the Missouri Compromise of 1820.

Kansas was the next territory to apply for statehood. If admitted as

a slave state, the balance in the United States Senate would be held equal, and the southern minority would here still have a check on what they chose to call "the tyranny of the [northern] majority." The South felt that they must have Kansas in order to protect themselves in the United States Senate. Moreover, the southern boundary of Kansas is farther south than any other free state, while the northern boundary of Kansas is almost identical with the original Mason and Dixon line. Hence, the South thought that Kansas should of right be theirs. On the other hand, Douglas believed that slavery would never flourish in Kansas sufficiently to make Kansas a slave state.

Kansas was organized as a territory by the famous Kansas-Nebraska Bill, which became law by the signature of President Franklin Pierce on May 30, 1854. Stephen A. Douglas is the one man who, more than any other, secured the passage of this bill. His home was in Chicago, Illinois. For years he had wished to convert the western Indian country into an organized territory in order to induce settlers to move into this promising region, and thus build up the great Northwest. More recently he had come to desire specifically to secure the organization of this territory in order to promote the building of a railroad from Chicago to the Pacific. The most important rival for this Pacific road was a group of shrewd southern men, of whom Jefferson Davis was a leader. These men wished a southern road, built in part at national expense. The promoters of this southern route had won a marked victory in securing the annexation of Texas in 1845. They won again in securing the organization of the Territory of New Mexico in 1850, together with the admission of California to statehood. The climax of their victories from the standpoint of their railroad scheme was the Gadsden Purchase, in 1853. Thus by 1854 they had secured a very desirable route through a region already organized into states and territories.

In order to secure the consideration of a railroad from Chicago west to the Pacific, Douglas must first transform into an organized territory the vast Nebraska region, now occupied by Indians, but through which his road was to be built. Moreover, since the Gadsden Purchase of 1853, it was evident that there was need of haste in organizing this northern territory or the southern road would soon be built. The chief opposition came from the South. This was partly because of the South's own railroad plans. Chiefly, however, the South opposed the organization of this northern Nebraska Territory because to organize this territory would be the first step toward the admission to statehood of a region forever devoted to freedom by the Missouri Compromise of 1820.

Certain southern statesmen, chief of whom were Jefferson Davis and Senator David R. Atchison, of Missouri, made it clear to Douglas that they would never agree to the organization of this Louisiana Territory north of 36° 30' unless the Missouri Compromise were repealed, and this territory opened to popular sovereignty. Now it happens that Senator Douglas thoroughly believed in the principle of popular sovereignty. He had a westerner's confidence in the ability of the people to decide their own questions for themselves. He believed this was a sound principle of

popular, democratic government. As a matter of fact, he believed slavery to be forever excluded from Kansas by the law of nature, and in this events proved him to be right. Moreover, this was the very principle that had been applied in New Mexico and Utah, the last territories to be organized. In fact, Douglas had himself written the popular sovereignty clauses in the bills that organized these latest territories. He now incorporated the very same clause in the Kansas and Nebraska bills. The Compromise of 1850 had been quite universally accepted. It had allayed the slavery storm—had taken this vexatious slavery question out of national politics and had relegated it as a mere local issue to be settled by the people in New Mexico and Utah, where it had actually worked for the interests of freedom. Why should not the same clause work likewise in Kansas?

It has been asserted that Douglas was looking to the presidency. He was, and justly so. In-so-far as this fact entered into the Kansas-Nebraska Bill, he thought the principle of popular sovereignty would eliminate from national politics a vexatious and troublesome issue, and would transform slavery into a merely local issue with which a candidate for President would not need to concern himself. Otherwise, he must face this issue in his national activities, including his race for the presidency. The one interesting fact that the free-state settlers of Lawrence, Kansas, named their county Douglas would at least suggest a refutation of the charge that Douglas became the special champion of slavery.

He repeatedly declared that personally he did not care whether slavery were voted up or voted down in Kansas. We recall that while Douglas was a New Englander by birth, he was a westerner by education, and a southerner by annexation—he had married a southern woman who fell heir to a large number of slaves. Moreover, Douglas represented a state that was divided on the question of slavery, the state where Senator Thomas, author of the Missouri Compromise, had lived. Once more we recall Douglas' conviction that slavery was really excluded from Kansas by the law of nature—that by a fair application of the principle of popular sovereignty this territory would never become a slave state. In this he was right. Few slaves ever came to Kansas. To apply the principle of popular sovereignty here would be to give the South every chance they could ask, while the ultimate victory would be with the North.

Thus it happened that Douglas acceded to the southern demands, repealed the Missouri Compromise, and organized the territories of Kansas and Nebraska on the principle of popular sovereignty. But Kansas was not left to a natural growth, nor a fair application of the principle of popular sovereignty. The North at once started a crusade "to make the West . . . the homestead of the free." And, as already noted, this was the "last ditch" for the slave forces. Here they made their last stand. They recognized a state of war, and used every means to secure a victory.

In the first election held in the new Territory of Kansas, and again in the second, the slave interests used notoriously fraudulent methods to

carry the elections, and thereby gained control of the new territorial government. In the first election, held November 29, 1854, for the election of a delegate to Congress, John W. Whitfield, the pro-slavery candidate was elected by a vote of 2,258 out of a total vote of 2,833; but it was estimated that 1,729 of the votes cast for him were fraudulent. So, in the election of the Legislature, March 30, 1855, pro-slavery hordes came over the border from Missouri, and out of a total vote of 6,307 the pro-slavery party cast 5,427, and of these it was estimated that 4,908 were illegal. Thus popular sovereignty was utterly discredited, for this fraudulently elected government in Kansas was recognized and supported by the National Government. Under these circumstances, in order to free themselves from the fraudulent pro-slavery dominance, the free-state settlers in Kansas determined to prepare a constitution and apply for statehood without waiting for the usual enabling act from Congress. This movement was led by Dr. Charles Robinson, who had participated in a similar movement in California after the inrush there of the "Forty-niners." The result was the Topeka constitution. This was, of course, the act of the free-state people alone, and was without any formal, legal sanction. Nevertheless, when sent to Congress, the House of Representatives was willing to accept this Topeka constitution, thus admitting Kansas to statehood, but the Senate rejected it. The next step in preparing a constitution for Kansas was taken by the pro-slavery party, and is known as the Lecompton movement.

After the fraudulent election of the first legislature in October of 1855, the free-state party had refused to take part in the election of the second legislature, in October of 1856. This legislature, thus controlled by slave interests, now determined to call a convention to frame a state constitution. Governor Geary vetoed the measure, but it was passed over his veto. The persistent action of the pro-slavery faction finally led to the governor's resignation, March 4, 1857, the day on which President Buchanan was inaugurated. The new President appointed Robert J. Walker, of Mississippi, as governor, and Frederick P. Stanton, of Tennessee, as secretary of Kansas. Walker was a man of unusual ability, fearless, and fair minded. He had served as United States senator, and had been secretary of the treasury under Polk. Before accepting the arduous task of governor of Kansas, he had secured the positive assurance from President Buchanan that any constitution prepared in Kansas should be fully submitted to the people of the territory for a fair vote.

The election of delegates to the Lecompton convention was held June 15, 1857. Though Governor Walker urged all to participate in this election, the free-state men still refrained from voting; so that out of the very defective registration of 9,251 voters, not more than 2,200 cast their ballots. This vote revealed the fact that the free-state men were now in a clear majority in the territory, and that hereafter they would certainly control any election that might be fairly held.

The election of the next legislature occurred October 5th and 6th of this same year, 1857. Governor Walker gave his positive assurance that this election should be fairly conducted, and both parties now took part,

with the result that a free-state majority was elected to each house of the new legislature. Meanwhile, the convention had assembled at Lecompton in September, but had adjourned till after this election. They now re-assembled on October 19th, and continued in session till November 7th, conscious of the fact that they did not at all represent the majority of the voters now in the territory.

The constitution produced by this convention raised a storm of protest both in Kansas and in the nation at large, but especially in the national Congress. It provided for the return of fugitive slaves by the civil officers of the proposed state. The twenty-third section of the bill of rights read, "Free negroes shall not be permitted to live in this State under any circumstances." We note that this is almost identical with the objectionable section in Missouri's constitution of 1820. The seventh article of the Lecompton constitution was entirely devoted to the subject of slavery. It provided that "The right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same, and as inviolable as the right of the owner of any property whatever." In the second section it provided that "The legislature shall have no power to pass laws for the emancipation of slaves without the consent of the owners, or without paying the owners previous to their emancipation a full equivalent in money for the slaves so emancipated. They shall have no power to prevent emigrants to the State from bringing with them such persons as are deemed slaves by the laws of any one of the United States or Territories, so long as any person of the same age or description shall be continued in slavery by the laws of this State." Section three provides that "In the prosecution of slaves for crimes of higher grade than petit larceny, the legislature shall have no power to deprive them of an impartial trial by a petit jury." Section four reads, "Any person who shall maliciously dismember or deprive a slave of life shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person, and on the like proof, except in case of insurrection of such slave."

The Lecompton convention, before it adjourned, provided that the vote on this constitution should be taken December 21, 1857. It further provided that at this election "The constitution framed by this convention shall be submitted to all the white male inhabitants of the territory of Kansas in the said Territory upon that day, and over the age of twenty-one years, for ratification or rejection, in the following manner and form: The voting shall be by ballot. The ballots cast at said election shall be endorsed, 'Constitution with slavery,' and 'Constitution with no slavery.' " It further provided that "If upon examination of the poll-books, it shall appear that a majority of the legal votes cast at said election be in favor of the 'Constitution with no slavery,' then the article providing for slavery shall be stricken from this constitution by the president of this convention, and slavery shall no longer exist in the State of Kansas, except that the right of property in slaves now in this Territory shall in no manner be interfered with." It should be noted that

the clause providing for the return of fugitive slaves and the clause excluding free negroes from the state were not "in the article providing for slavery." Moreover, the constitution was not to be amended until "after the year one thousand eight hundred and sixty four."

Under the rule provided by the Lecompton convention, there was no legal method of voting against the entire constitution, therefore the free-state party refused to vote at the election on December 21, 1857. At this election, 6,226 votes were cast for the constitution with slavery, and 569 for the constitution without slavery. Of those for slavery, it is now known that 2,720 were fraudulent. This leaves but 3,506 legal votes for this constitution with its slavery provisions.

Meanwhile, Governor Walker went to Washington to protest to the President against the action of the convention in refusing to submit the whole constitution to the people for a fair vote. He now found the President opposed to him, and hence he resigned. The significant fact may here be noted that every governor had come out to Kansas rather inclined to favor the pro-slavery party, but every one of them had been driven to oppose the slave element after coming into contact with the actual conditions in the territory.

After Governor Walker left the territory, Secretary Stanton called a special session of the newly elected legislature, in which, it will be remembered, the free-state party had a clear and rightful majority. This legislature now called a special election for January 4, 1858, at which the Lecompton constitution was to be submitted to the people for a free vote for or against the whole document. At this election, the pro-slavery party, in turn, refrained from voting. There were 10,226 votes cast against the constitution, and 162 in its favor. In other words, there had now been 3,506 legal votes cast for this constitution with slavery, and 10,226 against the whole constitution. Evidently the people of Kansas did not want this constitution. In the face of all this, on February 2nd President Buchanan sent this constitution to Congress with the recommendation that Kansas be admitted to statehood under it.

Concerning the whole Lecompton movement, the historian Rhodes says: "It was a shallow and wicked performance, worthy perhaps of a border-ruffian convention, representing only 2,200 voters; but it is astounding when we know there is reason to believe that the plan emanated from Southern politicians of high position at Washington."

These Southern politicians, together with President Buchanan, seem originally to have been willing that the whole constitution to be framed in Kansas should be fairly submitted to the voters of that territory. But when they learned that by the refusal of the free-state men to take part in the election, a pro-slavery constitutional convention had been elected these wiley Southern politicians evolved the scheme of having this convention not only make but also promulgate the constitution for the new state without submitting it to any popular vote, and they seem to have won the President over to their scheme body and soul. When these pro-slavery delegates, at this rump convention spoke for "a community which was overwhelmingly in favor of a free state

. . . they were obedient to the instructions which had been brought to them from Washington." Buchanan probably did not originate this scheme, but rather fell a victim of the schemers. Lewis Cass, Buchanan's secretary of state, did not approve the Lecompton scheme, but he did not come out openly and oppose it.

In contrast to both Buchanan and Cass, we have the heroic and positive stand of Stephen A. Douglas, who was a recognized leader of the strong Democratic party which was then in power at Washington. Well does the historian Rhodes say of him that no Democrat but one of rare courage and indomitable energy would have set himself in opposition to this party at this time. As soon as Douglas learned of the Lecompton scheme he immediately let it be known that he would definitely oppose the move. He hastened to Washington, where in a stormy scene he definitely broke with the President, though of his own political party. On December 9th, after the President had sent his message to Congress, suggesting the admission of Kansas under the Lecompton constitution, Senator Douglas made a definite and outstanding speech against this movement. In this speech he said that the Lecompton convention had declared "All men in favor of the constitution may vote for it—all men against it shall not vote at all. Why not let them vote against it?" he continued, "I have asked a very large number of the gentlemen who framed the constitution, quite a number of delegates, and a still larger number of persons who are their friends, and I have received the same answer from every one of them. . . . They say if they allowed a negative vote, the constitution would have been voted down by an overwhelming majority, and hence the fellows shall not be allowed to vote at all." Again he declared: "If Kansas wants a slave-State constitution, she has a right to it; if she wants a free-State constitution, she has a right to it. It is none of my business which way the slavery clause is decided. I care not whether it is voted down or voted up." He did, however, insist most decidedly that the people's wish should be freely and fairly applied in Kansas. He declared the Lecompton scheme to be "a trick, a fraud upon the rights of the people." The break between Douglas and the President was complete.

On the 2nd of February President Buchanan sent to Congress the Lecompton constitution with the positive recommendation that Kansas be admitted under that organic act. The historian Rhodes keenly summarizes the message in these words: "It is determined by the slavery propaganda that Kansas shall be a slave State. There is now one more free than slave State in the union, and Kansas is needed to restore the equilibrium. To make it a slave State by fair means is impossible. We have now a chance to make it one under the color of law, and this opportunity we are going to use to the best of our ability." The struggle between the President and Douglas, between the administration forces who were trying to force the Lecompton constitution on Kansas, and the anti-slavery men who were trying to defeat this fraudulent scheme, now engrossed the attention of both houses of Congress. In the debate on the bill, "the argument on one side was bare technicality, and on

the other, justice." The excitement over this question at Washington was very great. The political atmosphere was highly charged. Congressmen even came to blows over the issue. The administration used every possible means to defeat Douglas and secure the admission of Kansas under this constitution.

The United States Senate, on the 23rd of March, by a vote of 33 to 25, passed a bill to admit Kansas under the Lecompton constitution. The House, on the other hand, on April 1st, by a vote of 120 to 112, provided that the constitution should be submitted once more to the people of Kansas for a popular vote; if accepted, that Kansas should be admitted accordingly; but if rejected, that a new territorial convention should be called to frame another constitution. The two houses were in a deadlock. On request of the Senate, a conference committee was appointed. On April 23rd, this committee, through its chairman, William H. English, reported a new bill, known as the English bill.

Senator Douglas, after some hesitancy, took a definite stand in opposition to this bill, but it was passed by a close vote in each house of Congress. This act has been called the "English Swindle," and "Lecompton, Junior." It has been spoken of as "a bribe and a threat." A modern historian of good repute states that: "The measure offered Kansas a large grant of government lands, and provided that the proposition should be voted on by the people of Kansas. If a majority voted for acceptance, Kansas should be admitted into the Union under the Lecompton constitution by proclamation of the President. If the people rejected the offer, then the territory could not be admitted as a State until its population reached the number required for a representative. It was in effect a bribe of land to induce the people to accept the Lecompton Constitution."

The time has come when the simple truth with regard to this much maligned English bill should be fairly stated. By this act Congress did submit the Lecompton constitution to the people of Kansas for a fair vote. At the same time it proposed a new land ordinance. These two propositions were inseparably combined, the ballots reading either "For proposition of Congress and admission," or, "Against proposition of Congress and admission." This English bill also provided the only enabling act that Kansas ever had. This is the part that has been referred to as "a threat." It was couched in the following language, "Should the majority of votes be cast for 'proposition rejected,' it shall be deemed and held that the people of Kansas do not desire admission into the Union with said Constitution, under the conditions set forth in said proposition; and in that event the people of said Territory are hereby authorized and empowered to form for themselves a Constitution and State Government, by the name of the State of Kansas, according to the Federal Constitution, and may elect delegates for that purpose whenever, and not before, it is ascertained, by a census duly and legally taken, that the population of said Territory equals the ratio of representation required for a Member of the House of Representatives of the United States." It is not clear that a territory which has a smaller population

than that required for each representative in the National Congress should be admitted to statehood with two senators and one representative without some very unusual excuse. As a matter of fact, the congressional ratio at this time was 93,243, and in less than two years the population of Kansas was 107,206. Therefore, the "threat" as to population contained in the English bill was not very serious. It must be remembered that the question of slavery or freedom in Kansas had by this time been decided in favor of freedom. It was now a question whether Kansas should remain a territory till she had the population usually and fairly required for statehood.

As to the charge of bribery in the proposed land ordinance, a rather full statement, with some comparisons, should be carefully made and considered before judgment is passed. As a matter of fact, the land provisions in the English bill are essentially identical with the provisions of the act under which Kansas was finally admitted to the Union, the one being phrased throughout in almost the identical words of the other. In each of them, Kansas was to be given "sections numbered sixteen and thirty-six in every township of public lands in the State for the use of schools," "seventy-two sections of land for a State University," "ten sections . . . for public buildings," "all salt springs within the said State, not exceeding twelve in number, with six sections of land adjoining or as contiguous as may be to each," [granted to the state, "for its use"], and five per cent of public lands lying within the state, sold by Congress, "shall be paid to the State for the purpose of making public roads and internal improvements, [here the act admitting Kansas in 1861 added the clause "or for other purposes,"] as the Legislature shall direct." The Lecompton convention had asked for the seventy-two sections for the state university, as granted in the English bill. It had asked for the five per cent from the sale of public lands, but had specified that two-thirds of the sum should be devoted to aiding in the building of railroads within the state and the "residue for the support of common schools." The convention had asked for "all valuable mines, together with all the lands necessary to their full occupation and use," in addition to the salt springs and adjoining lands. The latter only were to be granted under the English bill. It had asked for sections eight, sixteen, twenty-four, and thirty-six for common schools. The English bill reduced this by one-half. Finally, the said Lecompton convention had asked "That each alternate section of land now owned, or which may hereafter be acquired by the United States, for twelve miles on each side of a railroad to be established or located from some point on the northern boundary of the State, leading southerly through said State in the direction of the Gulf of Mexico, and on each side of a railroad to be located and established from some point on the Missouri river westwardly through said State in the direction of the Pacific ocean, shall be reserved and conveyed to said State of Kansas for the purpose of aiding in the construction of said railroad." Note that the English "bribe" did not grant any of this. The fact is that the English bill greatly reduced the amount of land asked for by the Lecompton convention, and offered

Kansas just what she finally received, when admitted to the Union in 1861.

The one item contained in the English bill that had not been asked for by the Lecompton convention was the ten sections of land for public buildings. In this connection it may be noted that the Wyandotte convention asked for thirty-six sections for public buildings, and that the state actually received ten sections for this purpose.

The vote under the English bill was taken in Kansas on August 2, 1858. At this election, 11,300 votes were cast "Against proposition of Congress and admission," and only 1,788 "For proposition of Congress and admission." Thus ended the attempt to force the Lecompton constitution on the people of Kansas contrary to their wish and conviction. This vote "effectually determined that slavery should not exist in Kansas." In fact, it practically determined that slavery should not exist even in the Territory of Kansas, for according to the census of 1860 there were only two slaves in the territory by that date.

Professor John W. Burgess, in a closing paragraph of his scholarly work, *The Middle Period*, referring to this Kansas struggle, says: "With the rejection of the Lecompton constitution by the people of Kansas, on August 2nd, the struggle for Kansas was closed. It was to be a non-slaveholding Commonwealth and a Republican Commonwealth. The record of this struggle is certainly one of the most remarkable chapters in the history of the United States. . . . The prudence, moderation, tact and bravery of Dr. Robinson and his friends have rarely been excelled by the statesmen and diplomats of the New World or the Old."

While the Lecompton movement was still in progress, the new free-state Kansas legislature, which had convened at Lecompton January 4, 1858, and had promptly adjourned to Lawrence, passed an act on February 10th calling a third constitutional convention for Kansas. The election for delegates was held March 9th, and the convention assembled at Minneola, in Franklin County, March 23rd. It soon adjourned to Leavenworth, where it prepared a free-state constitution, which was submitted to the people on May 18th, and received about 3,000 votes in its favor. It was sent to Congress, but never voted on by either house.

The fourth, and last, convention to frame a constitution for Kansas assembled at Wyandotte July 5, 1859. Governor Medary had, on March 7th, issued a proclamation, calling an election "for or against holding a constitutional convention." The vote on this question, taken March 28th, resulted in a total of 5,306 for a constitution and 1,425 against a constitution. At the election for delegates to this convention, held June 7th, thirty-five Republican and seventeen Democratic delegates were chosen. Not a single member of this convention was born in Missouri, but fourteen of them were born in Ohio. The constitution prepared by this body was modeled closely after that of Ohio. In the election held October 4, 1859, there were 10,421 votes cast for this constitution, and 5,530 against it.

An examination of the census of 1860 reveals some interesting facts

concerning the population of Kansas at this date. Out of a total population of 107,206, we find that while 65,914 were born in free states, only 27,368 were born in slave states, and that 12,691 were foreign born. There were at this time 625 free colored people and two slaves in the territory. An examination of the states whence these Kansans came reveals the fact that 11,356 came from Missouri, and 6,556 from Kentucky, while 11,617 came from Ohio, 6,463 from Pennsylvania, 9,945 from Indiana, 9,367 from Illinois, 6,331 from New York, and 3,208 from all New England.

It will be recalled that the split in the Democratic party, caused largely by the breach between Douglas and Buchanan over the Lecompton movement, resulted in victory for the new Republican party in the election of Lincoln to the presidency in 1860, which, in turn, precipitated secession and the Civil War. Now, the Wyandotte constitution, though promptly sent to Congress, and accepted by the House of Representatives, could not secure passage through the United States Senate until, on the 21st of January, when Jefferson Davis and other Southern senators withdrew from the Senate to go with their seceding states out of the Union. On this day, William H. Seward called up in the Senate the bill for the admission of Kansas, and it was promptly passed. It was then re-passed by the House of Representatives, which had already passed it in the preceding Congress. The bill was signed by President Buchanan on January 29th, 1861, thus finally admitting the State of Kansas "to the stars," though it had been "through difficulties." Dr. Charles Robinson was inaugurated as governor of the new state on February 9, 1861. On this same day Jefferson Davis was elected president of the Confederate States of America by the Montgomery convention. Thus verily the war begun in Kansas was extended to the whole nation. In this war, Kansas, in turn, did her full share.

KANSAS LAWS AND THEIR ORIGIN

BY HON. ROBERT STONE, OF THE TOPEKA BAR

The beginnings of a government are an interesting study. The story of Kansas and her constitutions is a novel that grips and holds you to the end. You see the dusty throngs gathering to hear Lincoln and Douglas debate squatter sovereignty. You hear the whispered conspiracy of the Washington politicians planning the betrayal of Kansas and Nebraska. You hear the stentorian challenge of Seward when the bill is passed in the Senate.

Then the friends of freedom step upon the stage and the pioneers of New England mingle with those of New York, Pennsylvania, Ohio, Indiana and Illinois, crowding the trains and steamboats and filling the dusty highways with prairie schooners on their way to Kansas. Other settlers arrive from south of the Mason and Dixon line. Every town and village along the eastern border of the territory becomes a wayside stopping place for all sorts and conditions of men on their way to Kansas. Some come to make homes; others to seek adventure; all contribute in one way or

another to the pioneer life and activity of the new country. Tents are pitched, log cabins and sod houses are built; fields are broken and planted; towns are platted; conventions are held. A new state is breaking into history.

Before the final admission of Kansas into the Union four constitutions were drafted and submitted to its voters.

The Topeka Constitution, drawn in 1855, was the palladium of free government around which the free-state men rallied for three years of bloody contest. It was christened their "Blood Stained Banner."

The Lecompton Constitution, drawn in 1857, was the instrument by which the pro-slavery advocates intended to permanently fasten slavery upon the real settlers of Kansas. It proved to be a rock on which the democratic party was split asunder and the election of Lincoln made possible.

The Leavenworth Constitution, drawn in 1858, was used as a counter to prevent the passage of the Lecompton Constitution. Its purpose was accomplished when the latter was defeated.

The Wyandotte Constitution, drawn in 1859, is the beneficent instrument under which Kansas was admitted and its people have enjoyed such happiness and prosperity.

From these fundamental instruments Kansas drew her laws. Upon them she founded her institutions. We shall see how these constitutions were made, and which were pregnant with principles of liberty and progress, and which reactionary with a tendency to barbarism. We shall see, too, with what discrimination Kansas rejected the bad even to the bloody issue, and how she chose the living principles which make for progress and liberty and freedom always.

At this writing, June 30, 1917, when the blood of all nations is mingled on the fields of France to drown the hydra-heads of tyranny, the struggle of bleeding Kansas for freedom seems small. But it was the same issue between tyranny and liberty; between force and law; between truth and error. To each individual involved the decision was just as important as to the individuals in the larger struggle of today. It originated in a conflict between slavery and anti-slavery. But that struggle was soon merged into the larger one of self government by the real settlers of Kansas. The Kansas-Nebraska Bill was signed by President Pierce May 30, 1854, and contained the provision, "When admitted as a state or states the said territory or any portion of the same shall be received into the Union with or without slavery *as their constitution* may prescribe at the time of their admission." This provision was supposed to give to the bona fide settlers of each of these states the right to determine by the adoption of a constitution whether that state should be free or slave, and the right so given was called "squatter sovereignty." After the passage of the act it was claimed, however, that there was a tacit understanding that Nebraska was to be admitted as a free state and Kansas as a slave state. The North refused to recognize any such secret agreement, and not only came as individuals to make Kansas free but organized emigrant aid societies for that purpose. The South claimed that this

was a repudiation of an agreement, and felt justified in using every means, including fraud and violence, to accomplish the enslavement of Kansas.

The act itself made the whole contest center about the form of the constitution to be adopted, and the form of the constitution, of course, would depend upon the results of the election of delegates to a constitutional convention. The first election held in the territory was for a delegate to Congress, November 29, 1854. The pro-slavery candidate, Whitfield, received 2,258 out of 2,905 votes cast, but in precincts giving him the largest majority his vote alone was greater than the number of voters in the respective precincts as shown by the census taken shortly thereafter. For instance, at Doctor Chapman's he received 140 votes while the census gave only 40 voters. At "110" he received 597, where the census gave only 53. At Marysville he received 237, where the census gave only 24 voters. He was, however, declared by the governor to be legally elected and received his certificate.

The next election was to choose members of the first Territorial Legislature and was held March 30, 1855. This election was of prime importance because it was supposed that the Legislature would provide for the holding of a constitutional convention and prescribe rules for the election of delegates thereto. Nearly 1,000 Missourians came over to Lawrence to vote. They were fully armed and brought two cannon loaded with musket balls. They voted, as did other invaders, at most of the election polling places. The result was that the pro-slavery votes cast showed 5,427 as against 791, although the census taken in January and February showed a voting population of only 2,905.

Lawrence was founded by New England emigrants, who were all free-state men and yet the pro-slavery candidate, according to returns, received at that precinct 781 votes. Governor Reeder, who was sent to the territory as friendly to the pro-slavery interests, was so outraged at the fraud that he declared the election in this district void for irregularities and called a new election therein. But when the Legislature met in July it promptly seated the discredited candidate and petitioned the President to remove Reeder as governor. Their petition was granted by the President. The free-state men were put in a difficult situation. The Federal Government had shown its bias in the controversy by removing Governor Reeder because he protested against fraud at the election, though another matter was given as the cause. The bogus Legislature had its credentials. If this Legislature should call a constitutional convention it would undoubtedly so control the election that no one but pro-slavery men could be delegates to the convention. If such an election were called the free-state men must then determine whether they would refuse to recognize any act of the bogus Legislature and refuse to participate in the election or take part in the election and seek seats in the constitutional convention. If they chose the former course they would be charged with allowing the contest to go by default. If they chose the latter they would stultify themselves by recognizing the fraudulent Legislature and would be almost certain of defeat by fraud or violence,

in which event there was little prospect that they could obtain any relief by appeal to the National Government. Some definite decision must be reached. To determine on a definite policy a series of conferences or conventions was held. A free-state convention was held at Lawrence on June 8th. It adopted among others the following resolution:

"In reply to the threats of war so frequently made in our neighboring state our answer is 'we are ready.'"

On June 27th, the national democracy held a convention at Lawrence, which endorsed the democratic platform of 1853, but kindly requested the citizens of adjoining states to let them alone and resolved that they could not permit "the purity of the ballot box to be polluted by outsiders or illegal voting from any quarter." James H. Lane, who was then a democrat, was chairman of this convention.

On August 14th and 15th the first convention of free-state men, made up from various political parties, was held at Lawrence. This was presided over by Philip C. Schuyler and was attended by members of all parties. Charles Robinson, afterwards governor, reported the resolutions and James H. Lane took an active part in the meeting.

The convention adopted the following resolution which was the inception of the Topeka Constitution:

"Whereas, the people of Kansas have been, since its settlement, and now are, without any law-making power; therefore be it

"Resolved, That we, the people of Kansas Territory, in mass meeting assembled, irrespective of party distinctions, influenced by common necessity, and greatly desirous of promoting the common good, do hereby call upon and request all bona fide citizens of Kansas Territory, of whatever political views and predilections, to consult together in their respective election districts, and, in mass convention or otherwise, elect three delegates for each Representative to which said election district is entitled in the House of Representatives of the Legislative Assembly, by proclamation of Governor Reeder of date 19th of March, 1855; said delegates to assemble in convention, at the town of Topeka, on the 19th day of September, 1855, then and there to consider and determine upon all subjects of public interest, and particularly upon that having reference to the speedy formation of a State Constitution, with an intention of an immediate application to be admitted as a State into the Union of the United States of America."

This was the beginning of what was afterwards known as the Topeka Movement. It resulted in the submission of the Topeka Constitution, the election of officers and a Legislature thereunder, the dispersion of the Legislature at the mouth of the cannon by Federal troops, and the arrest and imprisonment of sixteen of the promoters on the charge of treason. They did not wait for the bogus Legislature to tender the issue. That Legislature in the meantime had met on July 2, 1855, and passed a long list of laws, many of which were aimed to perpetuate the institution of slavery, and also to make permanent the control of the affairs of the territory by the pro-slavery adherents. It was a felony for any person to speak, write, maintain or circulate any writing in the territory denying

the right of persons to hold slaves in the territory. Any person conscientiously opposed to the holding of slaves was disqualified from sitting as a juror in any cause involving the protection of slave property, or the punishment for crimes committed against that property. Every member of succeeding Legislatures, judge of election, and voter in the territory "must swear to his faithfulness on the test-questions of slavery." These acts of the Legislature only strengthened the position of the free-state men. It brought to their standard not only every abolitionist and every free-state man, but many democrats like Lane, who were not particularly opposed to slavery but wanted to see fair play and self-government, and many southern men who had no interest in slavery. There were others who disliked the negro and wanted to exclude him, free or slave, from the state. All these were drawn together in one common issue which was no longer slavery or anti-slavery but resistance to outside interference.

On September 5, 1855, at Big Springs, a larger convention was held at which the free-state party was formally organized and adopted its platform. In this platform members of all parties joined, setting aside minor issues of partisan politics for the time being in order that they might achieve political freedom, vindicate their right of self-government and become an independent state of the Union, resolving that when these things were accomplished it would be "time enough to divide our organization by these tests" of party fealty. The resolution on one hand denounced slavery as a curse to the master and the community and on the other declared "that the stale and ridiculous charge of Abolitionism, so industriously imputed to the Free-State party, and so persistently adhered to in spite of all the evidence to the contrary, is without a shadow of truth to support it," and pledged the people to "discountenance and denounce any attempt to enroach upon the constitutional rights of the people of the state, or to interfere with their slaves; conceding to their citizens the right to regulate their own institutions, and to hold and recover their slaves without any molestation or obstruction from the people of Kansas." This provision and a further one "that the best interests of Kansas require a population of free white men, and that in the organization we are in favor of stringent laws excluding all negroes, bond or free, from the territory" were largely a concession to the personal wishes of James H. Lane. Governor Reeder who had shortly before been removed by President Pierce was a member of the convention and wrote a number of resolutions which were adopted, denouncing citizens of neighboring states controlling the election and pledging resistance by every peaceable and legal means and if necessary "to a bloody issue."

The call for the Topeka convention was also endorsed.

TOPEKA CONVENTION

Pursuant to call the convention met at Topeka on September 19, 1855, and called an election of delegates to a constitutional convention

to be held at Topeka on October 23, 1855. The election was held October 19, 1855, and a full list of forty-seven delegates was elected. The pro-slavery people did not participate in the election. The breach was too wide between the parties. And they contended a constitutional convention could be called only by the Legislature. They ridiculed the whole movement. The free-state men on the other hand contended that a constitution might be drafted by any convention however informally called; that the vital question was its ultimate adoption or rejection by the legal voters at an election held for that purpose. To support their contention they had the precedent of California, whose constitution was drafted by a convention held under a popular call.

The constitutional convention met at Topeka on October 23, 1855. It consisted of forty-seven delegates, including eighteen democrats, six whigs, four republicans, two free-soilers, one free-state man and one independent. The whole membership did not attend all sessions.

It was not divided on party lines but between conservatives and radicals. The conservatives organized the convention by electing James H. Lane, president. Another evidence of conservatism was to submit with the constitution a separate proposition to exclude all negroes from the state. Strange to say this proposition was carried by a vote of 1,287 to 458 by the very people who had come to Kansas to make her a free state.

Another question arose over inserting the word "white" in stating the qualification of voters. Only seven persons, Robinson, Crosby, Hillier, Hunting, O. C. Brown, Knight, and Schuyler voted against it. So the limitation went in, and it afterwards appeared in the Wyandotte constitution where it remains to this day but inoperative because of the XVth amendment to the Constitution of the United States.

This constitution was by no means an unimportant or mediocre document. While the Ohio Constitution was formally the basis taken at the Wyandotte convention for the drafting of our present constitution, those men had before them constantly the Topeka Constitution and used many portions of it in their final draft. There are many interesting provisions in the Topeka Constitution, some of them apparently contradictory to the liberal terms of it, but evidently inserted as a compromise to the more conservative element. Fear of a free negro population caused the insertion of the word "white" in several places beside the one mentioned above. For instance, it provides for an enumeration of all the "white" inhabitants of the state every two years; that the militia shall consist of all able bodied "white" male persons between the ages of eighteen and forty years; that every "white" male person * * * shall be deemed a qualified voter.

One very salutary provision which should have been but was not incorporated in the Wyandotte Constitution provided that no senator or representative should during the term of office for which he was elected be appointed to any civil office of profit created, or the emoluments of which have been increased during such term. That no person holding office under the United States or any lucrative office under the state shall be eligible to hold a seat in the Legislature. These provisions would

prevent encroachment of the executive upon the powers of the Legislature. Another section provided a double liability for stockholders in banking companies. Other provisions were the establishment of a university, as well as a complete system of common schools; the complete divorcement of church and state; the prohibition of wealth as a qualification for the right of suffrage. The rights of married women were provided for as follows:

The first General Assembly shall provide by law for securing to the wife the separate property acquired by her before or after coverture, and the equal right with the husband to the custody of their children during their minority.

There was, however, no provision for homestead exemption from debts.

The constitution provided for its immediate submission to a vote of the people and the election of state officers thereunder.

This election was held December 15, 1855, and the constitution adopted by a vote of 1,731 to 46. The radicals and conservatives each put up a set of state officers and the radicals were elected by a vote of 1,296 to 410. While the free negro exclusion proposition was carried by the surprising vote of 1,287 to 458, the election of the radicals put a quietus upon it and the phrase "a free white state" became thereafter obsolete.

Charles Robinson was elected governor and the first Free-State Legislature met at Topeka March 4, 1856. It elected ex-Governor Reeder and James H. Lane United States senators.

The adoption of the constitution and the election of these state officers caused no small commotion in the political circles at Washington. The "bogus" Legislature was still in existence and recognized by the Government at Washington as the only legislative authority in Kansas and the territorial governor appointed by the President was in full charge of the executive branch with the United States army at his command and the Federal judiciary submissive to his desires. The whole Topeka movement was regarded as treasonable. President Pierce in a special message to Congress on January 24, 1856, said:

No principle of public law, no practice or precedent under the Constitution of the United States, no rule of reason, right, or common sense, confers any such power as that now claimed by a mere party in the territory. In fact, what has been done is of a revolutionary character. It will become treasonable insurrection if it reaches the length of organized resistance by force to the fundamental or any other federal law.

The Free-State Legislature adjourned on March 15th to meet July 4, 1856. A congressional committee, consisting of John Sherman, William A. Howard and Mordecai Oliver, was appointed to inquire into the validity of the bogus Legislature and the election of Whitfield. It arrived in Kansas April 18, 1856, and the new state officers sought the advice of Sherman and Howard, the republican members. After a discussion of the whole situation it was decided to stand by the Topeka

government against the Federal authority even by force if necessary. But shortly thereafter Governor Robinson and other free-state leaders were indicted and arrested on the charge of treason. When the Legislature convened July 4, 1856, at Topeka, it was dispersed, at the mouth of loaded cannon, by Colonel Sumner under instructions of the President.

In the meantime, on June 15th, the first National Republican Convention declared "that Kansas should be immediately admitted as a state of the Union, with her present free Constitution." On June 25th Galusha A. Grow, of Pennsylvania, introduced a bill in Congress to admit Kansas under the Topeka Constitution. This bill passed the House on July 3, 1856, by a vote of 99 to 97 but when it reached the Senate that body passed the Douglas substitute providing that the people of Kansas should frame a new constitution. To this the House refused to accede.

There was nothing remarkable about the Topeka constitution except that it epitomized the vital issue of the day. For nearly three years of bloody conflict it was the rallying banner around which the free-state men gathered. Under its folds they stood in the Wakarusa war, the bombardment of Lawrence, at Hickory Point, Franklin and the Battle of Black Jack. It was named by Lane "the old blood stained banner" and so it was. It became the chief issue in the National Campaign of 1856. Its story became known in the homes of the nation and it induced a wave of immigration to Kansas in the spring of 1857. The Free-State Legislature met again in January, 1857, and memorialized Congress to admit Kansas under it. Again in June the Legislature petitioned Congress to the same effect but without result.

The Topeka Constitution had again been submitted to the people in August, 1857, and again carried by a vote of 7,257 to 34. The free-state people having obtained possession of the Territorial Legislature in the meantime, the Topeka movement was in January, 1858, abandoned and the Topeka Constitution became only "a scrap of paper," but like an old love letter or an old battle tattered flag still dear to the memory of those who know its story.

LECOMPTON CONSTITUTION

The bogus Legislature elected on March 30, 1855, might have called a constitutional convention at its first session in July, 1855, but it did not do so. One house passed a resolution to that effect, but the other, fearing the result of the election, declined to concur. From the pro-slavery standpoint it was a fatal mistake. Never again was that interest so strongly entrenched in the territory. The governor, the courts, the army and the President and his cabinet and Congress all were with them, and the Legislature might have called a convention with the assurance that the election could be carried by the same methods by which it was elected and that those methods would be approved at Washington. In all probability if this had been done Kansas would have been admitted in 1855 with a pro-slavery constitution.

Instead the pro-slavery men chose to make the fight against admission at this time because so long as the Federal Government was behind them they could control the territorial government and they believed that by pro-slavery laws they could drive the free-state men out of the territory. This was especially true if they could make the charge of treason stick against the promotors of the Topeka movement. But these charges broke down. The great increase of immigration from the East in the spring of 1857 came on.

The majority of free-state men was becoming larger every day and their heroic struggle for free government was becoming every day better known throughout the nation. The Washington cabal concluded to force a pro-slavery constitution at once. Under its direction on February 19, 1857, the bogus Legislature called a constitutional convention at Leecompton. The bill made no provision for submitting the constitution, when drafted, to a vote of the people. Governor Geary vetoed the bill for that reason, but it was passed over his veto. The election of delegates was held June 15, 1857, the free-state men refusing to participate. The convention met September 7, 1857, and concluded its proceedings November 3, 1857. The constitution is a lengthy document but its only provisions of interest at this time relate to slavery.

It provides: "The right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same and as inviolate as the right of the owner of any property whatever. The legislature shall have no power to pass laws for the emancipation of slaves without the consent of the owners."

"Free negroes shall not be permitted to live in this State under any circumstances."

The schedule provided that after 1864 the constitution might be amended by a special convention "but no alteration shall be made to affect the rights of property in the ownership of slaves."

If this constitution could be once fastened legally upon the people it was believed they would be permanently tied to slavery. It was the original plan to have the constitution adopted by the convention which drafted it and to forward it immediately to Congress and then for Congress to admit Kansas as a state under it. But Governor Geary's veto had exposed the conspiracy so that the convention conceived a thin subterfuge for the sake of appearances. The schedule provided for a popular vote under the supervision of three commissioners in each county to be appointed by the president of the convention. On the ballots were endorsed "Constitution with slavery" and "Constitution with no slavery," so that every one who voted must vote for the constitution, his only choice being with or without slavery. It was further provided that if a majority voted for the constitution with no slavery then "slavery shall no longer exist in the state of Kansas, except that the right of property in slaves now in this Territory shall in no manner be interfered with."

On December 21st the election was held under this call, the free-state

men not voting, with the result of 6,266 for the constitution with slavery and 569 for the constitution with no slavery. In the meantime Governor Geary had resigned (March 4, 1857). Governor Walker, who was appointed by Buchanan on March 10, 1857, and Secretary Stanton united in asking the free-state men to participate in the election and guaranteed them a fair vote and honest counts. These fair promises and the great influx of northerners induced the free-state men to change their whole policy. They went into the election of the territorial legislators on October 5, 1857, and elected a substantial majority of both Houses. At three of the precincts, Oxford, Shawnee Mission and Kickapoo, nearly 3,000 illegal votes were cast and Governor Walker, true to his promise, set aside returns from Oxford and McGhee precincts. His action forced him to leave the state on November 16th, and to hand in his resignation a month later. Secretary Stanton, acting governor, called a special session of the new Legislature and that body submitted the Lecompton Constitution to a vote of the people on January 4, 1858, with the following result. (Free-state men participating—pro-slavery men not participating.)

Against the constitution.....	10,226
For the constitution with slavery	138
For the constitution without slavery	23

On December 24, 1857, a democratic convention held at Leavenworth utterly repudiated the Lecompton Constitution and memorialized Congress to reject it.

J. H. Stringfellow, ex-speaker of the bogus Legislature, January 7, 1858, protested against the admission of Kansas under it and said "to do so will break down the Democratic party at the North and seriously endanger the peace and interests of Missouri and Kansas if not of the whole Union. The slavery question in Kansas is settled against the South by immigration." Governor Denver sent Rush Elmore to Washington with a confidential message to Buchanan not to present the Lecompton Constitution to Congress at all.

Stephen A. Douglas on November 28, 1857, opposed the Lecompton Constitution.

A joint resolution of the new Legislature was passed on December 7, 1857, asking Congress to admit Kansas under the Topeka Constitution.

But President Buchanan denounced the Topeka Constitution, and on December 7th endorsed the Lecompton Constitution and urged Congress to adopt it. On April 23, 1858, a compromise bill was introduced in Congress, passed both Houses on April 30th, and was signed by Buchanan on May 4, 1858. It became known as the English (name of its author) Swindle or Lecompton Junior. Under it the Lecompton Constitution was again submitted to a vote with the disastrous results of 1,788 for the proposition and 11,300 against it, a majority of 9,512.

This was the last stand of the pro-slavery party in Kansas. Every election held in Kansas thereafter was carried either by the free-state

party or the republicans until 1882 when Glick, a democrat, was elected governor.

The action of Buchanan and his advisors in trying to force the Leecompton Constitution alienated Douglas and the northern democrats, split the party at the election of 1860, and elected Abraham Lincoln, president.

LEAVENWORTH CONSTITUTION

On February 2, 1858, Buchanan sent the Leecompton Constitution to the Senate with a special message recommending its immediate adoption. Immediate action was not taken because in each House minority reports were filed. The danger, however, was imminent that Congress would admit Kansas and the slavery question be closed. It was claimed that because of the great increase in population the Topeka Constitution no longer represented the sentiment of the people. A new constitution was therefore provided for by the Legislature on February 10, 1858. The election for delegates to a convention was held March 9th. The convention met March 23d at Minneola, Franklin County, and adjourned to Leavenworth March 25th. It completed its labors April 3, 1858. This constitution was submitted to a vote of the people May 18, 1858, and was adopted by a vote of about 1,000 to 4,000.

This convention was probably composed of a greater number of able men than any of the other constitutional conventions held in Kansas. Among them were Frank G. Adams, Caleb May, P. B. Plumb, W. E. Bowker, Joel K. Goodin, M. F. Conway, T. Dwight Thacher, James S. Emery, S. N. Wood, James H. Lane, Henry J. Adams, Thomas Ewing, Jr., James M. Winchell and others of equal ability. Many of these men had not been participants in the earlier struggles but had come only recently fresh from college and were destined to military as well as civil service of high order.

The constitution which they drafted was intended by its terms and phraseology to direct the attention of Congress and the nation to the peculiar vices of the Leecompton Constitution. The latter exalts the rights of property especially in human beings and asserts it to be higher than any constitution. The former declares "the right of all men to the control of their persons exists prior to law and is inalienable." The Leecompton Constitution guarantees an impartial trial by jury to "slaves for crimes of higher grade than petit larceny;" and "that no freeman shall be taken or imprisoned, or disseized of his freehold, liberties or privileges, or outlawed or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the judgment of his peers, or the law of the land." The Leavenworth Constitution says "the right of trial by jury shall be inviolate, and extend to persons of every condition."

The Leavenworth Constitution contained many notable provisions. It recognized the negro as a citizen and gave him the right to vote. It provided that the first general assembly of the Legislature should submit

the question of universal suffrage to the people. It provided that a homestead of 160 acres or a house and lot should be exempt to the head of a family. It provided for a complete common and higher school system; for the rights of married women in holding property separate from their husbands. These and many other provisions mark the authors as men of high intelligence and progressive ideas.

When the "English Swindle," alias "Leecompton Jr.," was defeated in August, 1858, the purpose of the Leavenworth constitution had been accomplished and it was never again submitted to the people, but was presented to Congress January 5, 1859. No action was ever taken on it by that body.

WYANDOTTE CONSTITUTION

The Wyandotte convention was different from any which preceded it. Each of those was assembled to frame an issue. This was assembled to form a state. In each of those there was one central thought which dominated the men who drafted the document. In this each part of the constitution drafted was of equal importance and had equal consideration. In those, two passions controlled—slavery and self-government—subordinating all other thoughts. In this slavery and self-government had already been settled and the task was to formulate its constitution for a free people. Those were partisan gatherings. This was bi-partisan.

The personnel of the Wyandotte convention was different from that of any of the earlier conventions. For the most part it was made up of younger, and, as to Kansas, newer men. The early conflict had developed some great characters whose names have become known throughout the nation, such as Robinson, Lane, Conway, Parrott, John Brown, Reeder, Holliday and Phillips. These men were either not candidates or had been defeated at the polls and so were not members of this convention.

Two of its members, Caleb May and William R. Griffith, had also sat in the Topeka and Leavenworth conventions, and three others, James Winchell, John Ritchie and William McCullough, were members of the Leavenworth convention.

There were in that notable gathering the president, James M. Winchell, a skilled parliamentarian, good debater and afterwards a prominent candidate for the United States Senate; John P. Greer, judge advocate during the war; James G. Blunt, afterwards brigadier general, distinguished in military service; John Ritchie, one of the founders of Washburn College; Samuel A. Stinson, the third attorney general of the new state; John T. Burris, afterwards speaker of the Kansas House of Representatives and for many years a district judge; Solon O. Thacher, judge of a district court and acknowledged leader of the bar of Kansas for nearly half a century—a man of great ability and eloquence; Benjamin F. Simpson, afterwards United States marshal for Kansas, the first attorney general of the state, speaker of the House of Representatives and Supreme Court commissioner; Edmund G. Ross, afterwards United States senator, whose vote saved Andrew Johnson from conviction after

impeachment; Samuel A. Kingman, afterwards chief justice of the State of Kansas; and John J. Ingalls, the incomparable master of invective and of the Queen's English—one of the most brilliant men who ever sat in the United States Senate.

There were fifty-two delegates to the convention, thirty-five republicans and seventeen democrats. Eighteen of the delegates were lawyers, sixteen farmers, eight merchants and five physicians, with one or more surveyors, land agents, manufacturers, mechanics and printers. John A. Martin, afterwards governor of the state, was secretary of the convention. The acknowledged leaders at the convention were Thacher and Kingman on the republican side and Stinson and McDowell on the democratic side, all four of whom were lawyers. Stinson afterwards became attorney general and Kingman, as said above, chief justice of the state. Of the delegates fourteen came from Ohio, six from Indiana, five from Kentucky, two from Massachusetts, six from Pennsylvania, three from New Hampshire, four from Vermont, two from Maine, five from New York and one each from Virginia, England, Scotland, Germany and Ireland.

The convention assembled on July 5, 1859, and completed its labors on July 29th. After the constitution was finished the democratic members refused to sign it. It was signed by thirty-four republicans. On October 4, 1859, it was submitted to the people and adopted by a vote of 10,421 to 5,530. The homestead clause, submitted separately, carried by a vote of 8,788 to 4,772.

On the 14th day of February, 1860, the president of the United States Senate presented the Wyandotte constitution to that body. On the 29th of March following, Galusha A. Grow, chairman of the Committee on Territories, recommended the admission of Kansas under this constitution. On the 11th day of the next month the House voted to admit Kansas to the Union by a vote of 134 to 73. The Senate, however, on two different occasions refused to consider motions to admit the territory. On the 21st day of January, 1861, several of the Southern senators, having resigned by reason of the secession of their states, Mr. Seward called up the Kansas bill and secured its passage by a vote of thirty-six to sixteen. On the 29th day of that month President Buchanan signed the bill and Kansas became a state.

The Wyandotte Constitution is not a document remarkable for its originality, because in the main it was taken from other constitutions; but it is remarkable because of the intelligence and the great care with which it was put together. Every article and nearly every sentence was carefully considered and debated, not only in the sub-committees of the convention, but upon the floor of the convention itself. When the instrument was finally signed its authors were well justified in claiming it "to be a model one." In the closing hours of the session when the constitution was ready for signature, Solon Thacher said:

"For terseness of expression and vigor of general outline, I believe it to be unexcelled by that of any State in this Union.

"This constitution has come through a fiery debate. Every line almost has been subjected to the scorch of high-wrought argument. Mr. President, I believe this Constitution to be one that will be clasped to the hearts of the people and under it Kansas will glide to an enviable position with the sister states.

"It has been the aim of the majority of this body to make this Constitution the draft, the outline of great civil truths and rights, leaving out, as far as possible, special legislation.

"There is scarce a feature of this Constitution but what will command the homage of all good men. But, sir, the feature which most endears this Constitution to my heart, and which will commend it most to the true and good everywhere, is that through every line and syllable there glows the generous sunshine of liberty. No repulsive allusion, no wicked prejudice, no ignorant and heathenish distinction mars its beauty or disfigures its fair symmetry."

Such was the constitution which they drafted and under which the people of Kansas have lived and prospered for more than fifty years. It has been found necessary to make but few amendments to it, and most of those have been made only on account of change in conditions of the people.

When the convention convened one of the first questions which arose was whether or not to use the constitution of some other state or some former draft of the Kansas constitution as a model from which to draw the new document. On the first ballot Ohio received 13 votes; Indiana 12; Kentucky 6; the Leavenworth Constitution 5; the Topeka Constitution 3; Pennsylvania 2; Iowa 2; Wisconsin 2; Massachusetts, Michigan, Maine, Minnesota and Oregon 1 each. On the second ballot Ohio received 25, Indiana 23, and Kentucky 1. The constitution of Ohio, having received the majority, was declared to be the proposed basis for the new document.

The greatest speech of the convention was made by Thacher in opposition to a proposal to exclude free negroes from the state. This speech forever settled the question of absolute freedom of Kansas soil, although the vote upon the proposition when taken stood twenty-one ayes and twenty-six nays.

To us of this day it seems strange that any argument was necessary to defeat the proposition. But the sentiment in favor of it was so strong in the convention that several of the members predicted that the constitution would be defeated unless the provision excluding the free negro from the state should be included in it. Their apprehension proved to be without foundation.

A very interesting discussion arose over the northern boundary of Kansas. Delegates came from Southern Nebraska and petitioned the convention to fix the northern boundary of the state at the Platte River. They argued with great earnestness that the present boundary was an artificial one, while the river was a natural boundary because it could not be forded because of quick sand, could not be bridged because no bottom could be found for the piers, and could not be ferried because there was not enough water to float a boat. That at times it was a raging

torrent and at other times a stretch of sand. They offered to give to Kansas a rich area of territory and the democratic members of the convention were unanimously in favor of the tender. But the republicans "feared the Greeks bearing gifts," they suspected the inhabitants of that land were democrats and might either defeat the constitution altogether, or elect democratic United States senators from the new state, so the boundary line was fixed at the 40th parallel.

Two of the older states, New York for the North and Virginia for the South, have furnished the models for most of the constitutions of the several states. The Ohio constitution was in the main founded upon that of New York. All sub-committees of the convention were instructed to use the Ohio constitution as a model for their particular articles and in the main they followed those instructions, but throughout the proceedings we find frequent allusion to the constitutions of the different states and also to the Topeka and the Leavenworth constitutions, showing that while the Ohio constitution was used as the model in the main it was not strictly followed. The constitutions from which provisions were taken other than the Ohio constitution were principally Michigan, Kentucky, Indiana, Iowa, Wisconsin, Illinois, Pennsylvania, and the Topeka and Leavenworth and even the Lecompton constitutions. The ordinance was taken largely from the Lecompton Constitution. The executive and legislative articles followed largely the Ohio precedent, but the qualifications of the members of the Legislature is taken from the Wisconsin Constitution, with a number of the sections adopted from the Topeka and Leavenworth constitutions. One provision improving the status of women which provides "the legislature in providing for the formation and regulation of common schools shall make no distinction between the rights and privileges of males and females" was taken from the Constitution of Kentucky. The article on elections and suffrage followed largely the Topeka Constitution. The article on education was a merger of provisions found in Iowa, Oregon, Michigan, Wisconsin and California. The article on banking and currency was made up from the Topeka and Leavenworth constitutions. Nearly every section can be traced to some provision of some preceding constitution, except perhaps the provision that all bills should originate in the House of Representatives, and this provision was repealed in November, 1864.

This, however, does not mean that the instrument was not progressive in its character. On the contrary most of the constitutions from which its provisions were taken had been recently adopted by the respective states and from them were gleaned the best and most progressive provisions. The sagacity of the Wyandotte Convention consisted in its selection of these provisions and the amalgamation of them into a consistent and harmonious instrument. Most of the progressive ideas of the decade were incorporated in the instrument. Slavery was prohibited. Free negroes were not excluded. Wild cat banking paper was proscribed. Ample provision was made for common school and higher education. The rights of women were recognized and advanced and the homestead was guarded against covetous creditors. It is true that some progressive

measures were suggested to the convention which were not adopted. John Ritchie offered the following: "That the state of Kansas shall confer power on the legislature to prohibit the introduction, manufacture or sale of spirituous liquor in the state." The provision was not adopted. But twenty-one years later, in November, 1880, the prohibition amendment was passed.

Mr. Ritchie moved to strike the word "white" from the article establishing the state militia. Only six voted in favor of the motion, but the section was so amended in 1888. Mr. Hutchinson presented a petition of 252 inhabitants of Douglas and Shawnee counties asking that the right of suffrage be extended to women. The petition was not granted, but in 1913 that right was extended to women.

There are two provisions in the Wyandotte Constitution which make it a mile post in legislation. One is the extension of married women's rights and the other the homestead exemption. These provisions are linked together and touch the social life of the state through the family. The two sections are as follows:

"Section 6. The Legislature shall provide for the protection of the rights of women, in acquiring and possessing property, real, personal and mixed, separate and apart from the husband; and shall also provide for their equal rights in the possession of their children."

"Section 9. A Homestead to the extent of one hundred and sixty acres of farming land, or of one acre within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all the improvements on the same, shall be exempted from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon. Provided: the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife."

From early history woman has been little better than a chattel and even under the common law of England a woman upon her marriage surrendered all her right to hold personal or real property to her husband. Not only her individuality became merged in her husband, but he enjoyed the right of possession and disposition of her property. Her goods became liable to seizure and appropriation by his creditors. Through the profligacy or ill-management of the husband a woman who was well-to-do in her own right before her marriage might be reduced to poverty after her marriage. Except as modified or repealed by the constitution or statutes the common law of England applied to most of the states, including Kansas. The men of the Wyandotte convention determined that no such injustice would be fastened upon the women of Kansas, and by the section first above quoted they restored for all time to their women the management and control of their own property so far as law can give it to them. By the second provision they fixed for her and her children a homestead which could not be violated or torn from her and them by the malice, ill-management or misfortune

of the husband and father, except by the joint consent of the wife and mother.

Homestead laws are an American institution, unknown in other lands. The first statutory provision exempting the home from execution was enacted by the Republic of Texas in 1839, and the first homestead exemption placed in a constitution was in that of Texas in 1845. The second was the constitutional provision adopted by Vermont in 1849. In 1859, when the Wyandotte convention assembled, it was a scarcely recognized political doctrine. The leading advocate for a constitutional homestead exemption was Samuel A. Kingman. Without his great earnestness and logical argument it never would have been adopted by the convention, because other men strong in debate, such as Thacher, Ingalls and Stinson opposed it, claiming that the homestead exemption would enable men to avoid their just debts and would injure the credit of the state. One of the opponents said: "I would rather abolish all laws for the collection of debts than that the section should pass in its present shape," and that he would prefer a \$2,000 exemption rather than a homestead exemption. It was left for Houston, Griffith and Kingman to point out the distinction between a homestead and an exemption law, Kingman saying:

"The object of a homestead law is very unlike that of an exemption law. And I think the amendment proposed is calculated to defeat the homestead principle. I think that is its object. It is within the recollection of many when it was the settled policy of many of the States, that the land should not be subject to sale for the payment of debts. But the commercial interests of the country by their power and skill produced a change which has subjected the farms and homes of the people to be sold under execution, and so nearly converted our people into a class of nomads. I want, if possible, to restore the old policy—to change back again—so that every man or woman, if he plants a tree or she cultivates a rose—that both may beautify and adorn their homes as they may choose, and have the benefit of the protection of the law. But if we put it in the power of the husband or the fortunes of trade to convey by lien or mortgage, the grasping creditor will take away the homestead. I want to separate this subject from anything like the consideration of an exemption law. I approach this as a great measure which rises above all considerations of the rights of debtor and creditor. I abhor an exemption law. This is not of the same nature. This is to go forth, the promulgation of a great principle, that shall encourage the cultivation of the soil. The case was well illustrated by the gentleman from Riley (Mr. Houston); and though it would be impossible for me to emulate the flights of his fancy and the boldness and strength of his doctrine, I am not therefore restricted as to my full share of feeling and anxiety for the success of this most important measure."

That was a novel doctrine then, but since that time every state in the Union, except, we believe, Delaware, Indiana, Maryland, Pennsylvania and Rhode Island, has, by constitutional or statutory provision, recognized its soundness. It fosters the family as the primal factor of society and thus promotes general welfare. To protect the home is to preserve the family from disintegration. To dignify the wife is to

develop citizenry. If the homes are permanent in character the community will build schools, churches, libraries. The spirit of free citizenship and patriotism will thrive, and the state will be healthy and prosperous. The Kansas courts have given liberal construction to the constitutional provision. Early in the history of the state, while Kingman was chief justice, the court declared that the wife's interest in a homestead under this provision was not an inchoate and expectant thing, a mere veto upon the right of the husband to alienate the estate but that it was a real existing estate under which the occupation and enjoyment thereof is secure to her against any act of her husband or creditors without her consent. If her husband abandon her the use of the homestead remains to her and the family. It is not like dower depending on uncertain events, but fixed and certain without need of any statutory enactment. In later years the same court has declared that the right belongs to the wife alone, independent of any children. The great bereavement of her husband's death would not admit the gaunt grey wolf of debt to ravage the home and turn into mockery the constitutional provision prepared against the days of her adversity. On the contrary, she continues in the enjoyment of precisely the same right of immunity from the loss of her hearthstone by suit of her husband's creditors as before his death. And so the widow is protected as well as the wife. But the court has gone farther still and now holds that while the right of exemption cannot originate without the existence of a family consisting of more than one person, when the homestead character has once attached and the head of the family remains in continuous occupation of the property, though all others may die or forsake him, it is still occupied as a residence by a constituent part of the family and he may hold it sacred from invasion for his sole use and occupation.

By these provisions the wife and mother becomes a proprietor in her own right, part owner of her home and queen of her domain. The husband and father has a castle safe from invasion where he may retreat in time of storm or adversity. Failure cannot affect it, disaster cannot destroy it. Friends may desert him but his enemies cannot reach him. He and his family are secure. For the present and for the future the permanency of the home is established. His place in the community is fixed and his interests in the state are anchored and strengthened.

No marble column or granite shaft could be so fine a tribute to the memory of the men of the Wyandotte convention as the married women and the homestead exemption provisions of the constitution. These two clauses make every happy family and peaceful home in Kansas a monument to their memory. Succeeding generations of Kansans will hold them in grateful veneration.

A BRIEF HISTORY OF THE MILITIA AND THE NATIONAL GUARD FROM ITS INCEPTION TO THE PRESENT DAY

By BRIG.-GEN. CHARLES I. MARTIN, ADJUTANT GENERAL OF KANSAS

The National Guard, while founded on the Militia, should not be confused with it, as it is a very different force. The Militia was the original military organization of the colonies. When the Constitution was adopted it therefore recognized the two forms of military force, a national army, and the militia of the various states. The Constitution empowered Congress to provide for "calling forth the Militia to execute the laws of the Union, suppress insurrections and repel invasions." Also, "to provide for organizing, arming and disciplining the Militia, reserving to the States the appointment of the officers and the training of the Militia according to regulations prescribed by Congress."

Congress acted upon this authority and enacted the old Militia law, May 8, 1792. This law remained in force, with few amendments, until 1903. Under this law, Congress authorized the President to call forth the Militia, but limited the service to nine months and provided that the Militia could not be taken outside of the United States. All able bodied men between the ages of 18 and 45, with the exception of those specifically exempted, composed the Militia. Compulsory service was required in time of peace to the extent of complete enrollment, organization and an annual muster. Each enlisted man of the Militia was required to provide himself with the following arms: A good musket or firelock of a bore sufficient for balls of the eighteenth part of a pound, a sufficient bayonet and bolt, two square flints and a knapsack. A pouch with a box therein to contain not less than twenty-four cartridges, each cartridge to contain a proper quantity of powder and ball; or with a good rifle, knapsack and powder horn, twenty balls suited to the bore of his rifle and a quarter of a pound of powder. Each officer to be armed with a sword and a hanger or spontoon.

Following this law the states, either in their constitution or their laws, recognized the Militia and provided for enrolling them, organizing military districts and appointing military commanders. Under this system the Militia could not be expected to amount to much and proved to be an utter failure. The individuals failed to provide themselves with proper arms, the arms in use became obsolete and the states did not keep up the organizations. No attempt was made at uniformity in the different states. The annual muster became a travesty. There were a number of the old Militia organizations, however, dating back to colonial times, that kept up a fair degree of military efficiency and a regular organization.

After the Civil war there arose in most of the states volunteer military organizations, made up by volunteer enlistments. The states began to recognize these organizations and to make proper appropriations for their support. The National Government also began to make appropriations for their arms and equipments. Under this volunteer plan a fair degree of military efficiency was attained, and the name of "National

Guard" was adopted by most, if not all of the states, to distinguish it from the old militia system which had proved to be a failure, largely because of a lack of support by the State and Federal Government.

This National Guard made up almost the entire first call of 125,000 men for the Spanish-American war. They did not, however, enter this service as militia, but as volunteers. A special law was passed by Congress authorizing the President to accept National Guard organizations by regiments, but each individual man had to enlist under this volunteer act and there was considerable delay in transferring the regiments from the State to the National service.



GEN. FREDERICK FUNSTON

The experiences of the Spanish-American war made it apparent to the National Guard that if the National Guard was to be an effective military force for war service it must be organized, equipped, and disciplined the same as the regular army. Also that there should be some means of transferring the National Guard organizations to the United States service without the delay incident to re-enlisting or volunteering.

After careful study a new militia bill was prepared by representatives of the National Guard and presented to Congress and was enacted into a law January 21, 1903. This, with subsequent amendments, placed the Organized Militia, or National Guard, where it was originally intended

to be by the Constitution. This law recognized the name Organized Militia or National Guard. Congress also made additional appropriations for arms, clothing and equipment. It is now as much a recognized part of the military resources of the National Government as is the regular or standing army. It can be called directly into the service of the United States by organizations without new enlistments. The organizations as such can be called for indefinite service, each officer and man serving for the balance of his term of commission or enlistment. It is expected to be in such a state of readiness as to be prepared for immediate, active war service, and, as a matter of fact, it would form largely the first line.

The National Guard of the various states has become uniform in organization, equipment and discipline. This new function of the National Guard has brought about the necessity for a very different kind of training. In fact, it must be trained to perform all the duties required by the state in time of peace, in maintaining law and order and protecting life and property, and in addition thereto be trained in all those duties which would have to be performed in active war service. It is therefore a dual organization—state organization in time of peace and a national organization in time of war.

Few realize how much training is now required of the National Guard, but this may be classified under the following general heads:

The use and care of arms.

Sanitation and care of the wounded in the field.

Discipline.

The science of war.

In former times the simplicity of firearms did not require the same amount of training as at present. With modern rifles, the effective range in open country is one mile. At 1,000 yards firing should be quite accurate. The rifle itself is complicated, involving a great deal of care in keeping it in proper condition. The artillery arm is even more complicated and has an effective range of over three miles. The firing of this arm is, as a rule, indirect. That is, by a system of mathematical calculations the field piece can be fired from a concealed position without the object fired at being in view. Coast batteries are still more complex. Much time, therefore, must be spent in training men at target practice, as well as in the care of arms, before they are properly trained for war service. This, perhaps, is one of the most difficult tasks presented, requiring patience on the part of both officers and men.

Until recent years, little attention was paid to sanitary laws in active field service, neither was the individual man trained in the methods of caring for himself in the field. Without going into unnecessary details, it may be stated in a general way that much time and effort is now spent in training men not only to understand but to observe proper sanitary regulations.

In the care of the wounded in the field much attention is given. All men are taught the application of first aid to the wounded. They are provided with simple bandages and taught the use of same. All wounds

not serious are dressed on the field of battle, thereby saving much loss of life. Thousands of well-trained men slightly wounded are returned in a few days or weeks to their proper commands.

The word "discipline" is used here in its broadest sense. It means prompt and cheerful obedience to orders, accurate and faithful performance of duty, and, above all, the proper co-ordination of each unit to all others, orderly administration of all departments; in general, all those things which make an army move like a well adjusted piece of machinery, each part fitting into the other, and each part adjusted to do the particular thing for which it is designed.

It takes more time, probably, to secure good discipline than any other part of the soldier's training. It requires the constant supervision of officers, the frequent bringing together of each branch of the service; it requires a thorough knowledge of customs, forms and regulations.

Officers must be schooled in the effective training and handling of men in the field, not only in preparation for battle, but in battle itself. This is done by active service in the field. Under present plans, frequent mobilization of the National Guard with the Regular Army is particularly important, especially in co-ordinating these two branches of the service. This training is obtained by performing the same kind of duties in the open country as might be required in actual war, scouting, reconnaissance, patrolling, advance and rear guard, extended order, battle exercises, making and reading maps, judging distances and elevations, plans of battle, issuing of orders in proper form, etc.

In the absence of the opportunity for field service, military problems are worked out on maps devised for this purpose. There is no limit to the amount of work that can be done along this line. The National Guard is now being trained in all these duties and it is becoming, in fact as well as in name, a military organization.

Under this law the National Guard attained a strength of 130,000 officers and men, and this number, by increasing organizations to war strength, would be almost doubled.

To secure the efficient training of the National Guard involved a greater expense than could well be afforded by the states. The National Government adopted a fairly liberal policy in providing arms, clothing and equipment. The great difficulty under this law was that the training, particularly for National service, involves an amount of time and effort which the National Guardsman could not afford to give without some reward. It was manifest that we had arrived at a point where some compensation should be provided by the National Government.

To accomplish this a bill was presented to Congress providing for compensation on the basis of a percentage of the pay for the Regular Army. This bill together with a complete revision of the Militia Law passed by Congress in 1903 was passed by Congress and was approved by the President, June 3, 1916. The benefits of such a bill in securing a higher degree of efficiency, can hardly be estimated, and it should therefore receive the hearty support of all citizens.

The National Guard is particularly commended to the earnest consideration of all employers. It is believed that if they thoroughly understand its importance and value they will unhesitatingly encourage the young men in their employ to enlist, and will willingly grant them the amount of time from their regular work to properly perform the military duties required.

“That a man shall serve his country in time of war is noble, brave and patriotic; but that a man shall properly prepare himself in time of peace to serve in war is all of these things and more. It is noble with a nobility which is real, not ideal. It is brave with a bravery which assumes in time of unemotional peace many burdens, among them that of bearing the lack of appreciation of those who do not consider military preparation or training necessary.”

This country should certainly feel proud of its National Guard and should stand ready to support it in every possible way. Its success will depend, as almost everything depends, upon the good will of the people at large. It is doing all it can to merit this good will.

It is believed that in the development of this special form of militia, that is, the volunteer organization or National Guard, in conjunction with the Regular Army, the future problems of the military policy of this country are solved. It meets all the conditions required. In developing this force, no matter to what extent, men are not withdrawn from their regular vocations, and therefore from the productive capacity of the country. While filling their regular positions in life, they voluntarily devote a part of their time in preparing themselves for military service. This form of military training does not encourage a prejudice in the minds of the people, but, on the contrary, makes military service popular.

The value of the National Guard does not rest alone upon the fact that it is an effective military force for war service. It is also a great educational institution. No one who understands the training can fail to come to the conclusion that the discipline required, the development of intelligence, the precise and orderly performance of duties required, the development of physical health and endurance, makes a better class of citizens.

No other institution is doing as much to develop the patriotism of the country. The influence of the national guardsmen reaches out into every walk of life and into every community. It is a leaven which raises the average patriotism of our citizens. It is a military school which is preparing thousands of young men for the defense of their country. These men will rally to the colors whenever the safety of our country and its institutions require it.

THE NATIONAL GUARD OF KANSAS

In this state, prior to the admission of the state into the Union, the Militia consisted of volunteer companies organized in various communities of the territory, the officers of such organizations being commissioned

by the territorial governor on application of the members of the company. These companies were organized for protection against Indians, bands of outlaws, etc., which were frequent at this time. When the territory became a state the constitution provided for the organization of the Militia and the Legislature enacted a law providing for the division of the state into two military districts—the Northern District and the Southern District, the Kansas River being the dividing line. There were five regiments in the Northern District and six in the Southern. These regiments were paper organizations only. These districts were sub-divided into regimental districts. Civilians in each of these districts were selected as officers of these organizations. The law required that a roll of all able bodied male citizens between the ages of eighteen and forty-five be kept on file in the county clerks' offices. These citizens were subject to call to complete the organizations which were provided for on paper in case they should be needed to execute the laws, suppress insurrections and repel invasion. In other words, an untrained body of men was subject to the call of the governor to be commanded by untrained officers.

In 1865 the state was divided into four brigade districts. The organization at this time consisted of twenty-four regiments and four separate battalions. Efforts were made at each meeting of the Legislature to enact laws to provide for the organization of an active Militia. These efforts met with little success, the active Militia of the state being comprised of but two companies in 1870, one company in 1873, and three companies in 1874. Owing to Indian troubles in 1874, the Legislature appropriated a militia fund of \$4,000.00. During this year approximately 200 men were enrolled as active militiamen and participated in active service with Indians. In 1879 an attempt was made to provide for the organization of the Militia upon a satisfactory basis without results. In 1880 the National Guard Association of Kansas was organized and a meeting held in Topeka. A military convention of the officers of the Militia was also called with the view of securing legislation providing for an effective Militia organization. This bill was presented to the Legislature in session in 1881, passed the Senate but failed of passage in the House. This law finally passed both branches of the Legislature in 1885 and became a law. It provided for the dividing of the state into four brigade districts, the entire state constituting a division to be commanded by a major-general. The organization provided for by this law consisted of four regiments of infantry, one battery of artillery, with approximately 2,000 men. In 1894 this organization was reduced to three regiments and in 1897 was reduced to two regiments, which was practically the organization of the National Guard up to the passage of the National Defense Act in June, 1917. This act provided a strength of 800 enlisted men for each senator and representative in Congress from the state, making the total authorized enlisted strength for the National Guard of Kansas 8,000 and the necessary officers for said troops. Under the provisions of the law, these additional troops could not be organized until the Secretary of War designated

what was to be allotted to the state. About a month after the declaration of war with Germany, in 1917, the Secretary of War allotted to the state the following troops, in addition to those already organized:

One brigade headquarters detachment.

Three regiments of infantry.

One regiment of field artillery.

One battalion of engineers.

Two field hospital companies.

Two ambulance companies.

One ammunition train.

One engineer train.

One field battalion signal corps.

One squadron of cavalry.

These troops have all been organized and are now training preparatory to being called into the federal service on August 5th. The total strength of these organizations and the old organizations, including officers and men, is about 10,000.

The National Guard of Kansas has made great progress and development during the past few years. Correspondence schools have been organized for the purpose of giving uniform courses of progressive instruction to all officers. These schools are conducted during the winter months, and school camps of instruction are held during the spring in order to permit the officers to make practical demonstration on the ground of the theoretical work which they have taken during the winter months. In addition to these schools, the commanding officer of each organization conducts a school for noncommissioned officers and experienced privates. These various schools have been very beneficial to the officers of the Guard, and in turn have made them better instructors of their organizations. The instruction of the various units of the Guard during the winter months is principally done in the armories of the organizations, and consists of close order drill, bayonet exercises, guard duty, practice with gallery rifles, working of problems on sand tables, and lectures. During the summer months the instruction is mostly done out of doors and consists of close and extended order drills, rifle practice, practice marches and maneuvers. The improvement made by the National Guard of Kansas has been repeatedly commented upon by the war department, and they have rated the National Guard of Kansas among the best in the United States.

In June, 1916, the National Guard of Kansas was in the Federal service for several months on the Mexican border. During this period the rate of sickness averaged less than two per cent, and sanitary inspectors sent out by the War Department reported that Kansas had the best sanitation of any of the National Guard troops on the border. Great improvement has been made along the lines of sanitation since the Spanish-American war, this being strongly demonstrated by the contrast in the sickness and death as a result of sickness in the Spanish-American war and in the service on the Mexican border. Kansas troops were in the service over six months and only lost one man, and that by drowning.

