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PUBLICATIONS

OF THE

KANSAS STATE HISTORICAL SOCIETY

EMBRACING

BIOGRAPHICAL SKETCHES AND THE EXECUTIVE MINUTES OF
GOVERNORS REEDER AND SHANNON, 1854-1856; AD-
DRESSES OF GOVERNORS STANTON AND
DENVER, AT BISMARCK, 1884;

AND

PROCEEDINGS OF THE KANSAS QUARTER-CENTENNIAL CELEBRATION.
AT TOPEKA, JANUARY 29, 1886.

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BIOGRAPHY OF GOVERNOR ANDREW H. REEDER.

[For the biography of Governor Reeder the Historical Society is indebted to his sons and daughter. It is understood to have been prepared in part, from data furnished by Hon. Grosvenor P. Lowrey, of New York, who was Governor Reeder's private secretary during a portion of his official service. It was received from Mr. William W. Marsh, under date of March 2, 1881.]

Andrew H. Reeder, first Governor of Kansas Territory, was born at Easton, Pennsylvania, July 12, 1807. He received an academical education at Lawrenceville, New Jersey, studied the profession of the law, and entered upon its practice at Easton, where, after the customary vicissitudes of a young lawyer, he arose to a local eminence unsurpassed in eastern Pennsylvania, by any of his professional associates. This distinction was the more notable as the bar of that part of the State was recognized as exceptionally strong and able.

Mr. Reeder was married in 1831, to Amelia Hutter, of Easton. Of this marriage eight children were born, five of whom, together with their mother, survived the husband and father. Mrs. Reeder died, in Easton, Pennsylvania, August 16, 1878. The surviving children are Mrs. William W. Marsh, of New Jersey, George M., Howard, and General Frank Reeder, of Easton. The domestic life of Governor Reeder was distinguished for its purity, and the devoted attachment of the members of his family to each other.

His political and business life was distinguished for energy, integrity, and high intelligence. In politics Governor Reeder belonged to the Democratic party, and was an active participant in its counsels previous to his appointment to the Governorship of this Territory. He had never been an office-seeker, but believed in the duty of every man to take part in political affairs. His rule of action in this respect was once stated by him in the form of advice to a young friend, thus: "First succeed in your profession. Acquire, if you may by honorable means, such fortune as will enable you at all times to maintain yourself with dignity, irrespective of public emolument. If then an office suitable to your taste and capacity seeks you, accept it, but do not allow any thought of public employment to occupy your attention until that period shall have arrived."

Governor Reeder acted strictly upon this rule in respect to the conspicuous appointment to his first public office. He was not only not an applicant

for the place, but his first thought in respect to it was suggested by a communication from the late Asa Packer, of Pennsylvania, then a member of Congress, who informed him that together with Mr. John W. Forney, he had recommended the President to make the appointment.

Only those readers who remember the excitement following the passage of the famous "Kansas and Nebraska Act" will be able to appreciate the responsibility and consequent dignity attaching to that appointment at that time. All persons who have seen the comparative development of the two Territories will, however, be interested to learn that Governor Reeder's friends considered the appointment to the Governorship of Nebraska was the more important, and were inclined to regret that he should be consigned to the oblivion of a minor post.

The excited political condition of the times, and the grave questions which were about to be tried upon the new arena, gave interest to the appointment in the eyes of Mr. Reeder sufficient to induce him, after a few days' consideration, to accept it; and in the fall of 1854 he took his departure for Fort Leavenworth, which, except Fort Riley, was the only place then generally known or spoken of in Kansas.

The succeeding winter was one of much excitement throughout the country, and especially along the border of Missouri and the newly-created Territories. Governor Reeder had, shortly before his departure for his post, conversed with friends upon the difficulties likely to arise from the lawless action of Massachusetts and other New England emigrants, who were then reported through the press as organizing to settle in large bodies in Kansas and vote down the legal introduction of slavery there. He went to the Territory in full belief that the difficulties, if any, of his administration, would arise out of the disorderly and lawless action of this class of emigrants. He had not up to that time been brought into any close personal association with the men who then represented the interests of slavery at the Federal Capital.

Whatever he may have learned on his arrival in the Territory in respect to the purposes, principles and actions, either of those Eastern people whom he then distrusted, or of those prominent along the western border of Missouri whom his political associations led him to trust, it was soon clear that the latter had learned something concerning him which caused them much dissatisfaction.

An extract from the *Washington Sentinel* of the 24th of June, 1854, will show what the Southern men in power thought themselves justified to expect after the passage of the Territorial acts:

"It is said that the President has tendered, or is about to tender, that office to an individual from a non-slaveholding State, whose opinions upon the Territorial bill are either unsound or unknown. To such rumor we give no credence: we cannot. we do not believe that the President can for a moment think of frustrating by his patronage the design of a bill which he countenanced in all its stages, and to which he gave his ready sanction as a law. Recent developments have shown that Kansas

Territory is in the highest degree suited to slave labor, and that the equal laws of labor . . . must inevitably introduce the institution of slavery there."

Mr. Reeder was in full sympathy with Senator Douglas, the author and champion of the bill, and of the doctrine of so-called "Squatter Sovereignty," which the bill was intended to protect. It is probable that at that time he had, with the great majority of the American people, regarded himself as precluded by the constitution from raising questions as to the abstract right or wrong of negro slavery where it existed.

He was welcomed with eclat by the politicians of Missouri on his passage through that State, and was doubtless prepared even to see slavery legally introduced into Kansas, if that should indeed be the fair result of applying the equal laws of labor; but he was not willing to see the voice of an actual majority of actual settlers overcome either by force or chicane on either side.

His opinion upon the economical questions relating to slavery made him favorable to the incorporation of Kansas as a free State. The violence and lawlessness which almost immediately developed themselves in favor of the introduction of slavery, caused him to think more deeply than before upon the moral aspects of that question; and it may be said that the pro-slavery zeal of western Missouri was the chief instrument for converting a Democratic Governor of Pennsylvania training and Southern sympathies into a warm and devoted friend of the slave, and opponent of all ends which required the support of such violent and unlawful means. This conversion was complete when, at the first election for members of a Territorial Legislature, the people of western Missouri openly organized and formed themselves into military parties and to the number of several thousands marched across the border, deposited their votes as citizens of Kansas and returned to their homes in Missouri on the same day. In many places the actual residents who had emigrated from the Northern States with their families, were driven from the polls and their lives threatened should they attempt to cast their votes.

Governor Reeder was then at Shawnee Mission, on the border of Missouri. This was, by his residence, made the temporary seat of government. He was virtually alone, and the policy of the men of Missouri with whom he came in contact was, by boasting, threats, and the display of reckless violence, to intimidate where they could not persuade. They demanded certificates of election for their candidates according to the returns of inspectors, appointed chiefly from the number of those who had invaded the Territory for the purpose of voting. Governor Reeder refused to grant certificates until ample time should have been given for the receipt of such protests as might need to be made. The people of the remotest precinct in the Territory had time to forward, and did forward, a protest against the granting of certificates to a candidate elected by illegal votes. Several other such protests were received; and Governor Reeder, upon full consideration of the facts, called new elections in several districts.

It is easier now, since the events of the civil war, to realize the wild frenzy to which such a community as western Missouri then was would be driven by an example of calm courage and a deliberate proceeding like this. The family and friends of Governor Reeder, indeed the whole country, became justly alarmed for his personal safety. At about this time various persons, notably the editor of the Parkville *Luminary*, were made the objects of violence, either in person or in property. This excitement was greatly intensified when Governor Reeder, believing it best that the Legislature should convene at a point as far remote from the local influences of Missouri as possible, exercised his power of appointing the place of meeting by calling it at the town of Pawnee, near Fort Riley, where the public buildings could be availed of.

The charge was made against him that he was interested in lands near Fort Riley; that he had denied attention to the pressing affairs of the Territory during the winter of 1854 and 1855; and that he had improperly participated in the purchase of lands from the half-breed Indians. These charges, little by little, were spread throughout the party press, and a strong demand was made upon the President for his removal.

The ideas which prevailed at the time concerning the rights of the people of Missouri in the Territory of Kansas, and the great outrage implied by any resistance of their will, will be seen from the following copy of a handbill, headed "People's Proclamation," and circulated under date of April 9, 1855:

"Whereas, Governor Reeder has shown himself incompetent and unfit for the duties of his position; and whereas, the appointment of a man to the Governorship of the Territory without consulting the choice of those to be governed, is an arbitrary exercise of power, the citizens of Kansas have therefore resolved to hold an election at Fort Leavenworth on the 28th, to elect a person to succeed Governor Reeder, whose removal will be solicited."

About this time Governor Reeder visited Washington. A strong Southern party, headed by Mr. Jefferson Davis, then Secretary of War, was urging his removal. That removal was demanded upon the ostensible grounds above suggested, of speculation in lands, and an attempt to promote his private interests by assembling the Legislature at a place inconvenient to its members. The then Commissioner of Indian Affairs was made the special mouthpiece of that party, and a correspondence, which resulted quite satisfactorily to the friends of Governor Reeder, ensued between him and the Commissioner. After two weeks in Washington, during which Governor Reeder's friends, under the form of defending him against these specific charges, were really called upon to defend him against the inexpressed but more important charge that he was not found to be a facile instrument in the hands of those local politicians of Missouri who assumed to act as representatives of the Pro-Slavery party of the South, he was assured by the President of his personal confidence, and that he was desired to return to the Territory and continue the performance of the duties of his office.

The view then taken by Southern men of the actions of all such as did not explicitly coincide in their plans for the introduction of slavery, is shown in a letter to the *New York Herald* of May 20, 1855, under the title of "The Scheme of the Administration to make Kansas a Free State":

"The particulars of an astounding game at political hazard are shortly to be made known to the American people, numbering as leaders in the performance no less personages than the President of the United States and Senator Douglas, of Illinois. This exposure will demonstrate to the South how far with safety to the future it may be well to trust Northern politicians in their professions of support to their institutions. . . . The particulars attending the conspiracy to force upon Kansas a free-soil government comes to me," &c., &c.

In the *Daily Pennsylvanian*, a Democratic organ of great influence at that time, appeared an article about the 20th of May, from which the following is an extract: "We give below an extract from a letter to a gentleman of this city, from one who has battled long and well for the rights of the South, and who will still aid it in all that justly belongs to it. But it is very evident that his feelings have been soured at the conduct of the Missourians:

"WASHINGTON CITY, May 30, 1855.

"Governor Reeder has a proud yet most critical position. The murderers in Missouri pursue him alone, because he will not yield to their demand for slavery by illegal votes in Kansas. Had he done so there would not be the skeleton of a Democratic party left in the free States. He might have purchased ease and place by letting the slave-owners of Missouri take charge of Kansas; he might have been Governor or Senator; but he thought of Pennsylvania and the North, and of his own honor, and he acted as an honest and patriotic Democrat. He goes back, and will sell his life dearly if any effort is made to do him personal injury. The fact is, the South asked too much of us. I am sick of their arrogance, sick of their violence, and resolved that, however ready I am to stand by their rights, I will not sustain their wrongs. Slavery is not God-descended; it is not a divinity; it is a load to carry, and we must not have it made heavier by arrogant exaction."

These excerpts will give some idea of the seething political feeling of the time, and will cast light upon that beginning of discontent among prominent Democrats in the North, which finally ended in the breaking-off of the greater portion of that party in solid mass from its Southern associations, when Mr. Davis and his friends, moving logically forward from the position which they had taken in respect to Kansas, announced the secession of the South and the opening of the War of the Rebellion.

Governor Reeder prepared to return to Kansas. On the day before his departure he received from William L. Marcy, Secretary of State, a letter desiring him to make explanations to the President of certain charges against his official conduct, being the same which have been already mentioned. Governor Reeder replied, informing the Secretary that he was on the eve of departure to the Territory, where the Legislature would convene on the 2d of July, and from that place he would address his reply. The press generally expressed the opinion that the President was at last driven to yield to the demand for Governor Reeder's removal, but that as it was

impossible to assign the real ground, an ostensible ground, one less likely to offend public opinion, had been chosen.

On his trip up the Missouri river by the boat *Polar Star*, which arrived at Kansas City about the 20th of June, Governor Reeder was on several occasions made the subject of offensive and insulting approaches by the people at the landings, and by some of his fellow-passengers. It was evident that the excitement of the Missourians had been greatly increased during his absence by their failure to procure his removal.

Arriving at Kansas City, he departed immediately for Pawnee, where the Legislature assembled on the 2d of July, and almost immediately adjourned to Shawnee Methodist Mission, about three miles from Westport, Missouri.

The Governor had, by message, communicated to the Legislature his objections to the proposed adjournment, on the ground that, under the terms of the Territorial act, it was not in the power of the Legislature to sit elsewhere than at the place named by him, and his doubt whether the Territory would derive any fruits from such legislation as might be passed at another place. This warning was disregarded, and the Governor felt called upon to veto all acts passed by that Legislature, upon grounds which were clearly and forcibly set forth in the message vetoing "An act to prevent the sale of intoxicating liquors, and games of chance, within one mile of the Shawnee Manual Labor School, in the Territory of Kansas," dated July 21, 1855. Immediately following this veto, Governor Reeder was notified from Washington of his removal, and John L. Dawson, of Pennsylvania, was appointed in his place.

Thus relieved from whatever embarrassments may have existed in his official position, Governor Reeder threw himself ardently into public affairs, becoming an element of great strength in counsel and in action to the sorely beset Free-State party of the Territory. He attended the first convention of that party at Big Springs, and was the author of the resolutions passed by that convention, which rallied Free-State men and concentrated them for the contest which was to follow.

This convention took action aimed to rid the people of the Territory from the effects of the Missouri invasion, through which a usurping Legislature had been foisted upon Kansas, enacting a code of laws intended to exclude and drive out Free-State settlers. The acts of that Legislature, including those providing for elections, were repudiated by the convention. Steps were taken towards the framing of a Constitution, and application to Congress for admission under it into the Union as a State. Governor Reeder was nominated by the convention as a Delegate to Congress. At an election provided for by the convention, he was elected by 2,849 votes, as against 2,721 votes which were cast for John W. Whitfield at an election provided for by the Pro-Slavery usurping Legislature—the larger part of these votes being cast by Missourians who had come over for the sole object of voting, and who were in no sense citizens of Kansas.

At the assembling of Congress Governor Reeder proceeded to Washington and claimed his seat, upon the ground that he had been elected by a majority of the legal votes cast in the Territory. In the spring of 1856, a committee was appointed by the House of Representatives, consisting of William A. Howard of Michigan, John Sherman of Ohio, and Mordecai Oliver of Missouri, to investigate the allegations made by Governor Reeder in support of his petition to be seated. The committee began the taking of testimony at Tecumseh, on the 5th of May, 1856.

During the spring, considerable bodies of men, varying from one to three hundred, had come into the Territory, unaccompanied by their families and without the possession of such property as usually indicated an honest purpose to settle and remain. They were from South Carolina, Alabama, Georgia, and other Southern States, and were fully armed, and acted under military organization. One, which chiefly attracted attention, was known as "Buford's Company." They were encamped about Lecompton, and at various points within a few miles of Lawrence, and were believed to be guilty of various acts of outrage and murder which then occurred.

The United States Court, presided over by Judge Lecompte, of Maryland, whose affiliations were understood to be most cordially with the Pro-Slavery party, was convened at Lecompton. At the same time a grand jury was summoned; and coincidentally with the Congressional examination and the assembly of these armed men, the grand jury proceeded to examine into charges of high treason against Andrew H. Reeder, Charles Robinson, James H. Lane and others. A subpoena was issued to Governor Reeder, and served, in the presence of the Congressional Committee, requiring his attendance before the grand jury. It was suspected by his friends to be the purpose of the Pro-Slavery men, not only to withdraw him from the Congressional investigation, and thus stifle discovery, but if possible to bring him within some real or pretended infraction of the laws of the usurping Legislature, for which he could be taken into custody and retained in the Territory.

Failing to obtain his attendance as a witness, the grand jury, without taking any testimony whatever relating to Governor Reeder, voted by a large majority to find an indictment against him and Charles Robinson for treason. This was in obedience to the charge by Judge Lecompte, who is described by Governor Reeder as "a man of frivolous mind, little ability, less integrity, great perversity and indolence, and limited knowledge of the law, who, having neither property, practice, nor reputation at home," had been appointed Chief Justice of this unfortunate Territory. The plan, which was openly discussed in the jury room, was to arrest Governor Reeder under whatever charge, with other prominent Free-State men in the Territory, and, keeping them in confinement for a few months, to break down the party in detail.

After the indictment, another subpoena was issued and served upon Governor Reeder, requiring him to appear at Lecompton to be examined as a

witness before the grand jury which had just indicted him. This subpoena the Governor was advised to disregard; and on Thursday, the 8th of May, he returned to Lawrence with a majority of the committee. An attempt was there made to attach him for contempt of the subpoena, but he refused arrest. By this time all possibility of Governor Reeder's remaining with safety to participate in the investigation was, in the opinion of his friends, at an end. The object of intelligent Pro-Slavery managers was achieved; but the anger of their more ignorant followers had become so stirred that great fears were entertained lest he should be made the object of mob violence. Respectable Pro-Slavery men, together with all his friends, assured him that his life would not be safe should he remain openly in the Territory. He was by the aid of friends conveyed to Kansas City, where he was concealed for nearly two weeks, seeing every day the posse comitatus marching through the streets executing or trying to execute writs in the State of Missouri for the arrest of fugitives from Kansas, who were charged along with him in a new general indictment for high treason. Charles Robinson, of Lawrence, and others, endeavoring to make their way from the Territory, were arrested at Lexington and other places in Missouri and returned to the Territory, where they were kept in duress for several months.

After countless perils Governor Reeder reached the State of Illinois on the 27th of May. His arrival in the free State occasioned the wildest excitement and enthusiasm. As he journeyed toward the East, at every principal town he was detained, and great crowds of people assembled to see him, to welcome him, and to promise him protection from any attempt to retake him and return him to the Territory.

To a man reared in an orderly community, where personal violence was to be thought of only as the most unlikely of all dangers, this was a trying experience. The courage and the skill with which Governor Reeder had first withstood, and then escaped from the mobs of his enemies, caused him to be the hero of the hour in the North.

In the year 1856 the Republican party for the first time nominated a candidate for the Presidency, and Governor Reeder heartily entered the campaign in favor of John C. Fremont. At the close of that campaign he returned to the practice of his profession at Easton, and continued it with greatly increased success. In 1860 he was a prominent candidate before the Republican convention for the Vice-Presidency, being nominated by the Pennsylvania delegation. At the breaking out of the War of the Rebellion, he and General Nathaniel Lyon, afterwards killed in Missouri, were appointed Brigadier Generals, being among the first appointments to that rank made by Abraham Lincoln.

Governor Reeder was possessed of high natural qualities for a soldier—courage, endurance, power of discipline and combination—but he was without such experience as in his opinion was necessary to justify any conscientious man to assume important military command. He declined

the appointment, expressing publicly his opinion that no man had a right to learn a new trade or profession at his time of life, at the possible expense of the lives of other men. He promptly offered his services to the Government, however, in any other capacity in which they could be useful, and afterwards was employed in various important services, not strictly military, during the war.

His death occurred, after a short illness, at Easton, on the 5th of July, A. D. 1864. His memory should be revered by every citizen of Kansas as that of an honest and fearless magistrate, who gave to every duty his best intelligence and effort, and who in trying times was willing to risk life, if need be, rather than to submit to or permit the perpetration of wrong to the infant Territory over which he had charge.

GOVERNOR REEDER'S ESCAPE FROM KANSAS.

COPY FROM DIARY OF GOVERNOR A. H. REEDER; WRITTEN BY HIM DURING THE PERIOD WHEN HE WAS ESCAPING FROM KANSAS IN DISGUISE, IN MAY, 1856.*

MONDAY, May 5.—Left Lawrence with Congressional Committee for Tecumseh. Commenced examination of witnesses there in the afternoon; R. Rees assisting Whitfield.

TUESDAY, May 6.—Examined witnesses. Took tea with Judge Elmore. Returned at 9 o'clock P. M. through the woods alone. Began to think this was rather imprudent. Mrs. Elmore lives in a cabin of one room; was compelled to nurse her negroes and do the house work last fall; she says she never cooked a meal before. She bears the change well, and is a most excellent woman.

WEDNESDAY, May 7.—Examined witnesses until 4 P. M. Learned from the best authority (a grand juror and others) that the plan we had so often heard of was about being carried out, to paralyze the Free-State party; that the grand jury now in session at Leecompton had been charged by the court, as had the last grand jury at Delaware, that not only all the officers of the State Government, but all the judges of election, were indictable. A number of indictments had been found at Delaware, but for some reason had not been pressed, and the grand jury being many of them drunk, several had been lost in the street. A similar attempt, we knew, had been made at Osawkee, when John Hutchinson had been called as a witness, and

*The extract from Governor Reeder's diary was received by the Society from General Frank Reeder, with the following letter:

"EASTON, Nov. 4, 1885.—*F. G. Adams, Esq., Topeka, Kansas*—DEAR SIR: I send you by this mail a copy of the diary kept by my father in 1856, while escaping from Kansas. It is in one or two places incomplete, the original having become so blurred as to be indecipherable. I have added a copy of the will made while concealed in the hotel at Kansas City, the original of which was found in a compartment of the diary. Very truly yours,

FRANK REEDER."

had refused to answer several questions, and his refusal had been passed over because they were of matters inquirable at Lecompton, in another county. Both these courts, as well as that at Lecompton, were presided over by Chief Justice Leconte, a man of frivolous mind, little ability, less integrity, great perversity and indolence, and limited knowledge of the law. Having neither property, practice, nor reputation at home, his head became turned by the location of the capital at the town he had laid out and named. By this means and the domineering habit of the Pro-Slavery men, so well adapted to operate on a weak man, they have made of him a most supple tool. After his charge to the grand jury at Lecompton, they proceeded to consider the matter, and, without taking any testimony at all, voted by a large majority of the 16 present to find indictments against Gov. Robinson and myself for treason. James Whitlock (a canting, sneaking scoundrel, who was elected to the bogus Legislature by the 1,000 Missourians that came over to Lawrence and took possession of the polls, and who does the most atrocious things under the garb of piety), suggested that it was important to get out of us all the facts we knew, and that perhaps, if they once presented us for treason, they could not put us through an examination, and if not, the presentment would better be suppressed, and send subpoenas for us first; that we could then be examined, and afterwards arrested.

District Attorney Isacks was sent for, and inquired of whether we could be as well examined after we were presented as before, and he of course said "No." All of this Whitlock knew as well before, his main object being to bring us to Lecompton on a subpoena, knowing that on a warrant for treason we would not come. These details I had from James F. Legate, one of the grand jury, who came up to Tecumseh to inform me. Governor Robinson and Lieutenant Governor Roberts and myself had a consultation, and all came to the same conclusion—that the plans of the enemy were well laid; that if we allowed them to pick up all our leaders, including all the State officers, members of the Legislature, &c., for an offense not bailable, and keep them shut up for six months, and until after the next election, (as they could,) that they would then take our people in detail and break them down, especially as they had provided for a parade and training of the militia on election day, and under cover of this would introduce, without doubt, a number of men from Missouri. The prospect was dark, the crisis an important one and involving grave consequences, and yet we had but brief time to consult. Resolved that we must soon make an open, organized armed resistance, and that to make it as effectual and justifiable as it is already righteous and just, we must do it under and through the forms of the State government, and thus set up the State against the Territorial government. For this we must call the Legislature together, pass laws, organize courts, organize and officer our militia, and supply them all with arms, who are not already supplied; that as soon as our courts are organized we

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must issue writs of *habeas corpus* and take their prisoners away from them, and thus make the issue of force and blood in the best shape we can. Codifying committees are already at work, and some of the laws will soon be ready. The Legislature must be called by the — day of June, as on that day commences the next court in the Second District, when they will all be indicted and arrested. It is agreed also that some one shall go East to raise men and arms to prepare for this emergency, and for several reasons that Robinson would better go, after issuing his proclamation for the Legislature to assemble, leaving Roberts to act in his place. I suggested that I would like to have them try one of their indictments for treason on me, and that perhaps I should better be arrested. All agree that much capital could be made out of it, but the only difficulty is that it will keep me prisoner till October, when so much is to be done. I persisted, however, that I would submit to the arrest and try it. We did not determine what we would do as a last resort in case the General Government took the field against us, and gave us the alternative of backing out or of levying war against them. This would be not the silly sham treason for which indictments are found now, but actual treason at least in the letter, although as holy and glorious in spirit as the dawn of the Revolution of '76. Robinson declares that at least we will wipe out the d—d Territorial Government absolutely and effectually, and to this we all assented.

Toward evening a Mr. Fain, a new-comer from Georgia, who has been in the Territory but two weeks, called and very politely informed me that he was acting as Deputy Marshal, and had a subpoena for me. I requested him to let me see it, and he handed me a copy. On looking at it I discovered that it was very irregular in form, and, as I was not yet ready to be arrested for treason, I determined not to obey it. I accordingly so informed the officer, giving, as the reasons, my privilege as Delegate in Congress, and the informality of the subpoena. He left, and soon after met Legate, asked where Robinson was, and was told he had gone to Topeka; asked if he could go there and subpoena him with safety. Legate mischievously told him he did not know, that he must run his own risks, which so alarmed the Georgian that he at once turned back to Lecompton. The same evening we went back to Topeka; stayed till after breakfast of the next day.

THURSDAY, May 8.—Returned to Lawrence, where we met Mr. Sherman and Mr. Oliver, who had gone to Lecompton on the evening before. At 2 o'clock P. M., commenced to examine witnesses. Saw my Georgia friend of yesterday come in and go up stairs for a consultation with Major Oliver, and some friends; had a small posse with him, all armed. He soon came into the room and informed me he had an attachment for me. I put myself on my privilege, and claimed that the committee protect me, so that I could go on with the investigation. They decided they had no power to interfere, but Howard and Sherman expressed a positive opinion in favor of my privilege from arrest; Oliver differing from them on that point. I then

stated how I was privileged, made a full explanation, and declared that I would protect myself, and warned the officer that if he arrested me, he did so at his peril. He and posse left without making the effort. In the meantime I had learned from good authority that my life was not safe from private assassination at Lecompton, and I had made up my mind that I would not go there to be kept for six months, in danger of nightly assassination and daily insult, from giving my help to our cause, or fighting the pending contest in Congress, confined in some miserable dog-hole in the place—for there are no comforts there. Same evening, by advice of friends, wrote to Shannon and Lecompte to say that, if they would give me their guarantee of personal safety and immediate return to the committee, I would come and testify. Same night a discussion was had whether I should wait and fight the posse that would come after me, or I leave the Territory; and there was a difference of opinion, all agreeing, however, that if the U. S. dragoons should come down we would submit.

Ascertained that there were only ten kegs of powder in Lawrence, and only 200 Sharps' rifles. Some were in the surrounding country, however, and 5,000 Sharps' rifle cartridges were reported on hand, so that the ten kegs would mostly be used for our three pieces of artillery and the common rifles. Intelligence came in that the enemy were ordered to muster at Lecompton, and had scouts out over the country, and that men were prepared to come from Kickapoo and Atchison, most of them Missourians, of course. Decided to wait till next day, and I stayed in my quarters at the hotel.

FRIDAY, May 9.—Governor Robinson left, openly, with his wife for Kansas City to take boat down the river. Roberts took command—messengers sent out to our friends to be ready if called for. Considered best that I should disappear for the present, and about 10 A. M. I left in a buggy with Lyman Allen, and with a borrowed overcoat and cap, drove to the ravine and walked down its bed to E. W. Clark's, where I remained sequestered all day. The companies were mustered, and spies were sent up to Lecompton. Answer received from Shannon, unsatisfactory. Judge Lecompte says he has no answer to give.

Evening.—Picket guards posted a mile on the road to Lecompton. Reports that they have 300 men assembled. Friends came over to see me, and among them Mr. Howard, Chairman of Congressional Committee, Lowrey, Jenkins, Hutchinson, Roberts, &c. Prevailing opinion that I should leave the Territory and attend to matters at Washington, and that if I were away a fight could be avoided. Lowrey says he has a skiff at mouth of ravine to cross the river, and horses to ride so as to reach the Nebraska line; but prefer to go to Topeka, and thence up the Laramie road, and to Nebraska City, about 250 miles. First night's travel will be dangerous, as we must pass through the enemy's scouts. I preferred to go down at night to Kansas City, if creeks can be forded. Determined by advice, however, to go

west, and at midnight went over to the town to arrange; Lowrey and McClure to go along. Three horses tied in the ravine. At hotel found men who agreed with me; and decided to hide till the next evening and then start for Kansas City; Jenkins to make the arrangements. Left at once with Jenkins and rode to the house of — Morgan and G. W. Goss, who roused up and gave me a bed; (about a mile south of town.)

SATURDAY, May 10.—Remained shut up in bedroom all day. News from Lawrence that the posse had not come down. At 9 P. M., Jenkins came with two-horse carriage, and George Earl and McClure, and his own saddle horse. Concluded to avoid the main road on account of a company at Franklin and the height of the Wakarusa. Went by Blanton's—missed the road, and did not reach Fish's till near 1 o'clock at night, too late to pass Westport till long after daylight. Stayed at Fish's concealed; put horses and carriage out of sight.

SUNDAY, May 11.—Kept concealed up stairs. Many persons passed, through the day, and stopped; among them Milt. M'Gee, who would have given his whole team to know who was up stairs. Left at 7:30 P. M. Road clear. Arrived at Kansas City about 2 o'clock in the morning; found Lowrey waiting, and Col. Eldridge; room ready for us; dangerous neighbors across the passage.

MONDAY, May 12.—Remained concealed. Boat came up, and among passengers was G. W. Brown, of Lawrence. Rumors of a mob to take him, and I was removed to No. 25 for greater safety. Brown shut himself up in No. 28. A mob of 30 or 40 assembled, headed by Milt. M'Gee, who came into the hotel, and going by mistake to O. C. Brown's room, they dragged him out and took him down town—discovered their error, and let him go. Col. Eldridge came up and informed me, that I might be prepared. Sent out for about 50 Michigan emigrants, who had come up to-day and camped near town. The Marshal of the town came to the hotel and took part against the intruders, and soon had a posse. M'Gee's men were principally from Westport. Eldridge thinks they do not know I am here, but may tumble on me in searching for Brown. Looking out of my front windows, however, I saw and heard M'Gee, H. C. Pate, — Winchester, — Brockett, and another, in conversation, and Pate was instructing a man to go in and look for some one, and described me, so that from what I heard I recognized the description. Lowrey heard that they were also after him. The prospect of being overpowered, however, deterred any further effort, and in the afternoon they suddenly left. In the evening it was found that men were posted all around the house to prevent any escapes—all over the hill back of the house and in the hacks and wagons in front, besides those walking up and down the street. No light kept in my room, which Mrs. Arms had kindly abandoned to me.

TUESDAY, May 13.—Learned that Brown was still in the house, and that Robinson and wife had been stopped at Lexington, Missouri; a party of

men coming on the boat and taking him off and sending up a committee to the Territory to know if he was wanted. I advised Lowrey to leave by the first boat, and he did so in disguise. Before leaving I had him to write a letter directed to me at Chicago, and mail it loosely sealed, to induce the belief that I was in the States, by the way of Nebraska and Iowa, as we were confident they would open it. I instructed him also, if he got safe to St. Louis, to telegraph up here that he had heard from me and that I was safe in Chicago. I remained a prisoner in my room, but was most kindly waited on by the ladies, Mrs. Arms, Mrs. Lyman, Mrs. Coates, and Mrs. Monroe Eldridge, who took a lively interest in my safety, and whose kindness I cannot soon forget.

EVENING.—Colonel Eldridge came to my room, much excited, to say that the Deputy Marshal, with two of the same posse that had come to arrest me at Lawrence, had just arrived and were in the house. We concluded of course that they were after me, and I supposed they had heard of my leaving Lawrence on Saturday evening. I told him they could not arrest me here on process from the Territory, and I would not submit — but that they had probably found an indictment against me for treason or something else, and in that case might get process for me here, and if so, and they came with Missouri process and a Missouri officer, he should get himself into no trouble, but bring them at once to my room. Expecting them to come, I concealed this diary, and made preparations. I remained up, till midnight, and there was a constant running up and down from the street to their room. At 12 o'clock I went to bed and slept soundly.

WEDNESDAY, May 14.—Colonel Eldridge came to my room this morning much pleased, to say that the party of yesterday had said nothing of me, but had said they were after Lowrey and Pomeroy. He stated also that the night before G. W. Brown, accompanied by Jenkins, had started for Lawrence, and had been stopped on the road by M'Gee's party of Missourians (without any process, of course), and made prisoners. Have not learned what is done with them. Three boats up this morning, and, as the Sultan left on her way up the river, I heard a great hurrah, and looked out, expecting that Robinson had been brought up. To my relief I found that it was a parting cheer to the Marshal's party, who were starting up the river to Leavenworth. After dinner it was thought best to remove me to 25, as the disturbance of orderly arrangements, consequent upon Mr. and Mrs. Arms being out of their room, and the door being locked all day, might excite suspicion; and it was accordingly done. Matters are now quiet, and if nothing new should turn up, and I can find a boat that lies here all night, and a Captain that is favorable to our cause—. It would seem that there is no suspicion of my presence here, although some circumstances seem to render this uncertain. At all events I am anxious to get off, as, since the arrest of Robinson, it will devolve upon me to go to the Governors of Ohio and Michigan, and, perhaps, Iowa and Wisconsin, for help for our people against Missouri.

THURSDAY, May 15.—Matters passed off as usual. Kindly treated and elaborately cared for by the ladies, who bring me my meals and all sorts of nice things to eat; who place early flowers in my room and attend to all my comforts, and at the same time eluding detection by the most watchful ingenuity and the most amazing stratagems. My imprisonment would be anything but irksome, were it not that my spirit chafes to be about the work of procuring from the States the aid so much needed by our abused and persecuted people, (aid, too, which will soon be needed,) and also that I long to join my idolized, noble wife, and my precious, dearly-loved children, to quiet the fears and anxieties which they must feel only the more keenly when Lowrey gets home and informs them that I am a concealed fugitive in the enemy's country.—Meanwhile, the work of violence and persecution goes on. I learn that Jenkins and Brown are still prisoners at Westport, without process; that travelers are stopped on the road—even the mail stages searched, and passengers taken out when they happen to be obnoxious. One traveler, coming down from Lawrence, was stopped on the road, and ordered to open his carpet-bag to see if he had any letters or dispatches from Lawrence, and, as he refused to be searched, it was cut open by the ruffians. I learn that court at Lecompton has adjourned—that Shannon has left because he has no control. This is probably a mistake; I cannot believe it. About 100 young men from the South, said to be from South Carolina and Georgia, arrived, as I am told, last evening, all armed and equipped after the fashion of Buford's men, who, from their appearance, equipments, acts, and conversation, have evidently come, not as emigrants, but only to fight. About half of them went on to Leavenworth, and the residue landed here and went into the Territory, leaving their trunks here with Mr. Taylor, and saying that they did not want them along, as the fight would probably be over in a few weeks, and then they would go back. This looks as though the crisis was to come sooner than we expected. God grant it may not be till we can get more men, more arms, and more powder.

Evening.—Mr. Coates came to my room and told me startling news. He says that he learned from S——, a member of the Blue Lodge, that it has been for some time determined to assemble all the force they can in the Territory and from Missouri, until they raise 2,000 men, and then attack and destroy Lawrence; that S—— says he received a summons commanding him to be there—that the plan is for parties to go in by byways and in small parties, so as to avoid detection, and when all is ready, to have pretexts furnished by the finding of indictments and issuing of writs, and taking the whole as the Marshal's posse, to march into Lawrence by night, and destroy the place and people. He states also that he informed Robinson of this last Friday evening, and at Robinson's instance went up on Saturday, arrived there Saturday night, and made it known to our people. This accounts for my not having heard it, as I was not in Lawrence after Fri-

day night. He says also that Donaldson, the Marshal, has issued a proclamation calling for a force, and reciting generally that he has writs against sundry citizens of Lawrence. He says also, on the authority of Colonel Sumner, that Shannon had become alarmed, but was powerless, and no better than a prisoner in the hands of those around him; that he had essayed to take into his own hands the collection of a posse, but the Marshal would not allow it; that he had then insisted that Donaldson should not accept the services of any Missourians, to which a reluctant assent was given, but that this was a mere evasion, and that there were camps of Missourians now in the Territory, who call themselves Georgians, as was learned from a man by the name of Wise, who was in the camp. There have come to the Territory this spring some 300 or 400 young men, including Buford's party, who evidently came here to fight, and whose leaders probably understood the whole programme before they left home.

Under cover of these men and assuming their name and character, the citizens of Missouri will doubtless come over. Mr. Coates also says, on authority of Colonel Sumner, that Shannon has actually fled the country, under pretense of business, to avoid the storm which he cannot control and dare not face. Also, that our friends at Lawrence sent a messenger (Captain Walker) to Shannon, with a letter requesting him to order out the troops for the defense of the town; that Walker had difficulty to get into town, and was compelled to conceal himself, and send in another person; that he was recognized and fired at, but not hit. Shannon's reply was written while surrounded by the ultra men about him, and was evasive and unsatisfactory. Also, that the attack was fixed for to-morrow evening. This is most alarming news, and I tremble for our people. How unfortunate that we cannot all be there! My first thought was to return; but on telling Mr. Coates so, he declared it impossible, and I have no doubt he is right. The road is well watched, and I should be stopped and captured. It is mortifying to think that the great decisive battle of the cause is to be fought so near me, and I to have no share in it—at least no share in the glory, although probably, as the fight must roll here, I shall share the danger.

FRIDAY, May 16.—Still shut up in my room, the monotony relieved only by an occasional visit from some of the ladies. Colonel Eldridge, who went to Lawrence two or three days ago, is expected back to-night. Monroe Eldridge called in, a moment, to bring me some cigars, and says that the rifles, which Jenkins sent up on Monday or Tuesday last, got safe, concealed in the wagon, as far as Franklin, and were there taken by the party stationed there. This is to be regretted, as our friends need them. He says also that all persons suspected of going to the help of Lawrence are stopped, and that baggage is searched on the road. Mr. Coates says that S—— thinks the attack will not be made to-night. Jenkins, he says, was released at Westport, only on condition that he should not go to Lawrence; and as

he was on his way to this place he was arrested again by M'Gee — without process, of course. No arrangement yet made about a boat to go down on. I begin to feel uneasy, and urged Mr. Coates to fix upon one, and make the bargain.

SATURDAY, May 17.—Colonel Eldridge did not return, as expected last night, and no intelligence from him. Cannon, it is said, have gone up to Lecompton, and a load of cannon balls from Lexington. One piece of cannon is at Westport, waiting for the party that is to take it up. This morning the ladies had great difficulty in waiting on me. Mrs. E—— and Mrs. W——, and a new-comer, all seemed as though their suspicions were excited, and they on the watch. Mrs. Coates and Mrs. Monroe Eldridge were in my room, and it was a long time before they could leave it. Mrs. Eldridge was probably seen to come out. Afterwards, when I was taken to No. 27, until my room could be ordered up and left to stand open a while to avert suspicion from it, I was certainly seen by Mrs. S——, or the new-comer. This afternoon a report reaches here that I was captured at Leavenworth. Boat after boat passes down before my window, and my confinement begins to be more and more galling and chafing. I must leave here soon, at all risks. My wife, to whom I dare not write, and could give no consolation if I did, must be alarmed at the newspaper accounts and Lowrey's report, and I must get away from here. The North must be raised to the help of our people. This morning I urged Mrs. Coates to have her husband get me off as quick as possible. This evening I have a note from him, in which he says that the Amazon will be here to-morrow night, and he will try to get me on board. God grant he may. The nights have been very unfavorable, and are so still. It has been bright moonlight for a week past. News to-night from Lawrence by Colonel Eldridge's hack driver. The Colonel has stayed there on account of a sick child, whom he cannot remove. Things still *in statu quo*; the people full of apprehension, and the enemy encamped around them.

SUNDAY, May 18.—M. F. Conway and P. C. Schuyler, who landed here two or three days ago on their way to the Territory, are still here, although they contemplate going up to Lawrence every day if they can. They are in No. 26, opposite my room, and I hear them discuss the matter. They are not aware of my being here. They leave by the boat W. Campbell, to go up the Missouri river, no doubt finding it impossible to get to Lawrence. I learn that last night the ferry boat Lizzie came down from Lawrence, having made a trip there, and brings discouraging news to the effect that our friends there are dispirited and weak, and must be defeated, which is only another name for the destruction of the town and slaughter of the people. This afternoon a body of some 20 horsemen crossed the ferry from Clay county and took the road to the Territory. Immediately after, a buggy with two sorrel horses driven by a young man, said to come from Westport, crossed also. This was probably the set of chief plotters

who did not desire to be on the ground till the last blow was to be struck, and who are now notified to come. Coates wishes me to leave the house, and go to Mr. Brown's, up the ravine. On reflection, declined it as an increase of risk, and determined to remain here; but it is plain I must be off before the assailants of Lawrence come here, for they will swarm down here like a pack of wolves, and will probably search the house. Coates says the Amazon will be down to-night, and he can, he thinks, get me on board, as he is well acquainted with Captain Choteau.

Midnight.—Amazon has not arrived as expected.

MONDAY, May 19.—The Amazon still not here, and this almost the last chance to get off. If she should be delayed till to-night it might yet answer.

12 o'clock.—Amazon arrives and goes down the river without me. The W. Campbell may be here to-night.

Sundown.—The W. Campbell is not here, and probably will not come. In the evening a whistle sounds. Mrs. Wilcox, who happens to be in the room, looks out of the window and says it is a boat coming up. She proves to be the Martha Jewett, which has some 40 or 50 Southerners on board, and was expected to bring Robinson. A few of them stop here, and in the usual style proclaim that, if the people here want any country taken they are ready to take it. Great cheering at the wharf. How different from the arrival of Northern men! With the one it is a fillibustering adventure, a drunken spree, full of pistols, guns, hurrahs, boasting, &c. With the other it is the business of life, and they come quietly with no noise or display, and immediately go to buying oxen, wagons, plows, &c.

Midnight—and the W. Campbell is not here. This is the more to be regretted, as she would be a sure boat for us in all respects. For the first time I begin to despond. I think constantly of my dear wife and Ida. They will see all the news and be worked up to the highest pitch at the uncertainty of my fate; and now Lowrey has about reached home, from whom they will expect everything, and all that he can tell will make the matter worse instead of better. My poor, dear wife! How happy I will be if I can get once into a civilized country and to a telegraph office, that I can relieve her distress.

TUESDAY, May 20.—At 7½ o'clock this morning the W. Campbell sounded her whistle, having stayed at Leavenworth last night—only three hours' run. I learn that she has but one or two passengers. What an admirable opportunity is lost! The fates seem to be against us.

11 a. m.—The J. H. Lucas goes up; an unpropitious boat, even if going down. An awkward occurrence happened indoors. Having not been out of my room for several days, Mrs. Monroe Eldridge and Mrs. Wilcox called me out into No. 26 to clean up, and as No. 26 has no lock, the chambermaid stepped in, and, though called back at once, probably saw me. Afterwards she knocked at the door and I opened it and met her face to face.

She stepped back and said she would come again. This is very awkward, and makes it necessary for us to decide whether we will trust her in full and bribe her. Edward Eldridge says he will talk to her. He has done so, and I have done the same, and have applied the universal argument. She promises well, and I have some confidence. Coates and Conant are exceedingly anxious I shall take a wagon fitted as for an emigrant, and pass through Missouri to Iowa, and they have engaged a man to go. I regret they have done so, for I do not consider it at all safe. The J. M. Converse (Capt. Bowman, from Pittsburgh) is expected this evening, and it is now arranged that Coates shall speak to him, and that if possible I shall go on board to-night and pass up the river with him and then down. About 8 o'clock the Edinboro came down (Capt. Abeel), and, as she is to lie here all night, and the sky is cloudy, I feel anxious to get on board. The Converse may pass up and down in the daytime. On sending for Mr. Coates I find he has gone to Westport, being sent for by Gov. Robinson, who has been brought up on his way to Lecompton. Sent to Conant, in whose hands Coates left the matter. Monroe Eldridge says Conant refuses; that he is afraid of the consequences to himself and his store if it should be known, and he considers it too dangerous to approach the captain with any proposition. I sent to him then to go on board or elsewhere, and only learn the captain's name and his political opinions; to do so that I can judge if I dare send for him, and make the proposal myself, as he may not know me. But Conant fears to do even this. Edward Eldridge is sick, Colonel is gone, Arms is not well, and Monroe has the whole business on his hands. Sent for Mr. Taylor, who agreed at once and went aboard; reported in an hour that the captain was from Alabama, and that some of the new Alabama emigrants were on the boat talking and drinking with him, and all their toasts and conversation were of the most violent pro-slavery character. Of course we gave it up, although I am by no means certain that Captain Abeel could not have been bribed by a shrewd man. Up to midnight the Converse has not arrived. Arrangements made to call me when she comes unless the captain will agree to be here all night, as he returns down.

WEDNESDAY, May 21.—At 7 o'clock A. M. Mrs. Coates knocked, and I was obliged to jump into bed after letting her in. She says the Converse arrived at 5 A. M.; that Mr. Coates has seen him, and he says if I will come to Weston or Lexington, the places where he stays all night, he will take me. She comes from her husband, for an answer. What nonsense! Drive 43 miles to Weston, or twice that distance to Lexington, through most dangerous neighborhoods to dangerous places. I urged her to have Coates tell Bowman at once who the passenger was to be, to offer him \$200, either to run down here Friday night, or hold back so as to lie here on Saturday night. She left to carry my message. It is now nearly 4 P. M. and I have no answer. Coates has gone to Lecompton to attend to Robinson. I must

then get along without him. The prospect is dull indeed. Had Colonel Eldridge been here I feel sure I could have been off; but I cannot expect him now until the Lawrence difficulties are over, and then he will probably bring the whole swarm of invaders along. Mrs. Coates has just been in to say that her husband has unexpectedly returned; that the Deputy Marshal did not consider it safe to take Robinson to Leocompton, among the posse there assembled. She says also that, although he was sent for as Robinson's counsel, he was not allowed to have any private conversation with Robinson, that the Deputy Marshal sat by and insisted on hearing all the conversation. What intolerable tyranny, unheard of in the history of criminal jurisprudence! She again presses, as her husband's request, the plan of going through Missouri, which is so distasteful to me. I inquired of her what Captain Bowman said as to having his boat here on Friday night. She says that Coates had gone to the boat, but could not find him, and therefore nothing else had been said. Thus is lost all chance of this desirable boat. Coates called this evening. He was, with Colonel W. Russell, of Lexington, also counsel for Robinson, denied all private conversation with him. Mr. Preston, the Deputy Marshal, who had Robinson in custody, stated that he kept a guard at the door of the room, not to prevent Robinson from escaping, but to protect him—that men had threatened to kill Robinson if they had to kill the men who had him in custody. He also stated that it would not be safe to take Robinson up to Leocompton at present, on account of their own men, who would probably take him out of the hands of the officers and kill him. Coates says that a Free-State man by the name of Jones had been coldly shot down and murdered at Blanton by three Southerners—shot in the back as he was riding off unsuspectingly. Russell, who acts as counsel for Robinson, and knew him in California, is denounced and threatened also. But he says he is the friend and counsel of Robinson, and will stand by him. Coates states also that Conway and Schuyler were taken off the boat at Parkville, on their way to Leavenworth, and kept there some time, then discharged. Robinson wishes the people of Lawrence to make no fight or resistance. Edward Eldridge brings me a disguise; pants too small.

THURSDAY, May 22.—This morning the Star of the West. A note from Coates is thrown over my door, saying that Lawrence is taken. Hotel destroyed. A messenger from the enemy's camp came in and took boat immediately down the river; would give no particulars except to say that Col. Eldridge and family were safe. The mob will probably be here to-night or to-day, and will be very likely to attack or search the house. What will become of me? How bitterly I realize that if I had had a thorough, efficient, zealous friend outside, I would now be safe in the States. For three or four days have I been seeking to get the particulars of the plan to cross Missouri to Iowa, and in vain. Last night Coates did not know them himself. My poor, dear wife! She is uppermost in my thoughts. How

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much I reflect on the agonizing suspense that now makes her nights restless and her days miserable; day after day looks in vain for letter or dispatch; with trembling hand opening each day the newspaper, only to be left in the same uncertainty and misery. And should I be murdered by this crazy, drunken mob, as is probable if they should discover me, she will probably first learn it from a newspaper. God have mercy on her and my dear, dear Ida, my own fond Emma and my three loved and precious boys, whose hearts are all filled with the image of their father, and whom, next to their noble, generous, inestimable mother, I love with the deepest affection. How these ties drag me down! If not for them how boldly and proudly could I not denounce and defy my pursuers, and die in conflict with a thousand of them. But God's will be done. If I am taken from the dear ones he has given me it will be for the best, and He will care for them. Intelligence comes in more and more certainly that this hotel is to be destroyed. The Pro-Slavery boarders are leaving and taking away their families and baggage. Persons in the secrets of the Pro-Slavery party come privately and warn their friends in the house. Gen. Calhoun has left. Last night, while he must have known that Lawrence was being destroyed, his daughter gave a party here.

Mr. Leonard Arms comes in to say that it is beyond all question the intention to destroy this house, as soon as they get back from Lawrence; but he thinks that if I can get out by 8 or 9 o'clock, I can get away. Sad chance! I can perhaps find a place to stay for a few days, but how am I to get away? Coates says that Conant's man is now unwilling to go; that he is afraid of being caught. It is now 1 o'clock P. M. What will twenty-four, or even twelve, hours produce? If I am taken by these demons, especially when herded together on this enterprise and maddened with liquor, I know I shall not live an hour. If I can refrain from speaking or thinking of my wife and children, I think I can show them how a brave and honest man can die. But when I recur to them, my throat chokes and my eyes fill.

Mrs. Coates reports that I can go to Brown's, but that I must not come till after dark. It is now 5 o'clock P. M., and I have put on such disguise as I can get, the dress of an Irish laborer. Have cut off my whole beard and soiled my face with cork, burnt. The ladies, and Mr. Edward and Monroe Eldridge, have been in, and we had a hearty laugh over it, although it is a matter of life and death. Thus do extremes meet. But mirth at such a time is spasmodic, and can last but a moment, to be followed by a reaction.

As I write, a party of the invaders come down and cross the ferry on their way home, shouting threats against the American Hotel, and whooping and yelling like Indians, and, as soon as they reach the opposite shore, firing off their arms. They linger there as though they may intend to return. Give me four hours more and will leave the house. I have written a hasty last will, which I leave in this book, care of Mr. Coates.

6 o'clock.—A meeting of the citizens has been held, at which the Mayor presided. It was ascertained that not more than 60 men could be raised to defend the house, and arms for not more than 25 or 30; and the Mayor informs Edward Eldridge that he cannot undertake to defend it, unless he can show the papers to prove that it does not belong to the Emigrant Aid Company. This he says he cannot do, because the Colonel did the business and has all the papers, and he has not come back from Lawrence. News is received of the attack on Lawrence and the destruction of the hotel. A few men killed.

Lying on the bed, and supposing the door locked, the man who serves the water opens and comes in. Of course I can do nothing but lie still and let him see me. Fortunate that I am to leave so soon.