KANSAS ARCHAEOLOGY

BY GEO. P. MOREHOUSE

Few states or localities on earth have turned up more ancient evidences of a land and region of remote antiquity than Kansas. It is well known that quite a part of Central and Western Kansas was once covered by a great inland sea, in which lived huge pre-historic monsters of the type of the ichthyosaurus, pterodaetyle, and large sharks and fishes. Gigantic land animals thrived upon a luxuriant vegetation, as proven by the enormous teeth, bones, and entire skeletal remains of the mastodon and megatherium type. Some of these wonderful specimens are preserved in our Kansas museums and many others have been taken to enrich the collections in eastern universities.

After examining a fossil fish sent to him from Hamilton County, Chancellor Snow said: "Your fine fish probably lived and died when what is now Hamilton County, now more than 3,000 feet above the present sea level, was under the salt water ocean. Remains of fishes, sharks, and great sea monsters are found abundantly in the rocks of Western Kansas, especially along the banks of the Smoky Hill River and its branches. The Rocky Mountains were not upheaved when your fish lived and died."

Whether man lived in eastern part of Kansas during the age above mentioned by Chancellor Snow is not known, but we do know, from the labors of our few but patient Kansas archaeologists, types of humanity have lived in this state for many, many hundreds of years.

Archaeology, in its more limited sense, and as generally treated, means anthropology; as it refers to the concerns and work of the pre-historic natives of our nation and state prior to discovery and exploration by the whites. It thus is the study of mankind from the beginning—back to a period of time, when his doings were not recorded in the writings of modern historians. All prior to this is "pre-historic"; for, while some of the American aboriginals had and have historical tradition and even some crude written records, yet they are so brief, vague and fragmentary, that they are not accepted as genuine history.

The united efforts of the archaeologists and geologists of Europe have brought to light interesting facts regarding the primeval inhabitants of that country. In like manner, the study and exploration of our western country will add many interesting chapters to our knowledge of ancient Kansas. Right here within the domains of this central state, midway between the oceans, Great Lakes and Gulf, where crossed the pre-historic highways of ancient commerce, is one of the richest archaeological fields and one which has only been imperfectly explored.

The idea which many have had, including our early Kansas historians, that "Kansas cannot boast of a remote antiquity, that her soil never became the scenes of stirring events until of late years"—as one of them once wrote—is far from correct. Our historical writers have been kept so busy with the known, active, throbbing life of the state during its

period of conquest, its border and Indian warfare, its Civil war agitation and its modern development and progress, that they have neglected the investigation of the things which archaeology is bringing to light.

While few, if any, commonwealths have paid more attention to its known history during its formative period and development, yet, Kansas has taken but little interest in its pre-historic annals as recorded in the testimony of the rocks and the many relics found in its ancient river beds, its mounds, and in its many Indian village sites. But now that the state has become rich and prosperous, it has more time to devote to those arts and sciences, which, while not considered necessary, add much to the general intelligence and the state pride of its citizens.

The early neglect, under state authority, to explore and gather archaeological relics has been unfortunate, for skilled parties from other states have come here and developed many inviting fields and taken thousands of priceless relics to distant states and museums.

Mr. J. V. Brower, of St. Paul, Minnesota, who conducted extensive explorations for several years, subsequent to 1896, along the Kansas Valley and some of its tributaries, took from the 100 or more village sites explored nearly 10,000 specimens to the museum of the Minnesota Historical Society.

Had the Kansas authorities encouraged and worked in conjunction with Mr. Brower, this fine collection and other fruits of his labors might have been saved to the state. While the State Historical Society has, during the years, become possessed of numerous and rare archaeological specimens, it could have had many times more by proper attention. Until recently, it has taken little interest in the matter, but is now prepared to build up a great museum along this line.

At the nineteenth biennial session, Secretary William E. Connelly presented the matter of the need of an archaeological department section. This was followed by the appointment of an archaeological committee, composed of the following persons: Geo. P. Morehouse, chairman; Mark E. Zimmerman, of White Cloud; George J. Remsburg, of Potter; Allen Jesse Reynolds, of Ottawa; Christian Bernhardt, of Lincoln; John J. Arthur, of Topeka; and John T. Keagy, of Alma. This committee is doing much to encourage the owners of small collections of relics to donate them to the society's museum, where they will be properly preserved and displayed, and also to induce those having large collections to hold them in trust for the state to which they really belong.

A few years ago, a rare Aztec chart of great age was found among the remnants of the Kansa or Kaw Indians by Geo. P. Morehouse, their official historian. It is one of the most interesting hieroglyphical scroll records ever found regarding the Aztecs, and is clearly wrought upon a sort of fibre cloth eighteen feet long by eight inches wide. Upon it is traced hundreds of characters, emblems, sign and miniature pictures, symbols of wars, battles, victories, defeats, councils and courts with a chronological calculation running along the narrative. Harvard professors say that it is a record of 200 years of the history of the Aztec people, after they left that unknown island of the Aztlan, from which they

came to Mexico. But how and when did the Kansa Indians find this pre-historic document and why did they keep it for generations among the sacred and prized relics of the tribe?

When did mankind first inhabit Kansas or the regions contiguous to it, will always be an interesting question for the scientist. Until the past few years, it has been considered that the immediate ancestors of some of our known Indian tribes were our first settlers—say within 4 or 500 years. That far back is proven from the testimony of the earliest Spanish and French explorers, who—during the period of Cabeza de Vaca in 1536; Coronado in 1541; Onate in 1601; Marquette in 1673; Dutisne in 1719; Bourgmont in 1724; Jesuit Fathers as early as 1727;—found by personal exploration or from information, that Indians were then inhabiting what is now Kansas, during those dates. Of course, the first coming of man to this state was long prior to those above dates; for, some of those explorers found the Indian fairly well established along certain of our river valleys, where it was then evident they had lived for many years.

But within a few years past, discoveries have been made which throw new light upon the antiquity of man in Kansas, and seem to prove that he was here many thousands of years ago. In 1902, the scientists of the world were startled by the discovery of the skeleton of the "Lansing man" which was unearthed near Lansing, Leavenworth County, while some parties were digging a deep tunnel. It was found far below a stratum of earth and rock, imbedded in river loess. Eminent scientists from various parts of the United States critically explored the location of the relic and reported thereon. They found that the probable age of this remarkable find was from 10,000 to 35,000 years old. From other discoveries, it is almost certain that man lived within the present borders of our state as far back as the Glacial period—possibly before.

The more thorough explorations will probably reveal—if it has not already done so—the relics of man along with that of the extinct animals found in the ancient glacial drifts of Eastern Kansas and in the beds of our pre-historic seas in the western part of the state.

It is now an accepted fact that men were living in the Mississippi Valley and along its tributaries when the mastodon and the elephant lived in and browsed upon its forests, and in New Jersey when the walrus and reindeer from Greenland reached that far south.

Relics of mankind and extinct animals are found in the gold bearing gravels of California and Colorado; and right near us in Nebraska arrow and spear points are found from fifteen to twenty feet below the ground surface, and in the loess covering the ancient lake beds of our neighboring state, mixed with the bones of the early American elephant.

Years ago (1880), the Scientific American in commenting upon a report of Judge E. P. West regarding archaeological explorations in Kansas said:

It presents a large amount of evidence to show that at a remote period that region was peopled by a race with which the mound builders must be accounted modern. . . . Prior to the drift epoch the river chan-

nels were deeper than now and the river valleys were lower. Subsequently the valleys were filled by lacustrine deposit of considerable depth. In or beneath this deposit the remains of an extinct race occur. Here we have a buried race enwrapped in a profound and startling mystery—a race whose appearance and exit in the world's drama precede stupendous changes marking our continent, and which perhaps require hundreds of thousands of years for their accomplishment. The prize is no less than determining when this mysterious people lived, how they lived, when they passed out of existence, and why they became extinct.

The explorations referred to were principally along the second bottom or terraces of the Kansas Valley in Douglas, Pottawatomie, Riley, Dickinson and Ellsworth counties,—also in the counties of Marion and Lincoln, in which the digging of wells and other excavations, stone and flint artifacts, bones and bone implements, pottery and other relics of man were found from twenty to thirty feet below the present surface of the ground. The age of these relics and the race using them has been placed just after the glacial epoch and before the deposit of the loess accumulations.

One of the prolific sources of information regarding pre-historic Kansas comes from the relics of various kinds found in the numerous mounds which have been discovered and explored by our local archaeologists. While the mounds and also those numberless stone, flint and bone artifacts found upon the sites of ancient Indian village sites were probably used by a race of men hundreds of years this side of those heretofore mentioned, yet their mute evidence is eloquent with facts touching their habits of life, their tribal relations and the extent of their travels and influence.

While the mound builders of Kansas were of a different type than those of Ohio, Illinois and Wisconsin, nevertheless, in many respects their work is just as interesting and worthy of study.

There never was a systematic exploration of the known mound and ancient Indian village sites of Kansas, and a large part of those which were first noticed when the state was settled have been obliterated by the cultivation of the soil or by the acts of careless despoilers and most of the valuable relics were lost or scattered.

Thirty or forty years ago one or two of our educational institutions made some effort and about twenty years ago the Kansas Historical Society had a committee which tried to do some original work; but having no means to pay expenses did not go very far. The most systematic work ever done in the state was by some private parties from other states,—such as that by Prof. J. V. Brower of St. Paul, Minnesota, and most of what such expeditions found went to eastern museums.

One early Kansas enthusiast was Prof. J. A. Udden of Bethany College, at Lindsborg, who early in the '80s explored several mounds south of the Smoky Hill River and found numerous animal bones, hand grindstones, stone and flint weapons,—implements and pottery,—in all about 500 relics. The finding of a piece of Spanish chain mail made him think that the site was occupied as late as the earliest western exploration by the Spaniards of Coronado's time.

Two of the most successful recent Kansas archaeologists are George J. Remsburg, of Potter, Kansas, and Mark E. Zimmerman, of White Cloud. They have discovered and explored numerous pre-historic mounds and villages sites in Northeast Kansas and preserved large collections of fine relics. Most of their work has been in Doniphan, Atchison and Leavenworth counties and has been described in published articles. Among the numerous mounds examined by Mr. Remsburg were two upon the land of the late Senator John J. Ingalls, about five miles below Atchison on a bluff overlooking the Missouri River, and Walnut Creek. One of these contained the remains of a dozen aboriginals. It was 15 feet in diameter, composed of alternate layers of stone and earth, with the bones, flint and pottery articles embedded in the earth layers. At Oak Mills, he found an extremely ancient and extensive cemetery and hundreds of flint and stone weapons, implements and potsherds.

The site of the main village of the "Quans" or the "Grande Village des Cansez" which was the famous capital of the Indian nation afterwards known as the Kansa, Kenses, Konzo, and by a hundred or more other names, had been a matter of doubt until Mr. Remsburg found it some years ago.

His proofs are conclusive that the Town of Doniphan in Atchison County stands upon the site of that ancient Indian settlement, which De Bourgmont visited in 1724 with his French expedition from New Orleans, and at that time found it to be a very old town site—probably being the site of an Indian town centuries before occupied by the Kansa nation.

Mark E. Zimmerman, of White Cloud, Doniphan County, heretofore mentioned, is doing much to clear up difficult pre-historic problems by his zealous archaeological study and explorations. He has made many original explorations of mounds and village sites and has an invaluable museum of relics as the fruit of his labors. He is a specialist upon the significance of the various types of burial mounds and pottery, as showing the movements of the ancient dwellers of this Western country. He claims that the stone cist or vault graves and the shell-tempered pottery, as found at the two ancient villages near the mouth of the Nemaha River, marks the western limit of the White Pani or Allegwi-Welsh Indians' habitat and where that interesting people made their last heroic stand and were exterminated by Siouan tribes. Mr. Zimmerman traces this people across the country from the mouth of the St. Lawrence to these places near the northeast corner of Kansas and where he and others have found much of the shell-tempered pottery, the cist graves and even in one mound some sixty specimens of the crania of the victims.

It is claimed, that in all the vast region between the Kansas River and the Mandan country of North Dakota, they were the only people who made that type of pottery and buried their dead in that manner.

A very old village site has been discovered about two miles south of Topeka, where many relics have been turned up during the past twenty or more years. Upon the recent clearing of an adjoining tract of timber land, Mr. John Arthur, a Topeka archaeologist, has recently found

numerous fragments of an ancient type of pottery and there is evidence that these primitive people cultivated the sheltered bottoms along Shunganunga Creek.

In excavating for the abutments for a bridge on Clark's Creek, near Skiddy, Morris County, at the depth of about sixteen feet a sort of oven, fireplace or hearth of matched stones fitted together was uncovered some years ago. It rested upon a solid ledge or strata of rock, far below the present channel of the stream. On and around it were ashes, charcoal, bones, some flint artifacts and a small coin-shaped disk of metal like brass. Some seven or eight feet above the fireplace and about the same depth below the surface of the earth an oak-tree stump was found, where the tree had grown. It was a find that indicated great age.

About three miles north of Neodesha on the Verdigris River, the site of a pre-historic fort and village were found. It must have been a place of great importance, for nothing so extensive exists anywhere else in that part of the state. On the highest ground of the site two parallel lines of pits appear, the dirt from both lines having been thrown between the two lines of pits making an elevated ridge. The form of the fort is rather like a horseshoe, opening toward the east. Each of these pits were from one to two rods long. Many relics of flint and metal character have been found on this site.

Several mounds and ancient town sites near Lindsborg in McPherson County have yielded many specimens—especially one situated between two never-failing streams. Many flint implements of various colors have been found, which indicate either conquest or barter with distant tribes.

Large quantities of buffalo bones have been dug up from this old site, and it would seem that the buffalo were their principal article of diet; also many specimens of pottery were recovered, indicating that the inhabitants were skilled in some of the arts.

Along several streams falling into the Kansas River from the south like Gypsum, Holland, Turkey, Lyon, Clarke and other creeks in McPherson, Saline, Dickinson, Morris and Geary counties, many pre-historic Indian villages flourished. From the fact that flint hoes, spades and other digging implements have been found, it is presumed that their ancient owners cultivated small tracts of land in the sheltered nooks of those streams.

Many old village sites have been found and explored along Wild Cat Creek in Riley County. When examined years ago, mounds of earth seemed to show where permanent earthen lodges once stood and many flint chips, knives, arrow and spear points have been gathered.

Near Broughton on the Republican River burial mounds were found along the bluffs and also near Milford, on Madison Creek.

In Geary County, about three miles north of Alida, an interesting excavation of former days can be seen. It was no temporary camp for, after probably centuries have passed, it is a well-defined earthwork. There are eight or more lodge rings from 25 to 40 feet in diameter. Near by are numerous depressions, probably the caved-in remains of ancient caches. The site was naturally well fortified by being on high

ground with the Republican Valley and River to the east, School Creek on the North and a deep depression on the west and must have been a noted stronghold.

Near Ogden, on the south side of the Kansas River, numerous burial mounds and evidences of ancient life have been found and explored, and large numbers of fine flint, bone and stone artifacts recovered,—all of which tell of the habits and customs of pre-historic Kansans.

On Walnut River in Cowley County, several mounds have been noticed, two of which were explored, and many articles found, such as grinding stones, bones, potsherds, charcoal, spear and arrow points. These were unearthed at a depth of six feet. These two mounds were 30 feet in diameter, originally 3 or 4 feet high and about 30 rods apart.

In Marion County, a large heap or mound of shells was found years ago; and on bluffs of Wolf Creek in Coffey County, numerous stone heaps have been found in which shells of muscels are mixed, such as are found so numerous in the Neosho River a mile away and which yield so many fine pearls even to this day. These heaps were possibly once covered with earth, which the elements have washed away. At the foot of the bluff, a probable crematory and many flint arrow points were found,—some of which with fragments of pottery were several feet below the surface where large oak trees 4 feet in diameter had grown.

In Leavenworth County, on Pilot Knob Ridge near the Fort, six mounds in a line and about thirty feet apart have been found.

Probably the largest remains of the mound builders in Kansas are the five or more mounds near Edwardsville, Wyandotte County. While they are now about a half-mile from the Kansas River, the indications are that they once stood upon the bank of the ancient Kaw, or some other stream.

These mounds are about 5 feet high, 25 feet in diameter and stand fifty feet apart. Before the ground was cleared, these mounds were hidden by a growth of large oak trees, and all the surroundings indicate an ancient piece of work. Many stone and flint implements have been found near this place.

The Kansas mound builders were more migratory than those east and left few, if any, remains of walled defenses. They might properly be termed prairie mound builders to designate them from those who left more pretentious works.

One of the very important and unique archaeological relics of "Life in Old Kansa," is the ruin of an old pueblo twelve miles north of Scott City, Scott County. It has been determined by several competent scientists that these ruins are the long lost remnants of the pueblo El Quaratelejo, which were established about 1702 (some claim as early as 1650) by some adventurous Pueblo Indians from the Town of Picuries in New Mexico. Originally it was a stone and adobe building of 32 by 50 feet, and was divided into seven rooms.

Probably it was the first walled house ever constructed within the present borders of Kansas. In it were found stone, flint and bone implements, meal stones, potsherds, a quantity of charred corn and other

things used and found in an Indian pueblo of the Rio Grande, New Mexican type. Although most of the walls had been despoiled by early Scott County settlers,—who probably wanted the material—enough of the foundations remained in 1898 from which Profs. S. W. Willston and H. T. Martin of the Kansas University derived many interesting facts and recovered numerous relics. The result of their labors is found in *The Kansas University Science Bulletin* of October, 1909.

There is no evidence that Spaniards or other whites had anything to do with its construction or ever lived there, and it seems that the Pueblo Indian owners of El Cuartelejo were soon persuaded by the Governor of New Mexico to return to their former home.

The honor of establishing the first white settlement and governmental center within Kansas is with the French, who as early as 1727 maintained a Jesuit mission station and built a fort and trading post among the Kansa Indians on the Missouri River prior to 1757 and called it "Kansas." The ruins of this old French fort and post were seen by the Lewis and Clark Expedition, and are also described in Bougainville on French Forts and other early Canadian documents. (See *History of Kansa or Kaw Nation*.)

In Geary County, on a bluff overlooking the Republican Valley and about three and one-half miles northwest of Junction City, four mounds were discovered and opened in 1879 by Hon. John Davis, the owner of the land. They were arranged in a semi-circle eighty feet apart,—the largest being 30 feet in diameter and about 4 feet high and the others from 12 to 20 feet in diameter. They were mounds of sepulture, built of layers of stone and earth, and the remains of many bodies were found, which seemed to have been placed upon the original surface of the ground and the mounds built over them. Fragments of primitive pottery or urns with pipes, arrow and spear heads were found.

It would be interesting to know more about the original people who lived upon and around the old William Malotte farm a little east of White Church, in Wyandotte County; for, there, over an extensive area, an ancient Indian town flourished in pre-historic times. Probably several cultures of aboriginals occupied it at different periods, which accounts for the large variety of relics found thereon. The late George U. S. Hovey, of White Church, during his many years of activity, recovered hundreds of fine specimens from this site, most of which were included in his large collection now in the museum of the Kansas University.

Among the sites of ancient Indian towns of the pre-historic period which have yielded up innumerable stone and flint artifacts is the one at Diamond Springs in southwestern Morris County. This old site is known as the "Town of the Big Spring," for near its center an enormous spring of fine water bursts from the ground and makes a stream several feet wide. This site was discovered along in the '60s when the land of the David Rude farm was broken up. Since that time bushels of relics of stone and flint material have been recovered, but taken by so many people, no very complete collection has been kept together.

This shows the unscientific method of many people, at different times, exploring a site.

Years ago, so much material was taken from this place that it was supposed to have been worked out; but, every year, as the soil is worn down, more relics are found. A workshop was disclosed with thousands of flint chips and fragments of broken artifacts. Probably the fine spring, the sheltering trees, and rich bottom nooks, along with a flint quarry near by were the causes that boomed this ancient town.

In the open bottom and within a half mile seem to be the site of a terrific battle, in which the defenders of the town went out to meet the attacking forces. The contest was a hot one, for numerous arrow and spear points, of two distinct types, were found in large numbers, broken and scattered about, where the contending forces met and struggled. One type of these war relics is the same as found at the old town—being the ordinary blue flint of that locality. The other type, used by the invaders were arrow and spear points of a much better grade of material and workmanship. They were sharper, better pointed and made of varieties of agate, gray, white and red colored flint. It appears, however, that the attacking forces in that battle failed to take the town. As no pottery had been found here, it must have been occupied by a type of Indian different from many of the villages above noted.

It would be an interesting contribution to have a Kansas map of the location of the many known pre-historic Indian towns and villages,—only a few of which have been above mentioned. A true pre-historic town does not include those tribal centers where iron articles are found, such as knives, gun barrels, axes and numerous other implements which were furnished them by the whites. Such places are of comparative recent date and can be identified with some modern tribes of Indians. But of the ancient pre-historic towns,—the busy centers of aboriginal life and activity hundreds of years before the whites knew anything about Kansas,—it is not so easy to determine, when and by whom they were occupied, or what became of their inhabitants. And yet some of them have been so well explored that they have given up many important facts concerning the character and hustling qualities of our primeval Kansans.

In some instances, the more modern Indian village has been built upon the very site of an ancient town, about which the later occupants knew nothing in fact or by tradition. Upon some sites, as many as three entirely different types or cultures have been found, which show like the slicing down of a layer cake, and the investigations have proven that the implements of warfare, agriculture, etc., of each strata, were entirely different in character and workmanship and must have belonged to people living at different ages. This is perfectly natural, for the nomad was no tyro as a town boomer and in selecting a good town site was often more skilled than his white brother,—as proven by some of the great floods along Kansas valleys. The succeeding Indian town promoters were very liable to select the same points of advantage as their predecessors, even though the earlier town had been obliterated by the

dust and debris of ages. It is from these pre-historic sites that we have found the countless varieties of stone and flint spear and arrow points and the many other interesting implements of war and peace, and where it is certain that people of different grades of intelligence lived long ages before the more modern tribes existed.

Thus we have seen that there are three principal sources of information from which we derive our archeological or pre-historic knowledge concerning the first inhabitants of Kansas: (1) The scattered relics of man, his bones or workmanship, found here and there deep in the ancient drifts of river beds or resting in other hidden places, from which they are often thrown up to light; (2) The many ancient mounds and cemeteries along our valley slopes or upon slightly bluff prominences, in which have been preserved the skeletal remains of a pre-historic people along with specimens of the tools of warfare and industry they used; (3) The numerous old town and village sites which have yielded up such rich harvests of stone and flint artifacts such as arrow and spear heads, axes and tomahawks, knives and scrapers, spades and hoes, mortars and milling stones, specimens of various types of pottery and store house caches, and now and then, unique emblems and symbols which seem to connect them with former ages of civilization beyond the seas.

These all speak volumes of the intense life and activity of a race of early Kansans, who lived and died in a primitive but not indolent manner, along the rich valleys and upon the fertile prairies now occupied by the more perfect civilization of modern times.

While much has been lost in the past by imperfect and careless exploration and the lack of proper preservation of what we have found, yet, as time passes and our progressive age delves deeper and deeper into the earth by more extensive excavation, new and startling facts will be revealed and our people will take greater interest in this topic. And why not? For it is bringing to light much interesting pre-historic data, which is of so much value to the future historian, poet, scientist, and to all those students of ancient life in the Sunflower State.

KANSAS BANKS AND BANKING

The history of banking in Kansas is a story which has no moral or impressive warning bearing on the dangers of rash speculation; the taking of desperate financial chances; unrestrained expansion induced by exuberance of animal and intellectual spirits, and firm faith in the splendid future of the country, based for years upon nothing but faith; for the outcome of the banking institutions of the state was, finally, beyond all predictions—and this, despite the fact that virtually for forty years there was at best but a very loose government supervision of them. The period of state supervision dates from 1897, and since that year the Kansas spirit, the Kansas energy and the Kansas progressiveness, like a stalwart horse of the plains, have been placed in harness and wisely regulated, without being broken or retarded for the best purposes of society.

The Kansas spirit and the Chicago spirit have long been placed in the same class.

Several banks were established in Kansas before any law had been passed by the territory under which they could be operated. They were not called into existence by the development of agriculture, by the founding of communities and the growth of local trade, but rather by the great overland transportation and supply business which mainly centered at Leavenworth and Atchison, and which, during the Civil war, was supplemented by Government work at the western forts.

When the banks were first coming into being, not only was the wild speculation in town sites at its height, but the territorial authorities had issued quite a quantity of scrip to supply the dearth of a medium of exchange under which the settlers suffered, to meet the expenses of political movements and to serve as a protection fund against the anti-free soilers.

As was written by the late George W. Martin: "There were three issues of scrip in territory days and, being without a redeemer, it is curious to know what became of it. We have occasional inquiries to this day as to the value of this paper. There was first the Kansas State scrip, issued to pay the expenses of the Topeka Movement. It was signed by James H. Lane, president, and J. K. Goodin, secretary. We have a piece of this scrip for \$20, issued to Timothy McIntyre, a doorkeeper of the Topeka constitutional convention. He was one of the first settlers of Topeka. He was born in New Hampshire in 1819 and died in the State Hospital, of old age, November 10, 1910. The Chicago Tribune said there was \$50,000 of this paper issued.

"Another issue was called the Kansas Protection Fund. We have a piece of this for \$130, dated February 29, 1856, signed by C. Robinson, J. H. Lane, J. K. Goodin and George W. Deitzler. The full amount is stated at \$23,858, and it was to liquidate losses during the invasion of December, 1855. Governor Robinson secured donations in Massachusetts to redeem \$10,000 of this protection scrip.

"Another issue is known as Free State warrants. We have two samples of this issue, one for \$62 and one for \$18, dated March 15, 1856, signed by George A. Cutler, auditor of state, and issued under act of March 15, 1856, defining certain duties of the auditor of state.

"The Historical Society also has, among its curios, quite a number and variety of bank notes issued in Kansas from 1854 to 1862, representing institutions at Leavenworth, Lecompton, Sumner, Lawrence, Atchison and Wyandotte. However, we find no mention of organized banks at Lecompton and Sumner."

For several years before the war numerous relief funds were being raised in New England and sent to Kansas—not only anti-slavery money (which has been estimated at a total of \$250,000), but hundreds of thousands of dollars to assist Free Soil emigrants and relieve drought sufferers. In one statement of the New England Emigrant Aid Company it is stated that \$455,000 was expended in the Territory of Kansas, \$100,000 of which Pomeroy used in the drought of 1860. Much of the

balance was for town sites, sawmills and hotels. The Kansas National Committee, prior to January, 1857, when it dissolved, sent to Kansas about \$200,000. A report adds: "One-half of this value probably reached its destination; the remainder, during the disordered times of the summer and fall of 1856 was interrupted, destroyed or appropriated by the numerous bands of proslavery regulators who infested the landings on the upper Missouri, plundering Free State emigrants in the name of law and order."

It was in the midst of such chaotic conditions, the territorial Legislature of Kansas passed its first banking law. On January 29, 1857, an act was passed making it unlawful for any company or association to be formed for banking purposes, without authority from the Legislature. It was also made unlawful to subscribe for such purpose. The penalty for its violation was a fine ranging from \$400 to \$1,000, or imprisonment of from six months to twelve. The act establishing the Kansas Valley Bank at Leavenworth was approved on February 19th of the same year. It provided for branches at Atchison, Leecompton, Doniphan, Fort Scott and Shawnee. As an anomaly of nature, it may be stated that though the Leavenworth parent was never born, a vigorous son sprang into being at Atchison. Furthermore, the act made the branches entirely independent of the trunk!

An official examination of the books of the Atchison branch showed that 50 per cent of its authorized capital stock had been paid in and that the other terms of its charter had been complied with; so that it commenced business February 18, 1858, the charter of the Kansas Valley Bank having been repealed on the 3d of the month.

Three banks were incorporated by the act of February 11, 1858—the Lawrence Bank, the Bank of Leavenworth and the Bank of Wyandotte. The authorized capital stock of each bank was \$100,000, which was to be divided into shares of \$100 each, and the affairs of each institution were to be managed by a board of eight directors. Section 12 of the act provided that "whenever the directors of either bank shall deposit with the comptroller an amount of the state bonds of any interest paying state in the Union, or of the United States, equal in value to \$25,000, at the current rates of the New York Stock Exchange, and shall satisfy said officer that they have on hand \$2,500 in specie for the purpose of redeeming notes of the bank, then the comptroller shall countersign \$25,000 of said circulating notes and return them to the president for use; and it shall then be lawful for said bank to use said notes as currency."

On February 7, 1859, the Legislature passed an act authorizing the establishment of savings banks, and under its provisions was organized the Lawrence Savings Bank.

But before any of the banks organized under the territorial laws could be fairly established, except possibly the "Atchison branch," Kansas was admitted into the Union as a state (January 29, 1861). The status of those already authorized was in no wise altered, but, under the state government, the conditions under which other banks could be established were materially changed.

The Wyandotte Constitution contained a provision that no bank should be established except under a general banking law, and that no banking law should be in force until after it had been submitted to a vote of the people at a general election and approved by such popular vote. The first State Legislature, which met in March, 1861, passed a general banking law containing the following provision: "Whenever any person or association of persons, formed for the purpose of banking under the provisions of this act, shall duly assign or transfer in trust to the auditor of this state, any portion of the public stock issued, or to be issued by the United States, or the stocks of the State of Kansas, said stocks to be valued at a rate to be estimated and governed by the average rate at which said stocks are sold in the city of New York, at the time when such stocks may be left on deposit with the auditor of state, such person or association of persons shall be entitled to receive from the auditor an amount of circulating notes of different denominations registered and countersigned, equal to and not exceeding the amount of public stocks assigned and transferred as aforesaid."

Under the law, the stockholders were also required to give a bond to the auditor for an amount equal to one-fourth of the notes issued; also a certificate to the effect that 10 per cent of the capital stock had been paid in specie, which was to remain as security in the vaults of the bank. No bank was to be authorized with a capital stock less than \$50,000. Annual statements showing the financial condition of the bank on a date certain were also required. In the event that a bank should fail to redeem its notes on demand, they might be protested, and, if not paid in twenty days, the auditor of state was authorized to give notice that they would be paid out of the trust funds. Note holders could recover damages from the bank. The law ratified at the general election of November 5, 1861, by a vote of 4,655 to 2,807, but before it could fairly be tested Congress passed the National Banking Law, and the banks of Kansas which continued to do business under their old charters were confined to institutions of discount and deposit.

Notwithstanding that the State Supreme Court decided that the state could only authorize the formation and operation of discount and deposit institutions, which are in reality not banks in full application of the word, banks which carried on a general business were authorized by the Legislature, and the banking affairs of the commonwealth were rather loosely regulated until the passage of the Kansas General Banking Law of 1891.

Perhaps the most important measure passed within this uncertain period was that relating to the reception of funds by any official of the bank after he knew it to be insolvent. By act of March 12, 1879, it was made unlawful for "any president, director, manager, cashier or other officer of any banking institution, to assent to the reception of deposits, or the creation of debts by such banking institution, after he shall have knowledge of the fact that it is insolvent or in failing circumstances." The act also made it the duty of every officer, director, agent or manager of any banking institution to examine into the affairs of the same and, if possible, know its condition. Another act of the same date provided that

any officer of a bank receiving deposits, or assenting to the creation of debts when such bank shall be in an insolvent condition, should be deemed guilty of larceny and "punished in the same manner and to the same extent as is provided by law for stealing the same amount of money deposited, or other valuable thing, or if loss occur by reason of such deposit."

The conditions which prevailed two years before the passage of the State Banking Law of 1891, and which made it so necessary that such a measure be inaugurated at once, are thus set forth by Governor Humphrey in his message to the Legislature of 1889: "We have no law regulating the important subject of banks and banking. Banks of discount and deposit are referred to, as banks of issue are forbidden by the constitution, except by a vote of the people. Even the general corporation law does not include banking as one of the many purposes for which corporations may be formed, and the only provision on the subject is Article 16, Chapter 23, General Statutes, being an act of six sections for the organization and incorporation of savings associations. The right to incorporate banks under this act for the purpose of carrying on a general banking business has been questioned, and even the constitutionality of the act assailed in the case of Pape vs. Capital Bank, 20 K. 440.

"Notwithstanding this, hundreds of banks over the state have been organized and incorporated, not as savings banks, in fact, but to carry on a general business. In justice to those who desire to form banking corporations, there should be some adequate provision of law for that purpose; and in justice to them, as well as to the business public, there should be an act regulating the subject of banks and banking generally, with some power of examination, inspection and supervision, which might be lodged with a bank commissioner, or with the present superintendent of insurance."

Nothing was done at that session, but in 1891 the Legislature passed a general banking law which formed the foundation of the system which, as elaborated, is now in force. Its most important provision, Section 21, was the creation of a bank commissioner, in conformity with the governor's recommendation. Four years constituted the term of the new official, who was to be appointed by the governor and confirmed by the Senate. A deputy bank commissioner was also provided for. No person connected with a bank, or interested financially in it, was eligible for either office. The commissioner and the deputy are required to furnish \$20,000 and \$10,000 bonds respectively. Every bank doing business in the state except national banks, must be visited by the commissioner, or his deputy, at least once a year, or oftener if necessary, for an investigation into the financial standing of the institution.

By the provisions of the law, the commissioner and his deputy are empowered to investigate all persons connected with banks when making an investigation and report the same in writing. A graduated fee was to be charged for these examinations, ranging from \$5 for banks of \$5,000 capital stock to \$20 for banks of \$50,000 capital stock and over.

It was also provided that the bank commissioner could call on all banks, except national, at any time for a report of their condition, and four such reports were to be made each year. When a bank became insolvent it was made the duty of the bank commissioner to take charge of it until a receiver could be appointed. By the law creating the office of commissioner, he was required in each even numbered year to report to the governor the "names of the owners or principal officers, the paid-up capital of each, the number of banks in the state, the name and location of each, and the number and dates of examination and reports of and by each."

Charles F. Johnson of Oskaloosa was the first bank commissioner, who served from 1891 to 1893. He was succeeded by John W. Briedenthal of Chetopa, whose term covered 1893-1900. Then came Morton Albaugh of Kingman, 1901-04; William S. Albright, Leavenworth, 1904-05; Joseph N. Dolley, Maplehill, 1909-1913; Charles M. Sawyer, Norton, 1913-14; William F. Benson, El Dorado, 1914-17; Walter E. Wilson, Washington, 1917—

A second law was passed in 1897 by which banks were required to secure a charter of incorporation from the state, and when all its requirements were complied with, the commissioner was empowered to issue a certificate authorizing the bank to transact business. The law of 1897 was far more comprehensive than that of 1891. Of its sixty-five sections, perhaps the chief provisions are as follows: Giving five or more persons power to form a corporation for banking purposes; no two banks in the state to be permitted to operate under the same name; the building owned by the bank as a place of business not to equal in value more than one-third of the capital stock; stockholders to be liable for a sum equal to the par value of their holdings; banks organized prior to the passage of the act to conform to its provisions; receiving deposits by any officer after knowledge of the bank's insolvency, or impending insolvency, making the offender liable to a fine not exceeding \$5,000, or imprisonment in the penitentiary from one to five years, or both; no bank to be permitted to do business without legislative authority, and the bank commissioner to retain the duties previously conferred upon him.

The act of 1901 placed trust companies under the banking laws of the state, especially as regards the impairment of capital and insolvency; that of 1903 provided that no bank should be established with a capital of less than \$10,000, and that every officer of an incorporated bank should hold at least \$500 of its stock as long as he was thus identified with it.

The act of March 6, 1909, has been defined as "doubtless the most radical and far-reaching law on the subject of banking ever passed by the Kansas Legislature." It provides for the security of depositors in the incorporated banks of the state, creates the bank depositors' guaranty fund of the State of Kansas, and lays down regulations and penalties. Principal features of the law: Any incorporated state bank with a paid-up surplus equal to one-tenth of its capital might participate in the benefits of the guaranty fund, and the bank commissioner was authorized

to issue a certificate to that effect; before such certificate be issued, the bank was required to deposit with the state treasurer for each \$100,000 of deposits, or fraction thereof, \$500 in bonds of the United States, the State of Kansas, or some minor political division of the state, and in addition pay a sum equal to one-twentieth of 1 per cent of the average deposits; when any bank should be found insolvent the bank commissioner to take charge, issue to the depositors a certificate bearing interest at the rate of 6 per cent per annum, and if the bank's assets should prove insufficient to pay the depositors, then the certificates should be redeemed from the guaranty fund; national banks, by reorganizing, might become guaranty banks; any bank guaranteed under the provisions of the act that should receive deposits continuously for six months in excess of ten times its capital and surplus should be deemed guilty of violating the law and forfeit its guaranty rights and privileges.

Regarding the opposition which developed on the part of the national banks, during that period, a writer of the times says: "Soon after the passage of the law, opposition on the part of the national banks of the state developed, because it was feared that the guarantee of deposits in the state banks would give those institutions an undue advantage. Governor Stubbs, Bank Commissioner Dolley and Attorney-General Jackson went to Washington to confer with the United States attorney-general, and some national banks went also to present their side of the case. Attorney-General Wickersham upheld the law, and when it became apparent that it was the intention of the opponents of the law to bring an action in the Federal Court, the state forestalled the movement early in August, 1909, by instituting proceedings to enjoin certain persons and bankers from interfering in any way with the enforcement of the law. At the same time the attorney-general asked the Supreme Court for a writ of mandamus to make it necessary for the bank commissioner and the state treasurer to carry out the provisions of the law. The question, however, was finally carried to the Supreme Court of the United States, which upheld the law, and the state banks of Kansas were thus placed upon a basis of security surpassed by no state in the Union."

In common with all the states of the Union, Kansas was radically affected by the national financial legislation of 1915, especially by the passage of the Federal Reserve Act, by which the vast financial resources of the United States guaranteed the security of its banks, and the farmer was enabled to borrow money in promotion of his interests on the most favorable terms. The nation was divided into twelve districts, with a central reserve bank in each district. The Tenth district included Kansas, Nebraska, Colorado, Wyoming and parts of Missouri, Oklahoma and New Mexico, its central bank being established at Kansas City, Missouri. The third annual report of the Federal Reserve Board for the period covering July 15-December 31, 1916, indicated that the banks in the twelve Federal Reserve cities had handled 28,884,676 items representing \$12,538,260,555, of which the Kansas City Bank had handled 1,562,860 items valued at \$845,154,257.

Having thus delineated the complications and difficulties which at-

tended the establishment of the banking system of Kansas, with a notice of some of the more important measures which promoted its development, the reader may reasonably expect mention of the pioneer banks of the state from which those now in existence have sprung. No better record of such has been made than by George W. Martin, the lamented secretary of the Kansas State Historical Society, in a paper read before the Kansas Bankers' Association at its annual meeting held at Topeka, May 23, 1912. From it the writer makes the following generous extract: "When we consider the strength and importance of the banking interests of Kansas today, as in other lines of activity, the wonder is how a start was ever made. The first advertisement of a bank in Kansas appeared in the Leavenworth Herald of July 12, 1856. It was called the 'Banking and Exchange Office of C. P. Bailey, Jr., & Co., Delaware street, Leavenworth.' It reads thus: 'Buy and sell time and sight bills on the principal cities in the United States at the most favorable rate. Collections made and proceeds promptly remitted at current rates of exchange. Interest allowed on time deposits. Exchange for sale on the Royal Bank of London.' Then followed a list of ten references. In his History of Leavenworth County, H. Miles Moore says: 'Mr. Bailey opened up in a little one-story frame building on the north side of Delaware street between Main and Second. Mr. Bailey was a timid man and his money more so. As things progressed rapidly in the summer and the boys began to get a little gay with their guns, he thought the town was getting too rapid for him, and he pulled up stakes and returned to Ohio, bank and all.' Cutler's History mentions this as the first bank, but says its life was neither long nor vigorous.

"The first bank failure was that of the City Bank of Leavenworth. It was opened in the winter of 1856-57. Henry J. Adams, the first Free State mayor of Leavenworth, was president; A. C. Swift, cashier, and F. G. Adams, a brother of the president and for twenty-four years secretary of the State Historical Society, was also interested. It was a bank of issue, and was located on Delaware street between Second and Third. It failed during the crisis of 1857, with heavy loss to its owners. A number of red-back two dollar bills of this bank are still in existence.

"In Sutherland's directory of the city of Leavenworth for 1859-60 there are eight banks advertised. In the list are the following, which made great fame subsequently, in various ways: D. R. Anthony; Clark, Gruber & Company; J. C. Hemingray & Company; Scott, Kerr & Company, and Smoot, Russell & Company. From other sources it is learned that from 1857 to 1859 four other attempts at banking were made, two of which left their mark—J. M. Larimer and J. W. Morris.

"Smoot, Russell & Company opened a bank in the fall of 1855 at the southeast corner of Main and Shawnee, in a stone building, the north wall of which still stands. This was one of the largest and most important private banks in the West. When the Majors, Russell & Waddell government freighting concern was removed, the bank was succeeded by that of J. C. Hemingray & Company in the same place. L. R. Smoot, W. H. Russell and W. B. Waddell were directors of the Atchi-

son branch of the Kansas Valley Bank of Leavenworth, which was authorized by act of the Legislature of 1857, but never materialized, although the Atchison branch was organized.

"In this connection, it is proper to speak of the immense business opened up in Leavenworth, in the fall of 1855, by the Government Overland Transportation Company of Majors, Russell & Company. It built stores, blacksmith shops, wagon and repair shops, and employed annually over four hundred wagons, 7,500 head of cattle and about 1,000 men. In 1858, upon receiving a contract for the Government freighting for General A. S. Johnston's army to Utah, it increased operations to the employment of 4,000 men, 3,500 wagons and teams, with over 40,000 oxen and 1,000 mules to haul the supplies. This company also had a contract with the Government for beef cattle, and, it is said, had many contracts, to the amount of more than \$1,000,000 a year. For the years 1855 and 1856 their profits footed up to about \$300,000. W. H. Russell was the financial genius of the firm, as well as of the Central Overland California & Pike's Peak Express Company, of which he was president and manager. The founder of the freighting concern, Alexander Majors, the transportation genius, had begun his career freighting to Santa Fe in 1848, with an outfit of six teams. There is a memorial window in his honor in the dome of the capitol at Denver, where he died in 1899.

"On January 29, 1857, the Territorial Legislature passed an act providing that every company or association of persons formed for banking purposes within the territory, and without an act of the Legislature authorizing the same, should be deemed unlawful. The first bank authorized by legislative act was that of the Kansas Valley Bank of Leavenworth, capital stock \$800,000, with five branches at Atchison, Leecompton, Doniphan, Fort Scott and Shawnee, Johnson County. The capital stock of the branches was to be \$300,000 each. For the Leavenworth bank the following men were named to take subscriptions to the capital stock: William F. Russell, A. J. Isaacs, William H. Rogers, William F. Dyer, F. J. Marshall and James M. Lyle. The Leavenworth bank never was formed, and the Atchison branch was the first to start out under act of the Legislature.

"Isett, Brewster & Company conducted the first legitimate banking business at Leavenworth, in a building erected for that purpose alone, and still standing in 1906. John Kerr was the company and manager. In three years Isett & Brewster sold out their interest to Lyman Scott, Sr., and the bank became Scott, Kerr & Company. Mr. Kerr sold to the Scotts (1865-66) and moved to Texas, where he continued in the banking business. Scott & Company continued until 1874, when the bank was absorbed by the First National Bank. The Scotts held the controlling interest in these banks for many years. They were Lyman, Sr., Lyman, Jr., and Lucian, who was either president or cashier for over twenty-five years.

"The First National Bank of Leavenworth, organized in 1863 or 1864 (chartered in 1863—Editor), was also the first national bank in the state. Its history is peculiar in the personnel of its officers and direc-

torate, and their connection with affairs of state. Thomas Carney, governor in 1863-64, was the first president and one of the organizers and directors. At a most critical time in the state's history, he advanced his private means and saved the credit of the state. He gave \$1,000 for relief of the Quantrill-raid victims, and made the first subscription of \$5,000 to the State University. Politics in the end got him. Robert Crozier, cashier in 1871, was district attorney in 1861, chief justice in 1864, United States senator in 1873-74, and judge of the First district, 1877-93. It was May 24, 1871, while he was cashier of the bank, that he, in behalf of the bankers of Leavenworth, requested Governor Harvey to issue a proclamation declaring May 30th a day for public fasting and thanksgiving, thus calling out the first proclamation for the observance of Decoration day in this state. (A footnote here states that Decoration day originated with General John A. Logan, who, on May 5, 1868, as commander-in-chief of the Grand Army of the Republic, issued an order appointing May 30th of that year to be set aside for decorating the graves of the comrades of that body—Editor.) This letter is filed in the archives department of the State Historical Society, with a copy of the proclamation.

"Edmund N. Morrill, who succeeded Lucian Scott as president of the First National, was congressman in 1883-91, governor 1895-97, a member of the Free State Legislature of 1858, major in the Civil War, state senator for two terms, organizer of the first bank in Hiawatha (1871, Barnett, Morrill & Company), and a director of the Interstate National Bank of Kansas City, Mo. Alexander Caldwell succeeded Governor Morrill as president in 1897. He had been a banker in Pennsylvania; came to Leavenworth in 1861, where he organized the firm of A. Caldwell & Company, United States transportation contractors. This firm did an immense business freighting government supplies to the frontier forts, requiring the use of 5,000 wagons, 50,000 animals and the employment of from 5,000 to 10,000 men. Mr. Caldwell was president or vice president of two railroads, a builder of railroads and bridges and head of the Kansas Manufacturing Company and of the Idaho & Oregon Improvement Company for location of towns, canals and irrigating ditches.

"The First National Bank absorbed the bank of Insley, Shire & Company. This was a private bank, organized in 1872, by M. H. Insley, Daniel Shire and E. F. Kellogg. In 1875 Mr. Kellogg retired and W. H. Carson became cashier. After the death of Mr. Insley the bank merged into the First National. The First National absorbed the German bank also.

"It is interesting to note that one of the early business men of Leavenworth, John F. Richards, an officer and stockholder in the German Bank, was quoted a few weeks ago in the Kansas City papers as the owner of \$525,000 in stock in a Kansas City bank, and that his stock is today worth six times its face value and twenty-four times its original cost twenty-five years ago. Mr. Richards established in Leavenworth the largest wholesale hardware house west of St. Louis in 1856, and at a later date the great wholesale house of Richards, Conover & Company maintained a branch in Kansas City.

"The bank of Clark, Gruber & Company maintained a branch in Denver and at one time M. E. Clark, who was in charge from 1860 to 1863, established a private mint for coining gold, which was the nucleus of the present mint in that city.

"There is much interesting detail that must be passed over. Burke's History of Leavenworth made the following summing up to the year 1880: 'As a money center and a base of supplies for the West and the Southwest, the financial importance of Leavenworth during the War and for years after excelled that of most cities five times its population. Between the close of the Civil War and the panic of 1873 there were eight banks, representing a total capital of about \$800,000. In 1880 only three banks had survived that panic, the drought and failure of crops and the grasshopper scourge. They were the First National, the German Bank and Insley, Shire & Company (now all absorbed in the First National), and the total capital was \$350,000.'

"The banking interests at Atchison had a commencement under equally interesting circumstances as had those of Leavenworth, because of the character of those engaged and the great enterprises associated with banking. The Atchison branch of the Kansas Valley Bank, the first one to be formed under the legislative act, being authorized February 19, 1857, with a capital stock of \$300,000 and securities of \$100,000. In the act, John H. Stringfellow, Joseph Plean and Samuel Dickson were named to open subscription books. An organization was effected in the spring of 1858, and the capital stock fixed at \$52,000. The Board of Directors included S. C. Pomeroy (president), W. H. Russell, L. R. Smoot, W. B. Waddell, F. G. Adams, S. Dickson and W. E. Gaylord. In denial of the statement made by rival towns of Sumner and Doniphan that the bank was about to suspend, the directors published a statement of its condition soon after starting, showing that the assets were \$36,638 and liabilities \$20,118. The archives department of the Historical Society possesses three documents, dated July 14 and August 3, 1857, concerning the appointment of L. S. Boling, of Leecompton, to examine and report on the affairs of the Atchison branch of the Kansas Valley Bank—the first proceeding of the kind in Kansas.

"S. C. Pomeroy resigned as president before the year 1858 was ended. He was United States senator from 1861 to 1873, and worked for and secured the passage of every land grant made to a Kansas railroad during his first term. In 1860-61 he was agent of the Kansas Relief Committee for the receiving and distribution of funds and supplies furnished by eastern states. G. H. Fairchild was the treasurer of the committee, and the cash receipts from October 1, 1860, to March 15, 1861, were \$83,869.52. Mr. Pomeroy was succeeded as president of the Atchison branch of the Kansas Valley Bank by William H. Russell, of the contracting firms of A. Majors & Company and Smoot, Russell & Company. In 1861 this bank, then called the Kansas Valley Bank, had its name changed by the Legislature to the Bank of the State of Kansas. William H. Russell resided at Leavenworth, and was in 1856 the treasurer of the executive committee to raise funds to make Kansas a slave state. The

Bank of the State of Kansas continued until 1866, when the stockholders wound up its affairs. Mr. Russell lost heavily in his Overland Pony Express Company and the California Pike's Peak Stage Company, Ben Holliday, of Missouri and New York, securing control of the latter. It was said that he received \$500,000 a year for carrying the United States mail between Atchison and Salt Lake, and sold the stage line to Wells-Fargo for \$1,800,000. Atchison had an enormous business in those days derived from the trade of the West, being the starting point of the stage line, the Butterfield Overland Dispatch, and the parallel road to the Kansas gold mines near Pike's Peak.

"I have always believed that Samuel C. Pomeroy was a greatly wronged man. George W. Glick, a Demoerat, was a very warm friend to Pomeroy, and he always expressed great indignation when he heard 'Old Pom,' as we all called him, abused about the aid business. He witnessed Pomeroy, several times, divide out aid as it came, and made mention of the abuse heaped on him by the beggars when he could not meet their demands for a wagonload in all to divide. Pomeroy's fall was the result of a conspiracy, and not because of general bribery. Dave Butterfield was a sawmill hand at Junction City. He left his wife there to hustle for herself, which she did by sewing. She made some shirts for me. After a year or so, Butterfield turned up on Wall Street, where he raised \$6,000,000 to stock the Butterfield Overland Dispatch, to the amazement of all his old associates. The coaches, mules and equipment were the most extravagant. He was killed at Fort Smith by a street-car employee with whom he had quarreled.

"The Exchange National Bank of Atchison, the oldest banking institution of Atchison, was established in 1859 as Hetherington's Exchange Bank. Its founder was William Hetherington. Save for one year during the war, its doors have been open daily. Repeated attempts to plunder it at that time induced Mr. Hetherington to close out his business and wait for better days. In 1869 it was removed to the fine building on the corner of Fourth and Commercial, erected by Mr. Hetherington for the express use of his banking business. In 1876 Mr. Hetherington admitted his son, Webster W. Hetherington, who had been for a long time a clerk in the bank, to a partnership, and in 1881 another son, Clifford S. Hetherington, became associated in the business. The Exchange Bank of William Hetherington & Co. was changed to the Exchange National Bank of Atchison, August 1, 1882. The formal change was made July 21st, when the incorporators deposited with the comptroller of the currency \$100,000 in government bonds, and completed the steps required by law, but the bank did not commence business until August 13th. The directors were William Hetherington, Webster W. Hetherington, B. P. Waggener, Frank Bier and J. S. Galbraith. Ex-Governor W. J. Bailey is now vice president of this bank.

"Luther Challis appears as a banker in directories of 1859-61, corner of Second and Commercial streets. In 1855 he had a big trade with Mormon emigrants and various Indian tribes. He was a member of the Territorial Council, 1858, of the Free State Council, 1859-60, and later

state senator. He framed the bill that authorized the construction of the Central Branch of the Missouri Pacific, being a president of that road and also a director and stockholder in the Atchison, Topeka & Santa Fe. In 1862 he began to operate in Wall Street, and in 1864 removed to New York, where it is said he had \$960,000 on deposit. He returned to Atchison in 1878 to save the remnants of his fortune. He fought more than the bulls and bears in New York, where he successfully defeated a blackmailing scheme of the notorious Woodhull and Claflin, Train and others. He died a poor man.

"Of the banks of Topeka, Guilford Dudley, in 1857, advertised a brokerage business, and again in 1859 he made a showing as a broker. In May, 1864, F. W. Giles obtained a government license to do a banking business. In 1872 the Topeka National was organized. On August 23, 1866, the Kansas Valley National Bank was organized, failing in 1873. It was known as Dan Adams' Bank. The Leavenworth Commercial once said: 'The state funds are in Dan Adams' keeping, and are now invested in cattle.' It was the same kind of a cattle story that forced the impeachment and resignation of State Treasurer Hayes. On January 1, 1869, John R. Mulvane began his wonderful career as a banker in Topeka, as cashier of the Topeka Bank and Savings Institution. To follow these details down to date would make a book; the only purpose of this paper must be to save the beginnings.

"In the spring of 1859, there was a bank organized at Lawrence under the territorial laws, after the Free State party had control, and was called the Lawrence Bank. Its circulation was redeemed in coin. S. W. Eldridge, James Blood, Governor Robinson and Robert Morrow were the owners and directors. After a time Mr. Stevens bought the interests of Governor Robinson and Robert Morrow, and thus became the sole owner. Morrow remained nominally the president, and S. C. Smith was the cashier. Mr. Stevens became extensively engaged in government contracts, building Indian houses and other matters, and concluded to close the bank. He took up and deposited it with the auditor to redeem the circulation, and withdrew the bonds. Mr. Smith remained in the bank doing an exchange business, and this was the condition when Quantrill burned Lawrence and robbed the safe. In it there was a small package of bills that had been redeemed by Mr. Smith and not taken to Topeka, and these were carried by Quantrill's men to Missouri. We have a two-dollar bill of this bank presented by Mr. G. Grovenor, which passed through the Quantrill raid, being in Mr. Grovenor's safe. Morrow had several thousand dollars in coin of his own money in the safe that was also taken during the raid. It was when silver and gold dollars were worth two dollars and a half in greenbacks. There were three other banks in Lawrence opened about this time, viz., Babcock & Lykins, Simpson Brothers and E. D. Thompson. These were not banks of issue.

"Back in the '60s an attempt was made to start a bank at Leecompton. E. W. Wynkoop, later very prominent in the founding of the city of Denver and as an Indian agent, was interested in the attempt, but the sight of much gold and its security, I suppose, greatly discouraged them.

Ely Moore, in his delightful story of Leecompton, tells how western people at that time disliked paper money, and he gives a dialogue he heard between a Missouri steamboat captain and a woodyard man. The boat pulled up to the bank and the captain called out, 'Is your wood dry?' 'Yep,' was the answer. 'What is your wood worth?' shouted the captain. 'What kind of money do yer tote, Cap.?' asked the wood merchant. 'The best on earth—the new Platte Valley Bank,' replied the captain. 'If that be so, Cap.,' was the rejoinder, 'I'll trade cord for cord.' How would we do business today with the old-fashioned detector always in hand?"

The following interesting footnote is thrown in at this point: "This use of scrip was fraught with worry and aggravation, and it is no wonder that the banker and the business man of ante-bellum days spent most of their time studying the detector. An article, published a short time since in the *New York Sun*, and republished in the *Kansas City Journal* of May 6, 1912, tells something of the money of that time. Spanish coins were largely in circulation then, and the 'fips' and 'levies' were the common small change of the day. A 'fip' represented one-sixteenth of a dollar, and a 'levy' one-eighth. The discount on state bank notes was constantly varying. This fluctuation, with the bank failures and the circulation of counterfeit notes—for many men printed their own money, and circulated it, too, in that day—caused a certain instability in money circles, and made the business life of the small banker and merchant a precarious one."

The consecutive narrative then continues: "Under the act of 1857 creating the Kansas Valley Bank, with branches, Fort Scott organized a branch in May of that year. Governor Robert J. Walker refused to approve. The parties interested sued the Governor, but there is no record of what became of the suit. The law provided that stockholders had to put up one-half their subscription in gold or silver, and give the bank a bond for the other half. Two Leecompton men were quite prominent in the Fort Scott move—James G. Bailey and David Bailey, brothers.

"Kansas in those days had her Wall Street, and it is a singular circumstance that the antipathy which later prevailed did not obtain then. The first United States land office was opened for business at Leecompton in May, 1856. It was located on Elmore street. The remainder of the same block, both sides of the street, was lined by a pretty fair assortment of wood shanties, used by land lawyers and land sharks. The only currency then recognized by the United States in the payment for land was gold and land warrants. Settlers had to have gold with which to pay the government, but they could make some saving by purchasing a land warrant. There are no very damaging stories of the rapacity of those doing business on the Wall Street of Leecompton, but as lofty as five percent a month was common talk for the fellow who had neither land warrant nor gold, and who desired a quarter section of the public land. The land office was removed to Topeka in September, 1861. The greater portion of the time it was at Leecompton there was a heavy busi-

ness. Besides the ordinary entries, there was much contesting, making business for attorneys and bringing many witnesses. There was a bright lot of young men in those days other than the financial skimmers. The first settlers in Kansas were not chumps by any means. Some came here with the conceit that they were sharper than others, and they sometimes found in the end that there were those who were still sharper. I remember an instance of a gentleman from Ohio, who came to Leecompton with a few thousand dollars and who intimated that he was going to cut something of a swath. One morning, about 1858, I was standing in front of the old National Hotel as the stage was loading for the East. The gentleman from Ohio had concluded to return, with every feather plucked. As he stood with one foot on the step of the coach, holding to the post and swinging the other foot, he remarked: 'When I get back to Ohio, I will tell them there is nothing but a sheet of brown paper between this place and hell.'

"The first bank in Junction City was opened by Hale & Kirkendall about May 1, 1866. The name was soon changed to Hale & Rice. It came to an end in a very peculiar way. In March, 1868, a contractor named Rawalle, at work on the construction of the Kansas Pacific, came in on the train after banking hours with \$15,000 on his person. He desired to leave it with the bank. The time lock on the inside of the safe had been closed for the night, and it was concluded to put the money inside the outer door. In the morning the outer door of the safe was open and the \$15,000 gone. The banker's residence, it was alleged, was entered in the night and the key taken from the banker's pantaloons. It spread suspicion and ruin, and was a mystery which worried the community for years, and is still unsettled.

"The firm of Streeter & Strickler, at Junction City, were very heavy contractors with the Government for freighting and such supplies as hay and corn. Hundreds of men living on the plains were in the employ of this firm. It was on the eve of the winter of 1863, or the winter of 1864, that Streeter & Strickler had accumulated about \$200,000 of government vouchers. Strickler went to Leavenworth to get the money—government greenbacks now. A combine had been formed to squeeze him out of a very respectable shave. After several days' resistance he returned to Junction City without the money. This spread consternation along the border, as all had some interest in the matter and needed their pay badly. About seventy-five gathered one day in front of the Streeter & Strickler store. Strickler appeared on the steps to make them a talk. He told them the story of the combine at Leavenworth, and begged them to give him time to beat it, assuring them that, in addition to the squeeze at Leavenworth, a squeeze at home would ruin them all. He invited them all in to examine the paper he held against the government. After being satisfied that the firm had the stuff, the crowd proposed that if they could have some winter clothing they would wait. The next morning Strickler was on the stage for Leavenworth. He shipped \$10,000 worth of clothing to Junction City and handed it over the counter as fast as it could be carried away.

"In a few weeks the trouble at Leavenworth was over, and everybody got his pay. The firm of Streeter & Strickler was a great one, covering about all the plains. They were not very prudent, but quite useful, exhibiting the general utility demanded of all successful business men at that time. They are supposed to be the first to use the word 'everything.' The Democrats made three failures in establishing a newspaper in the town. This firm asked the Democrats to stand aside and let the Republicans try it. The Democrats did so, and were always afterward fair and loyal to the enterprise, and I was carried on the pay roll as a clerk in the store while setting type and making a newspaper. Another Republican merchant in town likewise furnished a second printer. This lasted two years when the paper was placed on its own feet. A joker from the East settled near Solomon, and struck with the advertisement 'everything,' in a very formal manner ordered a \$1,000 bull. The firm very seriously reported that they were out of that line of bulls, but expected to have one any day. They telegraphed to Illinois for such a bull, and in a few days it was delivered at Solomon. The man who attempted the joke was equal to the occasion, took the bull and paid for it. The firm occasionally differed on local matters, and in one city election both took money from the same till to spend against each other. The man who settled their business told me that their books showed over \$3,000 a year was charged to charity. Streeter & Strickler, in the early days of the war, issued a great quantity of scrip, which the soldiers would use for lighting their pipes, which I suppose entitles them to this mention in a banking paper."

Thus the pioneer banks of Kansas, which so often were but side issues to great business enterprises—a means by which they were conducted and developed—progressed through bold experiments and sore trials. When laws and regulations became necessary, they were passed and, within comparatively recent years, strictly enforced, so that the state has now a real system, which will not suffer in comparison with any other in the Union. The first call for a statement from the banks under the supervision of the Banking department was made October 13, 1891, and the report indicated that at the date named there were 414 state and private banks subject to the law. In 1916, there were doing business, within the borders of the State of Kansas, 225 national banks, 1,010 state banks and trust companies, and three private banks subject to state supervision. The total number of banking institutions was therefore 1,238.

The Bankers Directory for that year, which is standard authority, reports the following in the cities of the state having a population of more than 5,000 people each, with the amounts of paid-up capital:

Arkansas City—

Home National	\$ 50,000
Security	100,000
Traders	25,000
Union	50,000

Atchison—

Savings	125,000
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Atchison—

Commerce Trust Co.....	\$100,000
Exchange National	200,000
Exchange State	50,000
German-American State	50,000

Coffeyville—

American State	50,000
Condon National	100,000
First National	100,000
Peoples State	25,000

Concordia—

Cloud County	100,000
State	25,000
Farmers & Merchants State.....	25,000
First National	100,000

Emporia—

Citizens National	150,000
Commercial State	100,000
National	200,000
State	50,000
Lyon County State.....	50,000
Warren Mortgage Co.....	100,000

Fort Scott—

Citizens National	100,000
State	100,000
Kansas State	25,000
Peoples State	25,000

Galena—

Citizens	25,000
National	50,000

Hutchinson—

Central State	100,000
Citizens	100,000
Commercial National	100,000
Farmers National	100,000
First National	250,000
Fontron Loan & Trust Co.....	100,000
Reno State	50,000
State Exchange	100,000

Independence—

Citizens National	150,000
Commercial National	100,000
First National	100,000
State	50,000

Iola—

Allen County State.....	30,000
State	25,000
Northrup National	50,000
State Savings	25,000

Junction City—

Central National	\$100,000
First National	75,000
Home State	25,000
Union State	40,000

Kansas City—

Argentine State	10,000
Armourdale State	50,000
Banking Trust Co.	200,000
Central State	10,000
Citizens State Savings	25,000
Commercial National	300,000
Exchange State	100,000
Fidelity State	25,000
First State	30,000
Home State	25,000
Kansas State	10,000
Kansas Trust	125,000
Minnesota Avenue State	10,000
Peoples National	200,000
Riverview State	50,000
Security State	10,000

Lawrence—

Citizens State	25,000
Farmers State Savings, Banking & Trust Co..	125,000
National	100,000
Merchants Loan & Savings	25,000
Merchants National	100,000
Peoples State	50,000
Perkins Trust Co.	100,000
Watkins National	100,000

Leavenworth—

First National	300,000
National	150,000
Savings & Trust Co.	100,000
Manufacturers National	100,000
State Savings	25,000
Wulfekuhler State	150,000

Manhattan—

Citizens State	50,000
First National	100,000
State	50,000
Union National	50,000

Newton—

First National	50,000
Kansas State	60,000
Midland National	50,000

Ottawa—

First National	\$100,000
Peoples National	50,000
Security State	25,000
State Bank of Ottawa.....	50,000

Parsons—

Exchange State	50,000
First National	50,000
Commercial	50,000
State Bank of Parsons.....	35,000

Pittsburg—

First National	100,000
First State	50,000
National Bank of Commerce.....	100,000
National Bank of Pittsburg.....	100,000
State	50,000

Salina—

Farmers National	200,000
National Bank of America.....	100,000
Peoples State	100,000
Planters State	100,000
Traders State	50,000

Topeka—

Bank of Topeka.....	310,000
Central National	200,000
Central Trust Co.....	200,000
Citizens State	50,000
Farmers National	100,000
German-American State	25,000
Kansas Reserve State.....	200,000
Merchants National	100,000
Prudential Trust Co.....	100,000
Shawnee State	60,000
State Savings	100,000
State	50,000
Farm Mortgage Co., Inc.....	100,000
The Shawnee Investment Co.....	100,000

Wellington—

Farmers State	50,000
National Bank of Commerce.....	50,000
Security State	75,000
National	50,000

Wichita—

American State	150,000
Citizens State	50,000
Commercial	10,000
First Trust Co.....	100,000
Fourth National	400,000

Wichita—

Guarantee Title & Trust Co.....	\$250,000
Kansas National	200,000
Merchants Reserve State.....	100,000
National Bank of Commerce.....	100,000
Security State	50,000
Southwest State	100,000
State Savings	50,000
Stockyards State	10,000
Union State	25,000
Union Stockyards National.....	100,000
State	25,000
Vernon H. Branch.....	10,000

Winfield—

Cowley County National.....	100,000
First National	100,000
Progressive State	25,000
The State	50,000
National	50,000

There are Clearing House associations at Atchison, Emporia, Kansas City, Lawrence, Pittsburg, Topeka and Wichita.

The bankers of the state have two co-operative organizations, known as the Kansas Bankers' Association and the Kansas State Bankers' Association. The former is the oldest and the strongest, having a membership of about 1,000. The Kansas Bankers' Association was organized on February 22, 1887, at Topeka, which is still its permanent headquarters. The membership is made up of both state and national banks. Its officers are: President, T. B. Kennedy, president of the First National Bank, Junction City; vice president, F. H. Foster, vice president Fort Scott State Bank, Fort Scott; secretary, W. W. Bowman, Topeka; treasurer, George T. Hall, cashier First National Bank, Fowler.

Officers (1916-17) of the Kansas State Bankers Association: President, J. L. Raines, president of the Bank of Perry; vice president, T. J. Sweeney, vice president of the State Bank of Girard; treasurer, R. J. Grover, vice president Union State Bank, Arkansas City.

MANUFACTURES IN KANSAS

Kansas is an agricultural state, but from the time of the first settlements there has been of necessity more or less manufacturing carried on. The first manufactories were sawmills and gristmills. For it was necessary to provide lumber for houses and some means to grind grain for bread. The census of 1860 reported sixty-two water-wheels in Kansas. These were turning as many mills—some for grinding and some for sawing. Some of these mills combined grinding and sawing. There were also some mills for both purposes that were run by steam long before the opening of the coal deposits; these were run by the use of wood for fuel. In fact, the first railway locomotives burned wood. Large tracts

of land in Wyandotte and Leavenworth counties were divested of timber for fuel for the Union Pacific and Missouri Pacific railroads. The growth of watermills increased with the population, and in 1881 there were 150, and 110 of these were flouringmills.

The opening of the Kansas coal fields increased the use of steam engines in the state for manufacturing purposes. Plants for manufacturing various articles required by the people were set up. As railroads were built and coal made accessible to all sections there were found steam plants in the principal towns. These furnished power for grinding grain, sawing lumber, printing, foundries, machine-shops, elevators, and many other institutions of a manufacturing nature.

The census of 1870 shows that there were then fifty-two furniture factories in Kansas. There were also sixty-eight wagon and carriage factories. These had a capital of about \$100,000, and they did an aggregate business amounting to more than \$200,000. Most of them were small in force and capacity, and some of them may have been mere shops too small to be rated as factories. But they were the beginnings—the promise of bigger things. The wagon factory at Leavenworth was selling 6,000 wagons a year by 1880.

Kansas being so largely devoted to agriculture, the demand for harness was great. In 1870 there were more than seventy shops in Kansas making harness, and the annual output was valued at more than \$400,000. This business increased with the growth of the state and still forms the basis of a prosperous trade.

The grinding of wheat has been one of the principal manufacturing enterprises of Kansas. The state is one of the leading wheat sections of the world, and the development of the milling industry was but a natural consequence of wheat production. Large amounts of capital are invested in flouringmills, and the products of these mills are standard brands of flour all over the world. These mills followed railroad construction and are now found in every part of the state. The value of the output of the flour and gristmills of Kansas is now about \$75,000,000 annually.

Some of the largest operations in the manufacturing way to be found in Kansas are connected with her minerals. In 1876 lead and zinc were discovered in Cherokee County, Kansas. Additional discoveries were made in 1877. These metals were found over a considerable area, but the industry of mining and smelting them has been confined mostly to the Galena-Pittsburg District. At this time there are immense deposits being uncovered about Baxter Springs. The mineral field extends into Missouri and Oklahoma, and is one of the largest in the United States. The discovery of natural gas in merchantable quantities gave an impetus to the smelting industry, and plants for this purpose were established at many points in the gas fields. In the beginning little attention was given to zinc, lead being the metal principally sought. The zinc industry has long been predominant, though lead is produced on a large scale in every mining camp. The figures of the census of 1910 are the latest available from the Federal Government. They show that zinc products of that year reached a total of \$10,857,000. The figures are given under

the heading "Smelting and Refining—Zinc." Lead seems to be omitted as a separate product. The report of the Kansas Department of Labor furnishes later data. There it is stated that the total value of lead and zinc smelted in 1913 was \$12,473,818.81, and that there was a decrease for the following year. The immense activity in these industries in the last three years makes it certain that there is now an enormous increase above the high figures of 1913, and that they will probably be doubled in 1917. This, however, is but an estimate.

For the last twenty years Kansas has been producing oil. In 1904 the production amounted to more than 3,000,000 barrels. There was a decrease for some years due to the low price. The price is now high, and the oil fields have been revived. Larger ones have been discovered. Kansas is steadily increasing her production. Many refineries have been established. In the first stages of the industry two products were mainly relied on—kerosene and gasoline. Now many of the by-products are utilized, and the percentage of gasoline taken from Kansas crude oil has been much increased. The Kansas Department of Labor gives the following statistics for 1913 and 1914:

Total value of products, 1913.....\$7,610,946.36

Total value of products, 1914..... 8,342,565.52

There is an ever increasing demand for oil and gasoline, and the prices for these products are constantly advancing. It must be that the state output of these articles is of much greater value now than that shown in the last official reports available.

The presence of natural gas in the southeastern part of the state caused the introduction of glass factories into that region. These flourished until the supply of gas began to fail. Most of them followed the heavier gas-flow into Oklahoma. For some years their output in Kansas was of great value, but is now decreased.

The manufacture of brick was early begun in Kansas. At first the process was by hand, and the burning was with wood. A good brick was produced, and many of the first business blocks of Kansas towns were put up of these primitive bricks. As the fuel supply was developed and diversified better bricks were made. They were in greater and greater demand, and they were required in ever increasing quantities, as well as for different purposes—building, street-paving, road-making, and the construction of drains and sewers. Pittsburg, Kansas, first became known for the excellence of its brick products. Now there are numerous towns having a heavy output of the various kinds of brick of the finest quality. The brick tile and clay products of 1914 amounted in value to \$1,707,666.54.

In the early stages of her existence, Kansas imported her salt. The traders over the Old Santa Fe Trail had noted the presence of surface salt on the Cimarron Plains, but the presence of enormous beds of salt underlying considerable areas of the state was long unsuspected. The discovery of these sources of supply have been noted in another place. Kansas now supplies her own demand, and, in addition, exports much salt. Her salt plants are the equal of any in the country, and for quality

their output cannot be excelled. The value of the Kansas product runs annually well above the million dollar mark.

Kansas has been a large producer of live stock from her first settlement. Her rich prairies furnished pasturage for cattle, and they increased rapidly. When the sod was subdued corn was long the principal crop. It was the main factor in the production of pork. It was early realized that the great quantity of cattle and hogs raised in Kansas and the adjoining territory would have to be slaughtered and prepared for market at some point within the state. The cities about the mouth of the Kansas River offered the ideal location for meat-packing establishments. In 1868 J. W. L. Slavens built the first packing house there. He was associated with Edward W. Pattison, who had put up the pioneer establishment at Junction City the previous year and had slaughtered there about 1,000 cattle. The Kansas City house packed about 4,000 cattle in 1868. Dr. F. B. Nofsinger purchased the interest of Slavens in the plant in 1869. In 1880 it was conducted by Nofsinger & Co. In that year Jacob Dold & Sons, packers, from Buffalo, New York, bought out the business, and they were among the big packers of Kansas City for many years. In the same year that Slavens entered the business, Thomas J. Bigger, from Belfast, Ireland, built a plant in which to slaughter and pack hogs for the English and Irish markets. The firm of Slavens & Oburn grew out of the operations of J. W. L. Slavens, and it later became the Morrison Packing Company. Plankinton & Armour entered the field in 1870, renting the plant of Pattison & Nofsinger. In 1871 this firm erected its own house, the pioneer establishment of that great firm at Kansas City. It had a packing house at Chicago and one at Milwaukee. John Plankinton withdrew from the firm in 1884, and the great establishment he helped to found is now the property of the Armours. George Fowler, of the Fowler Brothers, packers, of Liverpool, built a packing house at Kansas City in 1881. Swift & Company established a house in 1888, Schwarzschild & Sulzberger Company in 1892, the Cudahy Packing Company in 1900, the Morris Packing Company in 1903, the John Morrell Packing Company in 1903, and the American Dressed Beef Company in 1904. These houses were all established in Kansas City, Kansas, as that was the nearest large distributing point to the cattle ranges and the farms producing hogs. This has become the largest manufacturing industry in Kansas, the total output of its products running into values of hundreds of millions annually. Kansas City, Kansas, is one of the largest packing centers in the world. Wichita has a number of packing houses and is second only to Kansas City, Kansas, as a packing center. The value of packing house products in Kansas must now total close to \$200,000,000 annually.

With the development of the railroad systems of Kansas came the establishment of railroad shops for the repair and manufacture of railroad equipment. These shops were small affairs in the beginning. They have increased in size and diversity of work with the demands of the roads until there are now in Kansas some of the largest railroad shops in the country. Those of the Atchison, Topeka and Santa Fe Railway

Company, at Topeka, are the largest in the state. Sometimes as many as 4,500 men are employed there. This company maintains smaller shops at other places. The Union Pacific Railway Company has large shops at Kansas City, Kansas, as has the Missouri Pacific, the Rock Island lines, the Frisco, and other railroads. The Missouri, Kansas & Texas Railway Company has extensive shops at Parsons, as well as its general offices. The general offices of the Atchison, Topeka and Santa Fe Company are at Topeka, and are the largest in the state—among the largest in the country.

The value of the output of the shops of railroad companies in Kansas is third in volume in the state, running well above \$25,000,000 annually.

The printer's art is widely developed in Kansas. The publishing business is extensive. The State Printing Plant, at Topeka, is one of the largest printing establishments in the country. More than 1,000,000 volumes of school text books are published there annually. Crane & Company have, at Topeka, the oldest publishing house in Kansas. It has published more books pertaining to Kansas history than any other house. It has a large plant and is splendidly equipped. The Hall Lithographing Company, of Topeka, is another large publishing and printing establishment. It has a trade extending to the Pacific Ocean. The Capper Publications have a large plant at Topeka. They consist of the Topeka Daily Capital, The Mail and Breeze, and various other papers circulating all over America. The company was founded by Arthur Capper, now governor of Kansas, and who owns and operates the entire plant.

There are many manufacturing institutions of various kinds in Kansas which will appear in the latest summary prepared by the Kansas Department of Labor, here set out:

Industries	Year	Total value of products
Bakeries and confectioneries.....	1914	\$ 2,438,830.20
Boxes and barrels.....	1914	1,084,402.69
Brick, tile and clay works.....	1914	1,707,666.54
Bridge and structural-iron work.....	1914	2,035,634.26
Car and shop construction by steam railways..	1914	18,205,685.97
Cement plants	1914	2,790,321.36
Coal mining	1914	10,530,661.92
Creameries	1914	9,202,724.58
Flour and grist mills.....	1914	59,765,313.31
Foundries and machine shop.....	1914	5,599,122.94
Gas, electric light and water plants.....	1914	6,150,347.78
Ice plants	1914	1,441,016.36
Oil refineries (petroleum)	1914	8,342,565.52
Planing Mills	1914	2,056,467.28
Poultry and egg packing plants.....	1914	5,522,374.22
Printing, publishing and book-binding.....	1914	10,776,538.55
Salt plants	1914	1,203,348.63

Industries	Year	Total value of products
Slaughtering and meat-packing plants.....	1914	\$147,663,460.08
Smelting and refining (lead and zine).....	1914	6,926,298.73
Soap factories	1914	8,603,974.29
Total for the state		\$312,046,855.21

MEDICINE

The growth of medical science in Kansas has been largely the reflection of general progress in the profession in the country. With this, Kansas has kept full pace, and the medical profession is as intelligently represented in Kansas as in any state. The first physicians to become well known in Kansas were among the very earliest settlers. One of them was Dr. Charles Robinson, who came from Massachusetts and settled at Lawrence. He took a prominent part in Kansas political affairs on the Free-State side and was the first governor of the state. Dr. B. F. Stringfellow came to Kansas from Missouri, but was a native of South Carolina. He settled in Atchison, and he became one of the leaders of the pro-slavery people and did his utmost to make Kansas a slave state. He died at Atchison respected by all. In the territorial days many other physicians came to Kansas to find a home and field for their labors. One of these was Dr. Joseph P. Root, who was a pioneer in Wabaunsee County. He finally established himself in Wyandotte County, where he had a lucrative practice until his death. He was elected the first lieutenant-governor of the state.

It is unfortunate that the statistics from which to write a complete review of the progress of medical science in Kansas do not exist. The early days of the territory and state were too strenuous to admit of that attention to vital statistics which should have been given.

The physicians of Kansas early recognized the need of association for exchange of ideas and information obtained from their experiences with the diseases met with in a new country. An act of the Territorial Legislature approved February 10, 1859, incorporated the first medical society. It was called the Kansas Medical Society, and twenty-nine physicians were the incorporators, as follows: M. Bailey, H. H. Beals, G. W. Beaumont, J. G. Blunt (afterward major-general in the United States Army), O. Brown, H. J. Canniff, A. Danford, A. Fuller, William Graham, S. C. Harrington, M. Hartman, M. F. Holaday, Amory Hunting, C. F. Kobb, J. Leigh, T. Linsey, W. Madison, C. E. Miner, A. Newman, J. M. Pelot, J. H. Phelps, S. B. Prentiss, A. J. Richey, Charles Robinson, J. P. Root, L. C. Tolles, J. B. Wheeler, and J. B. Woodward. A permanent organization under this charter was effected at Lawrence, February 11, 1859. A portion of the charter members were present. Dr. S. B. Prentiss was chosen as president and J. B. Woodward was elected secretary. The committee appointed to prepare a constitution and by-laws reported on February 23, 1860. It submitted a constitution

and by-laws, which were adopted. This meeting also adopted the code of ethics of the American Medical Association. Delegates to this association were not elected until 1867. This was largely because of the unsettled times due to the Civil war.

The annual meeting of 1867 reorganized the Kansas Medical Society and enlarged its scope to meet the growing demands created by the increasing population of the state. By its charter it was authorized to issue certificates to its members, to license physicians seeking to practice in Kansas whether they were graduates of medical colleges or not, and to organize in each county an auxiliary society. This work was now to be pushed with energy. In 1872 there were, as a result, the Northwestern Medical Society, the Southern Kansas Medical Society, the Eastern Kansas Medical Society, the Kansas Valley Medical Society, and the Third Judicial District Medical Society. These were all the offspring of the parent society, organized by and under its authority. Other societies have since been instituted—the Missouri Valley Medical Society, and the Golden Belt Medical Society. There are many local societies in the cities and counties of the state. The Kansas Medical Society has modified its organization from time to time to meet the emergencies arising from the growth of medical knowledge and the increase in population of the state. With these things it has kept in touch, and it must be said that no other state has a more efficient medical force than Kansas.

The annual meetings of the Kansas Medical Society date from the meeting held in 1867. The real work of the society began at that time. The first number of the Medical Herald was issued in that year at Leavenworth, by Logan & Sinks. The Medical Index, published by Dr. F. F. Dickman, at Fort Scott, succeeded the Herald. In 1889 the Kansas Medical Journal was published. It continues under the name of the Journal of the Kansas Medical Society. The place of publication is Kansas City, Kansas.

There has always been more or less friction in Kansas between the different "Schools" of medicine. On April 14, 1869, the Homeopathic Medical Society was organized at Leavenworth. It was incorporated January 24, 1871. The charter members were John J. Edie, H. F. Klemp, J. A. Rubicon, Richard Huson, and S. K. Huson. This society has maintained a vigorous organization, and is a forceful medical factor in the state. The Eclectic Medical Association was organized at Lawrence, June 1, 1869, with Samuel E. Martin, Topeka, as president, and N. Simons, Lawrence, as secretary. A state organization was effected which was incorporated as the Kansas Eclectic Medical Association, under the act of March 27, 1871. The incorporators were Daniel B. Crouse, Ansel M. Edison, George H. Field, Samuel E. Martin, David Surber, and Caleb D. Ward. The association undertook the establishment of a medical college in 1883 through a stock company with a capital of \$30,000, but the plan was never carried to success. The association maintains its organization.

The question of who should be permitted to practice medicine in Kansas was long agitated without a satisfactory solution. The act of

February 27, 1879, authorized the appointment of a board of examiners. This board was composed of twenty-one members—seven each to be appointed by three medical societies—the Allopathic, Homeopathic, and Eclectic. The board was to pass on the qualifications of applicants and issue them certificates. This law was not entirely satisfactory to either the physicians or the state. The act of March 1, 1901, created a board of medical examination and registration. This board consisted of seven members—physicians in good standing, having received the degree of M. D. from a reputable medical college or university, at least six years prior to appointment. The different "Schools" were to be represented, but no one "School" was to have a majority of the board. The terms of office were—one member for one year; two members for two years; two members for three years; two members for four years. After this, all members were to be appointed for four years. There have been amendments to this law and as modified it is still in force.

The first medical college in Kansas was organized July 3, 1889, at Topeka. It was the Kansas Medical College of Topeka. It had a capital stock of \$100,000. The faculty consisted of twenty-four members, and the first term began September 23, 1890, in a building at Twelfth and Tyler streets. The robbery of a number of graves by persons supposed to be connected with the college created excitement and trouble. In 1903 this college became the medical department of Washburn College.

On July 12, 1894, the College of Physicians and Surgeons was organized at Kansas City, Kansas. The officers were G. W. Fitzpatrick, president; W. L. Seaman, vice president; J. A. Smith, secretary; G. E. Tead, treasurer. It was absorbed by the clinical department of the University of Kansas in 1905.

The Kansas City Medical College was opened in Kansas City, Kansas, September 14, 1897. The Kansas City College of Medicine and Surgery was also opened in Kansas City, Kansas. It began September 22, 1897. The trustees were S. A. Dunham, president; George M. Gray, vice president; James L. Harrington, secretary; Ernest J. Lutz, treasurer; John B. Scroggs, M. B. Ward, G. O. Coffin, H. M. Downs, A. J. Welch, P. L. McDonald, and R. E. Morris. It was also absorbed by the Kansas University.

The medical "School" of osteopathy originated in Kansas. Its founder, Dr. A. T. Still, came to Kansas with his father who was a missionary to the Indians. Doctor Still served in a Kansas regiment in the Civil war. He is a man of deep and original thought. Becoming dissatisfied with the effects of drugs on the human system, he turned his attention to functions of the nerves and muscles of the human body. By proper adjustment of these and the bones of the body he was enabled to secure results far more satisfactory than with medicine. He had made a great discovery, and later he moved to Kirksville, Mo., where he established a school or college for the training of men and women in the science or profession of osteopathy. It has grown to be a great institution, with a fame reaching around the world.

The medical department of the University of Kansas is located at Rosedale, on land donated by Dr. Simeon B. Bell, one of the pioneer physicians of Kansas. It now stands as the head of the medical activities, in an educational way, of Kansas.

Closely associated with the work of the medical profession of Kansas is the State Board of Health, an account of which see in this work.

RESOURCES

SALT

The salt of the State of Kansas has been derived from three sources at three successive stages of the industry. The early salt factories, which were the crude devices of ancient times, consisting of stone arches and chimneys to conserve heat, built about the evaporating kettles, were in use from about 1860 or earlier until the '70s. The salt of this period came from the springs and marshes, or from shallow wells sunk in the marshes. In 1867, the first of the sofar salt plants was erected, and these soon took the place of the older method. The supply was obtained from borings which produced brine. The modern methods of salt manufacture were introduced in 1887-88 and the supply is obtained from rock salt.

The salt marshes and springs which supplied the early hunters and the first settlements with the product covered a wide area. The springs occurred in the eastern part of the State, in the valleys of the Neosho, Verdigris, and Fall River, at Osawatomie; and on Walnut Creek, in Brown county. The springs of the rivers mentioned yielded sufficient for local consumption. In 1862, the Osawatomie Salt Company was organized for the purpose of supplying salt for the Kansas market. In 1866, the *Kansas Farmer* speaks of this venture as successful, and mentions the Leavenworth Salt and Coal Oil Company having a supply from the springs of Walnut Creek sufficient for forty thousand bushels per year. The marshes were in the middle section of the State. The most important, from the standpoint of utility at least, was the Tuthill marsh in the southeastern corner of Republic County. The Jamestown marsh was located partly in Republic and partly in Cloud and Jewel Counties. There were two in the southern portion of Mitchell County, two in the northern part of Lincoln County, and two in the northeastern part of Stafford County. Deposits of salt were also spoken of near Great Bend and in the Republican, Solomon and Saline valleys, and at Alma, St. Marys and Junction City. These marshes would dry up in the late summer and leave large areas of salt crust on the surface of the ground. This was taken up by the pioneer salt manufacturers and hauled to their factories where it was first dissolved and allowed to stand till the impurities had settled, then the brine was syphoned off and evaporated in open kettles. When there were no salt crusts, brine was used. Mr. Tuthill was the principal salt man of the sixties in his section of the State. He supplied hundreds of

barrels of salt for the local market. The brine of the marshes yielded one bushel of salt to every one hundred and thirty gallons, but the shallow wells sunk a few feet below the surface yielded a brine which made a bushel of salt to every thirty-five gallons. This salt brought ten cents per pound on the market as late as 1870. This was equivalent to \$28 per barrel. As a matter of contrast, a much better grade of salt sold in 1898 for 27 cents per barrel.

In 1866, Professor B. F. Mudge urged upon the people of Kansas the advantage of supplying themselves with salt and saving the sum of at least \$80,000 paid to outside concerns for 40,000 barrels of salt. He called attention to the markets of the surrounding states, which were being supplied from the East and showed where Kansas had the advantage not only in the matter of freight, but in the splendid adaptation of the climate to solar evaporation, which was then the cheapest method of manufacture in New York and other Eastern States. In that year William Taylor, of New Bedford, Massachusetts, visited Solomon. His attention was directed to the salt spring there. The visit resulted in the forming of the Continental Salt Company of Bedford, Massachusetts, which sent C. W. Davis to Solomon the next year with drill and equipment to sink a well and establish a factory. This factory produced several thousand barrels of salt per year, and caused Kansas to be recognized as a salt-producing State. In 1874, a second factory was set up at Solomon by William Dewar, who secured a very good brine at a depth of eighty-four feet. He built a solar plant which he operated for two years under the name of the Wimsatt Salt Works. In 1881, the two plants were consolidated under the National Solar Salt Company. In 1890, it became the property of Solomon Solar Salt Company. This was the most important solar plant in the State and had a capacity of seven thousand barrels per year. The low price of salt finally caused it to close down.

The development of the salt industry on its present basis began with the discovery of rock salt at Hutchinson by Ben Blanchard of Terre Haute, Indiana, in 1887. He was drilling for oil or gas when he located the strata. Salt was selling for \$3.00 and \$3.50 per barrel, and the enterprising Hutchinson people began to boom the industry. The first plant was built by Guoinlock & Humphreys. It was ready for business March 24, 1888. This was the boom period for oil and gas, and drilling was going on throughout the State for both these products. In the counties of Ellsworth, Barton, Rice, McPherson, Stafford, Reno, Pratt, Kingman, Sedgwick, Harper, and Sumner this drilling resulted in locating stratas of rock salt from one hundred and fifty to three hundred feet thick and lying from five hundred to one thousand feet below the surface. The discoveries in all these localities were made about the same time and within a year thirteen salt plants were doing business within the district and others were in process of construction.

Kanopolis, Kingman, and Lyons took the lead for the first year as salt-producing centers. Rock salt was produced at these towns almost

exclusively. Plants for the manufacture of refined table salt were erected at Anthony, Wellington, Nickerson, Sterling, and Hutchinson, especially at the latter town, where eleven plants were either doing business or in the process of construction by the close of 1888. The Guoinlock works, which had a capacity of five hundred barrels per day, was followed in a few months by the Vincent plant, built by a company of Hutchinson and Emporia men, with Frank and John F. Vincent as leading members. It had a capacity of three hundred barrels per day. The next year this company added a dairy mill of one hundred barrels capacity, the first one in Kansas. The Vincent plant passed through the hands of several owners and was dismantled in 1911. The Diamond Salt Company was organized in June, 1888, and their plant was erected in South Hutchinson, late in the year. Its capacity was two hundred barrels. This plant was later bought by Joy Morton, who went into the salt business in 1891, and became the principal producer in the State. Other salt works installed in Hutchinson at this time were: the Hegwer, the Riverside, the New York, the Crystal, the Bartlett, which is the present Mathews plant, the Pennsylvania, the McFarland, and the Wyoming, all small plants of one or two pans.

There were two methods of salt evaporation which predominated in this period, the pan process and the grainer process. In the pan process, the salt, instead of being mined as in the case of rock salt, was first reduced to brine by water forced into the mine. After the water became saturated it was drawn back through pipes and put into tanks. It was then turned off into pans where it was evaporated by the application of direct heat to the bottom of the pan. In the grainer process, evaporation was caused by running steam pipes through the pan and avoiding many of the difficulties of the direct heat method. It also utilized waste steam as in the case of the Union Ice and Salt Company, where the chief business was the manufacture of ice. This method was adapted to weak brines which could not be profitably evaporated in any other way. The grainer process was later modified by the use of cement or wooden pans instead of metal. The first grainer plant in the State was installed by the Barton Salt Company, in the old packing house in Hutchinson, in 1892.

The Vacuum process, which is the modern method, was first introduced by the Hutchinson Packing Company. The apparatus for this is in three compartments. At the bottom of the inner compartment is the fire. Pipes run from this to the outer compartment carrying away smoke, and supplying heat to the brine which is in the middle compartment. Pumps at the top of the brine compartment exhaust the air and cause boiling at a very low temperature. As soon as the salt is deposited by evaporation, it is carried away by an automatic device, and fresh brine supplied. This method was not made practical until 1907, but it is now used almost exclusively and is a great saving of labor. Gas was introduced in 1907, and has this same advantage as a fuel.

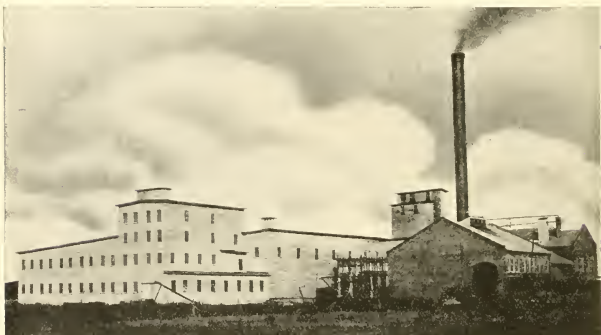
In the first year of the salt industry, investors overreached themselves. The sum of \$600,000 was spent, and the combined capacity of the various plants was conservatively estimated as nine hundred thousand barrels per year. The production for 1899 was half of the capacity of the factories and brought only forty-five cents per barrel as against \$1.21 the year before. The next three years were a period of elimination and consolidation. The Hutchinson interests bought eight different plants at less than cost of construction, and closed most of them. In 1892 there had been a slight raise in price, salt bringing fifty-two cents that year. In 1893 it declined to thirty-six cents and continued on the decline until in 1898 the price was twenty-seven cents. The plants in operation at this time were all doing business at a loss. The production was 1,810,809 barrels. Efforts made by the leading producers to organize for the good of the industry were without results for a number of years. The competition of Michigan salt was keenly felt. It had two advantages on the general market, a low cost of production on account of utilizing the waste steam of the saw mills, and lower freight charges. On the other hand, Kansas had a better product, Hutchinson salt having taken highest award at the Columbian Exposition.

After 1898, there was another period of elimination, so that by 1902 there were but ten companies doing business in the State. Those at Hutchinson were, the Hutchinson-Kansas, the Barton, the Carey, the Union Ice and Salt, and the Hutchinson. There was the Anthony Salt Company at Anthony, and the Sterling Salt Company at Sterling. All these were manufacturing evaporated salt. The rock salt companies were the Royal Salt Company of Kanopolis, the Bevis Rock Salt Company of Lyons and the Kingman Salt and Mining Company of Kingman.

The Hutchinson-Kansas Salt Company was the consolidation of two of the largest salt interests in the State. The Hutchinson Salt and Manufacturing Company was organized in 1888, and built the works above referred to as the Vincent plant. In 1891 it bought the Crystal Salt works and that of the Nickerson Salt Company at Nickerson. In the same year it secured the Pennsylvania and the McFarland salt plants through Mr. Jay Gould, into whose possession they had come, and the Goulds became interested with the Vincents in the concern. The Kansas Salt Company started in 1890 with the consolidation of three or four of the pioneer companies. In 1891 it bought the New York Salt plant, and, in 1894, the Star Salt works. In this year it became the property of the Mulvanes of Topeka. In 1899, the Hegger plant was bought, and shortly afterward it merged with the Hutchinson Salt Company, under the present name. By a further consolidation in 1900, the interests of Joy Morton were taken over, and he became president of the company. It is to the influence of the men connected with this company from time to time that much of the credit is due in building up the salt industry on a paying basis, as well as securing shipping facilities and proper freight rates. The Vincents were practical

salt producers and had charge of the plants. The Goulds and Mortons were railroad men and no doubt were instrumental in securing concessions from the railroads for the immense tonnage of incoming fuel and outgoing salt.

The Barton Salt plant was erected in 1892 and was totally destroyed by fire in 1903. It was rebuilt and still continues in business producing dairy salt by the vacuum process. The Carey Salt Company, of which Emerson Carey is the head, was organized in 1901. The works started with a two pan grainer, which was enlarged from time to time until it reached a capacity of five hundred barrels. In 1901, the Carey Company built a new plant and installed a Quadruple Effect Vacuum pan. This is said to be the best equipped plant in the world. It has



PLANT OF THE CAREY SALT COMPANY, HUTCHINSON

a total capacity of fifteen hundred barrels. The Union Ice and Salt Company began the manufacture of salt in connection with ice in 1892. In 1900 it changed hands and since that time has produced very little salt. The Hutchinson Pure Salt Company is not mentioned in any of the accounts. However it is still in operation.

The plants at Anthony and Sterling are producing very little salt at present, and aside from these, there are no evaporation plants outside of Hutchinson. The new Morton plant, built in 1907, is the largest west of the Mississippi, and manufactures half of the output of Kansas. It has triple effect vacuum pans, grainer pans and a dairy mill. The total capacity of the Hutchinson plants is seven thousand barrels per day. There are three rock salt plants at Kanopolis, and one at Lyons. The demand for this grade of salt is so limited that they do not run to their full capacity.

The Hutchinson strata of salt is probably the largest pure rock

salt strata in the world. It is embraced within the territory of Ellsworth, Rice, Reno, Kingman and Harper counties, with light stratas in Barton, McPherson, Stafford, Pratt, Sedgwick and Sumner counties. It averages over 99 per cent pure chloride of sodium.

In connection with the salt industry, a soda ash plant was erected in 1909 at the cost of half a million. It changed hands and was enlarged so that the total cost has been \$2,000,000. It is the largest factory of its kind in the United States and the only one west of Detroit. Its processes are secret. The product is sold to manufacturers who use a fine grade of alkali.

For a number of years Kansas has ranked fourth in the production of salt in the United States. The output has been increasing on the average of two hundred thousand barrels per year until it reached almost three million barrels in 1914. It is worth about thirty-five cents per barrel on the market.

ELIZABETH N. BARR.

OIL AND GAS INDUSTRIES OF KANSAS

The oil and gas producing territory of Kansas is at present largely confined to the southeastern portion of the State, particularly to Chattanooga, Allen, Wilson, Neosho and Montgomery counties. These products are also found to some extent farther north, in Franklin and Miami counties, the original prospecting having taken place in the vicinity of Paola in Miami County. A new field has been developed in Butler and adjoining counties, and it is by far the best field in Kansas at this time.

The so-called "tar springs" and "oil springs" which led to the idea that oil existed in paying quantities, were known to the Indians from time immemorial, and to the white men as early as 1855. One of the most noted of these was the Wea Tar Spring. Mention is made of these springs in *The Herald of Freedom* of March 31, 1855, and July 25, 1857. The first prospecting was done in 1860 by G. W. Brown. A company was formed at Lawrence of which Erastus Heath, Maltravis Solomon, Dr. Barker, Seth Clover, W. R. Wagstaff, G. W. Miller and Dr. Lykins were members, and G. W. Brown was president and manager. Thirty-year leases were obtained on thirty thousand acres of land, and the drilling was begun in June. The wells were sunk in the vicinity of springs where the oil had been escaping for centuries and no longer existed in paying quantities. After sinking three or four wells near Paola the work was laid by for the winter, and before it was resumed the Civil War came on, and nothing more was attempted for twenty years. In the meantime the oil from the springs which was of a very heavy variety, was sold for wagon grease and sometimes used for medicinal purposes.

The development of the gas industry was incidental to the oil industry, but before 1889, a number of wells drilled for water produced gas, much to the disgust of the owners, as there was no way to utilize the product. Oil was often found in the same way.

In 1882, the Kansas Oil and Mining Company was formed and made borings on the farm of A. Westfall, seven miles east of Paola. Gas was found in sufficient quantities to light a city of one million people. Later the Paola Gas Company was formed and drilled a number of wells around Paola, Osawatomie, and Louisburg. In 1884, the gas was piped to Paola and used for lighting and heating. Gas was found in small quantities about Iola by the Iola Gas and Coal Company in 1886, and the next year the discovery spread to Chautauqua County, where, in 1889, the Vulcan Coal and Mining Company drilled wells. By 1894 most of the towns of the district had been supplied with gas, but as the efforts of the pros-



SEVENTY-FIVE THOUSAND GALLONS PETROLEUM BURNING, CAUSED BY
LIGHTNING

[Compliments John B. Gillum, National Refining Co., Coffeyville]

pectors were centered in the finding of oil, little attention was paid to the matter of creating a market for it in the manufacturing field, until 1902.

After considerable effort on the part of various companies and individuals, a paying oil well was sunk on the Russell farm, six miles east of Paola in 1886. It was a ten-barrel producer. In 1887-88 the firm of McBride and Bloom drilled a number of oil wells on the Houston Farm, southeast of Paola. In 1890, a small twenty-five barrel refinery was erected at that place, but was in operation only a short time. By that time prospecting was in progress all over the district, and the firm of McBride and Bloom drilled a great many of the wells. Other prominent contractors were Peter Fertig and John Werner, of Louisburg; William

Mills, and W. G. Bryson, of Osawatomie; and J. D. Nickerson, of Paola. These contractors took leases and drilled wells for themselves as well as others. Mr. Mills was at Paola from 1890 to 1892. He did not meet with success and went into Neodesha, where he sunk a twelve-barrel producer in 1892. Securing another small holding, he sunk another well, but having found the oil, the next difficulty was that of marketing the product. This was the difficulty that confronted all the producers, even the Standard Oil Company itself, until after the laying of the pipe line.

Mr. Mills enlisted the interest of Guffey and Galey, of Pittsburg, Pennsylvania, in 1893, and they took over his holdings and began operations, centering their activities around Neodesha, where, in the next two years, they sank one hundred and three wells, of which eight were gassers, thirty-four were oil wells, and sixty-one were dry holes, and where they built four storage tanks of twenty-five thousand barrels each. The company extended their leases to other localities and drilled the first oil well at Peru, in Chautauqua County, in 1894. Wells were also drilled in Montgomery and Wilson counties.

Guffey and Galey sold out in 1895 to the Forest Oil Company, a subsidiary of the Standard. This company put in a refinery at Neodesha with a capacity of five hundred barrels daily. This seemed more than ample for that time, as the production of the entire field in 1895 was only forty-four thousand, four hundred and sixty-seven barrels. But the district was full of prospectors and they were all beginning to get oil in large quantities, with the result that the production far exceeded the facilities for handling and marketing it. Other companies interested in Kansas about this time were: The Troy Oil Company, the Pennsylvania Oil Company, and C. E. Farran of Pittsburg, Pennsylvania, and numerous smaller companies and private individuals.

By the year 1897, the Forest Oil Company had eighty-three producing oil wells, most of them in Wilson County, and sixteen gas wells, and had constructed a pipe line from the pool to the refinery at Neodesha. In 1900 there were one hundred and nine producing wells in the entire district, and the combined yield was five hundred and sixteen thousand five hundred and ninety-three barrels, an increase of over a thousand fold in eleven years. In 1899, the Prairie Oil and Gas Company was formed, and in 1901 it took over the holdings of the Forest Oil Company. The rich Chanute field, which had been almost untouched, was opened in 1899 by Mr. I. N. Knapp. He drilled gas wells for the city with the privilege of retaining the oil, and in this way he sank more than two hundred wells; and in 1900 began shipping crude oil to the gas factories at Omaha and Kansas City. This he continued until the Standard completed its pipe line in 1904, and could furnish the product cheaper. He sold his wells to the Standard eventually.

The years of 1902 and 1903 was a boom period in both oil and gas. There was an abundant supply and it needed only the prospect of a market to create a furore among investors. The promise of the Standard Oil Company to build a pipe line to Kansas City and connect with their trunk line at Whiting, Indiana, after which it would buy all the oil that the

district was able to produce, precipitated the boom in oil, as investors expected to sell the crude oil at \$1.40 per barrel, it being understood that the Standard would pay that price. There was a flood of capital in the direction of the oil fields. Hundreds of companies were formed, some legitimate and some otherwise. Chanute was the center of this activity, as the Standard Oil Company had already taken the field in other localities.

The gas boom was brought about by the cities of the gas district making inducements to factories in the way of cheap fuel. A few brick plants and Portland Cement mills had located at Iola since 1895 and utilized the gas, but for the most part there was an immense quantity of the fuel lying useless. In order to attract manufacturing plants liberal offers were made, often the business men of the town would offer free fuel for a year or two and gas at three cents per thousand afterwards as an inducement to investors to establish plants. In this way nine glass factories, four cement mills, twelve lead and zinc smelters, and fifty brick plants were soon built. Since 1906, nine additional glass factories, eleven cement mills and a number of smelters and brick plants have been established. These have been of great value to the towns of the district, stimulating all lines of business activity and developing especially the iron and machinery business.

In 1904 and 1905 was a period of reaction and trouble for the people in both oil and gas matters. The Kansas Natural Gas Company was organized by T. N. Barnsdall of Pittsburg, Pennsylvania; in 1904 this company took over the wells and equipment of the Consolidated Gas, Oil and Manufacturing Company, organized by McBride and Bloom, the pioneer developers. They began gathering up the holdings of individuals and companies, and in 1905 bought the Caney Gas Company, which had a million dollars in gas lands. The object of the Kansas Natural was to pipe the gas from the district to Kansas City, Topeka and other towns, depleting the supply and in time ruining the manufacturing interests. The people made a vigorous but useless fight, and only succeeded in delaying the pipe lines a few months. The pipes reached Topeka and Kansas City, Kansas, in 1905, and Kansas City, Missouri, in 1906. Other towns all over the eastern portion of the State have been supplied. The service rendered has never been very satisfactory. The company went into the hands of a receiver and the history of natural gas in Kansas for the past few years had been one of shortage to the consumers, litigations to the company, and annoyance to public officials. New wells have been sunk, but the gas-producing territory has not been extended.

As a result of the development of the oil lands in 1902 and 1903, production reached its high tide in 1904, being four million, two hundred and fifty thousand, seven hundred and seventy-nine barrels. The Standard Oil Company had finished its eight inch pipe line to the Sugar Creek refinery near Kansas City, Missouri, and had doubled the capacity of the refinery at Neodesha. Outside of a limited market for crude oil at municipal gas plants, and one independent refinery of two hundred and fifty barrels' capacity at Humboldt, the Standard furnished the only

outlet. This plant at Humboldt was the first independent refinery in Kansas. It was built by C. D. Webster, a promoter of great ability who had been driven out of business no less than nine times in different eastern cities, by the Standard. It was put in operation early in 1904, but was too small to affect the market, which declined in the summer to forty-eight cents per barrel.

This condition of affairs prompted the independent producers at Chanute and Independence to attempt organization, but nothing was accomplished on account of the influence of the Standard Oil Company in these towns. In January, 1905, Governor Hoch took the matter up in his message to the legislature, strongly urging some action for the protection of the producers who were at the mercy of the trust. This prompted a local meeting in the office of H. E. West of Peru, at which it was decided to issue a call to the oil producers of the state to form an organization. The call was prepared by William E. Connelley, then in the oil business at Chanute, and issued by the Chautauqua County Oil Producers Association, of which H. E. West had been made President.

The State meeting was held in Topeka, January 19th, just one week after the one at Peru. It was attended by producers from every part of the oil fields, who came on a special train crowded to the limits. Mr. West presided over the meeting and called upon Mr. Connelley to present certain resolutions which he had prepared that morning. These resolutions were nine in number and covered every object of the meeting. They provided for the forming of the Kansas Oil Producers Association, the election of officers and government of the body, five bills which the legislature should be asked to pass, and a legislative committee to work for their enactment. The five laws asked for were: (1) A State oil refinery; (2) a law making pipe lines common carriers; (3) an anti-discrimination law, forbidding anyone to undersell a competitor to ruin him, and make back the money lost by charging excessive prices in other localities; (4) a law fixing maximum freight rates; (5) a board for the supervision of the oil fields, and protection against neglected and abandoned wells, and for the supervision, inspection and grading of crude oil.

All these resolutions were passed at the meeting without much discussion, as they met the needs of the occasion precisely. H. E. West was elected president, and he selected L. H. Perkins, of Lawrence; S. J. Stewart, of Humboldt; J. M. Parker, of Independence; and J. O. Fife for the Chanute district, as the executive committee to work with him for the proposed laws. Mr. West assumed the important work of leadership and proved himself a most efficient general in directing the campaign. Against all the wealth, power and influence of the largest combine in the country, four of the five bills were passed. The fifth, which called for the supervision of the oil fields, was not taken up for lack of time. A law on this order had been passed in 1891, but remained a dead letter on account of no means being provided to enforce it. In 1913 an inspector for this purpose was provided by the legislature.

The legislation to secure a square deal for the Kansas oil producers was easily the biggest thing before the country in the winter of 1905.

Kansas had tackled the octopus. Other states that had thought there was no remedy took courage and fell in line. Prominent clergy took it up, and the newspapers and magazines were full of the topic. Of the four laws passed, three are now in operation, the state refinery having been declared unconstitutional by the Supreme Court. But the very fact that it passed with such an overwhelming public sentiment back of it, caused a decline in the price of refined oil to the consumers. The maximum freight law, the law making pipe lines common carriers, and the anti-discrimination law, have been important to the independent producers as a protection against unfair competition.

In 1905 the Standard Oil Company finished its pipe-line connections



OIL REFINERY OF THE NATIONAL REFINING COMPANY, COFFEYVILLE

with Whiting, Indiana, but did not extend its operations in Kansas, as the unprotected Oklahoma field offered richer opportunities for monopoly. In the Kansas district independent refineries began to spring up. Seven were in the process of construction in 1905, one by the Paola Refining Company, was opened in August with a capacity of two hundred and fifty barrels. The Uncle Sam Refining Company, built at Cherryvale, The Superior Refining Company, at Longton, and the Sunflower Refining Company at Niotaze, in Chautauqua County. Six more were erected in 1906, and by 1909 there was one in every town in the district. Practically nothing is done in the way of extracting the by-products of petroleum, the one exception being the Standard Asphalt and Rubber Company of Independence, an independent plant which manufactures the "Sarco" products by patented processes. These processes, which are

unlike any other and known only to the employees, are the results of experiments by G. F. Culmer, manager of the works.

The first legislation on oil was in 1885, when a law was passed fixing the weights per gallon of different oils. In 1889 the oil inspection law which has been repeatedly amended, was put on the statute books for the first time. Its object is to insure a safe product for illuminating and heating purposes. It is at present enforced by a State Oil Inspector who appoints local inspectors to do the work.

ELIZABETH N. BARR.

LEAD AND ZINC

The lead and zinc fields of Kansas are confined to a small area in the southeast part of Cherokee County, in what was known in early times as the "Cherokee Strip." Small quantities of both ores have been found in other localities, particularly in Linn County, where it was discovered in 1858, and mining attempted in 1873, and as late as 1899, without paying results. The ores have also been found in Franklin, Bourbon, Anderson, Allen, Neosho counties, and as far west as Kingman County, as well as in the Oread limestone near Lawrence. But it is only in a small section of Cherokee County that paying shafts have been sunk.

The first discovery of lead in Kansas was made by David Harland and his daughter, who were part-blood Indians and located on the Indian lands in 1835. As a bounty had to be paid to the government on all ore taken out, they said nothing about it. When the land was thrown open to white settlement, those who located on these barren lands probably did so with the idea that the ore fields which were being developed in Missouri extended across the line, as the rock formations were similar. However, nobody cared to create any excitement until they had proved up on their claims, and the Civil War broke out before any shafts were sunk on the Kansas side.

In 1870, William Cook discovered zinc ore of the quality known as "black jack," on his farm. Quite a quantity was taken to Joplin where it brought a good price, but the discovery created no excitement, because everybody was looking for lead, which not only brought a better price, but was not so bulky to transport. In 1871, a company of Baxter Springs men, composed of A. W. Rucker, Dr. G. G. Gregg, Dr. William Street, and A. Willard, took leases around Lowell and Baxter Springs, and north on both sides of Spring river, but did not locate ore in paying quantities. In 1872, lead was found on the farm of Jesse Harper of Shoal Creek, northeast of the site of Galena. A Baxter Springs company composed of H. R. Connell, William Street, Captain William Blood, Edward Zellekin, Major F. C. Larabee, P. J. Pfennig, J. M. Cooper, and L. D. Phillips, bought an option on the place for \$4,000, sunk a shaft and erected a smelter, but on meeting with great difficulties in the operation of both mine and smelter, gave up the project.

The development of the lead and zinc mines of Kansas began with the operations of John Shew and John McAllen, who sank a shaft on the Nicolls farm in the same vicinity, and on March 21, 1877, struck a rich vein of lead sulphite or galena, at a depth of fifty feet. This discovery caused great excitement, and within thirty days, ten thousand people had rushed to the neighborhood. The Galena Mining and Smelting Company, of which William Street, and John M. Cooper of Baxter Springs, Colonel Fairbanks of Joplin, and two prospectors, Cornwall and Johnson, were members, founded the town of Galena on the Moll farm just south of the Nicholls tract. The Craig Mining and Smelting Company, later the Southside Mining and Smelting Company, organized by W. B. Stone, William March, W. J. Lea, and William Craig, secured leases to the east.



ZINC SMELTERS, PITTSBURG

Ex-Governor Crawford, Patrick Murphy, and S. L. Cheney took up two hundred acres of land to the north. They formed the Empire Mining and Smelting Company, and founded the town of Empire. By July, 1877, there were four paying shafts on the Nicholls tract producing ore worth \$3,000 per week.

The first modern smelter for the reduction of lead ore to pig lead was built at Galena by the Galena Lead and Zinc Company, in 1879. In 1881, the Empire Mining Company built the first steam mill on their property. The erection of mills and smelters resulted in a great increase in lead during the '80s. Zinc was not sold to any extent until 1881, when the Southside Mining Company sold 2,283,480 pounds for which \$18,267.84 was received. Zinc furnaces were built in Pittsburg in 1878, and in 1891, a zinc smelter was built in Galena, but burned down. For the most part the zinc is taken to the lead smelters and assayed.

The production of lead in 1877 was fifty-six full tons, and the output increased steadily until it reached fifteen thousand, one hundred and eighty-four tons in 1897. It then began to decrease and continued on the decline to the present. The government report of 1914 gives the Kansas production of lead as one thousand and forty-three short tons of refined ore. The average price covering the whole period of mining is \$44.79.

The output of zinc was very small until 1881, when the production was one thousand one hundred and fifty tons. It increased until 1898 when the output reached seventy-four thousand, eight hundred and fifty-two tons. A gradual decline in production then began and in 1902 the tonnage was thirty-one thousand. The government reports give the production of 1914 as ten thousand, six hundred and thirty-four. The average price of zinc has been \$24.50. As the production of both ores has decreased, the price has raised, especially since the opening of the European war.

ELIZABETH N. BARR.

CHURCHES

METHODIST CHURCH

The first activities of the Methodist Church in Kansas were the Shawnee and Kansas missions, established about 1830 by the two Johnson brothers, Thomas and William. Prior to 1844, missions were established among the Delawares, Peorias, Iowas, Sacs, Foxes, and Wyandots. Churches began to be founded in 1854, and among those which were established that year were the organizations at Leavenworth, Tecumseh, and Lawrence. Those at Ft. Scott and Lecompton followed in 1855. Among the early ministers were Rev. W. H. Goode, Rev. A. Still, Rev. James S. Griffing, and Rev. J. B. Stateler, in 1854; Rev. C. I. Rice, Rev. L. B. Dennis, Rev. J. B. Barnabey, in 1855.

The organization of the Methodist Episcopal Church Conference of Kansas took place at Lawrence in 1856. It included a part of Nebraska Territory. In 1860 the rapid growth of the church made a division necessary, and the Nebraska Conference was separated from that of Kansas. At this time there were forty-three churches, with a combined membership of four thousand.

The Kansas Educational Association was formed at the first meeting of the Conference in 1856, and the next year they secured a tract of land from the "Palmyra Association" on which they located Baker University. The college was organized in 1858. The Southwestern, a small college, at Winfield, was founded in 1885, and the Kansas Wesleyan University at Salina in 1886.

The Methodist Church is the largest in the State, having a membership of one hundred and twenty-five thousand.

ELIZABETH N. BARR.

BAPTIST CHURCH

The Baptist missionaries were as early as those of any church in Kansas. Among the notable names are those of Dr. Johnston Lykins,

who came to the Shawnees in 1831, Robert Simerwell, who went to the Pottawatomies in 1837 and established the famous Baptist Mission in Mission township, Shawnee County, in 1848. Rev. Jotham Meeker, who located among the Ottawas in 1837, established a mission five miles from the present site of Ottawa, translated the books of the new testament into the language of the Ottawas and organized a church of which nine-tenths of the entire tribe became members. Rev. Isaac McCoy was also one of the first Baptist missionaries in Kansas.

In 1854, when the territory was thrown open to settlement, Baptist Churches were established instead of missions. Six years later there were forty congregations and twenty-nine preachers in Kansas. The Baptist Association was organized in June, 1860. Five years later Ottawa University, which is now one of the leading educational institutions of the state, was established. An Academy at Hiawatha and a Theological Seminary at Kansas City, Kansas, were established later.

At the present time the Baptist Church ranks third in membership in Kansas. There are about six hundred congregations and five hundred ministers.

ELIZABETH N. BARR.

EPISCOPAL CHURCH

The first Episcopal parish was organized at Leavenworth, in 1856, by Rev. Hiram Stone. The next year a church building was erected at that place and consecrated by Bishop Kemper. The pioneer ministers of 1857 were Revs. Charles M. Calloway, C. Reynolds, and R. S. Nash. Rev. Calloway conducted services at St. Pauls, at Manhattan, where, the next year, a parish was organized by N. O. Preston. Rev. Reynolds founded Trinity Church at Lawrence, and Christ Church, at Prairie City, in his first year, and Rev. Nash founded a church at Wyandotte. Trinity Church at Atchison was founded in October, 1857, by Rev. L. R. Staudenmayer. Rev. J. Ryan founded a church at Elwood in 1858. The state organization of the church took place at Wyandotte in 1859.

Rev. Calloway came to Topeka in 1860 and founded Grace Church. A building was erected having a female seminary in connection. This is now known as the Bethany College of the Sisters of Bethany and is one of the best private educational institutions in the State. The new Grace Cathedral, which is now in process of construction, will be one of the finest church edifices in Kansas.

The present strength of the Episcopal Church in Kansas is about seven thousand members. It is divided into two dioceses, Kansas and Salina, with headquarters respectively at Topeka and Salina.

ELIZABETH N. BARR.

CATHOLIC CHURCH

In 1822 Rev. Father Charles de La Croix was appointed missionary to the Osages by the Bishop of New Orleans. He reached the Neosho

in May of that year. He baptized Antone Chouteau on the 5th of May. This missionary died from the effects of the hardships of the wilderness without accomplishing much.

The first Catholic Mission in Kansas was established among the Osages, in 1827, by Father Van Quickenborn, a Jesuit priest of Missouri. In 1829, the first buildings were erected, one at the Osage mission by Father Odin, and one at Pottawatomie Station by Felix Verreydt.

In 1851, Bishop Miede was appointed over this section of the country, and he established a church at St. Marys, where a building was erected. Father Heiman organized a church at Leavenworth and built the cathedral of the Immaculate Conception about this time. Other early churches were one at Lawrence, organized in 1857 by Father Magee, and one at Doniphan the same year under Father Wirth. In 1858, a church was founded at Wyandotte by Father Heiman, and one at Valley Falls; St. Marys, in Nemaha County, was founded in 1859, the church at Ft. Scott, in 1860, by Fathers Schoenmakers, Ponziglione, and Van Gach, and the Church of the Assumption in Topeka in 1860, by Father James H. Defouri.

A number of educational institutions have been founded by the Catholic Church, the most important of which is St. Mary's College, established in 1848. Mt. St. Scholastica's Academy, at Atchison, was established in 1863; St. Benedict's College at Atchison, in 1858; St. Mary's Academy, at Leavenworth, in 1866, and Nazareth Academy, at Concordia, in 1884. Besides these there are several other academies, and hospitals and a large number of parochial schools.

There is a Catholic population in Kansas of one hundred thousand people.

ELIZABETH N. BARR.

CONGREGATIONAL CHURCH

The Congregational Church made its appearance in Kansas with the first white settlements. Rev. Samuel Y. Lum was the pioneer minister, and founded a church in Lawrence October 15, 1854. Rev. Lum also preached at Topeka. Rev. C. E. Blood preached at Manhattan. In 1855, one of the strongest church colonies of any denomination located at Wabaunsee in the county of that name. It was under the Rev. Harvey Jones. Seven churches were founded in 1856: Manhattan, Topeka, Osawatimie, Zeandale, Burlingame, Bloomington, Kanwaka. Wabaunsee and Geneva followed the next year.

The State organization of the church was formed at Topeka, in 1857. The next year ten churches were organized: Albany, Atchison, Emporia, Hiawatha, Leavenworth, Minneola, Quindaro, Grasshopper Falls, Wyandotte and Sumner. Among the pioneer ministers were Rev. Lewis Bodwell, Rev. A. L. Adair, 1856; Rev. Sylvester D. Storrs, Rev. O. L. Woodford, Rev. Richard Cordley, Rev. R. D. Parker, and Rev. G. C. Morse in 1857. Storrs, Cordley, Parker and Morse composed the famous Andover Band.

In 1865, the Congregational Church founded Lincoln College at Topeka. It was later moved to a new site southwest of the town and the name changed to Washburn. This college is now the largest educational institution in Kansas, independent of the State. Fairmount College, at Wichita, was founded in 1895.

The present strength of the Congregational Church in Kansas is over sixteen thousand.

ELIZABETH N. BARR.

PRESBYTERIAN CHURCH

The pioneer Presbyterian ministers in Kansas were Revs. Joseph Kerr and Wells Bushnell, who came to the Wea Indians, near Ottawa, in 1835, where they established the first Presbyterian Church in Kansas. In 1837 Rev. S. M. Irvin located near the present site of Highland. Six months later he was joined by Rev. William Hamilton. These men founded the organization which later became the parent of the Synod.

The first church to be organized after the white settlements were made was at Leavenworth, in 1856, by Rev. C. D. Martin. Rev. James Brownlee, of the "New School," came in 1858 and founded churches at Brownsville, Olathe, Gardner, Black Jack, De Soto, Centropolis, and Spring Hill. The "Old School," organized at Auburn, Atchison, Tecumseh, Lecompton and Lawrence that year. In 1859 churches were founded at Topeka, Leavenworth, Carlyle and Ft. Scott. Pioneer ministers of 1858 were Revs. William Wilson, and C. McCain; of 1859, F. P. Monford, W. Bishop, H. Reed, E. Blachly, J. G. Reaser, and Rev. Mr. Thorne.

Three educational institutions were formed very early, Highland College, Mapleton Academy, and Iola High School. Highland College was founded in 1857, and is still maintained. In 1882, the Presbyterian Church established the College of Emporia at Emporia, Kansas.

The present strength of the Presbyterian Church in Kansas is thirty thousand members, five hundred congregations and two hundred and sixty-one ministers.

ELIZABETH N. BARR.

MENNONITE CHURCH

The Mennonites came to Kansas direct from Russia. The immigration began in 1873, and in 1875, a large body comprising four hundred families, or about nineteen hundred people, came to Topeka, bringing with them \$2,000,000 in gold with which to found homes. They settled in groups, in Reno, Harvey, Marion, and McPherson counties. For ten years the influx continued, until no less than fifteen thousand had settled in Kansas. Later the number reached sixty thousand.

The Mennonites established their own churches and schools. The first school was founded at Halstead in 1882. It offered its course of

instruction in both English and German. In 1887, the City of Newton made an offer to the church to have the school moved. Instead of doing this a new one was founded, which finally opened its doors in 1893, as Bethel College. There were about thirty-one Mennonite Church buildings in the state at that time, and a membership of not over five thousand. At the present time the membership is about seven thousand five hundred. The institution at Newton is supported entirely by the church, and by the income from an endowment which has been given by Mennonite people. It has from one hundred to one hundred and fifty annual enrollment.

ELIZABETH N. BARR.

LUTHERAN CHURCH

The pioneer minister of the Lutheran Church in Kansas was Rev. Joseph B. McAfee, who came to Leavenworth in 1855. He established a school, as well as a church, at that place. Two years later he moved to Valley Falls where he established a church and preached all over the country. He succeeded in establishing churches at Monrovia, Pardee and Crooked Creek, in 1858. Rev. David Earhart located at Ozawie in 1857, and preached over the country for three years. In 1860 he organized a church at Sumner, in Atchison county, and one at Vinland, in Douglas county. In 1861 he organized a church in Doniphan County. He continued his labors until 1873, in Doniphan, Brown, and Atchison counties and established a dozen or more churches. The Lutheran Church, at Leavenworth, was founded in 1861, by Bishop Dubs; at Atchison in 1866, by C. F. Liebe; at Lawrence in 1868, by Rev. Morris. Those at Salina, Lindsborg and Topeka were founded in 1868.

Bethany College, which has the best Conservatory of Music in Kansas, was founded by the Swedish Lutherans in 1881. Midland College, at Atchison, was founded by the German Lutherans in 1887, and St. John's Lutheran College at Winfield, in 1893.

There is an aggregate membership of thirty thousand in the Lutheran Church in Kansas at the present time.

ELIZABETH N. BARR.

THE CHURCH OF THE BRETHREN

The Church of the Brethren (formerly the German Baptist Brethren) is a Christian communion of about 100,000 members. It was organized in Schwarzenau, Germany, in 1708, by a group of eight persons who were all more or less affected by Pietistic teaching. The church has been variously denominated as that of the Taufers, Tunkers (German "taufen"), Dunkers, Dunkards, German Baptist Brethren, and the Brethren. In 1908, at the General Conference at Des Moines, Ia., the name "Church of the Brethren" was definitely adopted.

Persecuted in Germany because of non-conformity the membership emigrated to Pennsylvania in 1719, settling first in Germantown, where

the mother church is still in a prosperous condition. The Brethren were early associated with Count Zinzendorf and the Moravians and also with other minor sects such as the Quakers and Mennonites. The first German Bible printed in America was published by Christopher Sower, a leading member of the new sect. His printing press was destroyed by the British during the Revolution, a misfortune from which the church with difficulty recovered.

The Brethren came to Kansas shortly before the Civil war. As far as known the first member in the state was David Kinzie, who lived near Clinton in Douglas County. In 1854 Jacob Ulrich of Wayne County, Indiana, came with an immigrant train of eleven wagons of Brethren. These Hoosiers settled south of Emporia. Within a year, however, Ulrich and his family moved ten miles south of Lawrence. He wrote frequently for the church paper, the Gospel Visitor, and exercised a wide influence in inducing his church people to come to Kansas. In the Quantrell raid he was a heavy loser, the raiders stopping at his home and firing his house as they left. Ulrich was a warm friend of Senator Lane and of Jacob Branson. The retreating guerrillas inflicted permanent injuries upon Abraham Rothrock, a neighbor of Ulrich's and the first bishop of the Brethren in Kansas.

The first church of the Brethren in Kansas was built on Washington Creek, southwest of Lawrence, in 1858, although services had been held earlier near the present Town of Dunlap. The congregation at Washington Creek is still in existence. Before 1878 congregations were organized at Ozawkie, Emporia, Morrill, Fort Scott, Abilene, Peabody, and Nickerson. The year 1878 witnessed a large immigration. More and more the tide turned to central and western Kansas. By 1886 many of the extreme western counties had been reached.

In 1881 there occurred in the Miami Valley in Ohio a church division which split the denomination into the three divisions all of which continue separate even today. Higher education and a salaried ministry were the questions at issue. The Ultra-Conservatives called themselves the Old Order German Baptist Brethren, accepting also the designation Dunkard; the Conservatives likewise retained the name German Baptist Brethren, but became the Church of the Brethren in 1908; the Radicals, often called Progressive Brethren, are legally known as the Brethren. The Old Orders are rapidly waning in membership.

The Church of the Brethren in 1916 had 4,824 members in Kansas, the northeastern and southwestern parts of the state showing the largest membership. Three times in her history the church has held her Annual Conference in Kansas,—at Bismarck Grove (Lawrence) in 1883, in Ottawa in 1887 and 1896. In June, 1917, the conference comes to Wichita. These gatherings are always unusually well attended.

The Brethren own McPherson College, a Christian college established in 1887 at McPherson. The Kansas membership sustains at Darlow a home for the aged. The Child Rescue Society has its headquarters at McPherson. The church also has a mutual insurance company which

does a large amount of business among the members of the central section of the United States.

The plea of the Brethren is for a return to the faith and practice of primitive Christianity. Therefore they are a church of earnest Bible students. They have no creed aside from the Bible. In brief their doctrines include baptism (trine immersion), the Lord's Supper (a full meal), the Eucharist, feetwashing, and the anointing. They take no oath, abstain from military service, and go to law only as a last resort. From the first they have been on record as temperate advocates. They have always opposed slavery. Since 1817 they have actively opposed the use of tobacco.

Their form of church government is democratic and representative. All officers are elected by the voice of the local congregation. There are three degrees in the ministry, the elders being vested with all the powers of the ministerial office by means of ordination. The local church council meeting decides on matters of strictly local importance, the more weighty matters being sent to district conference. Any question of general interest is decided at the general annual conference. All conference bodies are made up of delegates elected by local congregations. A free and open discussion followed by a majority vote is decisive in the adoption of methods of work. The greatest problems now confronting the denomination are conceded to be missionary activity, the Sunday School, and the education of the young.

E. L. CRAIK, Lawrence, Kansas.

EDUCATIONAL INSTITUTIONS

KANSAS UNIVERSITY

The first effort toward founding a college on Mt. Oread was made in 1856. Amos A. Lawrence, of Boston, one of the founders of the Emigrant Aid Society, donated a sum of money for the purpose, and work was started on a building. The enterprise was shortly abandoned because a clear title to the land could not be secured. Early the next year Mr. Lawrence made the gift which later became the original endowment of the Kansas University. This gift was in the form of two notes of \$5,000 each, against the Lawrence University of Wisconsin. This donation was placed in the hands of trustees to be used for educational purposes. The Presbyterian Church then undertook to found a "Free State College," and raised some money for the purpose. In 1859 the Legislature gave official sanction to the "University of Lawrence," and a conditional deed was obtained from the town to the present site of North College, where the work had already been begun. The church advanced the building as far as the means would permit, but was unable to complete it on account of the drouth of 1860. In 1861, the Episcopal Church took over the enterprise, secured a new charter under the name of the Lawrence University of Kansas, and continued the work on the building. The foundation and walls of a structure fifty feet square and three stories

high were built before the war interfered. In 1863, the conditions of the deed not having been fulfilled, the town of Lawrence took possession of the site and building.

A bill to locate the Kansas University at Manhattan where a church college had already been opened was vetoed by Governor Charles Robinson, in 1861, for political reasons. The Legislature of 1863 located the University at Lawrence on condition that the town would furnish a suitable site of forty acres and \$15,000 in money. The committee appointed to take charge of the arrangements in behalf of the state were S. M. Thorp, I. T. Goodnow and Josiah Miller. Miller was the first promoter of the college as a Presbyterian institution. This committee selected the site, and the city of Lawrence secured it for the state by giving Mr. and Mrs. Charles Robinson, in exchange for it, half a block of land south of the North College building, ten acres of land half a mile west of the new building site, and a large cash bonus raised by individual subscriptions. Ten thousand dollars cash was realized from the Amos Lawrence notes, and the balance of \$5,000 was raised by notes signed by Lawrence people. About this time the town was devastated by Quantrill, and on account of the poverty which followed, the Legislature of 1864 refunded the money to the signers of the notes.

The legislature divided the University into male and female branches, the female branch to be separate from the college proper and taught exclusively by women. However, the admittance of women to college on any terms was in those days a triumph of liberality, and was secured in Kansas by a very small majority. The general management of the institution was vested in a Board of Regents, on which the following men were the first to serve: Solon O. Thacher, Charles Robinson, James S. Emery, George W. Paddock, Daniel P. Mitchell, Isaac T. Goodnow, R. A. Barker, J. D. Liggett, C. B. Lines, C. K. Holliday, E. M. Bartholow, T. C. Sears, W. A. Starrett and Joseph L. Wever. At the first meeting of the Board, held March 21, 1865, in the Chambers of the Lawrence City Council, the Rev. R. W. Oliver, who had been in charge of the college project for the Episcopalians, was elected Chancellor.

As there were not sufficient funds to build on the University grounds, the Regents decided to obtain the unfinished building on lands in possession of the city of Lawrence. The city agreed to make the property over to the state providing the building should be completed and a college opened by January 1, 1867. In order to do this, the Regents secured what was left of a number of different funds given for the relief of Quantrill raid sufferers. The sums aggregated about \$12,000, in exchange for which the Regents agreed to give free education to those children who had been made orphans by the raid. The building was completed and college opened September 12, 1866. The first faculty was as follows: Elial J. Rice, A. M., chair of Mental and Moral Science and Belles-Lettres; David H. Robinson, A. B., chair of Languages; Frank H. Snow, A. M., chair of Mathematics and Natural Science. The salaries of these men were fixed at \$1,600 per year. Albert Newman, M. D., was appointed lecturer on Hygiene and Medical Science. He served one year

without pay and was then elected to the faculty. Professor Rice was made president of the faculty.

Fifty-five students enrolled the first year, all in the preparatory department. About half were women, but the facilities were so limited that no attempt was made to divide the college into male and female branches, so the University became one of the first institutions in the country where men and women attended the same classes.

Professor Rice resigned in the summer of 1867, and Chancellor Oliver in December of the same year. John Frazer, A. M., was elected Chancellor, made president of the faculty and given the chair of Belles-Lettres. He remained in this capacity until 1874, and had the honor of graduating the first class of four students in 1873.

The enrollment reached 125 the second year, and one hundred and fifty-two the third. Departments were divided and more instructors were added to the faculty. North College was already over-crowded and the Regents felt the urgent necessity of providing more room. To get adequate appropriations from the state at the time was hopeless, and so the matter was urged upon the people of Lawrence. A hasty election was called and bonds to the amount of \$100,000 were voted. This was too big a burden, and the city was relieved of it by the state some years later after \$90,000 had been paid in interest. With the proceeds of these bonds, a building two hundred and forty-six feet by ninety-eight feet, and containing fifty-four rooms was begun. The sum realized was sufficient to enclose a structure of this size and the Regents depended on the legislature for the money to complete it. In 1872, an appropriation of \$50,000 was made. When this had been spent the building was ready for classes, but far from complete. The work went on by means of small appropriations and was finished in 1877.

Dr. James Marvin became Chancellor in 1874 and remained until 1883. In that time the attendance grew from two hundred and seventy-two students to five hundred and eighty-two. The scope of the University was broadened, new departments added and divisions made in departments already established. In 1876 a normal department was opened, and in 1878 a law school under J. W. Green. The sale of lands granted the University by Congress had netted \$100,000 up to this time. At the close of Dr. Marvin's chancellorship, an aggregate of one hundred and thirty-nine students had graduated. There were nineteen professors on the faculty.

Joshua Allen Lippincott accepted the chancellorship in 1883. It seemed easier to secure appropriations in his administration. The annual appropriation for current expenses was raised from \$30,000 to \$75,000. A chemistry building was erected at an expense of \$12,000, an engine house costing \$16,000, and \$50,000 was appropriated to build Snow Hall. This last building was for the use of the department of Natural Science, and for many years it housed the valuable and famous collections of Professor Snow and Professor Dyche. The legislature of 1885 provided for the establishment of a school of pharmacy and the discontinuance of the Normal course. The lower classes of the preparatory

were gradually dispensed with until at the close of Lippincott's regime very little of it was left except instruction in foreign languages. There was a consequent raise in scholarship standards, the College was becoming a University. At the time of Lippincott's resignation there were thirty members on the faculty.

The next head of the University was Frank H. Snow, who was elected to the chair of Mathematics and Natural Science in 1866, and had been on the faculty since that time. Chancellor Snow resigned in 1902, completing thirty-six years of continuous service. He started the valuable collections in geology, botany and zoology in 1873, and contributed more than any other one man to the growth and success of the institution. He came to the chancellorship just as the college was emerging from a school, offering everything from common school branches on up, to a University offering complete courses in every department of education.

In 1890, the courses in civil and electrical engineering were separated from the collegiate department and organized into the School of Engineering, and in 1893, a \$50,000 building was provided for this department. A chair of Pedagogy was established in 1893, and the faculty increased to fifty-two members. A legacy of \$91,618.03, from the estate of William B. Spooner, uncle of Chancellor Snow, came to the University late in 1891, and was used to build the Spooner library. The Kansas University Quarterly, devoted to original research by Faculty and students, began publication in 1892. In 1891 and '92, Prof. Dyche made conspicuous additions to the collection of animals by the capture of one hundred large specimens which he mounted himself and exhibited in the Kansas building at the Chicago Fair. The collection was far ahead of any other similar exhibit in point of taxidermist art.

One of the most important steps in the point of service to the people was the founding of University Extension. For a number of years lectures on different subjects had been given by University professors who gave their time gratuitously whenever called upon. In 1891, regular courses of instruction were offered, consisting of one lecture each week for twelve weeks, to be followed by reading courses. Eight such courses were given the first year, two in Topeka, two in Wichita, one in Olathe, and three in Kansas City. Out of the thousand or more people who heard the lectures, one hundred followed the prescribed reading courses, took the examinations and received University credit. By 1895 the University Extension was reaching four thousand people. It was not fully organized on a correspondence basis, however, until 1909. That year a bulletin was issued offering courses as follows: Mechanical and Electrical Engineering, Mining, Surveying, Mechanical Drawing, Highway Construction, History, Political Economy, Political Science, Sociology, Philosophy, Education, Ancient and Modern Languages, Entomology, Botany, Zoology, Geology, Physics, Chemistry, Astronomy, Physiology, Mathematics, Pharmacy and Medicine.

In 1894, a loan fund to assist students was created. The enrollment was now double what it had been when the legislature fixed the annual appropriation for maintenance at \$75,000, and the college was greatly

handicapped for funds. The condition was relieved somewhat in 1895 by raising the amount to \$100,000 annually. A post graduate course was offered for the first time in 1896. The recognition of the first year medical work of the Kansas University by the Illinois Board of Health about this time, led to enlarging the course, and in the establishment of a complete Medical School in 1899. A Department of Mechanical Engineering and Department of Mines was added at this time. A disastrous fire which damaged the boiler-house and machine shops to the extent of \$30,000 resulted in the installation of ample fire protection. An engineering and shop building had been provided for the private gift of \$21,000 by Mr. Geo. A. Fowler, and in 1899 the legislature made an appropriation for a much needed chemistry building.

The old claim which the Emigrant Aid Society had against the government for the destruction of Lawrence property, by Sheriff Jones in May, 1856, had been assigned to the University, and in 1901 the legislature directed that the proceeds should be used to build a gymnasium. It was paid a few years later and the building erected. The valuable collections gathered by Professors Snow and Dyche at a cost to the state of less than a tenth of their value had long since overflowed Snow Hall, built in 1885, but it was not until 1903 that they were removed to suitable quarters in the new Museum building. A \$50,000 law building was put up at that time. In 1905 the site of the Rosedale clinical hospital was accepted by the state, and in 1909, \$50,000 was voted for a building. The administration building was begun that year on a \$125,000 appropriation. In 1907, \$150,000 was voted for a Civil and Mechanical Engineering building, and \$50,000 for a building for the Department of Mines.

By act of the legislature of 1913, the management of the University passed from the Board of Regents to the Board of Administration created to have charge of all state educational institutions.

ELIZABETH N. BARR.

KANSAS STATE AGRICULTURAL COLLEGE

J. T. WILLARD

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War with all of its waste, license, and horror, and in spite of its untoward effect upon some of the higher and finer fields of human thought and activity, is accompanied by a loosening of the bonds of the past, a subversion of the merely conventional, a revival of the most fundamental virtues, and a bringing to the front of strong men and women to meet great emergencies. Such violent disturbances of existing conditions, if not prerequisite to progress, often constitute an opportunity for reform and constructive advancement of the highest order. Weaknesses are disclosed, and the social structure strengthened or rebuilt, and progress achieved that would be slowly attained, if at all, without the jar of war.

THE LAND GRANT COLLEGES

During the war between the states, when our Nation was fighting for its life, under the farsceing guidance, and through the persistent effort of Justin S. Morrill of Vermont a system of colleges was established that has become one of the most influential factors in our national life. By the act of Congress approved by Abraham Lincoln July 2, 1862, there was offered to each state in the Union a grant from the public lands for "the endowment, support and maintenance of at least one college where the leading object shall be, without excluding other seientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the states may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

The specific requirement of instruction in military tactics reflects the recognition of the national unpreparedness of 1860. The present advantage to the nation from the military training provided for by this far-reaching legislation is incalculable.

The founder of the land-grant system of colleges, however great his vision, could not have foreseen fully the development of the scope and service of these institutions. Because of their federal origin and endowment, they have been the channels through which national movements in education and research have found expression. On the other hand, through the Association of American Agricultural Colleges and Experiment Stations, these institutions have become the most influential educational force in America.

The Kansas State Agricultural College located at Manhattan, is the sole beneficiary in Kansas of the land-grant act of July 2, 1862, and of subsequent supplementary federal legislation. The provisions of the Morrill Act were accepted by the state, February 3, 1863, and the state obligated itself to comply with all of the provisions of said act. February 16, 1863, Manhattan was designated as the location of the new college.

BLUEMONT CENTRAL COLLEGE

Manhattan had been settled by a high class of people, one group of which brought with them a determination to found a college in their new home. This determination was carried out in the establishment, under the auspices of the Methodist Episcopal Church, of Bluemont Central College, which was chartered February 9, 1858. The charter authorized the college "to establish in addition to the literary departments of arts and sciences, an agricultural department, with separate professors, to test soils, experiment in the raising of crops, the cultivation of trees, etc., upon a farm set apart for the purpose." The foundation for agricultural education and research in Kansas was thus laid four years before the passage of the Morrill Act. The corner-stone of the new college was laid May 10, 1859, and instruction began about a year later.

When the national endowment became available Bluemont College with its land, library, apparatus and other property was offered to the state on condition that it should be made the state agricultural college. This offer was accepted in the location of the college at Manhattan and the state thus obtained a very valuable nucleus for future growth. The institution in its new status opened September 2, 1863, only fourteen months after the passage of the Morrill Act. As the institution was at first only Bluemont College re-christened and nation-endowed, retaining President Denison and part of the old faculty, it continued with its old ideals to a large extent. It is important to recognize, however, that the old ideal included an agricultural department.

FINANCIAL SUPPORT OF THE AGRICULTURAL COLLEGE

No great enterprise can be conducted without adequate capital. This truth applies to an educational institution as fully as to any other organization. The Congress voted to each state accepting the terms of the grant, 30,000 acres of land for each member of the house and the senate to which the state was entitled. Kansas having two senators and one representative at that time thus received 90,000 acres. While this seemed a splendid endowment, and has since yielded about one-half million dollars, it was not money nor income, and the college under its new name was in as straitened financial circumstances as before. For nearly a decade its trustees struggled for state recognition in order to obtain funds to enlarge the scope of the institution, and to purchase land and agricultural and scientific equipment. The legislature refused to appropriate funds for these purposes, but voted money for running expenses as a loan which was to be repaid after the income from the endowment was available. By 1870 the advances amounted to \$29,134 and interest, and the state voted this debt to the development of the agricultural department. As this was not money the college was no more able than before to enter upon its natural destiny.

In April, 1871, Manhattan township voted \$12,000 to buy land for farming. With this and some money from the interest fund, the present campus of 160 acres northwest of the city was purchased, and also a tract of 160 acres on Wild Cat Creek. The latter seems not to have been retained, perhaps was never wholly paid for. From this time on the interest arising from the endowment began to be more significant in amount and the college began its growth.

By the terms of the federal law all buildings must be furnished by the state. The first step in fulfillment of this obligation was taken by the legislature of 1872 when an appropriation of \$15,000 was made for one wing of a barn, and the construction of a stone fence around the farm. The building erected was used as a barn until 1875, when it was taken over for college class-work. It has since served in many capacities and is now used as farm machinery hall.

Under the administration of President Anderson, 1873-1878, the state became more liberal in its provision of buildings, and a carpenter shop,

chemical laboratory, horticulture hall and barn were erected. Since that time the obligation of the state to furnish buildings has been well recognized and at the present time (1917) the college is housed in twenty-one stone buildings and a considerable number of wooden buildings and smaller structures used for livestock and feed.

Under the provisions of an act approved March 2, 1887, which is commonly known as the Hatch Act, Congress provided an appropriation of \$15,000 to the land-grant colleges "to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and practice of agricultural science." This appropriation has been renewed annually since that time, and was the fundamental support of the agricultural experiment stations that have played so large a part in the development and improvement of agriculture during the past thirty years.

August 30, 1890, President Harrison approved a second Morrill act setting aside "a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862." Under the provisions of this act there was appropriated \$15,000 for the year ending June 30, 1890, and amounts for succeeding years increasing annually by \$1,000 until the total became \$25,000. This sum is annually appropriated, and is available only for "instruction in agriculture, mechanic arts, the English language, and the various branches of mathematics, physical, natural and economic science with special reference to the industries of life, and to the facilities for such instruction."

The Congress, in an act approved March 16, 1906, by President Roosevelt, provided "for the more complete endowment and maintenance of agricultural experiment stations." This measure, known as the Adams Act, provided \$5,000 the first year and amounts increasing by \$2,000 annually subsequently until the appropriations thereunder reached \$15,000 a year, where it still remains. This fund is used strictly for "paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." This fund is used for work of a more strictly scientific and research character than is insisted upon for the Hatch funds.

Still another provisions from federal resources, which was approved March 4, 1907, is the Nelson amendment to the agricultural appropriation bill of that year. Under the terms of this amendment \$5,000 addition were appropriated and amounts increasing annually by \$5,000 for four years succeeding, making the final limit under this law \$25,000. The law especially provides that a portion of this money may be used "for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts." In general, however, the provision is "for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July 2, 1862."

May 8, 1914, marks the date of a new departure in federal support to education in that President Wilson then approved "an act to provide for cooperative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture." This act appropriated \$480,000 for the year ending June 30, 1914, and \$600,000 for the succeeding fiscal year and provided for an annual increase for each year thereafter for seven years of \$500,000 above the amount appropriated for each preceding year, and for each year thereafter there is to be permanently appropriated the sum of \$4,580,000. The availability of these funds, however, is contingent upon their acceptance by the several states and upon the appropriation by the Legislature of an equal sum, or the provision of such a sum by state, county, college, local or individual contributions from within the state, for the maintenance of the co-operative agricultural extension work provided for by the act. This law is known as the Smith-Lever Act, and the federal appropriations are allotted annually to each state by the Secretary of Agriculture, and paid in the proportion which the rural population of each state bears to the total rural population of all the states. The state appropriation to the Agricultural College on this account for the year ending June 30, 1919, was \$50,946.

The scope and purpose of the Smith-Lever Act is stated in section two, which reads: "Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the state agricultural college or colleges receiving the benefits of this Act."

It is thus seen that the Agricultural College, in addition to the original endowment, which yields about \$25,000 per annum, receives annually from the Federal Government, \$50,000 for college purposes, \$30,000 for agricultural experimentation and research, and also a large sum for agricultural extension work in co-operation with the United States Department of Agriculture, which is balanced by an equal amount from the state. The expenditures from all of these funds are subject to a federal supervision which is rigid in holding the institution to the lines laid down in the several acts.

For many years the state appropriated little money to the Agricultural College, aside from that devoted to buildings. It was considered to a large extent as a federal institution, and with President Fairchild, 1879-1897, it was almost a matter of honor not to ask for any contribution toward general maintenance. However, with the growth in attendance and enlargement of the scope of instruction, in spite of increased income from the general Government, the college fell behind in meeting its obligations, and in 1897 the Legislature appropriated \$10,000 for 1896-97 to meet the existing deficiency, and \$5,000 for each of the two succeeding

years. This period covered the presidency of Thomas E. Will and at its end, 1899, the college was about \$15,000 in debt. The Legislature of 1899 had appropriated \$10,000 for each of the years 1899-1900 and 1900-01, and the Legislature of 1901 made an appropriation to absorb the deficit of 1899, and an additional one of \$55,000 toward current expenses for the biennium 1901-03, thus entering definitely upon a policy of significant support to the college, not only in buildings but in equipment and general maintenance.

By the end of the administration of President Nichols, 1899-1909, the biennial appropriations for equipment and general maintenance had reached \$295,000, but this period was especially characterized by liberality in provision of buildings. No less than eight large buildings were erected, besides several smaller ones and enlargements of others. Considerably more than one-half of the present floor space of the college dates from that time.

While the administration of President Waters, beginning in 1909 and still in progress, is marked by the erection of certain buildings, notably the east wing of a splendid hall for agriculture, the strongest feature of its financial history is the great increase in the biennial appropriations for salaries and general maintenance. For the biennial period 1917-19 these amount to \$534,500. If to this be added the federal appropriations, the interest on the endowment, the very moderate fees received from students, the receipts from sales of stock, dairy products, grain, fruit, etc., and appropriations under the Smith-Lever Law, and for vocational education, the total funds expended under direction of the college are found to amount to more than \$1,000,000 per annum. For a state which has no large cities to tax, this generous support must be regarded as a magnificent tribute to the service that the institution is giving to the people.

The history and present status of the service of the college to the state and the nation cannot be presented in detail here. Such consideration as space permits may be conveniently given under four chief heads, viz.: (1) The intra-mural educational work, (2) the organized researches, (3) the extra-mural educational activities, and (4) regulatory and inspection service.

EDUCATION IN AGRICULTURE AND THE INDUSTRIES

From the first the college attempted to carry out the purposes of the organic act, but from lack of funds for some years little progress was made in the specialization that should characterize such an institution.

Military drill was given the first term and instruction of this character has continued almost uninterruptedly. At present the college is ranked by the War Department among the "distinguished institutions" in its class for the excellence and range of its military work.

College instruction during the first ten years was for the most part not very different from that of the ordinary classical college of that period, but as early as 1866-67 agricultural and scientific and military

curricula were organized. J. S. Hougham was appointed professor of agricultural science in 1866, Fred E. Miller professor of practical agriculture in 1870, E. Gale professor of botany and horticulture in 1870, and H. J. Detmers professor of veterinary science and animal husbandry in 1872. Experimental plantings of orchards and forest trees on a considerable scale were made in 1867 and 1868. Elementary instruction in mechanic arts was also given.

At first the lands on the college farms were cultivated in the ordinary way, but gradually more and more systematically, trials were made of special crops, methods of soil preparation, methods of planting, etc. The annual report for 1872 includes about twenty pages devoted to reporting the results of agricultural operations. Although persistent and even importunate efforts were made, the legislature made no appropriation for agriculture until 1870, and even then an ineffective one, and an appropriation for a barn was not made until 1872. Taking all things together, the administration of President Denison, 1863-73, was an arduous and an honorable work. Those were pioneer times, and the state could not afford to appropriate much money. Many young people of the state obtained sound education that fitted them for teaching and other responsible work. Everywhere at that time education in agriculture was but an experiment at best, and the faculty of the first decade should be commended for what it did rather than criticized for what it did not do.

With the administration of President Anderson, 1873-78, the curricula underwent a revolution. The president was radical in his ideas and forceful in their presentation. The college catalogue for 1874 sets forth his views and aims at great length. This quotation will suffice to show his general attitude: "The difference between our line and that of other agricultural colleges seems to be this: They take as an objective point the graduation of agricultural experts, who shall act as missionaries to working farmers. We take as an objective point the graduation of a capable farmer, able to make a living by farming. Their theory is that of the normal school, training teachers who shall instruct scholars; our theory is that of training the scholar. Along the mechanical branch, they seek to graduate master builders or superintendents of machine shops; we seek to graduate intelligent and skillful carpenters, masons, or blacksmiths. They strike directly for those industries considered the highest, and believe that in reaching them they include all below; we strike for the industries most commonly followed in this State, and by successfully mastering them expect to climb up to the very rarest."