8:30 o'clock.—Mr. Hubbard and Mr. Eldridge come up to say that all is ready, and that Brown is waiting to go with me. I declined to leave the house with Brown, preferring to walk out alone and join Brown on the road. After they left, I lit my pipe and walked boldly down the front stairs, through the office, which was crowded with people. Elbowing through them, I passed into the bar-room and out on the steps. Dozens of people were sitting and standing about the door and on the sidewalk, many of them the most obnoxious men, and who were well acquainted with me. I stood quite unconcerned on the steps until I saw a vacant chair, and went to it and sat down. My friends were about, and by my previous directions engaged those in conversation who were nearest and most dangerous. After sitting some minutes, I walked deliberately up the road, unmolested and unrecognized, with a sense of great relief; found Brown on the way, and went on to his house in the edge of the timber, and quite out of town; found there Mr. Davis and wife, who have a room rented—D. E. Adams, and J. McIntire. Sat out of doors and enjoyed the freedom and fresh air.

FRIDAY, May 23.—Obliged to keep close house during the day, in a stifling room. Determined I could not stay here; consulted with Adams as to taking a small skiff and running down the river at night so as to be taken on board the Converse as she passed. Agreed on the plan. Sent Adams to buy a skiff and tell Eldridge to send some provisions and have him or Coates make the arrangements with Capt. G. W. Bowman as he shall come down to-morrow. Adams returns and reports; and the plan during the day is fully matured by help of Hubbard and McIntire. In the evening Adams leaves to get the skiff and scull it out of the Kansas river to a place about a mile below town. About 9 o'clock McIntire and I start, each with an ax, and, skirting the town for awhile, then passed along the main road to the river. Hunted along the shore; could not find Adams or the boat. I went into a ravine and McIntire continued his lookout. A stranger is seen wandering about along the shore and road, much to our annoyance. Very soon Edward Eldridge and his wife came along with carpet-sack filled with a pair of blankets and provisions, and we got them in the ravine. Eldridge and McIntire then started out and walked to the man

and spoke to him; did not know him. He left, and soon Adams made his appearance. He and I took across the road to the skiff unperceived, and Eldridge and wife and McIntire returned. We floated quietly down the river to Randolph landing, which, in the dark, we had trouble to find, as neither of us was acquainted with the place. Dropped down below it about one-half mile and laid up our skiff under some overhanging rocks where it could not be seen from the shore. Clambered up the bluff and found a public road along the bank; reconnoitered for 400 yards around the woods, considered the place safe, and returned to the skiff for our sack and axes and Adams's bundle. The moon was then fully risen, and bright. Got safely into the woods above the road, where we slept till morning.

SATURDAY, May 24.—About 7½ o'clock we shouldered our axes and bundle and sack, and trudged up the road past the few houses that constitute Randolph. As we passed the principal house a man hailed us to know if we were woodchoppers. Adams replied "Yes." Had we got a job engaged? I whispered to Adams to say "Yes," but too late. He said "No." The man then walked out into the road and offered us a job. I stopped; asked the price. He said 75c. to \$1 a cord. I told him that was not enough; that we were going up to Eldridge's job above, where we could get, as we were told, \$1.12½; but that if we did not succeed we could stop and see him on our way back.

Encountered five or six other persons on the road, but no one paid much attention to us. Found a running branch, up which we passed out of sight of the road and sat down to eat our breakfast. Stayed there unseen till 12 o'clock; disappointed that the boat did not come as it should at 10 o'clock.

Arranged what story to tell at Randolph, if questioned. Made up a bundle of some of the provisions, &c., in my blanket, leaving the carpet sack for Adams. At 12 o'clock heard the whistle of the boat for Kansas City, five miles above. Waited one-half hour by the watch, and then left the ravine; passed down the road to a convenient place, and then ascended the hill where we had a view of the river for two or three miles.

Saw the boat coming, but could not make out her name till she was so near that we had to run down the road. She hauled up to the landing full of passengers, and as the plank was run out I went on board panting with heat, fatigue and thirst. Passed back among the deck passengers, where, according to my dress, I belonged, laid down my ax and bundle, and found quite a number of passengers there.

The deck clerk soon called for my fare, and I took a ticket to Waverly. I turned into one of the hot and stifling berths, and never suffered so much from thirst in my life, would have given anything for a drink, but laid still with my back to the passengers and hands. Soon the clerk came back, to give me change. I heard him ask, "Where is the old man with the pipe?" "There he lies," says a hand; "he is asleep; he feels his oats, I guess." "Yes," says another, "he had a good load on when he came on board."

The clerk came behind me and said, "Here, if you want money, take it;" and as I turned half over and took it, "Ah! I thought that would fetch you."

Toward evening I got up, and walked about, got some water, and to my consternation I learned from their talk that some of my fellow-passengers were a part of the invading force returning from the sacking of Lawrence, and that some leading men, no doubt to please their followers, had also taken deck passage. Among them I saw Henry L. Rout, a lawyer of Liberty, Mo., who picked up my pipe which I had dropped in the berth, and made some jocular remark to me. I was confident he knew me, and was very uneasy, especially as we were to lay that night at Lexington. Arrived at Lexington about 8 o'clock; divested myself of all that would lead to my identification or that was inconsistent with my dress. Sat about on the boat till about 11 o'clock, and then went to bed.

SUNDAY, May 25.—Laid in my bunk till near 9 o'clock. As we passed Waverly the clerk came and notified me. I told him that a gentleman on board had informed me that my friends did not live there any more, and that I would go on to Booneville. This was partly true. A man on board having heard me say I was going to Waverly questioned me and I told him I had friends there. He asked their name and I told him at random. He said no such man lived there. I afterwards followed him up, and by a plausible story put him off his guard and thanked him for the information.

In the forenoon, Capt. Bowman took the opportunity to speak to me, and said he could not get me up stairs till night, and that he had a lot of Border Ruffians up in the cabin. Sent the steward to me, under pretense that I was sick, to offer me anything I wanted to eat. I declined, however, and ate from the stock I had in my bundle; with good bread and cheese and a tin cup of water, I made a good meal, delighted that I had not been stopped at Lexington, for I had become convinced that I was recognized, or at least suspected.

Saw the captain again; learned that Mr. Fogg was on board. Told captain it would be best not to take me up stairs that night, as I might be missed by those below, and I would prefer to stay where I was. My bed-fellow was a pro-slavery man by the name of Ross, very genteelly dressed, of whom I had become very suspicious, and who seemed to watch me very closely.

This evening we laid up at Booneville, and there I quietly paid on to St. Louis. After night I watched with great care some three or four men who, I had persuaded myself, were suspicious of me.

MONDAY, May 26.—Breakfast finished my provisions. Fogg came down on the deck and approached me to talk, but I walked away from him. To-night or before morning at least we are to be in St. Louis, and I told the captain that I must be got up stairs to-night to change my dress. He informed me that, as arranged, Eldridge had put my valise and an old trunk on board, marked with a fictitious name. When we stopped at Jefferson City

I watched, as I did at all the landings, the persons who passed on and off the boat, and to my surprise I saw Mr. Ross, my bedfellow, going ashore with his carpet-sack, although he had paid to St. Louis. Watching, I observed that he went direct to the railroad depot. This being about 11 A. M., it was plain that he could get to St. Louis before evening and have a warrant for me so as to arrest me at once. I again saw the captain, who informed me that he could not get to St. Louis before 7 o'clock in the morning, and would lie by that night near St. Charles. This was very unsatisfactory, and on further consultation he agreed to get me up stairs late at night, and to hail the boat from St. Louis to Alton, as he would meet it in the morning, and put me on board so that I could go at once to Alton and not to St. Louis. Agreed on. On further reflection concluded this was not safe, as, if a warrant was out, they would look for me on that boat or at Alton. Sent up for captain again; proposed that he should see the man at the woodyard where we were lying and get me a guide across the country to Alton, so that I could arrive before the boat from St. Louis, and take a conveyance to the next railroad station above. Saw Fogg, who says two young men from Lawrence are up stairs, who will go with me. Captain could get no guide, but had the route described. The steward got my bundle up stairs for me, into the room of Bassett and Brackett. My valise was taken there, and I prepared to go up. Had great difficulty. Boat full of passengers. Watched all my fellow deck passengers to see them asleep, and finally laid down myself and feigned sleep. Two of them who seemed to watch me, then went to bed and seemed asleep. I thought all had turned in, and was thinking of soon slipping out, having arranged with the captain that the steward should be on the watch if anyone got up to follow me, when, to my great chagrin, the captain came noisily along the cabin, and up to my berth, and nudged me to get up. I was vexed, as I was sure this would attract the attention I had taken so much care to elude. There was no help, however, and I soon followed, pretending to look for a better place to sleep. Passed up stairs. Found to my disappointment that no watch had been set to see if I was followed. Passed quickly into the room of Bassett and Brackett. To add to the chance of detection, the captain followed me there. I changed my clothes and then learned from my friends that two of the deck passengers were out on the guards evidently on the watch. Determined, however, to go, and if followed to fight it out. Bassett and Brackett had no weapons. I had two revolvers and a knife, and supplied them. A violent thunder storm came up, and in it, toward the close, we put out the lights and started. The woods being close to the shore we stopped in them to see if we were followed. Waited a short time; no one came off the boat, and we struck through the woods; lost the road twice; traveled on, and finally, at 8 o'clock A. M., struck the Mississippi river fifteen miles above Alton. Got a man to take us across in a skiff.

TUESDAY, May 27.—We were then in Illinois. Bassett and Brackett

found a boat going down to Alton, and I hired a team to take me to Jerseyville, fourteen miles, Mr. Brock being the driver. At Jerseyville found a good hotel and livery stable, and hired a man to take me to Brighton, where I got on the evening train for Chicago; found Fogg and my little baggage on board. I learned the night before, as we traveled through the woods, that the ruffians had broken open my trunk at Lawrence, stolen and put on my clothes, and chased Chapin, of Ohio, as he came out of the hotel, calling out that it was me, firing at him, and threatening to kill him; and that there was a universal determination expressed among them to kill me. Arrived at Chicago.

WEDNESDAY, May 28.—At 9 o'clock was generally called on, and most enthusiastically welcomed. People came in crowds to look at and welcome me. In the evening, as I lay asleep on a sofa, a gentleman waked me up to say that there were a thousand people in front of the hotel calling for me. Went out on the balcony, was received with cheers upon cheers, made them a speech, and was kept all the evening shaking hands. Had a perfect levee. At 10:30 P. M. took the cars for Bloomington, where the State Convention was to meet next day. Arrived there on—

THURSDAY, May 29, at 7 o'clock A. M. Found there a great concourse of people, and, to my surprise, the wife of Gov. Robinson, with J. S. Emery of Lawrence. Was lionized all day, and engaged to speak in the evening. Spoke for 2½ hours to an enthusiastic audience, and at 12 o'clock left to return to Chicago. Arrived there at 8 o'clock on—

FRIDAY, May 30.—Roamed around all day, recruited my scanty wardrobe, went to an artist, and, having put on my disguise in his private room, had a photograph taken for my dear wife.*

At Bloomington and Chicago I proposed my plan of help for Kansas, to wit, the raising of 10,000 men and \$200 a man, and to equip and provision them for a year, \$5,000 to be sent on at once, and 5,000 men or more if wanted; they to provision 500 men in Chicago and 500 in the State.

Had full consultation with our friends, and among them, with Major Jones, of a volunteer battalion, who says that if funds are raised he will guarantee 300 good men. Slept to-night in a good bed—the first time I have done so, or had my clothes off, since the 22d.

SATURDAY, May 31.—Took the cars for Detroit. Arrived there in the evening, and no sooner was my name on the register than I was besieged by

*The Historical Society has in its collections a photograph of Governor Reeder in this disguise. It was given the Society by Hon. Edward L. Pierce of Milton, Massachusetts, accompanied by the following note of explanation written by him:

"The photograph of ex-Governor A. H. Reeder was taken in 1856, on his arrival at Chicago, of which only three copies were taken—one for the Governor, and the other two for Dr. Ray of the *Chicago Tribune*, and myself, who alone were present. It represents Governor Reeder in the disguise in which he came down the Missouri river at the time of his escape, an incident referred to in Phillips's 'Conquest of Kansas,' pages 275, 276. The clothes are the same he wore, but the hat and ax were procured at Chicago. The picture is an interesting souvenir of Kansas history. EDWARD L. PIERCE.

"MILTON, MASSACHUSETTS, Dec. 7, 1877."

Mr. Pierce is the distinguished author of the "Treatise on American Railroad Law," published in 1856, of "Memoirs and Letters of Charles Sumner," published in 1873, and other important works.

unknown friends, who pressed all kinds of good offices upon me. In the evening the Attorney General, State Treasurer and others, called, and I had a large levee.

COPY OF WILL OF GOV. A. H. REEDER, REFERRED TO IN THE ABOVE DIARY, AS MADE MAY 22, 1856.

I, Andrew H. Reeder, being in danger of being murdered by a set of vile ruffians and outlaws, who are outside of all the restraints of law, order, decency, and all social obligations, and who are below the savage in all the virtues of civilization, and who will probably kill me for opinion's sake, and in furtherance of that scheme for which already a number of lives have been sacrificed, to wit, the making of Kansas a slave State by violence and force of arms, do, in view of my death, which may happen to-day or to-morrow, make this last will and testament:

I declare my domicile to be in the borough of Easton, State of Pennsylvania, where I request this will to be proven.

I give and bequeath to my dear son, George Marchand, my gold watch, which has been in the family for three generations, and which I hope he will keep and transmit.

To my dearly loved and cherished wife, Amelia, I give, devise and bequeath all my estate, real, personal, and mixed, after payment of my debts, in fee simple forever.

My reason for this is that I know she will use it for the good of the children, as I would myself, and will share with them to the last dollar; and because, as there are many debts to pay and real estate to sell, it will be troublesome to deal with minors.

I appoint my friends Geo. W. Housel, C. F. Randolph and Henry Green, all of Easton, the executors of this last will and testament, and empower them to sell and convey at public or private sale any of my real or personal estate for payment of debts and expenses.

For the sake of my dear wife and children, I regret to leave my estate in its present scattered and shattered condition. The reasons are obvious, but I shall not stop to speak of them.

Witness my hand and seal, this 22d day of May, 1856, at Kansas City, Mo.

A. H. REEDER.

STATEMENT OF HON. GEORGE C. BRACKETT.

READ AT THE ANNUAL MEETING OF THE STATE HISTORICAL SOCIETY, JANUARY 19, 1886.

On the morning of May 22, 1856, and after witnessing the raid made on Lawrence the day before by Sheriff Jones's posse, led by Col. Titus, in company with Owen A. Bassett I started for Leavenworth en route to my former home in Iowa, for the purpose of enlisting volunteers to march to Topeka to assist in protecting the Free-State Legislature, which was to assemble in that city on July 4 following.

We reached Leavenworth and took up quarters at the same house with the United States Commission, which was investigating the recent Territorial election of a Delegate to Congress from Kansas, intending to take the first steamer bound for St. Louis on the next day.

During the evening an attaché of the commission, Mr. G. G. Fogg, of New Hampshire, intimated to us that the Commission desired us to lay over at Leavenworth until a certain steamer returned from up the river; also that he probably would accompany us, and might need our services. The character of service was not made known at that time.

On the forenoon of the 23d of May, in company with Mr. Fogg, we left Leavenworth on the steamer J. M. Converse, bound for St. Louis. When a short distance below Kansas City the steamer landed, ostensibly for the purpose of taking on wood, but the small amount, not to exceed a cord, brought on board, seemed surprising to observers.

While standing against the guards of the cabin deck watching the boat hands at work, I noticed a lone person come down the bank dressed in the guise of a wood-chopper. As he stepped upon the plank leading to the boat, I remarked that I guessed the captain had stopped to take on that tramp. He looked up, when I was reminded by his features of some one whom I had met, but who it was I could not recall to mind.

The steamer soon after pulled out, and nothing unusual occurred until we had reached a point just below St. Charles, Mo., late in the afternoon, I think about 4 o'clock. The steamer remained tied up here, with apparently no object, and no satisfactory explanation was given by either the captain or clerk of the boat, and which caused considerable comment among the impatient passengers. Night came on, and with it a violent rain storm, and still the boat remained there. Just after the supper table was cleared away, Mr. Fogg quietly intimated that there was a matter of great import connected with our trip, and that he wished to make me acquainted with the captain of the boat, and, to avoid any suspicion, that it was best to enter my state-room, remaining there until he should return with the captain. I immediately notified Mr. Bassett, and together we returned to our room. Shortly after, Mr. Fogg and the captain came in, and informed us that Governor Reeder was on board; that he wished to use our room for the purpose of changing his clothes, preparatory to leaving the boat, which he would do at that point, and cross from there to the Mississippi river, a distance of about 12 miles. That it further was his desire that Mr. Bassett and myself should accompany him. The captain then left us, saying that he would send the porter with the trunk to the back door of the state-room, and instruct him to rap on his reaching it. Soon after a rap was given, and on opening the door the porter set in a trunk, and following came Governor Reeder, whom I quickly recognized as the person coming aboard at the wood yard below Kansas City. After a hearty hand-shaking, the Governor divested himself of his disguise, and prepared for his departure, which was delayed several hours by the storm. Furthermore, it was suspected that emissaries of the Border Ruffians were on board; and I was detailed to watch certain persons in the gentlemen's cabin, by which I learned that the suspicions were well grounded. This occasioned further delay, and until all

persons in the cabin had retired. About 11 o'clock the captain informed us that the way was clear, when it was decided that we should leave the boat singly, and under instruction, proceed to a log cabin a short distance back from the river, where we would find a trail, which led directly across to the Mississippi river.

Well armed, and provided with umbrellas, we made the shore, soon found the log cabin and trail referred to, and started on our adventurous trip through an unknown and heavily-timbered country.

The night was intensely dark and the storm continued until near morning, and it was only by repeated flashes of lightning that we were able to keep our way. I locked arms with the Governor, (remarking, "Let the blind lead the blind;" that I hoped there was no ditch ahead into which we would fall,) because he held an umbrella and I had none. In this way, by the aid of lightning, we led the way without much trouble, until, when out about two miles, I should judge, I caught the noise of rushing water, and halted our little party until a flash of lightning disclosed a land-slide of about twenty feet in depth and not more than ten feet in our front, and across which our path led. This narrow escape made us very cautious, and we did not move until another flash of lightning enabled us to make our course around the chasm to the left, and another flash led us back to the trail on the other side. With this exception the trip was made quite easily, and we reached the Mississippi river a little before sunrise, the storm having passed and sky cleared up. We found the river very much swollen and about a mile wide at this place. On the opposite side was a farm-house, and along the banks could be seen what we thought were several skiffs and a rowing ferryboat. We commenced signaling for relief, and after nearly an hour had the pleasure of seeing two men jump into a skiff and start up the river, hugging the bank for about a quarter of a mile, and then heading across the river. During our waiting we whiled away the time with our revolvers, cutting the stems of the leaves of a large cottonwood growing on the banks of the river, the Governor proving himself an adept in the use of such weapons.

Having safely crossed the river, and standing on freedom's soil, the Governor remarked, "For the first time since leaving Lawrence, I feel easy and safe." Having breakfasted at the farm-house, the Governor hired a conveyance to the nearest railway station, and with a heartfelt hand-shaking and farewell, he left us for Chicago, and we on the first steamer for St. Louis.

This was the last time we were in company, yet corresponded at times as late as the winter of 1859; and seldom was a letter received from him that did not contain some allusion to the eventful trip from the Missouri to the Mississippi river.

LAWRENCE, KANSAS, 1886.

EXECUTIVE MINUTES.

MINUTES RECORDED IN THE GOVERNOR'S OFFICE DURING THE ADMINISTRATION OF GOVERNOR ANDREW H. REEDER.

[The Executive Minutes, as published in this volume, are an exact transcript from a manuscript volume preserved in the office of the Secretary of State. The first writing in the book is in the form of a title-page, apparently in the handwriting of Governor Reeder, and consists of these words: "Executive Minutes of the Territory of Kansas. 1854." The first entry is on page numbered 2, and has over it, in the form of a heading, the word "Minutes." This heading, and also the entry under it, and the second heading, appear to be in the handwriting of Governor Reeder. The entries following appear to have been made by Secretary Woodson. The first eight entries are of acts performed at Washington. The ninth entry is that of the oath of office of the Hon. Rush Elmore, administered by Governor Reeder, "in the Territory of Kansas," October 15, 1854. The entries in the book embrace the period from June 29, 1854, the date of the commission of Governor Reeder, to September 20, 1856. The last entry is a record of a communication written by Secretary Woodson to President Pierce, which is dated September 20, 1856, some ten days subsequent to the entry of Governor John W. Geary upon his office. The book does not contain any entries pertaining to Governor Geary's administration.]

The minutes recorded during Governor Shannon's term, including the intervals in which Secretary Woodson performed the duties as Acting Governor, are published in this volume, following the biography of Governor Shannon.]

MINUTES.

29TH JUNE, 1854.—Commission issued to Andrew H. Reeder, of Easton, in the State of Pennsylvania, as Governor of the Territory, by the President of the United States.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
CITY OF WASHINGTON, } ss.

I, Andrew H. Reeder, Governor of the Territory of Kansas, do solemnly swear upon the Holy Evangelists that as Governor of the Territory of Kansas aforesaid, I will support the Constitution of the United States, and will faithfully discharge the duties of the said office. A. H. REEDER.

I, Peter V. Daniel, one of the Associate Justices of the Supreme Court of the United States, do hereby certify that the preceding oath was taken and subscribed in due form of law by the said deponent, A. H. Reeder, before me, at the city of Washington, on the seventh day of July, 1854.

July 7th, 1854.

PETER V. DANIEL.

UNITED STATES OF AMERICA, }
CITY OF WASHINGTON, } ss.

I, Daniel Woodson, having been appointed Secretary of the Territory of Kansas, do solemnly swear that I will support the Constitution of the

United States, and well and truly discharge the duties of said office to the best of my knowledge and ability. DANL. WOODSON.

Sworn to and subscribed before me, the 28th day of September, A. D. 1854, at the city of Washington, D. C. PETER V. DANIEL,
Associate Justice of the Supreme Court of the United States.

Commission issued to Daniel Woodson, of Lynchburg, in the State of Virginia, as Secretary of the Territory, 29th June, 1854, by the President of the United States.

29TH JUNE, 1854.—Commission issued to Madison Brown, of the State of Maryland, as Chief Justice of the Territory, by the President of the United States.

29TH JUNE, 1854.—Commission issued to Rush Elmore, of the State of Alabama, as Associate Justice of the Supreme Court of the Territory, by the President of the United States.

RECORD OF OATH.

1719190

UNITED STATES OF AMERICA,)
TERRITORY OF KANSAS,) ss.

I, Rush Elmore, one of the Associate Justices of the Supreme Court of the Territory of Kansas, do swear upon the Holy Evangelists that as one of the Associate Justices of the Supreme Court of the Territory of Kansas aforesaid, I will support the Constitution of the United States, and will faithfully discharge the duties of the said office. RUSH ELMORE.

I, A. H. Reeder, Governor of the Territory of Kansas, do hereby certify that the preceding oath was taken and subscribed in due form of law by the said Rush Elmore, before me, at Fort Leavenworth, in the Territory of Kansas, on the fifteenth day of October, A. D. 1854. A. H. REEDER.

29TH JUNE, 1854.—Commission issued to Saunders W. Johnston, of the State of Ohio, as Associate Justice of the Supreme Court of the Territory, by the President of the United States.

RECORD OF OATH.

[Blank.]

29TH JUNE, 1854.—Commission issued to Andrew Jackson Isacks, of the State of Louisiana, as United States Attorney for the District of Kansas, by the President of the United States.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

I, Andrew J. Isacks, United States Attorney for the District of Kansas, do solemnly swear upon the Holy Evangelists that as United States Attorney for the District of Kansas aforesaid, I will support the Constitution of the United States, and will faithfully discharge the duties of said office.

A. J. ISACKS.

I, A. H. Reeder, Governor of the Territory of Kansas, do hereby certify that the preceding oath was taken and subscribed in due form of law by the said deponent, A. J. Isacks, before me, at the Territory aforesaid, on the 29th day of November, 1854.

A. H. REEDER.

29TH JUNE, 1854.—Commission issued to Israel B. Donaldson, of the State of Illinois, as Marshal of the Territory, by the President of the United States.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

Personally appeared before me, Rush Elmore, Associate Justice in and for the said Territory of Kansas, Israel B. Donaldson, Marshal in and for the said Territory of Kansas aforesaid, who on oath says that he will support the Constitution of the United States, and faithfully discharge the duties of Marshal of said Territory of Kansas aforesaid. So help him God.

ISRAEL B. DONALDSON.

Sworn to and subscribed before me, this the tenth day of November, A. D. 1854.

RUSH ELMORE,

Associate Justice Territory of Kansas.

20TH SEPTEMBER, 1854.—Charles Augustus Williams appointed Executive Clerk, and entered upon the duties of the office.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

Charles Augustus Williams, Executive Clerk of the Territory of Kansas, being duly sworn according to law, this ninth day of October, A. D. 1854, deposes and says that he will support the Constitution of the United States, and faithfully perform the duties of his said office.

CHAS. AUG. WILLIAMS.

Sworn to and subscribed before me, Governor of said Territory, October 9th, 1854.

A. H. REEDER.

OCTOBER 7TH, 1854.—The Governor came into the Territory, and established the Executive office temporarily at Fort Leavenworth.

OCTOBER 10TH, 1854.—On complaint of James C. Brown that an assault and battery with intent to murder Fleming Thompson and Wm. N. Borden had been committed by Wesley S. Davidson, John A. Davidson, and Samuel Burgess, and that the lives of the said Thompson and Borden were despaired of, the Governor as the conservator of the peace of the Territory, and in the absence of the judges, issued an executive warrant, specially directed, in the absence of the Marshal, to Malcolm Clark, for the arrest of the prisoners.

OCTOBER 11TH, 1854.—Samuel Burgess and Wesley S. Davidson were brought in custody of the special Marshal, Clark, and same day recommitted to his custody for further hearing.

OCTOBER 13TH, 1854.—On hearing before the Governor, it was determined that the prisoners should be admitted to bail, and same day recognizances were entered into before Hon. Saunders W. Johnston, one of the Justices of the Supreme Court, who had then arrived in the Territory, viz.: Recognizance of John A. B. Davidson, Cornelius M. Burgess, Joseph Davidson, Randolph Stallard, John S. Burgess, and A. F. H. Burgess, in the sum of twenty thousand dollars, for the appearance of the said John A. B. Davidson at the first sitting of the District Court of the United States which shall be held in and for such District for the Territory of Kansas, which shall include the venue of an alleged assault and battery with an intent to murder Fleming Thompson and Wm. N. Borden on the ninth of October, 1854; and of Samuel Burgess, Wesley S. Davidson, Cornelius M. Burgess, Joseph Davidson, Randolph Stallard, John S. Burgess, and A. F. H. Burgess, in the sum of twenty thousand dollars for the appearance of the said Samuel Burgess and Wesley S. Davidson at the same time and place, and then and there to answer to an indictment for an assault and battery with an intent to murder Fleming Thompson and Wm. N. Borden on the ninth day of October, 1854.

OCTOBER 18TH, 1854.—The Governor, with Judges Johnston and Elmore, and Marshal Donaldson and others, went into the Territory to examine the same in order to the making of election districts, judicial districts, &c., and returned November 7th, 1854.

NOVEMBER 8TH, 1854.—The Territory is divided into sixteen districts for elections and for the appointment of justices of the peace and constables, as follows, viz.:

First District.—Commencing at the Missouri State line, on the south bank of the Kansas river; thence along the south bank of said river to the first tributary or watered ravine running into the Kansas above the town of Lawrence; thence up

said tributary to the head thereof; thence in a direct line to the west side of F. Rolfe's house, and thence by a due south line to the Santa Fé road; thence by the middle of said road to the Missouri State line; and thence by said State line to the place of beginning.

Second District.—Commencing at the mouth of Big Spring branch, on the south bank of the Kansas river; thence up said branch to its farthest source; thence by a southerly line, crossing the Wakarusa river on the east side of the house of Charles Matingly [Matney?], to the middle of the Santa Fé road; thence along the middle of said road to the line of the First District; thence by the same along the west side of F. Rolfe's house to the head of the first tributary of the Kansas river above the town of Lawrence; and thence by the said tributary to the Kansas river, and up the south bank of said river to the mouth of Big Spring branch, the place of beginning.

Third District.—Commencing at the mouth of Big Spring branch, on the south side of the Kansas river; thence up the same to its farthest source; thence by a southerly line to the north bank of the Wakarusa river, on the east side of the house of Charles Matingly [Matney?]; thence up said river and its main branch to the line of Pottawatomie Reservation; and thence by the southern and western line of said Reservation to the Kansas river, and down said river to the place of beginning.

Fourth District.—Commencing at the Missouri State line, in the middle of the Santa Fé road; thence along the middle of said road to Rock creek, near the sixty-fifth mile of said road; thence south by the line of the late Shawnee Reservation ceded by the treaty of 1854; thence due east along the south line of said Reservation and the north line of the existing Reservation of the Sacs and Foxes, the Chippewas and Ottawas, and the late Reservations of the Piankeshaws, Weas, Peorias, and Kaskaskias, to the Missouri State line; thence up the Missouri State line to the place of beginning.

Fifth District.—Commencing at the Missouri State line, at the southern boundary of the Fourth District; thence east [west] along the same to the northwest corner of the Sac and Fox Reservation; thence due south along the western line thereof, and due south to the South branch of the Neosho river, about seventy miles above the Catholic Osage Mission; thence down said river to the north line of the Reserve for New York Indians; and east along said line to the head-waters of Little Osage river, or the nearest point thereto; and thence down said river to the Missouri State line, and up said line to the place of beginning.

Sixth District.—Commencing at the Missouri State line, in Little Osage river; thence up the same to the line of the Reserve for the New York Indians, or the nearest point thereto; thence to and by the north line of said Reserve to the Neosho river; and up said river and the South branch thereof to the head; and thence by a due south line to the southern line of the Territory; thence by the southern and eastern lines of said Territory to the place of beginning.

Seventh District.—Commencing at the east side of the house of Charles Matingly [Matney?], on the Wakarusa river; thence due south to the middle of the Santa Fé road; thence westward along the middle of said road to Rock creek, near the sixty-fifth mile of said road; thence due south to the north line of the Sac and Fox Reservation; thence along the north and west lines thereof and due south to the Neosho river; thence up said river to a point due south of the mouth of Elm creek; thence due north to the mouth of Elm creek, and up said creek to the Santa Fé road; and thence by a direct line in a northerly direction to the southwest corner of the Pottawatomie Reservation; thence along the southern line of said Reservation to the head-waters of the Wakarusa river, or the point nearest thereto; thence to and down said river to the place of beginning.

Eighth District.—Commencing at the mouth of Elm creek, one of the branches of the Osage river; thence up the same to the Santa Fé road; thence by a direct northerly line to the southwest corner of the Pottawatomie Reservation; thence up the western line thereof to the Kansas river; thence up said river and the Smoky Hill Fork beyond the most westerly settlements; thence due south to the line of the Territory; thence by the same to the line of the Sixth District; thence due north to the head of the South branch of the Neosho river; thence down said river to the line of the Seventh District; thence due north to the place of beginning.

Ninth District.—Commencing on the Smoky Hill Fork, beyond the most westerly settlements; thence down the same and the Kansas river to the mouth of Wild Cat creek; thence up said creek to the head-waters thereof; thence due north to the Independence emigrant road; thence up said road to the north line of the Territory; thence west along the same to the most westerly settlements; and thence due south to the place of beginning.

Tenth District.—Commencing at the mouth of Wild Cat creek; thence up the same to the head-waters thereof; thence due north to the Independence emigrant road; thence down said road, crossing the Big Blue river by the old route below Marysville to the Vermillion river; thence down said river to the mouth thereof; thence up the Kansas river to the place of beginning.

Eleventh District.—Commencing at the Vermillion river, in the middle of the Independence emigrant road; thence up said river to the head of the main branch; thence due north to the northerly line of the Territory; thence by the same to the middle of the Independence emigrant road; thence down said road, crossing the Big Blue river, by the old route below Marysville, to the place of beginning.

Twelfth District.—Commencing at the mouth of Soldier creek; thence up said creek to the head of the main branch; thence due north to the northern line of the Territory; thence west by the same to the eastern line of the Eleventh District; thence south along the same to the head of the Vermillion river, and down said river to the mouth; thence down the north bank of the Kansas river to the place of beginning.

Thirteenth District.—Commencing in the Kansas river, three miles above the mouth of Stranger creek; thence in a northwardly direction by a line three miles west of said creek and corresponding to the course thereof, until it shall strike the southern line of the late Kickapoo Reservation; thence along the southern and western line of said Reservation and the western line of the late Sac and Fox Reservation to the north line of the Territory; thence west along said line to the line of the Twelfth District; thence by the same and down Soldier creek to the mouth thereof, and down Kansas river to the place of beginning.

Fourteenth District.—Commencing at the mouth of Independence creek; thence up said creek to the head of the main branch, and thence due west to the line of the late Kickapoo Reservation; thence north along said line and the line of the late Sac and Fox Reservation to the north line of the territory; thence along said line eastwardly to the Missouri river, and down said river to the place of beginning.

Fifteenth District.—Commencing at the mouth of Salt creek, on the Missouri river; thence up said creek to the Military road; thence along the middle of said road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo Reservation; and thence along the southern and western line thereof to the line of the Eleventh District; thence by the same and down Independence creek to the mouth thereof; and thence down the Missouri river to the place of beginning.

Sixteenth District.—Commencing at the mouth of Salt creek; thence up said creek to the Military road; thence along the middle of said road to the lower crossing of

Stranger creek; thence up said creek to the line of the late Kickapoo Reservation; and thence along the same to the line of the Thirteenth District; and thence by the same along a line corresponding to the courses of the Stranger creek, and keeping three miles west thereof, to the Kansas river; thence down the Kansas river to the Missouri, and up the Missouri river to the place of beginning.

NOVEMBER 8TH, 1854.—Commission issued to James S. Emery, Esq., as a Justice of the Peace for the First District, and oath administered as follows:

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this ninth day of November, A. D. 1854, before me, Andrew H. Reeder, Governor of the said Territory, personally appeared James S. Emery, a Justice of the Peace in and for the First District of said Territory, and being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and will faithfully discharge the duties of his said office.

J. S. EMERY.

Sworn to and subscribed before me, November 9th, 1854.

A. H. REEDER.

NOVEMBER 9TH, 1854.—Commission issued to Joel O. Grover, as Constable of the First District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On the 13th day of November, A. D. 1854, before me, James S. Emery, a Justice of the Peace in and for the First District of said Territory, personally came Joel Grover, a Constable in and for the said District and Territory, and being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

JOEL GROVER.

Sworn to and subscribed before me.

J. S. EMERY.

Justice of the Peace.

NOVEMBER 10TH, 1854.—Proclamation issued for an election to be held in the Territory on the 29th inst. for the election of a Delegate to the House of Representatives of the United States, and the places of election fixed, officers of election appointed, and rules of proceeding as follows:

ELECTION PROCLAMATION.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

[SEAL.] *To the Citizens and Qualified Voters of said Territory—Greeting:* I, Andrew H. Reeder, Governor of said Territory, by virtue of the provisions of an act of Congress approved the thirtieth day of May, A. D. 1854, entitled "An act to organize the Territories of Nebraska and Kansas," do by these presents order and di-

rect that an election shall be held in the said Territory on Wednesday, the 29th day of November, instant, for the election of a citizen of the United States and a qualified voter and resident of said Territory to the office of Delegate to the House of Representatives of the United States, to serve until the fourth day of March next; and qualified voters of said Territory are requested to assemble on said day within each election district, at the place of holding elections in such district, according to the schedule of election districts and places of election to this proclamation annexed, within the hours therein specified, and vote by ballot for such Delegate. And the judges who shall be appointed to open and conduct the said election will assemble in their respective districts at the places for holding said election, and having made the necessary preparation and taken the oaths which shall be prescribed, will open the polls for the reception of votes between the hours of eight and ten A. M., and keep the same open until six o'clock P. M.; and will conduct the same and make returns of said election according to the instructions contained in the schedule hereto annexed.

Given under my hand and the seal of the said Territory, this tenth day of November, A. D. 1854.

A. H. REEDEE, *Governor, &c.*

Attest: DANL. WOODSON, *Secretary.*

SCHEDULE.

List of Election Districts and Places of Holding Elections:

First District.—Place of election, office of Dr. Charles Robinson, in the town of Lawrence. Judges of Election: Nathaniel T. Johnson, Oliver T. Hanscome, and William Miller.

Second District.—Place of election, the house of Paris Ellison, in Douglas City. Judges: Jonathan Cranmer, O. H. Browne, and Andrew McDonald.

Third District.—Place of election, the house of Thomas Stinson, at Tecumseh. Judges: John Homer, L. D. Stateler, and Anthony Wood.

Fourth District.—Place of election, the house of Dr. — Chapman. Judges: Joseph Barnard, James Powell, and Dr. — Chapman.

Fifth District.—Place of election, the house of Henry Sherman, on the old John Jones improvement, on Pottawatomie creek. Judges: James Moore, John Van Horn, and Thomas Polk.

Sixth District.—Place of election, the house of H. T. Wilson, at Fort Scott. Judges: Thomas B. Arnett, H. T. Wilson, and Wm. Godefroy.

Seventh District.—Place of election, the house of Fry McGee, at 110-Miles creek, on the Santa Fé road. Judges: Fry McGee, David Burge, and S. W. Boughton.

Eighth District.—Place of election, the house of Ingraham Baker, on the Santa Fé road. Judges: Thomas Huffaker, Charles Withington, and Ingraham Baker.

Ninth District.—Place of election, the house of — Reynolds, near the crossing of Seven-Mile creek. Judges: Robert Wilson, Hannibal A. Low, and Thaddeus K. Mills.

Tenth District.—Place of election, the house of S. D. Dyer, at the crossing of the Big Blue river. Judges: S. D. Houston, Francis Burgereau, and S. D. Dyer.

Eleventh District.—Place of election, the trading house of Marshall & Woodward. Judges: R. C. Bishop, S. M. B. Holmes, and William Givens.

Twelfth District.—Place of election, the house of R. C. Miller. Judges: R. C. Miller, E. G. Booth, and R. C. Wanton.

Thirteenth District.—Place of election, the house of G. M. Dyer, at the town of Osawkee. Judges: W. H. Tibbs, G. M. Dyer, and D. M. Bailey.

Fourteenth District.—Place of election, the house of Benjamin Harding, on the St.

Joseph and Oregon road. Judges: J. W. Foreman, Benjamin Harding, and Samuel Irvin.

Fifteenth District.—Place of election, the house of Pascal Penseneau, on the Fort Leavenworth and Oregon road. Judges: H. B. Jolly, James H. Frazier, and A. G. Boyd.

Sixteenth District.—Place of election, the house of Keller and Kyle, Leavenworth City. Judges: D. Z. Smith, Benjamin H. Twombly, and J. M. Alexander.

INSTRUCTIONS TO JUDGES OF ELECTION.

The three judges will provide for each poll a ballot-box, with a slit for the insertion of the ticket. Before entering upon their duties they will make and subscribe duplicate copies of the following oath:

We, ———, ———, ———, do severally swear that we will perform our duties as judges of the election to be held this day in the ——— District of the Territory of Kansas, to the best of our judgment and ability; that we will keep a correct and faithful record or list of persons who shall vote at said election; that we will poll no ticket from any person who is not an actual, *bona fide* resident and inhabitant of said Territory on the day of election, and whom we shall not honestly believe to be a qualified voter according to the act of Congress organizing said Territory; that we will reject the votes of all and every non-resident whom we shall believe to have come into the Territory for the mere purpose of voting; that in all cases where we are ignorant of the voter's right, we will require legal evidence thereof by his own oath or otherwise; that we will make a true and faithful return of the votes which shall be polled, to the Governor of said Territory.

The polls will be opened for the reception of votes between eight and ten o'clock A. M., and will be kept open continuously until six o'clock P. M. and then closed, unless voters are then offering to vote; and in that case, as soon as votes cease to be continuously offered. The judges will keep two corresponding lists of persons who shall vote, numbering each name. When a dispute arises as to the qualifications of a voter, the judges may examine the voter or any other person, under oath, upon the subject, and a decision of a majority of the board will be conclusive. When the poll is closed the judges will proceed to open and count the votes, and will keep two corresponding tally-lists, on which they will simultaneously tally as they are given by the judge who shall open and call out the votes, and without interference or handling by any other person. When the votes are thus counted off and the tally-lists shall agree, the judges shall then publicly proclaim the result, and shall draw up and sign duplicate certificates in the following form:

We, the undersigned, judges of an election held on the twenty-ninth day of November, A. D. 1854, at the house of ———, in the ——— District of the Territory of Kansas, for the election of a Delegate to the House of Representatives of the United States, do certify upon our oaths, and to the best of our knowledge and belief, that the following is a true and correct return of the votes polled by lawful resident voters, viz.:

.....Received.....Votes.
Received.....Votes.

&c., &c., &c.

Witness our hands, this 29th day of November, A. D. 1854.

They will then carefully replace the said counted tickets into the box, with one copy of the oath, one list of voters and one tally-list, and one certificate of return, and having sealed up the said box, will carefully preserve the same until called for by the Governor of said Territory, in the event of its correctness being contested. The remaining copy of the oath, list of voters, tally-list, and return, will be taken by one of the judges, who shall deliver the same in person to the Governor, on or before Monday, the fourth day of December next, at his office at the house of Thomas Johnson, in the First District. The judges of election will be sworn by a judge or justice of the peace, or in the absence of such officer, they may be sworn

by one of their number, who shall, in his turn, be sworn by one of those thus qualified, noting at the foot of the oath by whom it is administered. And the several judges of election are by these presents invested with full power and authority to administer the oath to each other, and to voters and others, touching the right of any person to vote, under all the pains and penalties of perjury attaching to oaths administered by judicial officers. If one or more of the judges appointed should fail to attend, or refuse to serve, the vacancy may be supplied by the voters on the ground at nine o'clock A. M., and any vacancy occurring in the board thereafter may be filled by the remaining judges.

QUALIFICATIONS OF VOTERS.

By the Territorial bill it is provided as follows:

"That every free white male inhabitant above the age of twenty-one years who shall be an actual resident of said Territory and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act: *And provided further*, That no officer, soldier, seaman or marine, or other person in the Army or Navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory by reason of being on service therein."

The requisites of age and color are easily understood; that of residence is well defined in the law, and means the actual dwelling or inhabiting in the Territory to the exclusion of any other present domicile or home, coupled with the present *bona fide* intention of remaining permanently for the same purpose.

When a voter is not a native of the United States, the proof of his right to vote must be the production of his certificate of naturalization, or of his declaration of intention, under the seal of the court, and the want of it cannot be supplied by his oath. In case he has only declared his intention to become a citizen, he must then be sworn by the judges or a justice of the peace to support the constitution of the United States and the provisions of the "Act of Congress, approved May 30th, 1854, to organize the Territories of Nebraska and Kansas." When this latter oath is administered to a voter, the word "oath" should be marked opposite his name on the list. The meaning of the last proviso, relative to the Army and Navy, is that the persons designated in it shall not vote if their presence in the Territory is referable only to the performance of their duties and the obedience of orders. The officer or soldier who would vote must have a residence (the meaning of which is already explained) irrespective and independent of his presence here under orders.

It is perhaps unnecessary to say that every voter can vote only in his own district.

CONTESTED ELECTIONS.

In case any person or persons shall dispute the fairness or correctness of the return of any election district, they shall make a written statement directed to the Governor, and setting forth the specific cause of complaint, or errors in the conducting or returning of the election in said district, signed by not less than ten qualified voters of the Territory, and with an affidavit of one or more qualified voters to the truth of the facts therein stated; and the said complaint and affidavit shall be presented to the Governor on or before the fourth day of December next, when the proper proceedings will be taken to hear and decide such complaint.

A. H. REEDER, Governor, &c.

NOVEMBER 20TH, 1854.—Commission issued to J. Harvey Day, as Justice of the Peace for the Sixteenth District; and same day oath administered as follows:

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this twentieth day of November, A. D. 1854, before me, the undersigned, Governor of the said Territory, personally appeared Jeremiah Harvey Day, a Justice of the Peace in and for the Sixteenth District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

J. HARVEY DAY.

Sworn to and subscribed November 20, 1854, before

A. H. REEDER, *Governor, &c.*

NOVEMBER 20TH, 1854.—Commission issued to Alfred Cunningham, as Constable for the Sixteenth District; and same day an oath administered as follows:

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this twentieth day of November, 1854, before me, the undersigned, Governor of said Territory, personally appeared Alfred Cunningham, a Constable of said Territory in and for the Sixteenth District, and being duly sworn, deposes and says that he will support the Constitution of the United States, and well and faithfully perform the duties of his said office.

ALFRED CUNNINGHAM.

Sworn to and subscribed November 20th, 1854, before

A. H. REEDER, *Governor, &c.*

NOVEMBER 24TH, 1854.—Executive office removed to the house of Thomas Johnson, at the Shawnee Mission of the Methodist Episcopal Church, and Jno. A. Halderman appointed Executive Clerk *pro tem.*

NOVEMBER 25TH, 1854.—Issued the following supplemental proclamation for the formation of the Seventeenth Election District:

PROCLAMATION.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

[SEAL.] Whereas, by proclamation bearing date the tenth day of November, inst., an election for a Delegate to represent said Territory in the House of Representatives of the United States has been ordered to be held on the twenty-ninth day of November, inst., at the several places and within the several districts on said proclamation set forth; and whereas, it seems expedient that the First District should be divided: Now, know all men by these presents, that I, Andrew H. Reeder, Governor of said Territory, do by these presents order and direct that a new election district shall be organized, to be called the Seventeenth District, as follows: Beginning at the mouth of Kansas river; thence up said river to the mouth of Cedar creek; thence up said creek to the Santa Fé road; thence by said road and the Mis-

souri State line to the place of beginning; and that Thomas Johnson, Cyperian Chouteau and Davis Thayer are appointed the judges of said election, in said district, who are hereby invested with the same power and authority and made subject to the same duties and instructions as are contained in the aforesaid proclamation, bearing date the 10th day of November: and the qualified voters residing within said bounds will assemble at the house of B. F. Robinson, and vote for such Delegate, under all the rules, regulations and restrictions contained in said proclamation.

Given under my hand and the seal of said Territory, this twenty-fifth day of November, 1854.

A. H. REEDER, *Governor, &c.*

Attest:—DANL. WOODSON, *Secretary.*

NOVEMBER 25TH, 1854.—Commission issued to Thomas W. Waterson, as Justice of the Peace for the Fourteenth District; and same day oath administered as follows:

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this 25th day of November, A. D. 1854, before the undersigned, Governor of said Territory, personally appeared Thomas W. Waterson, a Justice of the Peace of the said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully perform the duties of said office.

THOMAS W. WATERSON.

Sworn to and subscribed November 25th, 1854, before me.

A. H. REEDER, *Governor, &c.*

NOVEMBER 25TH, 1854.—Commission issued to James R. Whitehead, as Constable for the Fourteenth District; and same day oath administered as follows:

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this 25th day of November, A. D. 1854, before the undersigned, Governor of said Territory, personally appeared James R. Whitehead, a Constable of said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of said office.

JAMES R. WHITEHEAD.

Sworn to and subscribed November 25th, 1854, before me.

A. H. REEDER, *Governor, &c.*

DECEMBER 2D, 1854.—Commission issued to John Horner, as Justice of the Peace for the Third District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this fifth day of December, A. D. 1854, before the subscriber, Governor of said Territory, personally appeared John Horner, a Justice of the

Peace of said Territory, and being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and will faithfully discharge the duties of his said office. JOHN HORNER.

Sworn to and subscribed before me, December 5th, 1854.

A. H. REEDER.

OCTOBER 3D, 1854.—Commission issued to Samuel D. Lecompte, of the State of Maryland, as Chief Justice of the Territory, by the President of the United States.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this fifth day of December, A. D. 1854, before me, the Governor of said Territory, personally appeared Samuel D. Lecompte, Chief Justice of the said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

SAML. D. LECOMPTE.

Sworn to and subscribed December 5th, 1854, before

A. H. REEDER, *Governor, &c.*

DECEMBER 6TH, 1854.—Commission issued to T. W. Hays, as Constable for the Third District; and same day oath administered as follows:

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this sixth day of December, A. D. 1854, before the undersigned, Secretary of said Territory, personally appeared T. W. Hays, a Constable of said Territory, and being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully perform the duties of his said office.

T. W. HAYS.

Sworn to and subscribed Dec. 6th, 1854, before

DANL. WOODSON, *Secretary.*

DECEMBER 6TH, 1854.—Commission issued to William Braham, as Justice of the Peace for the Fifteenth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this twenty-first day of December, A. D. 1854, before the subscriber, Governor of said Territory, personally appeared William Braham, a Justice of the Peace for the Fifteenth District of said Territory, and being duly sworn according to law, deposes and says that he will support the Constitu-

tion of the United States, and will faithfully discharge the duties of his said office.

WILLIAM BRAHAM.

Sworn and subscribed before me, December 21, 1854.

A. H. REEDER, *Governor, &c.*

DECEMBER 6TH, 1854.—Commission issued to A. C. P. Haynes, as Constable for the Fifteenth District.

DECEMBER 14TH, 1854.—Commission issued to James Kuykendall, as Justice of the Peace for the Thirteenth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this 14th day of December, A. D. 1854, before the subscriber, Governor of the said Territory of Kansas, personally appeared James Kuykendall, a Justice of the Peace of the said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

J. KUYKENDALL.

Sworn and subscribed before me, December 14, 1854.

A. H. REEDER, *Governor, &c.*

OATH OF DEPUTY MARSHAL C. B. DONALDSON.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

Personally appeared before me, Rush Elmore, Associate Justice in and for the Territory of Kansas, Chauncey B. Donaldson, who on oath says that he will support the Constitution of the United States, and faithfully discharge the duties of Deputy Marshal in and for the Territory of Kansas aforesaid. So help me God.

C. B. DONALDSON.

Sworn to and subscribed before me, this the tenth day of November, A. D. 1854.

RUSH ELMORE,

Associate Justice Territory of Kansas.

DECEMBER 26TH, 1854.—Commission issued to Jonathan J. Cranmer, as Justice of the Peace for the Second District, and oath administered.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this 26th day of December, A. D. 1854, before the undersigned, Governor of said Territory, personally appeared Jonathan J. Cranmer, a Justice of the Peace for the Second District of said Territory, who, being duly

sworn, deposes and says that he will support the Constitution of the United States, and will faithfully discharge the duties of his said office.

JONATHAN J. CRANMER.

Sworn and subscribed before me, December 26, 1854.

A. H. REEDER.

DECEMBER 4TH, 1854.—The judges of the several election districts made return of the votes polled at the election held on the 29th day of November last for Delegate to the House of Representatives of the United States, from which it appeared that the votes in the said several districts were as follows, viz.:

DISTRICTS.	J. W. Whitfield received	J. A. Wakefield received	R. P. Plunkett received	John B. Chapman received	Chas. Robinson received	S. C. Pomroy received	P. Blood received	W. L. Harrison received
First.....	46	188	51	9	2	2	1	1
Second.....	235	20	6					
Third.....	40		7	1				
Fourth.....	140	21						
Fifth.....	63	4	15					
Sixth.....	105							
Seventh.....	597		7					
Eighth.....	16							
Ninth.....	9		31					
Tenth.....	2	6	29					
Eleventh.....	237		3	5				
Twelfth.....	31	9		1				
Thirteenth.....	69		1					
Fourteenth.....	130		23					
Fifteenth.....	267		39					
Sixteenth.....	223		80					
Seventeenth.....	49		13					
	2,258	248	305	16	2	2	1	1

DECEMBER 5TH, 1854.—On examining and collating the returns, J. W. Whitfield is declared by the Governor to be duly elected Delegate to the House of Representatives of the United States; and same day certificate of the Governor, under the seal of the Territory, issued to said J. W. Whitfield, of his election.