The catalogue for 1874 was called a "Handbook of the Kansas State Agricultural College," and sixty-one of its 124 pages were occupied by President Anderson in setting forth his ideas upon liberal and practical education. There can be little doubt, looking at matters in the perspective of forty years, that he was extreme; that he was ultra-practical, and failed to see the real value of much of what is too lightly stigmatized as theoretical. Nevertheless, the times required his iconoclastic work to tear the college completely loose from the bonds of traditional education, and to place it squarely in a new setting where it has since remained. All in-

struction in Latin and Greek was soon abolished, and they have never been restored to the curriculum. Practical and theoretical study of agriculture was greatly extended, and daily work at some industry was required of every student. These "industrials" were a distinctive feature of the institution for twenty years or more, but they have been to a large extent gradually replaced by systematic laboratory exercises carried out for the most part in connection with theoretical instruction. Instruction in farm and nursery work and music was continued and extended, and industrials were established in sewing, cooking, printing, telegraphy, stenography, and photography. The shop work was much amplified, the previous facilities having been very meager. Science teaching was improved by specializing slightly. Chemistry was notably strengthened by the energy and ability of Professor Kedzie, through whose efforts a building for instruction in that science was erected. Three other buildings were erected, for horticulture, agriculture, and mechanic arts. The building for agriculture is now the north wing of Anderson Hall.

Agricultural facilities, equipment, and experimentation were advanced greatly, being under the administration of one of the ablest and most forceful men ever connected with the college, Prof. Edward M. Shelton, a graduate of the Michigan Agricultural College.

President Anderson and his faculty were by no means a unit in view, and his abandonment of the college, and entry into the field of politics, in which he was distinguished by the same bold practicality, was probably to a certain extent due to his inability to carry the faculty completely with him. The work that he did roused great opposition from friends of the old educational methods, and the friends of the faculty of the previous administration, but it is generally recognized today that it was work that needed doing, and that though he went too far, his excess was easily corrected.

It has always been a guiding principle with the responsible officers of the Agricultural College to keep the college connected with the rural schools. This principle led to low standards of admission, which were only gradually increased during the administration of President Fairchild, 1879-97, and classes in preparatory subjects were conducted for those unable to enter the college curricula.

Throughout the administration of President Fairchild but one curriculum was offered, embodying, however, some differences required in meeting the needs of young men and young women, respectively. The dominant point of view was to develop strong, high-minded, capable manhood and womanhood through a thorough general education in the English language, the natural and physical sciences, history and economics. A certain amount of systematic training in agriculture, manual training, and engineering was required of every young man and a certain amount of work in home economics was required of every young woman, but the courses offered in these special lines at that time must be regarded only as preparing the way for later developments. It is, however, significant that from that broad general curriculum, embodying a limited amount of specialization, have come the men and women who, up to within a few

years, created the high reputation which the Agricultural College sustains throughout the country. The attitude of President Fairchild may be illustrated by his epigrammatic statement that "The purpose of the College is not merely to make men farmers, but to make farmers men."

With the inauguration of President Will, 1897, the college entered upon the policy of a greater diversity in curricula and a marked increase in the number of individual courses offered. The continuance and enlargement of this policy has been possible only because of the larger resources available, and without doubt the acceptance of the policy has made it possible to obtain larger appropriations. Four curricula were offered in 1898, namely: General, agricultural, engineering, and household economics. The last was received with much favor and for many years most of the young women of the college have elected it or its successors rather than the general science course.

Under the administration of President Nichols, 1899-1909, the work was differentiated still more and four-year college courses were given in agronomy, animal husbandry, horticulture and forestry, poultry husbandry, veterinary science, mechanical engineering, electrical engineering, civil engineering, architecture, printing, domestic science and art, and general science. Certain fundamental subjects were embodied in all of these; some of the curricula differed from others in but few subjects, and by means of one or another the legitimate needs of students were supplied. The progress made in developing the pedagogy of agriculture made it possible to offer a fund of systematized knowledge that was unavailable ten years earlier.

In the educational field the administration of President Waters, beginning in 1909, has been marked by still greater diversification in the number of subjects offered. Although the number of formulated curricula has been reduced, great flexibility has been attained by permitting a large range of choice of electives in agriculture, by means of which one curriculum in agriculture is made to serve the needs of the most exacting.

The entrance requirements were raised in 1910 from six units to eight units of high school work, and in 1912 were made fifteen units, thus bringing the college in this respect up to the recognized standards of first-class institutions. New curricula were formulated, based on these entrance requirements, from which the first class was graduated in 1917. The following curricula are now offered: Agriculture, veterinary medicine, agricultural engineering, architecture, civil engineering, electrical engineering, flour mill engineering, mechanical engineering, home economics, general science, and industrial journalism. Incorporated in all of these curricula is a fundamental basis of training in the English language and natural, physical and political sciences. All young men have required training in military science, and young women receive physical training. Each curriculum, in addition to the foregoing, includes courses which give it its specific characteristics. In addition most of the curricula give opportunity for free election of courses, and those in general science and industrial journalism have large opportunities in this respect. This

enables the student to follow his bent and tastes in any direction of study available in the institution. The college offers not only the work indicated in the foregoing, but education, music, public speaking, modern languages and advanced work in history, economics, all of the sciences, and in agricultural, industrial and household arts. Graduates of the college who receive the required work in education are eligible to receive state teachers' certificates.

The college is well prepared to give graduate work in agriculture and sciences closely related thereto, such as bacteriology, botany, chemistry, entomology and zoology, and to a certain extent in any department of the institution. The research work constantly in progress in the experiment stations gives unusual opportunities for students. The graduate work is being constantly developed and strengthened.

Coincident with placing the college on the four-year high school basis there was the organization of a School of Agriculture with three-year courses in agriculture, mechanic arts, and home economics, to which students are admitted from grammar and common schools. These courses are independent and are not to prepare for college entrance, but to provide definite vocational courses of instruction for students who in the present development of secondary education are unable to get such training in their own localities.

In connection with the college the following shorter courses are offered to those who from lack of time, means or preparation are not able to come for more extended study: Farmers' short course, two eight-week terms; creamery short course, eight weeks; short course in traction engines, eight weeks; short course in shop work, eight weeks; short course in road building, eight weeks; housekeepers' course, one semester; course in lunch room management, one year.

From the preceding presentation it will be seen that the scope of the Agricultural College is very broad. In fulfilling their mission to the industrial classes in the several pursuits and professions of life the land-grant colleges have accepted the responsibility and offered four-year curricula not only in agriculture, but in engineering. This broad interpretation of the term "mechanic arts" has received the unqualified sanction of the United States Government in approving expenditures of federal funds. It has also been sanctioned by the practice of most of the land-grant colleges of the country. In the Kansas college the engineering instruction is especially directed toward problems and activities of rural importance, but is not restricted to that field. Courses in home economics, thus providing for the technical training of women, have also been by common consent and official action recognized as belonging to the field of the land-grant college. The advantage to the people accruing from offering courses of sub-college grade is such that state support has been readily given to them for nearly every college in the country.

RESEARCH AND INVESTIGATION

Agricultural experimentation has been a feature of the college almost from its inception. Its influence on the development of the farming

practice of the state cannot be estimated. It has been especially serviceable in the testing and introduction of new crops or varieties, among the most important being alfalfa, Kafir-corn, milo maize and Sudan grass. Improved seed of staple crops has been extensively distributed, with marked results on the yield and quality of wheat, corn, sorghums and other crops.

The chief research activity of the college is in connection with the agricultural experiment stations. In addition to the organization at Manhattan there is the Fort Hays branch station at Hays, and other branches at Garden City and Colby. Other points have also been occupied for a limited time. State support only, sustains the branch stations. For the year 1918-19 the Fort Hays station receives \$10,000; Garden City, \$5,000, and Colby, \$2,500. The Hatch and Adams federal funds, \$30,000, are expended at Manhattan together with a considerable amount from the general funds of the college through salaries of officers. A total of more than seventy men are partly or entirely occupied by this investigational work.

At Manhattan the projects taken up are usually of a fundamental character, the results of which will be of general application. In so far as they have only local bearing they apply to Eastern Kansas, while the work at Hays is planned especially to meet the less humid climate of the western part of the state. Local conditions dominate the experiments Garden City and Colby.

Space may not be taken for even a list of the agricultural problems that have been, or are being, investigated by the stations. The geographical situation of Kansas is such as to give her considerable diversity in climate, even though this is not complicated by mountains, and there is scarcely a feature of agricultural science or practice that may not find application here. Among the principal lines that have received attention are: Animal breeding, animal nutrition, animal diseases, methods of cropping with relation to soil fertility and crop production, orchard practice, life history of insects, insect control, plant diseases and their control, soil moisture, soil survey, heredity, animal improvement, plant improvement, grain handling and milling, curing and ensiling of feeds, digestibility of feeds, milk production, blackleg vaccine, and hog-cholera serum.

Besides the formal, accurate work of the stations, the college co-operates with hundreds of farmers distributed through all parts of the state, the first appropriation for this work being made in 1911. Promising grain and forage crops are tried, fertilizer and seed-bed-preparation tests are made, and numerous grain-improvement projects carried on. The results obtained under the guidance of the college experts is highly appreciated by the farmers, and has had great immediate value in determining the crops best adapted to the different sections of the state. In this connection much service is rendered through bringing producers and consumers of high-grade seed into communication.

The results of the work of the Experiment Station are published in the form of bulletins, circulars, and scientific papers other than bulletins

and circulars. These bulletins are of two classes, those which record the results of research work of a purely scientific character and those which present technical information in a simplified form, suitable for the general reader. The circulars are brief and condensed popular presentations of data which call for immediate application, as well as timely and useful information not necessarily new or original. The scientific papers are usually published as reprints of addresses given before scientific bodies. These reprints contain original information, or report definite steps in the progress of investigations under way.

All bulletins and other publications from the Experiment Station are sent without charge to citizens of the state. Any person in the state who so desires may have his name placed on the permanent mailing list of the station.

An Engineering Experiment Station was established in 1910 for the purpose of carrying on tests and research work of engineering and manufacturing value to the State of Kansas, and of collecting, preparing, and presenting technical information in a form readily available for the use of the various industries within the state. It is the intention to make all of the work of the Experiment Station of direct importance to Kansas.

All of the equipment of the various engineering and scientific laboratories and shops and of the college power plant are available for this work, while the personnel of the station staff is made up of professors and instructors from the various departments of the division of engineering and from the other scientific departments whose work is directly related to the work of this division.

Among the tests now being carried on are investigations of the effect of freezing before it has hardened, on the strength of concrete, the macadam-making properties of various Kansas stones, the correlation of the properties of lubricating oils with their special uses, relative economy of the use of gasoline and cheaper fuels in internal-combustion engines, the effect of compression on the explosion pressures of various gas-engine fuel mixtures, the comparative advantages of steam and oil traction engines, the use of bituminous coals in gas producers, power-plant economics, the use of gasoline-electric generating sets for isolated plants, as on the farm, the use of the windmill for driving electric generators for farm lighting, the losses in electric transmission lines, and in town and city distribution systems, the mechanical and electrical properties of commercial copper wire used in pole-line construction, and the effect of chemical composition on the durability and protective power of paints.

Various investigations are being carried on upon brick, concrete, fuels, pipe coverings, belt lacings, glued joints, blacksmith coals, foundry sands, centrifugal pumps, farm water supply, sewage disposal, and problems in farm architecture.

The results of the investigations are published as bulletins and circulars of the Engineering Experiment Station, which are sent free to any citizen of the state upon request.

COLLEGE EXTENSION SERVICE

The service of the college is not limited to giving instruction to the young men and women who seek the facilities within its walls, nor to the discovery of new truth relating to agriculture and other industries. By means of its division of college extension, it attempts to reach every inhabitant of the state, and succeeds annually in respect to over 300,000 directly, and most of the remainder indirectly. More than fifty men and women devote their time exclusively to this division of the college, and the limits set to this article might be consumed in an account of their activities.

The beginning of this work is found in the first farmers' institute ever held, which was conducted at Manhattan, Kansas, November 14, 1868. Similar institutes were held in other towns immediately afterward, and this type of educational work has been continued to the present time. The farmers' institute opens the way for more serious and valuable work. Several hundred are held each year. District conferences assist in coordinating effort, and annually a "Farm and Home Week" series of meetings is held at the college to which over 1,000 gather from the local organizations.

Extension schools, running five days, carry to many localities more detailed instruction than is possible in the institute, and the subjects cover a considerable range of topics important on the farm or in the home.

Farm bureaus, county agents and district agents get still closer to the continuous educational and business needs of communities, and these are supported by local, college and federal funds. They are doing a great work which is destined to undergo large expansion. In addition to localized agents, the college does much similar work through specialists who make hundreds of visits to individual farmers, and advise with them upon these special problems.

A department of rural service presents the advantages of community control and promotion of economic, social and educational enterprises, and assists the people in initiating and conducting them.

A staff of experts advises individuals and communities in respect to engineering projects of the rural regions. These include roads, culverts, bridges, irrigation plans and drainage plans. Drawings, specifications and estimates are furnished, or the proposals of others are carefully investigated and reported upon.

Valuable results have been accomplished through the agency of boys' and girls' clubs. The college employs leaders in this work through whom the clubs are organized and conducted, each taking some definite project in crop growing, stock feeding, gardening, canning, sewing or other work connected with the farm or home. The total membership in these clubs runs into the thousands. State-wide extension work for women is vigorously prosecuted, several highly trained women giving it their entire time. The work includes lectures and demonstrations before farm and home institutes; organizing and furnishing programs and reference material for home-makers' clubs and girls' home economic clubs; visiting

high schools and inspecting departments of domestic science and art to give assistance to teachers who desire help; assisting in making programs and in the study work of women's clubs already organized; teaching in county normal institutes for teachers; judging home economics products at fairs and exhibits; attending and addressing special meetings and Chautauquas; assisting the home-study service department in the correspondence work, and conducting extension schools in home economics of one to two weeks in length throughout the state, both independently and in connection with extension schools in agriculture.

A department of home study is conducted which includes not only a thoroughly organized system of study by correspondence for credit on college entrance or a college degree, but extensive free reading courses in which those registered are guided in the selection and understanding of the publications of the college and the United States Department of Agriculture, and also more comprehensive non-study courses based on standard text-books. Hundreds are enrolled in the credit courses, and thousands in the others.

The scope and activity of the division of extension shows how modern educational institutions justify their support by public funds, and the possibilities in carrying scientific and practical training to masses of humanity who for one reason or another never enter colleges.

REGULATORY AND INSTRUCTION DUTIES

Besides the work of instruction, research and extension carried on by the college, the state has intrusted several lines of inspection and regulatory work to its administration. Most of these are in connection with the Agricultural Experiment Station.

The state dairy commissioner has his office at the agricultural college and is appointed by the board of administration "to inspect or cause to be inspected all the creameries, public dairies, butter, cheese and ice cream factories, or any place where milk or cream or their products are handled or stored within the state at least once a year or oftener." He has large power in respect to the operation of establishments handling dairy products and the products themselves.

The professor of entomology at the college is a member of the state entomological commission created to "suppress and eradicate San José scale and other dangerous insect pests and plant diseases throughout the State of Kansas." In accomplishing their purpose, officers of the commission may inspect private property and may treat or cause to be treated, trees, vines, shrubs, plants and grains, and under certain conditions may destroy them. No nursery stock may be admitted to the state without inspection.

The state live stock registry board consists of the dean of the division of agriculture, and the heads of the departments of animal husbandry and of veterinary medicine of the college, and have the duty of licensing stallions used for breeding purposes within the state and authority to verify

their breeding, and to classify them. No animal not thus approved and licensed may be legally used for public breeding purposes.

The promotion of forestry in Kansas is, under the law, in charge of the state forester, who has general supervision of experimental and demonstrational work in forestry conducted by the experiment station. He promotes practical forestry in every possible way and is a member of the faculty of the agricultural college.

The state has also placed the experiment station in charge of the execution of acts concerning the manufacture and sale of live stock remedies, commercial feeding stuffs, and fertilizers. Every brand of these commodities held for sale, or sold, within the State of Kansas must be registered in the office of the directors of the Agricultural Experiment Station, with certain exceptions stated in the laws. Fees are collected under these acts which defray the expenses of carrying out their provisions. Inspectors, chemists and others are employed to see that the goods offered for sale are labeled and conform to the requirements of the laws.

Under the provisions of the state food and drugs law, the director of the chemical laboratory is designated as a food analyst for the state board of health, and the board of administration is required to employ "such additional chemists and assistants as are necessary to properly and expeditiously analyze such products as are sent to them by the state food inspectors." The University of Kansas shares in this responsibility.

REAL ESTATE AND EQUIPMENT

The Agricultural College is situated on a tract of land somewhat elevated above the site of the City of Manhattan, which affords beautiful views of the Kansas River valley and the adjacent hills. The campus occupies the greater part of 160 acres, and is planted largely with a great variety of trees, shrubs and flowers which not only beautify the landscape, but constitute the field and laboratory material for instruction for forestry, floriculture and landscape gardening. Adjacent plots are used as testing grounds for smaller plantings of grains, fruits and vegetables.

The larger fields used by the college are adjacent to the campus, or from one to three miles distant. The total area of land at Manhattan, owned by the college June 30, 1917, was 748 acres, and over 500 acres in addition were leased. The Legislature of 1917 made an appropriation of \$50,000 for the purpose of a much needed increase to the lands. With the new purchases, the land owned by the college near Manhattan will be worth about \$250,000.

The college buildings are constructed of beautiful cream-white limestone, obtained from quarries in the vicinity, and, although of simple architecture for the most part, they constitute, with their setting of trees and shrubbery, one of the most effective groups of college buildings in America. In addition to the stone buildings there are a number of less

important barns, feeding sheds, store houses, silos, etc., and the total value of the buildings is about \$1,000,000.

The several departments of the college are well equipped with modern apparatus and illustrative material. The inventory of June, 1916, gives a classification and values as follows: Apparatus, \$177,907; machinery and tools, \$97,088; scientific collections, \$27,735; furniture and fixtures, \$112,637; live stock, \$138,787; miscellaneous equipment, \$167,350; books, \$105,701; total, \$827,205. The college is especially rich in its herds of live stock. The pure bred herds are among the very best in the country. Large groups of grade animals are used in far-reaching fundamental experimentation, and the advantage of these herds to the students of animal husbandry and dairying can scarcely be overestimated. The poultry flocks also afford every needed facility in this line.

ORGANIZATION

The governing body of the State Agricultural College is the state board of administration, consisting of the Governor, ex-officio, and three others appointed by him. In 1917, these were Governor Arthur Capper, E. W. Hoch, C. W. Green and Wilbur M. Mason. The secretary of the board was Lee Harrison, and the business manager was James A. Kimball. The board of administration has charge of all the state institutions.

At the head of the Agricultural College is the president, Henry Jackson Waters, and in addition to the executive offices, under his immediate direction, the college is organized in five divisions, each under the general supervision of a dean, as follows: Division of Agriculture, Dean William Jardine; Division of Mechanic Arts, Dean A. A. Potter; Division of Home Economics, Dean Mary Pierce Van Zile; Division of General Science, Dean J. T. Willard; Division of College Extension, Dean Edward C. Johnson. The principal of the school of agriculture is Prof. Harry L. Kent. These divisions are organized into thirty-five departments, each with its complement of officers, and the total number of regular employees of the college is over 350.

The number of students of all classes in 1917 was 3,340, of which 68 were graduate and 1,824 collegiate, the remainder being enrolled in short courses, in the school of agriculture, or as special students. The total number of graduates up to 1917 was 3,481. These graduates are scattered through every state of the Union and in many foreign lands. Of "the several pursuits and professions in life," theology, law and politics can claim but a small proportion. The college has not at its call an army of men ready of speech to plead its causes. It must rest its claims on the evidence that in the homes of the land, on the farms, in the shops, schools, scientific laboratories and business houses of our nation, its educational output is paying a handsome income on the investment made for the industrial classes, whether this income be in capacity for production, distribution, or service, or in individual satisfaction in life.

The land-grant colleges as a group have grown steadily in national recognition as shown by the enlargement of their scope and increased

financial support. The Kansas unit in this great system has received generous treatment at the hands of its own people, and is unquestionably one of the greatest in the system, and in some features unequalled by any other.

STATE SCHOOL FOR THE BLIND

Kansas City, Kansas

One of the first State charitable institutions was the Asylum for the Blind established in Wyandotte County, in 1864. The commissioners named to take charge of the project were: Henry McBride, Fielding Johnson, and Byron Judd. The legislature specified that ten acres of land having good water and building stone should be secured by donation. Title was acquired to a suitable tract which is now on the corner of Eleventh and State streets in Kansas City, Kansas. No appropriation was made until 1867 when \$10,000 was voted. A building was completed in October of that year and the school was opened under the direction of Superintendent H. H. Sawyer, with nine pupils in attendance.

For the first few years the course covered the common school branches, music and manual arts. Much of the instruction had to be communicated orally, until suitable books could be obtained. A high school was added as the pupils advanced. Typewriting, and other money-yielding occupations, such as piano tuning, broom-making, sloyd work, hammock-making, basketry, canning, rope-making, domestic science for the girls and the various needle arts were made a part of the training.

In 1877, the name was changed from the Asylum for the Blind, to the Kansas Institution for the Education of the Blind, which was later changed to the Kansas School for the Blind. The pupils are maintained free of expense to the parents, and in 1905, the attendance of all blind children was made compulsory, unless provided with suitable education privately. In 1913, this institution was recognized as an educational instead of a charitable institution, and placed under the management of the Board of Administration with the other State Schools. The average attendance is about ninety pupils. Isa Allen Green is the present superintendent.

ELIZABETH N. BARR.

STATE SCHOOL FOR THE DEAF

Olathe, Kansas

The State School for the Deaf at Olathe, is the outgrowth of a private school started by Philip A. Emery, A.M., a deaf gentleman at Baldwin City, in the autumn of 1861. The school was ready October 9, but the first pupil did not come till two months later. Five pupils were enrolled the first year. Through the good offices of a Reverend Mr. Johnson, the legislature made a small appropriation in 1862 covering that year and

the next. The sum of twenty-five cents per day for each pupil, in addition to what he might be able to obtain from their parents, was allowed. The regular fees charged each pupil was \$2.50 per week, but this amount was seldom collected, except in farm produce, on which no cash could be realized.

In 1862 an act authorizing the founding of certain State institutions mentions a State school for the deaf, but it was not established until 1866. In 1864 the allowance to Mr. Emery's school was raised from twenty-five cents per day to \$5.00 per week. An act was passed locating a State school for the deaf and dumb at Olathe, providing the State should receive a donation of twenty acres of land for a site and one hundred and sixty acres for an endowment. The commissioners in charge of the project were: Johnson Clark, J. Flemming, and J. R. Brown.

In the fall of 1864, Mr. Emery brought his school to Topeka, and shortly afterward turned it over to B. R. Nordyke, a former teacher in the deaf and dumb institution of Indiana. In February, 1865, Mr. Nordyke was succeeded by Joseph Mount, who had been Mr. Emery's assistant in 1863. The legislature provided Mr. Mount with a salary, and he took his school back to Baldwin City.

A contention had arisen in regard to the location of the State school, which was not settled until February, 1866, when the "Asylum for the Deaf and Dumb," was definitely located at Olathe. Buildings were leased from Colonel Joseph E. Hays, and the school opened November 17, 1866. The pupils from the Baldwin school, about a dozen in number, were transferred to Olathe. The building was bought in 1867 for \$15,500 and was used for the next twenty years. In 1873, the construction of the main building was begun with the erection of the east wing. There were seventy-seven pupils at that time.

The most important epoch in the history of the school was the administration of Major Theodore C. Bowles, who was superintendent from 1876 till his death in 1879. He infused business rules into the management, established the industrial department and started the *Kansas Star*.

In 1893, the attendance had reached two hundred and sixty pupils, which is about the present number. The attendance of all deaf children not provided with suitable education, was made compulsory in 1905. The instruction given included common and high school courses, manual training, typewriting, and domestic science. The trades taught are baking, cabinet-making, harness-making, printing, shoe-making, painting, tinning, and blacksmithing. The group of buildings include a main building, shops, and school.

ELIZABETH N. BARR.

STATE NORMAL SCHOOL

Emporia, Kansas

The State Normal School was provided for by an act of the legislature, March 3, 1863. The Normal School idea was a new one and the

legislature, not fully comprehending the function of such an institution, specified that, in addition to the art of teaching, mechanic arts, husbandry and agricultural chemistry should be taught. The purpose of State Superintendent Goodnow, who championed the enterprise, was to found a training school for teachers, both men and women, which should be supported by school lands, and the institution was organized on this basis. Emporia donated the requisite twenty acres for a site according to the provisions of the act, and forty-eight sections of salt lands, which the general government had given the state for common school purposes, were set aside as an endowment to the Normal. In 1869, twelve more sections were added, and in 1886, another twelve sections, making seventy-two sections in all.

No cash appropriation was made, and as there was no income from the lands and no sale for them, the Normal was not opened. In 1864, \$1,000 was voted to pay a teacher, but no provision made for a building. Lyon county had a new school house in process of construction, and tendered the use of the second story to the State Normal. The offer was accepted by the directors, and Rev. G. C. Morse, chairman of the Board, was sent East to secure a teacher. He brought back with him a young man, Lyman B. Kellogg, graduate of the Illinois Normal University. Mr. Kellogg arrived by stage coach the evening of February 14, 1865, and opened school the next day. The only furniture in the room were benches borrowed from the Congregational Church, for the students, and a small table from the notary's office, and a chair from the county treasurer's office, for the teacher. The library consisted in a Bible and a dictionary. The term began with eighteen students and closed with forty-three. At the June meeting the directors placed the entrance age requirement at sixteen for girls and seventeen for boys. The first class of two women, Miss Ellen Plumb and Miss Mary Watson, was graduated in 1867.

The enrollment the second year was ninety students. John Fawcett, a liberal minded citizen erected a one-story frame building, which he turned over for the use of the Normal. In 1867 the legislature voted \$1,000 for a building, which was erected at once. In 1872 a building appropriation of \$50,000 was made, and a gift of \$10,000 was received from the city of Emporia.

In 1871, Dr. George W. Hoss succeeded Lyman Kellogg as the head of the school, and in 1873 he was elected president. Toward the close of that year Dr. C. R. Pomeroy, of Iowa, became president. For two years the Normal made rapid progress, and reached an enrollment of three hundred and forty-five in 1876. At that time the institution met with a series of reverses. The legislature of 1876 cut it off from state support. The 38,400 acres of land held as an endowment were not in shape to yield a cash income and the school was maintained on fees for several years. In 1878, the college lost two boarding houses in a suit with the city of Emporia. In April a tornado damaged the main building, and in October both buildings burned to the ground. The attendance dropped to ninety students and school was held in the two lost boarding houses through the

kindness of the city. In 1879 the legislature appropriated \$25,000 to rebuild, providing Emporia should donate \$28,800. This was done, and the building was finished in 1880. Professor R. B. Weleh became president in 1879, and was succeeded by Albert R. Taylor, in 1882. The institution was now practically independent of the state for maintenance, as the endowment was yielding an income. Mr. Taylor remained at the head of the Normal until 1901. His first step was to establish a training department giving the students practical experience in teaching. The common school department was discontinued and high schools of a certain standard were placed on the accredited list. In 1889 manual training was established. In 1895, Albert Taylor Hall was built in honor of the man who made a college out of the institution. The summer school was established in 1899, and the extension department in 1905, both of great assistance to employed teachers.

At present there are eight buildings in the group, including the Preston B. Plumb Memorial, provided for by the legislature of 1915, at a cost of \$175,000. The attendance numbers nearly four thousand, and there are one hundred and eighteen instructors on the faculty.

ELIZABETH N. BARR.

FORT HAYS STATE NORMAL

In 1900 the old Fort Hays military reservation was given to the State for educational purposes. The land was divided and branches of two State schools were established. The Regents of the State Normal School at Emporia were instructed to take possession of four thousand acres of the land and establish a branch of that institution. An appropriation of \$5,000 for the year ending June 30, 1902, and \$7,000 for the year ending June 30, 1903, was made. The Normal was opened June 23, 1902, with a summer session in the old fort buildings. William S. Picken was made principal. A building appropriation of \$20,000 was made in 1903, and the central part of the main building was occupied in 1904. In 1907 a \$40,000 addition was made to this building. A gymnasium was built in 1906, the William Piekeu Hall in 1908, at a cost of \$65,000, Agricultural High School building, 1911, at a cost of \$40,000. Sheridan Hall, which is to cost \$150,000, furnished, was begun in 1915.

In 1914, the institution received a federal land grant that made it the equal of any Normal school in the State, in standing. The name was changed that year from Western State Normal School to the Fort Hays Kansas Normal School, and the official head was changed from a principal to a president. In addition to the regular courses, short winter courses of a few weeks each are offered in Agriculture and Home Economics.

ELIZABETH N. BARR.

STATE NORMAL SCHOOL

Leavenworth, Kansas

In response to a general appeal for the founding of additional Normal Schools, the legislature of 1870 provided for one at Leavenworth. The city furnished the buildings, and the school was organized with John Wherrell as president. In 1874 there were one hundred students. It fell under the axe along with the other Normal Schools in 1876, and was never revived.

ELIZABETH N. BARR.

STATE NORMAL SCHOOL

Concordia, Kansas

This school was established in 1874. It was organized with F. E. Robinson as principal. Ex-State Superintendent H. D. McCarty was made president the second year. It was cut off from State aid in 1876 and did not survive.

ELIZABETH N. BARR.

MANUAL TRAINING SCHOOL

Pittsburg, Kansas

The Manual Training School at Pittsburg was founded in 1903 as a branch of the State Normal at Emporia. It was opened September 4th in the Central High School building at Fifth and Walnut streets, which was loaned by the city, and where it remained for six years. This was the first institution of its kind west of the Mississippi River. R. S. Russ was made principal and the term began with fifty students. When the new building was ready for occupancy in 1909 the attendance was five hundred. It is now twenty-five hundred. Professor Russ was succeeded in 1911 by George E. Myers. In 1914, the institution was separated from the Normal at Emporia, and William H. Brandenburg became president.

When the Manual Training school was founded it provided for a two year course in academic subjects for both men and women, with woodwork for the men, and domestic science and domestic art, for the women. The aim is to prepare teachers for every field of public school activity. The courses have been greatly broadened. The two year courses lead to a normal diploma. The four year courses lead to a college degree. There is a preparatory department covering the high school work. Cultural and vocational education are ideally blended, and the teacher is so trained that his specialization is founded on a broad knowledge of science and art.

ELIZABETH N. BARR.

WESTERN UNIVERSITY

Quindaro, Kansas

About 1857, the Reverend Eben Batehley founded the Freedman's University in the then flourishing town of Quindaro. The object of the University was the education of negro youths. The town soon died out and the school lead a precarious existence. Except for a solitary appropriation of \$2,500 by the legislature of 1872, it subsisted on donations. In 1877 the founder died, and the University passed into the hands of the colored men of Quindaro, who induced the African Methodist Church to adopt it. The Church chartered it under the name of the Western University.

For twenty years the friends of the institution worked to obtain State aid. At last, in 1899, Governor Stanley championed the cause and \$10,000 was voted to establish an industrial department. Stanley Hall was built from this fund. The State Industrial Building was erected in 1901 on an appropriation of \$22,000. In 1903, \$22,500 was appropriated, and \$35,000 in 1905. Barns, farm equipment and a Girls' Trades Hall were provided, also modern heating and electric light plants. In 1907 \$55,850 was appropriated and in 1909 two appropriations were made aggregating \$102,000. A girls' dormitory and other new buildings were added. The University at present comprises six brick buildings and sixteen acres of land belonging to the State, which is adjacent to the original school.

The course of instruction includes the regular scholastic education, manual training and agriculture.

ELIZABETH N. BARR.

TOPEKA INDUSTRIAL AND EDUCATIONAL INSTITUTE

This institution for the negro youth, which is on the plan of the Tuskegee Institute, was started in a one room house on the banks of the Shunganunga in May, 1895, as a kindergarten and reading room. It opened with five negro children, and two teachers, Edward Stephens and Miss Izie Reddick. The next year it was moved to a two story building on lower Kansas Avenue. Donations were received sufficient to buy a farm of eighteen acres and farming was added to the course of instruction. In the fall of 1898 a two story brick building at 1725 Kansas Avenue was bought and remodeled. It was called the Chrisman Building on accounts of gifts from Mrs. Eliza Chrisman. In 1899 the first appropriation of \$1,500 was received from the legislature. Fees to the students were very small. Fifty dollars for a nine month term was sufficient for all expenses including board. The manual labor of the students was turned into money to cover the remaining expense of their maintenance.

In 1900 through the recommendation of Booker T. Washington, the present head of the school, William R. Carter, was put in charge. In

1903 a farm of one hundred and five acres east of the city was bought. Buildings were remodeled by student labor and the school moved to the new site. In 1905 the legislature increased the yearly appropriation to \$3,000 and two years later created a State Agricultural and Industrial department, extending adequate support. A gift of \$5,000 was secured from Andrew Carnegie. Electric lights, city water and sewers have been installed. There are five buildings aside from the barns which house the live stock and implements. The J. B. Larimer Hall, the girls' trades building, McMullen trades building for boys, and Bradford Miller Hall, which is the main building, containing class rooms, library, music department, and auditorium, comprise the group.

ELIZABETH N. BARR.

OTTAWA UNIVERSITY

Ottawa University is the result of missionary effort by Baptists among the Ottawa Indians, begun while they were in Canada, continued during their migration westward and after their settlement in Kansas. This work was carried on with enthusiastic devotion by Rev. Jotham Meeker and wife. The principal teachers among the Indians were Rev. John Tecumseh Jones, an Indian graduate of Madison (now Colgate) University, and his wife, Jane Kelly Jones, a native of Maine. At that time the Ottawas were occupying a reservation about twelve miles square in Franklin County. They had organized the First Baptist Church of Ottawa, Kansas. As early as 1860 it had about 100 members.

While this missionary and educational work was being carried on among the Indians, the white Baptists of Kansas had chartered the "Roger Williams University" and were discussing a location for it. The question of location came up at a meeting of the Baptist State Convention in Atchison in 1860. Rev. J. T. Jones was present as a delegate from the First Baptist Church (Indian) of Ottawa. He suggested that the white Baptists join with the Ottawa Indians in establishing a school on the reservation. The Indians had land that might serve as a basis for an endowment and the whites had money and teachers. A committee was appointed to confer with the Indians, who were found to be favorable to the plan. Soon the matter was brought before Congress and an act was passed by which 20,000 acres of the reservation were set apart for the use of the institution of learning.

The same act named a board of trustees consisting of four Indians and two whites. The first meeting of this board was held August 20, 1862. It authorized the sale of 5,000 acres at \$1.25 per acre in order to establish the school. For the next two or three years it appears that a number of the Indian children attended the school.

In 1865 at the request of the Indians the name "Roger Williams University" was dropped and a new charter secured in the same year, reincorporating the school as Ottawa University. I. S. Kalloch, C. C. Hutchinson, John G. Pratt, J. T. Jones, James King, William Hurr and Henry King constituted the first board of trustees and carried on

the institution for a number of years under the dual management provided in the act of Congress granting them the land. For a variety of reasons this arrangement was not satisfactory to either of the races. In the adjustment of interests the Indians agreed to withdraw and leave the school entirely in the hands of the whites. It was agreed that the 640 acres retained by Ottawa University should be forever devoted to the purposes of education in Ottawa under the auspices of the Baptists of Kansas, that it should never be incumbered by mortgage, and that the proceeds from the sale of any part of it should be used as an endowment. With this settlement of equities the history of Ottawa University begins.

The institution was then little more than a common school. Dr. Milan L. Ward, "the Grand Old Man" of Ottawa University, came West in 1869 and first established the academic department upon a stable basis, and tided the school over a serious financial crisis to a more secure position. His successor, Dr. P. J. Williams, served as president from 1874 to 1881. Doctor Ward soon afterward returned to the presidency and restored the university to the condition in which Doctor Williams had left it and greatly broadened its scope. The campus was created in 1882. The two years of Dr. Franklin Johnson's incumbency (Doctor Johnson composed the college song, "My Ottawa"), Dr. F. W. Colgrove's presidency of three years and the nine years, during which the university was guided by Dr. J. D. S. Riggs, marked periods of continuous progress both in the teaching and the student bodies. Doctor Riggs' presidency commenced in 1896, and during the early period of his administration the main building of the university was partially constructed, burned and promptly completed. In 1906 he was succeeded by Dr. S. E. Price, then pastor of the First Baptist Church of Ottawa. He is still at the head of the university and under his wise and energetic guidance its faculty enrollment and equipment have steadily increased. The last of the university buildings to be completed was the gymnasium, which was opened for use in 1911. Under the leadership of President Price a campaign is well advanced which is designed to raise \$400,000 for the erection of three new buildings—a science hall to cost about \$100,000, a library, about \$30,000, and a modern central heating plant, \$25,000. Included also in the \$400,000 is an endowment fund of \$250,000 (the amount of the present fund).

Although Ottawa University has been established, maintained and largely supported by Baptists, it is in no sense sectarian. It does, however, encourage Christian culture and a manly, genuine Christian life founded upon Bible precepts.

In 1905, Doctor Riggs, who was called to the presidency of Shurtleff College, Illinois, was succeeded for a year by Dr. Raymond A. Schwegler.

FAIRMOUNT COLLEGE

Among the most rapidly growing educational institutions of Kansas is Fairmount College of Wichita. Its location in Wichita has placed it

far enough away from the older colleges of Kansas to give it an unequaled field for remarkable growth.

Wichita is peculiarly a college town. In the boom days of that city in 1885 college and university enterprises were launched there. All of these were failures except Fairmount. It was in that period of town booming that Fairmount College was built two miles east and two north of the main business portion of the city. The location was admirably chosen on the top of a ridge at the east side of the Arkansas bottom land. It commands a view not only of the entire city but of the Arkansas Valley for miles in each direction.

It was the dream of its founders to make of Fairmount the Vassar or Wellesley of the West. It was to be a woman's college strictly. But when the spire of its tower was put in place the promoters found they had no money to go on with the project. For five years after its completion the building stood unoccupied and lonely. Finally it was advertised for sale to pay off a mortgage.

A few devoted friends went to New England to find some one to come to the rescue and help Wichita realize her ambitions in an educational way. The Congregational Education Society of Boston was induced to give some financial assistance. It agreed to advance enough money to meet obligations on condition that the place be opened as a preparatory school for both sexes. It was opened on September 15, 1892, as Fairmount Institute. It continued as an institute until 1895 when the trustees, acting under the advice of the Educational Society, invited Dr. Nathan J. Morrison, founder of Drury College in Missouri, and Marietta College in Ohio, to come to Wichita to take the school in charge and develop it into a college.

The first college class was enrolled September 14, 1895, with twelve freshmen as students. The institute was continued as a preparatory school for the college.

Although Fairmount operated as a college commencing with 1895 it was not chartered until the following April 30th, when the secretary of state of Kansas granted a charter. The name as stated on the charter is "Fairmount College of Wichita."

The first class was graduated in June, 1899—five men and three women.

The first fifteen years of the college history were taken up largely with laying the foundations and building up a reputation. The period of greatest growth has come since 1913. About that time it was decided to suspend the preparatory school and operate only the college, conservatory of music and fine arts department. In 1913 the total enrollment in the college department was 142 and the total enrollment in all departments was 259. The following year the college department enrollment was 165 and the total enrollment was 318. In 1915 the college enrollment was 202 and the total was 350. In 1916 the college had 248 students and the total was 422. In 1917 the college enrollment was 320 and the total was 790.

Both President Morrison and Dean Isely died in 1907. Dr. Henry E.

Thayer succeeded Doctor Morrison as president and Dr. S. S. Kingsbury became dean. Doctor Thayer resigned in 1914 and Dr. Walter H. Rollins, a Dartmouth man, became president. He is now at the head of that institution. Arthur J. Hoare, professor of mathematics, is dean of Fairmount College, and Miss Flora C. Clough, head of the literature department, is dean of the women.

The college has a campus of twenty acres surrounding the main building. In addition to the administration building, which was the one erected in the '80s there are five other buildings belonging to the college. These include two dormitories, the president's house, Morrison Library, and a gymnasium. A large athletic field is near the gymnasium.

Fairmount is noted for its democracy. Many of its students support themselves while obtaining their education, social fraternities are not permitted, and vocational training is a leading feature of the curriculum.

The Morrison Library at Fairmount, built from a bequest of \$40,000 from the Carnegie Fund, already contains 36,000 bound volumes. Plans are now on foot to establish a large endowment fund by 1920, which year will mark the twenty-fifth anniversary of the founding of the college. Graduates from Fairmount are admitted without examination to the best graduate schools of the United States.

MT. ST. SCHOLASTICA

The academy stands on an imposing elevation about one mile south from the business section of Atchison, and the other buildings are located on the eastern side of a thirty-eight acre tract of woodland and meadow, fronting upon a broad and terraced lawn. An extensive campus affords excellent facilities for out-door exercise. Part of the land is devoted to the culture of fruit and vegetables for the use of the institution. The buildings consist of the convent, academy and music hall, laundry, bakery, greenhouse, poultry house and a power and heating plant. A few yards distant from this latter is a two-story brick residence for the male employes of the institute. China kiln and various minor buildings form necessary adjuncts.

The purpose of Mt. St. Scholastica is the training of young ladies with a view to forming them into practical, virtuous, Christian women, and its courses of study embrace all the modern branches, both useful and ornamental, such as drawing, painting, music, needlework, stenography, typewriting, bookkeeping, the regular common studies and the classics. The ages of the pupils range from six to sixteen. Although Mt. St. Scholastica is pre-eminently a Catholic institution, it is not sectarian.

Mt. St. Scholastica Academy was founded in 1863 by Benedictine Sisters of St. Cloud, Minnesota, who, in answer to the request of Rev. Augustine Wirth, then pastor of St. Benedict's Church, were sent to

Atchison to establish a house of the Order for the education of girls. The Sisters were seven in number with Rev. Mother Evangelista Kremer as superior. They arrived in Atchison November 11, 1863, and at once took up their abode in the little convent which had been prepared for them. This was a neat two and one half brick structure and was erected by the pastor and parish; the Sisters, however, to assume the debt and the building to be used for educational purposes. It stood at the corner of Second and Division, near St. Benedict's Church. School opened December 1, 1863, with a single boarding pupil, but a good day school. Before the year ended there were eleven boarders.

For the lack of teachers the course was limited to the common school or grade studies until 1866. In the spring of this year Sister Augustine Short of St. Mary's, Elk County, Pennsylvania, was sent out to help the Atchison foundation. Sister Augustine, aided by Miss Horgan, a graduate of Notre Dame, Indiana, who was hired for the purpose, began a partial high school course.

In 1865 a school for boys was opened, a room in the convent being devoted to that purpose, and in the following year a building was procured for the first of the parochial schools, attended by both sexes which are conducted by the Sisters of Mt. St. Scholastica in different parts of the country. The first mission school was begun in September, 1876.

On March 19, 1873, Mt. St. Scholastica was incorporated under the laws of Kansas and with its present title and purpose, viz., the training and education of youth. The first body of directors was composed of seven members, as follows: Mother Evangelista, president; and Sisters Gregoria Moser, Gertrude Kapser, Augustine Short, Amanda Meier, Dominica Massoth and Theresa Moser.

Early in the summer of 1877, what was then known as the Price Villa property was put up for sale by its owner, John M. Price. It was purchased by the Sisters, and the transfer of the convent and academy was effected in July of the same year. From this move dates the real progress of Mt. St. Scholastica. In the following winter a modern and complete steam heating system was installed.

March 31, 1880, Sister Augustine, who had served as directress of the academy since 1866, was succeeded by Sister Aloysia Northman. Sister Aloysia filled the office till 1892, when she was chosen to the office of sub-prioress or assistant mother. Sister Adelaide Cass, who is still directress, was appointed to succeed Sister Aloysia. December 29, 1880, occurred the first death in the community, that of Sister Dominica Masoth, O. S. B., one of the original seven Sisters. Sister Dominica's place as member of the board of directors was filled by Sister Aloysia Northman. Sister Dominica's death gave rise to the Convent Cemetery—a beautiful spot on the eastern hillside to the rear of the convent.

Although plans for the building of a new convent were made in July, 1883, it was not completed until 1889. On December 29, 1884, Sister Theresa Moser was elected to succeed Mother Evangelista, thus becoming president of the corporation. Sister Theresa filled this

office till July 12, 1897, when Sister Aloysia Northman was elected. Mother Aloysia still holds the office.

In 1901 the present massive convent building was completed. It is now the main building; was two years in construction and cost \$65,000. Into this the Sisters moved, and the former convent, after being remodeled, was converted into an academy, which purpose it still serves. The "Villa" building has since been devoted to the use of the Music and Art classes under the title "St. Cecilia." It also contains the school library. In 1907, new recreation grounds were laid out, comprising junior and senior tennis courts, basket ball, etc.

In 1909 it was decided to tear down the old convent, which was becoming unsightly through age and neglect. From 1877-1889, it was used as a parish school. The completion of St. Louis College, the new parish school, left it tenantless. It still served as a meeting place for church and school societies, as well as a home for some aged ladies of the city.

Mother Evangelista's health had been failing for some years and she peacefully passed away June 21, 1909, at the age of seventy-seven years.

In the same year was purchased the ten-acre tract of land adjoining the convent property on the north, as site for a new academy, with auditorium and gymnasium, but the European war has blocked all progress.

The community numbers at present 304 members, including postulants and novices. The academy has for the past decade had an enrollment varying from 189 to 203.

COOPER COLLEGE

The project of establishing a college at some central point in Kansas under control of the United Presbyterian Synod of the state was considered by that body in 1879, and again in 1885, but did not come to a practical conclusion until 1887. It was then made a matter of virtual certainty by co-operation between the Sterling Land and Investment Company and the Synod, and the joint contract by which the company donated ten acres of land for a site at Sterling and the Synod agreed to erect a college building at a cost of \$25,000, operate the institution and raise an endowment of \$25,000, was signed October 22, 1886, by J. H. Rickseeker and W. H. Page, for the company, and Rev. J. O. Campbell, Rev. H. T. Ferguson and J. L. Acheson for the Synod.

The charter originally filed with the secretary of state vested the control of the college in a Senate, composed of seven trustees and fourteen directors chosen by the Synod. The name "Cooper Memorial," afterward "Cooper," was given to the college in honor of the late Rev. Jos. T. Cooper, D. D., LL. D., of Allegheny, Pennsylvania, a man loved and honored by his church.

The Senate named in the charter held its first meeting at Sterling on July 28, 1887, pursuant to a call issued July 21st, by Rev. A. J. Hanna, secretary of trustees. Those present at this meeting were Rev. A. R. Rankin, Rev. R. J. Thompson, Rev. A. J. Hanna, J. L. Acheson, J. O.

Stow and J. C. Johnson. Rev. A. R. Rankin was chosen president and Rev. A. J. Hanna secretary of the Senate. The first work of the new Senate was the choice of a president and faculty. Rev. C. H. Strong was chosen president; A. N. Porter, professor of Mathematics and English Literature; S. A. Wilson, professor of Languages. Rev. R. J. Thompson was appointed financial agent until next meeting of Synod. A second meeting of the Senate was held at Americus, October 4th, at which meeting a partial curriculum was prepared and direction was given that the college be opened November 1, 1887. Rev. C. H. Strong declined the presidency, not feeling that he could give up the pastorate. Accordingly the doors were opened to students on that day, with A. N. Porter as acting president. The art department was organized at the beginning of the second year by Miss Alice M. Brown, who came from Morning Sun, Iowa, and who still remains in charge of that department. It was not until March 12, 1889, that Rev. F. M. Spencer, of New Concord, Ohio, was chosen president, and he was not inaugurated until the 4th of September.

Doctor Spencer continued at the head of Cooper College for twenty years, during which he materially raised the standard of the institution, completed the raising of \$10,000 to cancel the college indebtedness, and otherwise placed the institution on a secure footing. Largely through the efforts of Rev. R. J. Thompson, Dr. W. M. Ewing and Rev. W. L. Garger, the \$25,000 endowment fund was completed which was necessary to secure a clear title to the college site, and in October, 1891, the deed of the property was formally transferred to the Kansas Synod.

In June, 1909, after twenty years of service, Doctor Spencer laid down the presidency, retaining connection with the college for a time as field agent to raise endowment. After an interim of one year, in which Prof. Talmon Bell, as vice president, was in charge, Dr. R. T. Campbell, who had been president of Amity College, College Springs, Iowa, became president.

During the present administration Cooper has become a fully accredited institution; has increased its faculty, equipment and endowment. Twenty acres have been added to the college grounds, a gymnasium has been provided. Cooper now rounds out her thirtieth year with largely increased facilities, with a strong student body, with enlarged faculty and with still higher ideals. In the second year the enrollment was 84, in the third year 129. There has been a moderate increase in the succeeding years.

HIGHLAND UNIVERSITY

In 1837 Rev. S. M. Irvin established an Indian mission, which continued its work of educating the Indians in the manners and customs of civilization for over twenty years. But the Indian mission had run its course. The country was being settled by people who demanded the advantages of the East, and consequently, the mission was chartered by the Territory of Kansas in 1857 as Highland University.

Highland University is the oldest institution of learning in Kansas. The log cabin of the Indian mission gave place to a new frame building, and was given over to the care of Highland Presbytery as an academy. In 1859 nine trustees were appointed: Hon. Walter Lowrie, Gen. John Bayless, Rev. C. Vaniens, Rev. J. Campbell, Rev. G. Graham, C. B. Campbell, G. S. Rice, E. M. Hubbard and Rev. S. M. Irvin. Under their efficient work the first brick building was erected at a cost of \$10,000.

In the same year (1859) the City Council gave eight blocks of property in the present location. The charter was then amended and the university transferred to the Synod of Kansas. It was at this time that an endowment was begun. Its first contributor was Kirwan Murry, an Indian convert, who gave \$100 in gold. This was followed by a similar gift of Sophie Rubetti, another Indian convert.

Until 1870 the work done in the university was academic. A college course was added the same year, and soon afterward the institution passed from the control of the synod. The next few years were the darkest in the history of the university. But by the help of J. P. Johnson and the faithful work of the board of trustees they managed to keep out of debt. In 1885 J. P. Johnson offered \$10,000 if the citizens would raise a like amount. This was promptly done. In 1890 Mr. Johnson repeated his offers, which were again accepted. The last offer made the total endowment \$51,033.

In 1903 a movement was started to raise funds for a new college hall, but it was not until 1909 that it was completed, at a cost of \$30,000. The old college hall contains the large library and reading rooms on the first floor.

The campus contains eight blocks, four of which are occupied by the college halls. These four blocks are thickly planted with large shade trees, some of which are half a century old. Immediately on the north are two blocks devoted to an athletic field. The grandstand and bleachers are large enough to accommodate a very large crowd. The dormitory is immediately joining the main building on the west.

Of late the affairs of Highland College have been much stimulated by the adoption of the self-help plan (in March, 1916). A new dormitory was begun and a campaign started, in that year, for a fund of \$200,000.

KANSAS WESLEYAN UNIVERSITY

The long stretch of territory of more than 400 miles ranging from the Missouri River on the east to the Colorado line on the west, together with inadequate railroad facilities made it advisable to divide the Kansas Conference in the early '80s. When the Northwest Kansas Conference, after a division had been made, convened at Beloit in March, 1883, the question of establishing an educational institution was considered of vital importance to the conference and to the Methodists of the northwestern part of the state.

Several cities within the bounds of the conference made flattering offers for the location of the institution. Salina proposed to donate a tract of fifteen acres for a college campus and to erect a building at a cost of \$26,000, on condition that the conference maintain a school of full collegiate grade. This generous offer was accepted by the conference and steps were immediately taken to found an educational institution making Salina the educational center of the Northwest Kansas Conference. A board of trustees composed of nine men elected by the conference organized and in December, 1885, secured a very liberal charter and became incorporated under the laws of the state, with the name of Kansas Wesleyan University. Of these men composing the first board of trustees only two are now living, viz: Rev. A. N. See, at present in the Old Peoples Home of the Methodist Episcopal Church at Topeka; and Rev. M. M. Stolz, who is serving the college faithfully as their librarian. Doctor Stolz has well served the Northwest Kansas Conference from its organization as pastor, as district superintendent and as trustee of the Kansas Wesleyan. C. Eberhardt and R. A. Hoffman were honored founders.

The cornerstone of the first building was laid early in 1886, and in March the building was dedicated by Bishop Andrews, assisted by the Reverend Bennett, of Garrett Biblical Institute, and Doctor Gray, of the Freedom's Aid Society. The school was opened on the 15th of September, and the first year showed an enrollment of 123. During the thirty years that the school has been in existence there have been 2,915 students enrolled in the college and academy. Two hundred and forty-nine have been graduated from the college with a Bachelor's degree.

The first faculty of the college consisted of Rev. Wm. F. Swahlen, Ph. D., acting president, who was professor of Latin and the Modern Languages; Thomas W. Cowgill, A. B., who was professor of Greek; Rev. Aaron Schuyler, A. M., Ph. D., who was professor of Mathematics and Astronomy; Rev. W. H. Sweet, A. M., D. D., who was professor of Ethics and Metaphysics; Rev. A. C. Hillman, A. M., who was dean of the Normal Department; Amos T. Griffith, head of the Commercial Department; Clede H. Green, head of the Music School; and Daniel McGurk, teacher of elocution. Doctor Sweet and Doctor McGurk are the only surviving instructors of the first faculty of the Kansas Wesleyan.

The commercial school has grown from a one teacher department to a great business college, one of the largest in the central states. It has a faculty of twenty-one teachers and an enrollment of several hundred. Prof. T. W. Roach is largely responsible for its expansion. The college has also expanded through the addition of new departments and the subdivision of some of these that had been organized.

Rev. Wm. F. Swahlen, A. M., Ph. D., served as acting president of the institution from 1886 to 1887. Later he became professor of Greek in DePauw University, Greencastle, Indiana, which institution he served until his death in the winter of 1915. Aaron Schuyler, A. M., LL. D. served the Kansas Wesleyan as vice president and acting president from 1887 to 1890 when he became president and continued in that capacity

until 1894. Rev. Edwin W. Mueller served as president from 1894-96; Prof. George J. Haggerty, 1899-1900; Dr. Milton E. Phillips, 1901-02; Dr. Thomas W. Roach, 1903-07; Dr. Robert P. Smith, 1907-15, and Dr. John F. Harmon, since June of that year. During Doctor Roach's administration a ladies' dormitory was constructed, Science Hall commenced, and progress made toward securing the \$25,000 Carnegie endowment. The campus was also plotted.

There were many improvements made during Doctor Smith's administration, viz: the enlarging the faculty; the completion of Science Hall; the building of a president's home; the beginning of a magnificent gymnasium. Also the endowment was greatly increased making a total of about \$119,000 in actual endowment, with about \$40,000 more pledged. President Harmon has successfully continued the Forward Movement Campaign, which had been launched by Doctor Smith in an effort to increase the endowment to \$200,000.

With only a little more than a quarter of a century's history to the credit of the institution it has a plant and an endowment together amounting almost to \$500,000 valuation. This has come almost entirely from and through the loyalty and devotion of the Methodists living within the bounds of the conference territory. During the quarter of a century since the college was planted 249 young people have received degrees from it. The alumni of the institution include such men as Dr. W. D. Schermerhorn, president elect of the Dakota Wesleyan; Dr. B. O. Petersen, a leader of the church in the Philippines; Rev. W. H. Blair, a leader in the foreign field of Korea. Also a score or more of men and women scattered throughout the foreign field engaged in missionary work.

The Ladies' Dormitory was built in 1903-04, and will accommodate about 100 girls. The Carnegie Science Hall contains the library, museum, a lecture hall and various laboratory rooms.

The president's residence is a handsome building, the gift of Doctor and Mrs. Roach, and is known as the Roach Home. The Business College is housed in a large three-story brick building, located near the business section of the city, and the College of Music occupies the second floor of a business block.

The class gifts to the college are among its most attractive features. These include the fine cut-stone entrance gateway facing Santa Fe Avenue, from the class of 1912; the beautiful fountain on the campus, class of 1914, and the handsome tower clock of the gymnasium, class of 1916. The building named was completed in the spring of the year last named.

If to the plant were to be added the Business College and Music College buildings and equipment, together with a new church edifice being erected on a corner adjoining the campus, the valuation of the plant would reach more than \$500,000—the accumulation of only a little more than a quarter of a century. The school and members of the community are engaged in erecting a magnificent church edifice to be the place of worship for students, faculty and citizens of the community, to be

known as the University Methodist Episcopal Church, with a seating capacity of something more than 1,000.

ST. BENEDICT'S COLLEGE

As early as 1858 Kansas saw the opening of a college aiming to teach young men Latin, and in time, all the branches of a classical course. In 1857 the Rev. Augustine Wirth, O. S. B., from the Benedictine monastery of St. Vincent in Westmoreland County, Pennsylvania, accompanied by a seminarian, Casimir Seitz, O. S. B., was sent to Doniphan, in Doniphan County, by their superior, at the request of the bishop of Leavenworth, the Right Rev. J. B. Miede, S. J. Here they joined the missionary, Rev. Henry Lemke, O. S. B., who was the first Benedictine priest to set foot on Kansas soil.

But it was at Atchison, which was rapidly becoming the more promising town, and not at Doniphan, that the embryo institution was to take root and flourish, and here on March 27, 1858, Messrs. P. T. Abell and B. F. Stringfellow gave Father Augustine about three acres north-east of the town, at the present junction of Division and Second streets. This grant, together with a money donation by the then king of Bavaria, Louis I, as well as the assistance of the monastery mentioned above, paved the way, and on May 29, 1858, St. Benedict's was begun.

Material for a more than ordinary structure was hard to obtain in the days before a bridge spanned the Missouri River at Atchison; yet the first building erected was of brick, 39 by 80 feet, and contained 2½ stories, besides a basement. It abutted against the church, a small frame building, which occupied the site of the present church. St. Benedict's College, named after the founder of the order of which Father Augustine was a member, opened October 12, 1858.

In 1861 it had doubled in size, a south wing being completed in that year. With the lapse of time this completed structure came to be called the "old building," and is now the oldest of four college buildings, each representing a step forward in material progress. In the beginning there were but four students in attendance. Before the close of 1859 there were fourteen. In 1861 the number had reached twenty-seven. In 1866 the razing of the wooden church and the building of another necessitated the loan of the college dormitory in the new south wing to the parishioners, to be used as a chapel. For this reason no boarding scholars could be admitted from 1866 to 1868.

In 1868 the Very Rev. Louis M. Fink, O. S. B., Prior of St. Joseph's Rectory and pastor of St. Joseph's Church, Chicago, was chosen by the Rt. Rev. Boniface Wimmer, O. S. B., arch-abbot of St. Vincent, to relieve Father Augustine, and take charge of the ten-year-old institution at Atchison. The same year (June 28th) St. Benedict's was incorporated under the laws of the state, with power to confer academic degrees.

When Father Louis M. Fink was consecrated bishop in 1871, Father Giles Christoph, O. S. B., was appointed president of St. Benedict's Col-

lege. Devoting himself in particular to the pastoral work of St. Benedict's parish, he intrusted the supervision of the college to the vice president, Father Timothy Luber, O. S. B. In 1875 Father Giles was succeeded by Father Oswald Moosmueller, O. S. B.

In 1876 the faculty elected its own head in the person of Father Innocent Wolf, O. S. B., then a member of the Pennsylvania house. He was installed as abbot of St. Benedict's March 21, 1877.

One purchase after another had increased the original three-acre grant tenfold, so that the Missouri River had become the eastern boundary of the college premises. In 1878 a new building plan was designed, which resulted in the erection of the first section of a more imposing structure than was common in Kansas in the '70s. It rose high above its predecessor, extended north and south, and measured 40 by 50 feet. It was added to in 1883 by a 50 by 92 extension. It is now known as the recitation building.

On October 19, 1891, ground was broken for the faculty building. It extends north and south and has a frontage of 238 feet. Occupation took place in July, 1893. It is of red brick, with a roof of galvanized iron shingles. A tower 133 feet in height, for telescopic observation, rises at the north end. In 1898 a gymnasium was begun, but this was a frame structure and at present serves merely for indoor basketball and hand-ball.

As a corps of nuns from the convent of Mount Saint Scholastica, Atchison, are in charge of the kitchen, a dwelling was erected for their exclusive use.

With the acquisition of additional property, the desirability of a more convenient location for both students and professors was urged. Before long it was resolved to transfer the entire institution, albeit gradually, to higher ground. Accordingly, in 1907, architects were engaged to draw up and submit plans of an entire college plant, to consist of a series of buildings, of the Tudor-Gothic style, enclosing a quadrangle, and overlooking the Missouri River and all Atchison.

On the highest point but one in the vicinity of Atchison an orchard and vineyard were cleared away and the foundation was laid of the principal structure of the proposed group, the administration building. It extends east and west, a distance of 184 feet and its wings measure each seventy-nine feet in length.

A strip of wooded land comprising ten acres, bounded on the west by property belonging to Mr. C. W. Symms, and on the south by the college grounds, was donated to St. Benedict's by Atchison's "Committee of Forty" in 1907. A knoll about $1\frac{1}{2}$ acres in extent and separating the eastern end of Mount Street from the college land was also purchased in 1908 from various parties.

While now known as "College Park," the gift of the "Committee of Forty" was chosen as a site for the heating-plant. The fountain in front of the main entrance was donated by T. M. Walker, of Atchison. An Italian marble figure of St. Benedict occupies a niche of forty feet

above the entrance. It is the gift of Mr. Henry Nordhus, Sr., of Seneca, Kansas.

Bordering on Riley Street, which is the next south of Mound, is a vacant lot among several, on which a spring has never ceased to bubble forth, and which, as far back as memory goes, has furnished more than enough water to supply the neighborhood. This lot and spring was sold to the college in 1909 by Mr. B. P. Brown. The water is pumped by gas engines to a height of 180 feet into the supply-tank mentioned above, which has a capacity of 40,000 gallons, whence it is distributed to the various buildings and hydrants. In the same year a new system of sewers was laid. Flower beds adorn the terraces and the proposed double walkway leading to the new college buildings. More attention, however, has been directed to the planting of trees, such as the maple, elm, oak, hackberry, ash, and many varieties of evergreen. A generation and more of tree planting and tending has made the entire premises a veritable garden, where trees and shrubbery shade and border spacious walks and are admired by visitors.

The main walk between the upper and the lower buildings is electrically lighted. From it paths branch off to the playgrounds and to the four baseball diamonds and numerous tennis-courts and hand-ball alleys. The main athletic field is encircled by a quarter-mile oval, which is a cinder track lined by a cement drain. Play-rooms are equipped with billiard tables and gymnastic appliances. Intercollegiate games have never been encouraged because of their tendency to detract from study. The faculty numbers twenty-five; the mean attendance of students is 260. The curriculum of the college embraces preparatory, high school and collegiate courses, and a business and commercial training. There are two libraries—one in the administration building of 5,000 volumes and another of 36,000 housed in the faculty building.

In December, 1891, a college magazine, bearing the title, "Abbey Student," made its appearance. The alumni were organized in 1898. W. P. Waggener, of Atchison, is now president. Among graduates who are in the service of the church are the bishops of three dioceses; the Rt. Rev. J. Cunningham, D. D., of Concordia; the Rt. Rev. T. F. Lillis, D. D., of Kansas City, Missouri; and the Rt. Rev. J. H. Tihen, D. D., of Lincoln, Nebraska. Permanent free scholarships have been founded from time to time, and are enjoyed by a number of the students. Medals and awards are the gifts, as a rule, of former students. While St. Benedict's does not solicit the patronage of non-Catholics, there is not a school-year without its representation in the student body of other creeds. Such are exempted from the study of religious doctrine, but for the sake of order and uniformity are not excused from chapel exercises.

MIDLAND COLLEGE

The early Lutheran settlers in Kansas and Nebraska felt deeply the need of a suitable educational institution, to raise up an efficient ministry

for the local churches, and to provide adequate facilities for the proper training of their children.

In response to this demand, the General Synod, in session at Omaha in 1887, resolved to establish a college at once in the rich and growing region west of the Mississippi. To secure the institution, Atchison offered the following inducements: Fifty thousand dollars in cash, thirty acres of ground for a site, half interest in the sale of 500 acres of land, and 200 students the first year. This generous offer was accepted, and work begun in rented rooms September 15, 1887. The main building having finally been completed, the college was moved to its own beautiful and commodious quarters in the spring of 1889.

Instruction has gone on steadily since that time. Thousands of young men and women have passed through the college halls, partaking of its atmosphere and training. Many of the most influential ministers and laymen of the western Lutheran territory are Midland graduates. Twenty-five per cent of the alumni are in the ministry; 27 per cent are teaching; 22 per cent are in business, and the remainder are successfully practising law, medicine and engineering.

The college is controlled by a board of trustees, composed of twenty-nine men, chosen as follows: four by the board itself, from citizens of Atchison; six from the Kansas, English Nebraska, and German Nebraska Synods, respectively; two each from the Rocky Mountain and Iowa Synods; and three from the Alumni Association. The president of the college is ex officio an advisory member. Such being the constitution of the board, Midland must forever remain under the control of the Lutheran Church, but with proper checks and balances.

The Theological Seminary, with separate grounds, buildings and faculty, was established in 1895; and a few years later a German course was added. At first organized as a separate institution, the seminary is now a department of the college, under the direction of its president and board of trustees.

The buildings and grounds of Midland are valued at \$150,000. The endowment so far gathered is only \$85,000, but a vigorous campaign, now being carried on, is adding much to that sum.

The institution is maintained by interest from endowment, students' fees, direct gifts from friends of Christian education, and a liberal annual subsidy from the Lutheran Board of Education.

ST. MARY'S COLLEGE

In the year 1837 a band of Pottawatomic Indians, numbering about 150, set up their wigwams on the banks of the Osage River, Linn County, Kansas. They had migrated from Indiana, and some of them had been baptized by the Revs. Stephen Badin and Deseille. In the same year two Jesuit missionaries, Fathers Felix L. Verreydt and Christian Hoecken, were living among the Kickapoos near Fort Leavenworth. Towards the close of 1837 these missionaries received an invitation from Nesfwawke, the chief of the little body of Pottawatomes, to come and

teach them religion. Father Hoecken responded all the more gladly because the labors of the Fathers had proved fruitless with the Kickapoos. In January, 1838, in the middle of winter, the journey was undertaken, and, after eight days of hardship, the missionary arrived at Pottawatomie Creek. This was the first visit of Father Hoecken to the Pottawatomes, and it lasted only two weeks, but to it St. Mary's College can trace its existence.

In March, 1838, the Pottawatomes, who had not settled definitely at Pottawatomie Creek, but had only been exploring the country for a suitable site, removed to Sugar Creek, a tributary of the Osage River. The site selected was the same as that on which Centreville now stands. Here almost immediately the Indians built a small church, in which services were held regularly during the remainder of Lent and until the end of 1840, when, owing to their steady increase in numbers through migration, a larger church had to be erected.

Sometime in 1839 a school had been erected. It was not opened until 1840, however, and was maintained only for a time. In the first part of July, 1841, the pioneer band of Religious of the Sacred Heart arrived at the Mission, and on the 15th day of July a school for girls was constructed and placed under their care. A new school for boys was built towards the end of this same year, 1841, which began to be regularly frequented from the commencement of 1842. The Jesuit Fathers more especially connected with this beginning of the St. Mary's Mission, as it was afterwards called, were besides the missionaries mentioned above, Rev. P. J. Verhaegen, S. J., the Superior of the Jesuits in Missouri, and Father H. Aelen, S. J., the first assistant of Father Christian Hoecken. And on the 29th of August, 1841, Father Felix L. Verreydt and Brothers A. Mazella and George Miles were added to the number of the workmen in this primitive religious field.

On the 17th of June, 1846, the Government signed a contract purchasing the Indian lands on Sugar Creek, and gave the Indians a reservation along the banks of the Kansas (or Kaw) River, extending westward from what is at present the City of Topeka fifty miles on both sides of the Kansas River. Meanwhile the work of evangelizing the Indians, not only the Pottawatomes, but all the various tribes that were flocking westward at the instance of the United States Government—the Miamis, the Osages, the Peorias, the Piankeshaws—was going on uninterruptedly, the Sugar Creek mission being in a manner the center of operation for the religious men and women who were devoting their lives to the labor.

In the early part of November, 1847, an expedition of Indians accompanied by Father Verreydt, S. J., started out to explore the land assigned them on the Kansas River, with the object of selecting a site for settlement; and not earlier than November 11, 1847, the Fathers and religious moved to the new location. On June 20, 1848, the north side of the Kansas River was definitely settled upon as the new site of the mission buildings, and on September the 7th Father Verreydt, S. J., together with the Ladies of the Sacred Heart, crossed to the new buildings on the north side of the river. In this transfer and sale of the

Indian lands no provision had been made for the Fathers and the religious by the Government. The Indians, however, contributed \$1,700, and from other sources also some money had been gathered to continue the missionary work begun. On November 11th, however, the missionaries learned that an arrangement had been made between the St. Louis University and the civil Government to erect a school at the St. Mary's Mission. Still the work of education had already begun, for we find that in the winter of 1848 five new boarding scholars were received at the mission. This, then, was the beginning of what we now know as St. Mary's College at St. Mary's, Kansas; and since that winter towards the end of the first half of the last century the work of instruction has never been interrupted. In November, 1849, the roof was put on the first church at St. Mary's Mission, and this church was placed under the tutelage of the Immaculate Conception.

On the 24th of May, 1851, the Rev. J. B. Miede, S. J., having been raised to the dignity of Vicar Apostolic over the country inhabited by the Indians lying between the Rockies and what might be called the western boundary of civilization, arrived at St. Mary's Mission in company of Father Paul Ponziglione, S. J., and a lay brother, to make the humble mission church his Pro-Cathedral.

It seems no more than just that we should mention the fact that Father Christian Hoecken, S. J., who may justly be called the founder of St. Mary's, died in this year, a victim of pestilence and martyr to charity.

Bishop Miede resided at St. Mary's until 1855, when he established himself at Leavenworth. The charter of St. Mary's College was obtained on the 24th of December in the year of grace 1869.

It had been decided in St. Louis by the Provincial of Missouri, Reverend Father Coosemans, S. J., and his council, that a boarding college should be founded at St. Mary's, and the first news of the plan was definitely brought to the community on May 12, 1869, by the Rev. Joseph Keller, S. J., secretary of the Provincial, and orders were given to have a plan for a college building prepared. Very little time was lost; the charter was obtained, as we said, and a college seal designed and engraved, bearing the legend, "*Virtuti et Scientiae*," encompassing an image of the rising sun. Furthermore, the foundations of what is now known as the Old College were laid on the 31st of May, 1870. There was to be a stone basement and a superstructure of brick 4 stories high and 80 feet long. This building was to be one-fifth of the entire plan and was to form the central part of the completed design. At this early date St. Mary's College possessed upward of 1,334 acres of land; there were 150 boarders and 20 day scholars, 4 Fathers, 1 Scholastic, and 12 lay Brothers at the institution at that time. The Indians, however, were vanishing slowly but surely. The Fathers at the mission were anxious to follow, but were forbidden again and again to do so by the Provincials, their superiors. During the years 1872 to 1877 the Catholic and more civilized Indians continued to sell their lands and depart north-

ward, and, being left to themselves, very many fell an easy prey to their racial vices.

On two separate occasions, in 1872-73 and 1873-74, the mission establishment was visited by fire. In each case the old buildings erected in the early Indian times were destroyed. On the 12th of August, 1877, Father Maurice Gailland, S. J., who has been the authority for almost all the events of this sketch since 1850, died. During all these years his name was most closely connected with St. Mary's Mission.

In February, 1879, the Jesuit College which had been opened since 1871, was destroyed by fire, but its classes were interrupted for but a few days, as the Ladies of the Sacred Heart Convent relinquished their building to the Jesuit Fathers and transferred their academy to a building in town. The convent was afterward purchased by the college.

Father Aloysius G. Van der Eerden, S. J., who died in 1905, was rector of the college at the time of the fire. The first of the four sections of the present faculty building was the Van der Eerden structure.

On the 29th of December, 1880, fire destroyed what was then known as the New Church. It was situated almost directly in front of the present Junior Building, across the railroad track, on the south side of Bertrand Avenue. The cornerstone of this church was laid on the 2d of August, 1875, and it had been dedicated on the 14th of February, 1876.

In the beginning of the scholastic year 1881-82 Father Charles Copens, S. J., was rector of St. Mary's. The cornerstone of the present parish church in the Town of St. Mary's was laid on the 21st of July, 1881, and the structure was dedicated on the 2d of April, 1882. This same year the parishioners bought a house next to the new church for the Sisters of Charity, who were teaching the children in the parochial school.

The low stone structure between the Faculty and the Van der Eerden buildings was begun in February, 1884, and was completed in September of the same year (1884). It was once known as "The Flats," and contained on its upper and second floors the Philosophers' rooms, and below them the kitchen and scullery. Originally the upper floor was a dormitory for the small boys.

Rev. D. M. McErlane, S. J., was proclaimed rector of St. Mary's July 24, 1884, and during the year, among other improvements made, was the erection of the reservoir on the hill, and the mills by which to pump the water.

In the late '80s the old log Indian Church, which had done duty too as Bishop Miege's Pro-Cathedral, was leveled to the ground. Those interested may still notice a slight elevation in the greensward directly in front of the Junior Building, down near the railroad track, but inside the college grounds. In 1886-87 the three-story stone building which at the present day contains the Students' Dormitory, Senior Reading-room, and the Science rooms, together with the stairway and some small apartments, was built. In the course of 1887-88 what was until recently the Senior Gymnasium, was built. On the 29th of April, 1888, Father Henry

J. Votel, S. J., was installed as rector. In the year 1888-89, the Dial, the St. Mary's College paper was established.

During the rectorship of Father Votel all the elegant pressed brick buildings, that stand out so prominently at St. Mary's, were planned and completed. First came the infirmary, begun August 28, 1889, and finished by the 28th of March, 1890.

In the course of the year 1889-90 the sidewalks around the infirmary and in front of the Faculty and class-room buildings were laid. The grand stand on the campus was first put up and the gymnasium in the senior division was improved. A dynamo was set up, and for the first time two arc lights shed their brilliancy over the College Quadrangle. It was at this time, too, that the statue of the Guardian Angel was placed in the niche in which it still stands.

In 1890-91 the incandescent electric lamps were first put up in the Senior and Junior study halls, and a private telephone was run from the college to the railroad depot in town. The present pumping station in the field southward across the railroad track was planned and completed.

The first foundations for the present Junior Building were laid November 21, 1890; by June, 1891, the walls were completed to the roof.

All the large constructions that go to make up St. Mary's College are furnished with three-inch iron stand pipes and a line of hose to match on each floor, in case of fire. These pipes are situated at convenient points and are always filled with water, as they are in direct connection with both the reservoir and the pumping station.

On February 11, 1894, Father Edward Higgins, S. J., was proclaimed rector. During his term of office, extending from the date just mentioned to the Christmas of 1897, many things were done to beautify the grounds about the college; the lake was completed and filled with water; trees were planted; the old houses used for the workmen, which had become a blemish, were torn down; walks and drives were laid out; special attention was given to lawn and flower-beds; the pedestal and statue of St. Joseph, between the Recitation Hall and the Junior Building, was placed in position, etc.