DECEMBER 23D, 1854.—Commission issued to Samuel D. Dyer, as Justice of the Peace for the Tenth District.

MINUTES OF 1855.

JANUARY 1ST, 1855.—Commission issued to William Dyer, as Constable for the Tenth District.

JANUARY 3D, 1855.—Commission issued to Joel K. Goodin, as Justice of the Peace for the First and Seventeenth Districts.

Commission issued to John Speer, as Justice of the Peace for the First and Seventeenth Districts.

Commission issued to Simon Hopper, as Constable for the First and Seventeenth Districts.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this, the 4th day of January, A. D. 1855, before the undersigned. Governor of said Territory, personally appeared Joel K. Goodin, a Justice of the Peace of said Territory in and for the First and Seventeenth Districts of said Territory, who, being duly sworn according to law, deposes and says that he will support the Constitution of the United States and faithfully discharge the duties of his said office. J. K. GOODIN.

Sworn and subscribed before me, January 4th, 1855.

A. H. REEDER, *Governor, &c.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this twenty-third day of December, A. D. 1854, before the undersigned, William Braham, a Justice of the Peace of said Territory, personally appeared A. C. Haynes, a Constable of said Territory for the Fifteenth District, and being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and will faithfully discharge the duties of his said office. A. C. P. HAYNES.

Sworn and subscribed before me, this 23d December, 1854.

WILLIAM BRAHAM, *J. P.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this eighth day of January, A. D. 1855, before the subscriber, a Justice of the Peace of said Territory, personally appeared John Speer, a Justice of the Peace of the Territory of Kansas in and for the First and Seventeenth Districts of said Territory, who, being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

JOHN SPEER.

Sworn and subscribed before me, January 8, 1855.

J. S. EMERY, *Justice.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this eighth day of January, A. D. 1855, before the subscriber, a Justice of the Peace of said Territory, personally appeared Simon Hopper, a

Constable for the Territory of Kansas, in and for the First and Seventeenth Districts of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

SIMON HOPPER.

Sworn and subscribed before me, January 8, 1855.

JOHN SPEER, *J. P.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this tenth day of January, A. D. 1855, before the undersigned, Chief Justice of the said Territory, personally appeared Samuel D. Dyer, a Justice of the Peace for the Tenth District of said Territory, who, being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully perform the duties of his said office.

SAMUEL D. DYER.

Sworn and subscribed before me.

SAMUEL D. LECOMPTE.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this tenth day of January, A. D. 1855, before the undersigned, Chief Justice of the said Territory, personally appeared William Dyer, a Constable of the Tenth District of the said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

WILLIAM DYER.

Sworn and subscribed before me.

SAMUEL D. LECOMPTE.

JANUARY 12TH, 1855.—Commission issued to William P. McClure, as Justice of the Peace for the Eleventh District.

Commission issued to Robert E. Bishop, as Constable for the Eleventh District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this twelfth day of January, A. D. 1855, before the undersigned, Governor of the said Territory, personally appeared William P. McClure, a Justice of the Peace of the Eleventh District of said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will perform the duties of his said office with fidelity.

WM. P. MCCLURE.

Sworn and subscribed January 12, 1855, before

A. H. REEDER, *Governor, &c.*

JANUARY 13TH, 1855.—Commission issued to Arthur I. Baker, as a Justice of the Peace for the Eighth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this thirteenth day of January, 1855, before the undersigned, Governor of the Territory of Kansas, personally appeared Arthur Ingraham Baker, a Justice of the Peace of said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office. A. I. BAKER.

Sworn and subscribed January 13, 1855, before

A. H. REEDER, *Governor, &c.*

JANUARY 13TH, 1855.—Commission to Charles H. Withington, as Constable for the Eighth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this 16th day of January, A. D. 1855, before the undersigned, Governor of the said Territory, personally appeared Charles H. Withington, a Constable of the said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office. C. H. WITHINGTON.

Sworn and subscribed January 16th, 1855, before me.

A. H. REEDER, *Governor, &c.*

JANUARY 20TH, 1855.—Joel O. Grover's resignation of the office of Constable for the First District received.

JANUARY 22D, 1855.—Commission issued to C. K. Holliday, as Justice of the Peace for the Third District.

Commission issued to D. H. Horne, as Constable for the Third District.

Commission issued to S. M. Salter, as Constable for the First and Seventeenth Districts.

JANUARY 25TH, 1855.—Commission issued to John Smith, as Constable for the Sixteenth District.

JANUARY 31ST, 1855.—Commission issued to Adam Carnes, as Justice of the Peace for the Fifth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this 31st day of January, 1855, before the undersigned, Governor of said Territory, personally appeared Adam Carnes, a Justice of the Peace for the Territory of Kansas, in and for the Fifth District of said Territory, who, being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

A. CARNES.

Sworn and subscribed before me, January 31, 1855.

A. H. REEDER, *Governor, &c.*

JANUARY 31, 1855.—Commission issued to John S. Whitman, as Constable for the Fifth District.

FEBRUARY 3, 1855.—Commission issued to Reuben Hackett, as Justice of the Peace for the Fourth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this third day of February, A. D. 1855, before the undersigned, Governor of the said Territory, personally appeared Reuben Hackett, a Justice of the Peace of the said Territory, in and for the Fourth District, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

REUBEN HACKETT.

Sworn and subscribed February 3, 1855.

A. H. REEDER, *Governor.*

FEBRUARY 3, 1855.—Commission issued to James P. Moore, as Constable for the Fourth District.

FEBRUARY 2, 1855.—Commission issued to Elijah S. Willhite, as Justice the Peace for the Fifteenth District.

FEBRUARY 7, 1855.—Commission issued to John Serpell, as Justice of the Peace for the Fifth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this seventh day of February, A. D. 1855, before the undersigned, Governor of said Territory, personally appeared John Serpell, a Justice of the Peace of the Territory of Kansas, in and for the Fifth District of said Ter-

ritory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

JOHN SERPELL.

Sworn and subscribed before me, February 7th, 1855.

A. H. REEDER, *Governor.*

DECEMBER 4TH, 1854.—Commission issued to Claiborne R. Mobley, as Justice of the Peace for the Ninth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this fourth day of December, A. D. 1854, before the undersigned, Governor of said Territory, personally appeared Claiborne R. Mobley, a Justice of the Peace of said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

C. R. MOBLEY.

Sworn and subscribed December 4th, 1854, before me.

A. H. REEDER.

DECEMBER 4TH, 1854.—Commission issued to James Fraser, as Justice of the Peace for the Fifteenth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this the second day of February, A. D. 1855, before the undersigned, James Kuykendall, a Justice of the Peace of the Territory of Kansas, personally appeared James Gray, a Constable of said Territory, who being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

JAMES GRAY.

Sworn and subscribed before me February 2d, A. D. 1855.

JAMES KUYKENDALL,

Justice of the Peace, Kansas Territory.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

Samuel M. Salters, being duly sworn, deposes and says that as Constable of the First District of the said Territory of Kansas, he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

S. M. SALTERS.

Sworn and subscribed February 2d, 1855, before me.

J. K. GOODIN, *J. P.*

DECEMBER 21, 1854.—Commission issued to William Martin, as Justice of the Peace for the Fifteenth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this the third day of February, A. D. 1855, before the undersigned, a Justice of the Peace of the Territory of Kansas, personally appeared John S. Wightman, a Constable of the Territory of Kansas in and for the Fifth District of said Territory, who, being duly sworn according to law, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office. JOHN S. WIGHTMAN.

Sworn and subscribed before me, February 3d, 1855.

A. CARNES, *J. P.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this thirteenth day of February, A. D. 1855, before the undersigned, Governor of said Territory, personally appeared Cyrus K. Holliday, Esq., a Justice of the Peace in and for the Third District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

C. K. HOLLIDAY.

Sworn and subscribed February 13th, 1855, before me.

A. H. REEDER.

FEBRUARY 15TH, 1855.—Commission issued to Wiley Williams, as Constable of the Fifteenth District.

Commission issued to Robert S. Merchant, as Constable of the Fifteenth District.

Commission issued to Nathaniel B. Stephens, as Justice of the Peace for the Fifteenth District.

FEBRUARY 23D, 1855.—Commission issued to Harrison Burson, as Justice of the Peace of the Second District.

FEBRUARY 25TH, 1855.—Resignation of J. H. Day, as Justice of the Peace for the Sixteenth District, received, to take effect from the first of March, proximo.

FEBRUARY 27TH, 1855.—Commission issued to T. Harrison Nichols, as Constable of the First District.

Commission issued to Obadiah B. Tebbs, as Justice of the Peace of the Thirteenth District.

Commission issued to William C. Wanton, as Constable of the Thirteenth District.

JANUARY 15TH, 1855.—The following persons appointed to take the census and enumeration of qualified voters in the several districts of the Territory, viz.:

First District, C. W. Babcock.

Second District, O. H. Browne.

Third District, T. W. Hayes.

Fourth, Seventh and Eighth Districts, C. B. Donaldson.

Fifth and Sixth Districts, William Barbee.

Ninth and Tenth Districts, Martin F. Conway.

Eleventh and Twelfth Districts, B. H. Twombly.

Thirteenth and Fifteenth Districts, H. B. Jolley.

Fourteenth District, Albert Heed.

Sixteenth District, Charles Leib.

Seventeenth District, Alexander S. Johnson.

FEBRUARY 12TH, 1855.—J. R. McClure appointed to take the census in the Seventh and Eighth Districts, in the place of C. B. Donaldson, who is unable to act.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this twentieth day of February, A. D. 1855, before the undersigned, a Justice of the Peace of said Territory, personally appeared Daniel H. Horne, a Constable in and for the Third District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

DANIEL H. HORNE.

Sworn and subscribed, February 20th, 1855, before me.

C. K. HOLLIDAY, *Justice of the Peace.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this twenty-seventh day of February, A. D. 1855, before the undersigned, Governor of said Territory, personally appeared Obadiah B. Tebbs, a Justice of the Peace in and for the Thirteenth District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

O. B. TEBBS.

Sworn and subscribed February 27th, 1855, before me.

A. H. REEDER.

FEBRUARY 24TH, 1855.—An additional election district erected, comprising portions of the present Eleventh, Twelfth and Thirteenth Districts, to be called the Eighteenth Election District, and proclamation issued, viz.:

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS. } ss.

[SEAL.] *To the Citizens and Qualified Voters of the Territory of Kansas:* I, Andrew H. Reeder, Governor of the said Territory, do hereby proclaim and make known that I have erected an additional election district, comprising portions of the present Eleventh and Twelfth and Thirteenth Election Districts, to be called the Eighteenth Election District, and to include the settlements on the waters of the Nemaha, bounded and described as follows, to wit: Commencing in the Vermillion branch of the Blue river, at the crossing of the military road from Fort Leavenworth to Fort Kearney; thence due north to the line of the Territory; thence along the same, east, to the line of the Fourteenth Election District; thence south along the line of the Fourteenth and Fifteenth Election Districts, to the aforesaid military road; and thence by the middle of said road to the place of beginning. The place of election of said district will be at the house of W. W. Moore, where the St. Joseph road crosses the Nemaha.

And further, that I have detached from the Eleventh and added to the Tenth Election District the following portion of territory, to wit: Beginning in the Vermillion river at the crossing of the Independence emigrant road; thence up said road beyond the house of Josiah G. Adams; thence due east along the northern side of said house, to the said road, and down said road to the place of beginning.

Witness my hand and the seal of said Territory, this twenty-fourth day of February, A. D. 1855.

A. H. REEDER, Governor, &c.

Attest: DANL. WOODSON, *Secretary*.

FEBRUARY 26TH, 1855.—The following proclamation issued, defining the judicial districts of the Territory, etc.:

PROCLAMATION.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS. } ss.

[SEAL.] *To the Citizens and Inhabitants of the Territory of Kansas:* I, Andrew H. Reeder, Governor of the said Territory, do hereby proclaim and make known that under and by virtue of the authority conferred and the duty enjoined by the thirty-fifth section of the act of Congress passed the thirtieth day of May, A. D. 1854, entitled "An act to organize the Territories of Nebraska and Kansas." I have, until otherwise provided by law, defined the judicial districts of the said Territory, and assigned one of the said districts to each of the Judges appointed for the said Territory; and have also appointed the times and places for holding the courts in the said Districts, as follows, that is to say:

All of the said Territory embraced within the following bounds shall constitute the First Judicial District, to wit: Commencing at the mouth of the Kansas river; thence up the Missouri river to the northern line of the Territory; thence along said line west to the line between the Eleventh and Eighteenth Election Districts; thence down said line to the military road leading from Fort Leavenworth to Fort Kearney; thence along said road to the line between the Twelfth and Thirteenth Election Districts; thence down the same and the waters of Soldier creek, along the western shore thereof to the Kansas river, and down the same on the southern shore thereof to the place of beginning, including the Thirteenth, Fourteenth, Fifteenth, Sixteenth and Eighteenth Election Districts; which said district is assigned to Chief

Justice S. D. Lecompte, and the courts thereof shall be held at the town of Leavenworth.

All of said territory embraced within the following bounds shall constitute the Second Judicial District, to wit: Commencing at the mouth of the Kansas river: thence up the same along the southern shore thereof to the western line of the Pottawatomie Reservation: thence along the western and southern lines of said Reservation to the head-waters of the Wakarusa, or the nearest point thereto; and thence directly to and down the northern shore of the same to the east side of the house of Charles Matingly; thence due south to the middle of the Santa Fé road: thence westwardly along the middle of said road to Rock creek; thence due south to the north line of the Sac and Fox Reservation; thence along the north and west lines thereof and due south to the Neosho river; thence up the southern shore of said river and of the south branch thereof to the head; thence due south to the line of the Territory; and thence by the south and east lines of the Territory to the place of beginning; to include the First, Second, Third, Fourth, Fifth, Sixth and Seventeenth Election Districts. The said district is assigned to Hon. Rush Elmore, and the courts thereof shall be held at the town of Tecumseh.

The residue of the Territory, comprising the Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Election Districts, shall constitute the Third Judicial District, which is assigned to Hon. Saunders W. Johnston, and the courts thereof shall be held at the town of Pawnee.

The regular terms of court shall be as follows:

At Leavenworth, on the third Monday of April and third Monday of October.

At Tecumseh, on second Monday after third Monday of April, and second Monday after third Monday of October.

At Pawnee, on fourth Monday after third Monday of April, and fourth Monday after third Monday of October.

Special and preliminary terms will be held at Leavenworth, on Monday, the nineteenth day of March next: at Tecumseh, on Monday, the twenty-sixth day of March next; and at Pawnee, on Monday, the second day of April next, at ten o'clock A. M.: at which times all persons bound by recognizance or otherwise to appear at the first term of said courts will appear at the places so as aforesaid fixed for their respective districts, and all justices of the peace who have taken recognizances for the appearance of any person charged before them will, at or before the commencement of the said special or preliminary term, make return of the same to the clerk of their respective districts or to A. J. Isacks, Esq., the United States Attorney.

Witness my hand and the seal of the said Territory, this twenty-sixth day of February, A. D. 1855.

A. H. REEDER, *Governor*.

Attest: DANL. WOODSON, *Secretary*.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this twenty-ninth day of January, A. D. 1855, before the undersigned, a Justice of the Peace in and for the said Territory, personally appeared Robert C. Bishop, a Constable of the said Territory, and being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

ROBERT C. BISHOP.

Sworn and subscribed before me, January 29, 1855.

WM. P. MCCLURE, *J. P.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this seventeenth day of February, A. D. 1855, before the undersigned, a Justice of the Peace of said Territory, personally appeared Wiley Williams, a Constable of the Territory of Kansas in and for the Fifteenth District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully perform the duties of his said office.

WILEY WILLIAMS.

Sworn and subscribed, February 17th, 1855, before me.

ELIJAH S. WILHITE, *Justice of Peace.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this seventeenth day of February, A. D. 1855, before the undersigned, a Justice of the Peace of the said Territory, personally appeared Nathaniel B. Stephens, a Justice of the Peace of the Territory of Kansas in and for the Fifteenth District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

N. B. STEPHENS.

Sworn and subscribed, February 17th, 1855, before me.

ELIJAH S. WILHITE, *Justice of Peace.*

MARCH 2D, 1855.—Commission issued to Marcus H. Rose, as Justice of the Peace for the Seventh District.

Commission issued to George Bratton, as Constable of the Seventh District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this second day of March, A. D. 1855, before the undersigned, a Justice of the Peace in and for the said Territory, personally appeared Robert S. Merchant, a Constable of the Fifteenth District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and perform faithfully the duties of his said office.

R. S. MERCHANT.

Sworn and subscribed, March 2, 1855, before me.

E. S. WILHITE, *Justice Peace.*

MARCH 3, 1855.—The persons appointed by the Governor to make an enumeration of inhabitants and qualified voters in the Territory having

made their returns, the following table of inhabitants and qualified voters in the several districts is compiled therefrom:

	<i>Males.</i>	<i>Females</i>	<i>Voters.</i>	<i>Minors.</i>	<i>Na. U. S.</i>	<i>For. birth.</i>	<i>Negroes.</i>	<i>Slaves</i>	<i>Total.</i>
First District.....	623	339	369	459	887	75	.....	.....	962
Second District.....	316	203	199	237	506	19	1	7	519
Third District.....	161	91	101	112	215	12	.....	6	252
Fourth District.....	106	71	47	97	169	2	1	1	177
Fifth District.....	824	583	442	724	1,385	22	27	26	1,497
Sixth District.....	492	318	253	418	791	12	11	11	810
Seventh District.....	82	36	53	50	117	1	1	1	118
Eighth District.....	56	27	39	28	76	7	13	10	83
Ninth District.....	61	25	36	31	66	12	14	3	86
Tenth District.....	97	54	63	61	108	23	.....	.....	151
Eleventh District.....	33	3	24	5	30	6	.....	.....	36
Twelfth District.....	104	40	78	35	109	37	1	7	144
Thirteenth District.....	163	116	96	145	273	9	14	14	284
Fourteenth District.....	655	512	334	.....	301	46	1	35	1,167
Fifteenth District.....	492	381	303	448	846	16	15	15	873
Sixteenth District.....	708	475	385	514	1,042	104	48	33	1,183
Seventeenth District.....	91	59	50	54	143	5	4	23	150
Eighteenth District.....	59	40	28	51	97	1	.....	.....	99
	5,128	3,383	2,905	3,469	7,161	408	151	192	8,601

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this eighth day of March, A. D. 1855, before the undersigned, a Justice of the Peace of the Territory of Kansas, personally appeared George Russell, Esq., a Justice of the Peace in and for the Sixteenth District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

GEORGE RUSSELL.

Sworn and subscribed before me, March 8th, A. D. 1855.

E. S. WILHITE,

Justice of the Peace for 15th District, K. T.

MARCH 5TH, 1855.—Commission issued to George Russell as Justice of the Peace for the Sixteenth District.

MARCH 8TH, 1855.—The following proclamation, ordering an election for members of the Territorial Council and House of Representatives, issued:

PROCLAMATION.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

[SEAL.] *To the Qualified Voters of the Territory of Kansas:* I, Andrew H. Reeder, Governor of the said Territory, by virtue of the act of Congress passed the thirtieth day of May, A. D. 1854, entitled "An act to organize the Territories of Nebraska and Kansas," do, by these presents, proclaim, order and direct that an election be held in said Territory on Friday, the thirtieth day of March, A. D. 1855, for thirteen members of Council and twenty-six members of the House of Represent-

atives, to constitute the Legislative Assembly of said Territory; and the qualified voters of the Territory are hereby requested to meet on said day, at the places of holding elections in their several districts and precincts, as hereinafter specified, to vote by ballot for the number of candidates hereinafter apportioned to the respective districts; and the said election shall be conducted in the manner hereinafter prescribed.

LIST OF ELECTION DISTRICTS AS HERETOFORE ERECTED.

First District.—Commencing in the Kansas river, at the mouth of Cedar creek; thence up said river to the first tributary above the town of Lawrence; thence up said tributary to its source; thence by a direct line to the west side of F. Rolf's house; thence by a due south line to the Santa Fé road, and along the middle of said road to a point due south of the source of said Cedar creek; thence due north to the source of said Cedar creek, and down the same to the place of beginning.

Second District.—Commencing at the mouth of Big Spring branch, on the south bank of the Kansas river; thence up said branch to its furthest source; thence by a southerly line crossing the Wakarusa river, on the east side of the house of Charles Matney, to the middle of the Santa Fé road; thence along the middle of said road to the line of the First District; thence by the same along the west side of the house of F. Rolf, to the head of the first tributary of the Kansas river above the town of Lawrence; and thence by the same tributary to the Kansas river, and up the south bank of said river to the mouth of Big Spring branch, the place of beginning.

Third District.—Commencing at the mouth of Big Spring branch, on the south side of the Kansas river; thence up the same to its furthest source; thence by a southerly line to the north bank of the Wakarusa river, on the east side of the house of Charles Matney; thence up said river and its main branch to the line of the Potawatomie Reservation; and thence by the southern and western line of said Reservation to the Kansas river, and down the said river to the place of beginning.

Fourth District.—Commencing at the Missouri State line, in the middle of the Santa Fé road; thence along the middle of said road to Rock creek, near the sixty-fifth mile of said road; thence south to the line of the late Shawnee Reservation, ceded by the treaty of 1854; thence due east, along the south line of said Reservation, and the north lines of the existing Reservations of the Sacs and Foxes, the existing Reservations of the Chippewas and Ottawas, and the late Reservations of the Piankeshaws, Weas, Peorias, and Kaskaskias, to the Missouri State line; thence up the Missouri State line to the place of beginning.

Fifth District.—Commencing at the Missouri State line, at the southern boundary of the Fourth District; thence east along the same to the northwest corner of the Sac and Fox Reservation; thence due south, along the western line thereof, and due south to the south branch of the Neosho river, about seventy miles above the Catholic Osage Mission; thence down said river to the north line of the Reserve for the New York Indians, and east along said line to the head-waters of Little Osage river, or the nearest point thereto; and thence down said river to the Missouri State line, and up said line to the place of beginning.

Sixth District.—Commencing on the Missouri State line, in Little Osage river; thence up the same to the line of the Reserve for the New York Indians, or the nearest point thereto; thence to and by the north line of said Reserve to the Neosho river, and up said river and the south branch thereof to the head; and thence by a due south line to the southern line of the Territory; thence by the southern and eastern lines of said Territory to the place of beginning.

Seventh District.—Commencing at the east side of the house of Charles Matney, on the Wakarusa river; thence due south to the middle of the Santa Fé road; thence

westwardly along the middle of said road to Rock creek, near the sixty-fifth-mile of said road; thence due south to the north line of the Sac and Fox Reservation; thence along the north and west lines thereof, and due south to the Neosho river; thence up said river to a point due south of the mouth of Elm creek; thence due north to the mouth of Elm creek, and up said creek to the Santa Fé road; and thence by a direct line in a northerly direction to the southwest corner of the Pottawatomie Reservation; thence along the southern line of said Reservation to the head-waters of the Wakarusa river, or the point nearest thereto; thence to and down the said river to the place of beginning.

Eighth District.—Commencing at the mouth of Elm creek, one of the branches of Osage river; thence up the same to the Santa Fé road; thence by a direct northerly line to the southwest corner of the Pottawatomie Reservation; thence up the western line thereof to the Kansas river; thence up said river and the Smoky Hill Fork beyond the most westerly settlements; thence due south to the line of the Territory; thence by the same to the line of the Sixth District; thence due north to the head of the south branch of the Neosho river; thence down said river to the line of the Seventh District; thence due north to the place of beginning.

Ninth District.—Commencing on the Smoky Hill Fork, beyond the most westerly settlements; thence down the same and the Kansas river to the mouth of Wild Cat creek; thence up said creek to the head-waters thereof; thence due north to the Independence emigrant road; thence up said road to the north line of the Territory; thence west along the same, beyond the most westerly settlements; and thence due south to the place of beginning.

Tenth District.—Commencing at the mouth of Vermillion river; thence up the same, beyond the house of Josiah D. Adams; thence due west to the Independence emigrant road; thence up middle of said road to the line of the Ninth District; thence by the same to the head of Wild Cat creek, and down said creek to the Kansas river; thence down said river to the place of beginning.

Eleventh District.—Commencing in the Vermillion river, opposite the north side of the house of Josiah D. Adams; thence up said river to the head of the main branch; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the crossing of the Vermillion branch of the Blue; thence due north to the northern line of the Territory; thence west along said line to the Independence emigrant road; thence down said road to a point due west of the north end of the house of Josiah D. Adams, and due east to the place of beginning.

Twelfth District.—Commencing at the mouth of Soldier creek, in the Kansas river; thence up said creek to the head of the main branch; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the line of the Eleventh District; thence due south to the head of Vermillion river; down Vermillion river to the mouth, and down Kansas river to the place of beginning.

Thirteenth District.—Commencing on the Kansas river, at a point three miles above the mouth of Stranger creek; thence in a northwardly direction by a line corresponding to and three miles west of the several courses of said creek, to the line of the late Kickapoo Reservation; thence by the southern and western lines of said Reservation to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the line of the Twelfth District; thence due south to the head of Soldier creek; down Soldier creek to the mouth, and down the Kansas river to the place of beginning.

Fourteenth District.—Commencing at the mouth of Independence creek; thence up said creek to the head of the main branch; and thence due west to the line of the

late Kickapoo Reservation; thence north along said line and the line of the late Sac and Fox Reservation to the north line of the Territory; thence along said line eastwardly to the Missouri river, and down said river to the place of beginning.

Fifteenth District.—Commencing at the mouth of Salt creek, on the Missouri river; thence up said creek to the military road, and along the middle of said road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo Reservation; and thence along the southern and western line thereof to the line of the Fourteenth District; thence by the same and down Independence creek to the mouth thereof; and thence down the Missouri river to the place of beginning.

Sixteenth District.—Commencing at the mouth of Salt creek; thence up said creek to the military road; thence along the middle of said road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo Reservation; and thence along the same to the line of the Thirteenth District; and thence by the same along a line corresponding to the courses of Stranger creek, and keeping three miles west thereof, to the Kansas river; thence down the Kansas river to the Missouri, and up the Missouri river to the place of beginning.

Seventeenth District.—Commencing at the mouth of the Kansas river; thence up the south branch thereof to the mouth of Cedar creek; thence up Cedar creek to its source; and thence due south to the Santa Fé road, along the middle of said road, to the Missouri State line, and along said line to the place of beginning.

Eighteenth District.—Commencing in the military road at the crossing of the Vermillion branch of Blue river; thence due north to the line of the Territory; thence east along said line to the line of the Fourteenth District; thence due south along said line to the aforesaid military road, and along the middle of said road to the place of beginning.

PRECINCTS, PLACES FOR POLLS, AND JUDGES OF ELECTION.

First District.—The election will be held at the house of W. H. R. Lykins, in the town of Lawrence. Judges: Hugh Cameron, Jas. B. Abbott, and N. B. Blanton.

Second District.—House of Harrison Burson, on Wakarusa river. Judges: Harrison Burson, Paris Ellison, and Nath. S. Ramsey.

Third District.—House of Thomas N. Stinson, in the town of Tecumseh. Judges: Rev. L. D. Stateler, Rev. H. B. Burgess, and Rev. H. N. Watts.

Fourth District.—House of Dr. J. B. Chapman. Judges: Perry Fuller, David Pultz, E. W. Moore.

Fifth District.—This district is divided into four voting precincts, as follows, viz.:

Blue Creek Precinct.—Commencing in the Osage (or Marais des Cygnes) river, opposite the termination of the dividing ridge between Pottawatomie and Middle creeks; thence by an easterly line, running north of all the settlements on the waters of North Sugar creek, to the Missouri State line; thence up said line to the line between the Fourth and Fifth Districts; thence east along said line to the line between the Peoria and Ottawa Reservations; thence south along the same to the Osage river; and down said river to the place of beginning. The election will be held at the house of Baptiste Peoria. Judges: John J. Parks, J. J. Clark, and Stephen White.

Pottawatomie Creek Precinct.—Commencing in the Osage river, on the line of the Peoria and Ottawa Reserves; thence down said river to a point opposite the termination of the dividing ridge between Pottawatomie creek and Middle creek; thence along said dividing ridge beyond the head-waters of said creeks; and thence by a line due southwest to the line of the Sixth District; thence by the lines of the Sixth, Seventh and Fourth Districts, to the line of the Peoria and Ottawa Reservations, and down the same to the place of beginning. Election at the house of Henry Sherman,

on Pottawatomie creek. Judges: William Chestnut, Allen Wilkinson, and O. F. Cleveland.

Big Sugar Creek Precinct.—Beginning in the Osage river, at the Missouri State line; thence up said river to the mouth of Big Sugar Creek precinct; thence up said creek to the mouth of Little Sugar creek; thence along the dividing ridge between Big and Little Sugar creeks, beyond the head-waters of both; thence by a due southwest line to the line of the Fifth District; thence along the same to the Pottawatomie Creek precinct; thence by the line of said precinct to the Osage river; thence by an easterly line, running north of all the settlements on the waters of North Sugar creek, to the Missouri State line, and down the same to the place of beginning. Election at the house of Elisha Tucker, at the old Pottawatomie Mission. Judges: Jas. M. Arthur, Elisha Tucker, and John E. Brown.

Little Sugar Creek Precinct.—Commencing on the Missouri State line, in the Little Osage river; thence up the same and along the line of the Sixth District, to Big Sugar Creek precinct; thence along the line of said precinct to the Osage river; down Osage river to State line, and down State line to place of beginning. Election at the house of Isaac Stockton, at the crossing of Little Sugar creek. Judges: Wm. H. Finley, Alfred Osborne, and Isaac Stockton.

Sixth District.—Election at Hospital Building at Ft. Scott. Judges: James Ray, senior, Wm. Painter, and Wm. Godefrey.

Seventh District.—Election at the house of J. B. Titus, on the Santa Fé road. Judges: Eli Snyder, Jno. W. Freel, and Dr. Harvey Foster.

Eighth District.—Election at the Council Grove Mission House, near the Santa Fé road. Judges: A. I. Baker, Emanuel Mosier, and T. S. Huffaker.

Ninth District.—Election at the house of Robert Klotz, in the town of Pawnee. Judges: A. D. Gibson, S. B. White, and Robert Wilson.

Tenth District.—This is divided into two voting precincts, as follows, viz.:

Blue River Precinct.—Commencing at the upper mouth of Black Jack creek; thence up said creek to the head of the main branch; thence due north to the Independence emigrant road; thence up the middle of said road to the northern line of the Territory; thence by the northern, western and southern lines of the district to the place of beginning. Election at the house of S. D. Dyer, on Blue river. Judges: Joseph W. Russell, Marshall A. Garrett, and Joseph Stewart.

Rock Creek Precinct.—Commencing at the upper mouth of Black Jack creek; thence up said creek to the head of the main branch; thence due north to the Independence emigrant road; thence down said road and by the continuous easterly and southern lines of the district to the place of beginning. Election at the house of Robert Wilson, on Rock Creek. Judges: Francis Bergeron, Henry Rammelt, and James Wilson.

Eleventh District.—Election at the trading house of Woodward and Marshall. Judges: F. J. Marshall, R. C. Bishop, and W. P. McClure.

Twelfth District.—This district is divided into two precincts, as follows, viz.:

Silver Lake Precinct.—Commencing at the mouth of Cross creek; thence up the same to the head; thence due north to military road leading from Fort Leavenworth to Fort Kearney; thence by the continuous northern, eastern and southern lines of the district to the place of beginning. Election at the store of Sloan and Beaubien, on Silver lake. Judges: Nath. Wingardner, E. M. Sloan, and Evan Kennedy.

St. Mary's Precinct.—Commencing at the mouth of Cross creek; thence up said creek to the head; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence by the northern, western and southern lines of the district to the place of beginning. Election at the store of B. F. Bertrand, at St. Mary's Mission. Judges: Dr. L. R. Palmer, Charles Dean, and Rev. J. B. Duerinck.

Thirteenth District.—Election (except as hereinafter stated) at the house of Samuel I. Hard, at Hickory Point. Judges: H. B. Cora, James Atkinson, and J. B. Ross.

Fourteenth District.—This district is divided into three precincts, as follows, viz.:

Wolf River Precinct.—Commencing in the Missouri river, one mile east of Mosquito creek; thence by a line corresponding to and one mile east of the several courses of said creek and the main branch thereof; thence by a line due south to Cottonwood spring; thence along the Pottawatomie road to the dividing ridge, two miles from the crossing of said road at Independence creek; thence due west to the line of the district, and by the westerly and northerly lines of the district to the place of beginning. Election at the house erected by Aaron Lewis on Wolf river. Judges: Jas. M. Irvin, Joel Ryan, and E. W. B. Rogers.

Doniphan Precinct.—Commencing on the Missouri river, at the south line of Cadue's Reserve; thence by the same and along the dividing ridge between Cadue's creek and Lewis's creek to Cottonwood spring; thence by the line of the Wolf River precinct and the western and southern lines of the district to the Missouri river, and up the Missouri river to the place of beginning. Election at the store of John W. and Jas. Foreman, in the town of Doniphan. Judges: M. K. Shaw, Paris Dunning, and W. L. Chudys.

Burr Oak Precinct.—Commencing at the Missouri river, at the south line of Cadue's Reserve; thence by line of Doniphan precinct to Cottonwood spring; thence by line of Wolf River precinct to Missouri river, and down said river to place of beginning. Election at the house of M. E. Bryant, on St. Joseph and California road. Judges: Ebenezer Blackstone, Cary B. Whitehead, and Osborne Hulen.

Fifteenth District.—Election (except as hereinafter stated) at the house of Charles Hays, on the military road. Judges: T. J. Thompson, E. R. Zimmerman, and Daniel Fish.

Sixteenth District.—Election at the house of Keller and Kyle, in the town of Leavenworth. Judges: Matthew France, Lewis N. Rees, and David Brown.

Seventeenth District.—Election at the Shawnee Methodist Church. Judges: Cyprian Choteau, C. B. Donaldson, and Chas. Boles.

Eighteenth District.—Election at the house of W. W. Moore, on St. Joseph and California road, at the crossing of the Nemaha. Judges: Jesse Adamson, Thomas J. B. Cramer, and John Belew.

INSTRUCTIONS TO JUDGES OF ELECTION.

The three judges will provide for each poll, ballot-boxes with a slit for the insertion of the ticket, and will assemble at their respective polls at or before eight o'clock A. M. of the day of the election, and will make and subscribe the duplicate copies of the printed oath which will be furnished them. This oath must be administered by a judge or justice of the peace, if one be present; and if not, then judges can mutually administer the oath to each other, which they are hereby fully authorized to do. In case of the absence of any one or two of said judges at nine o'clock A. M., the vacancies shall be filled by the judge or judges who shall attend; and if any vacancy shall occur after the judges have been sworn, it shall be filled in the same manner. In case none of the judges appointed shall attend at nine o'clock A. M., the voters on the ground may, by tellers, select persons to act in their stead. The judges will keep two corresponding lists of the names of persons who shall vote, numbering each name. They must be satisfied of the qualifications of every person offering to vote, and may examine the voter or any other person, under oath, upon the subject.

The polls will be kept open until six o'clock P. M., and then closed, unless voters are present offering to vote; and in that case shall be closed as soon thereafter as votes cease to be offered.

When the polls are closed, the judges will proceed to open and count the votes, and will keep two corresponding tally lists, on which they will simultaneously tally each ticket as it is called by the judge who will open and call out the ticket, which must be done without handling or interference of any other person. When the votes are thus counted off and the tally lists shall agree, the judges shall publicly proclaim the result, and shall fill up and sign the duplicate certificates which will be furnished them. They will then carefully replace the said tickets in one or both of the ballot-boxes, together with one copy of the oath, one of the lists of voters, and one of the certificates of return, and will seal up and preserve the same, to be produced if called for.

The remaining copies of the oath, list of voters, tally lists and certificate will be sealed up, directed to the Governor of the Territory, and delivered by one of the judges in person to the Governor at his office at the Shawnee Methodist Mission, on or before the fourth day of April, A. D. 1855.

In the Fifth District the several judges will meet on the day after the election, at the house of Henry Sherman, on Pottawatomie creek, and select one of their number who shall take charge of and deliver the returns of all the precincts.

The return judges of the Tenth will meet at the house of Robert Wilson, on Rock creek, and those of the Fourteenth at the house of M. E. Bryant, and will make their returns in the same manner.

All persons are absolutely forbidden to bring, sell or deal out in the immediate vicinity of the election ground, any intoxicating liquors; and the judges of election, whenever they shall deem this regulation violated so as to interfere with the proper conducting of the election, may order the same to be removed, and if the owner shall fail to comply with such order, may direct the constables or other proper persons to take charge of such liquor till the polls are closed; or in case of resistance, to destroy the same at once. The constables of the Territory will attend at their respective polls, and will hold themselves subject to the orders of the judges for the preservation of order at the polls, and securing free access for the voters; and for this purpose may call upon any citizens present to aid them in the performance of their duty, if necessary.

QUALIFICATIONS OF VOTERS:

By the Territorial bill it is provided as follows:

"That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act: *And provided further*, That no officer, soldier, seaman or marine, or other person in the Army or Navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory, by reason of being on service therein."

By the term "white" as used in this and other laws of a similar character, is meant pure unmixed white blood. The man who has any mixture from the darker races, however small the proportion, is not regarded as a white man. This has been repeatedly decided, and may be regarded as settled. When a voter has only declared his intention to become a citizen, he must be sworn by the judges of election, or by a judge or justice of the peace, to support the constitution of the United States and the provisions of the act of Congress passed May 30th, 1854, to organize the Territories of Nebraska and Kansas. When so sworn the word "oath" should be marked opposite his name on the list of voters; and a voter who has had this oath once administered will not, of course, be required to repeat it.

It will be seen that the act of Congress is drawn with much care to exclude non-residents from the polls. It provides that a voter shall be an "inhabitant" and an

"actual resident." A voter must dwell here at the time of offering his vote; he must then have commenced an actual inhabitancy, which he actually intends to continue permanently, and must have made the Territory his dwelling-place to the exclusion of any other home.

The meaning of the last proviso, relative to the Army and Navy, is that the persons designated in it shall not vote if their inhabitancy in the Territory is referable only to the performance of their duties. Like all other persons, it is not enough that they should be in the Territory, but they must dwell in it as their permanent home; and the officer or soldier who would vote must have a residence here irrespective and independent of his presence here under orders.

Every voter must vote in the election precinct where he resides, and not elsewhere. Experience has demonstrated this to be a wise regulation, and it has been adopted in nearly all the States as a necessary provision against error, confusion and fraud.

CONTESTED ELECTIONS.

In case any persons shall desire to contest the election in any district of the Territory, they shall make a written statement, directed to the Governor, setting forth the particular precinct or district they intend to contest, the candidates whose election they dispute, and the specific causes of complaint in the conduct or return of the said election; which complaint shall be signed by not less than ten qualified voters of the Territory, and with affidavit of one or more such voters to the truth of the facts set forth therein. Such written statement must be presented to the Governor at his office on or before the fourth day of April. A. D. 1855, and if it shall appear that the result of the election in any Council district might be changed by said contest, a day will be fixed for hearing the same.

APPORTIONMENT OF MEMBERS OF THE LEGISLATURE, AND LIST OF DISTRICTS.

Apportionment.

The entire number of qualified voters in the Territory as appears from the census returns is two thousand nine hundred and five. The ratio of representation in the Council is two hundred and twenty-three, and in the House of Representatives one hundred and eleven.

Council Districts.

The First, Fourth and Seventeenth Election Districts, containing four hundred and sixty-six voters, shall constitute the First Council District, and elect two members of the Council.

The Second Election District and so much of the Thirteenth as is embraced in the Kansas Half-breed lands, containing two hundred and twelve voters, will constitute the Second Council District, and elect one member of Council; and the voters thus detached from the Thirteenth will vote at the place of election fixed for the Second Election District.

The Third, Seventh and Eighth Election Districts, containing one hundred and ninety-three voters, will constitute the Third Council District, and elect one member of Council.

The Fifth Election District, containing four hundred and forty-two voters, will constitute the Fourth Council District, and elect two members of Council.

The Sixth Election District, containing two hundred and fifty-three voters, will constitute the Fifth Council District, and elect one member of Council.

The Ninth, Tenth, Eleventh and Twelfth Election Districts, containing two hundred and one voters, will constitute the Sixth Council District, and elect one member of Council.

The Wolf River precinct and Doniphan precinct, of the Fourteenth, the whole of

the Eighteenth, and so much of the Fifteenth Election District as lies north of Walnut creek and its main branch and a due west line from its source, containing two hundred and forty-seven voters, shall constitute the Seventh Council District, and elect one member of Council; and the voters who are thus detached from the Fifteenth will vote at the Doniphan precinct.

The Burr Oak precinct, of the Fourteenth District, containing two hundred and fifteen voters, will constitute the Eighth Council District, and elect one member of Council.

The residue of the Fifteenth Election District, containing two hundred and eight voters, will constitute the Ninth Council District, and elect one member of Council.

The Sixteenth and residue of the Thirteenth Election Districts, containing four hundred and sixty-eight voters, will constitute the Tenth Council District, and elect two members of Council.

Representative Districts.

The Seventeenth and Fourth Election Districts, containing ninety-seven voters, shall constitute the First Representative District, and elect one member.

The First Election District, containing three hundred and sixty-nine voters, shall be the Second Representative District, and elect three members.

The Second Council District shall be the Third Representative District, and elect two members.

The Third Election District, containing one hundred and one voters, shall be the Fourth Representative District, and elect one member.

The Seventh and Eighth Election Districts, containing ninety-two voters, shall be the Fifth Representative District, and elect one member.

The Sixth Election District shall be the Sixth Representative District, and elect two members.

The Fifth Election District shall be the Seventh Representative District, and elect four members.

The Ninth and Tenth Election Districts, containing ninety-nine voters, shall be the Eighth Representative District, and elect one member.

The Eleventh and Twelfth Election Districts, containing one hundred and two voters, shall be the Ninth Representative District, and elect one member.

The residue of the Thirteenth Election District, containing eighty-three voters, shall be the Tenth Representative District, and elect one member.

The Seventh Council District shall be the Eleventh Representative District, and elect two members.

The Eighth Council District shall be the Twelfth Representative District, and elect two members.

The Sixteenth Election District, containing three hundred and eighty-five voters, shall be the Fourteenth Representative District, and elect three members.

Witness my hand and the seal of the said Territory, this eighth day of March, A. D. 1855.

A. H. REEDER, Governor, &c.

Attest: DANL. WOODSON, Secretary.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this second day of March, A. D. 1855, before the undersigned, a Justice of the Peace in and for the said Territory, personally appeared Robert S. Merchant, a Constable of the Fifteenth District of said Territory, who,

being duly sworn, deposes and says that he will support the Constitution of the United States, and perform faithfully the duties of his said office.

R. S. MERCHANT.

Sworn and subscribed March second, 1855, before me.

E. S. WILHITE, *Justice of Peace.*

MARCH 13, 1855.—Commission issued to Thomas C. Warren, as Justice of the Peace for the Fifth District.

Commission issued to Joseph Gooding, as Constable for the Fifth District.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this thirteenth day of March, A. D. 1855, before the undersigned, Governor of said Territory, personally appeared Harrison Burson, Esq., a Justice of said Territory in and for the Second District, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

HARRISON BURSON.

Sworn and subscribed March 13th, A. D. 1855, before me.

A. H. REEDER.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this twenty-eighth day of March, A. D. 1855, before the undersigned, a Justice of the Peace of the Territory of Kansas, personally appeared Marcus H. Rose, Esq., a Justice of the Peace in and for the Seventh District of said Territory, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his said office.

MARCUS H. ROSE.

Sworn and subscribed before me, March 28th, A. D. 1855.

A. I. BAKER, *Justice of the Peace.*

APRIL 4, 1855.—Resignation of Alfred Cunningham, as Constable for the Sixteenth District, received.

APRIL 5, 1855.—The Governor, with D. Woodson, Secretary of the Territory, and J. A. Halderman, Executive Clerk, proceeded to open and examine the returns of election for members of Council and House of Representatives in the several districts of the Territory, held on the 30th of

March last, when it appeared that the following returns and other papers had been received:

FIRST COUNCIL DISTRICT.

First Representative District.

List of voters..... 1,044

Oaths of J. B. Abbott, Hugh Cameron, Theodore E. Benjamin, and Robert A. Cummins, in form prescribed.

TALLY LIST.

For Council.

Thos. Johnson.....	780	J. K. Goodin.....	254
E. Chapman.....	783	S. N. Wood.....	253

For House of Representatives.

Jas. Whitlock.....	780	S. C. Pomeroy.....	1
A. B. Wade.....	781	D. L. Croysdale.....	1
J. M. Banks.....	781	A. F. Powell.....	1
John Hutchinson.....	252	W. P. Atwood.....	1
E. D. Ladd.....	253	R. G. Elliott.....	1
P. P. Fowler.....	254		

Return of Hugh Cameron, Robert A. Cummins, and Theodore E. Benjamin, in form prescribed, with an erasure of the words "by lawful resident voters," showing for—

Members of Council.

Thomas Johnson.....	780	Samuel N. Wood.....	255
Edward Chapman.....	783	Charles Garrett.....	1
Joel K. Goodin.....	254	Noah Cameron.....	1

Members of Assembly.

James Whitlock.....	780	Samuel C. Pomeroy.....	1
A. B. Wade.....	781	D. L. Croysdale.....	1
John M. Banks.....	781	A. F. Powell.....	1
John Hutchinson.....	252	D. Atwood.....	1
E. D. Ladd.....	253	R. G. Elliott.....	1
P. P. Fowler.....	254		

Second Representative District.—Fourth Election District.

List of voters.....80

Oaths of David Pultz, Thomas Mockbee and J. B. Davis, omitting as follows: "That I will reject the votes of all non-residents who I shall believe have come into the Territory for the mere purpose of voting; that in all cases where I am ignorant of the voter's right, I will require legal evidence thereof by his own oath, or otherwise; and that I will truly count and record the votes received, and make a true and faithful return thereof to the Governor of said Territory;" and adding in lieu thereof the words "That we will deliver, as soon possible, the paper to the Governor of the said Territory."

TALLY LIST.

For Council.

Thos. Johnson.....	78	S. N. Wood.....	2
E. Chapman.....	78	J. K. Goodin.....	2

For House of Representatives.

A. S. Johnson.....	77	A. F. Powell.....	3
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Return of same judges in form prescribed, omitting the words "by lawful resident voters," showing:

For Council.

Thos. Johnson.....	78	S. N. Wood.....	2
E. Chapman.....	78	J. K. Goodin.....	2

For House of Representatives.

A. S. Johnson.....	78	A. F. Powell.....	3
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Seventeenth Election District.

List of voters.....	62
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Oaths of judges C. B. Donaldson, Charles Boles and Cyprian Choteau, that they "will perform the duties of judges of election, in and for the Seventeenth District of the Territory of Kansas, according to law and the best of our abilities, and will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same."

TALLY LIST.

For Council.

Thos. Johnson.....	42	S. N. Wood.....	16
E. Chapman.....	43	Joel K. Goodin.....	16

For House of Representatives.

A. S. Johnson.....	43	A. F. Powell.....	16
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Return of same judges in form prescribed by proclamation, showing:

For Council.

Thos. Johnson.....	42	S. N. Wood.....	16
E. Chapman.....	43	Joel K. Goodin.....	16

For House of Representatives.

A. S. Johnson.....	43	A. F. Powell.....	16
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Protest of Sam'l F. Tappan and twenty others, claiming to be residents of the First Election District, to declare void, to set aside the returns and election in said district, or that certificates be given to Joel K. Goodin and S. N. Wood for Council, and to John Hutchinson, E. D. Ladd and P. P. Fowler, for the reason that six or seven hundred armed men encamped in the vicinity of the polls, on the 29th and 30th of March, collected around said polls, and kept them in their possession on the day of election, until late in the afternoon, and who left the district during the afternoon and the ensuing day. Said persons were strangers, believed to come from the State of Missouri. Citizens of the district were threatened with violence and prevented from voting. Affidavit by all the signers, together with affidavits of Harrison Nichols, Edwin Bond, David Conger and N. B. Blanton and Samuel Jones, tending to prove threats, violence, and non-resident voting.

Protest of Perry Fuller, E. W. Moore, judges appointed to hold the election, and twenty-nine other persons claiming to be residents, complaining that the said election was opened by unauthorized judges at 8 o'clock A. M., and at a place different from that prescribed in the proclamation, and that non-residents surrounded the polls with fire-arms and voted indiscriminately. Affidavit of Perry Fuller and E. W. Moore.

SECOND COUNCIL DISTRICT.

Third Representative District.

List of voters.....	341
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Oaths of F. E. Lehay, Paris Ellison and Sherman J. Waful, in form prescribed. Affidavit before G. W. Taylor. Return of same judges, showing the following result:

For Council.

A. McDonald.....	318	J. A. Wakefield.....	12
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For House of Representatives.

G. W. Ward.....	318	Isaac Davis.....	12
O. H. Browne.....	318	E. G. Macey.....	12

Report of Harrison Burson and Nathaniel Ramsey: Under oath stated, that they entered upon their duties as judges of election, and polled some few votes when

they were driven from the room by a company of armed men from the State of Missouri, who threatened their lives and commenced to destroy the house and beat in the door, demanding the right to vote without swearing to their place of residence; that having made their escape with the poll-books and certificates, they were followed by said persons and the said papers taken by force.

Protest of A. B. Woodward and nineteen other persons, claiming to be citizens of said district, against the election in said district, of A. McDonald, O. H. Browne and G. W. Ward, for the reason that several hundred men from the State of Missouri presented themselves to vote at said election, and upon being required by the judges to swear to their place of residence, they threatened to take the lives of the judges and tear down the house, and prepared to demolish the house. One of said judges ran out of the house with the ballot-box, and the other two were driven from the ground; that the citizens of the district then left, and the persons from Missouri proceeded to elect other judges and hold an election. With affidavit of J. C. Archibald and G. W. Umbarger, with an additional affidavit of Jos. N. Mace, tending to prove violence and threats of the death of any voter swearing to his residence, and that he was dragged by force from the window and prevented from voting.

THIRD COUNCIL DISTRICT.

Fourth Representative District.

List of voters.....376

TALLY LIST.

For Council.

H. J. Strickler.....370 | A. McDonald..... 1

For House of Representatives.

D. L. Croysdale.....366 | G. W. Ward..... 1
C. K. Holliday..... 4

With certificate annexed: That the judges appointed by the proclamation did, after the hour of 9 A. M., severally refuse to join in holding said election, and the subscribers, Jas. M. Small, Horatio Cox, and John Homer, were selected, through tellers, by voters on the ground, to act as judges of said election; and that the same is a true and perfect tally list, made out according to the instructions of the Governor, from a list of votes polled at said election.

Oaths of Jas. M. Small, Horatio Cox and John Homer, judges, in form prescribed by proclamation, except the following erasure: "And whom I shall not honestly believe to be a qualified voter according to the provisions of the act of Congress organizing said Territory; that I will reject the votes of all non-residents who I shall believe have come into the Territory for the mere purpose of voting; that in all cases where I am ignorant of the voter's right, I will require legal evidence thereof by his own oath or otherwise."

Fifth Representative District.

List of voters.....234

TALLY LIST.

For Council.

H. J. Strickler.....211 | Wm. F. Johnson..... 23

For House of Representatives.

M. W. McGee.....210 | H. Rice..... 23
E. Baker..... 1

With certificates of L. H. Chittington, Andrew Johnson and Eli Snyder as judges, in form prescribed by proclamation, omitting the word "resident."

Eighth Election District.

List of voters..... 37

TALLY LIST.

For Council.

Strickler.....	17	F. M. McGee.....	2
Rice.....	17		

For House of Representatives.

Baker.....	25	McGee.....	12
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Oaths of Emanuel Mosier, Thos. S. Huffaker and Sam'l B. Smith. in form prescribed.

Return of same judges in form prescribed, showing:

For Council.

Rice.....	17	Strickler.....	17
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For House of Representatives.

A. I. Baker.....	25	M. McGee.....	12
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Protest of T. J. Thornton and fifteen other persons, claiming to be voters of said Territory and Third Council District, complaining that judges appointed in said district failed to organize the board, in consequence of two of them refusing to take the oath prescribed, and that through fear of personal violence the said judges were compelled to vacate their seats, and permit the people assembled on the ground to choose a board of their own number; and that the actual residents were either driven from the polls or intimidated from offering their votes by from three to six hundred persons, actual residents of other States, and that few, if any, of the votes were cast by citizens of the Territory; and praying that the election may be set aside as illegal and void; with affidavit of A. G. Adams, Dan'l H. Horne, H. B. Burgess, and F. R. Foster.

Protest of Hallam Rice and eleven other persons, claiming to be citizens of the Seventh Election District, protesting against the election of H. J. Strickler and M. W. McGee, for the reason that they were elected by a number of voters from the State of Missouri, who arrived the day before in about fifty wagons and on horseback, and returned after voting; they lived in Missouri, and did not intend to live in Kansas; and that one of the judges appointed on the ground was a resident of Missouri, and that the judges were not sworn; that no oath or affirmation was required of any voter; with affidavit of Hallam Rice and J. R. Stewart.

FOURTH COUNCIL DISTRICT.

Fifth Representative District.—Bull Creek Precinct.

List of voters..... 393

TALLY LIST.

For Council.

A. M. Coffee.....	379	M. T. Morris.....	9
D. Lykens.....	376	Jas. P. Fox.....	9

For House of Representatives.

Wm. A. Helskell.....	377	John Serpell.....	9
A. Wilkinson.....	375	Adam Poore.....	9
Henry Younger.....	375	S. H. Houser.....	9
Sam'l Scott.....	377	Wm. Jennings.....	9

Oaths of B. F. Payne, B. C. Westfall, and I. I. Park, in form prescribed. Certificate of I. I. Park, judge, that two of the judges appointed by proclamation being

absent at 9 o'clock A. M., he had filled the vacancies by appointing B. F. Payne and B. C. Westfall.

Return of same judges, in form prescribed, showing:

For Council.

A. M. Coffee.....	377	M. T. Morriss.....	9
D. Lykens.....	376	J. P. Fox.....	9

For House of Representatives.

Wm. A. Heiskell.....	377	John Serpell.....	9
A. Wilkinson.....	375	A. Poore.....	9
Henry Younger.....	375	S. A. Houser.....	9
Sam'l Scott.....	377	Wm. Jennings.....	9

Pottawatomie Creek Precinct.

List of voters..... 266

Oaths of Sam'l C. Wear, W. S. Ferguson, and Wm. Chestnut, in form prescribed.

Tally list, with certificate of return prefixed, showing:

For Council.

A. M. Coffee.....	199	M. T. Morriss.....	65
D. Lykens.....	199	Jas. P. Fox.....	63

For House of Representatives.

Wm. A. Heiskell.....	198	Sam'l H. Houser.....	54
A. Wilkinson.....	198	Wm. Jennings.....	62
Henry Younger.....	198	J. Huff.....	11
Samuel Scott.....	198	Cronklitt.....	3
John Serpell.....	61	C. H. Crane.....	2
A. Poore.....	54	Oscar C. Brown.....	1

Big Sugar Creek Precinct.

List of voters.....91

Oaths of Jas. M. Arthur, A. H. Smith, John E. Brown, and Elisha Tucker, judges, in form prescribed.

TALLY LIST.

Coffee.....	74	Houser.....	17
Lykens.....	76	Jennings.....	17
Fox.....	16	Heiskell.....	74
Morriss.....	17	Wilkinson.....	74
Serpell.....	17	Younger.....	74
Poore.....	16	Scott.....	74

Return of John E. Brown, Elisha Tucker, and A. H. Smith, judges of election, in form prescribed, showing:

For Council.

Jas. P. Fox.....	16	A. M. Coffee.....	74
Morriss.....	17	D. Lykens.....	74

For House of Representatives.

John Serpell.....	17	Wm. A. Heiskell.....	74
A. Poore.....	16	Allen Wilkinson.....	74
S. H. Houser.....	17	Henry Younger.....	74
Wm. Jennings.....	17	Sam'l Scott.....	74

Little Sugar Creek Precinct.

Oaths of Wm. Parks, Isaac D. Stockton and Hiram Howdeshell, judges, in form prescribed.

List of voters..... 105

TALLY LIST.

For Council.

A. M. Coffee.....	31	M. T. Morriss.....	62
D. Lykens.....	34	Jas. P. Fox.....	70

For House of Representatives.

Wm. Heiskell.....	33	Adam Poore.....	62
Allen Wilkinson.....	32	S. H. Houser.....	64
Henry Younger.....	35	Wm. Jennings.....	66
Sam'l Scott.....	35	Wm. Dyer.....	1
John Serpell.....	62		

Return of same judges, in form prescribed, showing:—

For Council.

A. M. Coffee.....	31	M. T. Morriss.....	62
D. Lykens.....	34	Jas. P. Fox.....	70

For House of Representatives.

W. A. Heiskell.....	33	S. H. Houser.....	64
Allen Wilkinson.....	32	Wm. Jennings.....	66
Henry Younger.....	35	Wm. Dyer.....	1
Adam Poore.....	62	Sam'l Scott.....	35
John Serpell.....	62		

Protest of James B. Abbott and ten others, claiming to be legal voters of Kansas Territory, alleging that the persons who acted as judges at the Bull Creek precinct were not duly sworn, and praying that the election be set aside.

FIFTH COUNCIL DISTRICT.

Seventh Representative District.

Oaths of James Ray, Wm. J. Godfrey and Wm. Painter, judges of election, in form prescribed.

List of voters.....	350
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TALLY LIST.

For Council.

Wm. Barbee.....	343
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For House of Representatives.

Joseph E. Anderson.....	315	John Hamilton.....	35
S. A. Williams.....	313	Wm. Margrave.....	16

Return by same judges, in form prescribed, showing:

For Council.

Wm. Barbee.....	343
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For House of Representatives.

Joseph C. Anderson.....	315	John Hamilton.....	35
S. A. Williams.....	313	Wm. Margrave.....	16

SIXTH COUNCIL DISTRICT.

Eighth Representative District.—Ninth Election District.

Oaths of S. B. White, Robert Wilson, and A. D. Gibson, in form prescribed.

List of voters.....	75
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TALLY LIST.

With certificate of judges, showing:

For Council.

John Donalson.....	23	M. F. Conway.....	50
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For House of Representatives.

S. D. Houston.....	56	R. Garrett.....	18
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Tenth Election District.—Blue River Precinct.

Oaths of Joseph Stewart, Wm. C. Dyer, and M. A. Garrett, in form prescribed.

List of voters..... 69

TALLY LIST.

For Council.

John Donalson..... 27 | M. F. Conway..... 42

For House of Representatives.

Russell Garrett..... 21 | S. D. Houston..... 43

Return of above-named judges according to form prescribed, showing:

For Council.

M. F. Conway.....42 | John Donalson.....27

For House of Representatives.

S. D. Houston.....43 | Russell Garrett.....21

Rock Creek Precinct.

Oaths of Henry Rammelt, James Wilson, and Francis Bergerow, according to form prescribed.

List of voters.....23

TALLY LIST.

For Council.

M. F. Conway.....21 | John Donalson..... 2

For House of Representatives.

S. D. Houston.....21 | Russell Garrett..... 2

Eleventh Election District.—Ninth Representative District.

Oaths of Wm. P. McClure, S. W. Spratt, and George W. Pence, judges, according to form prescribed.

List of voters.....331

TALLY LIST.

For Council.

John Donalson.....328 | M. F. Conway..... 3

For House of Representatives.

F. J. Marshall.....328

Return of same judges, in form prescribed, showing:

For Council.

John Donalson.....328 | M. F. Conway.....3

For House of Representatives.

F. J. Marshall.....328

St. Mary's Precinct.

Oaths of L. R. Palmer, P. McCartney, and Alva Higbee, judges, in form prescribed.

List of voters.....11

TALLY LIST.

For Council.

M. F. Conway.....7 | John Donalson.....4

For House of Representatives.

F. J. Marshall.....4 | P. McCartney.....7

Return of same judges, according to form prescribed, showing:

For Council.

John Donalson.....4 | M. F. Conway.....7

For House of Representatives.

Palmer McCartney.....7 | F. J. Marshall.....4

Silver Lake Precinct.

Oaths of E. R. Kennedy, John H. Wells, and N. K. Windgardner, judges, according to form prescribed.

List of voters.....31

Return of same judges, according to form prescribed, showing:

For Council.

M. F. Conway.....19 | John Donalson.....12

For House of Representatives.

Solomon McCartney.....19 | F. J. Marshall.....12

TALLY LIST.

For Council.

Jno. Donalson.....12 | M. F. Conway.....19

For House of Representatives.

F. J. Marshall.....4 | S. McCartney.....19

Protest of M. F. Conway and ten others, claiming to be qualified voters of the Territory, against the election of John Donalson and Thos. J. Marshall; complaining that upwards of 300 votes were given by non-residents of the Territory, at the Marysville precinct, and that the ballots received at the said precinct were opened and read by the judges before they were deposited in the ballot-box; together with the oath of M. F. Conway in support thereof. With the affidavit of Cole McCrea, that upwards of 200 non-residents of the Territory passed west on the Leavenworth and Riley road Wednesday and Thursday next preceding the election, declaring that they intended to vote at the Marysville precinct, and then return to their residence in Missouri; and that on the following Sunday and Monday he saw many of the same persons returning towards Missouri river, some of whom stated in the presence of their associates that they had voted, and done the thing up right.

SEVENTH COUNCIL DISTRICT.

Eleventh Representative District.—Wolf River Precinct.

Oaths of G. R. Wilson, Jas. M. Irvine, and E. V. B. Rogers, judges, according to prescribed form.

List of voters.....78

TALLY LIST.

For Council.

John W. Foreman.....74

For House of Representatives.

J. H. Stringfellow.....57 | J. Ryon.....8

R. L. Kirk.....52 | T. J. Vanderslice.....1

G. A. Cutler.....15 | John Landis.....8

Return of same judges, in form prescribed, showing:

For Council.

John W. Foreman.....74

For House of Representatives.

J. H. Stringfellow.....	57	J. Ryon.....	8
R. L. Kirk.....	52	T. J. Vanderslice.....	1
G. A. Cutler.....	15	John Landis.....	8

Doniphan Precinct.

Oaths of A. H. Dunning, N. J. Ireland, and Wm. P. Lamb, judges, according to form prescribed.

List of voters.....346

Tally list, none. Return of same judges, showing:

For Council.

John W. Foreman.....	343
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For House of Representatives.

J. H. Stringfellow.....	313	John Landis.....	25
R. L. Kirk.....	292	J. Ryon.....	18
G. A. Cutler.....	30	S. K. Miller.....	2
T. Vanderslice.....	4		

Eighteenth Election District.

Oaths of Jesse Adamson, Thos. J. B. Cramer, and John Belew, judges, according to form prescribed.

List of voters.....62

TALLY LIST.

For Council.

John W. Foreman.....	61
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For House of Representatives.

J. H. Stringfellow.....	48	Cutler.....	14
Kirk.....	50	Landis.....	13
Ryon.....	1		

Return of same judges, in form prescribed, showing:

For Council.

John W. Foreman.....	61
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For House of Representatives.

J. H. Stringfellow.....	48	G. A. Cutler.....	14
R. L. Kirk.....	50	John Landis.....	13
Joel Ryon.....	1		

EIGHTH COUNCIL DISTRICT.

Twelfth Representative District.—Burr Oak Precinct.

Oaths of H. J. Johnson, Cary B. Whitehead and Albert Head, judges, in form prescribed.

List of voters.....303

TALLY LIST.

For Council.

Wm. P. Richardson.....	234	John W. Whitehead.....	68
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For House of Representatives.

Joel P. Blair.....	256	John Fee.....	2
Thos. W. Waterson.....	258		

Return of same judges, in form prescribed, showing:

For Council.

Wm. P. Richardson.....	234	John W. Whitehead.....	68
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For House of Representatives.

Joel P. Blair.....	256	John Fee.....	2
Thos. W. Waterson.....	258		

NINTH COUNCIL DISTRICT.

Thirteenth Representative District.

Oaths of M. T. Baily, E. R. Zimmerman, and Thos. J. Thompson, judges, according to prescribed form.

List of voters.....417

TALLY LIST.

For Council.

D. A. N. Grover.....411 | Freeland.....1

For House of Representatives.

H. B. C. Harris.....412 | J. Weddell.....412

Return of same judges, showing:

For Council.

D. A. N. Grover.....411 | J. Freeland.....1

For House of Representatives.

H. B. C. Harris.....412 | J. Weddell.....412

TENTH COUNCIL DISTRICT.

Tenth Representative District.

Oaths of H. B. Cory, J. B. Ross, and J. Atkinson, judges, according to form prescribed.

Return of same judges, stating that having been sworn, they proceeded to open said election and receive votes, but that a vast number of citizens from Missouri assembled on the ground, for the purpose of illegally voting, who surrounded the window and obstructed the citizens of the Territory from depositing their votes, and caused many of the said legal voters to leave without voting; and that the said judges, in consequence of the determination of citizens from Missouri to vote, and no voters of said district voting or offering to vote, they left the ground.

Oaths of Richard Chandler, N. B. Hopewell, and Wm. M. Gardner, judges, that they will act as judges of the election, and will conduct said election impartially and to the best of their ability, in accordance with the act of Congress organizing the Territory.

List of voters.....242

Tally list, with certificate of return prefixed, showing:

For Council.

R. R. Rees.....233 | B. H. Twombly.....6

L. J. Eastin.....233 | A. J. Whitney.....6

For House of Representatives.

W. H. Tebbs.....237 | C. Hart.....3

Fourteenth Representative District.

Oaths of Lewis N. Reese and George B. Panton, that they will support the constitution of the United States, and will faithfully demean themselves as judges of the election, and will faithfully carry out the provisions of the act of Congress organizing the Territory.

Oath of Matt. France, in form prescribed.

List of voters.....964

TALLY LIST.

For Council.

Reese.....896 | B. H. Twombly.....60

Eastin.....893 | A. J. Whitney.....59

Kuykendall.....1

For House of Representatives.

W. G. Mathias	899	Felix G. Braden	59
H. D. McMeekin	897	Samuel France	59
A. Payne	894	F. Browning	53

Return of same judges, omitting the words "*by lawful resident voters*," showing:

For Council.

R. R. Rees	896	A. J. Whitney	59
L. J. Eastin	893	Jas. Kuykendall	1
B. H. Twombly	60		

For House of Representatives.

Wm. G. Mathias	899	F. G. Braden	59
H. D. McMeekin	897	S. France	59
A. Payne	895	F. Browning	53

Protest of Wm. Phillips and thirteen others, claiming to be citizens of the Sixteenth Election District, against the election of R. R. Rees, L. J. Eastin, W. G. Mathias, H. D. McMeekin, and A. Payne, for the reasons that the judges of election did not take the required oath of office; that residents of Missouri came to the said district, voted, and immediately returned to Missouri; that many of the citizens of said district were deterred from voting by the conduct of citizens from Missouri, supported by the affidavit of Wm. Phillips.

Protest of Andrew McDonald and others against the Governor's power to hear and decide between contestants for seats in the Legislative Assembly as a usurpation of power not granted by the act of Congress organizing the Territory, and founded upon a misconstruction of the said act; that the Governor is bound to recognize as legal votes all those received under the restrictions imposed by the organic act of the Territory, and the proclamation, and that illegal votes are those where the returns show a non-compliance with those restrictions, and claiming from the Governor certificates of their election.

Communication from A. M. Coffee and David Lykens, claiming certificates as members of the Council from the Fifth Election District, and claiming that they were elected by a majority of the legal voters of the district.

APRIL 6, 1855.—*Decision of the Governor upon the returns of election held 30th March, 1855:*

First Council District.—Besides the protest filed against the election at Lawrence for importation of votes, there is a defect in the return. The words "lawful resident voters" are stricken out. The Lawrence election is therefore set aside, and a new election must be had for Representatives.

Fourth Election District.—Besides the protest filed in this, there are material omissions in oath and return, purposely made. This must also be set aside.

Seventeenth Election District.—The form of return is correct as prescribed, and no protest for illegal voting. The form of oath differs from that prescribed, but is a searching one, and nearly, if not quite, equivalent to that prescribed, and perhaps ought to be sanctioned. If so, this district will elect Thomas Johnson, Edw. Chapman, Council; A. S. Johnson, Representative. This election is, however, not declared at present, but held under advisement.

Second Council District.—The judges were sworn by G. W. Taylor, who

had no authority to administer the oath. In addition, there is a protest complaining of importation of voters, and violent expulsion of the original judges. For want of sufficient oath, the election is set aside, and a new election for Council and Representative ordered.

Third Council District.—Besides the protest for violent expulsion of the judges at the Tecumseh polls and for illegal votes, there are material erasures in the oath, purposely made; return in form prescribed. This is held under advisement for the present, but will probably be set aside, and if so, a new election will be ordered for Representatives.

Seventh Election District.—Besides the protest complaining of a large number of illegal votes, the judges do not appear to have been sworn at all. This poll is therefore set aside.

Eighth Election District.—No protest is filed, and the proceedings in regular prescribed form. A majority of votes for members of the House of Representatives are cast for A. I. Baker, Esq., and he is declared elected in the Fifth Representative District. For Council, the vote is a tie between H. J. Strickler and H. Rice; so that as to Council the result still depends upon the Tecumseh poll.

Fourth Council District.—Of the four precincts, Bull Creek is the only one contested, that from Pottawatomie Creek being withdrawn. Suppose the complaint to be true, if successful it cannot alter the result. The remaining three precincts are uncontested and in form, and gave a majority to A. M. Coffee and David Lykens for Council; W. A. Heiskell, Allen Wilkinson, Henry Younger and Samuel Scott for the House of Representatives, and they are declared elected.

Fifth Council District.—The returns are all in due form, and no protest. William Barbee for Council, Joseph C. Anderson and S. A. Williams for House of Representatives, are declared elected.

Sixth Council District.—The Ninth and Tenth Election Districts are in form as to their returns; no protest. S. D. Houston is declared elected Representative in the Eighth Representative District.

In addition to the protest against the Eleventh Election District (being the poll at Marysville), the returns show a fatal defect. Instead of conducting the election by ballot, it must have been held *viva voce*, as the manner in which each person voted is recorded at once opposite his name. As the proclamation required the election to be by ballot, and the tickets to be counted after closing the polls, it is impossible to sustain this return. It is accordingly set aside. The residue of the district gives M. F. Conway a majority for Council, and he is declared elected.

In the Ninth Representative District—the Marysville poll being set aside—the returns of St. Marys and Silver Lake give Solomon McCartney 19; F. J. Marshall, 16; Palmer McCartney, 7; and Solomon McCartney is declared to be elected. It is alleged there is no such man, and that the vote for him was cast under mistake of the name of Palmer McCartney. A

slight difference in name should always be disregarded, to carry out the will of the voter, but the difference here is too great to be reconciled. If these facts are shown as alleged, the vote for Solomon McCartney is a nullity, and the certificate will be granted to Francis J. Marshall.

Seventh Council District.—The returns in form, and no protest. John W. Foreman for Council, J. H. Stringfellow and R. L. Kirk for House of Representatives, are declared elected.

Eighth Council District.—The returns in form, and no protest. Wm. P. Richardson for Council, Joel P. Blair and Thos. W. Watterson for House of Representatives, are declared elected.

Ninth Council District.—Returns in form, and no protest. D. A. N. Grover for Council, H. B. C. Harris and J. Weddle for House of Representatives, are declared elected.

Tenth Council District.—Besides the protest filed against the Leavenworth poll for illegal voting, it appears that the judges purposely struck out a material part of the prescribed form of return, to wit: that the votes were polled "by lawful resident voters." This poll is set aside, and a new election for Representative becomes necessary.

In the Thirteenth Election District, the protest filed has been withdrawn, and the result stands upon the return of the judges who conducted the election, and a counter statement of the judges appointed by the proclamation, who, after having taken the oath and entered upon the performance of their duties, abandoned the polls and left the grounds, because, as they say, a large number of non-residents were on the ground demanding to vote, and obstructing the polls, and because no lawful votes were presented. This is not a protest as provided for in the proclamation, and even if regarded as a report or return by them, relative to the performance of their official duties, does not disclose sufficient reason for vacating their posts. They were not drawn away by force. If illegal votes were offered, it was their duty to remain and reject them. If the polls were obstructed, it was their business at least to endeavor to clear them, and at all events to endeavor to remain at their posts in the performance of their duty until the time for closing the polls, unless driven away by violence. The place they left was filled by other judges appointed according to the proclamation, and their return, which is in form, and no protest before me, shows a majority for L. J. Eastin and R. R. Rees for Council, W. H. Tebbs for House of Representatives, who are accordingly declared elected.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

On this seventh day of April, A. D. 1855, before the undersigned, a Justice of the Peace of the Territory of Kansas, personally appeared George Brubaker, Esq., a Justice of the Peace of the Territory of Kansas in and

for the Sixteenth District, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and faithfully discharge the duties of his office.

GEO. BRUBAKER.

Sworn and subscribed April 7th, 1855, before me.

GEO. RUSSELL, *J. P., Sixteenth District, K. T.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On this seventh day of April, A. D. 1855, before the undersigned, a Justice of the Peace of the Territory of Kansas, personally appeared Samuel F. Few, a Justice of the Peace of said Territory in and for the Sixteenth District, who, being duly sworn, deposes and says he will support the Constitution of the United States, and will faithfully perform the duties of his said office.

SAML. F. FEW.

Sworn and duly subscribed, April 7th, 1855, before me.

GEO. RUSSELL, *J. P., Sixteenth District, K. T.*

APRIL 16, 1855.—The Governor declares Rev. Thomas Johnson and Edward Chapman to be duly elected members of Council from the First Council District, and Alexander S. Johnson duly elected member of the House of Representatives from the First Representative District.

The return of election held in the Third Election District for member of Council and member of the House of Representatives is set aside, for the objections stated in the entries of April 6th, 1855.

Same day, proclamation issued for an election to fill the vacancies in the Council and House of Representatives, as follows, viz.:

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS. }

[SEAL.] I, Andrew H. Reeder, Governor of the said Territory, do hereby proclaim and make known to the qualified voters of said Territory that an election will be held on Tuesday, the twenty-second day of May, 1855, in the First Election District of said Territory, for three members of the House of Representatives; in the Second Election District, for one member of Council and two members of the House of Representatives; in the Third Election District, for one member of the House of Representatives; in the Third, Seventh and Eighth Election Districts severally, for one member of Council to represent the Third Council District; and in the Sixteenth Election District, for three members of the House of Representatives; under and in conformity to the apportionment of said Territory heretofore named, and to fill vacancies existing in the Representative and Council Districts of which the said election districts are respectively composed. The said election shall be held by ballot, and shall be conducted as hereinafter prescribed.

The election in the First Election District shall be held in the House of W. H. R. Lykins, in the town of Lawrence. Judges: William Yates, Joel Grover, and Josiah Miller.

The election in the Second Election District shall be held at the house of Harrison

Burson, on the Wakarusa river. Judges: Harrison Burson, Nathaniel Ramsey, and William Simmons.

The election in the Third Election District shall be held at the house of Thomas N. Stinson, in the town of Tecumseh. Judges: Daniel H. Horne, James Gilpatrick, and L. D. Stateler.

The election in the Seventh Election District shall be held at the house of J. B. Titus, on the Santa Fé road. Judges: Eli Snyder, Dr. Foster Harvey, and Joseph McIntire.

The election in the Eighth Election District shall be held at the Council Grove Mission House, near the Santa Fé road. Judges: Thomas S. Huffaker, Emanuel Mosier, and S. B. Smith.

The election in the Sixteenth Election District shall be held at the house of Keller and Kyle, in the town of Leavenworth. Judges: Matt. France, James M. Lyle, and Adam Fisher.

INSTRUCTIONS TO JUDGES OF ELECTION.

The three judges will provide for each poll, proper ballot-boxes for the reception of the tickets, and will assemble at their respective polls at or before eight o'clock A. M. of the day of election, and will take and subscribe (in duplicate) the printed oaths which will be furnished them, and a copy of which is hereto appended. This oath must be administered by a judge or justice of the peace, if one be present; and if not, the judges can mutually administer the oath to each other. In case of the absence of one or two of the judges at nine o'clock A. M., the vacancy will be filled by the judge or judges present, and in case any vacancy shall occur after the judges are sworn, it shall be filled in the same manner. In case none of the judges attend at nine o'clock A. M., the voters on the ground may select persons to fill the places. In case (from any cause) it shall be impossible for the election to be held at the designated place, the judges may, at nine o'clock A. M., adjourn the election to the most convenient place in the vicinity, taking proper precautions to inform the voters of the place adjourned to. The judges will keep two corresponding lists of the persons who shall vote, numbering each name. They must be satisfied of the qualifications of every person offering to vote, and may examine the voter or any other person, under oath, upon the subject.

The polls will be kept open until six o'clock P. M., and then closed, unless voters are present offering to vote; and in that case shall be closed as soon thereafter as votes cease to be constantly offered.

When the polls are closed, the judges will proceed to open and count the votes, and will keep two corresponding tally lists, on which they will tally each ticket as it is called by the judge who will open the ballots, which must be done without interference or handling by any other person. When the votes are thus counted off and the tally lists shall agree, the judges shall publicly proclaim the result, and shall fill up and sign the duplicate returns which will be furnished them, and a copy of which is hereto appended. They will then carefully replace the said tickets in the ballot-boxes, together with one copy of the oath of each judge, one copy of the return, one of the tally lists, and one of the lists of voters, and will seal up and preserve the same, to be produced if required. The remaining copies of the oath, list of voters, tally list and return will be sealed up, directed to the Governor of the Territory, and delivered to him at his office at the Shawnee Mission, by one of the judges in person, on or before the twenty-ninth day of May, A. D. 1855.

The constables of the Territory will attend at their respective polls and hold themselves in readiness to execute the orders of the judges for the preservation of peace and good order at the polls and secure free access for the voters, and for this purpose may call upon any citizens present to aid them in the performance of their duty if necessary.

All persons are forbidden to bring, sell or deal out in the immediate vicinity of the polls, any intoxicating liquors; and the judges of the election, whenever they shall deem this regulation violated so as to interfere with the proper conducting of the election, may order the same to be removed, and if the owner shall fail to remove the same, may direct the constables or other fit persons to take charge of such liquor until the polls are closed; and in case of resistance, to destroy the same at once.

QUALIFICATIONS OF VOTERS:

By the Territorial bill it is provided as follows:

"That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act: *And provided further*, That no officer, soldier, seaman or marine, or other person in the Army or Navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory, by reason of being on service therein."

By the term "white" as used in this and other laws of a similar character, is meant pure unmixed white blood. The man who has any mixture from the darker races, however small the proportion, is not regarded as a white man.

When a voter has only declared his intention to become a citizen, he must be sworn by competent authority or the judges of election, to support the constitution of the United States and the provisions of the act of Congress passed May 30th, 1854, to organize the Territories of Nebraska and Kansas, unless he has been so sworn previously.

It will be seen that the act is drawn with great care to exclude non-residents from the polls. It provides that the voter shall be an inhabitant and an actual resident. A voter must dwell here at the time of offering his vote; he must have then commenced an actual inhabitancy, which he intends to continue permanently, and must have made the Territory his dwelling-place to the exclusion of any other home. The meaning of the last proviso, in relation to the Army and Navy, is that the persons designated in it shall not vote if their inhabitancy is referable only to the performance of their duties. Like all other persons, it is not enough that they should be in the Territory, but they must dwell in it as their permanent home; and the officer or soldier who would vote must have a residence here irrespective and independent of his presence under orders.

Every voter must vote in the election district where he resides. Experience has demonstrated this to be a wise regulation, and it has been adopted in nearly all the States as a necessary provision against error, confusion and fraud.

CONTESTED ELECTIONS.

In case any persons shall desire to contest the election in any district, they shall make a written statement, setting forth the particular election district they intend to contest, and the specific causes of complaint in the conduct or return of the election; which shall be signed by not less than ten qualified voters of the Territory, with affidavits of one or more voters to the truth of the facts. Such statement shall be presented to the Governor at his office on or before the 29th day of May next, when if it shall appear that the result may be changed thereby, a day will be fixed for the hearing in order to decide whether the candidates returned are entitled to their certificates of election.

Given under my hand and the seal of said Territory, this sixteenth day of April, A. D. 1855.

A. H. REEDER, Governor, &c.

By the Governor:

DANL. WOODSON, Secretary.

Same day, proclamation issued for convening the Legislative Assembly of the Territory, as follows:

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS. }

[SEAL.] I, Andrew H. Reeder, Governor of the Territory of Kansas, do hereby, under and by virtue of the act of Congress passed the thirtieth day of May, 1854, entitled "An act to organize the Territories of Nebraska and Kansas," proclaim and direct that the Legislative Assembly of the said Territory of Kansas will convene at the town of Pawnee, in the Ninth Election District of said Territory, on the first Monday of July next, in the building which will be provided for that purpose.

Given under my hand and the seal of said Territory, this sixteenth day of April, A. D. 1855. A. H. REEDER, *Governor, &c.*

By the Governor:

DANL. WOODSON, *Secretary.*

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

On the sixteenth day of April, 1855, before the undersigned personally appeared E. F. Barnard, a Justice of the Peace of said Territory in and for the Sixteenth District, who, being duly sworn, deposes and says that he will support the Constitution of the United States, and will faithfully discharge the duties of his said office. E. F. BARNARD.

Sworn and subscribed April 16th, 1855, before me.

SAML. D. LECOMPTE, *Ch. Just. K. T.*

APRIL 17, 1855.—The Governor leaves the Territory on a visit to his family in the State of Pennsylvania.

MAY 29, 1855.—Returns received from the election held on the 22d May, in pursuance of the Governor's proclamation of the 16th April, to fill vacancies, and filed away for the action of the Governor upon his return to the Territory.

JUNE 2, 1855.—The Secretary, in the absence of the Governor and in pursuance of a requisition from the Governor of the State of Indiana, issues an executive warrant to the Marshal of the Territory, directing him to arrest and deliver one Matt. France, charged with the crime of seduction, in violation of the laws of the State of Indiana, to the authorities of that State.

JUNE 23, 1855.—The Governor returns to the Territory from visit to his family in the State of Pennsylvania.

JUNE 25, 1855.—The Governor declares John Hutchinson, Erastus D. Ladd and Philip P. Fowler to be duly elected to the House of Representatives from the Second Representative District; John A. Wakefield to be duly elected a member of the Second Election District, and Augustus Wattles and William Jessee to be duly elected members of the House of Representatives from the same district; Jesse D. Wood to be duly elected a member of the Council from the Third Council District; William G. Mathias, A. Payne and H. D. McMeekin to be duly elected members of the House of Representatives from the Fourteenth Representative District; and C. K. Holliday to be duly elected a member of the House of Representatives from the Fourth Representative District.

JUNE 27TH, 1855.—The Executive Office is removed from the Shawnee Manual Labor School, for the purpose of establishing it at the town of Pawnee, in the Ninth Election District.

JULY 2D, 1855.—The Executive Office is established at the town of Pawnee, in the Ninth Election District.

JULY 12TH, 1855.—The Executive Office is again established at the Shawnee Manual Labor School.

AUGUST 16TH, 1855.—The Governor informs the Legislative Assembly that his functions as Governor of the Territory were terminated, in the following message, addressed to the Council and House of Representatives:

To the Honorable the Members of the Council and the House of Representatives of the Territory of Kansas:

GENTLEMEN: Although in my message to your bodies, under date of the 21st inst., I stated that I was unable to convince myself of the legality of your session at this place, for reasons then given, and although that opinion still remains unchanged, yet, inasmuch as my reasons were not satisfactory to you, and the bills passed by your houses have been, up to this time, sent to me for approval, it is proper that I should inform you that after your adjournment of yesterday, I received official notification that my functions as Governor of the Territory of Kansas were terminated. No successor having arrived, Secretary Woodson will of course perform the duties of the office as acting Governor.

A. H. REEDER.

SHAWNEE MANUAL LABOR SCHOOL, August 16th, 1855.

AUGUST 17TH, 1855.—The acting Governor continues G. P. Lowrey in the office of Executive Clerk until the successor to Governor Reeder arrives in the Territory.

BIOGRAPHY OF GOVERNOR WILSON SHANNON.

[For the principal portion of this biography, the Historical Society is indebted to the able address of Hon. Benjamin F. Simpson, in the proceedings in the Supreme Court of Kansas, on the death of Governor Shannon.]

Wilson Shannon, the second Governor of Kansas Territory, was born on the 24th day of February, 1802, in the Territory of Ohio, in what is now the southwest portion of the county of Belmont. He was the youngest of a family of nine children, seven boys and two girls. In the winter of 1803 his father was frozen to death, while on a hunting expedition in the then wilderness bordering on the Ohio river. The widowed mother was thus left with this large family of children, to struggle alone with the world as best she could, the oldest child, John, then being but nineteen years of age. The sterling character developed in this eldest son proved him to be almost equal to the emergency of supplying the place of his father. He labored incessantly to procure means with which to educate his brothers and sisters, this labor of love never being interrupted but once, and that for a patriotic service in the army, during the war of 1812. In this short service he attained the rank of captain. He might have attained high position in civil life, but for his manly devotion to the interests of his brothers.

George, the second son, while yet a lad, joined Lewis and Clark's expedition to the Rocky Mountains, and while on the Upper Missouri river, in an engagement with the Indians, was wounded in the leg, and on his arrival at St. Charles had it amputated. He was taken to Philadelphia by Lewis and Clark, and had charge of the publication of their journal. While there he studied law, was admitted to the bar, and afterwards located in Lexington, Kentucky. Able as the bar was there, in a few years he was chosen Circuit Judge, and served in that capacity for three years. In 1828 he went to Missouri and located at Hannibal; was sent to the State Senate, made United States District Attorney for Missouri, and was a candidate for the United States Senate against Thomas H. Benton at the time of his second reelection. He was a celebrated criminal-law lawyer, and in August, 1836, while engaged in the defense of a man charged with murder, he died, in the court house at Palmyra, in the forty-ninth year of his age, having been born in Pennsylvania in 1787. The Legislature of Missouri, shortly after his death, named a county in the southern part of the State for him.

By the time George had become fairly established in practice at Lexington he was joined by James, the third son, whom John had educated and sent out into the world. James, it is said, was the most brilliant of all the brothers. He practiced law with great success at Lexington for ten years, and became prominent as a political leader, but the Whig majorities were

too great to be overcome, and he, being a Democrat, was always defeated for local position.

While residing at Lexington he married a daughter of ex-Governor Shelby; and on the 9th day of February, 1832, the President commissioned him as Charge d'Affaires to the Federation of Central America, but he died before reaching his post.

In the meantime, Thomas, the fourth son, by the aid of the devoted John, had embarked in merchandise at Barnesville, a growing town near the homestead, and was remarkably successful. He twice represented Belmont county in the Legislature, and in the fall of 1826, the same year in which Wilson was admitted to the bar, he was elected to Congress from that district. Serving out his term of two years, he retired from politics, and from that time on never wearied in pushing the fortunes of his youngest brother.

David, the fifth son, studied law with George at Lexington, and after his admission settled in Tennessee, where he practiced with success until President Jackson appointed him a Judge in the Territory of Florida, but he died before he could close his business to accept the place. Arthur, the sixth son, died when quite young.

The faithful John, aided by Thomas, now a member of the Legislature, took Wilson from the farm in his nineteenth year and sent him to the Ohio University, at Athens, for two years; then he was sent to Lexington, where he could board with George and James, and enter Transylvania University. While there he studied law with his brothers, and in 1826 came back to St. Clairsville for admission and practice. Surrounded by able lawyers, his diligence soon secured him a profitable practice, and he then married a daughter of E. Ellis, Esq., Clerk of the Court, and this allied him to a family powerful both at the bar and in political circles.

Among the brothers-in-law through this alliance was William Kennon, member of Congress from Ohio from 1834 to 1836, a member of the constitutional convention of 1850, a commissioner to revise the code, and afterwards, for years, on the Supreme Bench of Ohio; another is the Hon. George W. Manypenny, a leading public man in Ohio, and who was at the time of the organization of Kansas Territory, United States Commissioner of Indian Affairs; another is Hon. Hugh J. Jewett, at one time a member of Congress from Ohio, and afterward president of the New York & Erie Railway; another was the late Hon. Isaac E. Eaton, so long a respected and well-known citizen of Kansas, who died at Leavenworth a few years since, where he had long years resided.

In the fall of 1832, Wilson Shannon had become so well known as an able and popular young lawyer, that the Democrats of his district nominated him for Congress. The district was strongly Whig, but Shannon reduced the usually large majority of that party to only thirty-seven, which was received by his opponent, Gen. James M. Bell, a renowned lawyer of Cambridge, Guernsey county. In 1832 Shannon was elected County Attorney of his native county, by a large majority.

His first wife lived only a few years after her marriage, and Mr. Shannon subsequently married Miss Sarah Osbun, of Cadiz, Harrison county, Ohio. This devoted woman shared the fortunes of her husband through the long and eventful career which followed, and survived him, dying at Lawrence, Kansas, January 5th, 1881.

During the early years of the public life of Mr. Shannon, his conduct was such that the young Democrats throughout the State began to regard him as their leader, and when the Democratic clans mustered in Columbus, in the summer of 1838, the young lawyer from Belmont was made their candidate for Governor. The Whigs renominated "Honest Old Joe Vance," who was then serving a term as chief magistrate of the State that he had wrested from one of the most popular of the old Democratic leaders. But Shannon received a majority of the votes cast, and a boy born in the Territory was declared Governor of the State—the first native Governor.

The Whig triumph of 1840, in the election of William Henry Harrison of Ohio to the Presidency, also gave the Governorship of that State to the Whig candidate—Thomas Corwin—and Shannon was beaten for reelection. But two years later the tables turned, and the Democrats transposed the words of a Whig rhyme of a former campaign, and sang :

"Wilson Shannon gave a tanning
To Tom the wagoner boy.

On the 9th of April, 1844, President Tyler commissioned Governor Shannon as Minister to Mexico. This position he accepted, and held until May 14, 1845, when the Mexican war impending, diplomatic intercourse was suspended, and demanding his passports, he returned home.

In 1849, becoming enlisted in the California gold excitement, he went to that new Territory. But in two years he returned to Ohio, and in 1852 was elected to Congress from the district composed of his native county and three others. He cast his vote in the House of Representatives, in 1854, in favor of the passage of the Kansas-Nebraska bill. He was not a candidate for reelection.

On the removal of Governor Reeder from the office of Governor of Kansas Territory, in August, 1855, the vacant office was tendered to Hon. John L. Dawson, of Pennsylvania, who declined the appointment. Governor Shannon was commissioned Governor of Kansas Territory by President Pierce, August 10, 1855. He arrived at Westport, Missouri, on the borders of Kansas, September 1, the second day after the adjournment of the first Territorial Legislature, which had held its sessions at Shawnee Mission, near Westport. He took the oath of office before Secretary Woodson, and entered upon his official duties on the 7th of September.

The period at which Governor Shannon entered upon his duties was a very exciting one, making the Governor's office one of greater trial, perhaps, than had ever before been allotted to high public functionary in this country. The interest of the whole Nation had become enlisted in the Kansas

struggle. The struggle had become a national partisan one of the greatest magnitude. The Democratic party of the country had become committed to the work of establishing slavery in Kansas. The opposing party had become equally determined that slavery should be excluded. In Kansas and western Missouri, whatever had been former party affiliations, they now were broken down, and all the people had become enlisted in intense antagonism, under the names Pro-Slavery and Free-State.

Governor Shannon had come to Kansas as a Democrat. His life-long fidelity to the Democratic party, and the many honors which had been conferred upon him by it, had wedded him to strict obedience to its policy, whatever the deliberations of its councils may have determined that to be. He had accepted the office of Governor without a thought of any other than of strict good faith to his party.

As a lawyer of profound learning and large experience, he had been educated to accept the legal maxim that judicial and executive functions must be exercised in strict regard to the laws, *de facto*—to the law as at present found on the statute book; leaving it to the future for the people to change the laws, if by any means they existed in contravention of their will freely exercised by ballot.

The Governor had had nothing to do with the election of March 30, 1855. If that election had been carried by voters from Missouri, and not by the legal voters of the Territory, he was not responsible for the fact, nor responsible for the character of the laws framed by the Legislature which had thus been elected, however much those laws might be intended to operate to the harrassment and the exclusion from the Territory of settlers of Free-State sentiment. The remedy left to the class to whose disadvantage the laws operated, was to be found in future elections, through which might be brought about the removal of whatever of obnoxious legislation might have been placed on the statute book. As the highest executive authority in the Territory, it was his duty to execute the laws as he found them. Such appear to have been Governor Shannon's views of policy and duty upon entering upon his office.

In the necessary circumstances of the case, Governor Shannon was thrown into constant and exclusive association with those persons who were intensely wedded to the established policy of the Pro-Slavery party. He was sympathetic and confiding in his nature. Hence he was not unfrequently misled by wrong information and great exaggeration of fact, constantly presented to him. Added to this, his instructions from Washington came from a cabinet devoted to the policy of establishing slavery in Kansas at all hazards. Whatever of error or mistake may have occurred in his administration must be attributed largely to these peculiar conditions by which he was environed. The more authentic facts of his administration are to be gleaned from official records, a considerable portion of which are found in this volume.

His official services terminated with his resignation, which was forwarded to the President from Lecompton, August 18th, 1856. He continued to reside at Lecompton, whither the executive office had been removed in the spring of 1856. He entered actively into the practice of the law, in the higher courts of the Territory. Subsequently he removed to Lawrence, where he continued to live, leading a life of unblemished purity, and continuing to be the leading member of his profession in Kansas until the day of his death, which occurred peacefully at his home on the 30th day of August, 1877.

The children of Governor Shannon, now living, are Hon. Osbun Shannon, of Lawrence, Kansas, and Mrs. S. R. Keeler and Mrs. John A. Walsh, both residing in Washington, D. C.

EXECUTIVE MINUTES.

MINUTES RECORDED IN THE GOVERNOR'S OFFICE DURING THE ADMINISTRATION OF
GOVERNOR WILSON SHANNON, INCLUDING ALSO THOSE RECORDED IN
THE INTERVALS IN WHICH SECRETARY DANIEL WOOD-
SON WAS ACTING GOVERNOR.

[Daniel Woodson took the oath of office, as Secretary of Kansas Territory, at Washington, D. C., September 28th, 1854. At different times during his term of office, he had devolved upon him the powers of Governor of the Territory. The organic act provided that, "In case of the death, removal, resignation, or absence of the Governor from the Territory, the Secretary shall be, and he is hereby authorized and required, to execute and perform all the powers and duties of the Governor during such vacancy or absence, or until another Governor shall be duly appointed and qualified to fill such vacancy."

The first occasion in which either of the exigencies contemplated by the act occurred, was that of the absence of Governor Reeder, on a visit to the East, from April 17th to June 23d, 1855. The Executive Minutes show only two official acts during this period—one, May 29th, that of filing election returns, for the action of the Governor upon his return to the Territory; the other, the issuing of an executive warrant, on a requisition from the Governor of the State of Indiana.

On the removal of Governor Reeder from office, August 16th, 1855, Secretary Woodson became acting Governor, and served till September 7th, 1855, when Governor Shannon took the oath of office and entered upon its duties. On the departure of Governor Shannon on a visit to St. Louis, June 24th, 1856, Secretary Woodson again became Acting Governor, and served until July 7th, possibly later. The minutes do not show the day of the return of Governor Shannon. On the resignation of Governor Shannon, August 18, 1856, Secretary Woodson again became Acting Governor, and served until September 11th, when Governor John W. Geary assumed the duties of the office. On the departure of Governor Geary from the Territory, March 12th, 1857, Mr. Woodson again became Acting Governor, and continued as such until April 16th, when he was succeeded by Frederick P. Stanton, who had been appointed Secretary of the Territory.]

AUGUST 31, 1855.—Commissions issued to the following appointments made by the acting Governor, by and with the advice and consent of the Council:

To A. M. Coffey, as Major General of the Southern Division of Kansas Militia.

Wm. A. Heiskell, as Brigadier General of the First Brigade of the Southern Division of Kansas Militia.

Wm. Barbee, as Brigadier General of the Second Brigade of the Southern Division of Kansas Militia.

Wm. C. Yager, as Colonel of the First Regiment of the Southern Division of Kansas Militia.

George W. Johnson, as Colonel of the Second Regiment of the Southern Division of Kansas Militia.

S. A. Williams, as Colonel of the Third Regiment of the Southern Division of Kansas Militia.

Skilman Fleming, as Colonel of the Fourth Regiment of the Southern Division of Kansas Militia.

Wm. P. Richardson, as Major General of the Northern Division of the Militia of Kansas Territory.

F. J. Marshall, as Brigadier General of the First Brigade of the Northern Division of the Militia of Kansas Territory.

Lucien J. Eastin, as Brigadier General of the Second Brigade of the Northern Division of the Militia of Kansas Territory.

Robert Clark, as Colonel of the First Regiment of the Northern Division of the Militia of Kansas Territory.

Jas. E. Thompson, as Colonel of the Second Regiment of the Northern Division of the Militia of Kansas Territory.

David M. Johnson, as Colonel of the Third Regiment of the Northern Division of the Militia of Kansas Territory.

Archibald Payne, as Colonel of the Fourth Regiment of the Northern Division of the Militia of Kansas Territory.

Hiram J. Strickler, as Adjutant General of the Kansas Militia.

Thomas J. B. Cramer, as Inspector General of the Kansas Militia.

Same day, commissions issued to the following appointments of county officers made by the Legislative Assembly in joint session:

For Doniphan County—To Joel P. Blair as Probate Judge, and A. Dunning and E. B. Rogers as County Commissioners, and Carey B. Whitehead as Sheriff.

For Atchison County—To James Headley as Probate Judge, William Young and James M. Givens as County Commissioners, and Wm. C. McVay as Sheriff.

For Jefferson County—O. B. B. Tebbs as Probate Judge; Napoleon Hopewell and Samuel C. Hudson as County Commissioners, and George Dyer as Sheriff.

For Calhoun County—To James Kuykendall as Probate Judge, R. D. Beeler and William Alley as County Commissioners, and James Wilson as Sheriff.

For Leavenworth County—To John A. Halderman as Probate Judge, J. M. Hall and Matthew Walker as County Commissioners, and G. D. Todd as Sheriff.

For Douglas County—To John P. Wood as Probate Judge, George W. Johnson and John M. Banks as County Commissioners, and Samuel J. Jones as Sheriff.

For Johnson County—To A. S. Johnson as Probate Judge, John T. Peery and Joseph Parks as County Commissioners, and Benjamin F. Johnson as Sheriff.

For Lykens County—To I. Jacobs as Probate Judge, Henry Snyder and Jes. Beets as County Commissioners, and B. P. Campbell as Sheriff.

For Bourbon County—To Samuel A. Williams as Probate Judge, H. L. [T.] Wilson and Charles Wingfield as County Commissioners, and B. F. Hill as Sheriff.

For Allen County—To Charles Passmore as Probate Judge, B. Owen and B. W. Cowden as County Commissioners, and Wm. J. Godfrey as Sheriff.

For Anderson County—To George Wilson as Probate Judge, Wm. R. True and John Clark as County Commissioners, and P. D. Cummings as Sheriff.

For Franklin County—To J. Yocum as Probate Judge, Wm. McDow and James M. Robinson as County Commissioners, and Richard Golding as Sheriff.

For Shawnee County—To Wm. O. Yager as Probate Judge, and E. Hoagland and W. Yocum as County Commissioners, and Geo. W. Berry as Sheriff.

For Nemaha County—To George H. Perrin as Probate Judge, Jesse Adamson and John Ballore as County Commissioners, and James E. Thompson as Sheriff.

For Marshall County—To James Doniphan as Probate Judge, A. J. Woodward and S. J. Cramer as County Commissioners, and A. S. Clark for Sheriff.

For Riley County—To Clay Thompson as Probate Judge, Thos. Reynolds, sen., and Wm. Cuddy as County Commissioners, and John S. Price as Sheriff.

For Madison County—To Thos. Huffaker as Probate Judge, H. B. Elliot and C. H. Withington as County Commissioners, and John B. Foreman as Sheriff.

Same day, Chas. H. Grover was commissioned as District Attorney for the First Judicial District, H. A. Hutchinson as District Attorney for the Second Judicial District, and John T. Brady as District Attorney for the Third Judicial District.

AUGUST 10, 1855.—Wilson Shannon, of the State of Ohio, is commissioned Governor of the Territory by the President of the United States.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
 TERRITORY OF KANSAS, } ss.

I, Daniel Woodson, Secretary of said Territory of Kansas, do hereby certify that Wilson Shannon personally appeared before me, on this seventh day of September, A. D. 1855, at my office in said Territory, and was by me duly sworn according to law to support the Constitution of the United States, and faithfully to discharge the duties of the office of Governor of said Territory. Given under my hand, this seventh day of September, A. D. 1855.

DANIEL WOODSON, *Sec'y Kansas Territory.*

SEPTEMBER—, 1855.—Commission issued to Allen P. Tibbitts, as Probate Judge of the county of Arapahoe.

Commission issued to James Stringfellow, as Clerk of the Probate Court of the county of Arapahoe.

SEPTEMBER 6, 1855.—Commission issued to John Donalson, as Auditor of Public Accounts.

SEPTEMBER 17, 1855.—Resignation of G. W. Berry, as Sheriff of Shawnee county, received.

SEPTEMBER 21, 1855.—Commission issued to William A. Heiskell, as Clerk of the Tribunal for the Transaction of County Business, for the county of Lykens.

Commission issued to A. H. McFadden, as Coroner for the county of Lykens.

Commissions issued to Martin White and William Lebon, as Justices of the Peace for the county of Lykens.

Commissions to Barnett Hall and Peter J. Potts, as Constables of the county of Lykens.

SEPTEMBER 21, 1855.—Commission issued to Alexander McPherson, as Justice of the Peace for Shannon township, in the county of Atchison.