In June, 1896, the S. M. C. Alumni Association was formed. Father James McCabe, S. J., was installed as rector on the 29th of December, 1897.

Under date of July 4, 1898, there is a remark in the annals of the college to the effect that work had begun on the north building, known as the McCabe Building. It was ready for occupancy on the 28th of December of that year. In 1899 the natatorium was enlarged to a little more than twice its former size.

The college suffered considerable damage because of the flood of 1903. The first steps toward the building of the beautiful chapel known as the Immaculata were taken by the members of the Senior and Junior sodalities in 1906, and the structure was impressively dedicated in May, 1909.

On February 10, 1907, Rev. Father Aloysius A. Breen, S. J., was appointed rector of the college.

The corner stone of "Loyola Hall," as it is called, was laid on May 1, 1907, and the construction was hurried from that time, so that it was possible to throw the hall open to occupancy in October of the same year. The annex to Loyola Hall was built two years later, an addition was made to the Senior Refectory and other structural expansions took place.

The first laymen's retreat was begun on July 24, 1909, and in the fall of the same year work was commenced on the new gymnasium, which was completed in June, 1910. The gymnasium also contains a large auditorium with stage settings. Sunday, February 26, 1911, was made memorable by the visit to St. Mary's, and the grand reception of Archbishop Diomedea Falconio, then papal delegate to the United States. Among various improvements made about this time was the addition of a wing to Loyola Hall.

During the past few years St. Mary's College has broadened in its activities and increased in strength, both as an educational institute and a student body. It now has an attendance of about 400 pupils. The system of education in force is substantially the one in use in all the colleges of the Society of Jesus throughout the world. The prime purpose is not to fit the student for some special employment or profession, but to give him a general, vigorous and rounded development. The classics of Rome and Greece are special subjects of study. Generally speaking, the courses of instruction embraces High School, English and Collegiate departments. The study of the modern languages is optional. Those who do not desire to pursue a regular classical training are offered the English course, which embraces commercial education, also philosophy, chemistry and physics, civics, history and mathematics. The institution has a faculty of sixty-five, distributed as follows: Collegiate department, 20; High School, 29; English-Commercial, 16.

THE FRIENDS UNIVERSITY

Friends University, at Wichita, Kansas, was the outcome of a long-cherished desire on the part of Kansas Yearly Meeting of Friends to have within its limits an institution of collegiate rank. This desire was stimulated and strengthened by the rise of a number of academies which created a new demand for such an institution. As early as 1875 the matter began to be agitated in the Yearly Meeting and the agitation was continued from time to time, till the desire was finally realized.

The main building was erected in the days of the "Wichita Boom," at a cost of \$225,000. It was dedicated as a memorial to President Garfield and was opened as Garfield University in 1887. There is a fine memorial slab of granite at the right of the main entrance. This building is a massive structure of brick and stone, covering three-quarters of an acre of ground and is said to be the largest school building under one roof in the United States. A considerable part of the interior is still unfinished. When entirely completed it will accommodate 900 or 1,000 students.

The Christian Church, under whose auspices the work was begun and prosecuted for a time, because of the financial depression following "the boom," was able to maintain the institution for only five years. Then the property stood idle until it fell into the hands of Friends. This came about in the following manner:

James M. Davis, a Friend and former student of Penn College, had accumulated a considerable fortune handling stereoscopes and stereoscopic views. In this enterprise he employed a large number of young men, thus enabling them to secure a college education. In this way he became intensely interested in higher education of the Christian type and conceived the idea of founding a college himself. And when he discovered that the property of Garfield University could be purchased at a much reduced price, he at once bought it. The purchase included besides the main building a campus of 15 acres, 2 dormitories and about 600 house lots in various parts of the city. All this he offered as a gift to Kansas Yearly Meeting, on condition that they should maintain a school for six consecutive years and within this time raise an endowment fund of \$50,000. These conditions were met and a clear deed to the property given before the expiration of the six years.

Under the new name of Friends University the institution was opened in the fall of 1898 with a faculty of 6 professors and fewer than 50 students. The enrollment, however, reached a little over 100 before the end of the year. During the following year 185 were registered, but only 33 of these were of college rank. Since that time there has been a steady growth, particularly in the collegiate department. In the year 1914-15 the total enrollment was 398, of whom 273 were of collegiate rank. Because of the fact that in practically every town, large and small alike, good high schools have been established, in the not distant future the preparatory department will be discontinued, though some sub-freshmen work will no doubt continue to be offered for several years to come.

During the five years while the Christian Church maintained the school, and for some time under the administration of Friends, only the north wing was finished, the museum room on the fourth floor being used at that time as the chapel room and auditorium. From time to time, however, new rooms have been finished, a fine stairway put in in the center of the building, and numerous other improvements made. The present chapel room on the main floor seats about 400. The main auditorium on the floor above, still unfinished, is said to have a seating capacity of 3,000.

The first class to be graduated and the smallest was in 1901. In this there were nine members. The largest class, graduated in 1915, had thirty-four members.

Friends University is managed by a board of fifteen directors, appointed by the Yearly Meeting. They have ably and economically handled the funds and, seconded by the untiring energies and good management of President Edmund Stanley, the institution has had an unusual growth. In the seventeen years of its history it has grown from

40 students to 400; from 6 professors to 18, and from no endowment fund to one of \$250,000.

For a number of years the college has been fully accredited by the State University, so that a student can at any time take his grades there and receive full credit for them, and a graduate is placed on the same footing at the state institution as one of their own graduates and can take up graduate work there on the same terms as one of them. Recently Friends University has been placed on the list of colleges approved by the North Central Association. This puts it on a par with the best institutions of the middle West.

In naming the institution it seems unfortunate that the word university should have been used, since it is somewhat misleading. Of course it is not in any sense a university. It was hoped, however, and confidently believed by the founder, that it would in the not distant future become such in fact, and it was his desire that it should bear the name from the start, thinking it would be an incentive to unremitting effort to realize the hope.

Approximately, 250 graduates have already gone out to serve as ministers, missionaries, teachers, physicians, lawyers, business men, farmers, and in various other callings and the membership of the student body is drawn from a wide territory.

It is the policy of the management of Friends University to maintain a strong Biblical department in which the young men and women, not only of their denomination, but others, may fit themselves to become Christian workers and defenders of Christianity. In this large field there is an imperative need for work of this kind; while the Biblical department does not assume to give a complete theological course, it does feel a deep concern that it may not fail adequately to meet the demand which the situation brings, and it is quite clear that this cannot be done without placing more than ordinary emphasis upon Biblical work and offering somewhat extended courses along these lines. Strong Young Men's Christian Association organizations are maintained. In connection with these several Bible study classes are conducted and weekly meetings are held by both associations.

BETHEL COLLEGE

Bethel College is the result of the interest in higher religious education as it was found among the first Mennonite settlers in Kansas who had come mainly from Russia, Germany and Ohio. All of these elements felt the absence of their own school. On November 15, 1877, a number of school men and ministers met at the home of Rev. H. Richert in the Alexanderwohl settlement north of Newton, Kansas, to discuss the possibilities of establishing a school. Rev. William Ewert, Sr., was chosen chairman of the meeting, and Rev. David Goerz, secretary. Among the resolutions passed to be presented to the Kansas Conference, were the following: To establish a central school; that both German and English should be taught; teachers for district and parochial schools were to be

trained there; the years from seven to fourteen were advised as the age for elementary schools. A school fund was to be created.

The discontinuance of the school in Wadsworth, Ohio, in 1878, made the need of a Mennonite school more acute, but the project did not result in school work until 1882. On September 13th of that year a school with twenty-one students, and H. H. Ewert as teacher was opened in the southern part of the Alexanderwohl settlement. It was soon discovered that a town would be a more favorable location for such a school than the country. In Halstead, Kansas, a group of men offered the Conference the free use of the necessary buildings if the school were located there. This offer was accepted. In the fall of 1883 the school was opened at Halstead with thirty-seven students. H. H. Ewert, now Prof. Ewert of Gretna, Manitoba, and Peter Galle, now Judge Galle of McPherson, Kansas, were employed as the first teachers. The same year the Conference permitted coeducation, and in 1887 sanctioned the formation of a corporation to build and maintain a college at Newton. In 1888 the corner stone was laid, but on account of the financially stringent times the building could not be completed until 1893. The school at Newton was formally opened on September 20, 1893, and Prof. C. H. Wedel, who had served as principal of the Halstead School the last years of its existence was put at the head of the teaching force.

For a number of years the work done was mostly of an academy grade. In the fall of 1911 a full four years' college course was started. In January, 1916, the State Board of Education of Kansas placed Bethel College on the list of accredited colleges. This taking up of the college work does not mean, however, that the academy work has been abandoned, in fact, the academy students still outnumber the college students, the enrollment up to the present for this year being 135 in the academy and 72 in the college. The student body is drawn from a territory stretching from Pennsylvania to California and from Texas to Saskatchewan, and represents forty-five Mennonite congregations and five denominations outside.

The present faculty of the school is composed of twenty-one persons. Five of these, however, give only part time to the school. The property valuation of the school is as follows: Plant, \$103,300; permanent funds, \$105,353; making a total of \$208,653.

WASHBURN COLLEGE

The story of the founding of Washburn College centers in Peter MacVicar, Harvey Dwight Rice and Colonel John Ritchie. Many other men gave their time, labor, and the little money they had to Washburn, but on these three men especially, fell the task of directing and leading the work.

Harvey D. Rice was born November 8, 1821, at Charlemont, Massachusetts. His father was a typical well-to-do New Englander, a farmer, storekeeper, and mill owner. New England was church-going and devout, and in this religious atmosphere Harvey Rice passed his boy-

hood days and reached his majority. In 1846, he married Miss Savina Barnes Tuttle. The next ten years were quiet, happy and prosperous and were destined to be the last period of quiet he would know for many years. During this time Mr. Rice became personally acquainted with many men and women of distinction, among them John Hooker, whose wife was the sister of Henry Ward Beecher. It was from this Mr. Hooker that Mr. Rice secured the loan of the first thousand dollars, which began the payment on the present college site.

Meanwhile, in Kansas all was turmoil, and when Topeka was not yet two years old, John Ritchie, William Bowker, Deacon Farnsworth, Harrison Hannahs, Harry Rice, Sherman Bodwell and Lewis Bodwell met and determined to build a house of worship. A foundation for the Free Congregational Church was begun in the fall of 1857. Mr. Rice furnished the lime, Mr. Ritchie attended to the quarrying of the stone. The Rev. Lewis Bodwell was general superintendent, and Mrs. Scales's old ox team hauled large cottonwood and oak logs cut by Sherman Bodwell, from the creek. The first sermon was preached in it on the first Sunday in January, 1861, by the Rev. Peter MacVicar, who had come to Topeka during the previous October.

In 1856, men began asking each other how a Christian college might be planted. The Congregationalists looked to their association. Altogether there were but twelve churches and probably not more than 120 communicants of this denomination in the whole territory. At the Congregational Association held in Manhattan, October, 1857, the project was brought up. The decision of the site was, for some time, in the balance between Lawrence and Topeka, but the day was finally carried in favor of the capital city. The beginning of Washburn Campus dates from 1859, and the charter was granted to Lincoln College February 6, 1865.

Since the site selected for the college was "so far out," a temporary plan was adopted and, as is always the case, after the beginning was once made, things moved more rapidly. It was decided to erect a stone building for immediate use on the corner of Tenth and Jackson streets. The college was to be called "Lincoln College" as a token of Topeka's respect and love for the President. But Topeka contractors had no faith in the new undertaking and refused to bid for the work. Harvey Rice, not to be stopped by any obstacle, proposed that he be given the contract at \$7,000. The proposal was accepted and the building was thus constructed. United States soldiers from Maine to Massachusetts, then stationed in Topeka, dug the trenches. School opened in the new building on January 3, 1866, and we have Harrison Hannahs to thank that its doors were opened to young women as well as to young men. Between thirty and forty students were in attendance. These were all in the preparatory department. The next year there were two college students and sixty-five others. In 1868 Addison P. Davis was given his diploma, the first student to be graduated. In the last part of this year Lincoln College became Washburn College. There were several Lincoln Colleges in the country and so when Deacon Ichabod Washburn of

Worcester, Massachusetts, gave \$25,000, the name of the college was changed to Washburn in honor of the donor.

The next year the Rev. H. Q. Butterfield was elected president, and was succeeded in 1871 by the Rev. Peter MacVicar. Doctor MacVicar was of Scotch ancestry and was born June 15, 1829, at St. George, New Brunswick, Canada. In the fall of 1860, he accepted the call of the pastorate of the First Congregational Church of Topeka. Doctor MacVicar immediately set about to erect a building on the campus, and by 1872, \$31,500 had been raised for its construction. The Academy building and site were sold to the city for \$15,000, and by December, 1872, the new building was enclosed.

The northeast corner of the quarter section was chosen for the campus. It was plowed, and around it was planted an Osage hedge outside of which was built a high board fence. Four hundred and fifty trees were set out. By 1874 Science Hall was ready for occupancy. The few young ladies who boarded at the school had rooms in the basement. The boys had rooms in the second story and the members of the faculty occupied the floor between. On the first floor also were recitation rooms, the library and at the west end, the chapel. These were discouraging years for the president and trustees. In June, 1877, the vested funds of the college were reported to be a little over \$45,000. But in the spring of 1878, the situation became more encouraging.

In 1877 there were only thirteen students attending Washburn College, in 1878, twenty. In 1879 Professor Stearns raised \$3,000 in the City of Hartford, and Hartford Cottage was built as a dormitory for the girls. Before this time the girls who were not rooming in Science Hall made the trip to and from town in a hack. The evolution in the method of reaching the college from down town was "slow but sure." All transportation was first by hack. In 1884 the street railway was extended to the college and a "horse car" drawn by mules made nine trips a day out to the college. A few years later the electric line was put in. Later South Cottage was built, but burned to the ground in December, 1890. By January, 1883, Whitin Hall was ready as a cottage for the boys. In 1886 Holbrook was occupied. In this same year Boswell Memorial was completed. Prior to this, the books of the college were kept in Science Hall. They were not arranged in order, and while Professor Lovewell had made a list of them, there was no catalogue and no periodicals were subscribed for. When the books were moved to Boswell, which served as the library for nineteen years, they were classified and catalogued by Professor Whittemore, who was Washburn's librarian for twelve years after this.

The years following 1887 were years of rapid growth and change for the college. In 1889 the contract for the chapel was let. In 1890 it was occupied and was dedicated the afternoon of the baccalaureate Sunday. It was at this time that so many hundred trees were planted on the campus. In 1880, the trustees had purchased a tract of 135 acres north of the college site. This was divided into building lots and sold, the investment proving to be a splendid one for the college.

The endowment fund had now increased to over \$100,000.

The remainder of Doctor MacVicar's administration was a trying period for both president and trustees, and in 1895 he was compelled to give up his active work. George M. Herrick was Washburn's third president. During his presidency a large yearly deficit in the college funds was stopped, facilities of instruction were greatly improved, and the number of students increased. The endowment fund also increased and there was a noticeable growth of college spirit. At President Herrick's resignation, the Rev. Norman Plass of Williamstown, Massachusetts, was called to the presidency of the college. To Doctor Plass, Washburn is indebted for the observatory building, the president's residence, the heating plant, Carnegie Library, engineering shop, law school and dispensary. On May 13, 1902, the Executive Committee honored themselves and the college by passing a resolution re-naming the chapel after Doctor MacVicar and "Old Science" after Harvey Rice. This tribute was most gratefully received by these workers who had given so much of themselves to Washburn. Ex-President Peter MacVicar died June 9, 1903, and Harvey Dwight Rice, June 11. The spring of 1903 was a most depressing time, for it was near commencement time that the memorable flood was at its height. The schools were closed and many of the Washburn boys were at the front in the rescue work.

Dr. Frank Knight Sanders, formerly dean of Yale University School, assumed the presidency upon Doctor Plass's resignation in 1908, and held the position for about six years. He resigned in the spring of 1914.

For two years it had been known that when a sum of \$75,000 for endowment had been raised, the college was to receive \$35,000 more for a gymnasium. In the year 1908 that condition was more than fulfilled. For some time the donor of the gift was unknown, and the students spoke of him as the "gym man." At last, against his intentions, it became known that the "gym man" was Mr. Jonathan Thomas of Topeka. The building is a memorial to his son, Charles B. Thomas, who was at one time a student at Washburn. The gymnasium was dedicated in 1909.

In 1915 Doctor Sanders was succeeded by Dr. D. L. McEachron, who was made the acting president. In 1916 Doctor McEachron was succeeded by Dr. Parley Paul Womer, who was elected president and who is the present incumbent.

ENTERPRISE NORMAL ACADEMY

Some of the prominent citizens of Enterprise proposed in the spring of 1896 to the West German Conference of the Methodist Episcopal Church that the conference accept their offer of the Enterprise Normal Academy building and the seventy acres adjoining it on condition that the conference maintain a prosperous school for six years and raise an endowment fund of \$10,000 to \$15,000. These conditions were met and the trustees hold a deed to the property now estimated to be worth not less than \$60,000.

The West German Conference convened at Sedalia, Missouri, August 27, 1896, and accepted the proposition. School opened on the 6th day of October of that year.

In the summer of 1908 the ladies' dormitory was completed. It was named the Elizabeth Hoffman Memorial, in whose honor C. Hoffman had given such a substantial endowment gift.

The music hall was completed in the late winter of 1913 and the men's dormitory in the fall of 1913.

The main building is built of white stone, 60 by 70 feet, three stories high. There are also a music hall embracing accommodations for domestic art and manual training departments, and ladies' and men's dormitories. A museum, which occupies a part of the library, is a feature of Music Hall. The faculty of Enterprise Normal Academy comprises Prof. D. L. Katterjohn, the principal, and six assistants. There are about 150 pupils in the regular normal, commercial and musical courses and the summer class.

ST. FRANCIS HOSPITAL, TOPEKA

The Sisters of Charity of Leavenworth have been doing a noble work since the arrival of their first mother superior (formerly Sister Xavier, Ann Ross) in 1858. Her father was a Methodist minister. One of the noteworthy institutions founded and managed by the Sisters is St. Francis Hospital of Topeka. It was opened in 1907, corner of Sixth avenue and Garfield street. St. Francis is a general hospital, but has a special maternity department and a training school for nurses. Its mother superior is known to the church as Sister Felicitas. She is a daughter of John McCarthy, the Topeka pioneer, and spent twenty-five years in the West, engaged in hospital work, before being placed at the head of St. Francis Hospital.

MCPHERSON COLLEGE, MCPHERSON, KANSAS

(Owned and Controlled by the Church of the Brethren)

The first attempt to establish a seminary by the Church of the Brethren was made in 1861 by S. Z. Sharp. The same year Elder James Quinter attempted an academy at New Vienna, Ohio. In 1872 there was an attempt to start a school in Western Pennsylvania. It was not until 1876 that the Brumbaughs promoted what is now Juniata College at Huntingdon, Pennsylvania. It began with three students in a room twelve by fourteen. Prof. Jacob Zook was its first president. Educational sentiment now grew rapidly. Mount Morris College, Illinois, was founded in 1879; Bridgewater College, Virginia, in 1880, and McPherson College in 1887.

Today the church has ten colleges and seminaries with over 2,500 students and properties and endowments amounting to \$2,000,000; and this is a denomination of less than 100,000 communicants.

The pioneer college work met with strong opposition and required large vision and great faith and sacrifice. On the 21st day of July, 1887, F. B. Webster, H. B. Kelly, A. Bass, C. August Heggelund, O. Heggelund, Eric Leksell and E. F. Clarke applied for a charter under the title: "The McPherson College Building Association." The charter states that the purpose for which the corporation is formed is to secure the location of a college in or near the City of McPherson, Kansas, and to provide for the erection of suitable college buildings. On May 31, 1889, the charter was amended to reduce the number of trustees to three, said trustees to consist of E. C. Heggelund, C. August Heggelund, and A. Bass. April 25, 1890, the charter was amended so as to empower the association to maintain a college, and on the following July 25th the charter was amended "so as to have five directors," who must be members of the German Baptist Brethren Church, now the Church of the Brethren. The names of said directors were Elder Daniel Vaniman, A. W. Vaniman, J. H. Peck, J. L. Kuns, F. J. Bradly. August 1, 1890, the McPherson College Building Association accepted all the liabilities and resources of the McPherson College and Industrial Institute Association.

The organization of McPherson College was the result of a growing educational movement in the Brethren Church which recognized the need of such an institution west of the Mississippi River. A committee, appointed by an educational meeting at the Annual Conference, held at Ottawa, in June, 1887, located and organized the McPherson College and Industrial Institute. And McPherson citizens, July 21, 1887, organized the McPherson College Building Association. The function of the latter was to build and equip college buildings which were to be turned over to the former association, which was to conduct a college in the same. The funds for the erection and equipment of college buildings were to be derived from the sale of certain lots. The officers of the McPherson College and Industrial Institute Association were S. Z. Sharp, president; M. M. Eshelman, secretary; George Studebaker, business manager.

In the fall of 1888 the dormitory had been completed and September the 5th the first term opened with S. Z. Sharp president. Two hundred and one students were enrolled during the year. By June 17, 1889, the McPherson College Building Association had completed and furnished the dormitory, had laid the foundation of the main building, had passed between \$80,000 and \$110,000 through its treasury, had assets to the amount of about \$40,000, and liabilities amounting to about \$25,000. At that time the McPherson College and Industrial Institute Association was dissolved and Daniel Vaniman, A. W. Vaniman and J. H. Peck, J. L. Kuns and F. H. Bradly became the directors of the McPherson College Building Association, and attempted the conduct and development of the college.

The burden assumed by the new management was a great one. At first they were successful, but when in 1893-95 the financial crisis came the attendance was reduced from over 300 in 1891-92 to less than 200

in 1894-95 and still less in 1895-96. The burden became too heavy, and the business management and faculty reorganized.

The trustees now leased the buildings for three years to five members of the faculty: C. E. Arnold, H. J. Harnly, E. Frantz, A. C. Wieand and S. B. Fahnestock, who elected C. E. Arnold president. The situation was anything but encouraging. There were two large mortgages besides other debts, but under the leadership of these gentlemen the friends of education rallied nobly; in a short time the last cent of indebtedness had been canceled, and in the fall of 1897 a third story and a permanent roof were put on the main building. Since that time the progress of the college has been steady, and now the institution occupies six fine buildings thoroughly furnished for comfort and the best work.

On February 12, 1898, the McPherson College Building Association was reorganized and named McPherson College. The new charter states the purpose of the corporation to be more fully to develop and maintain facilities for the attainment of higher Christian education in harmony with the principles of the Church of the Brethren as defined by her Annual Conference. There were five trustees, all of whom must be members of the Church of the Brethren. The board of trustees were perpetuated by a vote of such persons as had donated \$100 or more either in money or property and held a certificate to that effect.

In June, 1902, McPherson College met an irreparable loss in the death of Pres. C. E. Arnold at the early age of thirty-six years. The following brethren have served as trustees up to time of recognition: M. M. Eshelman, G. G. Lehmer, G. E. Studebaker, F. H. Bradly, J. H. Bosserman, J. H. Peck, J. P. Vaniman, H. J. Harnly, D. Vaniman, A. W. Vaniman, J. L. Kuns, Samuel Miller, Henry Brunaker, F. A. Vaniman, Jacob Whitmore, D. P. Hutchinson, Noah Kuns, E. Frantz, S. B. Fahnestock, Chas. Miller, L. H. Butler, J. J. Yoder, J. Edwin Jones, W. A. Kinzie, C. J. Liehty, A. L. Boyd, F. S. Baker, I. D. Gible, J. R. Pitzer.

The following elders have served as advisory board: Enoch Eby, J. D. Trostle, John Forney, B. B. Whitmer, John Wise, C. M. Yearout, S. W. Fitzwater, C. S. Holsinger, Thos. Winey, Wm. Johnson, M. Keller, A. F. Miller, A. D. Sollenberger, U. Shick, G. Mannon, A. C. Daggett, Wm. Davis, and J. S. Mohler.

Upon the death of President Arnold, Prof. E. Frantz was elected to the presidency and served until forced to resign on account of a nervous breakdown in 1910. During the year 1910-11 Prof. S. J. Miller was acting president. Dr. J. A. Clement was elected president in 1911 and resigned after two years. Dr. H. J. Harnly served as acting president during the school year 1913-14. During this year a reorganization was accomplished and Dr. D. W. Kurtz of the First Church of the Brethren of Philadelphia, Pennsylvania, was called to the presidency.

The reorganization was accomplished largely through the efforts of the acting president, Harnly, and the president of the board of trustees, J. J. Yoder.

Since the completion of the reorganization and the calling of Doctor Kurtz, McPherson College has progressed. The indebtedness has been

paid, and a new central heating plant built, a new ladies' dormitory built, the endowment raised to \$225,000; the faculty and budget almost doubled and the attendance increased 50 per cent.

At the annual stockholders' meeting February 6, 1912, it was decided, by vote of 239 for and 1 against, to increase the number of trustees from five to fifteen, and the first meeting of the enlarged board was called for May 10, 1912. At this meeting it was decided to encourage all the churches in the territory of McPherson College to have some kind of an educational programme or sermon at least once a year and to take in connection with it a free-will offering for McPherson College.

At an executive board meeting September 17, 1912, it was decided to take steps at the coming district meeting of Southwest Kansas and Southeast Colorado to place McPherson College into the hands of this and surrounding church districts.

The district meeting of Southwest Kansas and Southeast Colorado of 1912 appointed a committee to confer with the trustees of McPherson College, looking towards placing the college more directly under the control of the church districts from which it draws its patronage.

At an executive board meeting October 21, 1912, it was decided to call a joint meeting of the board of trustees, the committee appointed by the Southwest Kansas and Southeast Colorado district meeting and a representative from the General Educational Board of the Church of the Brethren.

By November 26, 1913, the election of the new board of trustees by state districts had been completed.

Presidents of McPherson College: S. Z. Sharp, A. M., 1888-1896; C. E. Arnold, A. M., 1896-1902; Edward Frantz, A. M., 1902-1910; S. J. Miller, A. M., 1910-1911, acting president; John A. Clement, Ph. D., 1911-1913; H. J. Harnly, Ph. D., 1913-1914, acting president; Daniel Webster Kurtz, A. M., B. D., D. D., 1914—

Present Board of Trustees of McPherson College: Southwest Kansas and Southeast Colorado—Elder J. J. Yoder, president, McPherson; F. P. Detter, vice president, McPherson; Dr. H. J. Harnly, secretary, McPherson; J. A. Flory, McPherson; J. N. Dresher, McPherson; Emery Martin, Bloom. Northeast Kansas—Rev. F. E. McCune, 1200 New York Street, Lawrence. Southeast Kansas—Gideon E. Shirky, Madison. Northwest Kansas—Elder Geo. W. Burgin, 1500 S. Pearl Street, Denver, Colorado. Northern Missouri—Elder E. G. Rodabaugh, Stet. Middle Missouri—Elder James M. Mohler, Leeton. Southern Missouri—G. W. Gitt, Cabool. Nebraska—U. C. Miller, Carleton. Oklahoma—Elder W. O. Bosserman, Tangier. Western Colorado and Utah—Elder S. Z. Sharp, Fruita, Colorado.

Enrollment by states, 1916-17: Kansas, 246; Missouri, 24; Nebraska, 18; Oklahoma, 13; Colorado, 12; Michigan, 3; Iowa, 2; and California, Idaho, Illinois, Florida, Ohio, Pennsylvania and North Dakota, one each.

Departments maintained: Collegiate, Normal, Academic, Biblical, Expression, Commercial, Agriculture, Domestic Science and Art, Music

and Art; number of professors, 23; number of assistants, 13; enrollment, over 400; number of graduates 1917—Collegiate A. B. 16, Academy 41. Total number of degrees conferred from founding of the college: D. D., 2; L. H. D., 2; B. D., 1; A. M., 17; B. S. L., 4; B. S. D., 189; A. B., 155.

Value of college property and permanent fund: College Campus, 10 acres, \$10,000; Athletic Field, \$1,100; College Agricultural Farm, 150 acres, \$18,750; Richardson Farm, 160 acres, \$14,000; Sharp Administration Hall, \$35,000; Carnegie Library, \$13,500; Gymnasium, \$8,000; Fahnestock Hall (Boys' Dormitory), \$25,000; Arnold Hall (Ladies' Home), \$25,000; Central Heating Plant, \$5,000; Furniture, Apparatus, etc., \$10,000; Library, \$5,000; and endowment (interest bearing) \$157,000. Total, \$327,350.

THE KANSAS CITY UNIVERSITY

The Kansas City University is the result of an earnest purpose, persistently pursued. Nearly three-quarters of a century ago a young man by the name of Mather, a lineal descendant of Cotton Mather, of Colonial fame, "purposed in his heart" to some day found an institution of learning. He was poor and without immediate prospect of realizing his purpose; but, he cherished it until, at the age of eighty-four, he came into touch with a board of trustees, appointed by the General Conference of the Methodist Protestant Church, to establish a school somewhere in the neighborhood of Kansas City. Although a Congregationalist, he recognized his opportunity, and, brushing aside denominational prejudice and preference, he gave his entire estate to this board to help them perform the task laid upon them. Thus, Dr. S. F. Mather of Kansas City, Kansas, became the founder of the Kansas City University, the only educational institution of collegiate grade in Kansas City. Among other friends of the university, without whose generous gifts the institution could not have been established, were Mr. H. J. Heinz of Pittsburgh, Pennsylvania; Mr. Dexter Horton of Seattle, Washington, and Mr. W. S. Wilson of Ohio, Illinois.

In 1913 Campbell College of Holton, Kansas, under the control of the Church of the United Brethren in Christ, was moved to Kansas City, and merged with the university. So that the Kansas City University is now under the joint control of a board of trustees selected one-half by the Methodist Protestant Church authorities, and the other half by the authorities of the Church of the United Brethren in Christ. While not sectarian, the life of the university is distinctly Christian.

It is located at Thirty-third Street and Parallel Avenue, Kansas City, Kansas, and is most beautiful for situation. Its students come from Kansas, Missouri, Iowa, Oklahoma, and other adjacent states. It has large property interests in and about Kansas City, Kansas, out of which it is expected a considerable endowment fund will be realized. Three large, modern and substantial buildings grace a very beautiful campus, and when the building scheme is complete, nine buildings will

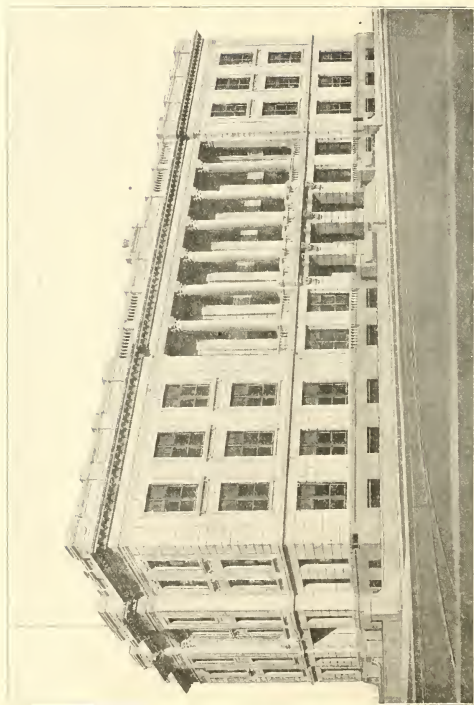
constitute the group. Seven schools constitute the university: Mather College, Wilson Academy and High School, the College of Theology, the College of Music, the College of Expression, the School of Art, and the School of Home Economics. The courses offered are thorough and complete.

KANSAS STATE HISTORICAL SOCIETY

The fact that Kansas leads in corn, wheat, fruit and live-stock is of secondary importance to the fact that she leads in ideals and purposes, for material prosperity can come only as the results of applied ideals. The people who settled Kansas did not come primarily for money-making, but for the purpose of leaving their imprint on the destiny of the nation. They came to make history, but realized that history is of little value unless preserved in a way that it can mean something to posterity. The old word of mouth methods that have given us accounts of the struggles and achievements of our ancestors, have left us a priceless heritage of confidence and self-respect, but these methods do not meet modern conditions, and a place must be provided for the preservation of records, accessible to all, where those who enjoy a civilization bought by their predecessors may learn what this civilization cost, how it was gained, the high purposes back of unselfish devotion to a cause, and be moved to live up to the standards set by those who have gone before.

One of the first corporations to be formed within the boundaries of Kansas was the Historical and Philosophical Society of Kansas Territory. It was chartered by the Pro-Slavery legislature of 1855 with the following Kansans as incorporators: William Walker, the Provisional Governor of the old Nebraska Territory, D. A. N. Grover, David Lykins, John Donaldson, James Kuykendall, Thomas Johnson, William A. M. Vaughn, Lucien J. Eastin and A. J. Isaacs. The object of the organization was the collection and preservation of historical matter, mineralogical and geological specimens, Indian curiosities and antiques and other matters connected with, and calculated to illustrate and perpetuate, the history of the Territory. However, the great deeds which were to make the history of Kansas, and shape the destiny of the nation had not yet been consummated, and nothing was accomplished by the society.

The next effort on this line was the organization of the Scientific and Historical Society, February 1, 1859, with Honorable L. D. Bailey as president, and Dr. S. C. Harrington, librarian. The address of the occasion was given by Samuel A. Kingman. This society was incorporated by the legislature February 7, with the following men as incorporators: Edward Clark, Charles H. Branscomb, R. G. Elliott, William Hutchinson, Charles Robinson, W. I. R. Blackman, Samuel C. Harrington, B. W. Woodard, James S. Emery, E. S. Lowman, James Blood, and Melanethon S. Beach. The society was enabled to make some valuable collections before it was wiped out by the Quantrill raid of



MEMORIAL BUILDING, TOPEKA, HOME OF THE KANSAS STATE HISTORICAL SOCIETY

[Photograph by Willard, Topeka]

1863. It had two hundred and forty-four volumes of books, files of fourteen newspapers as well as natural curiosities and relics.

Nothing more was attempted until 1867, when a private organization called the State Historical Society was formed with purposes similar to those of its predecessors. The first meeting was held March 2, and the following officers were elected: Samuel A. Kingman, president; C. K. Holliday, vice-president; D. W. Stormont, treasurer; Andrew Stark, librarian; George A. Crawford, recording secretary; S. D. Bowker, corresponding secretary. A second meeting was held February 4, 1868, after which nothing more can be learned of the organization. If it had any collections they were lost.

The present Kansas State Historical Society had its inception at the meeting of the State Editorial Association, April 7 and 8, 1875, at Manhattan. A resolution, introduced by D. W. Wilder, named Floyd P. Baker, D. R. Anthony, John A. Martin, Solomon Miller, and George A. Crawford as a committee to organize a Historical Society and to ask the legislature for an appropriation of \$1,000 per year to cover the expense of collecting and preserving historical matter. The resolution was adopted and the Kansas State Historical Society was organized December 13, 1875. Articles of incorporation were prepared and acknowledged before a notary on the 14th and filed with the Secretary of State on the 15th. The incorporators were: Samuel A. Kingman, president of the society; George A. Crawford, vice-president; Colonel John A. Martin, editor of the *Atchison Champion*, treasurer; Floyd P. Baker, editor of the *Topeka Commonwealth*, secretary, and D. W. Wilder, Solomon Miller and D. R. Anthony. The directors included the incorporators and the following additional names: Honorable R. B. Taylor, editor of the *Wyandotte Gazette*; Honorable M. W. Reynolds, editor of the *Parsons Sun*, and Colonel S. S. Prouty.

A bookcase in the office of D. W. Wilder, then Auditor of State, was set apart to receive the collections. The fact that the Society was organized by newspaper men has always been of great advantage, as the newspaper fraternity have taken special interest in adding to the collections, and much valuable material has been gained in this way that is lacking in the collections of other states, where the files of newspapers are not so complete. The first books acquired by the society were from the library of Chief Justice Samuel A. Kingman. These books related to the early history of the State and are very valuable. No money had been received from the legislature, and the membership fees, which were \$2.00 per year, or \$20.00 for life, were the only source of income. In 1876 Mr. Baker resigned and on February 4th of that year, F. G. Adams took his place as secretary. This was the beginning of an important epoch. Mr. Adams later was assisted by his daughter Zu, who was then a school girl. The two worked together at first without direct remuneration, and later as the first paid secretary and assistant. The services of both to the State lasted for the rest of their lives, and were ably and conscientiously performed.

In 1877, the legislature took cognizance of the Historical Society and

appropriated the sum of \$3,000 for the purpose of adding to the collections, and ordered thirty bound volumes of each state publication to be delivered to the secretary for his use in exchanging with other states. The Webb Collection was acquired out of these funds for the sum of \$400. This collection was in the form of seventeen scrap books, kept by Doctor Thomas H. Webb of Boston, when he was secretary of the New England Emigrant Aid Company. One book contains clippings from newspapers all over the United States relating to John Brown,



VIEW OF PRIVATE OFFICE, SECRETARY OF KANSAS STATE HISTORICAL SOCIETY, MEMORIAL BUILDING, TOPEKA

[Photograph by Willard, Topeka]

and the other sixteen are clippings about the Territory of Kansas in the years 1854-'55,-'56. On July 1, 1876, the collections were removed from the bookcase in the auditor's office to a newly finished room under the stairway leading to the Senate chamber. In April, 1877, Secretary Adams published a list of the accessions, which filled an eighteen page book, and showed considerable labor in accumulating and cataloguing. Among the accessions were the files of eighteen old newspapers, and one hundred and seventy-three current publications, and numerous books and pamphlets. Mr. Adams was without pay until 1879, when the yearly sum of \$2,500 was appropriated with the provision that no more

than half of it should be spent for services. The Society was made a trustee of the State, its duties prescribed, regulations made governing the expenditure of money, and the management placed in the hands of a Board of Directors to be elected by the society. The allowance of State publications was raised from thirty copies to sixty. In the two years from 1877 to 1879, one thousand two hundred and thirty-seven volumes were added to the library.

At no time in the history of the society until the building of the Memorial Hall, were the quarters adequate. The work of Secretary Adams was always handicapped for lack of space to properly arrange the material. From its very beginning Kansas had one of the best historical collections of any western state, second only to the collection at Madison, Wisconsin, but much of the matter was not accessible to the public both on account of space, and lack of sufficient clerk hire. In 1882, the collections were moved to a room in the west wing of the State House. In 1886, the legislature made provision for additional clerk hire. The accessions now numbered forty-eight thousand three hundred and five. It was 1894 before the much needed space was granted. The society was given three additional rooms in the south wing of the State House. Secretary Adams said at that time: "The rooms now occupied are in different parts of the basement, inconvenient for use and access to the public." The available space was about one-seventh of that occupied by the Wisconsin Historical Society. In 1895, the legislature voted the society two rooms of the east wing when the capitol building should be finished.

In 1899, the death of Secretary Franklin G. Adams occurred, after twenty-three years of service. His daughter Zu had become the librarian and was a great help to him in his declining years. The accessions had grown during his time from a few volumes in a bookcase to a library of one hundred and fourteen thousand three hundred and seventy-six books, pamphlets and papers. Mr. Adams came to Kansas in 1855, and helped make the history which he was so zealous in preserving. He had a genius for collecting, and his personal connection with historic people enabled him to enrich the Kansas collections with original documents, papers, letters, and manuscripts which could not otherwise have been acquired.

George W. Martin succeeded Mr. Adams as secretary. The State House was now finished and the south wing of the fourth floor was placed at the disposal of the Historical Society. There were six rooms available at once, and two more later. There were now one hundred and nineteen thousand, one hundred and twenty-one accessions besides the museum and the battle flags. Much of this material had been dumped in heaps, where it had lain for years, and the work of moving and arranging it required considerable time. The celebration of the quarter-centennial had been put off for one year awaiting the removal to the new quarters. This was completed in December, 1901, and the celebration was held on the 17th. Judge Samuel A. Kingman, first president, and Daniel W. Wilder, one of the founders, both gave ad-

dressess. Secretary Martin congratulated the society on having at last secured ample quarters in which to expand for a generation, but it was not more than five years till the rooms were again over-crowded.

In 1905, the legislature made the Historical Society a State department of archives and required each State officer to turn over all documents not essential to the conduct of his department, to the Society for reference. The first lot of manuscripts were turned over by General J. W. F. Hughes, of the Adjutant's office.

The Centennial celebration commemorating the first raising of the United States flag over Kansas and Colorado, was held in Republic



VIEW OF THE READING ROOM, LIBRARY OF THE KANSAS STATE HISTORICAL SOCIETY, MEMORIAL BUILDING, TOPEKA

[From Photograph by Willard, Topeka]

County, at Pike's Pawnee Village, September 26 to 29, 1906. The Historical Society had charge of the program for the 27th and addresses were given by George W. Martin and Reverend J. A. Sutton, and articles were written by William E. Connelley, James R. Mead and John B. Dunbar, of Bloomfield, New Jersey.

By January 1, 1908, the accessions had reached three hundred thousand and the secretary asked for additional help and more space. In 1909, the legislature provided for the building of Memorial Hall, which solved the difficulty as far as adequate quarters were concerned, but which was not available until 1914. The money for this edifice came through war claims, but as these claims could never have been proven without the records preserved by the Historical Society, the State could at least afford to furnish the Society with as much room in the new building as needed in order to properly care for these records, which

are of great financial, as well as educational value. This was done, but before it was ready for occupancy, both the Secretary, George W. Martin, and the Librarian, Miss Zu Adams, had passed away. Miss Adams had known no other work but that of the Society, in which she took a deep interest. Her death, April 12, 1911, was a great loss. George W. Martin was one of the earliest newspaper men of the State. He lived through most of the history as it was in the making, and the Historical Society is the richer for his experience. He passed away March 27, 1914.

The work of removing the collections to the new building fell to the present Secretary, William E. Connelley. The task was attended with great difficulties. The cost of the moving was variously estimated from \$5,000 to \$25,000, but there was only \$700 on hand which could be used for the purpose. The dedicatory services of the Memorial Hall were held May 27, 1914, and the moving was done that summer. The Museum, the Goss Collection, and the Historical Collections were all taken to the new building in ten weeks time and at an expense of less than \$2,000. The employees did the work with the aid of a one horse wagon, instead of letting the job to a contractor, and saved the State thousands of dollars. The Museum and Goss Collection occupy the entire fourth floor. On the third are reading rooms and shelving space for books, and on the second is the G. A. R. headquarters, the Auditorium, and the historical books with reading tables and offices for clerks. The offices of the Secretary, Treasurer, and Librarian of the Society, the headquarters of the Spanish-American War Veterans, the Department of Archives and office of the clerk of archives and shelving for the newspaper department are on the first floor.

The accessions at present number six hundred and sixty-one thousand, one hundred and twenty-nine, of which two hundred and fifty-two thousand five hundred and four are library volumes, some fifty thousand are manuscripts, ninety-five hundred portraits and pictures, eight thousand and thirty maps and atlases, ten thousand relics in the museum, and a total of three hundred and thirty-one thousand and ninety-five pieces in the Department of Archives which includes separate manuscripts and manuscript volumes. There is a co-operative arrangement with the State Library to avoid duplicating historical books.

The officers of the society elected at the annual meeting in 1916 are as follows: Charles S. Gleed, President; George P. Morehouse, first Vice-President; Robert M. Painter, second Vice-President; William E. Connelley, Secretary; Mrs. Mary Embree, Treasurer; Miss Clara Francis is the Librarian.

It has been said by people whose work takes them to the historical libraries of the country, that the Kansas collections are superior to all others in the respect that they preserve a history of the people instead of a mere history of the great men. The biographies of the most ordinary persons are kept, and the activities of the plain people who make up the world are not overlooked.

ELIZABETH N. BARR.

ACADEMY OF SCIENCE

The Kansas Natural History Society, which later became the Academy of Science, was organized at Lincoln College (now Washburn), September 1, 1868. Professor B. F. Mudge was president; J. S. Whitman, vice-president; John Barker, secretary; Frank Snow, treasurer; and John A. Banfield curator. At the third annual meeting, held at Lawrence, September, 1870, the scope of the Society was extended to include all the sciences. In 1871, the name was changed to the Academy of Science, and two years later the organization was incorporated as a State institution. It was made a co-ordinate department of the State Department of Agriculture and used the same offices. The reports of the Academy were published in connection with those of the Agricultural Department and the State was at no expense until 1895, when the legislature made a yearly appropriation of \$500 for a stenographer, and \$300, for postage.

The Goss Ornithological Collection was donated to the State in 1881, and ten years later was turned over to the Academy of Science. In 1897 a curator was provided by the legislature. Professor B. B. Smythe, who had been interested for a number of years in the work of the Academy, took this office. The Goss Collection was separated from the Academy in 1905.

The Secretary of the Academy was placed on a salary of \$1,000 a year in 1903, and from that time to the present, the total yearly appropriation to the Academy for all purposes has been \$1,300. The organization has fostered an important work and one vital to the development of the natural resources of the State. This is due largely to the fact that the scientific men interested have labored gratuitously. The geological survey of the '90s, which was done under direction of the University of Kansas, and credited to that institution, was brought about by the efforts of the Academy of Science. It has catalogued the plants and minerals of the State. It exchanges with more than five hundred similar societies all over America and Europe, and has given Kansas a standing in respect to scientific research. These scientific investigations have a practical bearing on the industrial problems of the people as is shown by the following selected from the thirty-eight subjects treated in 1914:

1. Corn oil as a substitute for olive oil.
2. The search for potash in Kansas.
3. The value of cheap water power in Kansas, and how to obtain it.
4. Increased efficiency of telephone communication by utilization of its by-products.
5. Commercial opportunities with Kansas plants of medicinal value.

Through the secretary, W. W. Swingle, A.M., the Academy is bringing eminent scientists to the State to lecture to the general public free of charge. These men could not be secured at any price without the influence of a scientific organization. The Academy is beginning an oil and gas survey of the State at its own expense.

ELIZABETH N. BARR.

STATE LIBRARY

The Territorial Legislature of 1858 founded a library under the management of a Commission consisting of the Governor, Secretary of State, President of the Council, Speaker of the House of Representatives, and the Librarian. The Librarian was appointed by the Governor. Rules governing the care and use of books were passed in 1859. In 1861 the services of the Librarian were discontinued and the property, consisting of maps, charts, pamphlets, and books were put in the care of the State Auditor. Here they remained until 1870 when an appropriation was made and a Librarian provided for. David Dickinson was appointed to the position. A catalogue system was inaugurated and the Librarian was requested to stamp the books, "Kansas State Library." There were then six thousand, three hundred and six volumes. Upon the death of Mr. Dickinson in 1879, Samuel A. Kingman became Librarian. He was succeeded in 1881 by Hamilton J. Dennis, who died October 12, 1894. James L. King then became Librarian and was succeeded by Mrs. Annie L. Diggs, in 1898. Mr. King again became Librarian in 1902, and holds the position at the present time.

For the first twenty years the Library increased at the rate of about one thousand volumes per year. There are now one hundred and thirty-five thousand volumes collected through a period of fifty-eight years. It is one of the best law libraries in the West.

ELIZABETH N. BARR.

MASONIC LODGE

The first organization of Masons in Kansas was the Grove Lodge, formed in Wyandotte, August 11, 1854. The officers were: John Chivington, Mathew R. Walker, and Cyrus Garrett. Other members were: Lewis Farley, Mathew Russell, Jacob Branson, and A. P. Searey. It became Wyandotte Lodge, No. 3, now in Kansas City, Kansas.

The second lodge was organized at Smithton, with John W. Smith, S. Reinhart, and D. D. Vanderslice as officers. The meetings were held in the open air for several months. In 1856 the lodge was moved to the Nemaha Indian agency; in 1857 to Iowa Point; in 1872 to Highland, where it remains.

The third lodge was organized at Leavenworth, December 30, 1854. The officers were: Richard R. Rees, Archibald Payne, and Auley Macauley.

The Lawrence Lodge was formed September 24, 1855, with the following officers: James Christian, James S. Cowan, and Columbus Hornsby.

The fifth lodge was organized at Kickapoo, November 5, 1855. John H. Sahler, P. M. Hodges and Charles H. Grover were the first officers.

The Kansas Grand Lodge was completed March 17, 1856, with Richard R. Rees, grand master. The lodges received their charters in the following order: Smithton, No. 1; Leavenworth, No. 2; Wyandotte, No. 3; Kickapoo, No. 4; Atchison, No. 5; Lawrence, No. 6. This has led to some controversy as to the order of their organization.

There are at present four hundred and six lodges in the state, with a combined membership of forty-two thousand, four hundred and twelve, six Scottish Rite Consistories, and four Mystic Shrine Temples.

ELIZABETH N. BARR.

ODD FELLOWS LODGE

On March 2, 1857, the National Grand Lodge of the Independent Order of Odd Fellows issued a charter authorizing Benjamin D. Castleman, Henry W. Martin, Caleb B. Clemens, Francis Grasmuck, and Charles Millican to form a lodge at Tecumseh, Kansas. They met and organized on the 23rd of that month. The second lodge was Leavenworth, and within the year lodges were organized at Wyandotte, Lawrence and Atchison. On June 2, 1858, these five lodges met at Tecumseh and effected a state organization, with John Collins as grand master and George W. Brown as grand secretary.

The women's auxiliary to the Odd Fellows is the Rebecca Lodge, which has been established in nearly every town where the Odd Fellows have organized. A Rebecca Home was opened at Manhattan in 1906 with accommodations for thirty adults and sixty children.

The total membership of the Odd Fellows throughout the state, January 1, 1915, was forty-nine thousand, two hundred and thirty-eight.

ELIZABETH N. BARR.

MODERN WOODMEN OF AMERICA

The order of Modern Woodmen was founded in 1883, and was introduced into Kansas about 1888. The total membership of the organization in America is one million, of which eighty-one thousand are in Kansas, which places this order at the head of the list of fraternal and benevolent societies in the State. The women's auxiliary of this organization is called the Royal Neighbors.

ELIZABETH N. BARR.

KNIGHTS OF PYTHIAS

The Order of Knights of Pythias, which originated in Washington, D. C., in 1863, was introduced into Kansas by Supreme Chancellor Charles D. Lucas, who effected the organization of five lodges in 1872. The first was Myrtle Lodge, No. 1, at Lawrence, April 4; the second was Fellowship Lodge, No. 2, at Wyandotte, April 11. Seneca Lodge was organized at Leavenworth, July 26; Independent at Olathe, August 2; Cydon at Salina, August 9. These five lodges met under the direction of Supreme Chancellor Berry on September 4, at Lawrence, and organized the Grand Lodge of Kansas with the following men as officers: J. C. Welsh, H. J. Canniff, W. A. Offenbacher, G. G. Lowe, J. A. Bliss, M. C. Dunn, W. C. Elder, and Jacob Weiss.

Soon after the State organization was formed, Chancellor Canniff

suspended Myrtle Lodge, and it was dissolved three years later and the name and number were given to the Wyandotte organization. Nine lodges were founded in 1872, which was the largest number organized in any one year until 1880. From 1881 to 1891, the order increased from thirty-two to two hundred and seventeen lodges with a combined membership of eleven thousand. Twenty years later the number of lodges had decreased to one hundred and sixty-eight, but the total membership was practically the same.

The women's auxiliary of this order is called the Pythian Ladies.

ELIZABETH N. BARR.

KNIGHTS AND LADIES OF SECURITY

The Knights and Ladies of Security, which is the newest and most rapidly increasing of the fraternal and benevolent societies of the country, had its birth in Kansas. It was organized in 1892, by Dr. H. A. Warner and George H. Flinham. A charter was taken out February 22, and a campaign for members inaugurated, which in four years resulted in four hundred local lodges in ten states. By 1911 the total membership in thirty states had reached one hundred and twenty thousand, one-fourth of this number being in Kansas. There are at present two thousand, nine hundred lodges in the United States, with a total membership of one hundred and seventy-five thousand, of which forty thousand are in Kansas.

Soon after the organization of the order, W. B. Kirkpatrick was elected National President. This office he held until 1916, when his son, J. M. Kirkpatrick succeeded him. The present National Secretary is John V. Abrahams.

The assets of the organization have increased from \$500 to \$3,000,000 in twenty-four years.

The national headquarters of the Knights and Ladies is at Topeka where it was first organized, and its phenomenal growth is the result of the work of Topeka men and women.

ELIZABETH N. BARR.

ELKS LODGE

This is a comparatively new secret order, having originated in 1868 in New York City. The first lodge in Kansas was organized at Topeka in 1891. It grew from twenty-six to five hundred members and built a fine club house in 1907. The Topeka lodge assisted in the organization of other lodges in the principal cities of the State, and by 1908 there were a number of strong local lodges, and an attempt was made about that time to form a State Grand Lodge. Nothing came of the effort and as there is no State organization the history of the Elks in the State is the history of the individual lodges, of which it is difficult to obtain information.

The Kansas City lodge was organized in 1898, grew to a body of six

hundred members and built a \$40,000 club house. Other strong lodges are at Wichita, Leavenworth, Hutchinson, and Pittsburg.

The full name of the order is the Benevolent and Protective Order of Elks and the aim is to be of assistance to those who are sick or in distress whether they are in any way connected with the lodge or not. The Elk lodges of the country dispense half a million a year benefits.

ELIZABETH N. BARR.

GRAND ARMY OF THE REPUBLIC

Department of Kansas

At the first national encampment of the G. A. R. at Indianapolis, Indiana, in November, 1866, Major T. J. Anderson, of Topeka, secured the consent of the order to merge the Kansas organization known as the Veteran Brotherhood into the Grand Army. This was done the next month, and John A. Martin was made Department Commander. In the national encampment at Philadelphia, in January, 1867, Kansas was represented by James G. Blount and W. S. Morehouse. There were then about thirty-six posts in the State. After this the G. A. R. in Kansas suffered a decline and was not represented in the national encampment again until 1872, when Commander W. S. Jenkins was present, and the Kansas Department, which had been dropped for non-payment of dues, was reorganized. But in spite of encouragement from the national headquarters, the Kansas organization dwindled until in 1876 one post at Independence was all there was left. The G. A. R. was under political ban and the veterans were afraid to join.

In 1878 a reunion was held at Leavenworth which was largely attended by veterans from all the surrounding states. The meeting was a very enthusiastic one and marks an epoch in the history of the Department of Kansas. The project of establishing a National Old Soldiers' Home at Leavenworth was endorsed, and the Kansas G. A. R. had something definite to work for. The organization began to gather strength, and, in 1879, Kansas became a permanent department of the National G. A. R. The next three years were spent in establishing posts over the State, and in 1882 the first State Encampment was held at Topeka. In 1883 there were one hundred and seventy-five posts in Kansas. In 1884 the efforts toward securing a National Soldier's Home at Leavenworth culminated in an act of Congress authorizing such an institution and appropriating \$250,000 for buildings. The city of Leavenworth secured the Home by the donation of six hundred and forty acres of land. This institution is among the finest of any kind within the State, and has a capacity of caring for 2,000 veterans.

The Women's Relief Corps which has been an important auxiliary to the Grand Army was organized in Kansas in 1883. The Ladies of the G. A. R. was organized shortly after the National Convention of that order in Chicago, November 18, 1886. It was organized by women who originally belonged to the W. R. C., but separated from that body because

the membership was no longer to be confined to the immediate families of soldiers.

The Grand Army was without official recognition until 1895. In that year the legislature gave them two rooms in the state house as a headquarters. In 1899 the sum of \$1,000 was appropriated to furnish the rooms and properly display the relics, flags, and collections in possession of the organization. A part of this fund was to be used in publishing the reports which should be made by the Department Commander to the Governor. This appropriation was made regularly by succeeding legislatures.

The motto of the Grand Army of the Republic is "Fraternity, Charity, and Loyalty." The organization has cared for the comrades and their families in want and sickness and provided burials at death. It secured the State Orphans' Home at Atchison, the State Soldiers' Home at Fort Dodge, and assisted the Women's Relief Corps in establishing the Mother Bickerdyke Home at Ellsworth. The building of a Memorial Hall, instead of a useless monument, out of the war claims paid the State by the national government is to be credited to the Grand Army. In fact, the money for the payment of these claims, which had been on hand for forty years, might never have been turned over to the State, had it not been for the activities of the G. A. R. in the matter. This money was in two claims, one for \$97,466.02 for equipping and putting soldiers in the field in the Civil War, and the other for \$425,065.43 for repelling invasions of Confederates and putting down Indian troubles.

As soon as the payment of this money was assured, the G. A. R., through Department Commander W. A. Morgan, took steps to secure the necessary legislative act appropriating the money for the Memorial Hall. John C. Nicholson, of Newton, who as state agent had received the money from the Government, assisted in framing the bill. It was introduced by F. Dumont Smith and passed in 1909. The act provided for a Commission, of which the Governor should be chairman, the Secretary of the Historical Society should be secretary, and the Speaker of the House, the Lieutenant Governor, the Department Commander of the G. A. R., one member of the house and one of the senate should be members. The duties of the Commission were to select the site, acquire a title to it and supervise the construction of the building. The corner stone of the building was laid September 27, 1911, by President Taft. The ceremony was in connection with the G. A. R. reunion, the first held since 1885. The legislature specified that the building should be a Memorial to Union and Spanish War soldiers and sailors, and that it should be fire-proof and suitable for the uses of the Grand Army and the Historical Society.

Memorial Hall was finished in 1914, and dedicated May 27, in the presence of 25,000 people, one-fifth of whom were veterans. The speakers of the occasion were Governor George H. Hodges, who formally pre-

sented the building to Department Commander J. N. Harrison; Commander-in-chief Washington Gardener, and Captain Joseph G. Waters.

ELIZABETH N. BARR.

MOTHER BICKERDYKE HOME

Ellsworth, Kansas

The credit for founding a home for the widows, mothers and daughters of deceased soldiers, is due to the Women's Relief Corps of the G. A. R. They began a movement to this end sometime in the '90s. A sum of money was realized from the sale of the Mary A. Bickerdyke book, and they decided to name the institution in her honor. The G. A. R. convention grounds at Ellsworth, Kansas, which had been deeded to that organization by Arthur and Alice Lakin, in 1888, were turned over to the W. R. C. as a site for the new Home, February 25, 1897. The parties to the transfer were Theodore Botkin, Department Commander of the G. A. R., and Mrs. Julia A. Chase, President of the W. R. C.

The legislature appropriated \$4,837, which was used to repair the buildings. One large building was fitted up for a hospital, and fifteen three-room cottages for residences. For the first four years the institution was supported with but slight aid from the State. Each member of the W. R. C. was taxed twenty cents per year for the Bickerdyke Home fund, and donations from the general public were received.

In 1901, the conditions of the original deed from the Lakins to the G. A. R. having been broken by that organization, the property came into possession of the State according to the provisions of the deed. The State took charge of the Mother Bickerdyke Home and made it an annex to the State Soldiers' Home at Fort Dodge, placing it under the same management and applying the same rules and regulations. In 1906 the State began adding new buildings, and the Home at present embraces one hundred and sixty acres of land, a twenty-five room hospital, a thirty-room barracks for invalids, fifteen brick cottages, an eight room cottage for the superintendent and physician, church, commissary, barns, sheds, outbuildings, waterworks and electric lights. The cost of maintenance is slightly in excess of the per capita at Fort Dodge on account of the farm work being done exclusively by hired labor.

ELIZABETH N. BARR.

STATE SOLDIERS' HOME

Fort Dodge

The first efforts to secure a State Home for old soldiers were made by the G. A. R. post at Dodge City. At their suggestion Congress was asked to donate the old Fort Dodge military reservation with its buildings to the State for that purpose. Congress acted on the matter in 1889, transferring the land to the State of Kansas for a consideration of \$1.25 per

acre, and specifying that the State should maintain a Home on it for the care of officers, soldiers, and marines, and their dependent parents, widows or orphans. The tract thus acquired by the State contained about one hundred and twenty-seven acres, located on the Arkansas River, five miles east of Dodge City, and was paid for by the people of that town. There were twelve large stone buildings and about twenty smaller wooden ones when the State took possession. These were repaired as far as possible, using an appropriation of \$5,000, which was made for the first year, and the Home was opened January 1, 1890.

The Governor appointed three men as a Board of Managers, J. D. Barker, Ira T. Collins, and Henry Booth. The first Commandant in charge of the Home was Captain D. L. Sweeney, of Dodge City. In the first few months one hundred and twenty-eight inmates were admitted. As more than half of these were children under sixteen years of age, a school was started in one of the buildings. Ford county donated \$5,000 to buy additional land, raising the acreage to two hundred and forty-six acres. The farm was put under cultivation as rapidly as possible. An irrigation plant was installed and a small tract near by was set aside for family gardens, each man being given a small allotment for this purpose. The cost of maintenance in the early years was \$101.60 per capita as against \$209.00 for the year 1916.

In 1896 the population had grown to five hundred, in addition to which was a large number of officers and employees, and new buildings were begun. The original plan of providing barracks for single men and cottages for married men with families was carried out. Quarters containing six rooms each were built for the surgeon, quartermaster and adjutant, and seventeen cottages for families. Buildings were moved, divided and remodeled, and new ones added, on the plan of a village with public square, streets and shops. There is a general store, post-office, barber, shoe and harness shops, G. A. R. hall, school, library, hospitals, dispensary, commissary, waterworks, electric lights and cement sidewalks. The residential equipment includes a home for the Commandant, quarters for the officers and employees, commodious barracks for the single men and two hundred and ten cottages for families. The grounds have been beautifully planned and well kept. S. S. Martin is the present commandant. Present Board of Managers, J. N. Harrison, Chairman, Henry R. Wells and Agnes Michaelis.

ELIZABETH N. BARR.

JOHN BROWN MEMORIAL PARK

Osawatomie

At the State meeting of the Women's Relief Corps, in 1907, a resolution was introduced by Mrs. Cora Deputy to buy the John Brown battlefield at Osawatomie and have it set apart as a public park. The tract,

which consists of a little more than twenty-two acres of ground, was the scene of the famous battle between John Brown's band of about thirty Free-State men and more than ten times that number of Missourians under General John Reid, on the morning of August 20, 1856. The land had been bought by Major J. B. Remington, the son-in-law of John Brown's half-sister, who was keeping it intact until such a time as it would become public property.

After a two-year campaign for funds under Mrs. Anna Heacock, president of the organization, the W. R. C. raised the necessary sum of \$1,800, bought the battlefield and presented it to the State. A celebration was held August 30 and 31, 1910, the fifty-fourth anniversary of the battle. The dedicatory services were delayed one day in order that Colonel Theodore Roosevelt might give the principal speech. Other speakers of the occasion were: Gifford Pinchot, James R. Garfield, Captain Joseph G. Waters, Mrs. Sarah E. Staplin, president of the W. R. C., and N. E. Harmon, commander of the G. A. R. The monument raised in 1877 in honor of the heroes of this battle, stands in the park. It marks the spot where Fred Brown, son of John Brown, was buried. There were five survivors of the battle at the dedication of the park.

ELIZABETH N. BARR.

DEPARTMENT OF AGRICULTURE

The Department of Agriculture is the outgrowth of the Kansas State Agricultural Society, which was organized for the first time in front of the old Topeka House, July 16, 1857. An Executive Board was chosen. Hon Alfred Larzalere was elected president, and Hon. C. C. Hutchinson, secretary. Complete sets of the Agricultural reports of New York, Ohio, Indiana, Michigan, and a number of the newer states, were collected and are now in the State Library. Beyond this, the society was able to accomplish very little and soon became dormant. A society under the same name was organized in 1862. A constitution was drawn up, and officers elected as follows: president, Lyman Scott; secretary, F. G. Adams; treasurer, Isaac Garrison; and an executive committee of ten members, E. B. Whitman, F. P. Baker, W. A. Shannon, C. B. Lines, J. C. Marshall, Martin Anderson, Thomas Arnold, J. W. Sponable, Welcome Wells and R. A. Van Winkle. The secretary was the only paid officer, and his salary was fixed by the Executive Committee. Expenses were met by an annual fee to members of \$1.00, or \$10.00 for life membership. The activities of the society consisted in holding State fairs at different towns, reporting experiments, improvements in methods of cultivation, varieties of seeds, feeding and breeding stock, statistics and other matters calculated to promote the general prosperity of the State.

The society began the publication of the *Kansas Farmer* in 1863. The first fair was held that year at Leavenworth. The state contributed \$1,000 toward it. Owing to unsettled conditions no fairs were held in

the next two years. In 1865, John S. Brown was elected secretary, and became editor of the *Kansas Farmer*. He resigned the next year, and H. J. Strickler took his place. The second fair was held at Lawrence, as that town raised \$2,006.00 for the purpose. In the succeeding years fairs were held at Ft. Scott, Leavenworth and Topeka. In 1870, Alfred Gray was elected secretary. He held the office until his death in 1880, becoming in the meantime a State officer.

The Act which converted the Kansas State Agricultural Society into the State Board of Agriculture was passed February 19, 1872. It provided that the officers of the Society should continue to the end of their



WALLS OF CORN IN KANSAS (NEOSHO COUNTY)

terms as officers of the Board of Agriculture. The county societies which had been organized as auxiliaries to the State society, were to become a part of the new Department of Agriculture, and the county Boards were given the right to send their president, or other representative, as a voting delegate to the annual election of officers. At this meeting a president, vice-president, secretary, treasurer and five board members were to be elected, and these, together, should constitute the State Board of Agriculture. In accordance with the provisions of the Act the Kansas State Agricultural Society formed itself into the State Board of Agriculture March 12, 1872.

An appropriation of \$35,000 was made for the purpose of awarding premiums at fairs held under the direction of the Board in 1872. The Shawnee County Agricultural Society tendered \$2,000 in cash and the

use of a \$30,000 grounds, and the fair was held at Topeka. The next year it was held at the same place, and at Leavenworth in 1874. The Board then decided that it was not their business to hold fairs and the enterprise passed into other hands.

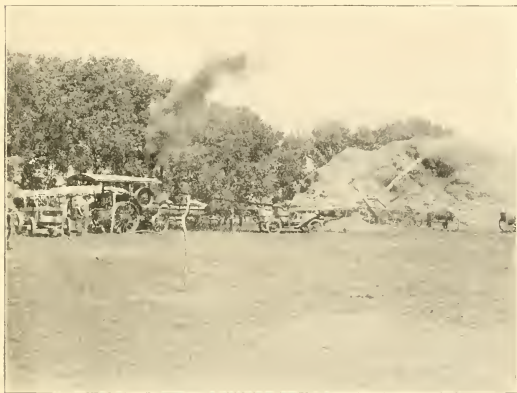
In 1873 the work of collecting information regarding different Kansas localities calculated to assist the prospective settler was begun. For twenty years this was an important part of the work of the Board, as was also the collection of agricultural and geological specimens for exhibition. The information thus collected was disseminated in pamphlet form where it would reach not only the eastern people, but foreigners as well. In 1882, Secretary Sims had pamphlets printed in German, Swedish, French, Bohemian, and Danish, and every effort was put forth to influence the superfluous population in this direction. The Kansas exhibit at the Centennial in 1876 was in the hands of a committee appointed for that purpose, but the Secretary of Agriculture gave valuable assistance in collecting the material which surprised all the Eastern states and cleared the name of Kansas from much of the odium hitherto attached to it in most minds. The result was a great influx of settlers and rapid development of the eastern half of the State. The work of the Board of Agriculture grew so that before the end of Gray's administration, the following officers had been added: Assistant secretary, auditor, geologist, entomologist, meteorologist, botanist and chemist. In 1883 a sorghum commissioner was appointed.

After the death of Secretary Gray in 1880, J. K. Hudson was elected to the place but resigned in October, 1881. His unexpired term was filled out by F. D. Coburn. In 1882, William Sims became secretary and served until 1888. The department was now issuing weather and crop bulletins monthly from April to September, quarterly bulletins concerning soils, kinds of crops to plant, improved methods of cultivation, and the care of live stock, and annual reports of population, county by county, churches, schools, valuation of property, kinds and values of crops and live stock. One of these publications announced that it has been determined that the eastern half of Kansas is productive.

When Martin Mohler became secretary in 1888, attention was just beginning to be turned to Northwestern Kansas, and the problem of the next few years was to find suitable crops for that area, as well as for the so-called arid districts of the west. In 1891 alfalfa came to the rescue in some localities, and the secretary asked farmers who had raised this crop to report their experiences. It was enrolled with other important crops in the statistical reports. The bounty for Kansas sugar in this same year, necessitated the appointment of a sugar inspector.

The Board of Agriculture held a special meeting in April, 1891, to make arrangements to have Kansas suitably represented at the World's Columbian Exposition. Although a committee was put in charge of the matter, Mr. Mohler visited a large number of the counties in person to collect funds and materials and create an interest in the work of the Board of Agriculture. An exhibit which placed Kansas in the front ranks as an agricultural State was the result.

With the selection of F. D. Coburn, as secretary, in 1894, a new era began in the work of the department. It was changed from an advertising bureau to an educational bureau. The yearly meetings of State and county boards had gradually become farmer's institutes. Some of the most important subjects on which the people were instructed in the twenty years of Mr. Coburn's incumbency were: the construction of silos and the use of ensilage, the advantages of raising thoroughbred stock, and the care and breeding of such stock, improved methods of feeding, improved seeds and improved methods of cultivation, methods of fighting grain and fruit pests, combating diseases of animals, road building, and sugar beet raising. The introduction of new varieties of seeds was a



THRESHING SCENE IN KANSAS

great factor in bringing the western part of the State under successful cultivation, and the pamphlets issued by Mr. Coburn carried the results of experiments in this line to the people.

In 1901, J. C. Mohler, the present Secretary of the Board of Agriculture, began work in the department as assistant to Mr. Coburn, and upon the resignation of the latter in 1914, succeeded him as secretary.

ELIZABETH N. BARR.

STATE BOARD OF HEALTH

The State Board of Health was established by the legislature in 1885. The act provided that the governor should appoint a board of nine physicians who were graduates of medical colleges and had practiced seven

years, to supervise the health interests of the people of the state. The Board was to serve without pay, but had the power to elect a secretary and fix his salary. The county commissioners in each county were empowered to select local boards of health to co-operate with the state board. These local boards had power to select a physician in each county as health officer and fix his salary. Some of the duties of the board, as enumerated by the law, were: To inquire into the causes of disease, epidemics and mortality; to collect and preserve information on health matters; to advise officers of the government on such things as drainage, water supply, waste material, heating and ventilation; to keep a registration of marriages, births, deaths and diseases.

The following physicians composed the first board: G. H. T. Johnson, C. H. Guibor, D. W. Stormont, D. Surber, J. Milton Welch, H. S. Roberts, J. W. Jenny, W. L. Schenck, T. A. Wright. They held their first meeting April 10, 1885, and elected Dr. J. W. Redden, secretary. A set of rules were formulated to govern the state and county health boards and officers in carrying on their work. Blank forms were made out for reporting marriages, births, deaths, diseases and burials. Some of the first work undertaken was the abatement of nuisances, such as hog pens, cattle yards, cess-pools, garbage, filthy alleys, night soil, dead animals, diseased meats, impure ice, and the contamination of streams and wells. A great deal of literature was distributed and within two years practically all the counties had their health boards and health officers. For some time there was little interest among the people in this work, which was a hindrance in obtaining results.

In 1888 the following standing committees were created by the board to take charge of the different departments of the work:

1. Legislation, Revision of Rules, and Library.
2. Hygiene of Occupations and Railroad Sanitation.
3. Epidemic and Endemic Diseases and Quarantine.
4. Topography, Meteorology, Hygiene of Public Institutions.
5. Water Sources, Sewerage, Drainage, Disposal of Substances injurious to Health.
6. Especial Sources of Danger to Life and Health.
7. Adulteration of Food and Drugs.
8. Heating, Ventilation, Lighting and Hygiene of Schools.
9. Vital Statistics, Registration, Meteorological Service and Nomenclature.

To these were added one on Executive and one on Finance. With a few alterations these committees stood until about 1909, when the work of the Board was gradually separated into divisions which were created from time to time. Dr. M. O. O'Brien succeeded Dr. Redden as secretary in 1891. He held the office until 1895; Dr. Thomas Kirkpatrick from 1895 to 1897; Dr. H. Z. Gill from 1897 to 1899; Dr. W. B. Swan from 1899 to 1901; Dr. Charles Lowry from 1901 to 1904, and Dr. S. J. Crumbine from that year to the present.

The difficulties which beset health work prior to Dr. Crumbine's administration were the lack of laws, lack of money, and lack of interest on

the part of the people, and the chief efforts of the Board had been along these lines. The educational work carried on at that time had much to do with what has been accomplished in the last few years. The Pure Food and Drug act of 1906 put a valuable weapon in the hands of health authorities. The "swat the fly" campaign has done much to make people realize that dirt and disease are a disgrace to an intelligent community. The common drinking cup has been abolished, and the paper towel has taken the place of the roller towel in public places. Tuberculosis sanitariums have been established through agitation by the Board of Health, and a fight made on eigarettes. The public has at last been awakened to the practicality of preventing disease.

The divisions into which the work of the Board have been separated are as follows:

1. Division of Food and Drugs, established in 1907. L. A. Corgdon, Assistant Chief Inspector.

2. Division of Water and Sewerage, established in 1909. C. A. Haskins, engineer; C. C. Young, director of labratory.

3. Division of Vital Statistics, established in 1911. W. J. V. Deacon, registrar.

4. Division of Communicable Diseases and Sanitation, established in 1913. Dr. John J. Sippey, epidermologist; Dr. Sarah Greenfield, baeteriologist.

5. Division of Child Hygiene, established in 1915. Dr. Lydia Allen DeVilbiss, director.

ELIZABETH N. BARR.

PUBLIC UTILITIES COMMISSION

The law creating a Public Utilities Commission in place of the Board of Railroad Commissioners took effect May 22, 1911. Authority was given the new commission to control all public utilities and all common carriers doing business in the State of Kansas. A "public utility" is defined as a "corporation, company, individual, association of persons, their trustees, lessees or reeeivers who now or hereafter may own, control, operate or manage, except for private use, any equipment, plant, generating machinery or any part thereof" for the transmission of telephone or telegraph messages or for the conveyance of oil or gas. The term "common carriers" was construed to mean all railroad or express companies, including street car companies.

The Board of Railroad Commissioners, the powers of which were extended by the act creating the Utilities Commission, was organized January 9, 1911. From that time until the organization of the new commission, May 22, seventy-one cases were disposed of. Upon the order of the commission, the return goods rule was re-established, and the Kansas lines were required to make their minimum weight rules on earload shipments of hay, grain and lumber, conform to the interstate rules.

The Public Utilities Commission was organized with George Plumb, chairman, and E. H. Hogueland, secretary. W. G. Grice succeeded Mr. Hogueland, June 14, 1912. There were four hundred cases filed from May 22, 1911, to November 30, 1911. Most of them involved rates, services, facilities and securities of common-carriers, and public utilities of the State. The sale of bonds and stocks, the consolidating of companies, etc., are within the power of the commission, so that the public may be protected against fake sales. The public utilities and common carriers have recourse to the courts in case they think the Commission unfair. From December 1, 1912, to November 30, 1914, six hundred and three cases were settled. The work is extensive and divided into three departments, legal, rate, and engineering. Aside from the members of the commission and the heads of the departments, there are thirteen people employed.

ELIZABETH N. BARR.