SEPTEMBER 22, 1855.—Commission issued to Thomas L. Fortune, as Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to J. C. Mannion, as Justice of the Peace for Shannon township, in the county of Atchison.

Commission issued to William D. Barnett, as Justice of the Peace for Grasshopper township, in the county of Atchison.

Commission issued to Greenberry B. Gates, as Constable for Mount Pleasant township, in the county of Atchison.

Commission issued to Felix Brown, as Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to Ira Norris, sen., as Treasurer of the county of Atchison.

Commission issued to Dudley McVay, as Coroner of the county of Atchison.

Commission issued to Archibald Elliott, as Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to Eli C. Mason, as Sheriff of the county of Atchison, *vice* William C. McVay, resigned.

Commission issued to Jacob Rees, as Constable of Grasshopper township, in the county of Atchison.

Commission issued to P. P. Wilcox, as Justice of the Peace for Shannon township, in the county of Atchison.

Commission issued to James T. Darnall, as Constable for Shannon township, in the county of Atchison.

Commission issued to Samuel Walters, as Assessor for the county of Atchison.

SEPTEMBER 22, 1855.—Commission issued to Ira Norris, as Clerk of the Board of County Commissioners for the county of Atchison.

Commission issued to J. Farley, as Clerk of the Board of County Commissioners for the county of Bourbon.

Commission issued to John N. Catrell, as Constable for the county of Bourbon.

Commission issued to Thomas Watkins, as Justice of the Peace for the county of Bourbon.

SEPTEMBER 24, 1855.—Commission issued to Christopher E. Huffaker, as Clerk of the Board of County Commissioners for Johnson county.

SEPTEMBER 26, 1855.—Commission issued to Richard R. Rees, as Justice of the Peace for the township of Leavenworth, in the county of Leavenworth.

Commission issued to H. P. Johnson, as Justice of the Peace for the township of Leavenworth, in the county of Leavenworth.

Commission issued to Thomas C. Hughes, as Constable for the township of Leavenworth, in the county of Leavenworth.

Commission issued to Leander F. Hollingsworth, as Justice of the Peace for the township of Delaware, in the county of Leavenworth.

Commission issued to Wilson Fox, as Constable for the township of Delaware, in the county of Leavenworth.

SEPTEMBER 29, 1855.—Commission issued to James Christian, as Clerk of the Board of County Commissioners for the county of Douglas.

OCTOBER 4, 1855.—Commission issued to James R. Whitehead, as Clerk of the Board of County Commissioners for the county of Doniphan.

Commission issued to James F. Foreman, as County Surveyor for Doniphan county.

Commission issued to Henry Thompson, as Coroner for the county of Doniphan.

Commissions issued to A. Q. Rice and Milford Gillmore, as Justices of the Peace for Wolf River township, in the county of Doniphan.

Commission issued to Jesse Lewis, as Justice of the Peace for the township of Iowa, in the county of Doniphan.

Commission issued to James Pateet, as Constable for the township of Iowa, in the county of Doniphan.

Commissions issued to Thomas W. Waterson and Labon Pritchard, as Justices of the Peace for Burr Oak township, in the county of Leavenworth. [Doniphan.]

Commissions issued to Albert Head and F. Mahan, as Justices of the Peace for Washington township, in the county of Doniphan.

Commission issued to Hamilton J. Johnson, as Constable for Washington township, in the county of Doniphan.

Commission issued to John A. Vanarsdale and William Shaw, as Justices of the Peace for Wayne township, in the county of Atchison. [Doniphan.]

Commission issued to Joshua Saunders, as Constable for Wayne township, in the county of Doniphan.

Commission issued to S. W. Tunnel, as Constable for the township of Kickapoo, in the county of Leavenworth.

OCTOBER 4, 1855.—Commission issued to Cyrus Doleman, as Clerk of the Board of County Commissioners for the county of Nemaha.

Commission issued to Oliver P. Williams, as Treasurer for the county of Nemaha.

Commission issued to Thomas Newton, jr., as Coroner for the county of Nemaha.

Commission issued to Horace Newton, as Constable for the county of Nemaha.

OCTOBER 5, 1855.—Commission issued to John D. Wells, as County Commissioner for the county of Marshall, *vice* A. G. Woodward, resigned.

OCTOBER 8, 1855.—Commission issued to James Corlew, as Constable for Franklin township, in the county of Douglas.

Commission issued to Charles C Spalding, as Justice of the Peace for Lecompton township, in the county of Douglas.

Commission issued to Hugh Cameron, as Treasurer of the county of Douglas.

Commission issued to Peter Crockett, as Coroner for the county of Douglas.

Commission issued to G. B. Redman, as Justice of the Peace for the township of Delaware, in the county of Leavenworth.

Commission issued to Alexander Russell, as Justice of the Peace for the township of Leavenworth, in the county of Leavenworth.

Commission issued to Ethan A. Long, as Constable for the township of Wyandott, in the county of Leavenworth.

Commission issued to John W. Ladd, as Justice of the Peace for the township of Wyandott, in the county of Leavenworth.

OCTOBER 8, 1855.—Commission issued to William L. Kuykendall, as Clerk of the Board of County Commissioners for the county of Calhoun.

OCTOBER 10, 1855.—Commission issued to John Martin, as Clerk of the Board of County Commissioners for the county of Shawnee.

Commission issued to Duke W. Hunter, as Superintendent of Public Buildings for the county of Shawnee.

Commission issued to John Horner, as Sheriff of the county of Shawnee, *vice* George W. Berry, resigned.

Commissions issued to John W. Kavanaugh and George W. Redman, as Justices of the Peace for the county of Shawnee.

Commission issued to Isaac N. Campbell, as Constable of the county of Shawnee.

OCTOBER 15, 1855.—Commission issued to C. R. Mobley, for County Commissioner of Riley county, *vice* Wm. Cuddy, resigned.

Commission issued to John S. Reynolds, as Clerk of the Board of County Commissioners for the county of Riley.

Commission issued to F. C. Sonnamaker, as Coroner for the county of Riley.

Commission issued to Thomas Dixon, as Constable of the county of Riley.

Commission issued to James Dixon, L. B. Penny, and A. A. Garrett, as Justices of the Peace for the county of Riley.

OCTOBER 19, 1855.—Commission issued to John A. Halderman, as Lieutenant Colonel Fourth Regiment, Second Brigade, Northern Division of Kansas Militia.

OCTOBER 20, 1855.—Commission issued to Thomas J. B. Cramer, as Territorial Treasurer.

OCTOBER 30, 1855.—The returns of the judges of the election held on the first Monday of October, in pursuance of law, for a Delegate to the Thirty-fourth Congress, being duly examined, and John W. Whitfield, having received a majority of the legal votes polled, is declared by the Governor to be duly elected, and a certificate of election by the Governor, under the seal of the Territory, is accordingly issued to the said John W. Whitfield.

NOVEMBER 9, 1855.—Commissions issued to Wiley Patterson, Cowan Mitchell, Henry Miller, and D. Guthrey, as Justices of the Peace for the county of Bourbon.

Commissions issued to James B. Russell, Nelson L. Loyd, and John Haliday, as Constables for the county of Riley.

Commission issued to H. R. Kelsoe, as Coroner for the county of Bourbon.

Commission issued to Edward Searcy, as Treasurer for the county of Doniphan.

Commissions issued to John C. Boggs and W. C. Fasten, as Justices of the Peace for the county of Brown.

Commission issued to William Plunket, as Constable for the county of Brown.

Commission issued to Wiley Williams, as a Justice of the Peace for Kickapoo township, in the county of Leavenworth.

Commission issued to M. Pierce Riveley, as Treasurer for the county of Leavenworth.

NOVEMBER 10, 1855.—Commission issued to H. W. Buckley, as Constable for Louisiana township, in the county of Douglas.

NOVEMBER 22, 1855.—Commission issued to James P. Sanders, as Justice of the Peace for Washington township, in the county of Washington.

NOVEMBER 24, 1855.—Commission issued to Samuel Crane, as Justice of the Peace for Franklin township, in the county of Douglas.

Commission issued to Hugh Cameron, as Justice of the Peace for the township of Lawrence, in the county of Douglas.

Commission issued to Franklin M. Coleman, as Justice of the Peace for Louisiana township, in the county of Douglas.

Commission issued to Joshua N. Hargus, as Justice of the Peace for Louisiana township, in the county of Douglas.

Commission issued to Samuel Clark, as Justice of the Peace for Washington township, in Douglas county.

Commission issued to Joseph W. Shepard, as Justice of the Peace for Lecompton township, in Douglas county.

Commissions issued to Perry Fleshman and Samuel J. Lockhart, as Justices of the Peace for the township of Douglas, in the county of Calhoun.

Commission issued to Rolla J. Fulton, as Constable for the township of Douglas, in the county of Calhoun.

Commission issued to George S. Young, as Justice of the Peace for the township of Half-Day, in the county of Calhoun.

NOVEMBER 26, 1855.—Commission issued to George Ringo, as Constable of Shannon township, in the county of Atchison, *vice* James T. Darnell, declined.

Commission issued to William Reynolds, as Justice of the Peace for the township of Alexandria, in the county of Leavenworth.

Commission issued to Thomas J. Carson, as Constable for Alexandria township, in the county of Leavenworth.

Commission issued to William P. Tuttle, as Justice of the Peace for Shawnee county, *vice* John W. Kavanaugh, resigned.

NOVEMBER 27, 1855.—The Governor received special dispatches from the sheriff of Douglas county, stating that there was a large force of armed outlaws in that county in open resistance to the laws of the Territory, and calling for a posse of three thousand men to enable him to execute processes then in his hands. Whereupon the Governor issues the following orders to Major General William P. Richardson, of the Northern Division of Kansas Militia, and Adjutant General H. J. Strickler:

HEADQUARTERS, SHAWNEE MISSION. }
KANSAS TERRITORY, November 27th. 1855. }

SIR: Reliable information has reached me that an armed military force is now in Lawrence and that vicinity, in open rebellion against the laws of this Territory, and that they have determined that no process in the hands of the sheriff of that county shall be executed. I have received a letter from S. J. Jones, sheriff of Douglas county, informing me that he had arrested a man under a warrant placed in his hands, and while conveying him to Lecompton he was met by an armed force of some forty men, and that the prisoner was taken out of his custody, and open defiance bid to the laws. I am also duly advised that an armed band of men burnt a number of houses, destroyed personal property, and turned whole families out of doors in Douglas county; warrants will be issued against these men, and placed in the hands of the sheriff of Douglas county for execution. He has written to me demanding three thousand men to aid him in executing the process of the law, and the preservation of the peace.

You are, therefore, hereby ordered to collect together as large a force as you can in your division, and repair without delay to Lecompton, and report yourself to S. J. Jones, the sheriff of Douglas county, together with the number of your forces, and render to him all the aid and assistance in your power, if required in the execution of any legal process in his hands. The forces under your command are to be

used for the sole purpose of aiding the sheriff in executing the law, and for no other purpose. I have the honor to be your obedient servant,

Major General Wm. P. Richardson.

WILSON SHANNON.

HEADQUARTERS, SHAWNEE MISSION,)
KANSAS TERRITORY, November 27th, 1855. }

SIR: I am this moment advised by letters from S. J. Jones, sheriff of Douglas county, that while carrying a prisoner to Lecompton, whom he had arrested by virtue of a peace warrant, he was met by a band of armed men, who took said prisoner forcibly out of his possession, and bid defiance to the execution of all law in this Territory. He has demanded of me three thousand men to aid him in the execution of the legal process in his hands. As the Southern Division of the militia of this Territory is not organized, I can only request you to collect together as large a force as you can, and at as early a day as practicable report yourself with the forces you may raise to S. J. Jones, sheriff of Douglas county, and to give him every assistance in your power, in the execution of the legal process in his hands. Whatever forces you may bring to his aid are to be used for the sole purpose of aiding the sheriff in the execution of the law, and no other. It is expected that every good citizen will aid and assist the lawful authorities in the execution of the laws of the Territory, and the preservation of good order. Your obedient servant,

General H. J. Strickler.

WILSON SHANNON.

NOVEMBER 28, 1855.—The Governor writes the following letter to the President of the United States:

EXECUTIVE OFFICE, SHAWNEE MISSION,)
KANSAS TERRITORY, November 28th, 1855. }

SIR: Affairs in this Territory are daily assuming a shape of great danger to the peace and good order of society. I am well satisfied that there exists in this Territory a secret military organization, which has for its object, among other things, resistance to the laws by force. Until within a few days past I have looked upon the threats of leading men and public papers, who have placed themselves in an attitude of resistance to the laws, as not intended by those who made them to be carried into execution. I am now satisfied of the existence of this secret military organization, and that those engaged in it have been secretly supplied with arms and munitions of war, and that it is the object and purpose of this organization to resist the laws by force. The strength of the organization is variously estimated at from one to two thousand, but I have no satisfactory data from which to estimate its real strength, and I do not believe they can command for any given purpose more than one thousand men. They are said to be well supplied with Sharp's rifles and revolvers, and that they are bound by an oath to assist each other in the resistance of the laws when called upon to do so. Independently of the disclosures made by those who formerly belonged to this association and the hints thrown out by some of the public journals in their interest, the most practical proof of these allegations consists in their own acts. A few days since a difficulty took place in Douglas county, some ten miles south of Lawrence, between one of these men and a man by the name of Coleman, from Virginia, in relation to a claim, in which the former was shot, and died immediately. Coleman was taken into custody for trial by the sheriff of that county, and to avoid all ground of objection as to legal authority, Judge Lecompte was written to, and requested to attend at the county seat (it being in his judicial district) and sit as an examining court. In the mean time, a large body of armed men, said to be from three to four hundred, collected at or near Lawrence for the avowed purpose of rescuing Coleman from the sheriff and executing him without a trial. Coleman

claims that he shot the man strictly in self-defense, and is willing to abide a judicial investigation and trial.

On Monday last a warrant was issued against one of this band of men for threatening the life of one of his neighbors, and placed in the hands of the sheriff of the county for execution, who with a posse of some ten men arrested him on Tuesday night, and as he was conveying the prisoner to Lecompton he was met about two o'clock in the morning by a band of these men, consisting of between forty and fifty, all armed with Sharp's rifles and revolvers, who forcibly rescued the prisoner out of his hands, and openly proclaimed that there were no officers or law in this Territory. In the settlement in which these transactions took place there were from sixteen to twenty law-and-order families, and about one hundred free-soil families. At the last advices three of the houses of the former had been burned down by this armed band, cattle had been killed, and a considerable amount of corn and other personal property destroyed, and the whole law-and-order population of that neighborhood, induced by terror, had fled, except two families, whose lives were threatened. Helpless women and children have been forced by fear and threats to flee from their homes and seek shelter and protection in the State of Missouri. Measures were being taken by the legal authorities to procure warrants against these lawless men, and have them arrested and legally tried.

Under these circumstance, the sheriff of the county has called on me for three thousand men to aid him in the execution of the warrants in his hands, and to protect him and his prisoner from the violence of this armed force. The force required by the sheriff is far beyond what I believe to be necessary, and, indeed, far beyond what could be raised in this Territory. From five to eight hundred men will be amply sufficient, I have no doubt, to protect the sheriff, and enable him to execute the legal process in his hands. With the view of giving to the sheriff the requisite aid, I have issued orders to Major General Richardson, of the Northern Division of Militia of this Territory, a prudent and discreet man, a copy of which I send you herewith. I also send you a copy of a request I have made of General Strickler, who resides in the adjoining county to Douglas. These are the only orders I have thought it necessary to issue, by means of which I believe a sufficient force will be raised to protect the sheriff and enable him to execute the legal process in his hands.

The time has come when this armed band of men, who are seeking to subvert and render powerless the existing government, have to be met and the laws enforced against them, or submit to their lawless dominion. If the lives and property of unoffending citizens of the Territory cannot be protected by law, there is an end to practical government, and it becomes a useless formality.

The excitement along the borders of Missouri is running wild, and nothing but the enforcement of the laws against these men will allay it. Since the disclosure of the existence and purposes of this secret military organization in this Territory, there has been much excitement along the borders of Missouri, but it has been held in check heretofore by assurances that the laws of the Territory would be enforced, and that protection would be given to the citizens against all unlawful acts of this association. This feeling and intense excitement can still be held in subordination if the laws are faithfully executed; otherwise there is no power here that can control this border excitement, and civil war is inevitable. This military organization is looked upon as hostile to all Southern men, or rather to the law-and-order party of the Territory, many of whom have relations and friends, and all have sympathizers, in Missouri; and the moment it is believed the laws will not furnish adequate protection to this class of citizens against the lawless acts of this armed association, a force will be precipitated across the line to redress real and supposed wrongs, inflicted on friends, that cannot be controlled, or, for the moment, resisted. It is in vain to con-



ceal the fact: we are standing on a volcano; the upheavings and agitations beneath, we feel, and no one can tell the hour when an eruption may take place. Under existing circumstances, the importance of sustaining the sheriff of Douglas county, and enabling him to execute his process, independent of other considerations connected with the peace and good order of society, will strike you at once; and to do this by the aid and assistance of the citizens of this Territory, is the great object to be accomplished, to avoid the dreadful evils of civil war. I believe this can be done. In this, however, I may be mistaken. No efforts shall be wanting on my part to preserve good order in the Territory, and I will keep you constantly advised of the progress and state of things here.

I have the honor to be, your obedient servant.

His Excellency Franklin Pierce.

WILSON SHANNON.

NOVEMBER 28, 1855.—Commission issued to James H. Murrill, as Constable for the township of Washington, in the county of Doniphan, *vice* — Johnson, resigned.

NOVEMBER 29, 1855.—The Governor issued the following proclamation to the citizens of the Territory:

PROCLAMATION.

By the Governor of Kansas Territory.

Whereas, reliable information has been received that a numerous association of lawless men, armed with deadly weapons, and supplied with all the implements of war, combined and confederated together for the avowed purpose of opposing by force and violence the execution of the laws of this Territory, did, at the county of Douglas, on or about the 26th of this month, make a violent assault on the sheriff of said county with deadly weapons, and did overcome said officer, and did rescue from his custody by force and violence, a person arrested by virtue of a peace warrant, and then and there a prisoner holden by the said sheriff, and other scandalous outrages did commit in violation of law;

And whereas, also, information has been received that this confederated band of lawless men did, about the same time, set fire to and burn down a number of houses of peaceable and unoffending citizens, and did destroy a considerable amount of personal property, and have repeatedly proclaimed that they would regard no law of this Territory, resist by force of arms all officers and those aiding and assisting them in the execution of the laws, or any process issued in pursuance thereof:

And whereas, also, I have received satisfactory information that this armed organization of lawless men have proclaimed their determination to attack the said sheriff of Douglas county, and rescue from his custody a prisoner, for the avowed purpose of executing him without a judicial trial, and at the same time threatened the life of the said sheriff and the citizens:

Now, therefore, to the end that the authority of the laws may be maintained and those concerned in violating them brought to immediate and condign punishment, and that the sheriff of Douglas county may be protected from lawless violence in the execution of the lawful warrants and other process in his hands, I, Wilson Shannon, Governor of said Territory, have issued this, my proclamation, calling on all well-disposed citizens of this Territory to rally to the support of the laws of their country, and requiring and commanding all officers, civil and military, and all other citizens of this Territory, who shall be found within the vicinity of these outrages, to be aiding and assisting by all means in their power in quelling this armed organ-

ization, and assisting the said sheriff and his deputies in recapturing the above-named prisoner, and aiding and assisting him in the execution of all legal processes in his hands.

And I do further command that the District Attorney for the district in which these outrages took place, and all other persons concerned in the administration and execution of the laws, cause the above offenders, and all such as aided or assisted them, to be immediately arrested and proceeded with according to law.

[L. s.] Given under my hand and the seal of this Territory, this 29th day of November, in the year of our Lord eighteen hundred and fifty-five.

By the Governor:

WILSON SHANNON.

DANL. WOODSON, *Secretary*.

DECEMBER 2, 1855.—The Governor sends the following dispatches to Sheriff Jones and Major General Richardson:

EXECUTIVE OFFICE, SHAWNEE MISSION, }
KANSAS TERRITORY, December 2, 1855. }

I have received a reply to my dispatch to Col. Sumner, informing me that he will be ready at a moment's warning to move with his whole force, if desired, as soon as orders are received from Washington. My telegraphic dispatch to the President has been sent through before this time, and I will receive in a short time, I have no doubt, the authority desired to call on the United States troops. Under these circumstances, you will wait until I can get the desired orders from Washington before attempting to execute your writs. This will prevent any effusion of blood, and will have a moral influence which will prevent hereafter any resistance to the laws. When these lawless men find that the forces of the United States can be used to preserve order, they will not be so ready to put themselves in opposition, and, if necessary, steps will be taken to station an adequate force in that region to protect the people against lawless violence, and to insure the execution of the laws. You will retain a force adequate to protect you from violence, and to guard your prisoner. Any force beyond this had better remain at a distance until it shall be ascertained whether their aid will or will not be needed. The known deficiency in the arms and all the accoutrements of war, which necessarily must characterize the law-abiding citizens that have rushed to your assistance in the maintenance of law, will invite resistance on the other side, who are well armed, and it is wrong to place these men in a position where their lives may be endangered, when we will, in all probability, have an ample force from the Fort in a few days.

Show this letter to Major General Richardson and General Eastin, who, I am advised, have gone to your aid. They go to Leecompton, but will join you wherever you are. Their forces are small, and may be required for your protection until advices are received from Washington.

I send you a letter to Gen'l Richardson, which you will please place in his hands at as early a day as practicable. I refer him to this letter to you for my views. You will let him see it.

Let me know the number of warrants you have, and the names of defendants. I will probably accompany Col. Sumner's command. Yours, &c.,

Mr. Jones, Sheriff.

WILSON SHANNON.

EXECUTIVE OFFICE, SHAWNEE MISSION, }
KANSAS TERRITORY, December 2, 1855. }

MY DEAR SIR: I have written a letter to Sheriff Jones, putting him in possession of what I have done, and the expectations I have of getting from Washington, authority forthwith to call on the United States forces at the Fort. I have sent a dis-

patch to Col. Sumner, and received a reply that he will be ready at any moment to move with the whole force as soon as orders are received from Washington. These orders are confidently expected in a day or two. I am desirous to use the United States forces, as it will have a salutary influence on these lawless men hereafter. When they find that the United States forces can be used to preserve the peace and execute the laws of the Territory, they will not be so ready to put themselves in a hostile attitude. In the meantime you will remain with Jones, the sheriff, with an adequate force for his protection, and the security of his prisoner. The other forces under your command will remain at a distance, and ready when called on to act. You will be careful in preserving order and restraining all illegal acts. Let everything that is done be for the preservation of law and order and the protection of the sheriff, and to enable him to serve the legal process in his hands. When these objects are accomplished, your command will retire.

I shall accompany Col. Sumner with the United States forces.

Yours with very great respect,

Major General Richardson.

WILSON SHANNON.

DECEMBER 4, 1855.—The Governor sends a letter to Col. E. V. Sumner, at Fort Leavenworth, with the telegraphic dispatch from the President.

DECEMBER 5, 1855.—The Governor receives the following letter in reply to his letter of yesterday to Col. Sumner :

HEADQUARTERS FIRST CAVALRY,)

FORT LEAVENWORTH, December 5, 1855—10 o'clock A. M.)

GOVERNOR: I have just received your letter of yesterday, with the telegraphic dispatch of the President. I will march with my regiment in a few hours, and will meet you at the Delaware crossing of the Kansas this evening.

With high respect, your obedient servant,

His Excellency Wilson Shannon.

E. V. SUMNER, *Col. 1st Cavalry.*

DECEMBER 6, 1855.—The Governor receives the following letter from Col. Sumner:

HEADQUARTERS FIRST CAVALRY,)

FORT LEAVENWORTH, December 5, 1855.)

GOVERNOR: On more mature reflection I think it will not be proper to move before I receive the orders of the Government. I shall be all ready whenever I get them.

This decision will not delay our reaching the scene of difficulty, for I can move from this place to Lawrence as quickly, (or nearly so,) as I could from the Delaware crossing, and we could not, of course, go beyond that place without definite orders.

With high respect, your obedient servant.

E. V. SUMNER, *Col. 1st Cavalry, Commanding.*

His Excellency Wilson Shannon.

DECEMBER 6, 1855.—The Governor sends the following special dispatch to Col. Sumner:

WAKARUSA, December 6, 1855.

I send you this special dispatch to ask you to come to Lawrence as soon as you possibly can. My object is to rescue the citizens of that place, as well as all others, from a conflict of arms, which, if once commenced, there is no telling when it will

end. I doubt not you have received orders from Washington, but if you have not, the absolute pressure of this crisis is such as to justify you with the President and the world in moving with your forces to the scene of difficulty. It is hard to restrain the men here; they are beyond my power of restraint, or at least soon may be, to prevent them from making an attack on Lawrence, which, if once made, there is no telling when it will end. The presence of a portion of the United States troops in Lawrence will prevent an attack, save bloodshed, and enable me to get matters arranged in a satisfactory way, and at the same time secure the execution of the law. It is peace, not war, that we want, and you have the power to secure peace. Time is precious; fear not but you will be sustained.

With great respect,

WILSON SHANNON.

Col. Sumner.

DECEMBER 4, 1855.—The Governor receives the following letters from Major General Richardson and George W. Clarke, Esq.:

LECOMPTON, KANSAS TERRITORY, }
December 3, 1855—12 o'clock P. M. }

DEAR SIR: I believe it to be essential to the peace and tranquility of the Territory that the outlaws at Lawrence and elsewhere be required to surrender their Sharp's rifles. There can be no security for the future safety of the lives and property of law-abiding citizens until these lawless men are at least deprived of their Sharp's rifles, which we know have been furnished them for the purpose of resisting the laws. In fact, law-abiding citizens will be compelled to leave the Territory unless the outlaws are made to surrender their Sharp's rifles and artillery, if they have any. I do not, however, feel authorized from your instructions to me to make this demand. Should you concur with me in opinion, please let me know by express at once. A new express had better be sent in lieu of the bearer of this, as he will be fatigued. I am diligently using every necessary precaution to prevent the effusion of blood and preserve the peace of the Territory. As the Sharp's rifles may be regarded as private property by some, I can give a receipt for them, stating that they will be returned to the owners at the discretion of the Governor.

Very respectfully, your obedient servant,

WM. P. RICHARDSON,
Major General in Command.

His Excellency Gov. Wilson Shannon.

CAMP CLARKE, Dec. 3, 1855.

DEAR SIR: I hasten to write you by our express which is now on its way (12 o'clock at night). My house is a fortification. I am compelled to keep a guard with sentinels, all night. Unless the violators of the law are disarmed, the country is ruined. Should the troops withdraw without this being done, a partisan war will continue, murders, house-burnings, and all the outrages incident to civil war will follow, and we (the law-abiding men) will have to withdraw from the Territory, to our great pecuniary distress. The outlaws have marked our men; they keep their movements secret, and we know not who is the first to be attacked, or when it will be made. We have learned from ample authority that more than one hundred Sharp's rifles are distributed in this immediate neighborhood. My next-door neighbors have them in possession, and only two days ago ten armed men surrounded a member of my family, with threatening language, and ended the interview with a threat to dispose of myself. We, the law-abiding men, appeal to you, and insist that nothing less than the surrender of the arms now held by the traitors can satisfy the country. They are in open rebellion. They have these arms for the special purpose of resisting the laws and revenging supposed injuries. With these arms in hand they have forc-

bly rescued prisoners from the hands of officers; they threaten to rescue others; they are protecting men who have broken custody, and in every sense they are traitors and giving aid and comfort to traitors.

In haste, your friend and obt. svt.,

Gov. Wilson Shannon, Shawnee Mission.

GEORGE W. CLARKE.

N. B.—I commend my family to your protection.

DECEMBER 5, 1855.—The Governor receives the following dispatch from Gen. Strickler:

CAMP WAKARUSA, December 4. 1855.

SIR: Inclosed is a dispatch from Gen. Richardson; and accompanied, I have the honor to inform you that I was in Lawrence yesterday, and found two hundred and fifty men under arms, and about six hundred men in the town willing to bear arms against the officers. In Camp Wakarusa there are now about two hundred and fifty men under my command.

Very respectfully,

Gov. Shannon.

H. J. STRICKLER, *Com. S. Division.*

DECEMBER 8, 1855.—The Governor issued the following orders to Major General Richardson, Gen. Strickler, and Sheriff Jones:

WAKARUSA, December 8, 1855.

SIR: You will repress all demonstrations of a disorderly character, and make no movement except from me. If any attempt should be made on Lawrence without orders, you will use your whole force to check it. In the present state of negotiations an attack on Lawrence would be wholly unjustifiable.

Your obedient servant,

Maj. Gen'l Richardson.

WILSON SHANNON.

CAMP WAKARUSA, December 8. 1855.

SIR: Being fully satisfied that there will be no further resistance to the execution of the laws of this Territory, or to the service of any legal process in the county of Douglas, you are hereby ordered to cross the Kansas river to the north side, as near Lecompton as you may find it practicable, with your command, and disband the same at such time and place and in such portions as you may deem most convenient.

Yours with great respect,

Maj. Gen'l Richardson.

WILSON SHANNON.

KANSAS TERRITORY, CAMP WAKARUSA, December 8. 1855.

SIR: Being fully satisfied there will be no further resistance to the execution of the laws of the Territory, or to the service of any legal process in the county of Douglas, you are hereby ordered to disband your command at such time and place as you may deem most convenient. Yours with great respect,

General Strickler.

WILSON SHANNON.

KANSAS TERRITORY, CAMP WAKARUSA, Dec. 8, 1855.

Having made satisfactory arrangements by which all legal process in your hands, either now or hereafter, may be served without the aid of your present posse, you are hereby required to disband the same.

Yours, with great respect,

WILSON SHANNON.

S. J. Jones, Sheriff of Douglas county.

DECEMBER 10, 1855.—Governor Shannon receives the following letter from Col. Sumner:

HEADQUARTERS FIRST CAVALRY. }
FORT LEAVENWORTH, Dec. 7, 1855. }

GOVERNOR: I have received yours of the 5th and 6th instants. I regret extremely to disappoint you, but the more I reflect upon it, the more I am convinced that I ought not to interpose my command between the two hostile parties in this Territory until I receive orders from the Government. We know that the whole matter is now in the hands of the Executive, and it is an affair of too much importance for anyone to anticipate the action of the Government. I am momentarily expecting to receive orders, and whenever they come I shall move instantly, by night or by day. If you find those people bent on attacking the town, I would respectfully suggest that they might be induced to pause for a time on being told the orders of the General Government were expected every moment, and that there was no doubt that these orders, framed from an enlarged view of the whole difficulty, would give general satisfaction and settle the matter honorably for both parties.

I am, Governor, with much respect, your obedient servant, E. V. SUMNER,
Colonel First Cavalry, Commanding.
His Excellency Wilson Shannon, Governor of Kansas.

DECEMBER 11, 1855.—The Governor writes to the President as follows:

SHAWNEE MISSION, K. T., December 11, 1855.

SIR: In my dispatch to you of the 28th ultimo, I advised you of the threatened difficulties in relation to the execution of the laws of this Territory in Douglas county. The excitement which then existed continued to increase, owing to the aggravated reports from Lawrence and that vicinity, in relation to the military preparations that were being made to attack the sheriff, and resist the execution of the laws. The excitement increased and spread, not only throughout this whole Territory, but was worked up to the utmost point of intensity in the whole of the upper portion of Missouri. Armed men were seen rushing from all quarters towards Lawrence—some to defend the place, and others to demolish it. The orders I had issued to Major General Richardson and General Strickler had brought to the sheriff of Douglas county a very inadequate force for his protection, when compared with the forces in the town of Lawrence. Indeed, the militia of the Territory being wholly unorganized, no forces could be obtained except those who voluntarily tendered their aid to the sheriff or to Generals Richardson and Strickler. The whole force in the Territory thus obtained did not amount to more than three or four hundred men, badly armed, and wholly unprepared to resist the forces at Lawrence, which amounted at that time to some six hundred men, all remarkably well armed with Sharp's rifles and other weapons. These facts becoming known across the line in the State of Missouri, large numbers of men from that State, in irregular bodies, rushed to the county of Douglas, and many of them enrolled themselves in the sheriff's posse.

In this state of affairs I saw no way of avoiding a deadly conflict but to obtain the use of the United States forces at Fort Leavenworth, and with that view I addressed you a telegraphic dispatch, and received on the 5th inst. your very prompt and satisfactory reply of the 4th inst., a copy of which I immediately transmitted by special dispatch to Col. Sumner, with the request that he would accompany me with his command to the scene of difficulty. In reply, I was informed that he would immediately do so, having no doubt that in due time proper instructions would be received from the War Department. Information, however, which I received from both parties, convinced me that my presence was necessary to avoid a conflict, and

without waiting for Col. Sumner I repaired to the seat of threatened hostilities, at the same time advising Col. Sumner by special dispatch of this movement. On my way to Lawrence I met a dispatch from Col. Sumner, informing me that upon reflection he had changed his determination, and that he would not march with his command until he had received orders from the proper department, but that he would be ready to move with his command the moment such orders came to hand.

I proceeded as rapidly as possible to the camp of Gen. Strickler, on the Wakarusa, six miles east of Lawrence, and arrived in camp about three o'clock in the morning of the sixth instant. I found that Gen. Strickler and Gen. Richardson had very judiciously adopted the policy of incorporating into their respective commands all the irregular forces that had arrived. This was done with the view of subjecting them to military orders and discipline, and to prevent any unlawful acts or outbreaks. The great danger to be apprehended was from an unauthorized attack on the town of Lawrence, which was being strongly fortified, and had about one thousand and fifty men, well armed, to defend it, with two pieces of artillery; while on the other side there were probably in all near two thousand men, many of them indifferently armed, but having a strong park of artillery. I found in the camp at Wakarusa a deep and settled feeling of hostility against the opposing forces at Lawrence, and apparently a fixed determination to attack that place and demolish it and the presses, and take possession of their arms. It seemed to be a universal opinion in camp that there was no safety in the law-and-order party in the Territory while the other party were permitted to retain their Sharp's rifles, an instrument used only for war purposes.

After mingling with all the leading men in the Wakarusa camp, and urging on them the importance of avoiding a conflict of arms, that such a step would probably light the torch of civil war and endanger the very Union itself, I still found that there was a strong desire with all, and a fixed determination with many, to compel the forces in Lawrence to give up their arms. Believing that such a demand would lead to a conflict, which if once commenced no one could tell where it would end, and seeing no way to avoid it except by the aid of United States forces, I again wrote another communication to Col. Sumner, and sent it to him by special dispatch about three o'clock on the morning of the 7th, requesting his presence, a copy of which I send you herewith, marked "E." I received no reply until my return to this place, after the difficulty had been arranged. I send you a copy of this reply, marked "F."

Early on the morning of the 7th instant I repaired to the camp at Lawrence, and found them busily engaged on their fortifications and drilling their forces, and had a full and satisfactory interview with the committee appointed by the forces in Lawrence in relation to the impending difficulties. So far as the execution of the laws was concerned, we had no difficulty in coming to a satisfactory understanding. It was at once agreed that the laws of the Territory should have their regular course, and that those who disputed them should, if they desired to do so, test that question in the judicial tribunals of the country: that in the meantime no resistance should be made to their due execution, and the citizens of Lawrence and vicinity were, when properly called on, to aid in the arrest of anyone charged with their violation, and to aid and assist in the preservation of the peace and good order of society; while on my part I gave them every assurance in my power that they should be protected in all their rights, and defended against all unlawful aggressions. It is proper that I should say that they claimed that a large majority of them had always held and inculcated the same views. The assurance I received entirely satisfied me that no one against whom a writ was issued was then in Lawrence; that they had all fled; and that they were harboring, concealing or defending no one against whom a writ had

been issued; and that hereafter there would be no combined effort made to prevent the service of any process in the county of Douglas.

This was entirely satisfactory, and all that had been desired. But, to satisfy the forces that surrounded Lawrence, so that they could be induced to retire in order, was the great difficulty to be overcome. To issue an order to the sheriff to disband his posse, and to Generals Richardson and Strickler to disband their forces, would have been to let loose this large body of men, who would have been left without control to follow the impulse of their feelings, which evidently was to attack and disarm the people of Lawrence. Early on the morning of the 8th, through the influence of some leading men, I procured thirteen of the leading captains in the Wakarusa camp to be appointed a committee to confer with a committee from the Lawrence camp, to meet at Franklin, midway between the two hostile forces. I proceeded to the Lawrence camp, and returned to Franklin in the evening with the committee, when the proposed interview took place. This interview, which lasted for some time, resulted in producing a better state of feeling; and the committee from the Wakarusa camp were satisfied to retire without doing anything more, and so reported to the army. This, with the active exertions of myself and others, produced a better feeling among the men, and by daylight on the morning of the 9th I felt I could with safety order the forces to disband, and accordingly did so. They retired in order, and refrained from any act of violence; but it was evident that there was a silent dissatisfaction at the course I had taken. But I was conscious I was right, and that my course would be sanctioned alike by the dictates of humanity and sound policy. I returned to Lawrence on the 9th, and remained until the morning of the 10th; when everything remained quiet and safe, I returned to this place.

Everything is quiet now, but it is my duty to say to you frankly that I have forebodings as to the future. The militia or volunteer corps cannot be relied upon to preserve the peace in these civil-party contests, or where partisans are concerned. A call on the militia will generally bring in conflict the two parties. I am satisfied that the only force that can be used in this Territory in enforcing the laws or preserving the peace are those of the United States; and with this view I would suggest that the Executive of this Territory be authorized to call on the forces of the United States when, in his judgment, the public peace and tranquility, or the execution of the laws, may require their assistance. Should there be an outbreak it will most probably be sudden, and before orders can be obtained from Washington the crisis will have passed.

I send you herewith copies of various affidavits, letters, &c., which will give you some information in detail touching the subject-matter of this dispatch.

I have the honor to be your obedient servant,

WILSON SHANNON.

To his Excellency Franklin Pierce.

DECEMBER 24, 1855.—Resignation of John W. Kavanaugh, as Justice of the Peace for the county of Shawnee, received.

DECEMBER 27, 1855.—Commission issued to J. W. Radcliff, as Clerk of the Board of County Commissioners for the county of Madison.

Commissions issued to James A. Hendrick and F. S. Hamilton, as Justices of the Peace for the county of Madison.

Commissions issued to John Evans and James Munkres, as Constables for the county of Madison.

Commission issued to G. M. Symcoe, as Treasurer for the county of Madison.

Commission issued to Jefferson Pigman, as Assessor for the county of Madison.

Commission issued to Thomas N. Stinson, as Treasurer for the county of Shawnee.

Commission issued to Benjamin J. Newsom, as Assessor for the county of Shawnee.

Commission issued to Edward Hoagland, as Justice of the Peace for the township of Tecumseh, in the county of Shawnee.

Commission issued to Wm. P. Tuttle, as Justice of the Peace for the township of Tecumseh, in the county of Shawnee.

Commission issued to Wm. P. Akins, as Justice of the Peace for Yocum township, in the county of Shawnee.

Commission issued to John W. Skidmore, as Justice of the Peace for Yocum township, in the county of Shawnee.

DECEMBER 28, 1855.—Commission issued to James Mathews, as Public Administrator for Doniphan county, *vice* — Foreman, resigned.

Commission issued to J. B. Matlock, as Constable for Iowa township, in the county of Doniphan, *vice* — Patect, resigned.

Commission issued to Wm. Flenn, as Justice of the Peace for Iowa township, in the county of Doniphan, *vice* — Lewis, resigned.

Commission issued to Henry Beauchamp, as Justice of the Peace for Wayne township, in the county of Doniphan.

JANUARY 2, 1856.—Commission issued to Ludwell Evans, Justice of the Peace for the county of Lykens.

JANUARY 14, 1856.—Commission issued to James H. Merrill, Constable for Washington township, in the county of Doniphan, *vice* — Johnson, resigned.

Commissions issued to B. F. Thomson and Branham Hill, Justices of the Peace for Bourbon county; also to Alexander Howard and William Moffat, Constables for said county of Bourbon.

JANUARY 25, 1856.—Commission issued to Larkin Ellison, Justice of the Peace for Shannon township, in the county of Atchison, *vice* J. C. Mannion, who failed to qualify.

Commission issued to Junius T. Hereford, Assessor for the county of Atchison, *vice* Samuel S. Walters, who failed to qualify.

Commission issued to Henry Kuhn, County Surveyor for the county of Atchison.

Commission issued to Alexander E. Mayhew, Justice of the Peace for Shannon township, in the county of Atchison.

JANUARY 26, 1856.—Commission issued to Westley Garrett, as Treasurer for the county of Douglas.

JANUARY 28, 1856.—Commission issued to Bennett Burnam, as County Surveyor for the county of Leavenworth.

FEBRUARY 1, 1856.—Commissions issued to the officers of a company of volunteer militia, in the county of Leavenworth, called the "Kickapoo Rangers," as follows:

To John W. Martin, Captain; W. H. Elliot, First Lieutenant; D. A. N. Grover, Second Lieutenant; and M. P. Riveley, Third Lieutenant.

Commission issued to James B. Blake, Coroner for the county of Leavenworth.

FEBRUARY 5, 1856.—Commission issued to Peter Crockett, Justice of the Peace for Lawrence township, in the county of Douglas.

Commission issued to J. N. Hargus, Justice of the Peace for Louisiana township, in the county of Douglas.

Commission issued to Edward Chapman, Assessor for the county of Douglas.

FEBRUARY 8, 1856.—Commission issued to Daniel Dofflemeyer, Justice of the Peace for the county of Johnson.

Commission issued to Isaac Parish, Sheriff of the county of Johnson, *vice* B. F. Johnson, resigned.

FEBRUARY 12, 1856.—Commission issued to Christopher C. Redman, Justice of the Peace for Delaware township, in the county of Leavenworth.

FEBRUARY 29, 1856.—Commission issued to C. H. Price, Justice of the Peace for the county of Anderson.

Commission issued to Thomas Totten, Clerk of the Board of County Commissioners for the county of Anderson.

Commission issued to C. H. Price, County Treasurer for the county of Anderson.

Commissions issued to the following officers of a volunteer militia company in the county of Atchison:

To J. H. Stringfellow, Captain; R. S. Kelley, First Lieutenant; A. J. G. Westbrook, Second Lieutenant; and J. H. Blassingame, Third Lieutenant.

MARCH 1, 1856.—Resignation of Robert M. Clark, as Colonel of the First Regiment, Northern Division, Kansas Militia, received.

Commission issued to John Waitman, County Commissioner for Anderson county, *vice* F. P. Brown, declined.

Commission issued to D. McCammon, Sheriff of Anderson county, *vice* Anderson Rice, declined.

MARCH 4, 1856.—Commission issued to Thomas J. Payne, Justice of the Peace for Walnut township, in the county of Atchison.

Commission issued to Milton Utt, as Justice of the Peace for Wolf River township, in the county of Doniphan.

Commission issued to Alfred R. Bailey, Constable for Walnut township, in the county of Atchison.

Commission issued to Thomas Connelley, County Surveyor for the county of Douglas.

Commission issued to S. J. Waful, as Constable in Lecompton township, Douglas county.

Commission issued to R. B. Nelson, as Justice of the Peace in Lecompton township, Douglas county.

Commission issued to Jackson Crockett, Constable in Lawrence township, Douglas county.

Commission issued to Andrew J. Sparr, Justice of the Peace in Louisiana township, Douglas county.

MARCH 5, 1856.—Commission issued to Joseph Kellogg, Notary Public for the county of Leavenworth.

Commission issued to William Barbec, Notary Public for the county of Leavenworth.

MARCH 7, 1856.—Commission issued to William J. Sinclair, as Commissioner of Deeds for the Territory of Kansas in the State of New York.

Commission issued to Seth Smith, Commissioner of Deeds for the Territory of Kansas in the State of Indiana.

MARCH 21, 1856.—Commission issued to John M. Vance, Notary Public in the county of Leavenworth.

Commission issued to Alexander S. Gray, Commissioner of Deeds for Kansas Territory in the State of Wisconsin.

Commission issued to William Helm, Constable for Wakarusa township, in the county of Douglas.

Commission issued to Wm. E. Brown, Justice of the Peace for Delaware township, in the county of Leavenworth.

MARCH 22, 1856.—Commission issued to John H. Tate, Justice of the Peace for Johnson township, in the county of Linn.

Commission issued to William Hays, Justice of the Peace for Scott township, in the county of Linn.

Commission issued to Joshua Sheek, Justice of the Peace for Scott township, in the county of Linn.

Commission issued to William Smith, Justice of the Peace for Richland township, in the county of Linn.

Commission issued to Zebediah Leasure, Constable for Scott township, in the county of Linn.

MARCH 24, 1856.—Commission issued to James Armstrong, Justice of the Peace for the county of Lykens.

Commission issued to P. T. Gloves, Justice of the Peace for Johnson township, in the county of Linn.

Commission issued to Elisha Tucker, Coroner for the county of Linn.

Commission issued to Joseph Bowin, Justice of the Peace for Scott township, in the county of Linn.

Commission issued to Joseph D. Wilmot, Clerk of the Board of County Commissioners for the county of Linn.

Commission issued to James M. Howell, Constable for Johnson township, in the county of Linn.

Commission issued to James P. Fox, County Treasurer for the county of Linn.

Commission issued to T. E. Means, Justice of the Peace for Richland township, in the county of Linn.

Commission issued to E. Bradford, Justice of the Peace for Richland township, in the county of Linn.

Commission issued to J. M. Hampton, Constable for Richland township, in Linn county.

MARCH 25, 1856.—Commission issued to Stephen B. Williams, Sheriff of Riley county.

MARCH 26, 1856.—Commission issued to E. Hoagland, Notary Public for Shawnee county.

MARCH 27, 1856.—Commissions issued to the following-named officers, for Jefferson county:

To Henry Owens, County Commissioner.

M. Christeson, Clerk of the Board of County Commissioners.

W. F. Dyer, County Treasurer.

Wm. Sprague, Assessor for the county.

T. A. Chapman, Coroner for the county.

D. R. Sprague, Justice of the Peace in Osawkee township.

J. R. Beegle, Constable in Osawkee township.

Wm. Meredith, Justice of the Peace in Slough Creek township.

J. H. C. Hopewell, Constable in Slough Creek township.

MARCH 31, 1856.—Commission issued to Wm. H. Harris, County Commissioner for Nemaha county.

APRIL 8, 1856.—Commission issued to John Pieratt, Justice of the Peace for Franklin township, in the county of Douglas.

Commission issued to J. C. Evans, Justice of the Peace for Wakarusa township, in the county of Douglas.

Commission issued to Stephen Livingston, Justice of the Peace for Lawrence township, in the county of Douglas.

APRIL 15, 1856.—Commission issued to Wilson Roberts, Justice of the Peace for Leavenworth township, in the county of Leavenworth.

Commission issued to John M. Taylor, Justice of the Peace for Leavenworth township, in the county of Leavenworth.

APRIL 19, 1856.—Commission issued to Wm. J. Preston, Lieutenant Colonel, Second Regiment, Southern Division, Kansas Militia.

Commission issued to Wm. F. Donaldson, Adjutant of the Second Regiment, Southern Division, Kansas Militia.

Commission issued to Dr. B. C. Brooke, Surgeon of the Second Regiment, Southern Division, Kansas Militia.

Commission issued to George H. Cole, Major of the Second Regiment, Southern Division, Kansas Militia.

Commission issued to John Shannon, Quartermaster Second Regiment, Southern Division, Kansas Militia.

Commission issued to John Riffel, Second Lieutenant Company A, Lecompton Guards.

Commission issued to A. Macauley, Notary Public for the county of Leavenworth.

Commission issued to Anderson Caslee, Coroner for the county of Anderson.

Commissions issued to the following-named officers of the "Tustunuggee Mounted Rifles," a volunteer militia company, in the county of Douglas:

To George W. Clarke, Captain.

Wm. C. Webster, First Lieutenant.

J. C. Thompson, Second Lieutenant.

O. H. Brown, Third Lieutenant.

Commission issued to John Donaldson, Captain Company A, "Lecompton Riflemen."

APRIL 20, 1856.—Gov. Shannon addressed the following letter to Col. E. V. Sumner, at Fort Leavenworth:

EXECUTIVE OFFICE, LECOMPTON, K. T., April 20, 1856.

COL. SUMNER—*Sir*: I have been duly advised by Samuel J. Jones, sheriff of Douglas county, in this Territory, that, having a warrant in his hands against a man by

the name of S. N. Wood, he proceeded to the town of Lawrence on yesterday and arrested him, but that he was immediately rescued out of his hands by some twenty men, and that he was unable to retake him. Having obtained warrants against several of those engaged in said rescue, he proceeded this day to the town of Lawrence with a civil posse of five men, with the view of recapturing the said Wood, and arresting the other parties against whom he had warrants, but was again resisted, and unable to recapture Wood, or take any of the parties against whom he had warrants. He has called upon me for a competent posse to enable him to execute the legal process in his hands. Knowing the irritated feelings that exist between the two parties in this Territory, growing out of their former difficulties, and being exceedingly desirous to avoid the effusion of blood, or any cause or excuse for further conflict or disturbance, I have thought it most advisable to call on you for an officer and six men to accompany the sheriff and aid him in the execution of the legal process in his hands. This force will be sufficient to overpower any force or persons against whom the sheriff holds warrants, and I will not anticipate resistance beyond this at present. To call on any of the citizens of the county to accompany the sheriff and aid in overpowering the resistance on the part of the defendants, that is anticipated, would most probably lead to a conflict which, when once commenced, it is difficult to foresee where it might end, but in the use of the U. S. troops, no personal or party feelings can exist on either side, and their presence will most likely command obedience to the laws. I have to ask you, therefore, to detach to this place immediately an officer with six men to aid and assist the sheriff of this county in the execution of the warrants in his hands.

I have the honor to be, your most ob't svt.,

(Signed)

WILSON SHANNON.

APRIL 22, 1856.—Commissions issued to the following-named officers of a volunteer company in the county of Douglas, called the "Willow Springs Company:"

To J. P. Saunders, Captain.

Wilson Luck, First Lieutenant.

John Hancher, Second Lieutenant.

Commission issued to John H. Stringfellow, Colonel First Regiment, First Brigade, Northern Division, Kansas Militia.

Commission issued to Wm. F. Donaldson, Assessor for Douglas county, *vice* E. Chapman, resigned.

Commission issued to Rawley Hopper, Constable for Lawrence township, in the county of Douglas.

Commission issued to Robert C. Bishop, Clerk of the Board of County Commissioners for Douglas county, *vice* James Christian, resigned.

APRIL 25, 1856.—Governor Shannon addressed the following letter to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., April 25, 1856.

COL. SUMNER—*Sir*: I am satisfied that the persons against whom writs have been issued and placed in the hands of the sheriff of this county, and who have not been taken, have secreted themselves or fled, so that for the present no further arrests can be made.

Nevertheless I deem it prudent to have a military posse or guard of thirty men stationed at this place and subject to my orders, to act in case of an emergency.

I would therefore request that you furnish me with such a guard from your command, to be used as a sheriff's posse and to preserve the peace, as occasion may require. I have no further requisition to make on you at present, but would respectfully request you to hold your command in readiness to act at a moment's warning, if required by me to enforce the laws and preserve the peace.

Yours, with great respect,

(Signed)

WILSON SHANNON.