STATE PRINTING PLANT

The original plan in handling the State printing was through a State Printer elected by the legislature. The Secretary of State, Treasurer and Attorney-General formed a committee to decide what printing was necessary. The work was then turned over to the State Printer who had it done in his own shop at an immense profit. Almost from the founding of the State there was agitation to build a State Printing Plant, but the idea was unpopular with the politicians on account of the job being such a good political asset. The profits to the State Printer were estimated at \$25,000 to \$30,000 per year. The cost to the state was \$50,000 to \$60,000 more than at present in spite of the increase in necessary printing in all State departments, and the raise in the price of stock. Half of this probably went to the State Printer, and the other half into useless printing, for which there is now no temptation.

In 1903, an amendment to the constitution was submitted providing for the election of a State Printer by the people. It carried at the general election of 1904, and the next legislature passed a bill providing a salary of \$2,500 for this office, and for the building of a State Printing Plant. An appropriation of \$6,000 was made to buy a site and a commission created to take charge of building and equipping a plant. The three men who served on this commission were, George E. Tucker, C. S. Gleed and E. P. Harris. The new law provided that the Secretary of State, Attorney-General, State Printer and State Printing Commission should constitute a committee to decide upon what printing should be done.

The first step of the State Printing Commission was to purchase lots at the corner of Tenth and Jackson streets. A building was then begun. The term of the new State Printer commenced before the building was ready and the commission bought the plant of the outgoing

State Printer, George A. Clark. This plant had been bought and installed by General J. K. Hudson when he first became State Printer in 1895, and had passed from one State Printer to another. It was moved to the new building when that was completed, and, with the addition of typesetting machines, formed the basis of the present State Printing Plant, which is now the finest west of Chicago.

In 1913, the sum of \$150,000 was appropriated to enlarge the plant sufficiently to handle the state publication of school books. These funds were placed under the management of the School Book Commission. Additional land adjacent to the plant was bought, the building was enlarged and new machinery bought. The institution as it stands cost the state \$200,000, which is not a large amount considering the cost of up-to-date machinery, and in the few years it has been in operation has saved the State more than that amount.

ELIZABETH N. BARR.

STATE INSURANCE DEPARTMENT

Ninety-five per cent of the business of the country is transacted on a credit, which is based on the fact that risks of many kinds are covered by insurance on which the debtor may depend to meet his obligations in cases of unavoidable misfortune. Insurance is thus one of the largest and most important lines of business, and the State department which regulates it is important accordingly. The Insurance Department of Kansas was instituted in 1871, to regulate the companies doing business within the State, protect the people and the legitimate insurance companies against fraudulent concerns, and to enforce the insurance laws. The main provisions of the act which created the Insurance Department, were: (1) A Superintendent of Insurance should be appointed by the Governor for a term of four years; (2) the Insurance Companies should make annual statements to the Department on blanks furnished by the State, and open their books for inspection; (3) it was the duty of the Superintendent of Insurance to inspect the books of a company whenever he had reason to doubt any statements made in the report; (4) the Superintendent must make an annual report to the Governor of the condition of the insurance companies doing business in the State.

The first head of this department was William C. Webb, of Fort Scott. There were then twenty life insurance companies and twenty-nine fire and marine companies. The first noticeable effect of the Department was the protection of the policy-holders against non-payment of losses. From year to year the reports of the Department have contained suggestions for adequate laws, especially stricter requirements in the construction of buildings. These efforts have led to a great reduction in fire losses, but the losses here are still far greater than in Europe and much of the discrepancy is due to our inferior methods of building construction.

In 1895, the Fireman's Relief law was passed. It has been modified from time to time, and at present operates as follows: The insurance companies writing fire-insurance pay over two per cent of the premiums of the policies to the State Insurance Department for the Fireman's Relief Fund. All except three per cent of this fund is turned over by the Department for the relief of firemen in cases of accident, sickness or death, and as pensions to the superannuated. In the case of cities having organized and paid Fire Departments, the fund is turned over to the City Treasurer, and expended under the direction of the Mayor, and in case of the cities having volunteer departments, the fund is put in the hands of the local representatives of the Fireman's Relief Association. The Fireman's Relief Fund aggregated \$41,500 in 1911.

In 1900 the office of Superintendent of Insurance was made elective every two years. The Insurance Department is profitable to the State. The net earnings are more than \$300,000 per year. There are now about three hundred insurance companies doing business in Kansas.

ELIZABETH N. BARR.

STATE TAX COMMISSION

The State Tax Commission was created in 1907 to take over the duties and authority of both the Board of Railroad Assessors and the Board of Equalization. Extensive powers are in the hands of this body, which consist in the general supervision over the administration of assessment and tax laws, conferring with and advising assessors, boards of commissioners, boards of equalization, and others obligated to make assessments; directing proceedings to punish officers of assessments, or agents of corporations for failure to comply with the laws or carry out the orders of the Commission; and to appraise property and organize and put into effect a uniform system of taxation. The Commission is composed of three members appointed by the Governor at a salary of \$2,500 each per annum.

The Commission, upon taking up the work, found assessment matters in a chaotic condition. Very little attention had been paid to the law that the assessment be made on the basis of actual selling value. Hit and miss systems were in use differing widely not only in different counties, but in different parts of the same county or township. In some instances valuations were copied year after year from old books. Inequalities in assessments ranging from $3\frac{1}{2}\%$ to 80% of the sale value of land have been found in the same neighborhood. In the assessment of manufacturing properties similar discrepancies were found.

The first work was that of equalization. A system was worked out and a pamphlet of instructions was issued to County Officers in December, 1907. A meeting was held of all the County Assessors of the State, January 28, 1908, and plans discussed and agreed upon to insure uni-

formity of assessments. The members of the Commission also attended State meetings of the County Clerks and County Commissioners. One of the important results of equalization was the general lowering of the apparent rate of taxation. The low valuation placed on property had made it appear to outsiders, especially prospective investors, that taxation in Kansas was very high.

In regards to Railroad assessments, the Commission made tours of inspection over the various railroad properties with a view of determining the correct valuation. Careful examination is made of the returns of the different companies as to gross and net earnings.

Appeals from the county boards of equalization, or County Commissioners, on tax matters are taken to the State Tax Commission. In case the complainant is not satisfied with the decision of that body, recourse may be had to the courts.

ELIZABETH N. BARR.

SCHOOL TEXT-BOOK COMMISSION

The first effort in the way of uniform text books for the public schools was made in 1885. A law was passed giving the separate counties the privilege of adopting uniform text books for the entire county. The matter had to be put to a vote of the people and seldom failed of passing, but as it was not popular with book people, it was not submitted in many of the counties. In 1897 a State Commission was created by the legislature to select text books for use in the public schools. The first commission consisted of eight members appointed by the Governor as follows: William Stryker, State Superintendent; Chairman, W. J. Hurd, Secretary; S. W. Black, A. V. Jewett, S. I. Hale, D. O. McCray, N. McDonald, S. M. Nees and A. H. Lupfer.

The principal provisions of the law were, that text books of a certain standard, and not costing more than certain prices, should be adopted for a period of five years, that bids should be received from publishing houses and individuals to furnish books, and that if none of these bids satisfied the demands as to quality and price, the Commission had power to buy manuscripts and publish the books. Provision was also made for the optional ownership of books by city or district.

The law was a good one, but as years went by violations were flagrant and numerous. Supplemental books, some of them of a very inferior quality, were introduced until text books were a burden to the poorer classes. Agitations for various changes had been going on since 1901, and in 1913, the State School Book Commission was created to take over the work of the State Text-Book Commission, with additional powers and duties. First, to acquire by purchase, or condemnation proceedings if necessary, the ground requisite to build an addition to the State Printing Plant, also to purchase the necessary machinery to print and bind school books. Second, to contract for the right to pub-

lish books, either by outright purchase, or on a royalty basis. It was made the duty of the Secretary of the Commission to collect from the school patrons of the State, the actual cost of the books. Supplemental books, if used at all, must be supplied by the district or city. This Secretary is selected by the Commission to attend to the details of the work. His salary is \$2,000 per year.

The School Book Commission is made up of seven members of whom two are appointed by the Governor and the other five are the presidents of the State Normal, the Agricultural College and the State Board of Agriculture, the State Printer and the State Superintendent.

In 1915, the high schools were included within the scope of the duties of the Commission. Authority to adopt books from publishers in cases where it is impractical to publish them, was conferred.

ELIZABETH N. BARR.

CIVIL SERVICE COMMISSION

Civil Service in Kansas is of recent origin. The first official mention of it was in 1905, when the legislature passed an act to apply civil service principles to the employees in the State institutions under the Board of Control. In 1908 the fire departments of the cities were placed under civil service, and in 1909 a provision was made for a city Civil Service Commission to be appointed by the Mayor and Commissioners of cities of the first class.

The State Civil Service Commission was created in 1915. Three members appointed by the Governor comprise the commission, but the law provides that one member shall be the State Accountant, one a member of the faculty of the State University, and the third a State officer or member of a State board or State commission. The law went into effect July 1, 1915, and the commission is organized as follows: J. L. King, president; J. E. Caton, secretary; W. L. Burdick, chief examiner; and Daisy F. Seiler, clerk. The purpose of the Commission, as expressed by the legislature is to engage services and promote officials and employees on basis of their ability to perform the duties assigned to them. The officials and employees of the State are divided into unclassified service, exempt service, and classified service.

The unclassified service does not come under the provisions of the civil service act. It includes all officers elected by popular vote, all heads of state departments and members of commissions and boards, heads and instructors of educational institutions, military officers, legislative employees, election officers, judges and clerks of the Supreme Court, assistants and principal clerks of the several constitutional executive State officers.

In the exempt service are certain positions which may in the discretion of the Commission, be declared exempt, one secretary of each department, board or commission, one clerk of each principal executive officer, all officials of State institutions who are required to be physi-

cians, employees of special commissions or committees of the legislature, and "all other offices or positions for the filling of which competitive or non-competitive tests shall be found by the Civil Service Commission to be impractical."

The classified service includes all positions not mentioned in the two foregoing classes, and all such positions are subject to the civil service law, and the duty of the Commission is to make rules governing the examination and appointment of applicants to these positions, to hold examinations, grade papers and certify the successful candidates to the officials having the power of appointment.

ELIZABETH N. BARR.

LIVE STOCK SANITARY COMMISSION

The dangers from stock diseases due to bringing Texas cattle to Kansas prompted the legislature of 1884 to make quarantine laws and to create the Live Stock Sanitary Commission to enforce them, and to protect the health of all domestic animals within the State. In a separate act a State Veterinarian was provided who should be secretary of the Live Stock Commission, and whose duty it was to investigate all contagious or infectious diseases, study the cases, make prescriptions and enforce such sanitary measures as would be necessary to stamp out the disease. Under some circumstances the Commission was allowed to order the killing of animals, but before the first year was out it became apparent that no one man could possibly investigate all the cases reported to him by the owners of diseased animals and hundreds of owners went without proper instructions. Assistants were employed to the extent of the funds available, but it was not until 1901 that the legislature provided for live stock inspectors. In 1905 the Commission was discontinued and the department was placed in the hands of one man known as the Live Stock Sanitary Commissioner. He is assisted by the veterinary surgeon of the Agricultural College, and by inspectors and patrolmen. The Commissioner has authority to call on the sheriffs of the counties for assistance in enforcing the laws governing diseased live stock.

ELIZABETH N. BARR.

BUREAU OF LABOR

A "Bureau of Labor and Industrial Statistics" was established by the legislature of 1881 which defined its purpose as collecting, systematizing and presenting in annual reports details relating to all departments of labor and industrial pursuits in the State, especially in their relation to the commercial, industrial, social, educational and sanitary condition of the laboring classes, and to the prosperity of the industries of the State. The department was put in charge of a com-

missioner appointed by the Governor, and he was given power to take and preserve testimony, examine witnesses under oath, enter any public institution of the State and any factory, workshop or mine. The Commissioner also had a right to question employers by printed slips, and a heavy penalty was attached to the failure to answer these questions correctly.

One of the first important results achieved by the Bureau was a law to secure the payment of wages at regular intervals in the factories and mines in money instead of trade.

In 1898 the legislature authorized the organization of a society of labor and industry to be formed among laborers in small groups over the State. These organizations were allowed to send delegates to an annual State meeting at which a president, vice-president, secretary and assistant secretary should be elected. These officials constituted the State Bureau of Labor and Industry, the secretary acting as the Commissioner of Labor and State Factory Inspector and the assistant secretary, the assistant Commissioner of Labor and assistant Factory Inspector. In this way it came about that the Labor Bureau fell into the hands of the trades unions. Kansas is the only State where such a condition of affairs ever existed. In 1913 the department was taken from the control of the Society of Labor and Industry and the office of Labor Commissioner was again made appointive. A woman was added to the factory inspector's force to have special charge of matters relating to employed women.

In the thirty years of the existence of the department about seventy-five laws have been passed relating to labor. The most important are: the law governing the arbitration of labor troubles, child labor law, eight hour law, act governing the intimidation of employees in the exercise of the franchise, fire escape law, employer's liability in case of accidents, law against usury, the Sunday labor laws, and certain laws regarding the employment of women. In 1909 a State Free Employment Bureau was established as a branch of the Bureau of Labor.

Since the Bureau was established seven different men have been at the head of the department: Frank H. Betton, 1885 to 1893; John F. Todd, 1893 to 1895; William Bird, 1895 to 1897; William L. A. Johnson, 1897 to July 1, 1911; Owen Doyle, 1911 to 1913; William L. O'Brien, 1913 to 1915. The present incumbent, P. J. McBride, took the office in 1915.

ELIZABETH N. BARR.

INDUSTRIAL WELFARE COMMISSION

The Industrial Welfare Commission created in 1915 has for its purpose the establishing of "such standard of wages, hours and condition of labor for women earners, apprentices and learners, apprentices and minors as shall be held to be reasonable and not detrimental

to health and welfare." The law provides that the Governor shall appoint three commissioners from a different Congressional District, one of whom shall be the Commissioner of Labor, and at least one of the remaining two shall be a woman. The same act that created the Commission makes it unlawful to employ women, learners, apprentices and minors in any occupation detrimental to health or welfare, or to employ these classes at wages not adequate for their maintenance or for hours detrimental to health.

According to the act, Labor Commissioner P. J. McBride became chairman of the new commission, to which the Governor appointed John Craddock and Mrs. Genevieve H. Chalkley. Miss Linna Bresette, deputy factory inspector, became secretary.

The Welfare Commission was empowered to investigate conditions, hold public hearings, and to establish boards to regulate wages, hours, conditions and standards in the various industries employing the class of labor covered by the act. The determinations of these boards shall be laid before the Welfare Commission which either accepts or rejects them. In case the findings of the board is accepted, the employers are notified and the Commission proceeds to enforce these findings as laws. The employers have recourse to the courts in case the findings are objectionable to them. The Commission has appointed a Laundry Board and a Mercantile Board. The Laundry Board so far has accomplished nothing. The Mercantile Board has made findings to the effect that no woman or girl shall be employed more than nine hours per day in a mercantile establishment, nor later than nine o'clock at night, and requiring employers to fix the hours of beginning and quitting work and the meal hours. These findings have been accepted by the Welfare Commission.

ELIZABETH N. BARR.

KANSAS STATE PENITENTIARY

Although repeated efforts were made in territorial days to build a penitentiary, it was not until 1861 that the ground was bought, and the prisoners were not housed by the state until five years later.

For several years the prisoners were kept in the Lecompton jail. The building was insufficient for the purpose and escapes were numerous. The keeper was called Master of Convicts. Captain E. W. B. Newby served in this capacity in 1856, and Levi J. Hampton was appointed November 10, 1856, and served during 1857. In 1857 the legislature passed an act locating the penitentiary at Lecompton with the view of erecting buildings, but made no appropriation for that purpose. The next year the act was repealed and the site relocated at Delaware City, in Leavenworth County, about where the penitentiary now stands. Caleb S. Pratt, Ward S. Lewis and Ashael Hunt were named as a prison commission and empowered to draw on the treasury for funds to buy ground and erect buildings. Congress was then asked for \$100,000 to pay the

expense. Nothing came of this effort and in 1859 a similar act was passed naming John Ritchie, S. S. Prentis and Fielding Johnson as commissioners. In 1861 a new commission was created to which C. L. Lambdin, M. S. Adams and Charles Sterns were appointed. This commission met July 15, 1861, for the first time. After the consideration of several sites they bought a tract of forty acres about seven miles from Fort Leavenworth on the Military Road leading from the fort to Westport Landing. For this tract they gave \$600, on which 20% interest was paid until an appropriation could be made to cover the purchase.

The prisoners had been removed from Leecompton to the Leavenworth County jail where, in the year 1861, a total of twenty-one state prisoners were cared for. In 1862 the number had increased to thirty-two, and the next year some of them were removed to Lawrence and other towns on account of the crowded condition at Leavenworth. Prison labor was contracted at sixty cents per day and the state paid from seventy-five cents to \$1.00 for the board and care of the convicts.

The first building appropriation, a sum of \$25,000, was made in 1863, but no work was done. In 1864 an appropriation of \$50,000 was voted, and a change in the location of the building was authorized by the legislature, but was not made by the commissioners. Contracts were let for the north wing of the main building, but on account of the unsettled condition of the country the work was stopped after completing the foundation. Nothing more was done until 1866, when a further appropriation of \$100,000 was made. A substantial wooden structure thirty-six by eighty-seven feet was erected providing temporary quarters for one hundred prisoners, together with offices and sleeping rooms for the guards. There were ninety prisoners at that time. The work of completing the north wing then went on with prison labor, using the limestone quarried in the vicinity. Wells were dug and improvements made on the grounds. The directors in charge at this time were William Dunlap, M. R. Dutton and S. S. Ludlum.

The first warden was George H. Keller, appointed by Governor Crawford in 1867. To him fell the task of organization, and of formulating and enforcing of regulations to run the institution. A school was started and the legislature established a library, setting aside \$300 per year from the earnings of the convicts to buy books. An appropriation of \$100,000 was made to continue the building operations, and a legislative investigation was held to determine whether the State had been given credit by the counties keeping the State's prisoners for the full amount of labor performed by the convicts. As is usual in such cases, the State was no farther ahead in the end.

J. L. Philbrick became warden in 1868. A final appropriation of \$50,000 was made that year for completing the north wing and it was finished two years later. It had three hundred and forty-four cells seven by four by seven. Henry Hopkins became warden in 1870, and the main building was barely completed when his administration closed twelve years later. The original plans made by the State Architect called for one thousand cells. Unfortunately the State compelled him to cut the

number to six hundred and eighty-eight. These were so slow in the building that the prison was always overcrowded, and by the time they were finished, the prison population had grown to eight hundred.

In 1871 the legislature fixed the value of convict labor at seventy-five cents per day, and allowed each prisoner five per cent of this amount during good behavior. The next year a bill was passed allowing time to be deducted from the sentences for good behavior. It was about this time that Mrs. Lydia Sexton, the only woman chaplain in the history of the penitentiary, held office for two years.

From the time the prisoners were moved to the penitentiary the aim had been to furnish employment for them and avoid the necessity of contracting their labor to outside parties. Shops incident to furthering the buildings and caring for the needs of the institution were built such as stone sheds, carpenter and blacksmith shops, tailor shop, barber shop, butcher shop, shoe shop and bakery. Brick and lime were manufactured and wagon-making was tried with indifferent success. In 1879 an appropriation was allowed for sinking a coal shaft. This was contingent upon securing the right to mine coal on at least four hundred acres of land in the vicinity. Some of these rights were secured upon the payment of \$1.00 to each property holder. Needless to say these property holders did not understand the proposition, and a great deal of trouble was encountered later over these leases. Additional leases have been secured from time to time on which various prices were paid, some of the later leases costing as high as \$140 per acre. The State institutions were provided with coal from the penitentiary mines, and the remaining output sold in the general market. This was the arrangement until 1899, when the output was limited to the needs of the State.

State Architect Carr, who planned and erected the penitentiary, discontinued his work about 1880. The building was then practically finished. In 1885, a sewer was put in at a cost of \$25,000, and an electric light plant costing \$6,000. The next year \$25,000 was appropriated to complete the wall around the coal shaft.

Prior to 1899 the labor of convicts was sold by the State. In that year an appropriation of \$40,000 was made to build a twine plant, and \$150,000 on which to operate it. This absorbed the superfluous labor and kept the men employed at the institution. In 1901 the present parole system was instituted and provision made for pardon by the Governor. Two years later the legislature passed a law allowing indeterminate sentences.

For a number of years Kansas had been keeping the Oklahoma prisoners in her overcrowded quarters at a financial loss. The legislature of 1903 forbade the contract to be advanced for longer than two years, and requested the removal of these convicts which was done about 1909. In 1905 \$10,000 was appropriated for additional quarters for convicts. In 1911 the "State Asylum for the Dangerous Insane," was made a department of the penitentiary.

In Governor Hoch's administration a committee was appointed to visit the penitentiary and make recommendations for improvements. As

a result the eight-hour day was instituted, inefficient employees were removed, the standard of diet was raised, inhuman punishments were forbidden, and coal mining was carried on with some reference to the health of the workers as well as to the demands of the State. The committee also recommended that as much money be spent on education in the institution as for tobacco.

In 1913, a State Board of Corrections was created to take charge of the management of all the penal institutions in place of the separate boards. Jeremiah Botkin, who was made Warden that year, recommended that an appropriation of \$70,000 be made to build and equip a modern prison, condemning the present one as out-of-date, inadequate and a breeder of tuberculosis. His ideas were seconded by the prison physician, Dr. Faulkner, and by Professor Blackmar of the State University, and other criminologists. The Governor appointed a commission on which Professor F. W. Blackmar, ex-warden H. W. McClaughry of the Federal penitentiary, and W. H. Haskell, ex-warden of the State penitentiary, and ex-mayor Porter of Kansas City, Kansas, served. The commission recommended an appropriation of \$10,000 for a new heating plant, which the legislature failed to provide.

The present prison farm contains twelve hundred acres. The grounds are beautifully laid out, and there is little to suggest a prison in the new buildings which have been added in the past ten years. A separate ward for women has been built apart from the main group of buildings. The cost of the prison, outside of the convict labor, is estimated at \$2,000,000.

ELIZABETH N. BARR.

INDUSTRIAL REFORMATORY

Hutchinson, Kansas

The legislature of 1885 provided for a State Reformatory to be located somewhere west of the Sixth Principal Meridian. The purpose of this institution was to separate boys sixteen to twenty-one years of age from hardened criminals, and to educate and return them to society as good citizens, if possible. The project was in the hands of a commission which held its first meeting in Topeka, April 1, 1885. After a visit to the New York Reformatory, the commission made a tour of inspection of the towns which had asked for the institution. Hutchinson was found to be the most advantageous location. The town donated a section of land for a site and a contract was let for the first one hundred cells. The plan of building called for a cell house of four wings to be built in sections as needed, and so arranged as to provide for a classification of prisoners, also to provide a means of going to and from class rooms at night without leaving the building. This building, together with any others that might later be added, excepting the official residence, was to be enclosed within a wall seven hundred and fifty feet by one thousand feet in extent. The original appropriation was \$60,000, to which \$100,000 was added in 1887.

and another \$100,000 in 1889. In 1895 there was still no Reformatory and the legislature wiped out all the bills that had been passed and began all over again. A new board was appointed by the Governor, and they succeeded in having a building ready by August 25, 1895. J. C. O. Morse was made superintendent.

The Reformatory, like most other institutions, has always been crowded. Within a year there were one hundred and thirty-three inmates, where but one hundred had been provided for. The cell houses were gradually completed as planned, using prison labor. A manual trades building has been added, also a broom factory, print shop, carpenter shop, stone cutting works. The educational system consists of Academic and Polytechnic courses. The present inmates number about four hundred. The institution is under the management of the Board of Corrections.

ELIZABETH N. BARR.

INDUSTRIAL SCHOOL FOR BOYS

Topeka, Kansas

The idea of an industrial school, was an institution which should be educational rather than penal for children under sixteen years of age who were incorrigible, or who had committed acts to which they should be liable to punishment under the law. The Industrial School for Boys was founded by the legislature, in 1879. A building appropriation of \$35,000 was made, and the act specified that the institution should be located not more than five miles from the Capitol building at Topeka, providing that at least one hundred and sixty acres should be donated. The City gave one hundred and seventy acres and since that time seventy acres have been added by purchase.

The school was opened in 1881 under J. G. Eckles, Superintendent. The present head of the institution, W. H. Charles, has held the office since 1902. The parole system was introduced in 1900. In case the boys who are eligible to parole do not have suitable homes to which to return, it is the business of the parole officer to secure homes for them. The group of buildings includes the main building, two cottages, gymnasium, and school building. The education is similar to that offered in the public schools. The number of inmates is about two hundred and fifty.

ELIZABETH N. BARR.

INDUSTRIAL SCHOOL FOR GIRLS

Beloit, Kansas

The Industrial School for Girls under sixteen years of age, was founded at Beloit, by the Women's Christian Temperance Union, in 1888.

The idea is said to have originated with Miss Olive P. Bray, of Topeka. The organization through the president, Mrs. Fannie Rastall, and other prominent members, brought the matter before the legislature in 1887. That body declined to even consider it. In order to demonstrate the need of such an institution, the women proceeded to establish it themselves. Through the efforts of Mr. and Mrs. C. H. St. John, the citizens of Beloit were persuaded to co-operate in the project, and the school was opened in that town. Thirty-four girls were received the first year.

In 1889, the legislature took over the institution, appropriating \$6,000 for running expenses, and \$25,000 for building purposes. The building has been done on the cottage plan, and provides for the classification of inmates. The farm of eighty acres was donated by the city of Beloit.

The first superintendent was Miss Mary Marshall, who remained until 1891, when she was succeeded by Martha P. Spencer. Tamsel H. Osborne was superintendent from 1893 to 1895; Mrs. S. V. Leeper, 1895 to 1897; Mrs. Phoebe J. Bare, 1897 to 1899; Mrs. Hester A. Hanback, 1899 to 1901; Mrs. Julia B. Perry, 1901 to 1913; Miss Frankie Wilson, 1913 to 1916; when Mrs. Lillian Mitchner, State President of the W. C. T. U., became superintendent.

ELIZABETH N. BARR.

STATE HOME FOR THE FEEBLE MINDED

Winfield, Kansas

This institution was originally known as the "State Asylum for Idiotie and Imbecile Youth." It was opened September 1st, 1881, in the old University building at Lawrence. H. M. Greene was superintendent, and Mrs. M. M. Greene, matron. Twenty pupils were enrolled the first year. Only those under fifteen years of age were admitted. There were probably one hundred feeble minded children under the age of fifteen, in the State at that time, although the agricultural report of March 1, 1881, gives but forty-eight. Applications were received from many not known to the report. The capacity of the school was thirty, and within three years it was overcrowded.

In 1885 an appropriation of \$25,000 was made and the institution located at Winfield. The necessary land was donated, buildings erected and the inmates, forty in number, were removed to their new home in March, 1887. Here they were divided into groups according to mental conditions. There were accommodations for one hundred children and the school was soon overcrowded again. The needed buildings were not provided for some years, and in 1895 it was estimated, that there were twenty-five hundred feeble minded children in the state, but not more than one hundred and twelve could be taken at the institution.

New buildings were begun soon after this, and by 1900 a new cottage, custodial building, and hospital, in addition to the main building, had

been built. At present there are accommodations for more than seven hundred. The value of the property is about half a million.

The course of instruction covers the common school branches, music and manual training.

ELIZABETH N. BARR.

TOPEKA STATE HOSPITAL

The building of a State Hospital for the Insane at Topeka was provided for by the legislature in 1875. The act carried with it an appropriation of \$25,000 and a specification that the asylum should be located within two miles of the capitol building on a site of not less than eighty acres, which should be secured without cost to the State. Three trustees of the State Hospital at Osawatomie acted on the commission: George Wyman, Levi Woodard and William H. Grimes. They chose a tract belonging to Ex-Governor James M. Harvey on the West Sixth street road. It was bought by the city and county together for the sum of \$12,000, and conveyed to the State. In 1881 the State bought one hundred acres adjoining the original tract.

The original idea for constructing the buildings was to erect one main building and group smaller ones around it on the cottage plan. This is the modern idea in the building of institutions of all kinds, as it gives opportunity for proper segregation and grouping. But the demand for accommodations was so pressing that for the first twenty years the cottage plan was lost sight of in the attempt to provide quarters as rapidly as possible. The \$25,000 appropriated in 1875 was used to begin the construction of two buildings of the east wing. They were not in condition to receive patients until June 1, 1879. Dr. B. D. Eastman was the first superintendent in charge. It was twenty years from the time the first appropriation was made until the main building was completed. It consists in a central section used as an administration building, on either side of which are three ward buildings. Those on the east are for men and those on the west for women. A detached building with a capacity of two hundred and eighty-nine beds was constructed shortly after the main group and used exclusively for chronic male patients.

The purchase of additional land was authorized in 1903 and the tract was increased to three hundred and fifty acres. A large building was located on the new purchase, and it was remodeled and converted into an open door cottage for males. In 1907 an appropriation was made for a tuberculosis pavilion to accommodate twenty women patients. About the same time two cottages for women were built at a cost of \$70,000. A dining hall has been added to this group. In 1910 the tuberculosis pavilion for men was built, and a reception hospital to cost \$100,000 was begun on an appropriation of \$50,000. In the fall of 1913 a two year training course for nurses was established. A new cottage for women with a capacity of seventy-five beds and with quarters for nurses was

built in 1914. The daily average of patients that year was one thousand, five hundred and thirty-six.

The superintendents of the institution have been as follows: B. D. Eastman, 1879 to '83; A. P. Tenny, 1883 to '85; B. D. Eastman, 1885 to '94; J. H. McCasey, 1894 to '95; B. D. Eastman, 1895 to '97; C. H. Wetmore, 1897 to '99; Thomas Coke Biddle, 1899, to the present.

ELIZABETH N. BARR.

OSAWATOMIE STATE HOSPITAL

The Territorial Legislature of 1855 provided for the placing of insane persons in the charge of guardians, and they were cared for in this way until 1866, when the Osawatomie State Hospital was opened. The act providing for this institution was passed in 1863, and the commissioners appointed to locate the site and construct buildings were William Chestnut, I. Hiner and James Hanway. The act specified that the site should be secured by donation, that it should contain not less than one hundred and sixty acres located in Osawatomie Township of Miami County, and that it should have an abundance of good water and building stone. A site meeting the requirements was found a mile from the town of Osawatomie, and was donated by the township. In 1865 the legislature placed the management of the project in the hands of trustees who erected a temporary frame building to which the first patient was admitted late in 1866. The two wards accommodating twelve patients each were soon filled.

The main building was begun in 1868 and finished in 1886 at an estimated cost of \$450,000. It was planned in the times when very little attention was given to the treatment of insanity as a disease, and the principal idea in mind was to keep the insane in custody for the protection of society. The Knapp and Adair buildings, one for men and one for women, and accommodating three hundred patients each, have since been added. Two tuberculosis pavilions are recent additions and the treatment of this disease has been attended by a large degree of success. The infirmary was built by an appropriation made in 1901. A nurses' cottage was completed in 1913 at a cost of \$25,000. The original building of 1866 has been moved and remodeled and is now occupied by the head farmer. The farm now contains seven hundred and twenty acres and is fully equipped with machinery and live-stock. The value of the property is estimated to be over a million dollars.

The number of patients accommodated at the institution average at least thirteen hundred, and the buildings are all overcrowded. Prior to 1874 each county was compelled to pay for the care of their own patients unless relatives assumed the expense. In that year the state took over the burden and two years later placed the asylum, along with other state charitable institutions, under a common board of trustees.

The superintendents from 1866 to the present have been as follows: C. O. Gauze, 1866 to 1872; C. P. Lee, 1872 to 1873; L. W. Jacobs, 1873 to

1874; A. H. Knapp, 1874 to 1877; West T. Bailey, March to October, 1877; A. P. Tenny, 1877 to 1879; A. H. Knapp, 1879 to 1892; Lowell F. Wentworth, 1892 to 1895; Thomas Coke Biddle, 1895 to 1898; E. W. Hinton, for a few months in 1898; Thomas Kirk, Jr., 1898 to 1899; Lyman L. Uhls, 1899 to 1913; F. A. Carmichael, 1913 to —.

ELIZABETH N. BARR.

LARNED STATE HOSPITAL

Agitation for a third asylum in Kansas was begun by J. H. McCasey, Superintendent of the Topeka State Hospital, in his report in 1894, twenty years before it became a reality. In 1911, with the combined capacity of the State hospitals at Osawatomie and Topeka approximately twenty-seven hundred, there were still hundreds of insane being cared for by counties at the expense of the State and others at private asylums, and in their own homes.

The legislature of 1911 provided for a new State Hospital to be located west of the 98th meridian of longitude and within five miles of some town. A tract of not less than three hundred and twenty acres was to be secured by donation or purchase, and \$100,000 was voted for buildings. The site was located at Larned, where one thousand acres of some of the best farming land in the State was acquired by purchase. Buildings were erected and the institution opened in 1914, with Dr. B. F. Hawks, of Anthony, as Superintendent. Twenty patients were removed from the hospital at Topeka. Dr. L. R. Sellers succeeded Dr. Hawks in January, 1915, and in November 'of that year was succeeded by Sherman Elliott. A new cottage was built in 1915, and there are now accommodations for one hundred and twenty patients at Larned. The farm is under irrigation, and in time will maintain the institution.

ELIZABETH N. BARR.

STATE ORPHANS' HOME

Atchison

The State Orphans' Home at Atchison was founded by the legislature of 1885, as a home for the orphaned children of Union soldiers and sailors. An appropriation of \$10,000 for the year 1886, and a like amount for 1887 was made, and trustees were appointed to take charge of locating a site and constructing the buildings. The home was opened July 1, 1887. It had facilities for caring for but one hundred and fifteen children, and only those under five years of age were admitted. It was found impossible to follow the cottage plan of dividing the children into small family groups on account of the expense.

and they were all put together in a large building, which plan is in operation to the present time, to the detriment of the institution.

The home began to fill up as soon as it was opened, and by January 1, 1888, there were ninety-one children. In 1889 the regulations were so altered as to admit all children between the ages of two and fourteen, who were dependent, neglected or abused. This necessitated further buildings. An addition to the main building was added, and a hospital erected.

In 1895 the sum of \$91,800 was appropriated for building purposes, and a number of buildings were erected. A cottage for crippled children was built in 1907. The original cost of the land was \$16,000, which, together with the building appropriations made from time to time, brings the cost of the Home to about \$300,000.

In 1908 a State agent was appointed to look after the children who had been placed in homes. The State agent makes investigations of private homes where an application is made for a child, and visits the child and foster parents at intervals.

In 1909 the name of the institution was changed from the Soldiers' Orphans' Home to the State Orphans' Home, to conform to the function it had been filling for twenty years. The management was under a board of trustees until 1905 when with other State institutions it was put under the Board of Control.

ELIZABETH N. BARR.

STATE TUBERCULOSIS SANITARIUM

In view of the fact that there is an annual loss to the people of the United States of \$1,000,000,000 on account of tuberculosis, and in view of other facts brought out by the State Board of Health, concerning the disease, the legislature of 1909 declared it communicable, dangerous to the public, and reportable to the State Board of Health. In 1911 an act was passed creating a State Sanitarium for treating pulmonary tuberculosis and appropriating \$50,000 to locate a site, erect buildings and pay running expenses for two years. An Advisory Board of physicians was appointed by the Governor to select a site. They chose a two hundred and forty acre tract three miles west of Newton, but owing to difficulties concerning the title, nothing definite had been accomplished when the legislature met in 1913. What was left of the funds was reappropriated, and a new law was made requiring that the Sanitarium be located in some county that would donate a suitable site of one hundred and sixty acres for the purpose. The offer of Norton county was accepted and the Board of Control purchased an additional eighty acres adjoining the site. The work of moving and remodeling the buildings already there was begun at once. In March, 1914, a contract for a boiler house, laundry, dining room and kitchen, and for pavilion No. 1 was let. These were finished by September 1, and the institution was opened with Dr. C. S. Kenney in

charge as Superintendent. Sixteen patients, the full capacity of the buildings, were admitted at once.

The site is admirably located for the purpose of treating tuberculosis. The altitude is two thousand and sixty feet, there is good water and good drainage, pleasant surroundings, good shade, a south slope and a maximum of sunshiny days. The legislature of 1915, besides giving a liberal amount for running expenses, appropriated \$12,500 for a new cottage, and \$22,750 for a hospital and other improvements, such as sewer, farm implements, horses, dairy herd, tents and improvements of the grounds. However, there is still a great need for more accommodations for patients, as there are hundreds that might be helped if they could be admitted. Originally it was intended to admit all classes of people, whether they could pay or not, just so they had a good chance of recovery and a physician's certificate to that effect. The law was amended in 1915 requiring patients who could not pay to be admitted through the recommendation of the authorities of the county where they have their residence, and requiring the county giving such recommendation to pay the patient's way. This complicates matters for the charity patient and lessens his chances of receiving treatment.

ELIZABETH N. BARR.

STATE HOSPITAL FOR EPILEPTICS

Parsons

Kansas was the first State to remove her epileptic patients from the insane hospitals, and segregate the different grades of epileptics. By legislative enactment in 1899 an appropriation of \$100,000 was made to build a hospital for this purpose on the cottage plan. The law-makers of those days called it an insane asylum. The site was to contain six hundred and forty acres and a committee was created to locate such a tract. Owing to the struggle between Clay Center and Parsons to secure the institution, the actual building was delayed until 1902, when the matter was finally settled in favor of Parsons, and a building contract was awarded by the State Board of Charities and Corrections. The plans anticipated an ultimate capacity of eight hundred patients, and three types of buildings were designed:

- (1) One large custodial building for the insane patients.
- (2) Open door cottages for chronics, each cottage with a capacity of thirty-six patients.
- (3) Small cottages for epileptics otherwise of normal mentality, each with a capacity of eighteen to twenty patients.

In accordance with these plans the legislature in 1903 opened the institution to all classes of epileptics. In the fall of that year five buildings of the men's department were ready for occupancy and on October 19th, one hundred and ten men were received by Superintendent

Dr. M. L. Perry. The following year a duplicate group of buildings for the women were completed. Improvements have been added from time to time until there are now twenty-one buildings.

In 1905, the institution was placed under the management of the Board of Control. A school was opened where children receive instruction in the ordinary branches, and adults in manual training. In 1909 an administration building was erected at a cost of \$70,000, and in 1915 an appropriation of \$50,000 was made for a fire-proof hospital. Since the opening of the institution, fourteen hundred patients have been cared for. Inmates at the present time number more than five hundred. The patients are employed in healthful activities, such as farming and gardening. The cost of maintenance after deducting from the appropriations, the fees of pay-patients, and the money received by the sale of products, is about \$200 per capita.

The following are the men who have been connected with the management of the institution: Henry J. Allen, F. B. Denman, R. Vincent, G. W. Kanavel, C. A. McNeill, from 1903 to 1905; E. B. Schermerhorn and S. G. Elliott from 1905 to 1912 and 1913, respectively; C. D. Shukers, from 1912 to 1913; H. C. Bowman, appointed in 1905, and W. E. Brooks and Stance Myers, appointed in 1913, comprise the present board.

ELIZABETH N. BARR.

THE GREAT SEAL OF THE STATE OF KANSAS

The Great Seal of the State of Kansas, procured by the Secretary of State as required by the joint resolution approved May 25, 1861, is described in said joint resolution as follows: The East is represented by a rising sun, in the right-hand corner of the seal; to the left of it Commerce is represented by a river and a steamboat; in the foreground Agriculture is represented as the basis of the future prosperity of the State, by the settler's cabin and a man plowing with a pair of horses; beyond this is a train of ox wagons going west; in the background is seen a herd of buffalo, retreating, pursued by two Indians on horseback; around the top is the motto: "*Ad Astra per Aspera*," and beneath, a cluster of thirty-four stars. The circle is surrounded by the words: "*Great Seal of the State of Kansas. January 29, 1861.*"

Under the new constitution, the first Legislature of the State of Kansas met at Topeka on Tuesday, March 26, 1861. On Saturday morning following, the House and Senate received the first message from Charles Robinson, the first Governor. In this message the Governor called attention to the requirement of the constitution about a seal, and recommended the Legislature to take necessary steps to procure one. On the 3d of April, the State Senate, considering the Governor's message, referred that part which mentioned the Great Seal to the Committee on Ways and Means. Five days afterward, on Mon-

day, April 8th, the following resolution was submitted to the Senate: "*Resolved*, That a committee of three be appointed on behalf of the Senate to act with a like committee on the part of the House, to draw and recommend a design for the Great Seal of the State of Kansas." This resolution was referred to the Committee on Ways and Means. Similar resolutions were considered by the House, and the two committees got to work. But this did not produce a seal very soon. There were designs, designs, and designs, mottoes and mottoes. Scholars suggested and Western men insisted.



GREAT SEAL OF THE STATE OF KANSAS

[From Photograph by Willard, Topeka]

Mr. McDowell, of the State Library Committee, suggested a design with a landscape, something like that afterward adopted, and the emphatic motto: "*We will*." Mr. Denman proposed to change the motto to, "*We won't*." Backward and forward the thing was bandied about. The House Journal for Friday, May 17th, records the fact that the Senate sent a message on "*House Joint Resolution on State Seal*," saying they had amended, and desired concurrence. This message was discussed next day by the House, which did *not* concur. Then a committee was appointed for conference. The Senate appointed a conference committee on Monday, and at the meeting of the two committees the same day the matter was substantially settled. Of that date, May 20th, a letter in the *Conservative* (Leavenworth) contains the following passage:

"The vexed question of a State seal has at last received its quietus

at the hands of the conference committee. The new design embraces a prairie landscape, with buffalo pursued by Indian hunters, a settler's cabin, a river with a steamboat, a cluster of thirty-four stars surrounding the legend, '*Ad Astra per Aspera*,' the whole encircled by the words, '*Great Seal of the State of Kansas, 1861.*' "

The Senate accepted the report of the conference committee on Wednesday, the 22d of May, 1861, and the House concurred on the same day, and so the design was decided.

D. W. Wilder, in his "Annals of Kansas," says the writer of the letter in the *Conservative* was John J. Ingalls, and as Wilder was editor of that paper, he ought to know. The same John J. Ingalls was Secretary of the State Senate, and had, therefore, means of obtaining accurate information. John A. Martin, of Atchison, was a member of the conference committee referred to above, and a letter of inquiry addressed to him by the writer brought back for answer the statement that John J. Ingalls had submitted to the committee the design that was finally adopted. Why then, did not the letter in the *Conservative* state that fact? Undoubtedly, mainly because Mr. Ingalls was too modest to claim the honor of having "settled the vexed question," for modesty belongs to youth, and John J. Ingalls was a young man then. Besides being too modest, Mr. Ingalls had another motive for not claiming it. The design as adopted, is not his alone, and though he may fairly claim credit for some of it, yet of other parts he is by no means proud. The design as submitted to the committee by Mr. Ingalls consisted "of a blue shield at the base of a cloud, out of which was emerging one silver star to join the constellation in the firmament, comprising the thirty-four then in the Union, with the motto: '*Ad Astra per Aspera.*' " The cloud symbolized the struggles through which we have passed, the star the State, the constellation the Union. The motto was both descriptive and suggestive, and the entire design simple, unique, and satisfactory. It was so satisfactory to the committee that they adopted it entire. But after that some of the "wild heralds of the frontier" altered it by mixing a steamboat and plowing, with buffalo hunting, etc., till really nothing but the motto is Mr. Ingalls', and the landscape is, probably, substantially the one submitted by Mr. McDowell.

All the seal is historic: the motto, the date, the bison hunt, the log cabin. But the motto is not only historic but suggestive of a fact that will be true forever, that the conquest of difficulties is the way to moral as well as political success.

The foregoing was prepared by the Department of State of the State of Kansas, and is an official statement.

Many of the pioneers of Kansas affirmed that Josiah Miller, founder of *The Free State*, at Lawrence, suggested the legend, *Ad Astra per Aspera*, for the Great Seal. John Speer said he did not hear that any other person claimed the honor until about the year 1899. The legend is cut on the monument at the grave of Mr. Miller.

ELIZABETH N. BARR.

THE POPULIST UPRISING

By ELIZABETH N. BARR

I

INTRODUCTION

It has been a quarter of a century since the high tide of Populism swept over the country. We are now able to see the events of those times in the perspective, and in their proper relation not only to similar preceding movements, but to the underlying economic causes which occasioned the general unrest subsequent to 1870. We cannot attribute this unrest to a spirit of anarchy, as did the old party speakers and writers of that time. It was not confined to a few individuals or localities. It was widespread and deep seated, affecting the general masses of normally industrious and contented people. It had both cause and purpose, the former an untenable economic condition, the latter the overthrow of monopolistic oppression of all kinds.

The genesis of the movement which culminated in the People's Party, goes back to the year 1862. It was in this period that the system was inaugurated which gave rise to two classes of citizens hitherto unknown in this country—millionaires and tramps. The larger the fortunes of the rich became, the more widespread the poverty of the producing classes. They felt it and rebelled, fixing the responsibility on the financial policy of the government, on the unwarranted advantages taken by the railroads and other corporations, particularly those controlling public service, natural resources, and the great labor saving inventions of the day; on the policy of protecting the manufacturers and leaving the producers without means of safeguarding their interests; on the swindling of stock gamblers, banks and boards of trade; and on the various forms of usury, rent, profits and dividends.

With these things in mind organizations began to be formed among laborers and farmers. These societies grew rapidly in strength and soon entered upon political action in the hope of correcting existing evils. This political action was invariably the downfall of the particular organization back of it, but a new movement would spring up in its place which followed the same course, until several distinct third parties had their successive rise and fall, before the whole effect culminated in the People's party, which had its birth in Kansas in 1890.

Some of the more sentimental writers of a later date have hailed the Populist movement of Kansas as a distinct departure in political life, as a hitherto unheard of phenomenon. A comparative study of the platform of the third parties subsequent to the Civil War shows the Populist doctrine to be essentially the same as the Liberal, Inde

pendent Reform, Greenback, Anti-Monopoly, and other parties preceding it. In fact, it was but a part of a great world movement—a movement in progress at that time in every civilized country on the globe, in the interests of the producing masses against organized and privileged wealth. It was not Populism that distinguished Kansas, but Kansas that distinguished Populism. Neither the conditions nor the proposed remedy was new, but the Kansas method of handling them



SENATOR W. A. PEPPER

[From Photograph Owned by William E. Connelley]

was novel. It was the Kansas manner of reacting upon the situation that makes the story worth telling.

The spectacular character of some of the Kansas leaders gave ample opportunity for the opposition press to ridicule the whole Populist cause—an opportunity which they hastened to improve in every way possible. The motives of all the leaders were called in question, and they were denounced as demagogues and anarchists. Their personal character was often maliciously assailed in an effort to discredit the party. On the other hand the leaders of the old parties and the Congresses and public officials of the two decades just passed, were denounced by the Populist writers as grafters and traitors. The whole era of

upheaval was marked by the inability of either side to discuss the problems of the day without recourse to abuse and vilification.

It may fairly be taken for granted that aside from the usual number of self-seeking politicians, both sides were honestly striving to put into effect those policies which they believed to be best for the country, although acting in accordance with widely differing viewpoints. It seems that the statesmen of the old school considered the bankers, manufacturers, and corporate interests of all kinds, to be the country, and thought that any legislation in their interests must of necessity be the very best thing for the people at large. On the other hand the farmers considered themselves to be a part of the country, and began demanding laws which would enable them to retain their homes, to market their produce at a profit and pay their debts and live.

Corporate interests were surprised and alarmed at this audacity on the part of the farmers, and every means was taken to bluff and shame them out of it. In no other nation had there ever been any such thing as individual ownership of land to the extent that it then existed in this country, and the money power did not intend that there should be. The farmers were told that the people had never made a success of owning land of their own, and articles appeared in the papers to prepare the minds of the people for the landlord system. The farmers were desperate, and out of this desperation came the Populist Uprising. As a political movement it is vindicated, not so much by what it accomplished in the way of legislation at the time, but by the way in which its doctrines have permeated the whole mechanism of politics. Its educational value can hardly be overestimated. Many of the measures advanced in the Populist propaganda have one by one been enacted into law, while others are still live issues, which indicates that whatever the weakness of the movement may have been, it was not in the justice of the cause or the merit of the program.

II

CAUSES OF ECONOMIC UNREST

The underlying causes of the unrest pervading the industrial and agricultural classes in the two decades leading up to the Populist Uprising may be summed up in one word, INTEREST. At the time of the Civil War, and for ten years after it closed, the government was involved in a financial policy in the stress and urgency of a national crisis, that gnawed at the vitals of the people long after the rebellion had been successfully quelled. The producing classes yielded up their substance year after year to the financiers in payment of interest on public and private debts at ruinous rates, and under such circumstances and restrictions as made it practically out of the question to pay the principal and free themselves of debt. For from the standpoint of the money power a heavy indebtedness on the part of the people is the ideal condition, and

no pains is spared to perpetuate it, and to create a market for money at good prices.

The loss of economic equality in this country and growth of extreme wealth and poverty began when the government drafted men to the defense of the country and failed to draft money in the same cause. The men were not only compelled to fight the nation's battles and give their lives comparatively without recompense, but those that were left were compelled to spend the remainder of their lives in paying tribute to the money power for a little temporary accommodation, leaving the debt itself to be paid by their children. In justice, there should be no obligation to those who furnish the money, any more than to those who furnished their lives. In a national crisis, money and men should both be drafted into the service and both take their chances. If a poor man gives up his job and his living, a rich man should give up his bonds and his bank, without any obligation on the part of the government to return either investment. A system of this kind would not only do away with the slavery of interest, but might put a stop to civilized warfare, for under our present system, war is a thing to be devoutly hoped for on the part of the financiers, as it furnishes a market for money at a high rate of interest and is a potent agency in the concentration of wealth.

The money to prosecute the Civil War was obtained in two ways, by the issue of greenbacks which the people were compelled to accept at face value, with no interest, and by the issue of interest-bearing government bonds which the bankers were asked to buy. The bankers refused to buy these bonds except on certain terms, and instead of compelling the banks to buy, as the people were compelled to fight, the government very foolishly acceded to the banker's terms and paid interest on these bonds, "in advance" and "in gold." The government was compelled to secure this gold from some source, and in hopes to draw it from France and England, a law was made that import duties must be paid in gold. This restriction on the greenback as legal tender caused a rapid decline in value as compared with gold, and in a few months, the people's dollar would only buy half as much goods as the banker's dollar. The government had limited the rate of interest to 7% on bonds, but as this interest was payable in high priced gold, the effect was to double the interest realized by the bankers. Thus while the producing classes were sacrificing their lives and receiving half pay, the financial interests were sacrificing nothing and reaping a double reward.

The next financial move was the establishing of National Banks of issue, in 1863. It has been said that while this system has its faults, yet it was the best suited to the great financial agencies. It seems to have been devised to suit the convenience of the great financial agencies and without regard to the interests of the people. The National Bank Act provided for the forming of banking associations which were authorized to issue circulating notes in the following manner. Each bank organized under the law was required to deposit with the government interest-bearing government bonds of the United States to the amount of not less than one-third of its capital stock. The government then returned to the bank

circulating notes to the amount of 90% of these bonded securities. These circulating notes were then loaned out by the banks at 10% to 12% interest to business men and farmers, while at the same time the banks drew 7% interest in gold on the government bonds, amounting to 14% in greenbacks. As the bonds and the circulating bank notes represented the same investment, the banks were realizing about 24% on their money, all of which in the end had to be paid by the laboring classes, who were at this time too busy fighting the war to look after their own interests.

That Lincoln did not approve of these acts is well known to the older generation who have some recollection of the events of that period. That he saw trouble ahead is evident from the following extract from a letter written to the Hon. W. R. Ellis, of Chicago, at the close of the war :

We may all congratulate ourselves that this cruel war is nearing a close. It has cost a vast amount of blood and treasure. The best blood of the flower of American youth has been freely offered upon our country's altar that the nation might live. It has been indeed a trying hour for the Republic, but I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country. As a result of the war, corporations have been enthroned and an era of corruption in high places will follow. The money power of the country will endeavor to prolong its reign by working upon the prejudices of the people until all wealth is aggregated in few hands and the Republic is destroyed. I feel at this moment more anxiety for my country than ever before, even in the midst of war. God grant that my suspicions may prove groundless.

That this is precisely what happened, we shall see by the consideration of subsequent events. At the close of the Civil War the people generally owned their homes and farms, and were practically free from debt except for the war bonds. This in itself was menace enough to the prosperity of the country on account of the ruinous terms which the government had entered into with the banks, which raised the bankers' money to a high premium and depreciated that of the people, and which exacted the principal over and over again in interest.

But the bankers were not content with cutting the value of the people's money in half. The next step was to take it away from them entirely, in order that they might loan the farmers and business men their money at a high rate of interest, and compel the people to either cease to transact business at all or pay tribute to the banks for a circulating medium. The people did both, to their ruin. The process by which the people were deprived of their own circulating medium to make a market for that of the bankers was called the contraction of currency.

The first step in the contraction of currency was taken early in 1866, when an act was passed to provide for redeeming greenbacks in interest bearing government bonds of the denomination of \$1,000. This policy operated against the producer both in agricultural and manufacturing pursuits as a two edged sword, withdrawing from circulation the money which should have been invested in the channels of trade, and at the same time burdening him with additional interest to be paid. Although a slight money stringency was felt in some quarters as a result of this

act, and the number of business failures doubled the next year, on the whole the effect was not seriously felt for some years.

The next step, (and one of the most pernicious in the whole financial policy) was the Credit Strengthening Act of 1869. By this act the bonds which had been bought with greenbacks were to be paid back in gold. There was considerable objection to this measure on the part of the leaders of the people, but these objectors were cried down as "repudiators," and the finger of scorn was pointed at all who dared speak up in behalf of justice. It was stated by Oliver P. Morton in a speech, that the government had sold many of these bonds for 60c on the dollar in greenbacks, and that it would be rank injustice to the people to enter into a new contract to pay them in their face value in gold. However, the money power did just what Lincoln said it would. A great hue and cry was raised to the effect that our government would be in disgrace if it refused to pay its debts in the best money there was. English policy was pointed to with pride. It was pictured as a good thing for the country to make itself solid with the moneyed people, and so the act was passed and an additional burden amounting to hundreds of millions was loaded upon the people. It also had the effect of still further enhancing the value of gold to the detriment of all other circulating mediums.

The contraction of currency continued year after year, and by 1872 began to have a decided effect on the prosperity of the country. There were an unprecedented number of business failures. Wages were low and the laboring classes were beginning to organize and talk of striking. The farmers found that the "honest dollar" they had been voting for was getting very elusive, that it took more and more wheat every year to get it, but that it did not pay any more taxes or interest than the greenback did. As wages lowered the market for produce was curtailed, and the farmers being unable to buy the product of the laboring man, nor the laboring man the produce of the farmer, a paralysis of industry followed; and in 1873 the country was plunged into one of the worst panics of its history. Business was at a standstill. Half a million men were out of work and tramping the country. Wages went lower and lower, and many of the trades organizations struck only to find themselves out of work entirely instead of getting more pay. The market prices of farm produce went far below the cost of production. But taxes had to be paid, and the necessities of life provided if possible. Those who had farms, homes or chattels were obliged to mortgage them at a high rate of interest. So the interest parasite took a second hold on the vitals of the nation. The people now had not only the national debt to pay but private debts on their homes and chattels at such exorbitant rates of interest that it was almost out of the question to pay the principal.

Congress evidently thought the money god was angry and must be appeased, for instead of repealing the laws that had brought about this condition, the statesmen of '73 said the financiers had "lost confidence" and that the only way to restore this confidence was to demonetize silver and further enhance the power of gold. This was done, and the legal tender value of silver coin was limited to \$5.00. This was a serious blow

to the already battered fortunes of the laboring and agricultural classes. There was no real money now but gold, and no gold except in the banks, but interest and debt must be paid in gold and so the only thing that could be done was to borrow more. The circulating medium, which under the greenback system had been based upon credit, was now based on debt, the interest on which could be paid only by incurring more debt. It was held by the advocates of demonetization that this measure was necessary to insure money against a possible fluctuation in value. However, no provision was even thought of to protect labor and its products from a fluctuation in value. In fact every advantage had been given by those in power to the speculators and gamblers to enable them to make the value of produce fluctuate in any way that would make the most money for them.

The final act in the contraction policy was the resumption of specie payments, provided for by the Sherman act of 1875, to take effect January 1, 1879. The entire amount of paper money in circulation at that time was \$777,176,250, while of gold there was only about \$100,000,000. The resumption of specie payments meant the redeeming of this paper in gold coin. As there was not enough gold coin to do this, the act involved the issuing of more interest bearing bonds, increasing the public debt and further limiting the circulating medium. In an effort to secure the repeal of this act, the Hon. D. C. Haskell of Kansas, summed up the situation as follows:

We have sixty millions less of currency in circulation than we had two and a half years ago, counting National Bank notes and legal tenders. During the five years immediately preceding the resumption of the Bank of England in 1821, the contraction amounted to one hundred and two millions. It very nearly ruined English industries, and yet we, in two and a half years, have accomplished an equal contraction, and that too through the operations of a law that was intended to relieve our industries by a slight increase in currency. . . . I am satisfied that if any other important law than this resumption act was found to be as uncertain and indefinite in its provisions, it would be snatched from the Statute book within an hour. We ask that Wall street, the Rothschilds and the Barings shall no longer have control of our financial legislation; and when I charge that our legislation has been in the interest of the capitalist and the dealer in money, I charge that which I can prove from the record, and I challenge successful contradiction.

That the financial policy of the country had been formed for the benefit of English capital was denied by its sponsors, but that it was patterned after the English system was openly boasted. Our statesmen who thought we needed such a system evidently overlooked the fact that this system in Great Britain had separated the population into two classes—one of extreme wealth and one of extreme poverty; that the agricultural classes had been reduced to serfdom from which they sought relief by a general exodus from their native land. Similar results might well have been expected in this country. The circulating medium which was \$52 per capita in 1866, had been cut down to \$12.28 by 1877, and before the Populist Uprising came to a head it had been reduced to less than \$5.00.

Another prolific cause of unrest was the oppression of the transportation corporations. In 1862 there was not a mile of railroad in Kansas. Ten years later there were over two thousand miles, and in the next two decades building proceeded on a large scale. Instead of the people building the necessary arteries of distribution the privilege was delegated by the government to private corporations and individuals who used their power to perpetrate the most flagrant injustices upon the people dependent on them for a means of marketing their produce and securing supplies. The greed of these corporations knew no bounds. In the first place, the national and state governments realizing that railroads were essential to the development of the country, especially the vast areas beyond the reach of the waterways, gave immense grants of land outright to these corporations. The companies then required the citizens of the localities through which the road was to be built to vote vast sums in bonds, in most cases more than the road would cost. Sometimes the people were given stock for this money, but if they were, the company always reorganized and cheated them out of it later. The next step was to sell "watered stock" for several times the worth of the road, and then charge the people a tariff for service, high enough to pay big dividends on this inflated valuation. But not content with these injustices they made discriminating freight rates in such a way that they had complete control of the distribution of products and had the industries of the people at their mercy. It had the effect of working the ruin of hundreds of independent salt producers in Kansas, as well as producers of oil and minerals, and took the natural resources of the state from the hands of the people and gave them over to the trusts and combines. It was one of the greatest obstacles in the way of successful farming. It was the ruin of the cattle men, as the large packing houses were given such heavy rebates that the independent shipper stood no chance in the market. The people attempted to relieve the situation by offering inducements to rival lines, but once this supposed competitor had a road built on the people's money, they found they had burdened themselves with bonds in vain, as all railroad corporations were alike.

These railroad corporations were privileged characters. They avoided taxation, secured any legislation they happened to want, and made and unmade public officials. All public officials and state and national legislators, as well as newspaper men, rode around on free passes and charged their mileage up to the people. It was not without justification that Jerry Simpson on the day of the triumph of the Populist party, stood on the south steps of the State-house before a large crowd and said: "Fellow citizens, we have come to-day to remove the seat of the government of Kansas from the Santa Fe offices, back to the State-house where it belongs."

But the transportation companies, not content with extortion from the people, oppressed their laborers beyond endurance. According to the Kansas Bureau of Labor for the year 1886, the railroads did not pay a living wage on which a family could subsist comfortably while employment lasted, to say nothing of saving for periods of enforced idleness.

In 1885, the Knights of Labor were well enough organized in Kansas that they declared a strike on the Gould lines. It was a protest that cost dearly, for the corporations had everything their own way at that time.

In the development of the vast natural resources of the country, powerful manufacturing monopolies had grown up under government favor and protection until they became more powerful than the government itself. They bought raw material at their own price, sold the finished product at any figure they wished to ask, and rewarded labor as they saw fit.

Another great grievance was the operations of speculators in farm produce. In the latter eighties and early nineties the farmers sold their corn, which, according to the agricultural reports, cost 21c per bushel to produce, for ten to fifteen cents per bushel. The grain speculator received forty-five to sixty cents per bushel for the same corn, and before it reached the laboring man who must buy it for food, the price was considerably higher. It was so with all farm products. The farmer felt that he was playing against a fixed game. The banks had control over the currency and could withdraw their notes from circulation at will, making money scarce and produce cheap just at the time the farmer must have cash for interest and taxes. Then they could make money plentiful and manufactured articles high in the winter and spring when the farmer had nothing to sell, but was forced to buy the necessities of life.

These were the combinations against which the farmers of Kansas struggled in the People's Movement, while at the same time they were endeavoring to bring wild land under cultivation, pay off bonds and mortgages, and provide homes and higher education for their children.

III

GROWTH OF THE THIRD PARTY IN KANSAS

The attempts of the people to wrest control of the means of livelihood from the hands of corporate power began to take political form in 1870. This movement took different names at each successive stage of its development, and in different localities, yet having but one object in view, that of equality of opportunity. These different manifestations of the will of the people must be considered as one and the same, and any political propaganda having economic readjustment as its aim should be considered as a part of the third party movement. It espouses the people's cause and is the people's party.

The first records of the Third Party in Kansas is an account of a meeting held in the State House, February 9, 1870, for the purpose of organizing a Workingman's party. W. V. Barr made a speech in which he favored the distribution of public lands in small tracts to the people, instead of granting them in large tracts to corporations. He was promptly denounced as a red handed anarchist, but evidently others were thinking the same thing, for the Liberal Republican party

which had its rise in Missonri in 1870, and nominated Horace Greeley for President, in 1872, made this one of its main principles.

A labor convention was held at Leavenworth, July 20, 1870. Amos Sanford and F. P. Baker were sent as delegates to the National Labor Congress. The officers of this convention were: Hugh Camerou, W. V. Barr, B. F. Sylvis, H. B. Carter, W. R. Loughlin, John C. Ketcheson, A. R. Johnson, and S. Markham. These same men were interested in the Workingman's Party.

The National Labor Congress met at Cincinnati, in August, and analyzed conditions as follows:

The wrongs of the laboring class are inflicted through monopolies.

1. Banking and money monopolies which is the great central source through which all other monopolies exist and operate.

2. Transportation monopolies.

3. Manufacturing monopolies.

4. Land monopolies.

5. Commercial and grain monopolies.

For these evils they recommended the following measures:

1. The establishment of a monetary system adapted to the exigencies of legitimate commerce.

2. The payment of national debt and no funding.

3. Preservation of the public domain for actual settlers and tillers of the soil.

4. Tariff for revenue only.

5. Requiring in all future wars the money to be collected from the wealth of the country and not entailed on the future earnings of labor.

6. Holding legislators more accountable by requiring fundamental laws to be submitted to a vote of the people.

7. A Board of Management of currency and revenue.

The National Reform party was the outgrowth of this Labor Congress. When the Workingman's Party of Kansas held its state convention in Topeka, September 22d, it endorsed the platform of the National Reform Party, favored a tax exemption of \$1,000 to each householder, instead of \$200, declared that every human being was born with a natural right to land, and that no legislative enactment should be allowed to become a law until passed upon by the people. This was probably the first time the referendum was advocated in Kansas. A full state ticket was nominated, led by W. R. Loughlin, who polled only 108 votes.

This labor movement was lost to view in the excitement of the Greeley campaign of 1872. The Labor Reform party put up a national ticket, the nominees of which declined the honor. The platform was an elaboration of the principles of the Labor Congress and is important because it advanced for the first time a number of the planks on which the people were to make their stand in the reform movement of the next twenty years. The preamble asserted the right of the individual to the use and enjoyment of the fruits of his labor and talents.

and declared against the granting of special privileges. The body of the platform was as follows:

1. A national circulating medium, based on the faith and resources of the nation, legal tender for all debts, and issued directly to the people without the intervention of any system of banking corporations.

2. Payment of the national debt according to the original contract without mortgaging the property of the people or the future exigencies of labor to enrich a few capitalists at home and abroad.

3. The burdens of government should bear equal on all classes, and the exemption from taxation of government bonds bearing extravagant rates of interest is a violation of all just principles of revenue laws.

4. Public lands should neither be granted nor sold in amounts exceeding one hundred and sixty acres.

5. Modification of tariff laws to admit free all articles of common use which we cannot produce, and to lay duties on luxuries and articles of which we have the raw materials.

6. Prohibition of the importation by capitalists of Chinese labor.

7. Eight hour law for all mechanics and day-laborers in the employ of the government or of states or municipalities.

8. Abolition of contract prison labor.

9. Money for prosecuting wars should be assessed upon the wealth of the country and not entailed as a burden upon posterity.

10. Government control over railroads and telegraph corporations in order that they shall not be privileged to exact such rates of freight, transportation or charges by whatever name, as may bear unequally upon producer or consumer.

11. Civil service reform to remove all partisan influence.

12. Occupancy of presidential chair limited to one term.

The tenets of this platform were ahead of the time even for Kansas. The reform forces of this state united under the Liberal Republican banner and voted for Greeley in 1872. The Democrats fused with the Liberals here as they did all over the country, even in the South, adopting the platform and candidates of the reformers. The nominating convention met in Topeka, September 11th, and was opened by Charles Robinson, of Lawrence. Addresses were made by Col. S. N. Wood, Rev. Pardee Butler, Hon. Marcus J. Parrott, and W. R. Loughlin. The Hon. Thaddeus Walker was nominated for governor; W. R. Loughlin and S. A. Riggs for Congress; Pardee Butler, William Larimer and Alois Thoman for Presidential Electors; V. S. Osborne for Auditor; C. H. Pratt for Treasurer; and L. J. Sawyer for Superintendent of Public Instruction. The other nominations were made by the Democrats. John Martin, whom the Populists sent to the United States Senate in 1893, was largely instrumental in bringing about the fusion of the Liberal Republicans and Democrats in Kansas. The Liberal party elected two State Senators and fourteen members of the House, and cut the Republican majority down from 40,000 to about 30,000.

The Liberals did not meet the needs of the West. They touched on reform but did not strike deep. Aside from the public land plank there was little of interest in their platform except a protest against

corruption and extravagance in public office, and inequalities in taxation.

IV

RISE OF THE FARMERS' MOVEMENT

Prior to their final amalgamation in 1890, the laborers and the farmers took turn about at playing politics in Kansas. The defeat of Horace Greeley by an overwhelming majority put an end to the Liberal Republican movement into which the labor movement had merged, but a propaganda was already under way among the farmers. A Farmers' State Convention was held in Topeka, March 26, 1873. Alfred Gray, then Secretary of Agriculture, and J. K. Hudson, who so bitterly opposed the farmers a few years later, were among the leaders at this time. The resolutions adopted at this meeting show that the farmers understood their economic situation as well in 1873 as they did in 1893, although the knowledge was probably not as widespread. They were briefly as follows:

Whereas, Agriculture in its various departments is the basis of all material prosperity; and

Whereas, The burdens and impositions under which it lies having become intolerable, therefore the farmers of Kansas in convention assembled, do put forth this declaration of our desires and purposes and state:

Farmers desire to unite in clubs, unions or stock associations for the purpose of controlling the prices of their products through their own boards of trade or appointed agents, so that nothing need be thrown upon the market for less than the cost of production and a reasonable profit. They desire to unite for the purpose of getting their supplies at cost with a reasonable percent added for collecting and distributing, and the use of capital; for the purpose of securing a reduction in freights, and breaking the blockade between the different parts of the country, by argument, by legislative enactment, and by means of the courts. They desire tax reforms, the abolition of sinecure offices, reduction in freights, and breaking the blockade between the different parts of the country, by argument, by legislative enactment, and by means of the courts. They desire tax reform, the abolition of sinecure offices, reduction of salaries, rigid economy in public expenditures, the repeal of our present iniquitous tax-penalties, home manufactories to keep our money in the state, and that the public domain should be kept forever sacred to actual settlement; therefore be it resolved:

That we recommend every farmer in the State to become a member of some farmer's club.

That the taxes assessed and charged upon the people by both national, State and local governments are oppressive and unjust, and vast sums of money are collected far beyond the needs of an economical administration of government.

That we earnestly request the legislature of our State at its next session to enact a law regulating freights and fares on our railroads upon a basis of justice, and that we further request our members of Congress to urge the favorable action of that body to the same end, and if need be to construct national highways at the expense of the Government.

That the act passed by the legislature exempting bonds, notes, mortgages and judgments from taxation is unjust, oppressive and a palpable violation of our State Constitution, and we call upon all assessors and the county boards to see that said securities are taxed at their fair value.

That the practice of voting municipal bond is pernicious in its effect, and will inevitably bring bankruptcy and ruin on the people, and we therefore are opposed to all laws allowing the issuance of such bonds.

That giving banks a monopoly of the national currency, thereby compelling the people to pay them such interest therefor as they may choose to impose, seven-tenths of which interest we believe is collected from the farmers, is but little less than legalized robbery of the agricultural classes.

This document set forth clearly the "cause of action" which was behind the agricultural organizations which were beginning to be formed all over the country. The largest of these at this time was the Patrons of Husbandry, popularly known as the Grange. It originated in Washington, D. C., in 1867, and was brought to Kansas in 1872, the first organization being formed at Hiawatha in April of that year. It had a very rapid growth. The order favored railroad legislation, opposed the mortgage system and had as its object the promotion of co-operative buying and selling. It was soon discovered, however, that the mortgage system had been forced upon the farmers by law, the railroad and manufacturing monopolies were entrenched behind the same bulwark, and that they elected men who favored them and secured laws in their own interests. The farmers concluded that their interests had been overlooked by the statesmen and the Granger movement issued in political action all over the West. In Minnesota the Granger party was known as Anti-Monopoly. Its platform was not broad in the sense that those of later parties were. It declared against free passes, pooling, and discrimination in freights, and bribery and extravagance in public office, and favored laws governing freight rates. All the planks referred to one subject, monopoly and corporations. The same movement was called the Reform party in Wisconsin, where the main issue was railroads. In Kansas the party was called Independent Reform, following the lead of Illinois where the Farmers' Declaration of Independence created a sensation at a large gathering on July 4, 1873. There was no State ticket of the Independent Reform party in Kansas that year, but by means of local efforts enough members were elected to the lower House of the Legislature to give the opposition twenty votes more than the Republicans had, and ex-Governor James M. Harvey, a farmer and an Independent, was elected to the Senate.

With this much to the good, the farmers went on enthusiastically with their organization. In the year 1874, Grange lodges were chartered in the State at the rate of two or three thousand per month. Every school district was organized, and these lodges went over in a body to the Independent Party, which gradually came to be known as the Greenback Party because it was opposed to doing away with this form of currency. It made the money question the main issue, and advocated an adequate national medium of exchange. The Kansas State

Convention of this party was held at Topeka, August 5th. In their platform they asked for the payment of the public debt according to the terms under which it was contracted, for the repeal of the tariff on necessities (mentioning lumber specifically, probably because there were no forests in Kansas), and for the restoration of income taxes. They demanded state and national legislation to protect the industrial and producing interests of the country against all forms of corporate monopoly and extortion, and declared that the railroads should be made subservient to the public good. The act of the Legislature, of March 1, 1866, dividing 500,000 acres of the school lands among four railroad companies was condemned, and some measure for the recovery of this property was advocated. Sympathy was extended to the settlers on the Osage lands, whose titles to their homes were being contested by the railroad corporations, and every honest means of aid was pledged. James C. Cusey was nominated for Governor, E. Harrington for Lieutenant-Governor, George P. Smith for Auditor, Nelson Abbott for Secretary of State, James E. Watson for State Treasurer, J. R. Hallowell for Attorney General, W. P. Douthitt for Associate Justice, and Marcus J. Parrott for Congressman from the first district.

The first mention of the People's Party was in the Kansas press of that year. The ticket put up by the Independent Party was referred to as the People's ticket, and was printed under that heading by some of the newspapers. It was also called the Grange ticket in some localities. After the fall election it was found to be the second party instead of the third, having polled about 30,000 votes in the State.

Centennial year was one of great political excitement in Kansas. Resumption of specie payments was worrying the farmers, and the attitude of the farmers was worrying the Republican leaders. The Reformers began their campaign early with a meeting of the State Central Committee at Topeka, February 25th. The committee refused an offer of co-operation extended by the Democratic State Committee, and issued a call for a Greenback Convention May 4, showing that they were becoming reconciled to the use of that name.

The convention of May 4 was held at Topeka. Delegates were sent to the National Convention to be held at Indianapolis and the following resolution passed:

Resolved that we earnestly recommend to the friends of the Independent movement to take immediate, prompt and efficient measures for the organization of the party in their several counties and townships by forming Greenback clubs and circulating documents, books and newspapers, in the full conviction that the truth once fairly presented to the minds of the people will become invincible.

The platforms, both State and National, were rather narrow, referring exclusively to the money question, and especially to the resumption of specie payments. The Kansas platform was adopted at the State nominating convention held in Topeka, July 27th. It opposed all banks of issue and demanded that the act of Congress creating the

National Banking System be repealed, and that the paper currency of the Government of the United States be substituted for the national bank notes, such paper currency to be made legal tender for the payment of all debts including duties on imports. The unconditional repeal of the resumption act was demanded, the immediate restoration of silver as a standard of value and a legal tender, and a tax on incomes of more than \$1,500 per year. The retirement of the legal tender greenback and the substitution of the inferior currency of the national banks was declared to be a fraud and an outrage, as was also the demonetization of silver, which, they claimed, had added twenty per cent to the aggregate of public and private indebtedness.

The State ticket was headed by M. E. Hudson, of Bourbon County. J. K. Hudson, editor of the *Topeka Daily Capital*, and Samuel J. Crawford, its owner, were among the leaders of reform at this time, but they bitterly opposed the same principles later in the Populist movement. Owing to the fact that the Democratic State Convention took exactly the same stand that the Greenback party did on the money question, and that the Republicans took up the public land plank, the Greenback vote in Kansas in 1876 was very small. Many of the reform adherents had gone back to the Republican party to do missionary work. Among these was Col. S. N. Wood. He was among the forty-two farmers who were elected to the Legislature that fall. That he had not lost sight of reform principles is shown by the following letter dated January 22, 1877, signed by S. N. Wood and Welcome Wells, and sent to James M. Harvey, W. A. Phillips, Thomas A. Osborn, T. C. Sears and Preston B. Plumb, candidates for United States Senate. The letter read:

Honorable Sir: If you are elected to the United States Senate will you vote to repeal the resumption act? Will you vote to repeal the national banking law? Will you favor a law providing that all paper money shall be issued directly by the Government, based on Government credit? Will you, if elected, vote to build up the productive interests of the West and against the money power of the East?