APRIL 27, 1856.—Commissions issued to the following officers in Jefferson county:

To Henry Marshall, Justice of the Peace for Jefferson township.

Robert Grant, Constable for the same township.

Gant Cozim, Surveyor for the county.

S. L. Jones, Justice of the Peace for Osawkee township.

Samuel Johnson, Justice of the Peace for Grasshopper Falls township.

Joseph Haddicks, Constable for the same township.

APRIL 29, 1856.—Commission issued to Henry Cox, Justice of the Peace for Timber Hill township, in the county of Bourbon.

Commission issued to James Smith, Constable for the county of Bourbon.

APRIL 30, 1856.—Commission issued to William C. Ford, Commissioner of Deeds for Kansas Territory in the State of New York.

MAY 1, 1856.—Commissions issued to the following officers in the county of Riley:

To E. G. Hinton, Constable of Dyer township.

Wm. Gillaspie, Justice of the Peace for the same township.

Henry Bishop, Constable of Dyer township.

Commissions issued to the following officers in Davis county, attached to Riley:

To C. L. Sanford, Justice of the Peace for McDowell township.

Lafayette O. Oliver, Constable of Douglas township.

MAY 4, 1856.—Commission issued to David W. Hutchinson, Commissioner of Deeds for Kansas Territory in the State of Pennsylvania.

MAY 5, 1856.—Commission issued to Thomas Van Ada, Justice of the Peace for Wyandotte township, in the county of Leavenworth.

Commission issued to Benjamin Johnson, Justice of the Peace for Wyandotte township, in the county of Leavenworth.

Commissions issued to the following officers in the county of Calhoun:

To Perry Fleshman, Assessor of said county.

Anthony Wilson, Treasurer of said county.

Raleigh J. Fulton, Sheriff for said county, *vice* James T. Wilson, resigned.

MAY 9, 1856.—Commissions issued to the following officers in companies B and C, of the First Brigade, Southern Division, Kansas Militia:

To J. H. Arbuckle, Captain Company B.

G. T. Johnson, First Lieutenant Company B.

Joseph Goodyn, Second Lieutenant Company B.

Samuel Boone, Third Lieutenant Company B.

Wm. B. Eubanks, Captain Company C.

Wm. S. Ferguson, First Lieutenant Company C.

James Armstrong, Second Lieutenant Company C.

MAY 9, 1856.—Commission issued to George W. Cassedy, Commissioner of Deeds for Kansas Territory in the State of New Jersey.

Commission issued to L. McArthur, Notary Public for the county of Doniphan.

MAY 10, 1856.—Commission issued to E. L. Yates, Major Third Regiment, Northern Division, Kansas Militia.

MAY 13, 1856.—Commissions issued to the following officers of the Northern Division, Kansas Militia:

To T. J. Calhoun, Surgeon's Mate, Third Regiment.

John Vanderhost, Sergeant Major, Third Regiment.

J. H. Blassingame, Lieutenant Colonel, Third Regiment.

Robert De Treville, Captain of Palmetto Rifles, of the county of Atchison, in the Third Regiment.

R. D. White, First Lieutenant, Palmetto Rifles.

A. F. Morrall, Second Lieutenant, Palmetto Rifles.

K. T. Palmer, Third Lieutenant, Palmetto Rifles.

W. S. Brewster, Quartermaster, Third Regiment.

F. G. Palmer, Adjutant, Third Regiment.

J. P. Carr, Paymaster, Third Regiment.

G. F. Larcy, Surgeon, Third Regiment.

MAY 20, 1856.—Commissions issued to the officers of the Volunteer Company in Doniphan county, called the "Doniphan Tigers," as follows:

To Alex. H. Dunning, Captain.

Wm. Sublett, First Lieutenant.

Chas. M. Thompson, Second Lieutenant.

Sylvester Hudson, Third Lieutenant.

MAY 20, 1856.—Commissions issued to the following-named officers, of the Atchison Guard, a volunteer company of cavalry, in the county of Atchison:

To A. J. Frederick, Captain.

J. W. Stringfellow, First Lieutenant.

R. S. Kelley, Second Lieutenant.

MAY 21, 1856.—Gov. Shannon writes to Col. Sumner, as follows:

EXECUTIVE OFFICE, LECOMPTON, K. T., May 21, 1856.

COL. SUMNER—*Sir*: The United States Marshal has made all the arrests in Lawrence that can in his judgment now be made, and dismissed his posse. The sheriff has also got through making arrests on warrants in his hands, and I presume by this time has dismissed his posse. In view of the excitement and present state of feeling in the county, and for the purpose of securing the safety of the citizens, both in person and property, as well as to aid in the execution of the laws and preservation of the peace in the Territory, I think it necessary to have stationed at or near Lawrence, one company of United States troops—a like company at or near this place, and a like company at or near Topeka. I have therefore to ask you to detach from your command three companies, one to be stationed at or near each place above designated. It is important that this should be done with as little delay as possible. Some three or four arrests have been made by the United States Marshal of persons charged by the Grand Jury of the United States District Court with the crime of high treason. Bills of a similar character have been found in the same court against others.

The armed organization to resist the laws would seem to be broken up for the present, as far as the town of Lawrence is concerned, but there is danger that this formidable organization may show itself at some other point unless held in check by the presence of a force competent to put it down.

The only force that I feel safe in using in the civil commotions is the troops of the United States, and by a prompt and judicious location of these troops at proper points in the Territory, I feel confident that order will be restored, the supremacy of the laws maintained, and a civil war prevented.

With great respect and esteem,

(Signed)

WILSON SHANNON.

MAY 27, 1856.—The following letter was forwarded to Col. Sumner by express:

EXECUTIVE OFFICE, LECOMPTON, K. T., May 27, 1856.

COL. SUMNER: I received, last night about twelve o'clock, reliable information by a special dispatch from Osawatimie, in the county of Franklin, that on last Saturday night five persons had been taken out of their houses and cruelly murdered: that it seems to be a regular system of private assassination which the Free-State party had adopted toward their opponents.

Under these circumstances, I am compelled to send into that county Capt. Wood and his whole command, who is stationed at Lawrence, leaving that place without any force. I have to ask you, therefore, to send me two more companies, with directions for them to camp at or near Lawrence until they receive further orders.

Yours, with great respect,

(Signed)

WILSON SHANNON.

MAY 28, 1856.—Commission issued to Thomas M. Crowder, Notary Public for the county of Douglas.

Commission issued to Vincent Jones, Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to James C. Beeson, Constable for Mount Pleasant township, in the county of Atchison.

Commission issued to James N. Bradley, Justice of the Peace for Walnut township, in the county of Atchison.

Commission issued to Martin T. Baily, Justice of the Peace for Walnut township, in the county of Atchison.

Commission issued to Edward Wylie, Constable for Grasshopper township, in the county of Atchison.

MAY 31, 1856.—Commission issued to John C. Sims, Tax Assessor for Shawnee county, with the counties of Weller and Richardson attached.

JUNE 1, 1856.—Governor Shannon writes to Col. Sumner as follows:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 1, 1856.

COL. SUMNER—*Sir*: I desire to obtain from you two more companies—one to strengthen Captain Newby at Lawrence, the other Captain Wood in Franklin county, south of Lawrence. Both these commands are too weak to deal with the armed bodies of lawless men by which they are surrounded.

Major Sedgwick will communicate to you more detailed information as to what has transpired.

Yours, with great respect,

(Signed)

WILSON SHANNON.

JUNE 3, 1856.—Commission issued to Julius Pomeroy, Commissioner of Deeds for Kansas Territory in the State of New York.

Commission issued to Thomas Boyles, Commissioner of Deeds for Kansas Territory in the State of Tennessee.

Commission issued to John A. Lynch, Commissioner of Deeds for Kansas Territory in the State of Ohio.

Commission issued to Louis Trumble, Constable for the county of Marshall.

Commission issued to William Saunders, Justice of the Peace for Marshall county.

Commission issued to Jarson Masterson, Clerk of the Board of County Commissioners for Linn county, *vice* Joseph Wilmot, resigned.

JUNE 4, 1856.—Governor Shannon to Colonel Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 4, 1856.

COL. SUMNER—*Sir*: I desire to have carried out the following plan, with the view of preserving the peace and good order of this Territory:

1st. A detachment of troops to be stationed at or near the town of Franklin, to protect that place from attacks which have been repeatedly threatened, and for the purpose of repelling any armed force which may approach from below with the view of attacking the citizens of Lawrence.

2d. A similar detachment to be stationed at or near Mr. Leahy's, which is eight miles up the Wakarusa valley from Franklin.

3d. A similar detachment to be stationed at or near Mr. Buckley's, at Hickory Point, about eight miles distant from Blanton's Bridge.

4th. A similar detachment to be stationed at or near St. Bernard, in the southern part of this (Douglas) county.

Directions have already been given to Capt Wood to station a portion of his command at this place.

5th. A detachment of troops to be sent forthwith to Palmyra, or the place where the difficulty occurred the day before yesterday, with orders to disperse all armed bodies of men who are threatening the peace of the country, and who are not organized under the law. They should be compelled to give up to the owners all horses or other property taken or pressed into their service, to discharge and set at liberty all prisoners by them taken and held, and if they refuse to disperse, force should be used to compel them to do so, and they should be deprived of their arms. All armed bodies of men not acting under the law should be dispersed, and if they reassemble, disarmed. This is not applicable to citizens organized into military bodies under the law, and legally called out, or to those who in good faith have associated themselves together merely to repel a threatened attack on themselves or property, and not for any aggressive act.

6th. All notices given to citizens or persons found in the Territory to leave the country or their houses, or any particular locality, are to be considered and treated as violations of law, as tending to breaches of the peace, and to excite violence and disorder.

7th. In carrying out the above plan, no distinction or inquiry is to be made as to the party, but all parties and persons are to be treated alike under like circumstances.

8th. All law-abiding citizens, no matter to what party they may belong, must be protected in their persons and property, and all military organizations to resist the execution of the laws or to disturb the peace and good order of the community must be dispersed.

Yours with respect,

(Signed)

WILSON SHANNON.

Governor Shannon to Col. Sumner:

EXECUTIVE DEPARTMENT, LECOMPTON, K. T., June 4, 1856.

COL. SUMNER—*Sir*: It is said there are about three hundred Free-State men in Prairie City, fortified and prepared to fight. Captain Pate and some twenty or thirty prisoners are said to be confined at this place. This place is near Palmyra, and a little south of the Santa Fé road. Yours, &c.,

(Signed)

WILSON SHANNON.

PROCLAMATION.

By the Governor of the Territory of Kansas.

Whereas, information has been received by us that armed bodies of men exist in different parts of this Territory, who have committed and threatened to commit acts of lawless violence on peaceable and unoffending citizens—taking them prisoners, despoiling them of their property, and threatening great personal violence;

It appearing, also, that armed combinations have been formed for the avowed purpose of resisting the execution of the Territorial laws and preventing the execution of any process by the officers of this Territory;

It appearing further, that individuals, as well as associated bodies of men, have assumed to themselves the power of notifying citizens of the Territory to leave their

abodes, and in some cases to quit the country, under threats of inflicting severe penalties on those who do not comply:

Now, therefore, I, Wilson Shannon, Governor of the Territory of Kansas, do issue this, my proclamation, to command all persons belonging to military organizations within this Territory, not authorized by the laws thereof, to disperse and retire peaceably to their respective abodes; and to warn all such persons that these military organizations for such purposes are illegal, and, if necessary, will be dispersed by the military force placed by the President of the United States at my disposal for the purpose of preserving the peace and enforcing the laws of the Territory; that steps have been taken to disperse all unlawful military combinations which are threatening the peace of the country and the good order of society, and to disarm them should they reassemble. All civil officers of the Government are required to be vigilant in enforcing the laws against such offenders and in protecting the citizens, both in their persons and property, against all violence and wrong.

I further declare that all notices given to citizens, or persons found in the Territory, to leave the same, or their houses, or any particular locality, are unauthorized by law and highly reprehensible, as tending to breaches of the peace and violence and disorder.

I further declare that all law-abiding citizens of the Territory, without regard to party names or distinctions, must be protected in their persons and property; and that all military organizations to resist the execution of the laws of the Territory, or to disturb the peace thereof, must be dispersed; and all aggression from without the Territory must be repelled. That the military force placed under the control of the Executive of this Territory is amply sufficient to enforce the laws and to protect the citizens in their rights.

I further declare that in carrying out this proclamation, no distinction or inquiry is to be made as to party, but all persons of all parties are to be treated alike under like circumstances.

"Obedience to the laws and consequent security of the citizens of Kansas, are primary objects; and all lawless violence within the Territory, in whatever form it may manifest itself, must be repressed;" and the proclamation of the President of the United States of the 11th of February last will be strictly enforced; and a requisition has been made on Col. Sumner for a sufficient military force to insure obedience to this proclamation.

I call on all good citizens to aid and assist in preserving peace, repressing violence, and in bringing offenders to justice, and in maintaining the supremacy of the law.

[SEAL.] In testimony whereof, I have hereunto set my hand and caused to be affixed the seal of the Territory, this 4th day of June, 1856.

By the Governor:

WILSON SHANNON.

DANL. WOODSON. *Secretary.*

Gov. Shannon to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 4, 1856.

COL. SUMNER—*Sir*: I have just received reliable information from Franklin, that that place was attacked last night by a body of armed men numbering about one hundred and fifty, and that one man in Franklin was mortally wounded and some five or six taken prisoners.

I have also reliable information that the house of Lehay's is to be attacked to-night, and a messenger has been sent in for aid.

Unless prompt measures are taken, the citizens of the Wakarusa valley will all be butchered by this lawless band of assassins. The troops must move at once, or the

people will rise in mass to defend themselves and their friends, and Missouri will pour into this Territory her thousands.

I do hope you will adopt prompt measures to put a stop to these outrages—to defend Franklin and Leahy's house.

Any delay in planting the military posts at the places I have designated will lead to fearful consequences—a few days' delay will supersede the necessity.

The proclamation is being set up; I will send you a number of copies.

Yours with respect,

(Signed)

WILSON SHANNON.

N. B.—The bearer of this will pilot a detachment to Leahy's house. This is one of the places where I proposed to station a detachment of troops.

It seems these lawless men attack and shoot down our citizens in view of the U. S. troops.

Gov. Shannon to Col. Sumner:

EXECUTIVE OFFICE, June 4, 1856.

COL. SUMNER—*Sir*: Col. Preston, the bearer of this, is deputy sheriff of this county, and will accompany the command, so as to be ready to act as circumstances may require. We have no deputy marshal that can go.

Dr. Wood, if he can obtain a horse, will go along as a pilot.

The young man who came in from Leahy's understands localities tolerably well.

Yours,

(Signed)

WILSON SHANNON.

JUNE 8, 1856.—Commission issued to John W. Magill, Commissioner of Deeds for Kansas Territory in the State of Illinois.

JUNE 14, 1856.—The Governor addressed the following letter to Col. Sumner:

EXECUTIVE OFFICE, June 14, 1856.

COL. SUMNER—*Sir*: I send you two copies of the proclamation—all I can find.

The complaints of robberies on the roads near Westport are distressing. I hope you will clear those roads, and drive these people back at once.

Yours, &c.,

(Signed)

WILSON SHANNON.

JUNE 13, 1856.—Commissions issued to the following-named officers for the county of Marshall:

To James M. McCloskey, Clerk of the Board of County Commissioners.

George F. Hubbard, Sheriff, *vice* Clarke, deceased.

Lewis Harding, Justice of the Peace.

William B. Hubbard, Constable.

William A. Glenn, Assessor for the county.

Charles M. Greever, County Treasurer.

M. L. Duncan, County Commissioner, *vice* — Cramer, who is not in the county.

JUNE 19, 1856.—Commission issued to David Wilson, Justice of the Peace for Half-Day township, in the county of Calhoun.

Governor Shannon to Col. Sumner:

EXECUTIVE OFFICE, June 23, 1856.

COL. SUMNER—*Sir*: I am compelled to visit St. Louis on official business, which can no longer be postponed. I will be absent probably about ten days, but I will return as soon as my official duties will permit. In the meantime, I deem it of the utmost importance that the whole of your disposable force should be stationed at suitable points in that portion of the Territory which has been most disturbed, and which is still threatened with further disturbance.

Your knowledge of the country and the difficulties which have heretofore existed, will enable you to dispose of your command so as to be most effective in preserving the peace. It is important, I think, to retain one company midway between Lawrence and Franklin—one near Palmyra or Hickory Point, one in the Osawatimie country, and to station two companies at Topeka previous to the 4th of July next, the time fixed for the reassembling of the Legislature under what is called the Free-State Constitution.

It is doubtful whether this pretended legislative body will reassemble, as many of the Free-State party are hostile to such a step. But it is true on the other hand, that there are a number of that party who are zealously urging the members of that body to meet on the 4th proximo, and enact a code of laws, to be at once put in force at all hazards. Now should this policy be adopted in the present excitable state of the country, I have no hesitation in believing that it would produce an outbreak more fearful by far in its consequences than any we have heretofore witnessed. The peace and quiet which now prevail throughout the whole Territory would be destroyed for the time being, and the whole country greatly agitated. These unfortunate results must be avoided, if possible. I need not say to you that if this legislative body should reassemble on the 4th proximo, that those within and without the Territory who desire to bring about a conflict of arms between the two parties, would eagerly avail themselves of such an occasion to reorganize their military companies and commence hostilities against their political opponents. Indeed, it is impossible to doubt that if this body meets, enacts laws and seeks to enforce them, that civil war will be the inevitable result. Two governments cannot exist at one and the same time in this Territory in practical operation. One or the other must be overthrown, and the struggle between the equal government established by Congress and that by the Topeka Constitution, would result in a civil war, the fearful consequences of which no one can foresee. Should this body reassemble and enact laws, (and they can have no other object in meeting,) they will be an illegal body, threatening the peace of the whole country, and therefore should be dispersed.

Their meeting together as legislators and enacting or attempting to enact laws, will be in direct violation of an express statute. I beg leave to call your attention to the 23d section, at page 280, of the Territorial Statutes. That section provides:

"That if any person shall take upon himself any office or public trust in this Territory, and exercise any power to do any act appertaining to such office or trust, without a lawful appointment or deputation, he shall, upon conviction, be adjudged guilty of a misdemeanor, and punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year."

It will not be claimed that the members of this so-called Legislative Assembly have any lawful "appointment," or "deputation"; that is, that they were elected or appointed in pursuance to any law. The organic act prescribes the mode by which the members of the Legislative Assembly shall be elected, &c. There is no pretense that the body in question derives its power or its existence from the organic act. These men have therefore no "lawful appointment," and if they exercise the functions of legislators within this Territory they violate the provisions of the above-recited act.



There can be no mistake, therefore, in considering them an illegal body, assuming the office of legislators in this Territory, in violation of law; and as such, when the peace and tranquility of the country require it, as they obviously do in this case, they should be dispersed.

Should, therefore, this pretended legislative body meet as proposed, you will disperse them, peaceably if you can, forcibly if necessary. Should they reassemble at some other place, or at the same place, you will take care that they are again dispersed. The civil authorities will be instructed to cooperate with you, if it is found necessary, in order to break up this illegal body and to institute proceedings against the several members under the above statute. But it is hoped and believed that no such step will be required.

If rumor is to be credited, there is danger that armed aggressive parties may enter the northern part of the Territory, with the view of sustaining this pretended legislative body, and the party who are resisting the execution of the Territorial laws. Instructions heretofore given and by which you have been governed in dispersing all organized bodies of armed men, threatening the peace of the country, are applicable to these armed aggressive parties from the north, which, should they enter the Territory, you will disperse, and, if necessary for the peace and security of the country, disarm.

Should the command of Col. Cooke be necessary to be called out in my absence, you will notify Col. Woodson of the fact, and he will promptly issue his requisition as acting Governor, upon him.

I have the honor to be yours, with great respect.

(Signed)

WILSON SHANNON.

Gov. Shannon to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 23, 1856.

COL. SUMNER—*Sir*: Yours of this instant is received. I am just packing up to start for St. Louis. It is impossible for me at this time to make the new arrangements you request before leaving. I do hope it will be in your power to attend in person this Topeka Legislature. I feel well assured that they will not be able to obtain a quorum to transact business. But should we be disappointed in this, I think it is a matter of the utmost importance that you should be present. You understand the whole matter, and can do more with these people than anyone else. It will be exceeding bad policy to reduce or withdraw either of the regiments in this Territory. It is only the presence of the troops in the country, and the knowledge that they can and will be used, if occasion requires it, that keeps the country quiet at this time. I will write the President and so state. The peace and quiet of this Territory are certainly more important than any object to be accomplished by Gen. Harney. I will certainly be back in ten days, and I hope at least no change will be made in the programme until I return. Should such be the case, it may bring on difficulties from which it will be exceedingly difficult to extricate the country. I beg of you to make no change until I return.

Yours with great respect,

(Signed)

WILSON SHANNON.

JUNE 24, 1856.—Gov. Shannon left Lecompton yesterday for St. Louis, Missouri, on official business, expecting to be absent about ten days.

JUNE 29, 1856.—The Secretary, acting as Governor, sends the following requisition to Col. Cooke, at Fort Riley:

EXECUTIVE OFFICE. LECOMPTON, K. T., June 29, 1856.

Col. P. St. George Cooke, Commanding at Fort Riley, K. T.—SIR: Information having been received at this office that large numbers of armed men are now on their way to Topeka, for the purpose of sustaining the bogus Legislature, which, it is understood, will attempt to meet at that place on the 4th proximo, enact laws, and put a new government into practical operation in lieu of the existing Territorial Government established by act of Congress. I respectfully request that you will take the field at once with all your available forces, and scour the country between Fort Riley and the crossing opposite Topeka, for the purpose of repelling said armed invasion of the Territory. My information leads me to believe that large numbers of armed men have passed through Iowa and Nebraska, and thence into this Territory, professing to be emigrants to the Salt Lake valley, some of whom have crossed the river above Fort Riley, and are now making their way in small parties towards Topeka, whilst others are wending their way to the same point, on the north side of the Kansas river.

I would suggest the propriety of stationing immediately a portion of your command at all the principal crossings between Fort Riley and Topeka, with the view of intercepting all bodies of lawless men who may have entered the Territory, who should invariably be disarmed and escorted out of its limits.

There has been an indictment found by the grand jury of Douglas county against James H. Lane for high treason; also against A. H. Reeder for a like offense. Should you, therefore, meet with them, they should be arrested and held subject to the order of the Marshal of the Territory.

All bodies of insurgent citizens, or armed men organized outside of the law, should be disarmed and dispersed. This is deemed indispensable to the preservation of the peace and the tranquility of the Territory.

I am, very respectfully, your obedient servant,

DANL. WOODSON.

Acting Governor of Kansas Territory.

Governor Shannon to the President:

ST. LOUIS, June 27, 1856.

His Excellency Franklin Pierce—SIR: I arrived in this city last evening, in thirty hours from Kansas. Col. Sumner has returned from Westport, on the Missouri line. The military companies that had entered the Territory from that State had all retired and gone home. I cannot say they were satisfied, but they offered no resistance to the United States troops. Col. Buford's company had crossed the line and were encamped in Missouri. The number of his company is said to be small, and will probably break up their military organization and move into the Territory as emigrants. The military organizations on the other side are all dispersed, and indeed there are not at this time, on either side, any armed bodies of men in the Territory, so far as I am advised. Those engaged or preparing to engage in these contests have returned to their respective homes, and seem to be engaged in the peaceful pursuits of life. The entire success of the policy adopted must vindicate it before the country, and recommend its continuance.

Col. Sumner advises me that his regiment is subject to the order of Gen. Harney, and liable to be called away at any time. It would greatly endanger the peace of the Territory to have the troops now withdrawn from their various stations before others were substituted in their places. They are located at different points in the disturbed district, so as to put in check any movement that may be made on either

side, to renew the troubles. The mere presence of these forces, with the knowledge that they are authorized to act promptly in dispersing and suppressing all illegal military bodies, has the effect of preventing any attempt to renew the contest between the two parties. The quiet of the country has been mainly brought about through the judicious use of the U. S. troops, and must be maintained, at least for some time to come, by the same means.

Judging from what I see in the public prints, there is some danger of armed bodies of men entering the Territory from the north, with views hostile to the peace of the country. That a powerful effort is being made in certain quarters to send bodies of armed men into Kansas, from the north, is beyond doubt. Ample instructions have been given to Col. Sumner to meet all such bodies of men as soon as they cross the line, and to disperse, and, if necessary, to disarm them. It is to be hoped, however, that they will follow the example set by the armed bodies that entered the Territory from Missouri, and retire peacefully to their homes or settle in the Territory as law-abiding citizens. Should it be found that large bodies of armed men are preparing to enter the Territory from any quarter, it may be prudent to increase the military force in the Territory. It would most likely have the effect of preventing entirely all such movements, or induce those engaged in them to lay aside their implements of death and warlike views, and enter the country as *bona fide* immigrants.

I do not believe the Legislature under the Free-State Constitution will meet on the 4th of July next, the day to which they adjourned. But should they do so, and attempt to put in force their own code of laws, as advocated by some of the leading men and most influential papers belonging to that party, it would result in the most disastrous consequences to the peace of the Territory. In case they should meet, the alternative will be presented either to run the hazard of these consequences, or disperse this illegal body. I have adopted the latter alternative, for reasons stated in my instructions to Col. Sumner, a copy of which is herewith transmitted, and to which I beg leave to refer you.

Yours with great respect,

(Signed)

WILSON SHANNON.

JUNE 30, 1856.—Commission issued to Wm. C. Webster, Justice of the Peace at Coon Point, in the county of Douglas.

The acting Governor to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 30, 1856.

COL. SUMNER—*Sir*: Your dispatch of the 28th came to hand last evening. There is now no ground to doubt that the bogus Legislature will attempt to convene on the 4th proximo, at Topeka, and the most extensive preparations are being made for the occasion. The country in the vicinity of Topeka is represented to be filled with strangers who are making their way towards that point from all directions. Last evening I received information through a gentleman residing in Lawrence, that a dispatch had been received at that place the previous night, to the effect that Lane was on his way to Topeka with a very large force, and was then somewhere between that place and the Nebraska line.

Upon receiving this information, I sent a dispatch to Col. Cooke, requesting him to place all his available force in the field at once, and scour the country between Fort Riley and Topeka, for the purpose of intercepting the invaders and driving them back.

It is deemed important that you should be in Topeka in person with at least two companies, if they can be spared from other points. Judge Cato will be on the

ground, and I have addressed a letter to the District Attorney, Col. A. J. Isacks, requesting him to come over at once and attend in person to getting out the necessary legal process.

With sentiments of esteem, I am, very respectfully yours, &c.,

DANL. WOODSON,

Acting Governor K. Territory.

JULY 1, 1856.—Commissions issued to the following-named officers of a volunteer company in Jefferson county, called the "Kentucky Rangers:"

To L. J. Hampton, Captain.

Aug. Shannon, First Lieutenant.

David Gray, Second Lieutenant.

JULY 3, 1856.—The following letter from Col. Sumner was received by the acting Governor:

HEADQUARTERS FIRST CAVALRY,
CAMP AT TOPEKA, K. T., July 2, 1856.

DEAR SIR: I would be glad to see you to-morrow, with Judge Cato, Col. Isacks, and Marshal Donaldson.

Bring the President's and the Governor's proclamations and my instructions under them, and also the letter of the Governor about the Topeka Legislature.

Very respectfully yours.

(Signed)

E. V. SUMNER,

Colonel First Cavalry, Commanding.

D. Woodson, Esq., Acting Governor of Kansas.

JULY 4, 1856.—The following letter from Col. Cooke was received by the Acting Governor:

HEADQUARTERS, FORT RILEY, K. T., July 1st, 1856.

DEAR SIR: I received this morning, at 10 o'clock A. M., your requisition for military aid, dated June 29.

At 3 o'clock Brevet Major H. H. Sibley marched with all my mounted force, one piece of artillery, &c. For your information, I inclose you a copy of his special instructions. It will enable you to communicate with him, or the officer to be detached opposite the Santa Fé road ferry. I have thought it best that he should go by that most direct road, to head there any parties which, according to your supposition, may be descending the river by the south side.

Very respectfully, your obt. svt.,

P. ST. GEORGE COOKE.

Lt. Col. 2d Dragoons.

Danl. Woodson, Acting Gov. K. T., LeCompton.

The Acting Governor to Maj. Sibley:

IN CAMP, FIRST CAVALRY, AT TOPEKA, K. T.,
July 4, 1856—6 o'clock A. M.

Maj. H. H. Sibley, Second Dragoons—SIR: I respectfully request that you will march your command down to the vicinity of Topeka and encamp for the day, just above the town.

Very respectfully yours,

DANL. WOODSON,

Acting Gov. Kansas Territory.

PROCLAMATION.

By the Acting Governor of the Territory of Kansas.

Whereas, we have been reliably informed that a number of persons claiming legislative powers and authority over the people of the Territory of Kansas are about to assemble in the town of Topeka for the purpose of adopting a code of laws or of exercising other legislative functions, in violation of the act of Congress organizing the Territory of Kansas, and of the laws adopted in pursuance thereof; and it appearing 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 the 11th February, 1856, declared that "any such plan for the determination of the future institutions of the Territory, if carried into action, will constitute the fact of insurrection," and therein commanded "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 peaceably to their respective abodes;"

And whereas, satisfactory evidence exists that said proclamation of the President has been disregarded by the persons and combinations above referred to:

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 constitutional authority of the Territory, and of preserving the public peace and tranquility, do issue this my proclamation, forbidding all persons claiming legislative powers and authority as aforesaid from assembling, organizing, or attempting to organize or act in any legislative capacity whatever, under the penalties attached to all willful violations of the laws of the land and disturbers of the peace and tranquility of the country.

[SEAL.] In testimony whereof, I have hereunto subscribed my hand and caused to be affixed the seal of the Territory, this fourth day of July, 1856, and of the independence of the United States the eighty-first. DANL. WOODSON,
Acting Governor of Kansas Territory.

To this proclamation Col. Sumner attached the following:

The proclamation of the President, and the orders under it, require me to sustain the Executive of this Territory in executing the laws and preserving the peace. I therefore hereby announce that I shall maintain this proclamation at all hazards.

E. V. SUMNER,
Col. First Cavalry, Commanding.

JULY 7, 1856.—The acting Governor made the following requisition upon Major Sedgwick, of the U. S. Army:

LECOMPTON, KANSAS TY., EXECUTIVE OFFICE, July 7, 1856.

MAJOR SEDGWICK—*Sir*: Deputy Marshal Wm. P. Fain having made application to me for a posse to enable him to execute a number of legal writs which have been placed in his hands, I respectfully request that you will furnish him with a small detachment for that purpose.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

JULY 8, 1856.—Commission issued to James P. Fox, Major of Second

Regiment, Second Brigade, Southern Division, Kansas Militia. Also, commissions issued to the following-named officers of the same regiment:

To John E. Brown, Captain First Volunteer Company, Riflemen.
Asbury C. Bradford, First Lieutenant, same company.
William Elliott, Second Lieutenant, same company.
Calvin M. McDaniel, Captain Company A, First Company of Infantry.
James E. Watkins, First Lieutenant, same company.
A. H. Smith, Second Lieutenant, same company.
Lee Love, Captain Company B, Second Infantry Company.
Henry Adkins, First Lieutenant, same company.
John G. Case, Second Lieutenant, same company.
James W. Howell, Captain Company C, Third Company of Infantry.
Philip Copple, First Lieutenant, same company.
James E. Laughlin, Second Lieutenant, same company.

Commission issued to James S. Barbee, Clerk of the Board of County Commissioners for the county of Allen; also to the following-named officers of the same county:

To A. W. J. Brown, Probate Judge, *vice* Chas. Passmore, deceased.
James Johnson, Sheriff.
C. B. Houston, County Surveyor.
H. D. Parsons, Coroner.
H. H. Haywars, County Treasurer.
G. J. Morriss, County Assessor.
Hiram Cable, Justice of the Peace for Township No. 1.
R. Fuqua, Justice of the Peace for Township No. 1.
William Sater, Constable for Township No. 1.
John Dunwoody, Justice of the Peace for Township No. 2.
William Avery, Justice of the Peace for Township No. 2.
Ozias Owen, Constable for Township No. 2.

Commissions issued to the following-named officers of the county of Allen:

To Elias Copeland, Justice of the Peace for Township No. 3.
Thos. H. Bashaw, Justice of the Peace for Township No. 3.
John Brady, Justice of the Peace for Township No. 3.

Commission issued to Wm. Blankenbaker, Justice of the Peace for Johnson township, in the county of Linn.

JULY 9, 1856.—Commissions issued to Calmore L. Newman, Constable of Wayne township, in the county of Doniphan, *vice* — Saunders, resigned.

Commission issued to Henry Wingfield, Justice of the Peace for Russell township, in the county of Bourbon.

JULY 19, 1856.—Commissions issued to the following-named officers, in the county of Franklin:

To Ambrose B. Eperson, Clerk of the Board of County Commissioners.
 Thomas Merwin, Justice of the Peace for Pottawatomie township.
 James Carter, Justice of the Peace for County Seat township.
 Reuben Hackett, Justice of the Peace for Turkey Creek township.
 Daniel Keezer, Constable for Turkey Creek township.
 Buel Baker, Sheriff, *vice* R. Goldin, resigned.
 Samuel M. Robertson, Probate Judge, *vice* John Yocum, removed from the county.
 Hiram Howard, County Commissioner.

JULY 25, 1856.—Commissions issued to the following-named officers in Kentucky township, Jefferson county:

To Wm. F. Bayne, Justice of the Peace.
 David S. Grey, Justice of the Peace.
 Vitus Fielding, Justice of the Peace.
 Willis G. Steele, Constable.

JULY 25, 1856.—Commissions issued to the following-named officers in Douglas county:

To William P. Fain, County Assessor.
 James E. Thompson, Constable for the township of Lecompton.
 Robert C. Bishop, Constable for the township of Lecompton.
 Commission issued to William P. Hicklin, Justice of the Peace for Tecumseh township, in the county of Shawnee.

JULY 26, 1856.—Commission issued to Tulley Gilreath, Justice of the Peace for Deer Creek township, in the county of Douglas.

JULY 28, 1856.—Commission issued to James Adkins, Third Lieutenant of the "Kickapoo Rangers," in the county of Leavenworth, *vice* M. Pierce Rively, resigned.

Commissions issued to the following officers of the "Palmetto Rifles," a volunteer company in the county of Atchison:

To Robert D. White, Captain.
 A. Morrall, First Lieutenant.
 Wm. H. Grierson, Second Lieutenant.
 Chas. B. Buist, Third Lieutenant.

Commission issued to William J. Barnes, Captain First Company Mounted Riflemen, Volunteers, of the Second Brigade, Southern Division, Kansas Militia.

Commission issued to Andrew J. Francis, Notary Public for the county of Jefferson.

Commission issued to Thomas Reynolds, Notary Public for the county of Riley; also, to Mack Andrews, Notary Public for the county of Leavenworth.

JULY 28, 1856.—Commission issued to Frederick J. Thibault, Commissioner of Deeds for Kansas Territory in the State of California.

AUGUST 5, 1856.—Commission issued to Fox Booth, County Commissioner for the county of Riley.

Commission issued to Nathan Adams, Justice of the Peace for the county of Jefferson.

Commission issued to H. T. Titus, Colonel Second Regiment, Southern Division, Kansas Militia, *vice* Geo. W. Johnson, removed from the Territory.

AUGUST 6, 1856.—Newcomb J. Ireland commissioned Probate Judge of the county of Atchison, *vice* James A. Headly, resigned.

Commission issued to F. G. Palmer, County Surveyor for the county of Atchison.

AUGUST 13, 1856.—Commission issued to A. P. Walker, Quartermaster Second Regiment, Southern Division, Kansas Militia.

AUGUST 18, 1856.—Governor Shannon this day resigned the office of Governor of the Territory of Kansas, and forwarded his resignation by mail to the President of the United States, having previously visited the town of Lawrence, at the imminent hazard of his life, and effected the release of Col. H. T. Titus and others, who had been forcibly taken there by the armed organization of outlaws whose headquarters are at that place, and who had on the day before battered down with artillery the house of said Col. Titus, robbed his premises of everything valuable, and then burned his house to the ground, killing one of his companions, and taking the remainder, with Col. Titus and their plunder, to their fortified headquarters—Lawrence—at which place said Titus was put on trial for his life, and *sentenced to die*; which sentence would doubtless have been executed, but for the timely interposition of Governor Shannon, who, in consideration of the release of said Titus and his companions, consented to release *five men* held in custody in Leecompton under legal process, charged with being engaged in the late midnight attack and sacking of the town of Franklin—the outlaws having *peremptorily refused* to release said Titus and others, upon his demand as the executive officer of the Territory.

AUGUST 21, 1856.—The following dispatch from Major General Wm. P. Richardson, of the Northern Division, Kansas Militia, addressed to Governor Shannon, was received by the acting Governor:

HEADQUARTERS, WHITEHEAD, DONIPHAN COUNTY, }
KANSAS TERRITORY, August 20, 1856. }

His Excellency Wilson Shannon—SIR: Having received from various sources information that could not be doubted, that General Lane had recruited a large military force in the free States and marched them into the Territory of Kansas with the avowed object of setting at defiance the laws of the Territory, and being fully satisfied in my own mind that such an army of armed men greatly endangered the peace and quiet, if not the lives of our citizens, and wishing to preserve peace and quiet and give every assurance in my power that law should [be] preserved and all of our citizens protected in all their rights of persons and property to the full extent of the power vested in me by law, I did, on the 18th instant, issue my orders to the officers commanding the militia in my military division to assemble the militia under their respective commands forthwith, and report to me on this day at headquarters at Whitehead, in Doniphan county.

I await your commands in regard to the disposition and employment of the troops thus assembled.

Very respectfully, &c.,

(Signed)

WM. P. RICHARDSON.

Maj. General N. D. K. M.

The acting Governor to Major General Wm. P. Richardson:

GENERAL ORDER. No. 1.]

LECOMPTON, K. TERRITORY, EXECUTIVE OFFICE, Aug. 21, 1856.

Maj. General Wm. P. Richardson. Nor. Div. Kansas Militia—SIR: Your dispatch of the 20th inst., communicating the fact that you had, in pursuance of law, (Kan. Stat., cha. 110, sec. 26,) ordered out the militia of your division, to repel the present ruthless invasion of the Territory by armed mobs from distant States, has this moment been received, and is approved.

General Marshall, of the First Brigade, should be ordered to intercept the invaders coming in through Nebraska. He should have a force of not less than 300 mounted men, or more, if you deem it desirable, and one piece of artillery, if you can spare it. You will in person report to this office, with the remainder of your command, at the earliest practicable day.

In all your orders, the most rigid instructions should be given to protect the persons and property of *all peaceable, unoffending citizens, regardless of party distinctions or political differences of opinion*. We are not warring against the political sentiments of men, but against lawless bands of ruthless invaders, outlaws, and traitors. No one's house should be destroyed unless undoubted evidence exists that it is used as a *fort or arsenal* for the subversion of the existing Territorial Government, or for other equally lawless purposes, in which event it properly becomes subject to confiscation.

Col. Payne of the First Regiment Second Brigade, has already been ordered to move with all possible dispatch to this place, with all his enrolled forces.

Very respectfully yours,

DANL. WOODSON,

Acting Governor, Kansas Ty.

The acting Governor to Major General A. M. Coffey:

LECOMPTON, K. TERRITORY, EXECUTIVE OFFICE, Aug. 21, 1856.

GENERAL ORDER. No. 1.]

Major General Coffey, So. Div. Kan. Militia—SIR: It appearing that the Territory is invaded by armed bands of lawless men from distant States, who, in connection

with combinations of men not less lawless heretofore residing in the Territory, are now openly resisting the legal authorities of the Territory and killing and plundering at will the law-abiding citizens thereof, you are hereby commanded to take the field at once with your entire division for the purpose of restoring peace and quiet and maintaining the supremacy of the laws.

Your division will rendezvous at or near to the town of Palmyra, in the county of Douglas, and you will report the fact at once to this office.

You will also station detachments of your command at such exposed points as you may deem advisable for the purpose of protecting the lives and property of all law-abiding citizens; and in all your orders the most rigid instructions should be given to *protect the persons and property of all peaceable, law-abiding citizens, regardless of party distinctions or political differences of opinion.* We are not warring against the political sentiments of men, but against lawless bands of ruthless invaders, outlaws and traitors. No man's house should be destroyed unless undoubted evidence exists that it is used as a *fort or arsenal* for the subversion of the existing Territorial Government or for other equally lawless purposes, in which event it properly becomes subject to confiscation.

Very respectfully yours,

DANL. WOODSON,

Acting Gov. Kansas Territory.

AUGUST 25, 1856.—The acting Governor issued the following

PROCLAMATION:

Whereas, Satisfactory evidence exists that the Territory of Kansas is infested with large bodies of armed men, many of whom have just arrived from the States, combined and confederated together, and amply supplied with all the munitions and implements of war, under the direction of a common head, with a thorough military organization, who have been and are still engaged in murdering at will the law-abiding citizens of the Territory; driving them from their homes and compelling them to flee to the States for protection; capturing and holding others as prisoners of war; plundering them of their property and burning down their houses: and even robbing United States Post Office and the local militia of the arms furnished them by the Government, in open defiance and utter contempt of the laws of the Territory, or of the constitution and laws of the United States, and of the civil and military authority thereof—all for the purpose of subverting by force and violence the Government established by law of Congress in this Territory:

Now, therefore, I, Daniel Woodson, Acting Governor of the Territory of Kansas, do hereby issue this my proclamation, declaring the said Territory to be in a state of open insurrection and rebellion; and I do hereby call upon all law-abiding citizens of the Territory to rally to the support of their country and its laws, and require and command all officers, civil and military, and all other citizens of the Territory, to aid and assist by all means in their power in putting down the insurrectionists, and in bringing to condign punishment all persons engaged with them: to the end of assuring immunity from violence, and full protection to the persons, property and all civil rights of all peaceable and law-abiding inhabitants of the Territory.

[SEAL.] In testimony whereof, I have hereunto set my hand, and caused to be affixed the seal of the Territory of Kansas. Done at the city of Leecompton, this 25th day of August, 1856, and of the independence of the United States the eighty-first.

DANL. WOODSON,

Acting Gov. Kansas Territory.

AUGUST 28, 1856.—The acting Governor makes the following requisition upon Lt. Col. Cooke for U. S. troops:

LECOMPTON, KANSAS TERRITORY, EXECUTIVE OFFICE, August 28, 1856.

Lt. Col. Cooke, Commanding U. S. Troops, near Leecompton — SIR: The Marshal of the Territory and the sheriff of Douglas county, having officially reported to me that they are unable to execute certain legal writs which have been placed in their hands. I have to request that you will furnish them with a sufficient posse from your command (say seventy-five men) to enable them to execute said writs.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

The acting Governor to Maj. Gen. Richardson:

LECOMPTON, K. T., EXECUTIVE OFFICE, August 30, 1856.

Maj. Gen. W. P. Richardson, N. D. K. Militia — SIR: Your command will proceed to occupy the country between Leavenworth and Lawrence, approaching at or as near to the latter place as may be deemed advisable, with the view of preventing Lane's escape on the north side.

Gen. Coffey has been directed to proceed without delay to or near to Lawrence. Apprehensive that the order to Gen. Coffey may be intercepted, you will cause a copy of this order to be dispatched to him at once from your command.

Very respectfully,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

The acting Governor to Major General A. M. Coffey:

EXECUTIVE OFFICE, LECOMPTON, K. T., August 30, 1856.

Major General A. M. Coffey, S. D. K. Militia — SIR: You are hereby directed to move at the earliest practicable moment in the direction of Lawrence. Major General Richardson has been directed to place his command on the north side of Kansas river, at or near to the ferry at Lawrence. Understanding that reinforcements to Lane are constantly coming in on the north side, it is important that he should be routed at the earliest practicable moment.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

AUGUST 31, 1856.—Commissions issued to the following-named officers of a volunteer company organized in the neighborhood of Hickory Point, Jefferson county, called "Jefferson Rangers":

To Byran Brinter, Captain.

John Wilson, First Lieutenant.

H. A. Lowe, Second Lieutenant.

Richard Chandler, Third Lieutenant.

SEPTEMBER 1, 1856.—Commission issued to L. M. Ayre, Lt. Colonel First Regiment, First Brigade, Northern Division, Kansas Militia.

Commissions issued to the following-named officers of the Fourth Regiment, Northern Division, Kansas Militia:

To J. J. Clarkson, Colonel of the Regiment.

J. W. Dargan, Major of the Regiment.

H. C. Dunn, Captain of the "Union Guards."

A. B. Miller, Captain of the "Southern Rangers."

Jesse Connell, Captain of the "Round Prairie Guards."

D. G. Fleming, Captain of the "Coote Guards."

D. R. Hollingsworth, Captain of the "Delaware Company."

The acting Governor to Maj. General Richardson and Maj. General Coffey:

GENERAL ORDER, No. 2.]

LECOMPTON, K. T., EXECUTIVE OFFICE, Sept. 1, 1856.

Maj. General Wm. P. Richardson, Nor. Div. Kan. Militia—SIR: Your particular attention is called to the following clause in General Order No. 1, issued from this office on the 21st August:

"In all your orders, the most rigid instructions should be given to protect the persons and property of all peaceable, unoffending citizens, regardless of party distinctions or political differences of opinion. We are not warring against the political sentiments of men, but against lawless bands of ruthless invaders, outlaws, and traitors. No one's house should be destroyed unless undoubted evidence exists that it is used as a fort or arsenal for the subversion of the existing Territorial Government, or for other equally lawless purposes, in which event it properly becomes subject to confiscation."

It is absolutely indispensable that this order should be most rigidly enforced, and all violations of it subjected to the severest penalties. Whenever houses are condemned as forts or arsenals, orders should be regularly issued to have them pulled or knocked down. In no case should the torch be applied. The application of the torch is disgraceful to the age, and must not be tolerated.

Very respectfully yours,

DANL. WOODSON, Acting Gov. Kansas Ty.

A copy of this order was forwarded on the same day to Major General A. M. Coffey, of the Southern Division, Kansas Militia.

REPORT OF THE UNITED STATES MARSHAL.

U. S. MARSHAL'S OFFICE, LECOMPTON, K. T., Sept. 1, 1856.

Daniel Woodson, Esq., Acting Governor of the Territory of Kansas—SIR: In consequence of the arrival in this Territory of a large number of armed men, said to be controlled by Col. James H. Lane, who have been almost continually engaged in driving our citizens from the Territory, robbing and burning their houses, and killing all who were obnoxious to or resisted them, I am constrained to report that the ordinary course of judicial proceedings and the power vested in me as United States Marshal for this Territory, are wholly inadequate for the suppression of the insurrectionary combinations now known to exist through the whole extent of the Territory, unless I should call out a posse consisting of the strength of the entire Territory, a call which seems not to be in accordance with the views of the President, as will be perceived by reference to his dispatch to Col. E. V. Sumner, of the 23d of May last; and if this extreme measure should now be resorted to, it is extremely doubtful whether under existing circumstances it could be made effective in arresting and driving back the armed men that have already entered and are daily entering this Territory, murdering and robbing the peaceable settlers of the country, sparing nothing unless constrained by motives of policy or fear, thereby rendering it impossible for the law-abiding citizens, however patriotic, to respond to the call of their country for their services, each one being impelled by every consideration that is sacred or dear

to man to remain at home, to defend the lives of their families from these ruthless invaders.

Deeply impressed with the danger that is now menacing the lives and liberties of our citizens, and the total subversion of all law, both Federal and Territorial, I have deemed it my duty to submit for your consideration the foregoing statement, in order that you may take such action as you may think advisable to restore peace and quiet to this distracted Territory.

Very respectfully, your obedient servant,

(Signed)

I. B. DONALDSON,

U. S. Marshal for the Territory of Kansas.

Requisition of the acting Governor upon Col. Cooke, commanding U. S. Dragoons:

LECOMPTON, K. T., EXECUTIVE OFFICE, September 1, 1856.

Lt. Col. P. St. George Cooke—SIR: The U. S. Marshal for this Territory having officially reported to this office that the "ordinary course of judicial proceedings and powers vested in him as U. S. Marshal are wholly inadequate for the suppression of the insurrectionary combinations now known to exist through the whole extent of the Territory," it becomes my duty as the acting Executive to make a requisition upon you for your entire command, or such portion of it as may in your judgment be consistently detached from their ordinary duty, to aid me in suppressing these insurrectionary combinations and invasive aggressions against the organized Government of the Territory of Kansas.

Your command, or such part of it as you may deem necessary, will therefore proceed at the earliest moment to invest the town of Topeka, disarm all the insurrectionists or aggressive invaders against the organized Government of the Territory to be found at or near that point, leveling to the ground all their breastworks, forts or fortifications, keep the head men or leaders in close confinement, and all persons found in arms against the Government as prisoners, subject to the order of the Marshal of the Territory.

It is very desirable to intercept the invaders on the road known as "Lane's trail," leading from the Nebraska line to Topeka. If, therefore, your force is large enough to admit of it, a detachment should be stationed on that road, with orders to intercept all "aggressive invaders against the organized Government of the Territory" that may make their appearance. Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Territory.*

Col. Cooke to the acting Governor:

HEADQUARTERS, CAMP NEAR LECOMPTON, K. T., }
September 2, 1856—6 A. M. }

To His Excellency Acting Governor Danl. Woodson, Leocompton, K. T.—SIR: I received last night your letter of September 1st, informing me that the Marshal of the Territory had officially reported to you that "the ordinary course of judicial proceedings and the powers vested in him as U. S. Marshal are wholly inadequate for the suppression of the insurrectionary combinations known to exist through the whole extent of the Territory," and you therefore make requisition to "aid you in suppressing these insurrectionary combinations and aggressive invasions," "by marching to "invest the town of Topeka," "disarming all insurrectionists or aggressive invaders," "retaining them as prisoners subject to the order of the Marshal," and to level to the ground all breastworks, &c.

Since my instructions from the Secretary of War, February 15th, I am instructed by a letter from the Adjutant General to Col. Sumner, dated 26th March, 1856, in relation to the course to be pursued towards armed bodies coming into the Territory.

that "it is only when an armed resistance is offered to the laws and against the peace and quiet of the Territory, and when under such circumstances a requisition for a military force is made upon the commanding officer, by the authority specified in his instructions, that he is empowered to act."

I am further instructed by General Smith, August 28, 1856, that if it should come to my knowledge that either side is moving upon the other with a view to attack, it will become my duty to observe their movements and prevent such hostile collisions. But it will not be within the province of the troops to interfere with persons who may have come from a distance to give protection to their friends or others, and who may be behaving themselves in a peaceable and lawful manner. And further, "to make every exertion in my power, with the force under my orders, to preserve the peace and prevent bloodshed."

It is evident, both under the laws and my instructions, that the last resort—the effusion of the blood of the citizens by the military power, must be induced by a special act of resistance to the civil officer in the execution of his legal duty when assisted by that power. In no case yet, has the Marshal of the Territory, thus aided, been resisted. No specification of resistance by the people of Topeka is made in your requisition; nor is my aid asked to assist the Marshal in the execution thereof of any law, or the process of any court. It is simply a call upon me to make war upon the town of Topeka—to "invest" it, make "prisoners," "level defenses."

Your request that I should station troops on "Lane's trail," "to intercept aggressive invaders," would be clearly inconsistent with my last instructions, "not to interfere with persons who have come from a distance," &c., as well as those of the 26th March.