Every one of the five gentlemen declared themselves in favor of the principles embodied in the letter. Preston B. Plumb was the successful candidate and proved a worthy champion of the cause of the people of his State. The national ticket headed by Peter Cooper polled 81,740 votes.

The platform of the Kansas Greenback party was somewhat broadened in 1877. It made the startling revelation that the laws of Kansas required the collection of 50% interest on delinquent taxes, and asked that the rate be lowered to 25%. It advocated a money deposit system in connection with the Postoffices, on the order of our present postal savings banks. It demanded a law of Congress providing for the arbitration of labor difficulties, and a law making the issuing of "watered stock" a penal offense. A protest was registered against the Government granting any further subsidies to corporations in bonds

or lands. The money question was covered in the same way as in the platform of the previous years. Only a few offices were voted for and no important results were achieved.

The climax of the Greenback movement was in 1878 when it fused with the Labor Reform movement all over the country and polled an aggregate of 1,000,365 votes in the different states. The leader of the ticket in Kansas was D. P. Mitchell, who polled 27,057 votes. The platform of the State Convention held at Emporia was very comprehensive in its delineation of the conditions and needs of the country. It was briefly as follows:

Whereas, The Republican and Democratic parties have squandered the public money, impoverished the country, and neglected national legislation for the purpose of investigating their own corruption and perpetuating their power and party organizations, destroying industry, paralyzing trade, inflicting on the poor and industrial classes bankruptcy, suffering and crime; who have shrunk agricultural and mechanical values by the contraction of currency; who have changed a non-interest into an interest bearing debt; who have increased their own salaries, incomes and purchasing power of money; and,

Whereas, The administration of national, state, county and city governments have been so extravagant, expensive and corrupt as to destroy the profits and value of frugal industry; therefore,

Resolved, That we heartily endorse the union between the Greenback party and the labor organizations, and cordially invite all patriotic citizens to abandon the old parties and unite with us in the National Greenback-Labor party—the party of the people—to deliver this country from slavery to money and corporate despotism, revive industry, restore prosperity, reward labor, remove the burdens of excessive taxation, inaugurate a system of American absolute money, and secure the people the blessings of a free government. We proclaim the following platform of principles:

1. Money is a creation of law, a convenience of trade and commerce, and it is the duty of the Government to provide all the money needed by the people—a full legal tender paper money, based on the power, perpetuity and credit of the Government, needing no other redemption than that it be received by the Government in full payment for all debts and taxes, including duties on imports.

2. All expenses and debts of the Government should be paid in greenbacks, made a full legal tender, and the Government, national and state, should be forever prohibited from issuing interest bearing bonds.

3. As usury is the means whereby accumulated wealth robs industry, it should be prohibited by law, and the government should issue money directly to the people.

4. The claims of humanity should be considered first, and the claims of property second; labor is the active and productive capital of the country and should be protected and fostered rather than idle money.

5. We condemn the unfair discrimination between the wages of laboring men and the fees and salaries of office holders and professional men.

6. We are opposed to selling the homes of the people or dooming them to perpetual serfdom for the purpose of securing the payment of fraudulent municipal bonds.

7. We demand laws such as will permit a reasonable time for the redemption of property sold under execution.

8. That each sex shall receive equal pay for equal work.

9. Tax on all incomes exceeding \$1,000 per year.

10. Tax on government bonds.

11. Repeal of the specie-resumption act, the national banking law and increase instead of contraction of currency.

12. Improvement of navigable rivers, government control of the channels of commerce in order to prevent the robbery of the people by transportations and corporations.

13. We are opposed to granting our public lands to corporations, and any further subsidies of money or public credit.

14. Equivalent for equivalent is the natural law of exchange, and we are hostile to any form of communism which seeks to appropriate the wealth of others without giving an equivalent, whether it be at once and with violence, or gradually at a rate of ten to twenty percent a year—both modes are violations of natural and moral law.

Such was the platform of the party of the people in 1878, and it so remained in all its essential particulars as long as the movement lasted—until the defeat of Populism in 1894. It was often elaborated upon and new features were added, or new methods of obtaining a desired end were advanced, but this platform was the groundwork of the people's movement as regards both laboring and farming classes. That it did not draw a larger vote may have been due to the fact that the masses had not entirely lost hope in the Republican party. The platform drawn up by the Kansas Republicans in the same year is worthy of meditative perusal, as are also the public utterances of John J. Ingalls, in the light of what these people had to say about the same principles a few years later. The Republican platform contained the following sentences:

Experience has shown the greenback currency to be admirably adapted to the wants of trade, and we favor the withdrawal of the national bank notes, substituting therefor greenback currency issued directly by the Government. We demand that it be issued in sufficient volume to fully meet the wants of business without depreciating its value; and that it shall be received in payment of all debts and dues, public and private.

We believe a double standard of values is preferable to a single standard, and are in favor of placing the coinage of gold and silver on an equality.

Railways are creatures, and exist by the breath of legislative enactment. As servants of the people they should be compelled to do their bidding, and obey the wholesome requirements and restrictions of law; and we demand of the Legislature the establishment of such passenger and freight tariffs as shall advance the interests and promote the industries of the people.

We condemn the policy of granting subsidies at the public expense to either individuals or corporations for their private use.

Other planks in the platform covered economy in public office and the election of honest men. It will be noticed that the Republican party saw the necessity of trying to catch up with the procession. These planks were a superficial endorsement of the Greenback articles of faith. The speech of Ingalls referred to was made February 15, 1878, and contained the following summary of the economic and political situation:



JOHN J. INGALLS, FOR EIGHTEEN YEARS, U. S. SENATOR FROM KANSAS

[Copy by Willard. Topeka]

[Of Ingalls it was said: "He knew language as the devout Moslem knows his Koran. All the deeps and shallows of the sea of words were sounded and surveyed by him and duly marked upon the chart of his great mentality. In the presence of an audience he was a magician; under the power of his magic, syllables became scorpions—an inflection became an indictment. And with words he builded temples of thought that excited at first the wonder and at all times the admiration of the world of literature and statesmanship. He was emperor in the realm of expression."]

The people are arraying themselves on one side or the other of a portentous contest. On one side is capital, formidably entrenched in privilege, arrogant from continued triumph, conservative, tenacious of old theories, demanding new concessions, enriched by domestic levy and foreign commerce, and struggling to adjust all values to its own standard. On the other hand is labor, asking for employment, striving to develop domestic industries, battling with the forces of nature, and subduing the wilderness; labor, striving and sullen in the cities, resolutely determined to overthrow a system under which the rich are growing richer and the poor are growing poorer; a system which has given Vanderbilt the possession of wealth beyond the dreams of avarice, and condemns the poor to poverty which has no refuge from starvation except the prison or the grave.

Thirteen years later, after having been elected twice to the Senate, Mr. Ingalls said: "So it happens, Mr. President, that our society is becoming rapidly stratified, almost hopelessly stratified, into a condition of superfluously rich and hopelessly poor. We are accustomed to speak of this as the land of the free and the home of the brave. It will soon be the home of the rich and land of the slave." Ingalls was a Republican, he went down with the Republican ship in 1892 and lived and died a Republican, yet his utterances concerning conditions of the country and in condemnation of the policy of the Government have never been outdone by the most fanatical of reformers.

The Republican party having become Greenback, that party began to subside after 1878. In the national election of 1880 the ticket was led by James G. Weaver, the great Populist who became the presidential candidate of that party in 1892. He received 308,578 votes, of which Kansas cast 19,581. The new planks in the State platform condemned the action of the Legislature in abolishing the one mill school tax as a blow struck at the people's colleges; favored the taxing of the mortgages of non-residents and the lowering of the legal rate of interest and declared for woman suffrage. The State ticket was led by H. P. Vrooman, of Greenwood County.

In 1882 Charles Robinson was the candidate of the Greenback party for Governor and polled 20,933 votes. The Democratic platform was very extensive, covering practically all the principles advanced by the Greenback party, and some of those later incorporated by the Populists, including the election of President, Vice-President, United States Senators and Postmasters by direct vote of the people. The ticket was headed by George W. Glick who was elected. Two years later these doctrines permeated the Democratic national platform, and Grover Cleveland was elected President on the strength of them. The State Democratic platform in 1884 called attention to the things accomplished by the Glick administration, which we may justly credit to the political action of the third party. They were in brief:

One million two hundred and fifty-nine thousand acres of land have been reclaimed to the State and are now open for settlement. Large amounts of railroad lands which have hitherto escaped county and state taxation, have been placed upon the tax rolls of the various counties. The rates of fare and freight have been reduced on all lines of railroads within our State. The cattle disease which threatened to paralyze the

stock industry of our State was promptly checked. The stream of immigration which had been turned from our borders during a former administration has again been restored, and two hundred and fifty thousand inhabitants added to our population.

However, the Democrats made the blunder of opposing prohibition and the Republicans elected their ticket. The Greenback party was headed by H. L. Phillips for Governor and John W. Breidenthal, later a prominent Populist, for Lieutenant Governor. Breidenthal led his ticket in the election, polling 14,325 votes.

In 1886, the force of the Independent or Greenback movement was practically spent. No new issues were raised and no state ticket was placed in the field, and there was a lull in the activity of the third party forces.

V

THE POLITICAL ACTION OF ORGANIZED LABOR

After the decline of the Greenback movement, and while the forces for a larger effort in the same line were working under the ground, the field of the Third Party was occupied for a short time by organized labor. The disintegration of the Greenback-Labor combination left the forces of the farmers and laboring people divided up into various camps. There was the Union Labor Party, the United Labor Party, the Progressive Labor Party and the American Reform Party among the laborers. Among the farmers were the Tax Reformers, the Anti-Monopolists, the Grange, which was going down, and the Farmers' Alliance, which was rapidly gaining strength. The labor forces combined first and formed the Union Labor Party of 1886, absorbing the farmer vote. Two years later the farmers had effected a powerful organization and absorbed the labor vote in the Alliance or People's Party.

Although by a few palliating measures the old parties had for the time being defeated the Third Party, the necessity for independent political action had not diminished. The condition of the two producing classes, wage laborers and agriculturists in 1887 was most deplorable.

Through the scarcity of money, the combination of middlemen and railroads, the inability of the farmer to sell his product for what it cost to raise it, and the inability of the laborer to sell his labor for what it cost him to live, the avarice of the money lender into whose clutches the people were doomed to fall, and from whose toils there was no escape, the people were rapidly being reduced to peonage.

The United States Commissioner of Labor in his report for 1885 declared that "The prime cause of the industrial conditions which prevail among the manufacturing nations is due to labor not receiving an equitable share of the product." Although wages had doubled between 1828 and 1880, yet production had increased many fold, and the surplus product would not be bought by the people, hence it was stored up and caused a glut in the market, and, eventually, industrial depression and panics. As expressed by the Labor Commissioner, "The consuming power of the larger part of the population of the United States had been

crippled." The recommendations of the Commissioner are interesting as they indicate that if the people's movement was anarchy and its doctrines the product of insanity, both had pretty high endorsement. The recommendations were:

Laws against speculation and laws governing the extending of railroad building and organization of manufacturing corporations. The restriction of land grants, the regulation of the collecting of debts and the prevention of the misuse of credit. Bankruptcy laws which would help the poor man as well as the rich. Regulation of freight rates. Tariff on a basis of justice and science, instead of a basis of individual interest. Restriction of low class immigration, industrial education, and a legitimate increase in the consuming powers of the people. Arbitration of labor troubles and all contracts for labor to be as free as contracts for commodities. Industrial co-partnership through methods of profit-sharing, through wise permissive laws: Capital and labor each to receive a fixed and reasonable compensation for its investment, and after that the net profits to be divided under profit-sharing plans. Shorter hours for labor and a condition where production shall be regulated by demand.

The Kansas Bureau of Labor made an investigation on the matter of wages and chattel mortgages in the State, findings of which are printed in the reports of 1886. It shows that the average wages of working people in Kansas at that time were about 85c per month above the absolute necessities of life, leaving nothing for recreation, reading, education, and emergency funds. Wages were from \$1.10 to \$1.60 per day, or about \$40.00 per month. Sometimes with the whole family working the income did not go more than that amount, and seldom above \$50.00 per month. The long periods between pay days, emergencies which were likely to arise calling for cash, and times of enforced idleness, forced the worker into the clutches of the loan shark. In the investigation of the dealings of these blood-suckers some startling revelations were made. The loan made in each instance was usually about \$25.00, and given on household goods. The interest was from 10% per month on up, sometimes running as high as 375% annually. The average annual interest extorted from these helpless people was 147%. The loans were usually made for the support of the family, sickness or funeral expenses. In many of these cases a prompt payment of wages on the part of the employer would have obviated the necessity of the loan. But the corporations were holding back two weeks wages on every man, and paying every two weeks, so that the laborer received no wages until the end of the first month and then only two weeks pay. The workingmen in their organizations were asking for the following things: Technical education, eight hour law, weekly payment of wages in coin of the realm, restrictions of land ownership, the issue of money according to constitutional provisions, and abolition of National Banks, laws governing immigration, arbitration of labor troubles and government ownership of railroads, telephones and telegraph.

These principles formed the basis of the Union Labor party, which was organized at Cincinnati, Ohio, February 22, 1887. The Union Labor party had its inception in the bitter disappointment of the people, especially the wage workers, in President Cleveland. He had promised much

that they thought would be to their advantage, but instead of extending a helping hand in the great labor troubles of 1885 and 1886, he crushed the strikers with an iron hand, calling out the militia at the behest of the corporations who hired thugs to commit depredations and had the laborers shot for it by Pinkertons and soldiers. This action aroused labor to a white heat, and in the strike on the Gould lines in the West, over \$3,000,000 worth of corporation property, as well as a vast amount belonging to private individuals, was destroyed. At a street-meeting held in Chicago to protest against the actions of the Pinkerton detectives and the police in shooting the strikers, a bomb was thrown at the police by a man in the crowd, who escaped. Instead of trying to find him, the police arrested the man who was making the speech and a number of his colleagues, and after an unfair trial they were convicted and two of them hanged and the rest given life sentences without any evidence being introduced that they even had knowledge of the bomb. Everybody who dared even sympathize with them or suggest the possibility of their innocence were branded as anarchists in the most lurid terms. But the people were stirred up, and the sentiment crystallized in the form of political action. The Knights of Labor was then at its zenith and was the strongest organization of the industrial classes of the time. The reformers united under its banner as it held the key to the situation.

The first State meeting of the Union Labor party convened in the hall of the House of Representatives August 9, 1887. There were two factions: The United Labor faction who were single taxers, and the Union Labor faction who were going on the Greenback-Labor principles. The latter won out. The orators of the towns were snowed under by those of the short grass country. The platform of the National Convention was adopted which had very little in it that was new. It covered the scope of former reform platforms in regard to money and labor, advocating public ownership of railroads, telegraph, and telephones, asked for irrigation in the arid districts under government control, declared against child labor, and said that the employment of armed men by corporations ought to be prohibited. There was no State election that year, hence no State ticket. However, in the local and Congressional elections the reformers made a good showing, casting 40,000 votes in the State. Cowley County, where the People's Party had its birth in 1889, polled 1,500 Labor votes. Labette County elected the entire ticket. Linn County polled 1,200 votes and elected a sheriff. In Clay County a Miss Mary P. Coleman was advertised as "the People's candidate for Register of Deeds."

Early in 1888 the ill-fated Order of Videttes sprang up in Kansas and spread very rapidly over the State,—so rapidly that by the time the National convention was held in May there were enough Videttes sent from Kansas to control the convention. The Videttes were a secret organization in which the Vincent brothers, publishers of a very able reform paper called the *Non-Conformist*, at Winfield, Kansas, were the leaders. Among the prominent members were C. B. Hoffman of Enterprise, and John W. Breidenthal. This organization was bitterly assailed by the Republican press. In becoming a Vidette, a man was required to abandon the political faith of his childhood, and this was heralded as

blood-red death-dealing anarchy. The cause of humanity was made paramount, in the Vidette ritual, to the cause of country, and this was branded as the creed of a traitor. The order, in one of its meetings, considered the raising of \$10,000 to establish a printing plant, and this was denounced as the most heinous of crimes. If there was a crime committed, it was charged to the "anarchist Videttes," whose mission in life, according to the Republican papers, was to kill, slay and make afraid.

The second National Convention of the Union Labor was held at Cincinnati, May 16, 1888. The platform was much the same as the year before except for the introduction of Woman suffrage, the fostering of co-operative associations, graduated income tax, and the election of Senators by direct vote of the people. Andrew J. Streeter of Illinois, was named for President, and Charles E. Cunningham, of Arkansas, for Vice-President. The National ticket polled 146,000 votes.

In Kansas the party nominated P. P. Elder, afterward a famous Populist, for Governor, and polled 63,000 votes, giving the Republicans a close race in some localities. Three Union Labor men were elected to the Legislature. Just prior to the election two unfortunate incidents occurred which had the effect of cutting down the Labor party vote. The ritual of the Videttes was stolen from the office of the *Non-Conformist*, along with the code, and was transcribed and elaborated upon in the most lurid manner by the Republican press. On October 18, a bomb was brought to the express office at Coffeyville by an unknown man who sent it to the address of one of the reform leaders at Winfield. The train was late and the expressman took it to his home where it exploded, frightfully wounding his wife and daughter. The Republicans made great capital out of the incident, using it to prove that the Winfield reformers were bomb anarchists. The Union Labor press and platform said that the bomb was sent at the instance of the Republican State Central Committee to involve the reformers in some kind of trouble, probably with the idea of arresting the man to whom it was sent as soon as he should innocently take it from the express office. This is the more probable explanation. Whether it was sent by the Republicans or not, nothing could have served their purpose better. The Union Labor party had practically disbanded in Kansas before the close of the year, and an organization known as the State Reform Association took its place, pending the concentration of all forces into the People's Party.

VI

THE ECONOMIC BASIS OF POPULISM

What was the matter with Kansas in the eighties? No sooner had the Greenback party been disposed of by the superficial adoption by the old parties of a portion of their platform than the Union Labor party sprang right up in the same spot. The Union Labor party having been plotted against, villified and scandalized out of existence, the farmers again came to the mark with a new organization, but with the same old leaders and the same principles. There must have been a grievance of some kind. The industrial classes had an idea that their interests were

not being conserved by the old parties. They based their opinions on the following facts:

The farmers of Kansas were burning corn because it could not be exchanged for coal except at a loss. The coal miners were out of work and going hungry because they could not get the corn. The farmer was going without clothing because he could not exchange his corn, wheat, butter, eggs and meat for clothing. But the shelves of the merchants and the storehouses of the manufacturers were loaded with clothing, and the man who made clothes was starving because there was no demand for the product of his toil. The pirates of trade stood between the farmer and the wage worker preventing them from exchanging the fruits of their toil, except by the payment of so heavy a tribute that they could not raise the sum. There was no medium of exchange left to the industrial classes. They had been borrowing the medium of the bankers since 1873, and now they couldn't even pay the interest, to say nothing of borrowing more. The Republicans called it over-production, and saw nothing in the situation to warrant a political upheaval. An over-production of the necessities in life in which the producers are starving and freezing has been the custom ever since the masters that oppress humanity discovered that wage slavery was more profitable than chattel slavery, so the Republican politicians thought this condition quite common, natural and necessary. The idea that laws could, would, or should be made in the interests of the people was quite preposterous to them. The remedy which they applied was a tirade of abuse upon both the farmer and the laborer. They told them that if they wouldn't talk so much, times wouldn't be so hard, and advised that they go to work, but no work was provided for the laborer, and no market for the farmer.

The man who had followed the advice of Horace Greeley and gone west in the early seventies, after losing his Indiana or Ohio farm in the panic of 1873, was in sore straits. He had mortgaged his farm for improvements, and when he could not sell his produce he had been obliged to borrow on his chattels at the rate of from 3% to 10% per month, to pay taxes and interest on that already borrowed. Practically every farm in Central and Western Kansas was hopelessly encumbered. Three-fourths of all the farms in the state were mortgaged, the farm mortgaged indebtedness amounting to \$235,000,000, according to the Government census of 1890, on which an average interest of 9% per annum was paid. On chattel mortgages a rate of from 40% to 375% per annum was paid. No wonder the farmers looked longingly at the Government money that was being loaned to the banks at 2% on security not any better than theirs. In Lyon County, one of the oldest and most prosperous in the State, there was a mortgaged indebtedness of \$5,588,660, against a valuation of \$6,493,491, the number of mortgages being 6,581. In Reno County there were 426 foreclosures in one term of court. In Lincoln County the mortgage indebtedness was \$1,672,703 in 1888, or 77% of the assessed valuation. In 1890 it had increased to \$1,817,513, or 83% of the assessed valuation. Many of the mortgages had been discounted heavily, that is the farmer only received two-thirds or three-fourths of the face value of

the mortgage, while his obligation compelled him to pay the full amount with interest at ten per cent.

Foreclosures were the order of the day. In the first six months of the year 1890, there were 2,650 foreclosures, and a like number of farms were deeded to mortgage companies to avoid the expense of foreclosure, making about 10,600 farms, or about 1,696,000 acres of land lost to the farmers that year. In the decade from 1880 to 1890, mortgages to the number of 441,406 were written on Kansas property, of which in the neighborhood of 150,000 were foreclosed or deeded to the holder of the mortgage without legal proceedings. In that decade the number of farmers tilling their own soil had decreased 12%. This accounted only for those who went into tenantry, and not for those who left the State. And at this time, especially in the latter eighties, there was a steady stream of farmers leaving the soil. In 1890, Sam Wood said that the loan companies were in possession of 90% of all the land in Southwest Kansas.

But when he left, the farmer did not leave free. The mortgage company had a lien on his future prospects, and the product of his future toil. By virtue of the policy of contraction of currency delineated at the beginning of this article, the property decreased heavily in value while the mortgage remained the same. Senator Plumb said in 1888, that the contraction of the past five years had been sufficient to lessen the value of property three billion dollars. Here is the result of that condition. The farmer had a piece of land worth \$3,000 in 1880. He mortgaged it at that time for \$1,000 with which to put on improvements. After paying the original amount in interest, at the rate of \$100 per year, at the end of ten years it came to foreclosure. He found in this foreclosure suit that instead of having an equity, the value of his \$3,000 property with \$1,000 worth of improvements, besides what he had put on in labor, had fallen so low that the loan company not only got the whole thing, after already getting their money back in interest, but that it even sold so low that the company had a good sized judgment against him, to prevent him from starting in somewhere else. The farmer in these straits was abused unmercifully by the Republican press. He was called a crook and a defaulter, and accused of mortgaging his property for more than it was worth with the intention of abandoning it and robbing the mortgage company. If those miserable creatures who drove East to their wife's folks, or West to find new homes, or walked to the cities in the vain hope of employment, had robbed anybody, they had a pretty smooth way of concealing it. They did not put up the appearance that the robbers of Wall Street did, or those of the railroads and monopolies.

T. E. Bowman writing in the interests of money at this time, says that any legislation adverse to capital will injure the borrower more than the lender. But the borrower saw no terrors in such legislation, as he was in such desperate straits that any change had to be for the better. In 1890, there was a real estate mortgage for every five people in Kansas, an average of \$170 per capita, on which an interest of \$16.70 was paid. Counting all indebtedness, public and private, including railroad, and public improvement bonds, State, municipal, county and township bonds,

and mortgaged indebtedness, the debts of the people of this State at the time the Government census of 1890 was taken, amounted to \$400 per capita, on which an annual interest of at least \$36 was paid. The per capita circulation of the country had fallen very low in 1886-87, and although it had revived slightly, it was even yet less than \$10 per capita. How to pay an interest of \$36 to say nothing of a debt of \$400, with \$10, when even the \$10 was in the Eastern banks, was the problem of those times.

This was the condition in which the Farmers' Alliance and the People's Party found Kansas, and if it was a virus, as the Republicans claimed, the vaccination certainly took.

VII

THE FARMERS' ALLIANCE

The first mention we have of the Farmers' Alliance is in connection with the fight of the settlers on the Osage ceded lands, to hold their homesteads which they had taken from the Government in good faith against the trumped up claims of the railroads who sought to make them pay, not only for the lands they had preempted from the Government, but for their own improvements which they had made. Finding that they were spied upon in their open meetings, the settlers formed secret societies known as Settlers' Protective Associations, or Settlers' Alliance. Inquiries as to the plan of organization came from New York state, and Mr. G. Campbell, of Oswego, who became a prominent Populist, tells of sending the plan of the society to that state, where Alliances were formed. But these merely kept their identity until after the fall of the Grange and the defeat of the Greenback movement, when the Farmers' Alliance took the place of the Grange. It was the New York organization that developed into what was known as the Northern Alliance, which was introduced into this State about 1880, but which never took part in politics.

The Populist movement was based on what was known as the Southern Alliance. About the time that the Alliance was organized in New York, a man by the name of Farmer moved from Parsons, Kansas, to Texas, and, according to Mr. Campbell, introduced the Alliance in that State. The first Texas Alliance favored the Greenback movement which proved its undoing. It was organized again in 1879, but did not spread beyond the confines of that state until 1887. At the beginning of that year it united with the Farmers' Union of Louisiana. Organizers were sent to other states, and before the end of the year Missouri, North Carolina, Alabama, Mississippi, Florida, Tennessee, and Arkansas were brought into the Alliance fold.

This Southern Alliance was a secret organization. It was brought to Kansas by the Vincent Brothers, publishers of the *Non-Conformist* at Winfield. They went to Texas, were initiated, and returned to organize in this State. They began in Cowley county where the People's Party was founded in 1889. While the Union Labor Party was

staging its campaign of 1888, the farmers were organizing, and in the summer of that year the State Farmers' Alliance was formed with Benj. Clover, the head of the Cowley County Alliance, as President. At the close of the campaign the Videttes and the Union Labor people were ready to disband, and they went over to the Alliance in a body.

The Alliance saw its greatest growth in 1889. In 1890 there were 130,000 members in Kansas, and the organization transacted \$1,000,000 worth of business in farm implements that year. The Alliance chiefly talked education and co-operation at first. It established co-operative stores. The idea was to go together in buying and selling and save money, beat the food trust in selling and the other monopolies in buying. But they found they were going against a fixed game in which the product and manufacturing monopolies were in with the banks and the railroads to defeat their purposes. Then they began to wake up and talk about politics. At the first annual meeting, after urging the farmers to secure literature on economic subjects and educate themselves and their families on the subject, the political objects of the Alliance were stated about as follows:

To secure the enactment of state laws auxiliary to the interstate commerce law, and to establish equitable relations between the people and the roads, making the rights and duties of each depend, not upon doubtful discretion, but upon positive enactment. Laws prohibiting free passes for public officials. Equitable distribution of tax burdens among all classes. Better representation of the agricultural interests of the country in the National Congress, and in the State Legislature. Prohibition of alien land and cattle syndicates. Election of the United States senators by direct vote of the people.

The interest question was taken up at some length and it was shown that the farmer could not pay ten per cent interest and retain his farm because he was not making that much even in a good year. The idea was advanced that the value of products should be controlled by the law of supply and demand and that the felon who goes to prison may have robbed one individual, but the felon who occupies a high seat of reputed honor may reach out the hand of might over a whole continent and rob thousands of victims of their property and homes. Concerning railroads it was said: "The magnitude of this evil is almost beyond comprehension. Nearly four thousand millions of dollars of securities representing no actual investment of money are now in existence in this country, beside which, that of the national debt sinks into insignificance. These securities are equivalent to an irredeemable, constantly growing national debt, an ever present incubus upon the labor and land of the nation."

The farmers had been advised to read, and there was no dearth of reading matter. Besides the *Non-Conformist* of Wichita, the *Advocate* of Meriden, and a dozen other reform papers, the number of which grew in 1892 to 150, there was a perfect avalanche of literature, most of it in convenient pamphlet form selling for twenty-five to fifty cents each. The questions of money, poverty, wealth, strikes, panics, monop-

oly, political graft, railroads, produce piratage, single tax, mortgages, interest, taxation, etc., were discussed from every possible angle, and arrays of figures were produced. Senator Plumb said that the produce trust was robbing the people of Kansas of \$40,000,000 annually, which should be going to pay off mortgages. It was learned that the annual interest on the war debt was four times the amount of pensions paid to the Union soldiers. These things were spread broadcast. Pamphlets were sold by the tens of thousands. The Alliance was sowing the ground of Kansas to dragon's teeth. President Clover said: "The year 1889 will witness the most stupendous uprising of farmers ever known in history. Where will Kansas be found, I ask you? We are driven to the wall, we must fight, and brother farmers, we might as well buckle on the armor."

VIII

ORIGIN OF THE PEOPLE'S PARTY

The Alliance began to resolve itself into the People's Party in the fall election of 1889. Reform tickets were put up in almost all of the counties under the name of Union Labor, or Alliance, according to the fancy of whoever happened to mention them. In Cowley county where the Alliance was probably stronger than in any other locality, a people's party was formed, and it came about in this manner. The Republicans were divided into two factions—city and farmer. The city element, representing the Winfield office ring, captured the convention, and the farmers withdrew, denouncing the manner in which the convention was handled. Among those withdrawing were M. H. Markham, S. W. Chase and Samuel Strong, who were the Union Labor element of the Republican party. They suggested a fusion with the Union Labor and Democratic parties on a people's ticket. Conferences were held between the central committees of the two parties and finally a committee was appointed by the Union Labor party composed of Henry Vincent, C. C. Krow, Edward Green, George W. Gardenshire, and Benjamin H. Clover, to draft a plan for a people's ticket. This committee drew up a petition calling a convention of the people. It was signed by men of all parties who were opposed to the old order of things. Neither the Union Labor nor the Democratic parties held conventions, but everybody opposed to the Republican office ring united in the People's Convention, which was held September 31, 1889. They drew up the following platform, which was the first under that name:

1. Resolved that we, the People's Convention of Cowley county, Kansas, assembled, are in favor of legislation in favor of the producing classes. We want government, national, state and county so administered that the producing classes shall have a just reward of their labor.

2. We are opposed to all trusts, especially the Winfield office trust.

3. We are unalterably opposed to ring domination in the selection of candidates for public office, or any other means by which the masses are

ignored, and the dictates of corrupt schemers are forced upon the people in the guise of party loyalty.

4. We are in favor of legislation to reduce the salaries of county officers to a figure commensurate with any other job of equal responsibility.

5. We regard with pleasure the organization over the state, of the Farmer's Alliance.

6. We commend postmaster-general Wannamaker for his efforts to secure cheap telegraph facilities.

In the November election the People's ticket snowed the ring politicians hopelessly under. *The Winfield Courier*, the Republican organ, poked its head out from under the debris and made the following observations:

It was known that the Farmer's Alliance was a growing organization and would in all probability cut some figure in the result. But the unanimity with which it supported the People's ticket was not looked for. The cause of the "disturbance" is plainly shown by reference to the table of returns. In every locality where the Alliance was strong, the People's ticket had large majorities, and in every township where there was no Alliance, the usual vote was cast. The Alliance for this year at least has been handled as a very compact and orderly political machine. Whether this is to continue as its policy is not known.

The *Courier* did not have to wait long to find out. As quick as the results in Cowley County were known, inquiries came from all over the state to learn about the People's Party. "The way they did it in Cowley County," was on the lips of every reformer.

The Alliance at this time had very little in its creed that had not been propounded and expounded by the Greenbackers. The most complete set of resolutions found in print were those of the Jefferson County Alliance. This document contained the usual land, labor, tax, monetary and coinage planks. It also demanded a graduated income tax, and stretched the U. S. Senator election plank to include all national officers. The repeal of all laws not bearing equally upon capital and labor was demanded, the strict enforcement of all laws, the removal of unjust technicalities and discriminations, revision of tariff schedules to lay the heaviest burdens on luxuries, an equalization of all taxation to compel all classes to bear their just amount of the burdens of government, legislation to break up monopolies which operate to break up trade. Prohibition was favored, and education by a well regulated system of free schools. One of the planks was copied verbatim into the platform of the National Alliance which met at St. Louis the next December. It read:

Resolved that we demand the abolition of the national banks, the substitution of legal tender treasury notes in lieu of bank notes, issued in sufficient volume to do the business of the country on a cash system; regulating the amount needed on a per capita basis, as the business interests of the country expand, and that all money issued by the government shall be legal tender in payment of all debts both public and private.

The Jefferson County Alliance also had a plank providing for the immediate removal of the tariff from any article which had been made the object of a combine, in order to establish a monopoly on such article and raise the price. According to this plan, as soon as a monopoly was formed on any article, the article went on the free list.

The National Alliances, both Northern and Southern met in St. Louis, December 3, 1889, and effected an organization with the Knights of Labor and a number of other farmers' and wage-workers' organizations. The platform adopted was of little importance, being a rehash of the Kansas local platforms, and not covering the situation as thoroughly as the resolutions of the Jefferson County Alliance. But the report of the committee on the money question was important, and was the basis of the sub-treasury plan as advocated by the Alliance and by the People's Party from that date until the movement was absorbed in bi-metalism in 1896. After calling attention to the needs of the farmers for a monetary system which would make them independent of the money sharks and enable them to hold their products for a fair price and market them gradually as demand should require instead of being compelled to market them as soon as harvested at a low figure fixed by those who control the currency of the country, in which case both producer and consumer is robbed, the committee recommended that the United States modify its present financial system.

1. So as to allow the free and unlimited coinage of silver, or the issue of silver certificates against an unlimited deposit of bullion.

2. That the system of using certain banks as United States depositories be abolished, and in place of said system, establish in every county in each of the states that offers for sale during one year \$500,000 worth of farm products,—including wheat, corn, oats, barley, rye, rice, tobacco, cotton, wool, and sugar, all together—a sub-treasury office, which shall have in connection with it such warehouses or elevators as are necessary for careful storing and preserving such agricultural products as are offered for storage; and it should be the duty of such sub-treasury department to receive such agricultural products as are offered for storage, and make a careful examination of such products, and class the same as to quality, and give a certificate of deposit showing the amount and quality, and that United States legal tender paper money equal to eighty percent of the local current value of the products has been advanced on the same, on interest at the rate of one percent per annum, on condition that the owner, or such person as he may authorize will redeem the agricultural product within twelve months of the date of the certificate, or the trustee will sell the same at public auction to the highest bidder for the purpose of satisfying the debt.

Besides the one percent interest, the sub-treasurer should be allowed to charge a trifle for handling and storage, and a reasonable amount for insurance, but the premises necessary for conducting the business should be secured by the various counties donating the land, and the general government building the very best modern buildings, fire-proof and substantial. With this method in vogue the farmer, when his produce was harvested, would place it in storage where it would be perfectly safe, and he would secure four-fifths of its value to supply his pressing necessity for money, at one percent per annum. He would negotiate and sell his warehouse or elevator certificates whenever the current price suited

him, receiving from the person to whom he sold only the difference between the price agreed upon and the amount paid by the sub-treasurer. When, however, these storage certificates reached the hand of the miller, or factory or other consumer, he, to get the product would have to return the money advanced together with the interest on the same and the storage and insurance charged on the product.

This is no new or untried scheme; it is safe and conservative; it harmonizes and carries out the system already in vogue on a really safer plan, because the products of the country, that must be consumed every year, are really the very best security in the world, and with more justice to society at large.

For a precedent as to the practicability of the plan, the committee refers us to the action of the French Government, which saved the country from ruin in 1848 by adopting this very system. A terrible panic was in progress which threatened the existence of the nation. The government opened up storehouses for the reception of all kinds of goods and produce. Money was put into circulation, business began to thrive and in two months a normal condition had been restored.

This sub-treasury was the most important thing in the Populist doctrine which had not been advanced by other Third Parties to any great extent.

A state meeting of the Alliance met at Newton, December 16, but nothing of importance in a political way was done. Shortly after the first of the year President Clover called a meeting of the presidents of the County Alliances to assemble in Topeka, March 25, 1890. In the meantime a convention was held at Emporia, March 5, at which the following State organizations were represented: The Farmers' Alliance, the Farmers' Mutual Benefit Association, the Industrial Union, the Grange, and the Knights of Labor. They formed themselves into the Farmers' Alliance and Industrial Union, and adopted a set of resolutions which were essentially the same as those of the Jefferson County and Cowley County organizations, with the following additions: Free sugar was asked for (with a bounty to home producers equal to the present tariff). The sub-treasury plan was heartily endorsed, and any further extension of credit to the railroads was opposed as well as the voting of bonds to railroads. Legislation against usurious interest was demanded, also the State-publication of school text-books and the adoption of the Australian ballot system. A plan was drawn up to have lectures prepared upon each one of the entire set of resolutions. These lectures were used upon the platform, in the reform press, and printed in pamphlet form for distribution.

The county presidents met pursuant to call on March 25. They drew up a whole volume of resolutions, thoroughly canvassing the economic conditions in every detail. The fact that Kansas corn was stacked along the railroad tracks like cordwood was called to the attention of Congress, and a law to allow free trade with Mexico was demanded, especially protesting against the tariff on silver ore, which provoked retaliatory measures on the part of the Mexican government against Kansas meat and farm produce. Congress was asked to put some of the Government

money into circulation to help the laborers, suggesting the building of a double track, trans-continental railroad.

A petition was drawn up to be circulated among Alliance people asking Congress to pass a law authorizing the loaning of money to farmers on their land at 4 per cent per annum. A lecture bureau was provided for to carry the economic doctrines to the people, resolutions were passed against Senator John J. Ingalls, who had by this time ceased to be a representative of the people, and the following demands were made:

A legislative enactment apportioning the shrinkage of farm values that are under mortgage obligations, by reason of the circulating medium or other unjust legislation, between the mortgagor and the mortgagee, according to their respective interest, at the time the mortgage was drawn. The election of United States Senators and of railroad commissioners by direct vote of the people. That Congress appoint a committee to investigate the original bill relating to national bonds, for the purpose of ascertaining whether the word "for" was erased and the word "after" substituted making the bonds payable with the premium of 28 to 30 percent. A constitutional amendment to be submitted to the people of Kansas allowing legislative enactment exempting homesteads occupied by their owners from taxation in whole or in part, and that a cumulative system of taxation be levied upon lands held for speculative purposes by non-residents, aliens, or corporations in proportion to increase of valuation.

The following resolution suggestive of political action was passed:

Resolved that we will no longer divide on party lines, and will only cast our votes for candidates of the people, by the people and for the people.

This conclusion was arrived at after reviewing the failure of the Legislature to pass laws for the relief of the farmers and laboring people, and the laws they passed in direct opposition to the interests of these two classes.

The cumulative land tax mentioned in the resolutions savored of Henry George. It provided for the lowest possible rate on the first \$1,000 of property, after which one-tenth of a per cent of the tax on original \$1,000 should be added for each thousand up to \$10,000. In this way the second thousand would be taxed at 1.1 times the original, the third at one and one-fifth, the fourth at one and three-tenths, and so on. On values exceeding \$10,000 and up to \$100,000, one-tenth should be added to each succeeding \$10,000, based on the tax assessed on the original \$10,000. This went on in the same manner, basing the taxes of each succeeding \$100,000 on the original \$100,000 and adding a tenth.

The graduated income tax was on the same plan. The income tax was to get at the holder of mortgages and bonds to make him bear his part of the burdens of government and the land tax was calculated to make it unprofitable to hold land for speculation which people needed for homes and to do away with the land capitalist getting rich on the labor of the people who were building up the country and making his land valuable.

IX

ORGANIZATION OF STATE PEOPLE'S PARTY

The convention which formed the People's Party of Kansas was called to order in Topeka, June 12, 1890, by John F. Willits, of Jefferson County, who was probably in a large measure responsible for the Jefferson County Alliance platform. It was a meeting for all those who had decided to fall away from the old parties and was attended by forty-one delegates of the Farmers' Alliance and Industrial Union, ten of the Mutual Benefit Association, and seven Patrons of Husbandry, twenty-eight Knights of Labor, and four from the Single Tax clubs.

A resolution to place a full state and congressional ticket in the field was passed unanimously, and the name of the People's Party was officially adopted. The St. Louis platform of December, 1889, was taken as the basis of political principles. One man from each Congressional district made up the State Central Committee as follows: S. C. Rightmire, of Pottawatomie county; Z. T. Stevenson, of Cedar Junction; S. W. Chase, of Winfield; Charles Drake, Council Grove; G. W. King, Solomon City; Joseph Darling, Norton; E. M. Black, Sterling. One of the leaders of this convention, of course, was B. H. Clover. Among the resolutions was one refusing to vote for any of their number who would accept a nomination from either of the old parties, one demanding the abrogation of all laws not bearing equally on capital and labor, and one demanding that all honorably discharged soldiers, their widows and orphans be pensioned, and that all pledges made to them by the Government be complied with as fully as in the case of bond-holders.

A nominating convention was called for August 13, and met pursuant to order in Representative Hall. The scorn of the Republican press changed to anger and righteous indignation that treason should be hatched in such a sacred place as the hall in which the people's rights were usually bartered away. An avalanche of abuse and criticism descended from the seats of the high and mighty upon this bunch of moss backed reformers as they were termed. However, a platform which covered the points already repeated in former meetings, was adopted and a State ticket nominated as follows: For Chief Justice, W. F. Rightmire; Governor, John F. Willits; Lieutenant Governor, A. C. Shinn; Secretary of State, R. S. Osborne; Treasurer, W. H. Biddle; Attorney General, J. N. Ives, State Superintendent of Public Instruction, Miss Fannie McCormick; State Auditor, Rev. B. F. Foster (colored). A motion to make Judge William A. Pepper the candidate for United States Senator was lost. The nominees for Congress were, in the order of the districts, as follows: L. C. Clark, A. F. Allen, Benj. H. Clover, J. G. Otis, John Davis, William Baker, and Jerry A. Simpson.

Headquarters for the People's Party were opened in Topeka, in the Crawford Building, at Fifth and Jackson streets. Willits was succeeded as chairman by S. W. Chase. Mr. Randolph, of Lyon, became secretary, and the war was on.

X

THE CRUSADE OF 1890

The upheaval that took place in Kansas in the summer and fall of 1890, can hardly be diagnosed as a political campaign. It was a religious revival, a crusade, a pentecost of politics in which a tongue of flame sat upon every man, and each spake as the spirit gave him utterance. For Mary E. Lease, Jerry Simpson, Anna L. Diggs, S. N.



MRS. MARY ELIZABETH LEASE

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Wood, Judge W. A. Pepper, Fred Close, Ralph Beaumont, Cyrus Corning, Prof. Vincent, Judge Rightmire, and a half a hundred others who lectured up and down the land, were not the only people who could talk on the issues of the day. The farmers, the country merchants, the cattle-herders, they of the long chin-whiskers, and they of the broad-brimmed hats and heavy boots, had also heard the word and could preach the gospel of Populism. The dragon's teeth were sprouting in every nook and corner of the State. Women with skins tanned to parchment by the hot winds, with bony hands of toil and clad in faded calico,

could talk in meeting, and could talk right straight to the point. Six years later William Allen White, in his famous "What's the matter with Kansas?" reviled these people for pretending to know anything, seeing that they didn't wear white collars. But these people were not roughnecks or boors or even escaped lunatics. Many of them were as well educated in their youth as Mr. White; and, anyway, the Emporia sage neglected to state what mysterious power lurks in the bosom of a white shirt that it is able to confer intellect upon its wearer.

The meetings were at first held in school-houses. Here the railroads, the trusts, the questions of finance, mortgages, and usury were discussed till long after midnight. Over and over the people heard these things, but they never heard them enough. The meetings grew bigger and bigger, till no buildings could be found to house the crowds which drove for miles and miles to hear their orators who were fast gaining national fame. All-day picnics were held and people came by the thousands, some of the crowds being reported as ten, twenty, and twenty-five thousand, who had come to hear the tidings of great joy. They came charged with Populism, and the speakers had merely to turn on the current to produce the electric display of enthusiasm. Everybody took part in these gatherings. The speaking was preceded by a parade with banners on which mottoes and legends were inscribed. There were characterizations, playlets, brass bands, songs and cheers. Songs were one of the characteristics of Populism. Everybody that wasn't an orator was a poet, and there was no dearth of musicians to adapt a tune, or of women to sing. Many of the songs were written to well known tunes. These songs were gathered into books of which tens of thousands were sold. Another characteristic of the times was the large number of women who took part. The Alliance received the women to membership, and the Populist party tried to give them suffrage, and many of them felt that it was the only party they could call their own. Mrs. Lease, of course, was the leader, with Mrs. Annie L. Diggs a close second. Mrs. Diggs did not make so much noise, but the work which she did was just as able and effective. Other lecturers were Helen Gauger and Mrs. Farmer Smith.

Mrs. Mary Elizabeth Lease, erroneously called Mary Ellen Lease, was born in county Monaghan, in the northern part of Ireland, instead of in Ridgeway, Pennsylvania, where her parents settled when she was a child. She was educated in New York State, and came to Kansas, where she was married at the Osage Mission to Charles L. Lease, January 30, 1873. She lacked from January to September 11, of being twenty years of age at that time. Twelve years later, she was admitted to the bar. In 1888 she made her first public speech in the Union Labor Convention. She went on with the people's work in the Alliances until 1890, when she was given a place in the Populist lecture bureau, and was more in demand than any other speaker. She made 160 speeches during the summer and fall, to immense audiences. As is usual with a woman who takes up an issue, she was bitterly assailed, reviled and ridiculed by the opposition. The Republican press made no attempt to meet her arguments; it confined its efforts to publishing untruths about her

personality. Mrs. Lease was at that time a tall, slender, good-looking woman of thirty-seven years. She lived in Wichita with her husband and four children. She was refined and magnetic, and her ready wit took care of her under all circumstances. She had a short cut to most objective points, and her rough-hewed thrusts, while carrying the truth home with force, laid her open to attacks from her enemies. She pointed from the starving thousands of Chicago to the useless corn piled high along the railroad tracks, in the cribs and in stacks on the ground, and being burned for fuel, and wishing to impress the people with the central fact that this condition existed because they allowed it to—because they had been spending their time raising corn and paying no attention to what kind of laws were being made, and what was being done at legislative halls, Mrs. Lease said: "What you farmers need to do is to raise less corn and more HELL."

This was a joyful sound in the ears of the debt-ridden multitudes, who had broken their backs plowing and hoeing only to be corn-poor. It was the rallying cry of revolution. It was repeated over and over again in all its possible variations at the school-house meetings all over Kansas. Of course Mrs. Lease was bitterly attacked for such a statement by the Republicans. William Allen White mentions it in his article on "What's the Matter with Kansas." But even Mr. White will have to admit that, according to all the information we have on the subject, the product recommended by "The Lady Orator of the West" is superior to corn for heating purposes.

In a graphic manner Mrs. Lease would picture accumulated wealth on one hand and the 90,000 working people living out of the garbage cans in Chicago. She flayed Senator Ingalls to the queen's taste as a "dishonest, soulless, shameless charlatan." The following is the substance of one of her speeches:

This is a nation of inconsistencies. The Puritans fleeing from oppression became in turn oppressors. We fought England for our liberty and put chains on four millions of blacks. We wiped out slavery and by our tariff laws and national banks began a system of white wage slavery worse than the first. Wall Street owns the country. It is no longer a government of the people, by the people and for the people, but a government of Wall Street, by Wall Street and for Wall Street. The great common people of this country are slaves, and monopoly is the master. The West and South are bound and prostrate before the manufacturing East. Money rules, and our Vice President is a London banker. Our laws are the output of a system which clothes rascals in robes and honesty in rags. The parties lie to us and the political speakers mislead us. We were told two years ago to go to work and raise a big crop, that was all we needed. We went to work and plowed and planted; the rains fell, the sun shone, nature smiled, and we raised the big crop that they told us to; and what came of it? Eight-cent corn, ten-cent oats, two-cent beef and no price at all for butter and eggs—that's what came of it. Then the politicians said we suffered from over-production. Over-production, when 10,000 little children, so statistics tell us, starve to death every year in the United States, and over 100,000 shop-girls in New York are forced to sell their virtue for the bread their niggardly wages deny them. Tariff is not the paramount

question. The main question is the money question. John J. Ingalls never smelled gunpowder in all his cowardly life. His war record is confined to the court-marshalling of a chicken thief. Kansas suffers from two great robbers, the Santa Fe Railroad and the loan companies. The common people are robbed to enrich their masters. There are 30,000 millionaires in the United States. Go home and figure out how many paupers you must have to make one millionaire with the circulation only \$10 per capita. There are thirty men in the United States whose aggregate wealth is over one and one-half billion dollars. There are half a million men looking for work. There are 60,000 soldiers of the Union in poor houses, but no bondholders. It would have been better if Congress had voted pensions to those 60,000 paupers who wore the blue and dyed it red with their blood in the country's defense than to have voted to make the banker's bonds non-taxable, and payable, interest and principal, in gold. We want money, land and transportation. We want the abolition of the National Banks, and we want the power to make loans direct from the Government. We want the accursed foreclosure system wiped out. Land equal to a tract thirty miles wide and ninety miles long has been foreclosed and bought in by loan companies of Kansas in a year. We will stand by our homes and stay by our firesides by force if necessary, and we will not pay our debts to the loan-shark companies until the Government pays its debts to us. The people are at bay, let the blood-hounds of money who have dogged us thus far beware.

Mrs. Lease was the woman of the hour, but the man of the hour was Jerry Simpson, candidate for Congress in the Big Seventh. Jerry was Lincoln-esque, both in physical appearance and in manner of speech. He was born in England, in 1842, and was a sailor on the Great Lakes, rising to the rank of captain. In his days and nights on board the ship he was a thorough student of economic questions, reading Dickens, Scott, Carlyle, Burns, Hugo, Shelley and Tom Paine, as well as later authors such as Henry George. He enlisted in the Union army, giving as part of his reason: "Hand-cuffs and auction blocks for fellows who work don't heave-to along side of justice."

The Simpsons moved to Kansas in 1878, and after living for a time in Jackson County, Kansas, moved to Barber County, and located near Medicine Lodge, where he remained until called from between plow handles to the Crusade of 1890. In giving his reasons for coming to this State, Jerry said: "The magic of a kernel, the witchcraft in the seed; the desire to put something into the ground and see it grow and reproduce its kind. That's why I came to Kansas."

Jerry Simpson came before the public as the opponent of a very polished and able gentleman, Colonel James R. Hallowell, whom he playfully dubbed Prince Hal. The Republican press treated Jerry the same as it did Mrs. Lease. Not daring to meet his arguments, it spent its energy making fun of him and telling the people what a catastrophe it would be for the State to be represented by a clown, a clod-hopper and an ignoramus, such as they characterized him. In retaliation Jerry derived what fun he could out of Hallowell's silk stockings. Whereupon Viotor Murdock, then a "red-headed" young reporter, wrote the famous "sockless" story, which was taken for truth all over the country.

He was called "Sockless Jerry," and "Sockless Simpson," and William Allen White later substituted Socrates, and he came to be known throughout the length and breadth of the land as the "Sockless Socrates of Kansas." His characterization of his opponent as Prince Hal struck the responsive chord, and the enthusiasm of his followers was shown in parades miles and miles in length. Finally the Republicans thought to put a stop to Jerry by arranging a series of joint debates with Hallowell. But Prince Hal was so badly snowed under at the first meeting that he never filled the rest of the dates, and Simpson had a clear field.

While the burden of Mrs. Lease's song was finance, that of Jerry Simpson was land. He was a single-taxer. He thought that if the people could own their land unincumbered they could get along. He assailed the railroads with a plentiful array of data, openly accusing the Santa Fe of dominating state policies, and converting to the uses of its unscrupulous stock-holders the fruits of the honest industry of its patrons and reducing them to penury. He called the attention of the farmers to the fact that they had raised 270,000,000 bushels of corn in 1889, sold it at 13 to 14 cents per bushel, that the grain gamblers of Chicago had secured control of 240,000,000 of it which they sold at 45 cents per bushel, thus cheating the farmer out of \$60,000,000, and said: "If the Government had protected the farmer as it protects the gamblers, this could not have happened. If the farmers had got this \$60,000,000, they could have devoted \$30,000,000 to the payment of mortgages and used the other \$30,000,000 for home comforts and farm improvements."

Simpson declared that all the property in Kansas would not sell for the debt and unpaid interest, that the majority of the men in Congress were attorneys for some corporation, and that less than ten men held the destinies of the nation in their grasp. "We must own the railroads," said Simpson, "or enough of them to do the necessary carrying. It is idle talk to say that we have not the authority. The government is the people and we are the people. Must the railroads have all the rights?" And again: "Man must have access to the land or he is a slave. The man who owns the earth, owns the people, for they must buy the privilege of living on his earth."

Mrs. Anna L. Diggs was connected with Dr. S. McLallin in the publication of the *Advocate*, which was the official organ of the Alliance. She went into the campaign of 1890, and like Mrs. Lease won national fame. She had a good speaking voice and was able to handle the Populist arguments and the immense crowds. Mrs. Diggs was a small woman, said to have weighed but 93 pounds. She was born in London, Ontario, in 1853, and was married to A. S. Diggs, in 1873. Their family consisted of two daughters and one son, and they lived at Lawrence. About the year 1877, Mrs. Diggs made her debut into public life in a temperance crusade in Lawrence, called for by the fact that University students were being ruined by liquor. In 1880 we hear of her as a silk-worm enthusiast. She wrote a book on the subject. In 1881, she addressed the Free Religious Association in Boston on the "Liberalism

of the West." In the campaign of 1890 she was chosen by her party to reply to the platform utterances of John J. Ingalls, and in so doing she contributed more than any other one person to his downfall. Mrs. Diggs stayed with the Populist party, and in 1898, 1899 and 1900 was one of the leaders in Kansas politics. Her idea of fusion was that the Democrats should adopt Populist principles.

Colonel Sam N. Wood was one of the Populists who had always been a third party man in principle. Mr. Wood was born near Mount Gilead, Ohio, December 30, 1825, and from the time he was nineteen years old he took an active part in the politics of that state, being a Free-Soiler. He was admitted to the bar in 1854, and came to Kansas in June of that year to help make this a free State. He was prominent in public life until his murder, which occurred in June, 1891. He was heralded as a martyr to the cause of the people, and he undoubtedly was. He was a shrewd politician and it was said that at one time when he was in the Legislature and an important bill was up in which he was interested, he devised a plan to get the opposition out of the way while a vote was taken. He arranged to have a party enter Representative hall at the critical moment yelling "Dog fight! Dog fight! Dog fight!" The plan worked. A grand rush was made out of the room and down the stairs, the friends of the bill remaining behind. When the opposition returned disappointed at seeing no dog fight, the bill had been passed.

When the vote was counted in November, it was found that the Populists had elected five Congressmen and a majority of the lower branch of the Legislature. As an index to the feeling at that time, an incident is told of a man who had worked so hard for the Populist cause that he took sick on election day and had to go home. Upon hearing the results of the voting he rang a sixty pound dinner bell for one solid hour yelling: "Glory! Glory! Glory!" The next day pasted a picture of John J. Ingalls on each side of a wagon box loaded with hogs and came into town waving his hat and shouting for the People's party.

The defeat of Ingalls was a great satisfaction to all Populists. He had said that anything was fair in politics, and that politics was a game which called for underhanded methods, and for lying and deceit. He was completely snowed under and never came back. Ingalls was an intelligent, clear-seeing politician and outlines the conditions exactly as they were in 1878. He knew what had come, but he had aligned himself with the grafters and either could not break loose or did not care to.

Ex-Governor Crawford bewailed the results of the election and said the one-percenters were in the saddle. But the one-percenters had been in the saddle since 1863, borrowing at one percent and loaning at eight, ten and twelve, and the people had decided to ride awhile.

The only state officer elected was Ives for Attorney-General, who was on both People's and Democratic tickets. John Willits polled 106,943 votes for Governor, against Humphrey's 115,124, showing that the Republicans had had a run for their money. Felt, the Republican

candidate for Lieutenant-Governor, polled 120,062 votes, and Shinn, the Populist, polled 115,553. There were 91 Populists in the lower branch of the Legislature, 8 Democrats and 26 Republicans. The Senate, of course, was Republican, the members holding over from the last election. Jerry Simpson went to Washington and surprised the whole country with his ability as a speaker and debater and was a credit to the State, putting to shame the popular idea in the East that "we do not want any more states till we have civilized Kansas."

The Republicans had made every possible effort to defeat the will of the people. The *Daily Capital* printed 100,000 extra copies during the campaign which were sent free to voters. The paper was filled with falsehood and vilification. The railroads hauled thousands of voters in on free passes, bringing them to Kansas and taking them back home without charge.

XI

CAMPAIGN OF 1891

The activities of the People's Party, both state and national, in 1891 were more educational than otherwise. An effort was made, not so much to elect candidates, there being only local elections, as to sow the seed of National revolution. Mrs. Lease, Mrs. Diggs, Jerry Simpson, Judge Peffer, John Willits and other leaders spent very little time in this State. They were going North, South, East and West preparing for the campaign of 1892, when they hoped to elect a President. They might have done it had they succeeded in breaking the solidarity of the South. That was the rock on which all the reform movements have been wrecked nationally.

The People's Party of Kansas established a lecture bureau and kept thirty to forty speakers busy the entire summer and fall. One of the best of these was Rev. James Buchanan, of Indianapolis, Indiana. In a speech at Frankfort, in Marshall County, he said that 7% interest accumulates wealth four times as fast as labor can produce it. It is not hard to reason from this the validity of the opening premise of this article that it was interest that was at the bottom of the trouble. The Kansas interest of 10% was accumulating in a hundred years more than three times as much as 7% would.

The leading feature of the campaign was the speeches made by Senator Plumb for the Republicans. Plumb belonged in the reform ranks, but was elected by the Republicans and so stayed with his party. He is quoted as saying in a speech on the money question on the floor of the Senate on January 7, 1891:

Mr. President, with me, while these considerations are of a kind which induces me to favor free coinage of silver, if there were seriously made here a proposition to cut loose from both gold and silver, so far at least as our domestic currency is concerned, giving the people a currency which should be useful at home and not exportable, and whose

value should be fixed by its volume, I should unhesitatingly embrace it, and I should favor that if I believed it would be supported by the sound and permanent public opinion of the people of the United States. It cannot be at present, as I believe.

This explains why he did not embrace reform in the Populist Party, and he was right as subsequent events proved, although he might have speeded the day by going in with the losing cause. Plumb was a wonderful speaker and thinker and he made all kinds of horse play of Otis, Pepper, Davis and other Populists in their absence, and they had torn him to pieces for believing a thing and working against it. It is said that the efforts of this campaign contributed to Plumb's untimely death, which occurred in December of that year.

The Populists also lost a valuable man in 1891, when Col. S. N. Wood, of Stevens County, was murdered at Hugoton, June 23, 1891. One of the last political speeches he made was at Herington, April 29, 1891. It was a tremendous effort, covering the complete history of the Legislature which had just adjourned and an explanation of and argument in favor of every Populist principle. In regard to the government loaning money to the farmers to assist them he said:

We must study this mortgaged debt hanging over the country. It is sweeping away the entire property of the people. It is a worse calamity than the Johnstown flood or the overflow of the Mississippi. The Government loaned the Union Pacific sixty millions to aid in building that road. The Government for thirty years has been loaning the national banks hundreds of millions at one per cent interest. This was all unconstitutional. Whenever there is a will there will be found a way to help the mortgage ridden people. With the present financial policy it will never be paid. If the Government should assume this debt as it comes due, at one per cent, it would be \$140,000,000 a year paid the Government; in thirty years, \$4,200,000,000. The people would save \$720,000,000 a year; in thirty years, \$22,600,000,000. This money kept at home among the people would stimulate every industry; every idle man and woman would go to work, and civilization could take a step in advance. Of course the people must not be allowed to make new debts or new obligations. We must abolish debt, with all the laws for the collection of debts in the future. Mortgages on homes at least should be void. Abolish usury or interest. With this selfishness would be of the past. Crime, insanity and vice, induced by poverty would disappear.

The Republicans followed the road of the Populists in 1891 to the extent of organizing secret societies to advance the interests of the party. These two orders were the Republican League and the Knights of Reciprocity. The latter deceived the reform element for a long time, did spy duty and secured much valuable information at the reform assemblies from private conversations. The reform ticket did not score heavy in the fall election, and all accounts of the county tickets are omitted in the reform papers.

XII

LEGISLATION OF 1891

Shortly after the election of 1890 an effort was made to form a National People's Party, but the project was postponed until after the Legislature of 1891 should finish its work, as every leader wished to give full attention to assisting the Populist House to redeem as many of the party pledges as possible. For the first time in the history of the State, one branch of the Legislature was in control of an element opposed to the Republicans. And while the Third Party had only two members in the Senate, the overwhelming majority in the House gave them the choice of who should succeed Ingalls in the United States Senate. The mantle fell upon Judge W. A. Pfeffer, editor of *The Kansas Farmer*, one of the leading figures of the Reform Press Association, and a Populist writer and speaker. E. H. Snow was elected State Printer.

In the matter of legislation, the House was greatly handicapped. The State officers and the daily press were bitterly opposed to them, and the Senate had its plans laid to defeat all reform measures. There were hired Hessians to divide and disrupt the Populists by every imaginable scheme. The most the House accomplished was to put itself on record.

At the close of the session a manifesto was issued, signed by the Hon. P. P. Elder, Speaker of the House of Representatives, and by the chairmen of the following committees: Wm. Rodger, Ways and Means; J. S. Doolittle, Judiciary; David Shull, Legislative Apportionment; A. M. Campbell, Railroads; A. A. Newman, Municipal Corporations; C. R. Cleveland, Engrossed Bills; M. A. Coburn, Federal Relations; W. Doty, Banks and Banking; Levi Dumbauld, Elections; A. H. Lupfer, Education; John Bryden, Livestock. In this article the following bills are mentioned as having originated in the House and been passed by the Senate:

1. Act to abolish supervisorship in joint tenancy.
2. An appropriation of \$3,500 to Prof. Snow of the University of Kansas to carry on experiments in the destruction of chinch bugs.
3. Apportioning the State of Kansas into Senatorial and Representative districts.
4. Requiring money coming into the hands of County Treasurers in some counties to be deposited in banks.
5. For the continuance and maintenance of forestry stations.
6. Constituting eight hours a day's work for all workingmen employed by the State, County, City or Township.
7. To regulate warehouses, the inspection, grading, weighing, and handling of grain.
8. Relating to the sale of real estate for delinquent taxes in such counties as shall adopt the provisions of this act.
9. Prohibiting alien ownership of land in Kansas.
10. Joint resolution recommending the calling of a convention to revise, amend or change the constitution of the State of Kansas.

11. Prohibiting combinations to prevent competition among persons engaged in buying or selling livestock.

12. A measure to prevent "wild cat" banking in Kansas.

But by far the most important of the Populist measures were not even considered by the Senate. Among these was the railroad freight schedule bill. Among other things it prohibited charging more money for a short haul than for a long haul, and would have reduced freight charges in Kansas 30 per cent. A bill was also passed in the House reducing passenger rates to two and one-half cents per mile, and prohibiting free passes. The lobby in the House against the railroad measures included every railroad attorney in the State, as well as the heads of railroads. They were allowed to come before the committee and explain their side of the case.

Another bill provided for a penalty of forfeiture of both interest and principal if a money loaner was found charging above the legal rate of ten per cent. The Senate said this would drive capital out of the State and vetoed it. A measure was instituted to relieve the farmers by allowing them two years to redeem their homes after foreclosure and to prohibit the mortgagor from obtaining a personal judgment in addition to the property. The Senate amended it to death and passed it. The House on receiving it back, struck out the amendments and returned it to the Senate, where they refused to receive it. A bill setting aside a sale on account of an inadequate price suffered a similar fate, as did a bill compelling the original mortgage to be brought into court, instead of a copy of the instrument, in case of foreclosure. A bill to make silver dollars and half dollars legal tender for all debts in the State and make the gold contracts null and void was not even considered in the Senate, as it would "drive capital out of the State."

Other legislation advanced by the House and defeated by the Senate was as follows:

An assessment bill providing for the unearthing of property hidden from the assessor, by means of search warrants.

Australian ballot bill.

The World's Fair appropriation bill. The defeat of this bill was blamed upon the Populists, but as a matter of fact they passed it, but the Senate wanted more than their share of the five Commissioners, and the measure was finally defeated.

Prescribing penalties for accepting bribes, and an act to abolish the corrupt use of money and corrupt acts at elections.

Prohibiting railroad companies from using armed detectives in strikes.

Reducing interest on unpaid taxes from 24% to 10%, and providing for an easier redemption by the owner.

To protect Counties, Cities and Townships from illegal or fraudulent acts of their officers.

To prohibit subscription of stock or voting bonds for railroads.

Providing for the weekly payment of wages in lawful money of the United States.

An act relating to insurance to compel the payment of policies or the rebuilding of destroyed property.

Changing the fees and salaries of County officers. Also a bill to make the office of State Printer an elective one on a salary of \$3,000.

Hog inspector, and prohibiting the sale of dead hogs.

Limiting the power of Counties, Townships and Cities to create indebtedness.

Prohibiting private banks from doing business in any other than the individual names of the proprietors.

To prohibit Counties, Townships and Cities from voting aid except for buildings, bridges and school houses.

Conferring upon women the right to vote and hold office.

To prevent lotteries.

To amend the code of civil procedure, and reduce the work of the Supreme Court.

A bill allowing \$60,000 for the relief of the destitute farmers of Western Kansas.

To punish drunkenness in public office by forfeiture of office.

Regulating the discharge of corporation employees and to prevent blacklisting of railroad men.

Uniform system of school books throughout the State by State publication if possible.

The total savings in appropriations was over a million dollars, as compared with previous legislatures, and could have been much more had the Populists been in control of both houses. Impeachment proceedings were instituted against Judge Theodosius Botkin of the thirty-second judicial district, on charge of drunkenness and fraud. He was saved by the Senate, and later S. N. Wood, who was clerk of the Populist Judiciary committee, was killed at his court house by a hired assassin who was immediately set at liberty and never punished for the crime. Other investigations included the State-house appropriations which had totaled \$2,500,000, without the State-house being finished. The Coffeyville dynamite incident mentioned in connection with the Videttes was also investigated and the blame for the bomb located upon prominent Republicans. It was said that the Populist House of 1891 was the first to eliminate the large force of unnecessary employees. The Senate with 40 members had 118 employees, and the House with 125 members had only 82.

While the Populists made every legitimate effort to cut down expenditures, and attempted without success to eliminate some of the appointive offices which had been created as sinecures, no money was saved at the expense of the State institutions, as they made liberal appropriations for education, and favored the proper care of all insane or otherwise helpless persons at the expense of the State, many of whom were at that time either uncared for or given inadequate attention by private means or by the counties. Taking it all together, the Populists had a record in the Journal of the House of Representatives on which to base their next campaign.

XIII

FORMING THE NATIONAL PARTY

The initial steps in forming the National People's Party were taken in Winfield, Kansas, the home of the Alliance and the birthplace of the party, soon after the election of 1890. The Vincent Brothers, editors of *The Non-Conformist*, aided by C. A. Powers, of Indiana, and General J. H. Rice, of Kansas, drew up a call for a meeting of all industrial organizations of the country to form a National Party of the People. Among the organizations especially invited were: The Independent Party, the People's Party, the Union Labor Party, Federal and Confederate soldiers organizations. Farmers' Alliance, Citizens' Alliance, Knights of Labor, Colored Farmers' Alliance. The text of the call was as follows:

Whereas in Unity there is strength, therefore it is desirable that there should be a union of all the variously named organizations that stand on common ground to this end. Each state to send one delegate from each Congressional district and two from the State at large, and each district organization to send not less than three delegates and each county not less than one to be chosen according to the customs of each representative organization in the month of January, 1891. Also that the editor of each newspaper is hereby invited as a delegate, that has advocated the principals of the St. Louis agreement and supported the Alliance candidates in 1890, the delegates to meet in Cincinnati, Ohio, February 23, 1891, at 2 P. M., for the purpose of forming a National Party based upon the fundamental ideas of finance, transportation, labor, and land, and in furtherance of the work already begun by those organizations and preparatory for a united struggle for country and home in the great political conflict now pending, that they must decide who in this country is sovereign, the citizens or the dollar.

The call was taken to the meeting of the National Alliance at Ocala, Florida, December 2, 1890. Most of the Kansas leaders were there, Jerry Simpson among the rest, on his way to Congress. The Kansas delegation made an effort to have the call adopted by the Alliance, but although the national president, R. L. Polk, made a speech strongly favoring political action, the Southerners would have none of it. The Kansas people contented themselves with securing individual signers, and about fifty of the most prominent names in the reform movement of the country were on the scroll when the meeting closed. Upon returning to Kansas the promoters of the National Party put their meeting off until the 19th of May.

The editors of the reform press had been invited as delegates, and it was learned when the Reform Press Association met in Topeka in February that there were 150 newspapers in Kansas supporting the People's Party and entitled to representation in the national meeting. This, together with the fact that Kansas had all the reform organizations mentioned and some others, each one of them entitled to send delegates, made the Cincinnati Convention a Kansas affair. Five hundred people from this state met in Kansas City and went on a special train.

An enterprising reporter made an attempt to catalogue the names of the reform organizations represented at this meeting. He mentioned the following and then gave it up: The Farmers' Alliance, the National Workers' Alliance, the Citizens' Alliance, Independent Alliance, Industrial Union, Knights of Labor, Knights of Reciprocity, Knights of Union, Knights of Reform, Knights of Fairplay, Knights of Industry, Knights of Universal Equality, Municipal Congress, Municipal Reformers, Wage Earners Solidarity, Laborers' Union, Industrial Benevolent Association, National Finance Club, Indian Rights Association, Dollar of the Dads Advocates, Woman's Suffrage Association, Universal Order of Free Men and Free Women, and the Followers of Henry George. The states represented were: Arkansas, California, Connecticut, Florida, Georgia, Iowa, Indiana, Illinois, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Maine, Nebraska, New York, Ohio, Texas, Oklahoma, Pennsylvania, South Dakota, Tennessee, Wisconsin, West Virginia, Wyoming, and the District of Columbia. There were 1,400 delegates in all.

Kansas was looked upon for leadership and took immediate charge of the proceedings. The meeting was called to order by Judge W. F. Rightmire, a prominent Alliance and People's Party man of Kansas. The opening speech was made by Judge Pepper, United States Senator from Kansas. As this speech caused Populism to be referred to in other states as Pepperism a summary of the speech is here given:

This movement is not one for destruction; it is one for creation. It is not for the purpose of tearing down, but for the purpose of building up; not to destroy the wealth of the rich, but to restore to labor its just reward.

What influence lies behind this majestic moving of the masses? Is this the work of men demented? If so, then indeed is half the world gone mad. Two hundred and seventy years we have toiled in this country. We have conquered the wilderness, peopled the solitudes and encompassed a continent. We have removed forests, opened highways, established commerce and builded a nation that leads all the rest in agriculture and in manufactories, with half the railroad mileage of the world, and with an internal trade, which measured by either dollars or tons, exceeds the foreign commerce of any half dozen countries. Yet, with all we have done, with all the glorious records of these American workers, we find that today our profits are diminished; we find that our wants are multiplying and our incomes divided. Our ancient prerogatives have been wrested from us.

In the beginning 95% of the people owned 95% of the land. Now only 45% of the people live on farms, half of them mortgaged for more than they would bring under the hammer, and less than 250,000 people own 50% of the property in the country. There are 9,000,000 mortgaged homes in this country. The men and women who have builded this country, the men and women who in justice own this country, are under a weight of debt that is absolutely impossible for them to pay under ordinary conditions.

There are townships and even counties where every foot of ground in town or country is mortgaged. Formerly the man who lost his farm could go west. Now there is no longer any west to go to. Now they have to fight for their homes instead of making new. When the Santa

Fe got into trouble financially, they reorganized, scaled down their interest from 7% to 4% and saved their property. This is what the farmers are trying to do, scale down their interest from 10% to 40% to 4%, and get out of debt. The whole trouble with the people is debt. Then you understand that this movement among the people means the saving of their homes. It does not mean repudiation. It means payment. The average profit made by the farmers on their labor is from 1% to 3%. How then can they pay interest at 10% to 40%.

The platform adopted at the Cincinnati Convention was based upon the Alliance declaration of principles in the three National Conventions: St. Louis in 1889, Ocala in 1890, and Omaha in 1891. The preamble was as follows:

In view of the great social, industrial and economical revolution now dawning on the civilized world, and the new and living issues confronting the American people, we believe that the time has arrived for a crystallization of the political reform forces of our country, and the formation of what should be known as the People's Party of the United States of America.

There was nothing new to be advanced. The Sub-treasury plank led in the platform, followed by free silver, alien ownership of land, equality in taxation, economy in government, graduated income tax, government control or government ownership of means of transportation and communication, election of United States Senators, President and Vice-President by direct vote of the people, universal suffrage by states, payment of soldiers in the same coin the bankers were paid, eight hour law.

The following men were elected to the National Central Committee: Chairman, H. E. Taubeneck, Marshall, Ill.; Treasurer, M. C. Rankin, Terre Haute, Ind.; Secretary, Robert Schilling, Milwaukee, Wis. The members from Kansas on the committee were P. P. Elder, Levi Dumbauld and R. S. Osborn. The committee met almost immediately in St. Louis and planned for the presidential campaign of the next year. The nominating convention was set for June 14, 1892. It was later postponed and held at Omaha, July 2, 1892.

XIV

CAMPAIGN OF 1892

Preparatory to the big campaign of 1892 in which the Populists hoped to win the National election, the State Central Committee of that party met in the Dutton house in Topeka, November 24, 1891, to review the situation and lay their plans. The economic condition of the country was set forth as follows:

Every branch of business is depressed. The merchant fails for want of trade and the banker from depreciation of values. Labor is

unemployed and inadequately paid. Our cities are the abode of poverty and want and consequent crime, while the country is overrun with tramps. Starvation stalks abroad amid an over-production of food and illy clad men and women and helpless children are freezing amid an over-production of clothing. We hold these conditions are the legitimate result of vicious legislation in the interests of the favored classes and adverse to the masses of American citizens, and we appeal to the great body of the people, irrespective of occupation or calling, to rise above the partisan prejudices engendered by political contests, and calmly and dispassionately examine the facts which we are prepared to submit in support of our claims. We appeal to reason and not to prejudice, and if the facts and arguments we present can be refuted we neither ask nor expect your support.

The National Committee met about the same time, and in its deliberations mentioned that less than fifty people controlled the currency and commerce of the nation, and called attention to the fact that as iron has more intrinsic value than gold, that money has no value in itself, but takes on a value only by virtue of representing either labor or the product of labor. This idea originally came from Kansas, where an Alliance dollar bill was printed with the following inscription: "This is to certify that the bearer has produced to the amount of a dollar and is therefor entitled to an equivalent."

A Conference of Confederated Organizations was held in St. Louis, February 22, 1892. It was attended by the same organizations mentioned in connection with the Cincinnati Convention. In their resolutions there was nothing new. They began by saying:

We declare the union of labor forces of the United States this day accomplished, permanent and perpetual.

Wealth belongs to him who creates it. The interests of rural and urban labor are the same; the enemies are identical.

Then followed the platform which was endorsed by both State and national conventions of the People's Party and on which the campaign was made. It declared for the sub-treasury, elimination of National Banks, flexible currency, an increase of circulating medium to \$50 per capita; for Postal Savings Banks, free coinage of silver, public revenues limited to necessary outlay, graduated income tax, reclaiming of railroad and other corporation lands for the people, government ownership of railroad and telegraph. They also passed resolutions against dealing in options, futures and all manner of grain gambling, and in favor of paying the soldiers of the union the money they had lost through the depreciation of the greenback.