In my best judgment I cannot comply with your call. If the army be useless in the present unhappy crisis, it is because in our constitution and laws, civil war was not foreseen: nor the contingency of a systematic resistance by the people to governments of their own creation, and which at short intervals they may regularly correct or change.

Your letter will be forwarded by express to Major General Smith, for his consideration and action.

With great respect, I am, your obt. svt.,

(Signed)

P. ST. GEO. COOKE,

Lt. Col. Second Dragoons, Commanding.

CORRESPONDENCE.

LAWRENCE, KANSAS, Sept. 2, 1856.

To His Excellency D. Woodson and Col. Cooke—GENTLEMEN: It cannot be unknown to you that large bodies of armed Missourians are now invading our Territory, threatening to drive out every family that differs from them politically, and in many instances murdering in cold blood our most esteemed citizens, and burning their dwellings without the least provocation. Last Saturday about 200 of these outlaws entered Osawatimie, cannonaded and burnt it to the ground, sparing only two or three buildings belonging to the Pro-Slavery men—shot Frederick Brown through the heart while walking peaceably through the streets about sunrise. Then a part of them left for Ottawa Jones's, and burnt his house to the ground, and passed on towards Leecompton; while another portion went to Prairie City and charged upon a house, but were repulsed, when they retired back to Bull creek. Yesterday morning, we are reliably informed, a Free-State prisoner was murdered in their camp at Bull creek, which has been made their general rendezvous for several days. This party recently came into the Territory in warlike array from Little Santa Fé; and at the earnest solicitation of the settlers about Prairie City a force of Free-State men marched upon them Sunday, when they rapidly retreated towards Missouri.

Other parties of a similar character have been molesting the citizens north of the Kansas, on the Stranger and Grasshopper, and we learn that these parties have now concentrated in Lecompton: that they burnt the house of Mr. Snider Sunday evening, and other buildings in the vicinity, and that the peace of the entire community is threatened by these marauders. In accordance with the authority vested in you, respectively, we ask of you to remove or disperse them without delay, and thereby secure the mutual peace and harmony of our people.

In behalf of the Kansas State Central Committee.

WM. HUTCHINSON.

H. MILES MOORE.

P. S.—Since the above was penned, four other houses have been burned, on and near the California road, by the same party from Lecompton.

W. H.

LECOMPTON, KANSAS TERRITORY, EXECUTIVE OFFICE, Sept. 3. 1856.

To Messrs. Wm. Hutchinson and H. Miles Moore, "in behalf of the Kansas State Central Committee"—GENTLEMEN: Your communication of yesterday, addressed to Col. Cooke and myself, was received about five o'clock last evening, and I embrace the first opportunity of returning you an answer.

One would suppose from the manner in which you write, that you and those whom you represent were entirely unacquainted with the existing unhappy state of things in the Territory, and that you were peaceable, law-abiding citizens.

You cannot be uninformed of the fact that Gen. James H. Lane has recently marched into the Territory a large body of armed men, obtained chiefly in the Northwestern States, after canvassing those States for some time for them, avowedly for the purpose of setting at defiance our Territorial laws, and of subverting by force and violence the regularly established government of the Territory. At the time these men arrived in our midst, everything was comparatively peaceable and quiet. As soon as they crossed the northern boundary of Kansas they began the erection of a cordon of block-houses or forts, extending to Topeka, on the Kansas river, a town commonly known as the capital, for the time being, of the so-called State of Kansas. Soon after crossing the Kansas river these men, aided by lawless military combinations heretofore existing in the Territory, commenced, in pursuance of threats previously made, the bloody work of exterminating or driving from the Territory such of our citizens as had sought to enforce the Territorial laws, by attacking at midnight the law-abiding citizens of the town of Franklin with an overwhelming force of armed men, well supplied with Sharp's rifles and other deadly weapons; and finally succeeded by the application of the torch in driving the few citizens from the hotel—a log house into which they had been driven for self-protection by threats of violence previously made. The house was then robbed of almost everything valuable, as well as the store of Dr. Skillback, and the post office. The U.S. muskets left there for a volunteer company under the law were even taken away. This attack, it is now known, was headed in person by Gen. James H. Lane, under the assumed cognomen of "Col. Cook."

Soon after this a similar attack was made on the New Georgia Colony, every man of whom was compelled to flee the Territory to save his life, whilst their houses were burned to the ground.

The settlement on Washington creek was next threatened with extermination, and the settlers, driven by the instincts of self-preservation into the log house of James P. Saunders, Esq., one of the oldest and best citizens of Douglas county, began to fortify it; but finding a large army of outlaws advancing upon them with artillery, they were compelled to flee for their lives, and take refuge in the adjoining State of Missouri. The house of 'Squire Saunders, after being robbed of everything in it,

including the U. S. muskets furnished by the Government for a volunteer militia company of which he was captain, was then burned to the ground.

This army of outlaws next turned their course toward Lecompton, with the intention of attacking it, but were induced by some of their leaders not to do so at that time. They then attacked the house of Col. Titus, firing upon it with Sharp's rifles and artillery, killing one man and severely wounding a gentleman then residing with Col. Titus, who was also badly wounded, besides taking and holding as prisoners all persons found on the place, and a gentleman who was intercepted a mile distant, while engaged in taking a dispatch from Gov. Shannon to Maj. Sedgwick of the U. S. Army. This gentleman was robbed of his horse, and then marched with the prisoners taken at the house of Col. Titus to your own town of Lawrence, where they were detained as prisoners until an exchange was effected by Gov. Shannon, in consideration of his releasing certain persons held in custody here under a legal process for being implicated in the midnight attack and robbery of the citizens of Franklin—your, or a somewhat similar committee, positively refusing to surrender them upon his demand as the executive officer of the Territory.

It is unnecessary to add that Col. Titus's house was robbed of everything valuable, even the wearing apparel of his negroes, and then consigned to the flames.

Many other depredations scarcely less atrocious, committed by Lane's men and the lawless military combinations heretofore existing in the Territory, might be adverted to, but these will suffice; for all of which certain presses in the Northern and Eastern States seem to have been prepared in advance by numberless letter-writers in the Territory, charging upon persons called "Missourians" the intention of committing similar outrages upon "innocent Free-State settlers," and thus seeking to justify in advance their own crimes; thus showing conclusively a long-meditated and systematic invasion of the Territory, and insurrection against the constituted authorities and government thereof, and the bloody work was only postponed, as is now manifest, until the arrival of Lane and his men.

It is passing strange that those who have thus defied the Territorial laws and who have thus attempted to subvert by force and violence the existing government of the Territory, should at this time, as if oblivious of their fatally lawless conduct, apply to those very laws, and the very government they have been, and are still, seeking to subvert by force and violence, for protection. Protection by the Territorial laws and authority, you, gentlemen, must be aware, cannot be afforded to those in open rebellion and insurrection to such laws and authority, but only to peaceable, law-abiding citizens.

It has become my duty, as the acting Executive of the Territory, to take all the legal measures in my power to suppress all such lawless and insurrectionary combinations against the peace and quiet of the Territory, as well as the very existence of the Territorial Government itself, of which I cannot believe you to be ignorant; but as you seem to be, I herewith inclose you a copy of the proclamation issued from this office on the 25th August, and of the general orders previously issued to Maj. Genls. Richardson and Coffey. Orders have subsequently been issued positively forbidding the burning of houses in any case, under the severest penalties. It is not surprising, however, that persons who have been robbed and burnt out of houses and homes by your men, should seek to retaliate.

No one deplores the existing unhappy state of things more than I do, but peace, quiet and harmony can only be restored by a due enforcement of our Territorial laws. Forcible resistance to their execution, or invasive and insurrectionary military combinations to subvert the existing government, can never effect that desirable end. If peace and harmony are what you want, gentlemen, it can be speedily obtained by giving a sufficient guaranty on the part of those you represent of implicit

obedience to the laws of the Territory until they are modified or repealed by competent authority, or declared invalid by the courts.

Respectfully,

DANL. WOODSON,
Acting Governor Kansas Territory.

SEPTEMBER 3, 1856.—The following letter was received by the acting Governor:

LAWRENCE, K. T., Sept. 2, 1856.

To His Excellency D. Woodson and Col. Cooke — GENTLEMEN: Circumstances that we doubtless mutually deplore have made it our duty to confer together several times during the last few weeks relative to our own security and protection. In conformity to all law and justice, even in times of war, such deputations have been welcomed and allowed to return without molestation, until last Thursday. We then sent S. Southerland, G. W. Hutchinson and a young man from Leavenworth, to you to recite you the condition of our teams. Their drivers and eight passengers went to Leavenworth last Tuesday in accordance with your own suggestion, (or that of Col. Johnson.) and the outrages they have since suffered you are probably familiar with. We learn with much regret that after Messrs. Southerland and Hutchinson had conferred with Governor Woodson, they were taken just in front of his office by a mob, and by them are still retained in Leecompton. We have not learned that any legal charges are preferred against them, and we now ask you why they are retained? Whether merely as prisoners of war, and whether you thereby say to us that civil war now exists? Unless you take this ground, we claim of you their immediate and unconditional release.

We send their wives to-day as the bearers of this, and as a consolation to the imprisoned; and would ask of you most respectfully to grant them such an escort or protection while among you or near your town as their own safety may require.

In behalf of the Kansas State Central Committee.

(Signed)

WM. HUTCHINSON.
H. MILES MOORE.

To this letter the acting Governor replied as follows:

LECOMPTON, KANSAS TERRITORY, EXECUTIVE OFFICE. Sept. 3, 1856.

Messrs. Wm. Hutchinson and H. Miles Moore, "in behalf of the Kansas State Central Committee" — GENTLEMEN: In reply to your communication of yesterday, which was received late last night, complaining of the retention here of a deputation of several gentlemen on the part of your committee, I have to state that no such "deputation" have made any application whatever to me, nor has any such deputation been detained here. It is true that Mr. Hutchinson and Mr. Southerland called at this office on Friday evening last and complained of certain alleged depredations upon their property — one on account of outrages said to have been perpetrated upon his wagons or teams near Leavenworth, and the other upon his hack and passengers. They did not represent themselves as a "deputation" in behalf of your "committee," or of any persons whatever, except themselves individually, each one making his own complaint. They were courteously and kindly received by myself, and the legal remedy pointed out to them. Nothing whatever was said in regard to their being deputed to act for any other persons than themselves, and nothing of the character was dreamed of by me, or in any way intimated to me, until I received your letter of yesterday.

They were arrested by order of Genl. Marshall as spies, he doubtless having the authority in the present insurrectionary state of the country to do so. They have been and are still very kindly treated.

I will simply add that with their wagons or teams and hack—or rather, as it appears from your letter, your wagons, &c.—were found two persons who were recognized as being engaged in the attack on Col. Titus's house, and the burning thereof, and with whom some of Col. T.'s property, of which he was then robbed, was found.

Very respectfully, yours,

DANL. WOODSON,

Acting Governor Kansas Territory.

SEPTEMBER 5, 1856.—Commission issued to James Adkins, Sheriff of Atchison county, *vice* Eli C. Mason, resigned.

Commission issued to C. L. Newman, Adjutant Third Regiment, First Brigade, Northern Division, Kansas Militia.

Commission issued to Samuel C. Glenn, Justice of the Peace for the county of Marshall.

SEPTEMBER 6, 1856.—Commission issued to Wm. N. Glenn, Sheriff of Marshall county, *vice* George T. Hubbard, removed from the county.

Commissions issued to the following-named officers of the Fourth Regiment, Second Brigade, Northern Division, Kansas Militia:

To Wm. Ewing, First Lieutenant of the "Southern Rangers."

F. Rucker, Second Lieutenant of the "Southern Rangers."

Greenlee Butter, First Lieutenant of the "Coote Guards."

H. E. Hardy, Second Lieutenant of the "Coote Guards."

N. W. Hodges, First Lieutenant of the "Round Prairie Guards."

S. F. Rhea, Second Lieutenant of the "Round Prairie Guards."

Dr. J. E. Bennett, Surgeon of the Regiment.

CORRESPONDENCE.

LAWRENCE, KANSAS. September 6. 1856.

To His Excellency Governor Woodson, and Col. Cooke, Commander of the U. S. Troops near Lecompton—GENTLEMEN: The roads leading to Leavenworth and Westport are beset with bands of armed men, who seize our men, and arrest all trains of wagons going to either point. These thoroughfares furnish the only avenues by which provisions can be introduced into Kansas. Our people are suffering for provisions. We have our trains and money prepared to supply ourselves. We respectfully for our people request that these roads be immediately opened by the troops, subject to your order or command, or at least an escort of the same furnished to our trains that are now waiting to start. We trust that not a moment will be lost in responding to this call. Our people will quietly submit no longer.

In behalf of the Kansas State Central Committee.

WM. HUTCHINSON.

J. BLOOD.

H. MILES MOORE, *Secretary Kansas State Central Committee.*

LECOMPTON, K. T., EXECUTIVE OFFICE. September 7. 1856.

To Messrs. Wm. Hutchinson and J. Blood, "in behalf of the Kansas State Central Committee"—GENTLEMEN: Your communication of yesterday, addressed to Col. Cooke and myself, asking that the roads leading from Lawrence to Leavenworth and from Lawrence to Westport should be opened, so that you can get provisions for your people, was received to-day about noon.

If the roads in question are closed at this time, gentlemen, (which I do not doubt,) to the convenience and necessities of your people, you must be aware that it is the natural and inevitable result of the present lawless and revolutionary position in which you have of your own accord most unfortunately placed yourselves. So long as you continue to hold yourselves in such a position, it is unnecessary for me to say to you, the Government cannot comply with your request. If you really desire the protection of the Government, it is your obvious duty to respect and submit to the laws of the Territory, organized by the Government of the United States, and to cease at once and forever all attempts to subvert by force and violence that Government and establish upon its ruins your so-called "State Government."

But give a sufficient guaranty to this effect, gentlemen — that you will quietly submit to the enforcement of the Territorial laws, the Territorial officers, until said laws are modified or repealed, or declared invalid by the courts, and I assure you and your people that your request will not only be promptly complied with, but that the whole civil and military power of the Government will be exerted to protect you fully in all your lawful rights of persons and property; and I would take the liberty of invoking you in the name of our common country, and for the sake of all that is near and dear to American citizens, to do so at once, that peace and harmony may once more prevail.

Very respectfully yours,

DANL. WOODSON.

Acting Governor Kansas Territory.

REPORT OF THE SECRETARY TO THE PRESIDENT.

LECOMPTON, KANSAS TERRITORY, SECRETARY'S OFFICE, Sept. 20, 1856.

To His Excellency Franklin Pierce, President of the United States — SIR: I have the honor to transmit to your Excellency the following report and accompanying documents in regard to the unhappy disturbances in this Territory.

It will be seen from the official report, marked "A," of Brig. Gen. Marshall, of the First Brigade, Northern Division, Kansas Militia, that one Gen. James H. Lane invaded the Territory with an armed force of some 800 or 1,000 men, all well supplied with every instrument of war, for the purpose, as avowed by themselves, of "revolution and of destroying the force and integrity of the present laws, by setting them at defiance and protecting all in the violation of them, and to avenge what they term the wrongs of the Abolition party in the Territory — to take a fearful vengeance on the officers and others who are and have been instrumental in the preservation of the Government — law and order. They would keep up their military organization, divided throughout the election districts, and control and determine the fall election."

When Gov. Shannon received intelligence that these lawless men had approached the Nebraska line in military array and for the purposes above set forth, he immediately requested General Smith, of the U. S. army, to station his command on the northern frontier to intercept them or prevent their entering the Territory. This officer, however, not believing the account to be authentic, declined to act. Brigadier General Marshall, under authority vested in him by law, (Kan. Stat., ch. 110, sec. 26,) ordered out his brigade to repel the invasion, but in consequence of the "great distance between the settlements and points of command constituting the First Brigade, could not have a serviceable coöperation of the law-abiding citizens to repel this most violent and lawless invasion of the peace of the Territory."

Lane's army came in without interruption or resistance, erecting, I have been reliably informed, as they came, a cordon of forts or block-houses extending from the Nebraska line to Topeka, on the Kansas river, a town known as the capital at present of the so-called "State of Kansas." Soon after they came into our midst, aided

by lawless military organizations heretofore existing in the Territory, they began, in pursuance of threats previously made, the bloody work of exterminating or driving from the Territory the law-abiding citizens, by attacking at midnight with an overwhelming force, armed with Sharp's rifles and other deadly weapons, the citizens of Franklin, who assembled in a log house known as Crane's Hotel, for the purpose of protecting themselves. Here they successfully resisted the outlaws for four hours, who then changed their mode of attack, and driving up in front of the house a wagon loaded with hay, set it on fire, the flames from which soon communicated to parts of the building and compelled the inmates to cry for quarter. Some were taken prisoners, whilst others made their escape. The building was then robbed of many valuables, and the post office, as well as the store of a Dr. Skillback. The muskets furnished by the Government to a volunteer company of militia, and a cannon which the citizens had procured for their own protection, were also forcibly taken. It has since been ascertained that this attack was headed in person by General James H. Lane, under the assumed cognomen of "Col. Cook."

Soon after this, a similar attack was made on the "New Georgia Colony," every one of whom, including the women and children, were compelled to flee the Territory to save their lives, whilst their houses were burned to the ground.

The settlement on Washington creek was next threatened with extermination, and the settlers, driven by the instincts of self-preservation, into the log house of James P. Saunders, Esq., one of the oldest and most reputable citizens of Douglas county, began to fortify themselves; but finding a large body of outlaws advancing upon them with artillery, they were compelled to flee for their lives and take refuge in the adjoining State of Missouri. The house of Squire Saunders, after being robbed of every thing in it, including the muskets furnished by the Government to a volunteer militia company, of which he was captain, was then set on fire and burned to the ground.

This body of outlaws next turned their course towards Lecompton, with the intention of attacking that place, but for reasons best known to themselves, declined doing so at that time.

They then attacked the house of Col. Titus, firing upon it with Sharp's rifles and artillery, killing one man and severely wounding a gentleman then residing with Col. T., who was also badly wounded. They then robbed the house of everything in it and burned it to the ground, taking and holding as prisoners all persons found on the premises, and a gentleman (see affidavit No. 1.) who was intercepted a mile distant whilst engaged in bearing a dispatch from Governor Shannon to Maj. Sedgwick of the U. S. Army, encamped about a mile and a half south of the house of Col. Titus. This gentleman was robbed of his horse and marched with the plunder and prisoners to the town of Lawrence, where they were detained as prisoners (see affidavit of Dr. A. Roderique, and corroborating statement of Gov. Shannon, marked No. 2.) until an exchange was effected in consideration of certain persons being released, who were then held under legal process in Lecompton, as implicated in the midnight attack and robbery of the citizens of the town of Franklin — the "Committee" of outlaws at Lawrence positively refusing to release them upon the demand of Gov. Shannon, as the executive officer of the Territory, and by insisting upon the exchange, which was finally agreed upon, to all effect and purposes proclaimed themselves and those for whom they acted, in a state of insurrection and rebellion. (See again affidavit No. 2.)

As the Territory was thus not only invaded by an armed force who were laying waste the country with fire and sword, and spreading desolation and terror wherever it best comported with their fell purposes to do so, all in open violation and utter contempt of the President's proclamation of the 11th February, 1856, but were also in an ad-

mitted state of insurrection and rebellion, (see affidavit No. 2, and the report of the Marshal of the Territory, marked No. 3.) I felt it to be my duty, and I believed I was fully authorized by the instructions of the Secretary of War to Col. Sumner of the 15th February last, to make a requisition upon Col. Cooke, commanding the U. S. troops near this place, to use his command in such a way as would repel the "aggressive invaders," and suppress the "insurrection and rebellion." (See letter to Col. Cooke, and his reply, marked No. 4.)

Upon this requisition Col. Cooke declined to act, for reasons stated in his letter, which, however satisfactory they may appear, I am constrained to believe impelled him to a most unfortunate conclusion. Topeka was known to be the capital of the so-called "State of Kansas," and as such, the headquarters of the army of "aggressive invaders," whose object was to subvert by "force and violence" the lawful Territorial Government, and establish upon its ruins what is termed a "State" under the illegal and fraudulent "Topeka" Constitution. From Topeka detachments were sent out at will to exterminate or expel from the Territory such settlements of law-abiding citizens as the outlaws might see proper to make an example of. From the same point, it was well known, came large numbers of those engaged in expelling the settlers on Washington creek from the Territory, and robbing them, and burning their houses, and who afterward attacked the house of Col. Titus, within a mile and a half of a camp of U. S. dragoons, with all the implements of war, killing one man, and wounding several others—after which they robbed the house of everything valuable, and consigned it to the flames. They then returned to Topeka, from which point they have since repeatedly sallied forth, robbing and plundering at will the adjacent country. (See affidavit No. 5.)

It was wholly impracticable to identify such outlaws and traitors in advance of arrests by legal writs, for the obvious reason that personally they were almost wholly unknown, many of them being strangers in the country; and whenever one happened to be known, and a civil officer with a posse was sent to arrest him, they would invariably fail to find him, he being safely secreted by his associates, who were not identified. It was indispensable, then, that these "aggressive invaders" and "insurrectionists" should be first arrested and disarmed, and an end thus put to their bloody work, before legal proceedings could be successfully instituted against them, or peace and quiet restored to the country; and it was only such persons that Col. Cooke was required by my requisition to arrest, which could only have been done at Topeka by investing the town.

As the acting Executive of the Territory, and as such, conservator of the peace, I felt not only authorized by the instructions of the Secretary of War above referred to, but imperatively called upon by every consideration of duty—not the least of which was a sincere desire to avoid as far as possible the effusion of blood—to make said requisition upon Col. Cooke. Had my wishes prevailed, I am fully persuaded that much difficulty and trouble would have been averted. Certain it is that the wholesale pillaging of the country on both sides of the Kansas river, since, by marauding parties then concentrated at Topeka, would have been prevented, and the marauders themselves made to appear before the judicial tribunals of the country, to answer for their crimes, without bloodshed, as it is believed U. S. troops would not have been resisted.

This much accomplished at Topeka, it would have been a comparatively easy task to have the same done at all other disaffected points, by which means peace and quiet would have been speedily restored. The local militia that had been ordered out by Generals Richardson and Marshall to repel the invasion, as well as those called out by myself, would have been speedily disbanded, there being nothing left for them to do; whilst the people on the Missouri border, finding that their friends

in the Territory were protected by the Government in their lawful rights, would have had no pretext, and I verily believe no disposition, to enter the Territory in hostile array.

There being no other available means with which to repel the "invasion" or suppress the "insurrection" then staring us in the face, the local militia had of necessity to be used as best they could, or the Territory surrendered to outlawry and vandalism.

In consequence of the sparsely settled condition of the country and the entire want of efficient organization, the militia could not be brought promptly and efficiently to act. It is a matter, too, of much regret that some unruly persons attached themselves to some of the commands, whose excesses could not be foreseen or the guilty perpetrators identified, although every effort was made to prevent the one and ferret out the other.

The sudden and unexpected appearance of Lane and his men in a hostile attitude in the very heart of the Territory had the very natural effect of driving from it temporarily at least, a vast number of law-abiding citizens. It is estimated by competent judges that not less than five or six hundred were driven from Douglas county alone, and in Franklin, Anderson and Lykens, it is said, scarcely a family was left.

I have thus given a succinct account of the most unfortunate state of affairs existing in this Territory for a short time previous to the arrival of Governor Geary, and of the course I have deemed it my imperative duty to take in relation to them. All of which is most respectfully submitted.

With Governor Geary it will be my pleasure, as well as duty, cordially to coöperate in executing the laws and in carrying out the policy he has adopted, which I am happy to state thus far gives substantial assurance of the most auspicious results.

Very respectfully, your obedient servant,

DANL. WOODSON.

Secretary of Kansas Territory.

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With Governor Geary it will be my pleasure, as well as duty, cordially to cooperate in executing the laws and in carrying out the policy he has adopted, which I am happy to state thus far gives substantial assurance of the most auspicious results.

Very respectfully, your obedient servant,

DANL. WOODSON,

Secretary of Kansas Territory.

ADDRESS OF EX-GOVERNOR FREDERICK P. STANTON.

DELIVERED AT THE OLD SETTLERS' MEETING, BISMARCK GROVE, LAWRENCE, SEPTEMBER 2, 1884.

[In 1870, an "Old Settlers' Association" was organized in Lawrence. Though in a measure local in its character, it has sometimes in its meetings embraced attendance from a considerable portion of Kansas outside of Douglas county, and its proceedings have included addresses not only made by prominent persons residing in distant parts of Kansas, but of those residing in the East, who have by invitation attended and taken part in the proceedings. In 1884, ex-Governors Frederick P. Stanton* and James W. Denver, having been invited, attended and delivered addresses. By vote of the Board of Directors of the State Historical Society, these two addresses were ordered to be embraced in this volume of the collections of the Society.]

Governor Stanton, having been introduced by ex-Governor Charles Robinson, President of the Association, proceeded as follows:

Friends and Fellow-Countrymen, Old Settlers of Kansas:

You see that I have come in pursuance of your kind invitation; and I am grateful for this opportunity to participate in your interesting celebration, for I feel that it is good to be here. I am particularly mindful of your injunction to make "a short address." Your suggestion of brevity is very reasonable, and to me very acceptable; but I must confess that I am embarrassed by the necessity of condensing the substance of many great events into the compass of a few brief words.

You advised me that you had invited "each one of the ex-Governors of the State as well as the Territory to be present" on this occasion, from which I infer that your purpose is to review the past, as well as to observe the wonderful prosperity of the present—an exhibition of progress most interesting and remarkable, inasmuch as it has emanated from and grown out of those stormy beginnings of your history which we now commemorate.

It is not without the highest admiration and sympathetic delight that I now witness the great work you have accomplished, in all the departments of human affairs, since the days when you first pitched your tents on these beautiful prairies, then a wilderness, inhabited only by Indians and the wild beasts they pursued. I see around me all the indications of those

* Frederick P. Stanton, having been appointed Secretary of the Territory, succeeded Daniel Woodson in that office, April 16, 1857; and in the absence of the Governor immediately became acting Governor, and served in that capacity until May 27, 1857, when Governor Robert J. Walker arrived and assumed the duties of his office. In the absence of Governor Walker from the Territory, Mr. Stanton became acting Governor again, from November 16, 1857, to December 21, 1857, when he was succeeded by James W. Denver as Secretary and acting Governor.

grand social and political achievements, and those mighty material creations of yours, which the maps of the country and the statistics of the last national census verify, and which all the world has learned with gratification and astonishment. I remember that in February, 1858, the eminent historian of our country, George Bancroft, presiding over an anti-Lecompton meeting in New York, made this remark about you, the people of Kansas: "What they have accomplished under unexampled difficulties and trials is the miracle of the age. A commonwealth in all its fair proportions has grown up, as it were in the night-time."

If at that early day, in the midst of all its dangers, troubles, and wrongs, the growth and achievements of this community were miraculous, what shall be said of them now, after the lapse of a quarter of a century, during which the greater desolation of our dreadful civil war did not avail to stop this marvelous progress? And what will the future historian have to say, a quarter of a century hence, when another generation shall have expended here its labor and enterprise, not in the midst of war and desolation, but almost certainly in the confidence of assured peace and permanent tranquility? A new language will be required to characterize these coming events, which, in the light of the past, our sober judgment assures us, will prove to be the creation of new marvels even in your miraculous career.

Only some score of years ago, your young city of Lawrence, dripping with the blood of her citizens, rose up from the ashes of a second conflagration, undismayed, to pursue her destiny; and now she stands a proud monument to the indomitable energy and intelligence of her citizens, an ornament to the great and growing State, and a mighty landmark in its history. She is but a type of the whole State; always extreme in opinion, foremost in the strife and deepest in disaster, never disheartened, but possessing that noble fortitude and recuperative power which insures success and eventual prosperity. The high moral and intellectual qualities and physical energies which have brought the young State to its present remarkable condition, even through all the disasters of sanguinary war, will not fail, in time of profound peace, to carry that progress onward to a destiny of unexampled greatness.

But let us look back and recall some of the struggles and difficulties, as well as the triumphs of the past. Other gentlemen, better informed than I am, by personal knowledge and participation in the events themselves, have told, or will tell you, what they did or saw in the Territory before I came; and if they do not, you know it all better than I can tell you. Therefore, if in my present brief remarks I confine myself to the transactions in which I was officially concerned, you will not ascribe it to egotism, but will no doubt allow that I am only observing the proprieties and just requirements of the occasion.

It was in April, 1857, that I made my first appearance here as acting Governor of the Territory. I did not know the people, nor they me. Of

course I could then have had no personal knowledge of the preceding events in your history. What information I had was derived from the partisan reports of one side or the other, necessarily sifted through my own prejudices, with no claim to infallible insight, but certainly with an honest purpose to form an impartial judgment and to act upon that, fairly and honorably. My comprehension of the existing conditions of affairs I soon ascertained was exceedingly imperfect; and if when I first addressed the people here I was betrayed into some rash and indiscreet expressions, you will acknowledge that I was naturally exasperated by the violent demonstrations of the audience, who treated me with all the suspicion and distrust which perhaps they had the right to feel towards the administration which sent me. It was a case of mutual provocation and misunderstanding, arousing a storm of excitement which speedily subsided.

But the long lapse of intervening years has mellowed the memory of those events; and I look back upon them through the mists of time—through the dust, and smoke, and confusion of the stormiest period of our history, with softened feelings towards all, whether friend or foe, with what I hope is a just appreciation of the causes which produced and excused, if they did not justify, the distrust and opposition with which the people greeted me.

When I made my advent here as the forerunner of Governor Walker, and in some sense the exponent of the principles on which his administration was to be conducted, the very crisis of your political destiny was at hand. The era of violence, of strife and battle, had mostly passed away: though a large military force of the United States was stationed in the Territory and placed at the command of the Governor for the purpose of aiding in enforcing the laws and maintaining the public peace. But at no time during either of the periods when I had full authority as Governor, did I have occasion to call upon the military for any service whatever.

When I say the crisis was upon you, I mean to speak of the impending change from a Territorial to a State Government. That was to be the inevitable outcome and consummation of all the struggles and trials and sufferings of the people. It would bring them to that starting-point of political maturity at which they would be absolutely free to govern themselves as a sovereign and coequal member of the Union, subject only to the provisions of the Federal Constitution. The conditions under which you would enter the Union, the peculiar institutions you would adopt for the new State, and the individual citizens to be intrusted with the administration of its affairs, these naturally were all matters of momentous interest to you.

Looking back now at this distance of time upon the troubled experience of those eventful days, how different everything appears in the light of these tremendous changes which were destined soon to ensue! Some events that seemed to us trivial, and others that appeared to be of the greatest importance, have very different proportions to our present view from what they

had when we were in the midst of them. What is slavery now but a memory—the mere memory of a painful dream? The establishment of the Topeka Government on the one hand and of the Lecompton Constitution on the other, were each held to be the all-important ends to be attained by their respective partisans, whereas the real vital question involved proved at last to be whether the majority of the people should have the right, in a regular and legal way, to form a State government for themselves, or whether a partisan administration, leagued with an unscrupulous minority in the Territory, could compel the people, on the mere hollow pretense of legality and regularity, to submit to the imposition of institutions which they had had no part in forming, and which, in fact, they abhorred and had rejected by an overwhelming vote. This was the issue finally evolved out of your long struggle, and upon which your great victory was achieved.

Both these schemes—the Topeka and Lecompton schemes—had originated and were more or less matured, before I came to the Territory. The constitutional convention which afterwards met at Lecompton had been provided for by the Territorial Legislature before my appointment as Secretary. The census of the people required to be taken in the several counties had been taken, or was being taken, when I arrived. As acting Governor it became my duty to make the apportionment of delegates to the several counties based on the returns of the census. This duty I performed to the best of my knowledge and ability; perhaps if I had known all the facts which came to my knowledge afterwards, I would have acted differently. In about one-half the counties no census had been taken. I was ignorant of the circumstances, and greatly perplexed; but being compelled by law to act within a brief period, I thought there was no alternative but to apportion the delegates to the several counties on the returns which had been made. This left the question of regularity and legality to the convention itself, and ultimately to Congress, which of course had the final decision of the whole subject.*

* The delegates to the Lecompton Constitutional Convention were elected June 15, 1857. The convention met at Lecompton on the 7th of September, and soon adjourned until October 19th. The election for members of the Territorial Legislature took place on the 5th of October. At this election the Oxford and other frauds were committed.

The Lecompton Convention provided for an election on the 21st of December on the adoption of the slavery clause, in these words: "The ballots cast at such election shall be indorsed, 'Constitution with Slavery,' and 'Constitution with no Slavery.'" The Convention also provided for an election on the 4th of January following, for State officers and members of the Legislature under the constitution.

The time for the regular meeting of the Territorial Legislature was January 4, 1858. Governor Stanton called an extra session, which met on the 7th of December preceding, and passed an act submitting the Lecompton Constitution entire to a vote of the people.

The vote on the Lecompton Constitution, December 21, as submitted by the convention, was, as announced by General Calhoun, for the "Constitution with Slavery," 6,266; "Constitution with no Slavery," 569. The vote at the election on the constitution, as provided by the Legislature at the extra session, was, "Against the Constitution," 10,226; "For the Constitution with Slavery," 133; "For the Constitution without Slavery," 23.

Congress finally, under the English bill, provided for the submission of the constitution to a vote of the people. This election took place August 2, 1858, and resulted in a vote of 1,733 for the constitution, and 11,300 against it. Majority against the constitution, 9,512. And this was the end of the Lecompton Constitution.

We all know that the great majority of the people were not registered in that census, and could not vote for delegates to the convention. Only a very small minority of the people participated in the election which followed.

On the one hand, it was said that the Free-State men refused to be registered, or in any way to participate in the proceedings and thus acknowledge their validity; on the other hand, it was replied, that it was the duty of the census-takers to register the names of all citizens, and that the names of many prominent Free-State men, well known to the officers, were purposely omitted from the lists, whereby these citizens, without their fault, were unjustly deprived of the opportunity to vote if they had desired to do so.

No one, I presume, will deny that the Free-State party voluntarily withheld their votes and refused to participate in the organization of the Le-compton Convention. But in the light of subsequent events, this becomes a matter of no importance. It is too late now to inquire what justification the mass of the people had for refusing to recognize the laws of the Territory. The fact that they did so refuse, and that the convention represented but an inconsiderable part of the actual citizens of the Territory, was universally known and admitted. But the Government at Washington—the President and Congress, recognized the validity of the Territorial laws. Therefore, aside from the irregularities and imperfections of the census, the legality of the election and organization of the convention could not fairly be disputed; for we all know that the Federal Government has supreme control over the Territories so long as they remain such, and the recognition of their laws by the political authorities at Washington, viz., the President and Congress, makes them valid to all intents and purposes; and so the courts have always held, and will always hold in all such cases. Therefore, if the people of this Territory chose to neglect their opportunity to vote on these important matters, assuming that they had such an opportunity, it was their own choice, and they would have no just right to complain. But the safety-valve if the worst should come, which remained ready always for the relief of the people even from their own errors or omissions, was their unquestionable right to enjoy a fair opportunity to vote on any constitution which might be made for them, and to accept or reject it according to their own sovereign will. Both Gov. Walker and myself assured you in the most solemn manner that the President was fully committed to this principle. We did not belie Mr. Buchanan, but he betrayed us and you.

Now this, in brief, was the political situation when I came to the Territory, charged with the commands and under the absolute control of the Executive Government at Washington; by which, I mean simply that a certain policy, in which I fully concurred, had been prescribed by the President, and I was subject at any moment to be dismissed at his pleasure. I was honorably bound to carry out the instructions to which I had agreed, and I would have had no right to complain of my removal if I had disobeyed them. It is true the organic act, alike binding on the President and myself, gave certain



powers and imposed certain responsibilities on the Governor, which were independent of the President and rested solely on the conscience of the Governor so long as he held that position. In such cases, involving the interests and welfare of the people, I was bound to do what I considered right, regardless of censure from any quarter.

It was indeed a momentous crisis, fraught with results of incalculable importance, and likely at any moment to bring about contingencies demanding prompt action, without time or opportunity for consultation. A very embarrassing problem was presented for solution to the Territorial administration, the elements of which were what I have already stated.

The very highest act of sovereignty—that of forming a State constitution for admission into the Union, was about to be done *for* the people, if not *by* them. The great mass of the citizens had refused to coöperate in the preliminary proceedings; so far from it, they had actually projected an antagonistic State government which they were threatening to put into practical operation. The Government of the United States, then controlled by the administration of Mr. Buchanan and a Congress Democratic in both branches, recognized the legitimacy of the Territorial authorities and the validity of the laws by virtue of which the Leecompton Constitutional Convention was to be organized, and held a portion of the army stationed in the Territory, subject to the command of the Governor, for the purpose of enforcing the laws and maintaining order. The Governor and Secretary were in a certain sense only the agents of the Washington government, inasmuch, as you well know, they were wholly at the mercy of the President, to be dismissed at any moment at his own whim and caprice, or at the suggestion of such heated partisans as might at any moment reach his ear and command his confidence. We, Governor Walker and myself, had done all that was possible or necessary, as we thought, when in advance of our coming to the Territory we had secured the pledge of the President and his Cabinet to sustain us in urging the people to take charge of their own affairs by going into the elections, assuring them in the most solemn manner that the voice of the majority should prevail, and that no fraud or violence that we could prevent should be allowed to defeat a full and fair expression of the public will.

I repeat that we had a most difficult problem to solve. We were placed between two fires. We had to meet the distrust of the people here, and were liable to be deserted by the administration at Washington. There was a perpetual effort to undermine us with the President by the extreme men of the South who held his confidence, and probably prevailed over his better judgment by their threats of disunion. Then in aid of this, there was a perpetual stream of misrepresentation pouring in upon the members of the administration from the Territory. Long before the final break between us and the President, that result was known and predicted here by the leading

Pro-Slavery men, who were in constant correspondence with their coadjutors in Washington and the South.

You do not need to be reminded of the earnest efforts made by Governor Walker in many public speeches to induce the people of the Territory to confide in our pledges, and go forward and exert their supreme authority at the polls. I have a vivid recollection of the objections with which my own humble efforts in the same line were met. On every hand among the Free-State men I was greeted with the violent assertion that it was not in our power to provide a fair election; that we, ourselves, would be deceived and cheated; and that they would be outnumbered and overpowered by the votes of invaders under the very bayonets of the army. But I was most of all surprised when some of these men said: "If you undertake to deal fairly with us the Government will desert you, and you will yourselves be removed from office." I laughed at this prediction when it was made, but I found afterwards it was something more than a mere jest. Your sad experience had made your apprehensions of evil prophetic.

It was too late then for the people to participate in the election of delegates to the convention. They had not been registered, and could not vote. They had either shut themselves out by refusing to register their own names, or they had been excluded by the partisan officers who had purposely omitted them from the lists. Whichever of these statements was true, the Lecompton Convention was elected by an inconsiderable number of the people, and in no sense represented the prevailing public opinion. Yet this body assembled at the appointed time and organized itself for action; but as the October elections were approaching, it adjourned without doing anything important, postponing its work until after the result of the election should be known. It was then understood that the counsels of the wiser and cooler heads of the Free-State party had prevailed, and that they would very generally take part in the approaching election.

The action of the convention in suspending its sessions was somewhat remarkable and significant. The members of this body claiming to represent the people were about to prepare for a change from a Territorial to a State government, which change, if effectual, would necessarily make the pending election of no importance whatever. If they had felt themselves to be the true representatives of the people, fairly elected, or if they had entertained the purpose of honestly expressing the wish and will of the majority and of fairly submitting their conclusions to the vote of the people whose servants they were, or ought to have been, they would have had no motives for suspending their proceedings and awaiting the result of an election so soon to be entirely superseded and rendered absolutely of no avail. But extraordinary events immediately occurring at the election shed a new light on their proceedings, and created a profound sensation throughout the country.

The astounding frauds perpetrated at Oxford, in Johnson county, and

several precincts in McGee, soon became known. They were intended, and, indeed, would have been effectual, to give the control of the new Territorial Legislature to the Pro-Slavery party, which was also supreme in the convention. It would be fatal, these men perceived, to let the Territorial Legislature, even in its expiring days, pass into the hands of the people, especially since the result would serve to show too plainly the insignificance of the support which they actually had in the popular vote.

The returns in the case of these election precincts were nothing less than flagrant forgeries. They contained thousands of names of persons not present at the election. They were not returns of votes illegally offered and received, but they were immense lists of fictitious names, fraudulently entered and falsely returned, as those of actual voters.

If we had been disposed to forget our solemn pledges and those of the administration, if we had an unmanly fear of losing our positions, or if for any cause we had wished to evade responsibility in this emergency, we might have said, these are questions for the Legislature itself, which is the sole judge of the election and qualifications of its own members. But this would have given the control to the authors of the fraud, and there would have been little hope of maintaining the rights of the majority. Yet if the returns, however false and fraudulent, had been formal and regular, attended with all the legal requisites, it might not have been within the power of the Governor and Secretary to have prevented the consummation of this great wrong. But we had pledged ourselves to the extent of our authority to secure fair play to the people. Good faith and personal honor required us to fulfill this obligation to the very letter. It became our duty to look closely into the whole case, both as to its intrinsic merits and the technical questions involved in it. The fraud was notorious. Governor Walker and myself made a visit to Oxford and ascertained beyond all doubt that the result embodied in the returns was a monstrous exaggeration, fraudulently manufactured out of an insignificant number of actual votes. The facts were not and could not be disputed. Having settled this question to our entire satisfaction, our duty was plain. We found certain technical defects in the papers which enabled us to reject them without assuming to go behind the returns. In a case where there was no suspicion of wrong we might have overlooked these defects; probably we should have done so. But here they gave us the opportunity to do what we knew to be right, and we did not hesitate to do it. We were, by our personal pledges, bound in honor not to betray the people. We thought the administration was equally bound with us, and would certainly approve our acts. But above and beyond all this, common honesty and a just regard for the people whose servants we were, imposed this obligation upon us more strongly than any mere personal pledges of our own. I have never claimed any merit for doing what was a matter of plain, simple duty; but I did feel aggrieved when I received no word of approval from Washington, but was greeted, in-

stead, with volleys of unmeasured abuse from Democrats in all quarters of the country.

The Lecompton Convention resumed its sessions after the election; but this disclosure and defeat of these great frauds effected something more than the mere reversal of the majority in the Territorial Legislature, and the transfer of power in that body from the Pro-Slavery minority to the real majority of the people. It was a revelation of preceding methods by which the Territory had been governed, and went far to confirm the charges of the Free-State men, and to justify them in their refusal to participate in elections controlled by such foul means as were now for the first time fully exposed.

Some of the delegates in the convention had been candidates in this election, and claimed to be successful by virtue of these gross frauds. They demanded their certificates with threats and loud denunciations; but not succeeding in this attempt to defraud the people and to usurp control of the new Legislature, they proceeded to counteract this result, so disastrous to them, by a provision in the State constitution to the effect that the laws should not be altered except by the Legislature of the State when established and recognized by Congress. They also attempted to make the constitution itself unalterable for a long period after its adoption. In due time they finished their abortive constitution—a monstrous malformation—disfigured by the adoption of the Oxford frauds, which were made the basis of representation, thus giving the counties bordering on Missouri an unjust preponderance in the proposed State government. This was the bold and bare-faced act of bad men made desperate; but the device for submitting this instrument to the people was altogether of a different order. It was the artful and cunning invention of tricksters who were bent on compassing their ends, *per fas aut nefas*. Everybody knows that, while the pretended alternative was, “For the constitution with slavery,” or “For the constitution without slavery,” no matter which vote should have prevailed, the State would still have been left as completely slaveholding as many of the Southern States which prohibited the introduction of more slaves within their borders. This was trifling with the public conscience and insulting to the common sense of the people. But this was not all, nor even the worst.

John Calhoun had been made president of the convention. He was the Surveyor General of the Territory, with more patronage than the Governor, and, it seems, with more influence at Washington, for he had power there to command the support of the administration for fraud and wrong, while the Governor was powerless to bring the President and his cabinet to protect and defend the suffering rights of the people.

To this man, Calhoun, the Lecompton Convention confided the entire machinery of the elections under their proposed constitution. He was to appoint all the commissioners of election, receive all the returns, and pronounce the result. All the machinery of the Territorial Government was

set aside, and this extraordinary scheme of one-man power, uncontrolled and irresponsible, substituted in its place.

The people had no confidence in the impartiality or political integrity of General Calhoun. With that sort of inspiration which sometimes enlightens a community in great emergencies, they saw through the whole fraudulent scheme to its end. Their insight was more than verified by the result which soon followed with the pretended elections of the 21st of December and January 4th.

In the meantime there was intense excitement throughout the Territory. The people were justly indignant at what they felt to be an artful scheme to deprive them of all voice in their own government, and to impose upon them a constitution which they abhorred, and which, with a fair opportunity to vote, they would overwhelmingly reject. In some quarters there were threats of violence, and preparations for desperate action, which perhaps had not yet assumed any definite form or been directed to any more distinct purpose than that of resisting a great impending wrong. In the midst of all this profound agitation, there was one loud call on the Governor to convene an extra session of the Legislature. This seemed to be the voice of reason, calmly issuing out of the mighty tumult of passion. The people demanded an opportunity to give legal expression to their opinions and will with respect to the Lecompton Constitution—a just purpose which they could not effect under that instrument, even if they had believed their vote would be fairly counted and honestly returned.

It happened just at this time that Governor Walker had received some intimation that he had been undermined at Washington and was about to be abandoned by the administration. He left the Territory, in pursuance of leave of absence previously obtained, and went directly to the Federal city, leaving me once more with all the power and responsibility of the Governorship in my hands. But before his departure I earnestly entreated him to call an extra session of the Legislature in response to the demands of the people, and I said to him: "If you will not, I now inform you that in all probability you will see my proclamation convening the Legislature before you reach Washington." I could elicit from him no opinion or advice; he went away, and I was left in this great emergency to act on my own unaided judgment.

What was I to do? There were the military forces of the United States at my command, and there was no reason to fear the result of any threatened violence. It happened that on the 30th of November, the day before I issued my proclamation, General Cass, Secretary of State, wrote me his official letter of that date, reminding me of the fact that the army was here to support me, and repeating to me the instructions previously given to Governor Walker. Of course that letter was not received for some days afterwards, although I knew very well all about the army and my authority to call on it for aid in certain contingencies. But what could the army have done in the emergency of that day? General Cass assumed in his letter to

me that the Lecompton Constitution fairly submitted the slavery question to the people, and gave them an opportunity "to determine whether Kansas shall be a slave State or a free State, in the very manner contemplated by its organic law." You know how far this was from the facts of the case; but evidently General Cass expected me to employ the army for the purpose of maintaining order and fair play at the Calhoun elections. How utterly inadequate would this have been to the demands of the occasion! Imagine a battery of artillery pursuing Jack Henderson to Delaware Crossing to prevent the forgery committed there; or a company of dragoons fighting the notorious frauds at Oxford, Kickapoo, and elsewhere!

"The power of armies is a visible thing,

Formed and circumscribed in time and space;"

but the devices of wicked men, bent on maintaining ill-gotten power by means of false oaths and forged papers, are too subtle to be met and thwarted by military forces. These are wholly inappropriate and inefficient. The only adequate remedies are the felon's manacles and the cell of the penitentiary.

But my own reasoning on this subject was very simple, and, to my mind, satisfactory and conclusive. I said to myself, "The constitution is, or ought to be, for the people's government. They have the right to adopt it or reject it; and they are entitled to a fair opportunity to express their will explicitly in a formal and legal manner. If the people show in any satisfactory way that they do not want this constitution, Congress will not so far disregard all the principles of free government as to force it upon them." Such were my thoughts at the time, and they seem to me to be just and reasonable now, as they did then. In the simplicity of my heart, I did not dream that a Democratic administration which had been fully committed to the policy of submitting the constitution to the vote of the people, would find fault with me for calling the Legislature in order to give them a fair opportunity to declare their will in a regular and legal way. What harm could it do, except to expose the villainy of those who had already too long enjoyed the fruits of that fraud and violence, by which they had usurped the power they unjustly held?

In my message to the Legislature I recommended the passage of a law providing the means for holding a fair election, in which the citizens could vote for or against the constitution in an effective and conclusive manner; and I advised that the legislative action should be confined to this subject alone, with a view to make it more influential with Congress. It was plain to me that any other acts, especially such extreme partisan measures as the natural resentment of the members might incite them to adopt, would tend to prevent the accomplishment of the single object I had in view, which was to defeat the Lecompton Constitution. By rejecting the Oxford and McGee frauds, I had given the majority in the Legislature to the Free State party, to which it rightfully belonged; and now I had called this opposition Legislature—I mean opposition to the administration at Washington

—and given it power in advance of the regular meeting to do a great service to the cause of right and truth. It was very certain that, if by this act of mine I had let loose the violent elements that were uppermost, to adopt all those wild and extravagant schemes which they were well known to contemplate, I should have been myself overwhelmed and disgraced. Therefore I asked that they should do only what was necessary at the time, and leave all other things to their regular meeting, which, by law, was to take place only a few weeks later. To this policy the members of the Legislature pledged themselves. They did not quite keep this pledge; but they passed the law which I had suggested, and this law was carried out by my successor, Governor Denver, and was the means of notifying Congress, and all the world, that the people of Kansas were overwhelmingly opposed to the Lecompton Constitution.

Everybody except myself anticipated what followed. I was, in reality, so unsophisticated, as to believe that a politician might do justice, even against his own party, and not suffer in its esteem.

Notwithstanding my prompt removal by the President, no question was made as to the legality and validity of my acts. General Cass, the Secretary of State, in his letter of the 11th of December, 1857, instructed Governor Denver, in reference to the extra session of the Legislature which I had called, in these words: "Its members are entitled to be secure and free in their deliberations. Its rightful action must also be respected. Should it authorize an election by the people, for any purpose, this election should be held without interruption, no less than those authorized by the convention." This was a recognition that I had done nothing unlawful, but had only exercised a power which the organic act confided to my discretion, and which the President found himself compelled to uphold and defend, even while he censured and removed me for the act.

In that same letter of instructions to General Denver, General Cass instructed the new Governor as to the elections under the control of Calhoun, as president of the Lecompton Convention, in these words: "From these views you will readily understand what the President regards as the chief duty which devolves upon you as Mr. Stanton's successor. This duty is to preserve the peace in Kansas. Every person entitled to vote under the constitution ought to have safe access to the polls and to be free from any restraint whatever in the exercise of the elective franchise. If the civil power is found insufficient for this purpose, the troops of the United States should be employed in aid of it, and it may be a wise precaution to have them stationed in advance within reach of those places where, in your judgment, their services are likely to be required."

In an address of my own on the 29th January, 1858, I used this language in reference to my act of calling an extra session of the Legislature:

"The people were intensely excited, and it was the opinion of the coolest men in the Territory that, without a call of the Legislature, the elections under the constitu-

tion could not have taken place without collision and bloodshed. The meeting of the Legislature diverted the attention of the people from the schemes of violence upon which they were brooding, substituted the excitement of debate and investigation for that of fierce and warlike hatred, and enabled their representatives to devise means for counteracting the wrongs which they justly apprehended."