Joint committees of this conference and of the People's Party called a delegate convention of the People's Party to meet at Omaha July 2, 1892.

The months of May and June were filled with county and district conventions.

The first state convention was that of the People's Party. It was held June 5, at Wichita. The platform of the St. Louis conference was

adopted with the following additions: All monopolies of products and of the elements of nature were denounced. The railroad assessors were condemned for reducing the taxes on railroad property. The Populist Congressmen were commended for their fight for the interests of the people and against the monopolies, and the legislation of the Kansas House of Representatives was approved, and the Senate censured for not co-operating to pass the various measures in the interests of the people. Pensions for railroad employees, and indemnity for the injured was favored and the abolition of passes. The identity of interest with urban labor was recognized and after some debate equal suffrage was endorsed. One resolution declared that public needs should be served by public agencies, and said it was the duty of the government to provide public telephones, telegraph lines and free mail delivery to all homes.

This convention was a very enthusiastic one, and a very dramatic incident occurred when Fred J. Close, a Union soldier who had lost an arm in the war, in a brief and eloquent address placed the name of Col. W. A. Harris, an ex-Confederate, in nomination for Congressman-at-large. The assembly went wild and the nomination was made unanimous by a rising vote. Men stood on chairs and tables and cheered themselves hoarse, and it was many moments before the tumult could be quieted. The People's Party was healing the wounds which both old parties for selfish reasons were trying to keep bleeding. The nominations of the convention were as follows:

Governor, L. D. Lewelling; Attorney General, John T. Little; Lieutenant Governor, Percy Daniels; Secretary of State, R. S. Osborne; Auditor, Van B. Prather; State Superintendent, H. N. Gaines; Associate Justice, Stephen H. Allen; Treasurer, W. H. Biddle. The Congressional nominees in the order of their districts were: F. J. Close, of Troy; H. L. Moore, of Lawrence; T. J. Hudson, Fredonia; E. V. Wharton, of Yates Center; John Davis, of Junction City; William Baker, and Jerry Simpson. One delegate for each district was sent to Omaha, as follows: S. R. F. Roberts, A. F. Allen, William Cook, Frank Doster, H. N. Boyd, J. W. Murphy and John Hall. Delegates at large were Mrs. Mary E. Lease, James T. Beck, W. L. Brown, S. McLallin, and George Wagner.

The Republican State Convention was held June 30, and a struggle took place between the stand-pat and the reform elements within the party, the latter succeeding in forcing an unwilling endorsement of some of the planks in the Wichita platform. The success of Plumb in 1891 in cutting down the Populist vote in Kansas by about 30,000, and in electing the Republicans in nearly every local contest, had made the Republicans chesty again, and forgetting that this was the work of Plumb and not of themselves, they thought they had come back for an indefinite stay and a desperate struggle ensued over the nominations, the nomination being considered equivalent to election.

The Democratic convention endorsed the state and electoral tickets of the People's Party. John Martin was the hero of the convention and led the fight in favor of this action. A few of the delegates, mostly corporation tools, withdrew and held a convention under the name

"Stalwart Democrats." The tenor of the speeches was a bitter denunciation of the action of their party and a declaration to help the Republicans, which they did.

The Omaha convention was attended by a large body of men and women beside the regular delegates. The entire number of delegates from all states was 1,652, but hundreds who were not entitled to seats went to hear the speaking. The opening address was given by George P. Bemis, Republican Mayor of Omaha, but the objects of the meeting could hardly have been voiced better by any Populist present. He said:

You are here to protest against legislation not in the interests of the people. You are here to protest against the wealth of the nation being absorbed by the few, while thousands are unemployed and many suffering for the necessities of life. You have laid the foundation of a great party. You have broken down the barriers of sectionalism and buried the bitterness of the past, extinguished the glowing embers of the campfires of hate, wiped out the imaginary line that separated the north from the south, and with hearts filled with hope you meet here in convention to nominate candidates who will lead your party in the coming campaign. That great good may result from your deliberations and actions, I sincerely hope. That you will fearlessly face the issues of the day I firmly believe.

The Kansas people who spoke were W. F. Rightmire, L. D. Lewelling, Colonel Harris, Mrs. Mary E. Lease, Louise Lease, her daughter, and Mrs. Annie L. Diggs, who much to the discomfiture of Susan B. Anthony, did not insist on the suffrage plank. Mrs. Diggs was a shrewd politician, and was about the only Populist of the original contingency who survived the defeat of 1894 and exerted any great influence afterward. Miss Anthony was a good suffragist but had a poor understanding of policy. She finally succeeded in forcing Populism and suffrage upon each other, to the great detriment of both.

The platform covered completely the economic questions treated in whole or in part by previous meetings. In the railroad plank was this statement: "We believe that the time has come when the railroad corporations will either own the people or the people will own the railroads." The wrongs of the people were stated as follows:

Corruption dominates the ballot-box, the legislatures, the Congress, and touches even the ermine of the bench. The newspapers are largely subsidized or muzzled, public opinion silenced, business prostrated, our homes covered with mortgages, labor impoverished and the land concentrating in the hands of capitalists. The urban workmen are denied the right of organization for self-protection; a hireling standing army is established to shoot them down. The fruits of the toil of millions are boldly stolen to build up the colossal fortunes of a few, unprecedented in the history of mankind. The national power to create money is appropriated to enrich bondholders. Silver which has been accepted as coin since the dawn of civilization has been demonitized to add to the purchasing power of gold by decreasing the value of all forms of property as well as human labor and the supply of currency is purposely abridged to fatten usurers, bankrupt enterprise and enslave industry.

A vast conspiracy against mankind has been organized on two continents, and it is rapidly taking possession of the world.

General James B. Weaver, the former Iowa Greenbacker, was nominated for President. It had been the intention to nominate R. L. Polk, President of the National Alliance, for Vice-President, but his death occurred shortly before the convention, and General J. G. Field, of Virginia, was nominated.

After the close of the National Convention the campaign began in earnest. As in 1891, the big Kansans spent their time in other states. Mrs. Lease went West and then South with General Weaver. She said if the South could be won the cause was won, and she was right. But the South refused to accept Populism as a National proposition, and the Weaver party was greeted all over Georgia with bad eggs. In the West this same party had been having better luck. The enthusiasm of the silver states was unbounded, and the progress from town to town was a continuous ovation. In some places there were not enough people left in the old parties to form committees. In Nevada eight speeches were made every day. Mrs. Lease said the spirit of rebellion in the West was like Carlyle's description of the storming of the bastille. One of the California papers in describing a meeting addressed by Mrs. Diggs said:

At no time since President Harrison visited San Diego has so large an audience assembled on Horton Plaza. Mrs. Diggs, who has gained a national reputation as an advocate of the principles of the People's Party, is a pleasing and entertaining speaker. Though rather slight in figure her voice is loud, clear and resonant. That she held her immense audience for nearly two and a half hours is a high tribute to her oratory. She arraigned the old parties for offering no adequate solution to the present labor troubles and hard times. She reviewed the actions of Congress in regard to wasteful and dishonest disbursements of the people's money and spoke very clearly regarding the policy and principles of the new party.

In Kansas the campaign was largely carried on by the candidates for State offices and for Congress. It was in a large measure a repetition of the Crusade of 1890. Every meeting was a celebration. Parades five miles in length were held, led by the speaker of the day. Nor was Georgia the only place where indignities were suffered. Congressman Otis was rotten-egged at Princeton, in Franklin County. John W. Breidenthal was subjected to false arrest in Wichita, and S. N. Wood was murdered in Hugoton. A plot was unearthed to murder Jerry Simpson.

As in the former State campaign, the school-houses and other buildings would not begin to hold the multitudes. The meetings lasted hours and hours, and the people cheered and called for more. There was plenty of material in the events of the day to talk from. They said that the unfriendly legislation against silver had cost the farmers of this country more than \$10,000,000,000, that being the balance of trade

against us caused by an unequal exchange of products in the markets of the world, and that this vast sum had been settled by mortgages on our farms. The silver states had lost \$150,000,000 and were still losing \$15,000,000 per year on account of this legislation. The cotton states were losing \$10 to \$12 on every bale of cotton, and the wheat states, 25 to 30 cents per bushel on every bushel of wheat, bringing the annual loss to a figure between \$300,000,000 and \$400,000,000, on account of demonetization, which compelled the American farmer to compete with India cotton and wheat in the Liverpool market, with an advantage in favor of India of from 40 to 50%. England forced a silver standard upon the gold producing countries and a gold standard upon the silver producing countries in order that she might buy both metals cheap and make the exchange between the countries at an enormous profit.

It was shown that the national debt of 1865 which was \$2,700,000,000, could have been paid at that time with 18,000,000 bales of cotton or 25,000,000 tons of pig iron. But now after paying interest on it for nearly thirty years and paying more than half of the principal, it would take 30,000,000 bales of cotton to pay it, or 32,000,000 tons of lead. Between 1880 and 1884, \$750,000,000 was paid, yet measured in terms of products and labor it increased 50% in that time. In the hundred years of African slavery no slave owner was able to amass as much as \$1,000,000, but in 28 years of financial slavery we have made 4,500 millionaires, some of whom are worth \$250,000,000.

The Auditor's report of 1890 was a fertile source of campaign propaganda. According to the figures, the assessed valuation of property in the State was \$348,459,943, while the total indebtedness, public and private, including railroad indebtedness, totaled \$706,181,627, about twice as much as the property. This assessed valuation was far below the real value, but probably was not below the figure which could have been realized on a forced sale. W. F. Rightmire submitted figures showing that Kansas raised \$39,000,000 worth of wheat and \$10,000,000 worth of oats, but paid out in railroad hauling, taxes and interest, the sum of \$59,381,342.

John R. Mulvane attempted to stem the tide with some sage remarks. He advised the farmers that if they did not like to sell their produce so cheap they ought to hold it for a higher price, knowing full well that in his own bank he held the mortgages on their farms on which interest had to be paid by a certain date, that the taxes had to be paid at a specified time, and that the merchants who had been grub-staking the farmers all summer must have their money in order to meet their obligations, and that it was as much out of the question for the producer to hold his grain without the aid of the sub-treasury as it would have been for the bankers to get rich without the aid of government loans. Mr. Mulvane submitted figures showing that the total value of marketable produce in Kansas in a year was worth \$92,500,000, and said there was nothing to complain of. The Populists immediately took the figures of the Secretary of Agriculture on the cost of production and subtracted \$178,235,000, the total cost of production from Mr. Mulvane's \$92,500,-

000, leaving a deficit of \$85,735,000, to which was added interest, taxes and railroad hauling to the amount of \$59,381,342, making a total deficit on the year's business of \$145,116,342. And then they asked Mr. Mulvane how they were going to buy the children's shoes.

When the election returns came in the National ticket was found to be badly snowed under. Five states had been carried and the Populist ticket was second in four or five others. There were ten national electors. In Kansas the entire State ticket was elected, twenty-five senators and fifty-eight members of the House. Colonel W. A. Harris was elected Congressman-at-large; H. L. Moore was elected to Congress from the second district, T. J. Hudson from the Third, John Davis from the Fifth, William Baker from the Sixth and Jerry Simpson from the Seventh.

In regard to the returns on House membership, the Populists claimed fraud in counting the ballots. They claimed that the people had elected a majority of Third Party men to the House in spite of the thousands of voters brought into the State by the railroads and in spite of bribery and fraud of every description. One instance was the election of M. B. Chrisman, a citizen of Oklahoma, as representative from Chautauqua County. A transposition of figures in the Haskell County vote gave the election to Joe Rosenthal, the Democrat. Other figures gave it to A. W. Stubbs, the Republican. Rosenthal was later seated, after he had pledged his support to the Republican faction in the House. In Coffey County a tie was declared where the Populists claimed they had elected Riee over Ballinger, the Republican candidate. These three cases with that of E. B. Cabbell, a Populist elector whose name had been printed E. B. Campbell on the ballots, went to the State Canvassing Board. As this board was Republican the cases were decided in favor of the Republican candidate in each instance. The board was later compelled to reconvene and certify the election of E. B. Cabbell. The Populists claimed that the proceedings of the Canvassing Board was not in accordance with law in deciding the other three cases and brought mandamus proceedings in the Supreme Court to compel the board to recount the original ballots. The Supreme Court decided it had no authority to compel this action. This decision was handed down January 4, 1893, a few days before the Legislature convened.

XV

THE TRIUMPHAL MARCH

The inauguration of the People's Party administration took place Monday, January 9, 1893, and it was a gala event such as has never been paralleled in Kansas. For the first time in the history of the State the Republicans were compelled to relinquish the reins of government. Their boasted eighty-two thousand majority had been reduced to a minus quantity, and the victorious hosts moved on Topeka. Thousands

of people had come to witness the triumph of the cause. There was the old guard of the reform movement who had been on the fighting line since the days of the Independent party in the early seventies. They had worked and voted for Peter Cooper in 1876, and for Weaver in 1880, under the Greenback banner, and had followed the same principals through the Anti-Monopoly, Union Labor and Alliance movements. To them the occasion meant the wresting of the government from the tools of corporate greed and turning it over to the people. There were farmers



JERRY SIMPSON, ONE OF THE POPULIST LEADERS

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

in great numbers, who felt that this was the day of their salvation, and of their deliverance from the clutches of the money power. There were newspaper men, not only of the reform press of Kansas, who were there to cheer, but representatives of every leading paper in the country, whose object in most cases was to throw what discredit they could on the doings. The anticipation of excitement in the organization of the lower branch of the Legislature, which was to take place the next day, had attracted an unusually large number of Republicans to the Capital City to witness the outcome. So, the crowd was far in excess of any gathering ever assembled in the State.

An elaborate parade was arranged to do honor to the occasion. In the triumphal procession rode Mrs. Lease, in a new silk dress and bonnet. Jerry Simpson delayed his departure for Washington to take part in the ceremonies, and said it was better than a trip around the world. Then there were John F. Willits, Judge Rightmire, Levi Dumbauld, Dr. S. McLallin, S. S. King, S. M. Scott, Dick Chase, S. H. Snider, Charles Moody, Fred Close, Householder, Yount, Mrs. Anna L. Diggs, Judge Doster, Rev. W. G. Todd, G. C. Clemens, and a score of other leaders, including A. J. Streeter, Populist leader of Illinois, who was the Union Labor candidate for President in 1888. It was a great moment for these leaders who had been vilified in the press and from the platform, and who had been rotten-egged and subjected to all manner of personal indignity, when they rode down the Avenue amid the wild and prolonged cheers of their followers.

The doors of Representative Hall were thrown open to the public at ten o'clock, and inside of an hour it was packed. Decorations of evergreen held together by red ribbons entwined the central chandelier and extended to the corners of the room, and were mingled with flags and flowers over the walls. The Speakers' stand was banked with palms and roses, and above it the great flag was tied to the gallery pillars with evergreens and roses. About eleven o'clock the ladies of the Shawnee County Alliance unfurled a large silk banner bearing the Populist motto in letters of gold: "A government of the people, by the people and for the people, shall not perish." A life-sized portrait of Governor-elect Lewelling was then raised in the front part of the Hall, and the enthusiasm of the crowd knew no bounds.

The inaugural ceremonies were held at high noon, with John W. Breidenthal, Chairman of the People's Party State Committee, presiding. He opened the exercises with the remark that this was the inauguration of the first People's Party administration on earth. Prayer was offered by Dr. W. G. Todd, pastor of Everybody's Church in Topeka. The retiring governor, L. U. Humphrey, made a short address, after which Governor Lewelling was introduced. He reviewed the age-long struggle of the poor and oppressed against power and wealth, and appealed to the people of Kansas to array themselves on the side of humanity and justice, declaring it to be the mission of the State to protect and advance the moral and material interests of all its citizens, but the especial duty at this time to protect the producer from the ravages of combined wealth. In defining the function of government Governor Lewelling said:

The State is greater than party, but the citizen is greater than the State, while the family of the citizen produces the priceless jewel of our civilization. The problem of today is how to make the State subservient to the individual, rather than to become his master. Government is a voluntary union for the common good. It guarantees to the individual life, liberty and pursuit of happiness. The Government must make it possible for the citizen to live by his own labor. The Government must make it possible for the citizen to enjoy liberty and the pursuit of happiness. If the Government fails in these things, it fails in its

mission. It ceases to be of advantage to the citizen; he is absolved from his allegiance, and is no longer bound by the civil compact. What is the State to him who toils if labor is denied him and his children cry for bread? Is the State powerless against these conditions? Then the State has failed and our boasted civil compact is a hollow mockery. But Government is not a failure, and the State has not been constructed in vain. The people are greater than the law or the statutes, and when a nation sets its heart on doing a great or good thing, it can find a legal way to do it.

At the conclusion of his address, Lewelling took the oath of office followed by the other State officers. Ordinarily the ceremonies would have been over, but not so at a Populist jubilee. Jerry Simpson was called for and made a few remarks. Mrs. Lease was then called for and said a few words. Other speakers were demanded, but Chairman Breidenthal fearing a long drawn out session, shut them off and sent the crowd away.

While the newly installed officers were holding their reception in the State House that night the Populist orators held a so-called camp meeting in Representative Hall. The meeting was opened by band music at 7:30 and lasted till a late hour. Mrs. Lease was on hands with an original poem, but before reciting it she made a few remarks in prose. Referring to the Southern trip taken by the Weavers and herself she said the statements concerning the indignities they suffered were not overdrawn. "The fact was," said Mrs. Lease, "Mrs. Weaver was made a regular walking omelet by the Southern chivalry of Georgia."

The Rev. W. G. Todd was the next speaker. In course of his remarks he made the following observation: "The Republican party is a party of socialism. Every line of its advance has been upon the tone of socialism. The Republican party started out right, but greed and selfishness took possession of it and we have laid it aside."

Mrs. Diggs was called for and talked on the poverty of New York, the riots of Tennessee, and on equal suffrage and prohibition. Judge Doster said that the People's Party ideals were made up of the best principles of Republicanism and Democracy. G. C. Clemens spoke on reforms in the judiciary. Other speakers were Associate Justice Allen, Lieutenant Governor Daniels, and Jerry Simpson. The latter made a rather inflammatory address, or one which at least gave his enemies an opportunity to say that the Populists had planned the events that transpired the following day. The following paragraphs are culled from his remarks:

I want to say to you Republican friends yet on the outside, you can't put this movement down by sneers or by ridicule, for its foundation was laid as far back as the foundation of the world. It is a struggle between robbers and the robbed. I have read history to learn why it was people had lived so long and are yet so far from the ideal government of the statesman. They have failed because they made the governments and tried to fit the individual to it.

The struggle in this state was not between the People's Party and

the Republican Party, but between the People's Party and the railroad corporations. You have beaten the Santa Fe Railroad, and you must take charge of the government. You must organize the Legislature in this Hall tomorrow, and I wouldn't let the technicalities of the law stand in the way. Call this revolution if you will. I do not favor revolution in this case only as a last resort, but see to it that you organize the Legislature here tomorrow.

So closes the record of the one glorious and perfect day which the Populists enjoyed, crowning their long and bitter struggle for success, and preceding the more bitter struggle that led to their downfall as a party organization.

XVI

A HOUSE DIVIDED

Determined upon a life and death struggle for ascendancy in the lower branch of the Legislature, the two dominant parties went into caucuses on the night of the inaugural, and did not adjourn until morning. Sixty-five of the one hundred and twenty-five election certificates were held by the Republicans, which would have given them the majority had no contests been brought. They planned to ignore these contests, and take the stand that, having a majority of the election certificates, they were in the majority. If the Populists objected to this they determined to go ahead with the organization of the House and insist upon being recognized by the courts. To that end they made nominations as follows: Temporary Speaker, J. K. Cubbison; Speaker, George L. Douglass; Speaker pro tem, E. W. Hoeh; Chief Clerk, Frank L. Brown; Sergeant-at-arms, C. C. Clevenger; Chief Enrolling Clerk, Mrs. L. C. Hughes. The Republican caucus was held at their headquarters at the Copeland Hotel.

The Populists held their caucus at Lincoln Post Hall on East Sixth Street, and nominated the following officers: Temporary Speaker, W. H. Ryan, of Crawford; Speaker, J. M. Dunsmore of Neosho; Chief Clerk, Ben C. Rich. of Trego; Sergeant-at-arms, Leroy F. Dix, of Labette. Their plan was to exclude the holders of contested seats from voting, which is according to precedent and parliamentary law. In Congress the holder of a contested seat may occupy a seat during the hearing of his case, and then only for the purpose of defending himself, and not to vote. As the Populists had brought eighteen contests, and the Republicans but seven, the barring of these contestants would have given the Populists fifty-one votes against the Republicans' forty-seven, with two Democratic votes in doubt. Out of their sixty-five election certificates, one was held by an Independent Republican, whom the Republicans decided to put in the doubtful list along with the Democrats. Another certificate was held by A. W. Stubbs, a Republican, of Haskell County, whose seat they conceded to Joe Rosenthal, a Democrat. This left the Republicans with sixty-three votes that they could absolutely count upon. The Populists had fifty-eight solid. In the

event of the barring of the contestants, the Populists would have had a clear majority of two votes against the combined strength of the Republicans and Democrats, while the Republicans had a constitutional majority in the event that those holding certificates were allowed to vote. Each side determined to enforce their program by any means fair or foul, and there was a general feeling that trouble was brewing. This was the situation upon the convening of the Legislature at high noon on January the 10th, 1893.

Long before the noon hour the galleries were filled with partisan spectators, and a considerable number of women were present in the interests of suffrage legislation. The members of the house said very little, but adherents on both sides talked loudly of using physical force. By request of the Republican State Central Committee, Sheriff Wilkerson had sworn in fifty deputy sheriffs, who were stationed about the State-house grounds and in the building. Attempts to rush the doors and gain access to the floor of the House were safely resisted by those in charge. Sheriff Wilkerson and a number of others including Rufe Cone, ex-sheriff of Sedgwick County; J. S. Clark, ex-sheriff of Douglas County; ex-Sheriff Gibson of Cowley County; ex-Sheriff Need of Clay; Frank Naylor, ex-sheriff of Jackson County; and Ben C. Rich, chief clerk of the last House, were admitted to the floor through the courtesy of friends who were members. The Republicans anticipated trouble in getting their members who were holders of contested seats into the Hall, but no attempt was made to refuse them admittance.

Both sides were loath to open the proceedings and high noon came and went without a move on either side. At 1:25, Secretary of State Osborne, took the Speaker's stand and called the House to order, stating that it was his duty to place before the House its roll of membership, but that as there was no law requiring him to act as chairman pending the organization of the House, he would not do so without the unanimous consent of the members. Mr. Douglass of Sedgwick, leader of the Republican forces, was on his feet in an instant with an objection, stating that there was neither custom nor law for such an action on the part of the Secretary of State. Mr. Dunsmore, the Populist leader, rose and said that the fact that Mr. Douglass recognized Mr. Osborne gave him a right to be considered the temporary chairman, and that the Secretary of State was the only man who could preside during the challenging of the right of the members to their seats, and insisted that unless he were allowed to preside that there would be no presiding officers, and hence it would be impossible to determine who were entitled to seats.

But the matter of who were entitled to seats was not worrying the Republicans. The Populists had said they were going to challenge the name of every member on the roll whom they thought was not entitled to a seat, and that this matter would have to be settled before any other business was taken up, if it took the entire session. The Republicans then sought to prevent the reading of the roll in order to avoid these challenges being made, with the hope of later throwing

the matter into the courts instead of allowing it to be settled in the House, as provided by the constitution. Mr. Douglass rose for the second time and requested that Mr. Osborne read the roll to the House, but denied the right of any one to address him with an objection, as he was not the presiding officer. Under this restriction the Populists preferred not to have the roll read, as they wished to enter objections to those whom they thought not entitled to seats. At this point W. L. Brown entered the room with a message from the Senate, and addressed Mr. Osborne as the presiding officer. Half the Republicans on the floor rose up with an objection, and the wildest excitement prevailed. Mr. Osborne remarked that as soon as the house had organized he would read the roll, and retired from the room taking it with him.

As soon as the Secretary of State left the Speaker's stand the Republicans began the election of their officers. J. K. Cubbison pulled a gavel from his pocket and rushed for the Speaker's stand, while his nomination for Temporary Speaker was being made and seconded and the vote being taken. At the same time R. H. Semple, a so-called anarchist of Franklin County, took possession of the official gavel for the Populists, and both rapped for order. The Republicans had laid their plans for this kind of an emergency, and soon had their complete lists of officers elected, while the Populists were evidently taken by surprise, and before they knew what was going on the Republican House was in working order and the first bill had been introduced. The Populists had taken no part in the voting, and now proceeded to elect their officers, making Mr. Dunsmore Speaker. He took the speaker's stand beside Mr. Douglass, who was already presiding over the Republican House, and amid the din and confusion prevailing on the floor, and in the galleries, each entertained and put the motions of their respective organizations. The Republicans made haste to dispatch a committee to the governor to inform him that the House was organized and ready to transact business. Mr. Lewelling replied that he was not ready to receive them. The Populist and Republican messengers reached the Senate at about the same time and the Senate refused to recognize either of them, hoping that an agreement would be brought about before it would be necessary for them to act. In order to give their House a standing, the Republicans introduced several bills which were ready to present, while the Populists felt their way along as if they were on an unknown sea.

Things calmed down somewhat by three o'clock, and as nobody had had any noon luncheon, sandwiches were sent for by the Populists, who, after serving their own side of the House, supplied both Speakers and dumped the remainder to the Republicans. Meantime the excitement had spread to the outside, and hundreds of men had congregated in and about the building, each side indulging in threatening talk. No one succeeded in gaining access to the Hall except the State chairmen of the three political parties, the newspaper men, the members and a very limited number of friends.

Very little business was transacted the balance of the day. Both

sides fixed up a roll of membership to suit themselves. The Republicans were joined by the one Independent. The three Democrats decided not to take sides. The Populists proceeded to read the roll and challenge the names as they had planned. They threw out the eighteen members whose seats they had contested and seated the claimants, only eleven of whom were present. Those sworn in under this action were, J. W. Howard, D. M. Howard, Ed. Shellabarger, V. Gleason, W. H. White, H. Helstrom, J. W. Wilds, J. N. Goodwin, E. B. Brown, John Morrison, and O. M. Rice. By this action the Populists claimed to have established a constitutional majority for the transaction of business.

It was now about four o'clock, and no more business was attempted by either House. No adjournment was taken, and the session lasted all night. At about two o'clock in the morning the two Speakers reached an agreement by which they could both obtain a little rest. With their gavels in their hands they laid down behind the desk facing each other and slept until six o'clock.

The next morning the Douglass House adjourned, and immediately reconvened, and an hour later the Populists did the same thing. At 12:30 a conference committee composed of the two Speakers, ten Populists, ten Republicans, three Democrats, ex-Governor Glielk, John S. Richardson, of the *Wichita Beacon*, and J. B. Chapman of the *Ft. Scott Tribune*, went into session with Governor Lewelling. It was agreed that both Houses should stand adjourned until 9 A. M. Thursdays, the 12th. In the meantime the matter was to be referred to a committee which should be made up as follows: Republican: State Chairman Simpson, Eugene F. Ware, Cyrus Leland, Jr., J. R. Burton, and Colonel R. W. Blue; Democrats: State Chairman Jones, Tully Scott, John Hanon, J. W. Orr, and Frank Bentley; Populists: State Chairman Breidenthal, Jerry Simpson, Judge Frank Doster, and Colonel W. A. Harris. This proposition was adopted by both houses and adjournments were taken.

Among the events of the day were manifestos sent to the Governor by both Houses laying their claims before him and asking his recognition. A mass meeting of Populists in which they issued a circular expressing themselves in the language of Mirabeau of the French Assembly: "We are here by the will of the people, and will disperse only at the point of the bayonet."

The committee representing the three parties met in the evening and consumed the night in efforts to agree on a plan for the adjustment of the difficulty. Each party submitted a plan. That drawn by the Populists called for a commission of five judges to pass upon the contests. These judges were to be chosen by the votes of the entire membership of the house, including those holding contested seats and the contestors as well, and were to be selected from the following named gentlemen: The Hons. A. H. Horton, Chief Justice; W. A. Johnson and S. H. Allen, Associate Justices of the Supreme Court; the Hons. C. G. Foster, U. S. District Judge, J. Humphrey, District Judge, John L.



EUGENE F. WARE (IRONQUILL). PIONEER, SOLDIER, LAWYER, AND THE
GREATEST POET OF KANSAS

(Bronze Bust in Rooms of the State Historical Society)
[Photograph by Willard, Topeka]

[Eugene F. Ware was a captain of Iowa troops in the Civil War. He settled in Kansas in 1866, homesteading a farm which his children still own. He lived long at Fort Scott. He was an eminent lawyer and a fine business man. He wrote several very valuable historical works. And his *Rhymes of Ironquill* has been read in every land under the sun. Mr. Ware filled many public places in both state and nation, the last being Commissioner of Pensions under President Roosevelt. The greatest poet of Kansas was Eugene F. Ware. The growth of Kansas has been put into immortal verse by him. Mr. Ware died in 1912 and is buried in the National Cemetery at Fort Scott.]

Morton and L. Hawk, ex-District Judges; John I. Little, Attorney General, and Hon. T. Heard, ex-Judge.

This proposition was rejected by both Republicans and Democrats. The plan drawn by the Republicans called for an investigating committee on elections, composed of three each of Republicans and Populists and one Democrat. The Democrats wanted to refer the matter to a tribunal composed of the Supreme Court and two additional judges of high standing. The session of this committee lasted fourteen hours, and, except for the loss of sleep, everybody was as well off as if it had never been appointed. It was reported that there was strong language, and threats of physical violence on both sides.

Some disappointment was felt when the committee reported the next day that nothing had been accomplished. The day wore on without event until about 2:30 P. M., when the three Democratic members came over and joined the Republicans. Three hours later great excitement was caused by a message from the Governor in which he recognized the Dunsmore House. The Senate adjourned without taking action, but the next day, Friday, January 13, that body officially received Ben. C. Rich, the Chief Clerk of the Dunsmore House, who read a message. Formal recognition followed the next day. The Republicans tacitly admitted that this gave the Dunsmore House a standing as the legal House, and predicted that the Populists who had control of the doors would refuse to admit the Republicans, or that they would eject them by force, and *The Daily Capital* announced that a clash was imminent. However, nothing of the sort was planned by the Populist House, and before adjournment for Sunday, a proposition was made to the Republicans, looking toward a peaceable settlement. The Douglass House passed resolutions condemning the use of twenty-five guards of the militia which the Dunsmore House had on duty, ignoring the fact that Sheriff Wilkerson had fifty deputy sheriffs on duty at their request. The Democrats issued a manifesto setting forth the claims of the Douglass House and giving their reasons for recognizing it. Jerry Simpson met with Chairman Jones of the Democratic State Central Committee, and by mutual agreement decided that the two parties should have nothing more to do with each other. Mrs. Lease and other leaders felt relieved to be rid of the accusation of being in league with the Democrats, and had the Populists had the wisdom to keep to the middle of the road, winning or losing, as she then advised them, they might have retained their hold on the people.

Meantime the Republicans were making efforts to get the matter at issue in the hands of the Supreme Court. On Wednesday, the 11th, they demanded of the Secretary of State that he lay the contests before the Douglass House for settlement. This, of course he refused to do and mandamus action was brought by Speaker Douglass against Secretary of State Osborne, and filed by attorneys, Chester I. Long, J. W. Ady, and F. B. Dawes. Jerry Simpson had advised that in case the Supreme Court found in favor of the Douglass House, it was the duty of the Populist House and Senate to impeach the Judges.

On the night of Friday the 13th, a mass meeting was held in the opera house to protest against the action of the Governor in recognizing the Dunsmore House. Speeches were made by prominent Republicans, and resolutions calculated to influence the Senate, if possible were passed.

Adjournment was taken Saturday until 4 P. M., Monday, to allow time in which to formulate plans for dissolving both Houses and organizing a new one. The first week closed with the fortunes of war in favor of the Populists, as they had been recognized by the Senate and Governor and were ready for business. No appropriation bills had been passed, as it was the plan of the Republicans to tie up the treasury with an injunction which would involve the legality of their House. The Populists wished to ward off a court decision if possible, as the courts were Republican. But the Republicans were making every effort, and it could be only a matter of time until they would bring it about. One case had already been filed, but the courts like the mills of the gods, grind slowly, and the Populists were in hopes to pass such legislation as would redeem their pledges to the people, and then adjourn before the courts could act.

Instead of going home on Sunday, the 15th, the members of both Houses remained in Topeka, and in place of devising ways and means of bringing about harmony, the time was taken up by both factions in scheming their next move, and discussing candidates for State Printer and United States Senator. Jerry Simpson left on a night train for Washington, which accounts for his not taking part in subsequent events.

It is worthy of note, that at this time when the Populists seemed to have things coming their way, Mrs. Lease, with a foresight not possessed by other leaders, counseled her party to give it up, even though they were in the right. She realized that the Populists were going against a fixed game, to which there could be but one final outcome, the courts being Republican. In the meantime they occupied a very precarious position, and one in which the pitfalls were many. One false move, however well intentioned, was likely to prove the downfall of the whole cause. She knew that the fight would discredit the Populist cause in the eyes of many, even though they won, which was hardly probable, as reformers are always held more strictly accountable than others for their actions. Mrs. Lease openly declared that the Populist House and Senate would not have the backbone to follow the advice of Jerry Simpson and impeach the Supreme Court Judges if they should hand down a decision in favor of the Douglass House. Her advice was justified by subsequent events. The Populists not only lost out in the courts, but they fell into the trap so carefully concealed under the United States Senatorship bait. For the Senatorship election divided the party into embittered factions, destroyed confidence, and disrupted the organization.

All day Monday the two hostile camps caucused for Senator and State Printer. After short sessions in the afternoon, the caucuses

reconvened and remained in session all night. The problem with the Populists was not so much who should be elected as to how to avoid any election at all, as State Printer Snow was a Populist, and he would hold over in case his successor was not chosen.

On Tuesday, the 17th, the day fixed by the constitution for electing the State Printer, the Governor came to the rescue of his friends by sending his message to the Senate at the opportune moment, and by the time this was disposed of, it was late enough to adjourn. However, the Republicans of the House and Senate held a joint session and elected George Crane State Printer, but no attempt was made to push his claim to the office.

In his message Governor Lewelling called attention to the fact that constitutional amendments had been published in 161 papers in the state at a cost to the taxpayers of \$19,255.60 and that one man's name appeared on the list as "manager," twenty-five times, and he drew \$2,990 from the treasury. He suggested a less expensive method be devised. The status of the educational, charitable and penal institutions were reviewed at length and liberal appropriations for all three were recommended. A binding twine plant for the penitentiary was recommended, more room in the overcrowded charitable institutions, adequate quarters for the State Historical Society, and a yearly allowance to the State Library of \$2,000 for books. In order to avoid the exorbitant prices paid for school textbooks it was recommended that they be bought by the counties. A general revision of the constitution and statutes to reduce in bulk and simplify in text was urged, the abolishing of free passes, the election of Railroad Commissioners by the people, the extension of their authority to regulate freight rates and to prohibit unjust discrimination, the simplification of impeachment proceedings, the creation of an Appellate Court to have final jurisdiction in civil cases where the amount does not exceed a given sum. The revision of the election, the mortgage, and the taxation laws was especially requested, in order that a way of settling election disputes be devised, the terms, "appraisement waived" and "payable in gold" be omitted from mortgages, and the heavy penalty taken from the shoulders of the poor in cases of delinquent tax, which is from necessity rather than from choice. Other recommendations covered the abolition of loan sharks and the "store order" system of paying labor, and the appointment of additional deputies for the state bank examiners department, placing grain inspection beyond the reach of the corporations, a World's Fair appropriation, more time for the deliberations of the Legislature to insure against hasty action, and Bureau of Agriculture as a State Department.

After the message was disposed of and the Republicans had held a joint session among themselves for the election of a State Printer, the two Houses heard the reports of their respective election committees, and spent the remainder of the week in the rather amusing occupation of unseating the members of the opposition. The Populists "unseated" seven Republican Senators, and the Republicans returned

the compliment. By the last of the week the question of the United States Senator began to loom up as the important subject. Caucuses were held Friday and Saturday without any definite decision in either party and both Houses adjourned early in the day for the Sunday recess.

There was a tendency among the Populists to put up a fusion candidate, but this was strongly opposed by a number of the leaders, among them were Mrs. Lease, John F. Willits, Chairman Breidenthal, Dr. McLallin, Judge Doster, G. C. Clemens, Rev. W. G. Todd, W. H. Bennington and Cyrus Corning. They held a mass meeting on Monday, the 23rd, to protest against any such a move on the part of their party, which they knew would prove fatal to the cause. The three parties took up most of their time in caucuses. The five Democrats of the House and Senate each voted for a different man, the Republicans leaned pretty strongly to J. W. Ady, while the Populists were divided between Judge Doster, Breidenthal, Martin and Coburn. It was apparent to all factions that under the circumstances nothing but a fusion Democrat of some kind could be seated even if elected. Congress, after the fourth of March would be Democratic, and as any man sent from Kansas could, under the circumstances, be unseated, it was thought that nothing but a Democrat would be seated by Congress. It was only a question of whether it would be a Republican-Democrat or a Populist-Democrat. One faction of the Populists wanted to send a fusion candidate for two reasons. First he would be sure of a seat, and this would tend to validate the actions of the Dunsmore House, their Senator being recognized by Congress. Second, it would induce the three Democrats who were voting with the Douglass House to join them. This reasoning was pure enough in its motive. They wanted to establish their House in order to redeem their pledges to the people, but it was a serious blunder.

All parties again went into caucus on the night of the 24th, which was the eve of the election. John Martin attended the Populist meeting, and made a speech saying he was a Democrat, but believed in the Populist platform. The tide of battle was turned by a telegram from Jerry Simpson which read: "There is no question about our man getting his seat in the Senate. It would, however, be good policy to send John Martin." So Martin became the caucus nominee of the Populist Party, and with that act it began its downfall. The people were sorely disappointed all over the State. Mrs. Lease was heartbroken. General Weaver pronounced it a serious political blunder. Mrs. Diggs wanted to start a new party. Judge Martin was elected the next day without difficulty, receiving 86 votes, four Democrats voting with the Populists, but the catastrophe which Mrs. Lease had feared had overtaken the movement, and what started out as a division in the House of Representatives became a division in the Populist Party.

However, it looked for a time as if the Populists had gained a point. The Republicans elected J. W. Ady and attempted to seat him at Washington on the ground that Martin had been elected by the votes

of those not holding election certificates, but got nowhere with the project. The Populists recovered in joint session on the 27th and re-elected State Printer Snow. The next day Mr. Dunsmore selected his permanent committees and the Populist House got down to work in earnest. The Republicans were all at sea for the time being, and Mr. Dunsmore sent them a notice to cease obstructing the operations of the legal House, disband and get to work with the rest of the House. M. M. Murdock and other prominent Republicans advised them to act on the suggestion. Letters were exchanged between the two Speakers, and by the first of the month an agreement had been reached by which each House was to defer to the other time about in putting motions and transacting business. Things ran fairly smoothly for a few days which proved to be only a calm preceding the real storm.

XVII

THE LEWELLING WAR

The peaceful state of affairs which obtained after the tacit agreement between the two houses to take turns at talking, were rudely disturbed February 8, by the introduction into the Republican House of a resolution to vacate the Populists seats and fill them by election, if the Dunsmore House did not dissolve and join the Republican organization by February 21. In the latter part of the same week the Populists decided to allow the matter to go to the courts, and passed a number of appropriation bills.

The Populists claimed that beneath the threat of the Republicans to vacate their seats and fill them by election, lay a plan to unseat the whole Populist administration and set up a provisional government with Speaker Douglass at its head. It was reasoned that in case the courts decided in favor of the Douglass House, which they were almost sure to do, and the Populist members did not come into the Republican organization and claim their seats before the day set, that the courts could order the Governor to issue writs of election to fill the seats declared vacant. In the event the Governor should refuse to do this the court would jail him for contempt, and the office would be filled by the next in line of succession. Inasmuch as the Lieutenant-Governor and the whole Populist administration in turn would refuse to comply with the order, and would in turn be sent to jail, the mantle of authority would eventually descend upon Douglass, who, of course would issue the election writs. Whether or not this was contemplated is uncertain.

On Friday and Saturday, the 10th and 11th, the city began to fill with strangers from all over the State, and all kinds of threats were being made, mostly by irresponsible hangers-on. There was considerable talk of causing the arrest of the Governor, but the Republicans claimed that it did not come from any authoritative source. Over Sunday the

crowd of spectators was augmented, and by Monday morning the State-house was crowded and surrounded by masses of men, indulging in talk of lawlessness and trying to precipitate trouble. The Populists said that these people had been brought in by the railroads to assist in carrying out the Republican plans for the week. Some of the men were armed with revolvers and other weapons of warfare, and there was talk of assassinating the governor, tearing down the State-house and other violent measures. The two factions were each certain that the other was bent on using force, and with this sort of spirit abroad, and the city filled with idle boasters, hunting trouble, it is a great wonder that bloodshed was avoided.

On Monday, the 13th, the Dunsmore House passed a resolution referring to the Republicans as "that lawless rump house," declaring their organization to be maintained by the corporations to defeat the will of the people, and resolving that the Sergeant-at-arms be instructed to eject them from Representative Hall in order that the work of legislation might go on. The Republicans promptly resurrected their resolution in reference to vacating the Populist seats and passed it. The atmosphere was extremely tense that night. The Senate appropriation bill passed the Dunsmore House in the evening and was signed by the Governor the next day.

The Republican steam roller went into action in earnest early Tuesday morning. Sergeant-at-arms, C. C. Clevenger, was sent to Labette County to arrest L. C. Gunn, an officer of the Dunsmore House for failure to obey a summons to appear before the Dunsmore House as a witness in election contest cases. Just before noon a resolution passed the Douglass House to arrest Ben. C. Rich, the Populist Chief Clerk, for continually interrupting the proceedings of the house by "loud and boisterous language." This action had been anticipated, and Mr. Rich was not present. Accordingly three deputy Sergeant-at-arms, W. H. Young, L. B. Glogston and Jordan, of Rice, were sent to find him. A resolution was then passed notifying the State Treasurer that if he paid out any money on warrants issued on the strength of the Populist appropriations, he did so at his own risk. The Republicans then adjourned until nine o'clock the next morning, and went to their headquarters at the Copeland hotel to await what luck their men might have with Rich.

Mr. Rich was found at the Dutton House. He refused to submit to arrest, but said that his duties would require him to go to Representative Hall after dinner, and if they would wait they could accompany him. While dinner was in progress, a number of his friends assembled at the hotel to go with him to the State-house. In the crowd was Chairman Breidenthal, Fred Bailey, S. M. Scott, W. H. Ryan, D. M. Howard, P. M. Gish, J. F. Willits, and two gentlemen by the names of Dick and Williams. Rich left the hotel, after a slight struggle between his friends and the deputies for possession of his person, in custody of both factions and accompanied by a concourse of citizens. The procession advanced from the Dutton House at the corner of

Fourth Street and Kansas Avenue, in the direction of the State-house, gathering numbers as it went. At the corner of Ninth and Kansas Avenue, Rich attempted to turn west to the State-house, while they tried to take him across the street to the Copeland Hotel, and a free for all fight ensued. Ryan hit deputy Clogston a smash on the jaw, hurling him to the ground, and then straddled his neck while Beridenthal, Willits and Scott attended to the other two. The Republicans got the worst of the encounter, and the Populists proceeded to Representative Hall where they were received by the Dunsmore House with uproarious applause.

The Republicans then increased their force of deputy Sergeants-at-arms to more than fifty, and the Populists passed a resolution to exclude everybody from Representative Hall but the members, in order to avoid a clash between the Republican officers and their own. They did not at any time intend to exclude the members of the Douglass House, but did intend to exclude this large force of officers and a still larger force of hangers-on. In the course of the afternoon warrants were sworn out and served on Ryan, Breidenthal, Scott, and Willits for disturbing the peace and assault on an officer. All were released on bond. Upon learning of the trouble, and realizing that with so many armed and excited men on the streets, and in and about the State-house, trouble involving life and property was likely to start at any time, Governor Lewelling sent a written request to Sheriff Wilkerson apprising him of the situation and calling upon him as the legally constituted peace officer of Shawnee County, to provide as many deputy officers for the State-house building and grounds as might be necessary to preserve order. Speaker Dunsmore sent a similar request. Sheriff Wilkerson refused both appeals, saying that he would have nothing to do in the matter, as he did not know which was the legal House. The Governor then sent word to General Artz, who had that day been made Adjutant-General, to take charge of the Populists guards at the State-house and see that order was preserved. A number of the leading Populists, including Mr. Rich, stayed at Representative Hall, and the guards were kept on duty all night. The militia had not yet been called out, and the guard were officers of the Dunsmore House.

Open hostilities in what is known as the Lewelling War began a few minutes before nine o'clock on the morning of Wednesday, February 15th. The following is the account spread upon the Journal of the Douglass House:

The members of the House of Representatives being advised that admission to the hall this morning would not be permitted, met at the Copeland hotel, and with two of the clerks of the house and one sergeant-at-arms, marched in a body to the State-house, and upon reaching the foot of the main stairway leading to the hall of the House of Representatives, found the stairway lined with guards, some of them armed with rifles and revolvers, who refused to permit the members and said officers to enter the hall of the House of Representatives. After a struggle lasting some minutes with the guards, the column of members and officers, headed by Speaker Douglass and Speaker pro-tem Hoch, forced

their way up the stairway and upon reaching the door of the hall, finding it locked, battered the door down with a sledge hammer and gained an entrance to the hall. The speaker immediately called the house to order and the business of the house was resumed.

The accounts in the newspapers differed somewhat from this one. Even some of the Republican papers mentioned that the guards on the stairway told the crowd that nobody could pass, but the members were instructed to go around to the back stairs where arrangements had been made to admit them to Representative Hall by passes issued to members only. Several of the members of the Douglass House followed these instructions and were admitted. But Speaker Douglass, E. W. Hoch, and the majority of the membership, together with the mob that came with them, did not propose to enter in the way provided by the Populists, but by the way they chose for themselves, and came properly armed to carry out this purpose. When they found the main stairway in possession of the Populist guards a short fight of the knock down and drag out variety took place, the guards mainly endeavoring to keep back those who had no business to be there at all. In a few minutes the leaders of the column, Douglass and Hoch, gained the door of Representative Hall, which was locked and guarded by men with guns and clubs. The Republican forces were similarly armed, but nobody showed a disposition to shoot. Speaker Douglass had provided himself with an immense sledge hammer. He struck the door a violent blow shattering the panels. Others in the crowd took turns with the hammer till the door was completely demolished, and the Republicans amid shouts and tumult that could be heard for blocks, took possession of the hall and all the offices and committee rooms in connection, the post-office and the cloak room. In the excitement, R. B. Welch, who had been made chief of the force of Sergeants-at-arms, rushed to the telephone, pushed away a reporter who was using it, and called the local head of the Santa Fe Railway Company, ordering 2,000 shop men to be sent at once to maintain the Douglass House in the possession of Representative Hall. He also called for Washburn students, and notified store clerks all over town. The Republicans began immediately to entrench themselves for a seige. Desks and other obstructions were heaped against the doors, and a ladder at a transom was the only means provided for entrance and exit.

Pursuant to the calls of Sergeant Welch, help came from all directions, and by the aid of clerks, students and mechanics, the force of deputy officers was soon increased to three hundred. Things looked warlike. The Populists had withdrawn to hold their meetings for the time being in the corridor. The Republicans were in undisputed possession of the hall, but they were also hemmed in and held as prisoners, which made the victory of doubtful advantage.

About eleven o'clock Judge Hazen granted a restraining order against the State Treasurer, preventing him from paying money on the Populist appropriations until after the mandamus case should be

heard. But the bill had been in effect nearly twenty-four hours and most of the Populists had drawn their money.

No attempt was made by the Republican House to leave for noon lunch. Baskets were passed through the Populist lines full of sandwiches and pie.

In the afternoon the Governor sent an order to General Artz reviewing the situation and mentioning the fact that Sheriff Wilkerson had refused to maintain the peace, and instructed him to issue the necessary orders to assemble the State militia. The companies called out were: Company C, of Oakland; Company G, of Marion; Battery A, of Wichita; Company A, Third Regiment, Eureka; Company B, Third Regiment, Holton; Company A, Second Regiment, Wichita; Company F, Third Regiment, Howard; Company C, Fourth Regiment, Clyde; and Battery B, of Topeka. The first company to respond was Company C, of Oakland, composed of fifteen men under Captain Shapter, which made its appearance on the State-house grounds about 4:30. Local Populists and Democrats recruited two companies in the course of the afternoon, one under Judge McDonald, of Parsons, and one under H. C. Lindsay, of Topeka. Colonel Hughes, who was the commander of the Third Regiment, was summoned from St. Louis to the scene of trouble, and upon his arrival in Topeka was placed in command of the militia and ordered to clear Representative Hall of all persons except those recognized by the Dunsmore House as members and employees. This he refused to do. But he restored order and maintained discipline, obeying the Governor's order not to allow food to pass the lines.

Night came on without hope of relief. There had been a committee of Republicans in session with the Governor and his advisors without reaching any agreement. Joseph G. Waters, who was in the committee, became angry with Judge Doster and warned him that if there was bloodshed he would be the first to fall. However, the judge did not change the tenor of his advice to the governor. Early in the evening, a committee of citizens consisting of ex-Governor Osborne, P. G. Noel, J. R. Mulvane, Erastus Bennett, and Peter McVicar, called on the Governor urging him not to call out any more of the militia and inviting him to go with them to Representative Hall for a conference. He was admitted and granted every courtesy by the Douglass House, the members rising from their seats as he passed down the aisle to the Speaker's stand.

The Governor made a short speech in which he asked the Republicans to vacate the hall and leave it in his charge for the night, calling attention to the fact that the Populists had passed an appropriation bill which had enabled the Republicans to get the matter in the courts where it would be settled in a few days. E. W. Hoch asked if it would not be a fair proposition for all parties to quit the hall pending the court's action. The Governor replied that he had asked that the hall be turned over to him and that he hoped it would not be necessary to use the militia. This the Republicans refused to do, saying they would surrender only to the militia and then only after they were

conquered by bloodshed. After the Governor had retired, Colonel Hughes came and was escorted to the Speaker's stand amid cheers. The Colonel had refused to clear the hall, and had been asked to resign. He told his fellow Republicans that there need be no bloodshed, that his men would not fire except in self-defense, and that if he had to resign his regiment would go with him. The Republicans were pretty well pleased with Colonel Hughes, even though he had captured the provender which was intended for their supper, and they had had to resort to the expedient of drawing supplies up through the window.

The besieged House prepared to make a night of it, but there was very little sleeping. At eleven o'clock a resolution was passed ordering a call of the House every hour, to keep everybody awake and ready to shoot, as the Republicans anticipated that an attack might be made before morning. There were a number of women present who belonged to the suffrage lobby. They couldn't get out, and so had to rough it the best they could. Among them was Mrs. Sarah Thurston, of Topeka; Mrs. W. A. Morgan, of Cottonwood Falls; Laura M. Johns, of Salina; and Mrs. Van Prather. The latter had been severely injured by getting too close to a fistie encounter going on between some deputy sheriffs and a contingent of the Auditor's office. At one o'clock Mrs. Johns made a very enthusiastic speech, being a better Republican than suffragist. The deputy sheriffs mentioned were taking up the fight for the Republicans. Sheriff Wilkerson, after refusing to have anything to do in the matter, sent a letter to Governor Lewelling, stating that he was the legally constituted peace officer and the only one who had any right to act, and proceeded to raise an army of deputies to help the Republicans.

The night was beguiled by speeches and card playing. The Populist janitor had turned off the heat, and some discomfort was felt until about 4 A. M. when some gasoline stoves were hoisted through the window, along with some coffee. Candles and lamps were provided in anticipation of the lights being turned off.

Governor Lewelling spent a sleepless night in the Executive office in consultation with his friends on the proper course to take the next morning.

The reporters had made the most of the situation, and the Thursday morning's newspapers in all the principal cities in the west came out with great scare heads proclaiming Kansas to be in a state of civil war with great slaughter momentarily expected. They were not far from right. The S. O. S. calls for help on both sides had been heard by friends all over the State, and armed men were coming by the hundreds. Telegrams were being received by the leaders of both parties urging them to hold the fort and tendering promises of recruits, some of these messages promising as high as a thousand armed men. The Republicans claimed they could muster a force of 40,000 to resist the militia, of which there was but two thousand in the state, and only 250 of which had been called out. The Populists claimed that the

Republican army could not be raised and transported without the help of the railroads, and declared the struggle to be one between the corporations and the representatives of the people.

The militiamen, who had been called from the different localities, arrived and went into camp about the grounds. The Wichita battery had been ordered to "bring the gatling gun" and they brought it. This gatling gun turned out to be one of the best jokes of the entire proceedings. When it was duly installed on the State-house grounds and trained on Representative Hall, it was found to be minus its firing pin. The old soldiers of Wichita were afraid the boys might shoot the gun, and had removed this necessary part of the apparatus. As early as possible on Thursday morning Sheriff Wilkerson established headquarters in the Copeland Hotel for recruiting his force of deputies, and before noon had a thousand men under arms. As the Populists were not in the good graces of the railroads and could not secure passes, the Republicans made up the larger part of the influx from the smaller towns, so that the Populist force was confined to the 250 militiamen, many of whom were Republicans and could not be depended upon to obey orders. Colonel Hughes was relieved of his command about nine o'clock, Lieutenant Colonel George Parker of Holton taking his place. Owing to stricter military discipline it was a harder matter to get food to the besieged than ever, and the expedient of sending the breakfast through the line in mail sacks was resorted to.

In the forenoon two companies of Lawrence students appeared on the scene, bringing the college yell with them. At eleven o'clock the Governor sent word to the Republicans in the house to disperse within fifteen minutes, or he would disperse them with the militia, but was dissuaded from doing so. Sheriff Wilkerson did not want bloodshed, either, and armed his men with clubs instead of guns, intending to stage a hand to hand fight with the militia. If Governor Lewelling did not precipitate hostilities by an official order, Wilkerson intended to attack the militia at one o'clock.

Through the good offices of ex-Governors Robinson and Osborne, and Colonel Lynde, of Miami, a conference was arranged which consumed most of the afternoon, both sides having decided to await the outcome of the conference. Propositions and counter propositions were entertained, but the only decision that was made was to declare a truce until nine o'clock the next morning. Night drew on with the State-house grounds looking like a military camp, fires glowing, drums beating and sentries walking to and fro. Outside of the military guard which enclosed the grounds, had been thrown a cordon of deputy sheriffs. A blizzard which had been coming on since the night before now struck with all its fury, and many of the men were insufficiently clad. The reliefs, however, were frequent, otherwise there would have been much suffering. Before morning almost a foot of snow had fallen and the fighting spirit was somewhat subdued by the elements. However, the most serious encounter of the whole war happened at breakfast time Friday morning, when some Republicans, in

attempting to smuggle food through the lines, clashed with the Populist guards, and one of the invaders was seriously hurt.

Conferences which had been going on all night with the Governor were renewed, and a committee of Topeka citizens took part. At noon an agreement had been reached which was acceptable to both sides. It was briefly as follows: Both the militia and the deputy sheriffs were to be relieved of duty and sent home. Each house was to return to its status as prior to the arrest of Rich, except that the Republicans were to have Representative Hall and the Dunsmore House was to hold its meetings elsewhere. No provision in the agreement was to be used in any court proceedings as recognition by either House of the legality of the other.

The Populists who had been holding their meetings in the Stormont building fitted up the south wing of the basement with desks and Speaker's stand, and went to work. One of the things which engrossed their attention was a proposition to remove the State capital to Kanapolis, Kansas, and get it away from the influence of the railroads. A plan was presented by the promoters of Kanapolis whereby this could be done without cost to the State. The thing has since been looked upon as a joke, but the Populists were in earnest about it at the time, and so was the Kanapolis Town Company.

The only thing that remained now was for the courts to act. There were two cases and both would have to be passed on the Supreme Court. The Treasury mandamus case was decided by Judge Hazen, February 18, in favor of the Republicans, and was promptly appealed to the Supreme Court. This case involved the legality of the Dunsmore House, while the case of L. C. Gunn, who had been arrested at the instance of the Douglass House, involved the legality of that House. Gunn had been brought to Topeka, February 16, and applied to the Supreme Court for a writ of *habeas corpus*. He was released on a \$500 bond and his case set for February 21, the day on which the Republicans planned to vacate the Populist seats.

The trial began Tuesday and continued all week. The attorneys for Gunn were Eugene Hagan, Judge Doster, C. G. Clemens, and Judge Webb. For the Douglass House they were Chester I. Long, T. F. Garver, and W. H. Rossington. Attorney-General Little represented the State. The decision was handed down Saturday morning, February 25. Chief Justice Horton delivered an opinion which was concurred in by Justice Johnson, upholding the Douglass House as the legal organization. A very able dissenting opinion was delivered by Justice Allen, the Populist judge.

The Populists met in their hall behind closed doors to consider what should be their next move. The party leaders, including state officers and senators, were called together, and they deliberated over the matter from 1:30 P. M. Saturday, until Monday night. It was decided to submit to the rulings of the court. Accordingly a solemn protest was drawn up condemning the action of the Supreme Court and of the methods of the Republicans in general, reviewing the whole proceed-

ings from January 10, to date. The next morning the Dunsmore House marched in a body to Representative Hall and took their seats. The ten Populists who had been seated by the Populist election committee, returned to their homes and the election contest matter, after taking up almost the entire session, was finally settled.

XVIII

DECLINE OF THE PEOPLE'S PARTY

The people and their leaders who had so joyously celebrated the Populist victory in the fall, and had with such high hopes inaugurated the first People's Administration on earth, were keenly disappointed when the legislature finished its work and adjourned with no Populist legislation to its credit. The only plank in the whole platform that passed was the resolution to submit the equal suffrage amendment to the people. True enough, the Dunsmore House, with the aid of the Senate, had passed practically everything that the platform called for but with the final decision of the courts in favor of the Douglass House, these measures did not become laws. Why, under these circumstances the election of Senator John Martin and State Printer E. H. Snow was not also illegal, has not been explained.

The Populist Manifesto covering the Lewelling administration and the Legislature of 1893 does not call attention to a single Populist measure on the statute books, but it contains much interesting matter. For instance, it shows that the bill put in by the Copeland Hotel for sandwiches for the Douglass House was \$1,460.20. The State paid the bill. The Populists bought their own sandwiches. Aside from the fact that the State was not supposed to board its law-makers in addition to paying them, the sum mentioned in the bill was sufficient to have boarded the Douglass House all winter at the price being paid for produce at that time. With meat three cents per pound and wheat at 30 cents per bushel, the sandwiches could have been sold two for a nickel, and an enormous profit realized. This would have been 584,080 sandwiches, or 8,718 sandwiches for each of the 67 members of the Republican House, which would have made 167 apiece per day for the entire session. Considering, however, that these sandwiches were eaten in the three days' siege, making 2,906 for each man every day, it shows that the Republicans had capacity, if not ability. And it is little wonder that people of such enormous physical necessities should have been compelled to become tools of the wealthy corporations in order to live, as it would be quite out of the question for them to raise that much food for themselves, or earn it by ordinary means.

This was merely an example of Republican policy. Everything that the Republicans of that time touched seemed to turn to graft. The Populists on the other hand tried to keep down expenditures, especially those of the unnecessary kind, and to increase the State's income

at the expense of the corporations. The Populist board of Railway Assessors raised the assessed valuation of railroad property in the State by \$10,326,491, which was 25% to 28% on all roads. On items of contingent expense the Populists saved a great deal over the expenditures of the Republicans.

However these things were really very small matters in comparison with what they had hoped to accomplish, and this together with the election of John Martin instead of a Populist to the United States Senate, took the enthusiasm out of many of the leaders and the people as well. Mrs. Lease was so bitterly disappointed that she did not again enter the lists except as a disturbing element within the ranks. Benj. H. Clover, Benj. Harrison, Cyrus Corning, Senator Taylor, John F. Willits, Associate Justice Allen, General John G. Otis, Carl Adkins, of *The Atchison Graphic*, and James Gray, a representative of the miners of the Galena district, came out in the next campaign as anti-administration Populists.

In regard to the economic conditions, the Populist warnings of 1890 and 1892 had not been a wolf cry. Even while they were yet speaking, one of the greatest economic rebellions in the history of the country was going on in the way of great strikes, not confined to any one occupation or locality. There were the miners striking in the west, the steel-workers at Pittsburg and Homestead, and the laborers in Tennessee resisting convict labor and military force. The election of Grover Cleveland was a protest against the conditions which were bringing on these troubles. It would seem that the workers of the country were very blind indeed to elect to the President's chair the man who had been the first to inaugurate the use of military power in quelling riots. But they wanted a change, and instead of voting for General Weaver, who would have given them a change for the better, they took the attitude that he could not be elected, and voted for Cleveland who promptly gave them a change for the worse.

The country was famishing for lack of a circulating medium, but the legislation of the Cleveland administration tended to further destroy rather than to create a silver circulation. The forces were now rapidly lining up as monometallists and bi-metallists. At first the people were not divided according to party on this question. There were plenty of free-silver men in the Republican party and gold men in the Democratic party. Cleveland seems to have been a gold man. Times went from bad to worse until, in the early summer of 1893, the country was in the grip of a panic. Business and bank failures were a daily occurrences, and two million men were out of work and tramping the country. It was at this time that Governor Lewelling issued his famous tramp circular which endeared him to the hearts of all thinking and fair-minded people. These tramps were reviled and persecuted by the press and public, as though they had chosen their state of misery with malice and forethought, and out of pure depravity. Governor Lewelling made a plea for the kind treatment of these poor unfortunates without the means of livelihood and with nowhere to lay

their heads, and called attention to the fact that they were hard-working people, robbed and legislated out of a means of livelihood and denied a right to support themselves and families.

One of the most startling features of this period of financial depression, suffering and revolt, was the Commonweal Army, commonly called Coxey's Army on account of the main branch of it being financed by Jacob Seleher Coxey, of Massillon, Ohio. His assistants was Carl Brown, an idealist and an artist, of Berkeley, California, who came to Chicago to a big labor convention in 1893 and talked with Mr. Coxey about such a project. Mr. Coxey took Brown home with him and told him to go ahead with the enterprise and he would finance it. It is hard to tell just who originated the idea of the workingmen marching to Washington. R. L. Polk, National President of the Farmers' Alliance, had advocated such a plan before his death.

Mr. Brown began preparations for the march in November, 1893, but it was the next Easter before it really began. In the meantime the idea spread and seventeen different divisions were mustered in different parts of the country and took up the march to Washington. The purpose was to call the attention of Congress to the necessity of providing employment for the relief of 4,000,000 workingmen out of employment, and their families, making a total of 15,000,000 destitute people who had a right to appeal to the Government for a chance to live. The main division of the Commonweal Army, headed by Coxey, took with them two bills which they wished passed. They were introduced into the Senate by Hon. W. A. Peffer, of Kansas, and were as follows:

An act to issue treasury notes to the amount of \$500,000,000 for the purpose of setting the people to work building good public highways.

The second was a non-interest bearing bond bill, allowing the states, counties, towns and cities to deposit non-interest bearing bonds for any amount, not more than half the assessed valuation, for the construction of public improvements, and to withdraw a like sum in treasury legal tender notes.

The story is well known of how President Cleveland, who had pretended to be the workingman's friend, had these men arrested when they got to the Capitol City. A great deal of fun was made of the Commonweal Army by people who could ill afford to discredit such an effort. It was not a crazy man's scheme. It was based upon reason and experience. The bankers, the manufacturers, the corporations and all their ilk had been calling at the White House for thirty years with pretty good success; why wouldn't it do for the workingman? And as to riding on trains, without paying fares, the Congressmen and all other public men were doing the same thing, and then charging up mileage to the Government.

One division of the Commonweal Army under General Bennett, passed through Topeka at the time of the People's Party convention June 12, 1894, and the convention raised \$102 for him.

It was apparent to all the Populists long before the State Convention was called that the party was on the wane. Efforts made to appease the anti-administration crowd only drove the factions farther apart. The work of alienating the Democrats, already begun in Leveling's administrative policy, was finished by the State Convention in endorsing the suffrage amendment. The Republican convention had met a few days before and refused to endorse the amendment, but promised the women on the quiet that they would work for it, which they hadn't the slightest intention of doing. Fatal as was the endorsement of the suffrage amendment to both the cause of suffrage and the Populist ticket, it is hard to see how it could have been avoided. The Populist women insisted upon it, and as it was a Populist measure, it was out of the question to turn it down, without laying the party open to the charge of bad faith. If the women had had the good judgment to have known that an amendment which goes to a vote of the whole people is better off without the endorsement of any political party unless it has all of them, they might have been voting in this state twenty years before they did. It was not the Kansas women, however, who made the blunder. Susan B. Anthony who had forgotten the Kansas language, Anna B. Shaw, and Carrie Chapman Catt, came here from the East and forced the Kansas women into the action on threat to withdraw all support of any kind whatsoever from the state if the Kansas women should not consent to force the issue in the Populist convention. The Kansas women at that time thought they could not live except these great gods gave them breath, and against their better judgment they sealed the doom of suffrage and further divided the Populist party in insisting upon an endorsement.

The ticket nominated was the same as in 1892, except for Secretary of State and Lieutenant Governor. J. W. Amis was put in the place of Osborne for the former office, and D. I. Furbeck in place of Daniels. Osborne and Daniels were anti-administration. The platform was essentially the same except that the graduated income tax was left out to keep Daniels in the party. George W. Clark was candidate for Associate Justice.

The campaign was formally opened July 12, with a big old-fashioned Populist rally at the City Park in Topeka. Governor Waite of Colorado was the Lion of the occasion. After he was through talking, Mrs. Lease got up and attacked Mrs. Diggs. Sister Diggs responded, and called her a liar, and the campaign was properly launched. Mrs. Lease blew hot and cold and played fast and loose. She seems to have lost her balance wheel. One day she would be condemning the administration, Governor Lewelling, and Chairman Breidenthal in particular. The next day she would be glorying in the fact that there had been no fusion, that the flag still waved, and that Governor Lewelling, a grand and noble man, had been chosen to lead the party, and she would put on her fighting harness to defend him from the attacks of his enemies. In former campaigns the Republicans tried to make a joke of her. This time they succeeded. Mrs. Diggs stayed with the administration con-

sistently, believed in fusion, supported it in 1896, 1898, and in 1900, and became the first and only real woman political boss in State affairs in Kansas.

In September the anti-administration Populists outlined an opposition ticket, and were circulating it for signers to get it on the ballot. It was as follows: Governor, Cyrus Corning; Lieutenant Governor, M. A. Pratt; Associate Justice, W. H. Bennington; Secretary of State, Fred Anthony; Auditor, Alexander Young; Attorney General, H. A. White; Treasurer, S. T. Cherry; Superintendent of Public Instruction, Mrs. Etta Semple. Populism, divided, antagonistic and calling each other by the most vindictive names known to the science of etymology, went against a united Republicanism in November and lost out.

In 1896 Free Silver at a ratio of 16 to 1 was the big issue. Sixteen to one simply means to coin a silver dollar with sixteen times as much metal in it as there is in a gold dollar. Bryan had been lecturing all over the West under the auspices of the Bi-Metallie League. He had been stumping the country for three years on the money question, and was a finished orator, though only 36 years of age. He went to the Democratic Convention at Chicago and electrified the country with his great speech in which he said, "You shall not crucify mankind upon a cross of gold." A new star of revolution seemed to have blazed into the heavens. He captured the convention, and the platform was shaped to draw the Populist vote for Free Silver. The Populist National Convention met and endorsed Bryan and the Democratic platform, adding a few resolutions.

In Kansas an agreement was made between the Populists and Democrats, and a fusion ticket made up which both agreed to adopt at their conventions. It was as follows: Governor, John W. Leedy; Lieutenant Governor, A. M. Harvey; Secretary of State, W. E. Bush; Auditor, W. H. Morris; Attorney General, L. C. Boyle; Treasurer, David Hefebower; Superintendent of Public Instruction, William Stryker; Chief Justice, Frank Doster; Congressman at Large, Jerry Botkin. Most of these were either Democrats, or, like Doster and Botkin, had always been Democrats at heart, though in the Populist party. The ticket was elected. The Anti-Fusion faction organized a Middle of the Road Populist Party, but put up no state ticket. Jerry Simpson defeated Long for Congress, and the fusion ticket elected congressmen in all but the first district. The legislature was anti-Republican, and twenty Populist laws were passed:

An act regulating the organization and control of banks.

An act authorizing cities to obtain gas light, electric light, electric power, water or heat, either by purchase or construction.

An act providing that contracts fixing a different time for the bringing of actions than that provided by law are void.

An act to establish trial by jury in cases of contempt of court and to restrict the power of judges and courts in contempt proceedings.

An act requiring clerks of the Appellate Court to account for the fees collected.

An act putting the clerk of the Supreme Court on a salary and requiring him to account for fees collected.

An act to prevent blacklisting.

An act shutting out the Pinkerton detective force by forbidding the hiring of non-residents as peace officers.

An act reducing the fees and salaries of county officials.

An act taking the weighing and inspecting of grains away from the boards of trade and placing it under the management of the State.

An act fixing the liabilities of insurance companies.

An act providing for the health and safety of persons employed in mines.

An act requiring the railroads to furnish transportation to shippers.

An act providing for the recording of the assignment of mortgages.

An act for the protection of motorneers.

A school text-book law.

Stockyards law.

A law for the taxation of mineral reserves.

A law requiring the reports of telephone and telegraph companies and providing for their taxation.

A law prohibiting trusts.

After the fusion of 1896, the Populists did not again put up an independent fight. The Republican Populists lost no time in seeking the original fold, as they did not want to support Democrats. Mrs. Lease was among these. In 1898, the Fusionists put up the same ticket with the addition of S. H. Allen for Associate Justice, his term having expired. The Republicans won everything except Congressman in the third district. In 1908, the state went Republican again. The Populist party gradually dwindled away, and even the semblance of the organization was dropped in 1906, ten years after the fusion with the Democrats took place.

Populism played a short return engagement under a different name in 1912. The Progressive Party, with a platform not unlike that of the People's Party, divided the Republican forces and swept the state and nation that year, with the result that a Democratic administration was elected. Kansas got over it in two years so far as the Democrats were concerned, and elected a Republican governor who was a Progressive. In 1916, the State voted for the Democratic National administration, and retained the Republican Progressive administration.

NIX

LAST WILL AND TESTAMENT

The most lasting and permanent memorial of the People's Party is the changed ideal of government. They taught, and were really successful in getting men and women to understand, that this is our government, made to serve our needs. The ideal in government before the

time of the Populist Uprising was, that laws should be made in the interests of a few people who are allowed to control the destinies of the masses, and that through their great prosperity a few crumbs, as many as he is entitled to, will, automatically, drop to the producer of wealth. The Populist view was that laws should be made in the interests of the producer of wealth, and if any one wants prosperity let him become a producer of something. This view is now the generally accepted one in theory at least. The concourse of laboring men who called upon President Wilson a few months ago in the interests of the eight hour law and more pay were not treated with the contempt with which Cleveland treated those who came to him asking merely the right to live.

Populism educated the grass roots, and bequeathed to posterity a knowledge of politics and government such as has probably never been in the possession of so large a mass of people in the history of civilization. It is doubtful if, with the present knowledge attained by the voter in this country, such outrages as the financial policy of the sixties and seventies could be inaugurated. Of course these things go on, but by reason of the fact that they are in accordance with the system which was established at that time and is only gradually being overthrown. But in the days of the Civil War and just after its close, it was rank heresy for a voter to think. He was made to believe that if he doubted the wisdom of his party he was a traitor. To doubt Grant was as bad as to doubt Christ. The Populists educated us out of this condition of mind, and left us both example and precept to think for ourselves. The movement awakened initiative in the people.

The desire of the Populists to educate is illustrated in the action of Jerry Simpson, who gathered his Populist colleagues together, and taking Henry George's *Progress and Poverty*, assigned certain portions of it to each man, to be quoted by him in speeches sometime during the session, so that the whole of this book was spread upon the Journal of Congress. Simpson prized this work and did not want its teachings lost to posterity.

The Populist doctrines had so permeated the consciousness of the masses, that although the Republicans succeeded in defeating the party, the people had turned Populist, and believed in the Populist program, and in order to keep down the party of that name the Republicans were compelled from time to time to give the people measures which they had learned to think of as their right. The big fight in the Legislature in 1905 over the State Oil Refinery, the pipe lines and the anti-discrimination against towns in making prices which attracted attention all over the country, was a Populist fight. The anti-discrimination law put upon the statute books by the independent oil producers, compelling the oil trust to sell their product at the same price plus the freight, in every town in the State, was a joy to the old battle-scarred Populists of the nineties.

The Populists wanted anti-trust laws, and we have them galore. Some of them have helped and some of them haven't, but everybody is a Populist in that particular. We no longer recognize the divine right of

wealth and cussedness. We did away with railroad free passes, not only for public men but for everybody. The Populists wanted legislation regulating freight and passenger rates and we got it. We have the Utilities Commission with ever increasing power to regulate the public service corporations, until before long this regulation will be equal in effect to public ownership. Then there is the Australian ballot, the Parcels Post, Free Rural Delivery of Mail, Postal Savings Banks, Rural Credits Banks to loan money direct to the people, non-Partisan Tariff Board, income tax, election of United States senators by direct vote, equal suffrage, state publication of school text-books, election of insurance commissioner and state printer by the people, all found in the will of the political Sampson who slew more Philistines at his death than he ever did in his life.

The present laws for the arbitration of labor troubles are founded on a plank which the Populists borrowed from the Union Labor party. Much improvement in favor of the debtor has been made in the laws governing the collection of debts and the foreclosure of mortgages, and in the selling of land for taxes. Immigration laws have been improved, the contracting of convict labor has been done away with and the eight hour laboring day is rapidly becoming the universal rule. The Populists were opposed to grain gambling. Bucket shops have been done away with in Kansas, and the Federal Government is hot on the trail of the grain gambler. But the curse of both the producer and consumer of farm products is still the speculator, who buys and holds produce for large gains. He will never be put out of business until we get the sub-treasury, which was the Populist solution of the evil. Free silver was another principle which has never been enacted into law, and probably never will be. But flexible currency, which was the Populist remedy for panics is looked upon by students of finance with great favor. The People's Party had its birth in the desire to save the farming land to the people, but it was born a few years too late. The foreclosure of mortgages which was going on at an alarming rate in 1888, 1889, 1890, continued unabated while the hands of the legislatures of 1891 and 1893 were tied by Republican interference, and by 1896 half of the land of Kansas had passed into the hands of the loan sharks and the tax title sharks, and to-day not more than 50% is in the possession of the actual tillers of the soil, and it looks as though it would take the application of the old Populist doctrine that the rights of the user are paramount to the rights of the owner, to get it back into the hands of the people where it ought to be.

The Populist Party came to rather an ignoble end, in its fusion with the Democrats in order that some of its prominent leaders might satisfy their ambition to hold office, but its original aim was high and it will be a matter of more and more pride to us as the years pass on that the inauguration of the first People's administration on earth took place in Kansas, whether much or little was accomplished, because it places our State exactly where it belongs in relation to progressive ideals.

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