I firmly believe I had done more to preserve the peace of the Territory by calling that extra session of the Legislature, than all the army of the United States could have accomplished; and the exposure of the frauds in the October election had an equal efficiency also to point out, establish and verify the similar frauds which were foreshadowed and anticipated in the Calhoun-Lecompton elections of the 21st December and 4th of January. The army of the Nation was wholly incompetent to deal with these transactions, or in any way to prevent them, as I have already shown. The idea of meeting the perpetrators of these famous frauds with military force is supremely ludicrous. John Calhoun had a company of dragoons to protect him as he carried these forged returns, or their fraudulent results, out of this Territory. With my own eyes I saw him escorted in this way from Lecompton. I do not mean to charge that General Cass or President Buchanan intended this use of the army, but I do say that such was the perversion of its functions, in spite of the better purposes proclaimed in the instructions.

Now it was evident that the President and his cabinet were fully committed to the Lecompton Constitution, and would recommend the admission of the State under it, in case a favorable vote should be reported by General Calhoun. It was not doubted, indeed it was well known, that he would certainly make that report, because the people could not vote effectively, and therefore would not vote at all, in the election on the adoption of the constitution. But the people did very generally vote in the election of State officers on the 4th of January, and still more generally in the election provided on the same day by the extra session of the Legislature, for and against the adoption of the Lecompton Constitution. The constitution was overwhelmingly rejected by the people. The election was held under the supervision of the Governor of the Territory, and so far as I know, its fairness has never been impugned. A subsequent investigation established the fact that even in Calhoun's election for State officers, the Free-State candidates were elected by the legitimate votes of the people, rejecting only those frauds which were notorious and incontestable. But I believe Calhoun kept the result within his own breast, intending to make it known only in the event the State should be admitted under the Lecompton Constitution. That he intended to adopt the frauds and report in favor of the candidates elected by them, is rendered only too certain by the famous candle-box discovery which exploded the whole scheme.

He had taken the false result out of the forged papers, and like some murderer trying to conceal his crime, he had buried the foul carcass and left it

to rot in the candle-box under the wood-pile in his office yard at Lecompton.

After these exciting events, when I was no longer in office, but relieved of all official responsibility, I started for Washington with a view to use all my personal influence to prevent the success of the Lecompton scheme in Congress. On the way, at several places, I addressed large assemblages of the people, giving them an impartial account of things in the Territory. At Columbus, Ohio, there was a very large and enthusiastic meeting, including Governor S. P. Chase and other prominent men, who loudly condemned and denounced the frauds and wrongs attempted and perpetrated in Kansas. At Albany, the capital of New York, I was allowed to occupy the hall of the House of Representatives of the State, in which I spoke to the people, and the story of your wrongs was received and heard with profound interest and attention. Again, in the cities of Philadelphia and New York I addressed immense audiences, in which the citizens loudly proclaimed their sympathy with the struggling people of this Territory, and their indignation at the wrongs threatened by the administration in approving and supporting the Lecompton fraud. George Bancroft, whom I first knew as Secretary of the Navy under President Polk's administration, presided at the meeting in New York; and at all the meetings were read letters of sympathy from eminent Democrats—from such men as Governor Robert J. Walker, Stephen A. Douglas, Governor Henry A. Wise of Virginia, Thomas L. Harris of Illinois, John Hickman of Pennsylvania, and others of equal prominence. Everywhere the masses of the people seemed to be thoroughly aroused to the enormity of the outrages against which I had raised my feeble voice.

At Washington the Democratic administration, with blind infatuation, was moving steadily on to the consummation of its fatal purpose. The President, in a special message, had submitted the Lecompton Constitution and recommended the admission of the State under it. With hollow and sophistical arguments, ignoring the well-established facts of the case, which were well known to the whole world, Mr. Buchanan insisted that this Lecompton instrument was framed for and by the people of Kansas, and embodied their will. He urged Congress to accept it and force the people of Kansas to live under it. The Territorial Legislature had protested against it; the people of the Territory by a solemn vote had overwhelmingly rejected it; and more than half the people of the whole nation had given the plainest indications of their sympathy with the people of Kansas, and their condemnation of the administration's stubborn policy of oppression.*

* Gov. Denver, in his speech subsequently made at this meeting, stated the interesting fact that at the beginning of the Lecompton struggle he had sent Judge Elmore to Washington with a long letter to Mr. Buchanan, urging him to advise Congress to set aside the Lecompton Constitution, and to pass an enabling act instead. Mr. Buchanan's reply to Judge Elmore was, that he had already prepared his message to Congress on the subject, and had shown it to some parties. He regretted that he did not feel at liberty to alter it.

These facts, so creditable to Gov. Denver and to Judge Elmore, only serve to make Mr. Buchanan's

The Democrats in Congress were somewhat divided; but the administration, now in the first year of its existence, and in the plenitude of its strength with the still predominant Democratic party, used all its power and patronage to secure the passage of this favorite measure.

On the 8th of February, 1858, on motion of Mr. Thomas L. Harris, of Illinois, the House of Representatives referred the President's message on the Lecompton Constitution to a select committee of fifteen, and "instructed this committee to inquire into all the facts connected with the formation of said constitution, and the laws under which the same was originated, and into all such facts and proceedings as have transpired since the formation of said constitution having relation to the question or propriety of the admission of the said Territory into the Union under the said constitution, and whether the same is acceptable and satisfactory to a majority of the legal voters of Kansas; and that said committee have power to send for persons and papers." As a matter of course, in pursuance of parliamentary usage, Mr. Harris was made the chairman of this committee; and by the same usage a majority of the committee ought to have been constituted of members favorable to the object of the resolution. But this usage was wholly disregarded, and the majority of those appointed were partisans of the administration, favorable to the Lecompton scheme, and opposed to any investigation whatever, even of those very questions named in the resolution. The committee divided in the proportion of eight to seven, and thus became the prototype and precedent for another famous commission, organized nineteen years afterwards, in which the same fatal proportion of eight to seven was developed. The majority of this committee, under the lead of the eminent Southern statesman Alexander H. Stephens, refused to go behind the Lecompton Constitution and the vote reported by Gen. John Calhoun. They held these to be absolutely conclusive, and so reported to the House of Representatives. It was in vain that Chairman Harris, at the head of the minority of seven, referred to notorious facts which proved to the satisfaction of the world outside of the administration party, that the people of Kansas abhorred the instrument and all the bad devices by which it had been accompanied, and that in a legal vote they had actually rejected it by an overwhelming majority. The memorable eight of the committee refused to go behind the returns of John Calhoun, or to consider any evidence *aliunde*, or outside of the Lecompton Convention and the vote authorized under it. See report No. 377 of the House of Representatives, 1st session 35th Congress, page 314. It there appears that on the 3d of

treachery to principle more plain and indisputable. He had evidently been taking counsel with the secessionists, and had shown them his message in favor of the Lecompton Constitution; and when Gov. Denver assured him that this instrument was not acceptable to the people, and this assurance was no doubt enforced by Judge Elmore, himself a member of the Lecompton Convention, and a Southern man of the most decided character, the President felt himself so far committed that, against his own regrets, he persisted in sending in his message in favor of what he must have known to be a fraud and a wrong

March, 1858, Mr. Stephens submitted his report to the committee, and the following resolutions:

"Resolved, That the law of the Territory of Kansas providing for taking the sense of the people of that Territory upon the propriety of their applying for admission as a State into the Union, and the vote of the people under said law; also the law of said Territory providing for the call of a convention in pursuance of the popular will thus expressed, together with the registration of voters and the apportionment of delegates to said convention under said act, and the election of said delegates as officially certified to, the constitution as framed by said convention, and the vote on its submission under its own schedule and provision, as officially adjudged and announced, embrace all the laws and facts essential to the investigation of the questions submitted to this committee in the resolution of their appointment.

"Resolved, That while we do not consider the vote of the 4th of January last on the submission of the said constitution by the late Territorial Legislature as having any material bearing on the events of this inquiry, yet we admit, receive and allow to be filed with the other matters collected by this committee the vote at that election, as proclaimed and published by the officers of the Legislature."

These resolutions, and the accompanying report of Mr. Stephens, were adopted by the vote of eight to seven. They were a mere cob-web of sophistry, behind which were concealed all the frauds and villainies attempted and perpetrated against the people of Kansas. These were to be absolutely suppressed by the purblind supporters of Lecompton, though all the world beside knew them to be fully established by the most conclusive proofs.

In the early career of Mohammed, the great prophet of Islam, he was once pursued by his enemies, who sought to slay him as a false prophet; and one evening being very closely pressed, he took refuge in a cave, to which the entrance was very small. The next morning, the enemy, still pursuing him, traced him to the cave; but seeing the mouth of it covered with cob-webs, which glittered in the morning light, they concluded it had not been entered, and passed on. The spiders had done the work in one night; the intended victim escaped, and lived to control half the civilized world for generations afterwards.

A. H. Stephens of Georgia, Gov. Letcher of Virginia, Gen. Quitman of Mississippi, Gov. Stephenson of Kentucky, and four other members of the committee, all highly respectable and even eminent men in their party, were the spiders that spun the web of sophistry to conceal the truth and to maintain the Lecompton fraud. They did it, quite as unconscious of the great results impending, as did their prototypes, the insects at the mouth of Mohammed's cave. But the device failed. The flimsy fabric was brushed away, the truth came out before the whole world, and the course of history in this country was irresistibly directed by the far-reaching results of these apparently trifling events then so contemptuously disregarded.

The report of this committee opened the long and bitter contest in Congress over the Lecompton question; and, in spite of all the power and patronage of the administration, unscrupulously used in this struggle, in spite

of the report of the committee and the attempt to suppress all the facts, the measure was finally defeated. The English bill, as it was called, was passed in its stead. This was not such a measure as ought to have been adopted; but it was the best that could be obtained under the circumstances, and was accepted by the friends of Kansas, inasmuch as it enabled the people here to rid themselves forever from the Lecompton iniquity and its authors. You then proceeded to form your own institutions, and in due time were admitted into the Union without any further trouble.

To you, the old settlers of Kansas, this was a happy issue out of the troubles of that day; it was not less fortunate, I believe, for the whole country. Yet it was attended with disaster to those who opposed the right, and, through their agency, brought incalculable evil in its train. At the inception of this great struggle in Congress on the 29th of January, 1858, from Washington I issued an address to the people of the United States, in which I attempted to defend my own acts, in these words:

"The measure for which I have been unjustly condemned has enabled the people of Kansas to make known their real will in regard to the Lecompton Constitution. This affords the Democratic party an opportunity to defend the true principles of constitutional liberty, and to save itself from disastrous division and overthrow. If Congress will heed the voice of the people and not force upon them a government which they have rejected by a vote of four to one, the whole country will be satisfied, and Kansas will quietly settle her own affairs without the least difficulty and without any danger to the confederacy. The Southern States, which are supposed to have a deep interest in the matter, will be saved from the supreme folly of standing up in defense of so wicked and dishonest a contrivance as the Lecompton Constitution. The moral power of their position will not be weakened by a vain and useless defense of wrong, when it is perfectly certain they will gain nothing, even by success, in the present attempt.

"The extra session of the Kansas Legislature has done good, also, by giving means to expose and punish the monstrous frauds which have been perpetrated, and doubtless, also, by preventing others which would have been attempted. It has driven the guilty miscreants engaged in them to become fugitives from justice, and has rendered it impossible for the people of the Territory hereafter to be endangered by similar occurrences.

"In view of these facts and results, I willingly accept the rebuke conveyed in my peremptory dismissal from office, but I appeal to the deliberate judgment of the people to determine whether I have not chosen the only honorable course which the circumstances allowed me to pursue."

I was not a prophet nor the son of a prophet, but the events which soon followed fully vindicated the wisdom of the premonition, when I warned the Democratic party against "disastrous division and overthrow," as a consequence of disregarding "the true principles of constitutional liberty," and the Southern States against "the supreme folly of standing up in defense of so wicked and dishonest a contrivance as the Lecompton Constitution." The Democratic party came out of the Lecompton struggle divided and hopelessly broken to pieces; and in the next Presidential election, like a disordered army divided and whipped in detail, it was utterly and finally

overthrown. Though in a minority of nearly a million of the popular vote, Mr. Lincoln was legally made President by the vote of the electoral colleges; and then the Southern States, hurried on to their destiny by "supreme folly" in the preceding crisis, were soon involved in that dreadful civil war which entailed the destruction and loss of billions of money and property, and countless thousands of precious lives. Slavery, which was the miserable bone of controversy in this Territory, and the pretext for the tremendous excitement in Congress over the Lecompton question, was engulfed in perdition by the convulsions of the civil war, and is now obliterated forever from every part of our happy country. This, ye old settlers of Kansas, is the outcome and the result of all your sufferings and sacrifices, your steadfastness and prudence, and your heroic fortitude in the old days of your history.

I say the Democratic party was broken to pieces and utterly overthrown; but I must not do injustice to that considerable number of Anti-Lecompton Democrats, many of them distinguished members of the party, who upheld the true principles of constitutional liberty in this great crisis, and manfully opposed and denounced the errors and wrongs of their own administration. They held the balance of power, and are entitled to the credit of having turned the scale in favor of the right. Many of these afterwards became Republicans, and all of them, I believe, sustained the policy of President Lincoln in resisting the attempt of the Southern States to break up the Union, and in endeavoring to maintain the constitutional supremacy of the Federal Government. But as a party the Democratic organization was crushed, and it has now been doing penance during a quarter of a century for the sins of that period. As always happens in such cases, the innocent have suffered with the guilty. But now the party has been purified by long suffering, as if by fire; it stands regenerated, and, to all appearance, is about to be reinstated in the confidence of the nation.

How easily the whole course of these momentous events might have been completely changed! In the summer of 1857, some of your old settlers were disposed to put in operation the Topeka Government, which you had already formed, with a constitution adopted, and all the official machinery prepared for a State of your own. This was, as we all know, antagonistic to the Territorial Government, in defiance of its laws, and not recognized, but expressly repudiated by the Federal authorities at Washington; that is to say, by both the President and the two houses of Congress. We may speak of these things calmly now—I mean neither to flatter nor to offend you. Those who proposed merely to present the Topeka Constitution and Government to Congress in the character of a petition for the admission of the State under it, were pursuing a vain shadow which was only calculated to keep up the agitation and prevent the coöperation of the whole people in establishing a State government by the regular vote of the majority in a fair election; while those who insisted upon its immediate establishment,

putting it in actual operation as the government of the people, and thereby superseding the Territorial Government, were proposing a movement not only irregular, but revolutionary. They were prompting the people to rush into collision with the Federal Government, which had already proclaimed its determination to support the existing laws, and the regular proceedings under them for the preparation of a State government. This determination was certain to be maintained for four years—during the whole of Mr. Buchanan's administration—supported as it was on these points by the undivided Democrats, holding and likely to hold a majority in both houses of Congress. The Topeka movement undoubtedly enlisted the sympathies of the people throughout the Territory. At Lawrence, and perhaps other places, there were attempts impatiently to anticipate the establishment of this revolutionary government, and to get up independent local organizations in defiance of the Territorial laws. In a fair election, and with a full trial of the strength of both parties, everybody knew the Topeka organization would have prevailed; but the Leecompton movement was in progress, and it was indispensable to get that out of the way. The great problem was, how to get the people to recognize this state of things, and to act upon it wisely.

10/ Very soon after he came to the Territory, Governor Walker went out among the people and made addresses in several places, in which he urged the abandonment of the Topeka movement, and earnestly solicited them to go to the polls in the October elections and assert their supremacy in the Territory, which would enable them to control the important question of the State Constitution. President Buchanan was pledged to the policy of submitting the constitution to the vote of the people for ratification or rejection. Governor Walker did not hesitate to promise all his influence in favor of the same policy, and solemnly pledged himself to oppose any constitution not so submitted. At the Free-State Convention at Topeka, on the 9th of June, 1857, being called out by the people at his lodgings there, he gave these assurances in the most solemn and explicit manner, at the same time repeating his declaration that the Territorial Government, with the aid of the army of the United States, if necessary, would maintain peace at the polls, secure a full opportunity for every citizen to vote, and prevent and repudiate every fraud or wrong which it was possible to resist or remedy by the executive authority.

I was not in the counsels of the Free-State party, and knew their designs only through their public avowals. It was well understood, I believe, that they were divided in opinion. One party in the convention, under the lead of General J. H. Lane, was in favor of extreme and violent measures, and proposed to put the Topeka Government into immediate operation; the other was understood to be headed by Governor Charles Robinson, and to advise a more moderate and rational line of policy, being willing so far to confide in our pledges as to try their strength at the polls in the October

elections. There was a bitter contest between these two sections of the Free-State party, and, according to our information, there was imminent danger that the Lane party would prevail. Such at least were the intimations given out to the public, and I had no doubt at the time that they were substantially true; but if they were not, then it remains for those who were inside the Free-State movement to show that these public outgivings were not sincere, and to explain the real intentions of the parties concerned.

But, at any rate, eventually the counsels of the moderate men prevailed. The extremists were withheld from the execution of their dangerous designs, and the masses of the Free-State party were induced to participate in the October elections, and thus to get legal control of the Territorial Government, instead of embarking in a rebellion against the United States. What was the result of this policy of wisdom and moderation, I have already shown. By the rejection of the Oxford frauds, the majority of the people were installed in their rightful supremacy in the Territory. By the election of the 4th of January, authorized by the law passed at the extra session of the Legislature, you demonstrated that the Lecompton Constitution was not the creation of the people. You passed laws to punish frauds and false returns at the elections, and thereby drove from the Territory John Calhoun and his dishonest coadjutors, who had sought to pollute the sources of political power and to maintain the usurpations of a corrupt minority. You placed Mr. Buchanan and his administration, and all those Democrats who supported them, in the wrong. And thus placing them in the wrong before the eyes of the whole world, you were enabled to defeat them and break them up. And finally, you had the great triumph of establishing your own Topeka Constitution, substantially, according to your own will.

Now suppose that different counsels had prevailed at Topeka in the summer of 1857—suppose the extreme men had succeeded in persuading the majority to set up the Topeka State Government in rebellion against the Government of the United States. Instead of placing Mr. Buchanan in the wrong, you would have been in the wrong yourselves. Instead of dividing the Democratic party on the Lecompton question and finally breaking them to pieces, you would have consolidated them on the question of sustaining the Federal Government, in support of the laws against its rebellious citizens. In the midst of conflict and civil war, there would probably have been no frauds at Oxford and no exposure of the methods adopted by your opponents, because violence would have taken the place of fraud, and that violence justified by your own fatal example. It is impossible to conjecture exactly what would have been the course of events. But the whole history of the Territory would have been altered and its destiny materially modified. The Lecompton Constitution would probably have been adopted, and Mr. Buchanan succeeded by another Democratic President. In the course of time, you would no doubt have moulded the constitution to the will of the majority: but the obstacles would have been great and your progress would have been

slow and with feeble paces, compared to those rapid strides by which you have reached your present magnificent position. I do not for a moment suppose that slavery could have been very long continued under any circumstances; but the process of destroying it might have been much more prolonged and difficult, and your implication in it might have been much more disastrous and destructive to all your interests.

Allow me to say here, that in my judgment Governor Walker has never received the full measure of applause which he deserved for his efforts to conciliate the people, and his success in bringing them to a trial of their strength in the Territorial elections. This was the true exodus out of the wilderness of your troubles. It was the policy of true wisdom and exalted patriotism. You met him half way, and notwithstanding his forced resignation as Governor, this policy which he had inaugurated was carried out successfully, and triumphed in the end.

Mr. Blaine, in his recent history of twenty years in Congress, sums up the result of Gov. Walker's administration in Kansas with the simple but emphatic declaration that he "failed." But I must insist, it was no failure. Mr. Buchanan deserted him, and left him the alternative of coming back here to be dismissed, as I was, or of resigning the position which he could no longer hold with honor. But, in spite of all this, by your coöperation and the wise course of moderation which you pursued, he had prepared the way for that result which brought merited rebuke to Mr. Buchanan and defeat to the bad schemes he sought to promote. The failure was Buchanan's, and not Walker's. The triumph was yours; but you will not fail to do liberal justice to the memory of the man who was the author of the policy which finally prevailed, but who was not permitted to enjoy the fruits of his patriotic exertions. It was his fortune, as it was mine, to stand on the eminence of truth and right from which he could see the promised land; but that was all.

You alone, ye men of iron, worthy fathers of this great State, pioneers and heroes in the times that tried men's souls, you alone had the privilege of crossing the Jordan that intervened and entering this goodly land of liberty. May it continue forever to blossom like the rose, and may it never cease to flow with milk and honey.

10

ADDRESS OF EX-GOVERNOR JAMES W. DENVER.

DELIVERED AT THE OLD SETTLERS' MEETING, BISMARCK GROVE, LAWRENCE,
SEPTEMBER 3D, 1884.

Ex-Governor Charles Robinson, president of the meeting, in introducing Governor Denver to the audience of old settlers, made some remarks explaining the circumstances attending the appointment of Governor Denver as Secretary and acting Governor of Kansas Territory. It so happened that Governor Robinson was bearer of the information both to acting Governor Stanton of his removal from office, and to Governor Denver of his appointment to succeed to the office.

Having been appointed Secretary of Kansas Territory, assuming office December 21, 1857, General Denver became acting Governor at that date. He served as such till May 12, 1858, when he received the appointment of Governor. He continued in office as Governor till October 10, 1858, when he resigned.

Gov. Denver spoke as follows:

Mr. Chairman, and Old Settlers of Kansas: I appear before you to-day with diffidence. I am to give a narrative of events that occurred twenty-five years ago, and must speak from memory. I will speak of events as near as I can in their order.

I have addressed some audiences in Kansas before, but, as your president has informed you, under very different auspices from the present. Yesterday you had an address from Gov. Stanton, as to events transpiring in the Territory of Kansas up to the time he left. You have heard from Gov. Robinson the circumstances of my succession to Gov. Stanton. Nothing ever surprised me more than the information given me by Gov. Stanton, who handed to me the paper that Gov. Robinson had handed him that morning. I would rather have retired from public life than to have accepted that position. Not that I had any fear but what I could satisfy a reasonable people as to what my duties were and what their duties were, but it was perhaps difficult for them to understand me when they supposed that I represented an element hostile to them.

The events that brought about the removal of Governor Stanton I was not familiar with, except as I gathered them from general report and from the newspapers. That those troubles were serious, and that they were dangerous to the peace of the country, no one could doubt. Therefore my first resolution was, not to accept the appointment, as I told Governor Stanton, and which he will recollect. He informed me that I must accept; that I could not refuse; that the Legislature was to meet in a few days in regular session, and that if I did not accept it, there would be no representative of the Federal Government here. Under those circumstances, I wrote the President that I would accept the appointment upon condition that I

should be relieved as soon as the Legislature adjourned. I received information that that should be done. When the Legislature adjourned, I sent on my resignation. Answer came back that they wished me to hold on until bills then pending before Congress for the admission of the State under the Lecompton Constitution should be acted upon. That hung fire for a long time, and finally passed Congress with what was known as the English amendment, submitting the question to a vote of the people. Then I asked to be relieved. Again they asked me to remain here until that election came off. I remained, and that election resulted exactly as I supposed it would. I then asked to be relieved again, but they begged of me to remain until the October election, which I did. I then sent on my resignation, and left the Territory without asking permission. That is the way I came to leave here, although a great many supposed that I was compelled to go. The only scolding that I got for doing that thing was from the people of Kansas for going away, and from Mr. Buchanan for having resigned.

The Legislature convened shortly after I took charge of the government. You have heard something about the material composing that body. You have heard of their inexperience, their want of legislative knowledge; but I will add that they were honest in their desires to do what was right, I believe. Some of the members were disposed to resist everything that the Governor should propose, and in a short time it got to be that some of them thought it was a credit to pass any bill over the Governor's veto, if possible. All sorts of schemes were presented. One man was asking for the exclusive right to establish a ferry across a river, another for the exclusive right to build a bridge across a stream, another for town sites, another for a divorce. They were asking for everything you could conceive of, almost. I determined at the outset that I would not take part for or against any of the political factions or parties in the Territory. I did not belong to the Territory. I was not here as a citizen of the Territory; I was here as a representative of the Federal Government. I therefore took no part in the local affairs of the Territory, only so far as was necessary to represent the Federal Government. While I had my own views as to the great question that agitated the country, as to whether it should be a slave State or a free State, I did not propose to mix with it. Had I been a citizen of this State I never should have voted to introduce slavery into Kansas; but I did not consider that I had any business to interfere with that question; all that I had to do was to hold the balance evenly, administer the laws, and protect the rights of the people.

The Free-State men had entire control of both houses of the Legislature; and I might go on here and relate a good many circumstances that occurred during the session that would be very amusing, but it is hardly worth while to do it. Among the many wild schemes that were proposed, the wildest, perhaps, was that of the "Lawrence Water Company," by which the citizens of Lawrence were to be compelled to pay toll to a company for all the water they might use, no matter whether they got it out of the Kansas river or out of the wells. I thought the water ought to be free to everybody, and that a man should have the right to dig on his own premises and get water wherever he could. So I returned that bill with my objections, in a veto message. The bill had passed the Council by a majority. It passed the Assembly by a nearly unanimous vote. Of course I had to return it to the Council. The worthy President of the Council had voted against the bill, and I thought, he being a citizen of Lawrence, that of course I was doing what he would approve; but when the veto message was read he called some one else to the chair and got on the floor and made a very violent assault on the executive action; he thought he could

not submit to anything of that sort, although the executive action was on the same side that his vote had been.

They passed the bill in the Council over my veto, and some one came down and told me in a rather exulting manner what had been done. I laughed, and remarked in answer that that was all right; that if I had had any ill feelings towards the people of Lawrence, I certainly would have approved that bill, because it would have put a tax upon them for all time to come, which, however, I did not think exactly right. In about a half an hour some one came and told me that there was a great crowd in the Legislative hall. I stepped up to see what was the matter: and I think the whole town of Lawrence was there. They crowded the members into a little corner where they could scarcely turn around, and there was as much excitement as I ever saw when Jim Lane was making speeches against Jack Henderson. At last they took a vote upon the question, and there was not a single vote against the veto. The Governor was upheld that time by the unanimous vote of the Assembly.

I only give that as one of the incidents. Another matter that I might refer to was the Minneola capital. It was supposed that a large number of the members of the Legislature were interested in that venture. I did not much fancy living in Lecompton, I admit. It was a poor place to live in at that day; I think it is better now. But it was the Capital, and had been fixed so by law; and I did not think that the Legislature had any right to remove it. They had a right to move from place to place to hold their sittings, but they had no right to remove the capital of the Territory. I learned after a while that there were a good many of the members who were interested in lots in the proposed new capital. I did not know how that might be, but upon general principles I was opposed to doing anything that would get up any excitement or a disturbance. I vetoed that bill. They passed the bill over my veto, and then it appeared who were interested in that affair. Several very good men, for whom I had the highest regard, I found had secured an interest in the shape of lots; and they went to work and put up a great big building that they called the "Capitol Building." About the time that they got it up they came and notified me that I was to remove the records and everything connected with the Territorial Government down to Minneola.

Lecompton, as I said, was not a very inviting place, but from what I could learn it was quite as good as Minneola. Minneola was out on the prairie, with not a shade tree anywhere near it, while Lecompton was on the banks of the river, and we could at least see the water pass by, and could, if we desired, go a-fishing now and then; but down at Minneola we had not even that opportunity. So I declined to go. Then they talked about getting out a mandamus; but finally that all passed away, and Minneola was heard of no more forever.

Then we had a bill to reorganize the militia. That bill was gotten up for the purpose of taking away from the Governor all the rights that he had in relation to the militia. Under the organic act he was the Commander-in-Chief of the Army and Navy of Kansas. The navy was not very strong, but it was pretty nearly as strong then as the United States Navy is now.

For what motive the new militia bill was proposed, I do not know; it might have been good and might not have been good. I do not think it was very good. It was proposed to relieve the Governor of his responsibility. While the Governor was not particularly anxious about such things, he did not propose to be relieved of such responsibilities; he proposed to exercise all that were conferred upon him, as he always did do whenever it was necessary. That was an effort to give somebody else power to appoint military officers, and to commission them. The Governor refused to recognize such appointments. Commissions were issued by some of the parties

named in the bill; and the Governor came very near getting some of them into some very troublesome places, and would have done so if they had not dropped the whole thing.

Then came a proposition for a new convention to frame a constitution. Now, my friends, there has been a great deal said about that matter, and I have received letters from several parties asking for information about it, and I will give it to you as nearly as I can recollect, and I believe, correctly. You will recollect first, that the Governor, under the organic act, had three days in which to consider any bill which might be sent to him by the Legislature for his signature. If he would keep the bill in his possession for three days without returning it to the Legislature, with or without his objections, then it became a law of itself. If he approved it, of course it became a law; if he objected to it, and sent it back, then the Legislature had the right to pass upon it, and pass it over the veto by a two-thirds vote. Now the Legislature had to meet on the first Monday in January, and the law fixed the term for forty days. It fixed the time on the first Monday in January when it should meet, and therefore it included the whole of that day; and at the end of forty days the session came to a close. This bill for the calling of a convention to frame a new constitution was passed and sent to me within three days of the end of the session: that is, it was sent to me on the thirty-seventh day of the session. I concluded that we had constitution enough. We had then pending before Congress the Lecompton Constitution, which was a pretty ugly-looking affair all around. We had the Topeka Constitution, which was objected to on the other side just as much: and then we had the Territorial Government established by act of Congress, and I thought we had about as much government as one little Territory could very well live under.

Some time before that—I think early in the session—I was so thoroughly convinced of the fact that we were having too much constitution, that I sent to Judge Elmore, whom many of you knew, who lived up at Tecumseh, and a man in whose judgment I had great confidence. I sent for him to come down and see me at Lawrence. He did so. We talked the matter over, and I presented to him my views in reference to the Lecompton Constitution. He agreed with me.

Then, says I, "Judge, I want you to go to Washington City and see the President on this subject."

He says, "When?"

I said, "To-morrow morning."

"Why," says he, "I have got nothing—I have no clothing with me."

Says I, "You don't need anything; all you will want will be a shirt, and that you can buy anywhere, as you go along; start in the morning."

That night I wrote a long letter to the President, in which I summed up the condition of affairs here in the Territory, as I then understood them, and I urged him not to present the Lecompton Constitution to Congress at all, but to ask Congress to pass an enabling act to let the people of the Territory hold a convention and adopt a constitution and to wipe out all of those unauthorized constitutions that were presented.

Judge Elmore went on to Washington City and presented my letter to the President, had a long conversation with him, and also with his own brother-in-law, Senator Fitzpatrick, and other Southern gentlemen whom he knew there; and they all agreed to my advice.

Mr. Buchanan said that he was very strongly impressed with it, and that he was very sorry that he had not had the information earlier, because he had prepared his message in relation to the Lecompton Constitution, and he had shown it to several Senators, and could not withdraw it. It went in. You all know the result.

Well, I concluded that I would not approve that bill for calling a convention to frame a new constitution. Several committees were appointed by the Legislature to call upon me, begging me if I would not approve it, to return it to them that they might act upon it. I told them no, that I had made up my mind, and that I was not to be moved; that I thought we had constitution enough, and that I had an absolute veto in that case, and I proposed to exercise it, which I did.

The next night, after twelve o'clock, a bill was brought to me purporting to be a bill calling a convention for a new constitution, and indorsed on it that it had been returned by the Governor and passed by a two-thirds vote, notwithstanding these objections. That was signed by the four officers—the presiding officer of each

house, the Secretary of the Council, and the Clerk of the Assembly. I immediately sent for them, and told them that while that act of theirs, if I was disposed to act upon it, gave me power to do something much to their disadvantage, I did not desire to do it, because I did not want any trouble or disturbance in the Territory; that that act was all wrong on their part; that they certified to that which was not true; that that paper had never been before the Governor: that the bill sent to him never had been out of his possession, and he had not returned it to the Legislature with his objections, and consequently the whole statement was false.

Mr. Currier had the bill in his hands. He asked me what I wanted them to do. I told him I wished them to do one of two things: to give me a certificate of the fact that that had never been acted upon by the Legislature at all, or else to destroy it there, in my presence. They said that that would be pretty rough. Currier said that he would not put his name to any such paper as that, and said he: "What shall we do with it?" Deitzler said: "Destroy it." He said: "All right," and he tore it up and stuck it in the stove. That was the last of that bill.

Now a resolution was passed after the term had closed, after twelve o'clock at night, and the legal term of the Legislature had absolutely closed—a resolution was passed, declaring that that bill had been properly passed by the Legislature, and they resolved that they would go on and hold the convention. Notwithstanding all that had occurred, and the failure of the bill to become a law, they decided to hold the convention. They did hold that convention at Leavenworth, and my friend Col. Ritchie called at my office on his way down, informing me that they were going down there to hold the convention. I told him that that was all right, and if he is here he will no doubt recollect it. "Well," he said, "what are you going to do about it?" "Why," says I, "nothing; the Constitution of the United States gives to the people the right to assemble and discuss all public questions, and after they have assembled if they choose to turn their assembly into a debating society, they have a right to do it; I am not going to trouble them at all." So he went away.

After a time he came back and told me that they had adopted a constitution, and they were going to put it into operation, and wanted to know what I was going to do about it. "Well, now," says I, "Mr. Ritchie, if I were to tell you what I was going to do about it you would know just as much as I do, and I do not propose you shall know what I am going to do, but I will say to you that you had better think two or three times before you make that move." Well, after a time the constitution came around, and it turned out that it was to be submitted to a vote of the people and the returns were to be made to the Governor and three others. They claimed in an address they made, that there were thirty thousand voters in the Territory, and one of the provisions of the constitution was that there should be "universal suffrage;" that every man, woman and child, every horse, every cow, everything that had life in it, should have the right to vote in Kansas. Well, that is only an illustration of the wildness of the times. The people were carried away by their passions and their excitement; but it was not my place to be carried away by anything of that sort. Standing here as the representative of the General Government, taking no part in any of these excitements, it was my place to look at things calmly and weigh them properly, and act for the good of the people.

The election was held, and the returns showed somewhere in the neighborhood of three thousand votes cast, and the thing dropped right there. Nothing more was heard about the constitution. I infer that there were no frauds in that election, or they might possibly have brought it up to the thirty thousand that was claimed in the address.

My fellow-citizens, there are doubtless many other things connected with the legislation of that session that I might refer to. But I presume that you have heard about as much of my administration here as you care about. I came to the Territory without knowing myself that I was to remain here; without being known to many of you. True, I had some friends in the country who received me kindly from the start, and they gave kind reports about me to their neighbors. True, there were some in the country who were determined not to be satisfied with anything I did; but they were very few, and when I was leaving the Territory, the people of Leavenworth, without regard to party, gave me a supper, which I have always regarded as one of the greatest compliments ever paid to me. Every shade of political opinion was represented at that party, from the most ultra Pro-Slavery man to the most violent of the Free-State men, and when I entered the room and looked down that table, I was ready for almost anything that might occur, for I did not see how it was possible for such a gathering of men to get through an evening pleas-

antly and without disturbance, and more especially when the table was loaded down with wine. But it passed off quietly. There was not a single word uttered by anyone there calculated to injure the feelings of anyone else. They treated each other with all deference, respecting each other's opinions, referring to no subject of irritation whatever. Among them I will mention Judge Lecompte, who at that time, talking I think for nearly an hour, never once referred to politics. I have always looked back to that reception as one of the brightest spots in my career.

Now, my fellow-citizens, perhaps it might be well for me to refer a little more *in extenso* to the trip that I made in the southern part of the State with Governor Robinson. The Governor has very kindly informed you about what was done at that time. He did not tell you, however, some things that occurred. He did not tell you, for instance, that shortly after we made our start down there, he and Judge Wright, riding together in a buggy, got into the Marais des Cygnes, about the middle of the stream, when something about the carriage broke, and the horses could not go on, and they had to stop. Judge Wright was in bad health, and thought he would be ruined if he got wet, and so Governor Robinson got out and backed up against the carriage, and got Judge Wright on his shoulders, and walked out with him. The Governor says now, that he was in hopes he would slip and fall down, but he could not find any rock to slip on, and so he got the Judge out safely.

Well, we went on to Osawatomie. The streams were very high. We had to swim several of them; that is, we crossed on a raft ourselves, and had our horses swim. At Osawatomie, some wild fellow there, I believe they called him Pat Devlin, who looked very much as though he was trying to carry out his name, for he certainly acted as wildly as it was possible for a man to do—I never saw a man under more excitement—while we were trying to get across the stream, he plunged into it and swam across. We were told afterwards that he was determined to kill somebody; that he was especially hostile to Federal officers; and as I was the only Federal officer along, I suppose that I was the one that incurred his hostility at the time.

After a while we met Montgomery—at Moneka, I believe. I addressed the people there, and I appealed to them to turn out and take care of their own affairs, and to protect their neighbors in their rights as well, to live peaceably with each other, and carry on the affairs of the country in the same way as they had been carried on in the communities from whence they had come, and that their rights were the same here as they were there, and that they ought to protect each other and see that no one trespassed upon the rights of his neighbor. We were well received there. Governor Robinson made some remarks, and Judge Wright also, and when we were just about ready to depart, Captain Montgomery came up; did not come up to us exactly, but he sent Pat Devlin to say to me, that he wished to talk to me, and if I would give my pledge of honor not to arrest him, he would come up and talk to me. I told him that I was not down there to arrest anybody; that I had come down to see and talk with the people, and see if we could not arrange matters so as to have peace and quiet in the land, but as for giving a pledge of honor, or a pledge of any other kind, that would bind my official action whenever it became necessary to act, I was not going to do it, and I did not do it. We went from there down to Montgomery's place. We met a crowd of people there. They were all armed. I made an address to them there, and so did Governor Robinson, I think; I am not sure about that.

But we went from there to Fort Scott, and the people having been notified that I wished to meet them there, they gathered in to the number of about 800 or 1,000. I think almost every man in Bourbon county was there, and there with his arms on. They had rifles, and shot-guns, and pistols, and knives, and they were all in sight; and they looked as though they were ready to use them on each other. Great excitement prevailed. I made some remarks to the people, talked to them as quietly and pleasantly as I could, and was followed, I think, by Judge Wright. After he got through, Gov. Ransom, formerly Governor of Michigan, took the stand. I had great confidence in Governor Ransom. He was an elderly man, a man of great intelligence, a man who had the respect of everybody that knew him, and I was confident that he would do everything in his power to bring about the result we all so much desired. I turned aside to talk to some one, and in a little while I heard him denouncing the Free-State people for having brought on the condition of affairs that existed there, and in an instant Judge Wright interrupted him very sharply and faced him. I sprang up between them and told them that thing must stop. Says I, "Gov. Ransom, you are a much older man than I; I did not expect this kind of conduct on your part; I had a right to expect something different from you. You must stop this talking. You must take your seat and keep quiet." He did take his seat, and kept quiet. I

regretted very much to do it. I regretted to speak in that manner to a man much older than myself, but it was a crisis in affairs at the time. If he had been permitted to go on it would have resulted in a bloody fight on the spot, for the people had already begun to separate into two parties, and in another minute or two, or upon the firing of a single shot, there is no telling how many people would have been killed there.

To make a long story short, I prevailed upon all the county officers of that county to resign their offices, and then I told the people that while I had the right to appoint any man I pleased to fill the vacancies, that I desired an expression of their wishes in the matter, and that I wanted them to hold an election right then and there, and that I would receive it as instructions as to whom to appoint to those offices. They asked me how they should do it. I told them to set up their candidates, place them out at one side of the public square, one here and another there, and let their friends form a line on the right and on the left. They placed their candidates out, and I gave the word to march. The people then formed. I then appointed two men to count them. They then counted them, and reported to me the number that they had found for each candidate. The first was for sheriff, I think. Then for the next offices we went through the same ceremony, and the election was held in that way. I gave them a certificate of appointment, and as soon as I got up to Leecompton I sent them their commissions. We had no more trouble down there. From there we went to the place on the Marais des Cygnes where that horrible massacre had occurred only a short time before. We found every man who came there had his arms with him. I addressed them about as I had been addressing the people before; quieted the trouble in the neighborhood, and appointed the proper officers for that county; and we came on home, and I believe those adjustments lasted as long as the Territory lasted.

Now I have brought you through pretty much all of the ten months that I was with you. I have perhaps given some facts that you have not heard before; perhaps you have heard some matters differently related. I have endeavored to give you the facts without embellishment, and trust that the relation of them will leave as good an impression upon your mind as the facts themselves did at the time I left this Territory as Governor.

But that was not all that I had to do with Kansas. It so happened that when the war of the Rebellion broke out I was appointed to a command in the army, and ordered to report to General Hunter. I did report to General Hunter at Fort Leavenworth for duty. He looked at my order and said: "Very well, I will just put you in command of all the troops in Kansas." "Well," said I, "General, what are the troops and where are they?" Said he, "I don't know anything about them; you must find them the best way you can." Well, I soon found that he was much disgusted with something. I began to inquire around to find out whether I had anybody to fight or not. The same day, I think it was, a man came down from Troy, Doniphan county, with a requisition for thirty days' rations for six hundred men. He was referred to me. I asked him for his muster roll. He said he did not have any. "Well," said I, "how can I issue rations without knowing whether you have any men at all or not? You must have been mustered into service. You must satisfy me about that."

Well, he said they had always been drawing rations that way. "Well," says I, "I can't give you an order for anything of that sort. General Hunter may do it, but I cannot." Then I took him and introduced him to General Hunter and he asked him some questions. I told him how matters stood. Well he said he would give him rations for ten days, I believe it was, and that he must go back home and bring on the muster roll and the necessary papers to show that they were in the service. At the end of ten days he came back, and with him the Colonel (I have forgotten the name) and the muster roll of the regiment, and the roll consisted of one Colonel, one Lieutenant Colonel, four Captains, four First Lieutenants, six Second Lieutenants, and not a single private. Well, I told him that that kind of a roll was not sufficient to draw rations for six hundred men, and he went away, and I suppose from what I heard afterwards, that there was not a foot of ground between Troy and Leavenworth that he did not make resound with abuses of me.

I afterwards learned that there was a regiment down at Mine creek that had lost its Colonel, and the Major of the regiment came in and reported that there was no Colonel belonging to that Regiment, and that the Lieutenant Colonel had resigned and he wanted the Colonelcy. Well, he produced the resignation of the Lieutenant Colonel, and who should it be but my old friend, John Ritchie. There was some-

thing I did not like about the whole proceeding and so I concluded that I would go down and see about it in person, and I did so, and I rode right into camp without being halted once, although they were within a few miles of the Missouri border, where fifty men could have gone in and surprised them. There was not a single sentinel out. The Lieutenant Colonel was absent. Having resigned, I suppose he had gone home; at any rate he was not there. The Major was up at Fort Leavenworth. I put the senior Captain in command, I do not now remember his name; he was a man whom I had never seen before. I came back up here, and I think I sent H. Miles Moore down there to investigate that matter afterward; and I do not think he has ever made his report to me. I told him to-day that I thought he had better be making that report. The result of that was, that Powell Clayton was appointed Colonel of that regiment by Governor Robinson, and he made a good officer. Colonel Ritchie denied that this was a *bona fide* resignation; that it was taken from him under a false pretense; and that was what the investigation was to be about, as I recollect.

Well, it is not necessary to go into particulars about those matters. I found a number of regiments in the State, composed of good men—as good men as ever shouldered a musket or handled a saber. They needed only discipline to make them good soldiers, and I took pride in making them good soldiers. In whatever I did to bring about discipline in the army, it had nothing in the world to do with my likes or dislikes towards any particular individual. My conduct was directed entirely towards bringing about the efficiency of the soldier, and I would have displaced the nearest friend I had if he was incapable of occupying the position; or I would have taken the greatest enemy I had in the country and put him in command, if I believed he was capable of filling the position. My object was to benefit the whole country, and all I did was with a view to that object.

Now, my fellow-citizens, I suppose you have listened to me about long enough. Of course there are very many incidents that I could relate which occurred during all that time that I have passed over. I have tried to relate the most salient, the most striking facts. As I said, I came to the Territory without any ill-feelings towards anybody. I left the Territory with the same kind of feeling. I took hold of the office of Governor for the purpose of doing my duty as a public officer, and properly representing the Federal Government in the Territory of Kansas, and in doing that I let no person's opinion control me in my action when not in accord with what I thought was right, and I never formed an opinion without fully satisfying myself as to what I believed was best for the Government.

I hope, fellow-citizens, that you may have many meetings such as this. I hope that I may meet you hereafter—not as a speaker, for I assure you that I have no desire to be considered a speaker at all, but as a listener. I thank you most kindly for your attention, and hope that we may meet again.

KANSAS QUARTER-CENTENNIAL.

1861-1886.

PROCEEDINGS OF THE CELEBRATION OF THE TWENTY-FIFTH ANNIVERSARY OF
THE ADMISSION OF KANSAS INTO THE UNION, HELD AT
TOPEKA, JANUARY 29, 1886.

At a meeting of the survivors of the Wyandotte Constitutional Convention, held at Wyandotte, on the 29th of July, 1884, initiatory action was taken in reference to a celebration by the people of Kansas, at Topeka, of the twenty-fifth anniversary of the admission of Kansas into the Union. In pursuance of that action, a meeting was held on the 24th of November, 1885, in the rooms of the State Historical Society at the State Capitol, to make preparations for such celebration. At that meeting a program of proceedings was in part made up; and a committee to make further arrangements was appointed, composed as follows: Col. D. R. Anthony, Col. S. N. Wood, Hon. John Martin, Chief Justice Albert H. Horton, Col. Cyrus K. Holliday, Hon. Albert Griffin, Maj. J. K. Hudson, Gov. John A. Martin, Hon. Benj. F. Simpson, Hon. J. C. Burnett, and F. G. Adams.

Col. D. R. Anthony, President of the State Historical Society, was made chairman of the committee, and F. G. Adams, Secretary of the State Historical Society, was made secretary of the committee. Col. C. K. Holliday, Hon. John Martin, and Maj. J. K. Hudson, were appointed a sub-committee.

The program of exercises as completed was as follows:

AFTERNOON.

Exercises commencing at 2 P. M. Music by Marshall's Military Band. Address by ex-Governor Charles Robinson. Music by the band. Address by Governor John A. Martin. Music by the band.

Addresses as follows: The Wyandotte Constitution, Hon. B. F. Simpson; The State Governments, ex-Governor Thomas A. Osborn;* The Judiciary of Kansas, Chief Justice Albert H. Horton; The Cities of Kansas, Col. Cyrus K. Holliday; The Railroads of Kansas, Judge James Humphrey; The Schools of Kansas. Rev. Dr. Richard Cordley.

Music by the band.

EVENING.

Exercises commencing at 7 P. M. Music by Marshall's Military Band.

Opening address by Colonel D. R. Anthony, President of the State Historical Society.

* Governor Osborn was unable to prepare an address, owing to sickness in his family. Other reasons prevented General Blair from preparing the address on the subject assigned to him.

Address by President of the State Senate, Hon. A. P. Riddle.

Address by Speaker of the House of Representatives, Hon. J. B. Johnson.

The following addresses: The Pioneers of Kansas, Hon. S. N. Wood; The Territorial Governments, Hon. John Speer; The Rejected Constitutions, Hon. T. D. Thacher; Kansas during the War, Gen. C. W. Blair; Poem, by Hon. Eugene F. Ware; The Press of Kansas, Hon. D. W. Wilder; The Agriculture of Kansas, Hon. William Sims; The Churches of Kansas, Rev. Dr. F. S. McCabe; Kansas Manufactures and Mines, Hon. Alexander Caldwell; The Women of Kansas, Noble L. Prentiss.

Music by the band.

In order to accommodate the large audience coming from all parts of the State, the meeting was held at the Grand Opera House. The State officers, State judiciary, the speakers, committee of arrangements, and many others, occupied the stage. Seats were assigned in front of the stage for the members of the Senate and House of Representatives. The exercises occupied the afternoon and evening, and extended through more than seven hours, engaging the eager attention of the multitude in attendance, to the closing hour, at 11 P. M.

The exercises were conducted in the order following:

Governor John A. Martin presided during the afternoon exercises, which opened with music by Marshall's Military Band.

ADDRESS OF EX-GOVERNOR CHARLES ROBINSON.

Governor Martin introduced ex-Governor Charles Robinson, as the distinguished citizen whom the people first called to preside over the destinies of the State, and who ably and faithfully discharged the high and important trusts so assigned him. He gave an appropriate tribute to the character of the first Chief Magistrate, as one who had performed so prominent a part in the pioneer struggles and conflicts of the people, that at the beginning of the State they bestowed upon him the highest office of honor and trust in their gift:

THE GOVERNMENT OF KANSAS.

Mr. President, and Fellow-Citizens: We have assembled to celebrate the twenty-fifth birthday of the State of Kansas. On such an occasion, a review of her wonderful growth and achievements is eminently proper, and in these no State can excel our own; but I have been notified that I am expected to speak of Kansas in her ante-natal days, and relate something of her struggles in embryo. While the Territorial period was full of incident and worthy achievement, the field has been so often plowed and cross-plowed, harrowed and raked, as with a fine-tooth comb, for items to add to the fame or infamy of the contestants, that nothing fresh or interesting remains to be said appropriate to the occasion. Some of the results, however, of the Territorial struggle have been inherited by the State, and constitute its chief glory. Of these, I will briefly speak. To begin at the beginning, I will say that the difficulty which culminated in Kansas had its origin in the Garden of Eden. According to report, the first law ever given to the race was a prohibitory law, with death as the penalty for disobedience. This law, of course, was violated by the occupants of the Garden, and should the threatened penalty be inflicted, the Law-Giver would have no subjects, as the violators included the whole human family. Accordingly, the penalty was modified to suit the emergency—a precedent still followed by politi-

cal parties when the enforcement of their laws will leave their party without a quorum in the Legislature, or in a minority at the polls. The amended penalty reads as follows: "In the sweat of thy face shalt thou eat thy bread till thou return unto the ground." The penalty attached not only to the law-breaker, but to all his posterity, and from that day to this the chief concern of mankind has been to escape this penalty. Every person seems desirous of making some one else do the sweating while he eats his bread. Every device has been resorted to. Sometimes a man escapes the penalty by withholding the earnings of his employ  s in whole, or in part; but a favorite method has been to capture, steal, or purchase a man, and to compel him to do the sweating both for himself and his master. This practice had been handed down from generation to generation, till the date of the opening of Kansas to settlement, and it was proposed to introduce it on Kansas soil. Hence the conflict. Many people had come to look upon this business not only as avoiding the penalty for eating the prohibited fruit, but as a great wrong to such as were compelled to suffer the double infliction. Some thought it was the "sum of all villainies," and others "trembled when they remembered that God was just." Many years of agitation had preceded the settlement of Kansas, both among the people and in Congress. Various compromises and provisos had been agreed to, but all such were as ropes of sand before the demands of the slave power. One of these barriers to the extension of slavery went down in the enactment of the Kansas-Nebraska bill. The opponents to the extension of slavery were beaten—hopelessly beaten—in Congress; the agitators of the North and East were powerless, and could anything be done to stay the progress of this institution? A writer in the *Charleston (S. C.) Mercury* states the case as follows:

"First, by consent of parties the present contest in Kansas is made the turning-point in the destinies of Slavery and Abolitionism. If the South triumphs, Abolitionism will be defeated and shorn of its power for all time. If she is defeated, Abolitionism will grow more insolent and aggressive, until the utter ruin of the South is consummated. Second, if the South secures Kansas, she will extend Slavery into all Territory south of the 40th parallel of north latitude to the Rio Grande, and this, of course, will secure for her pent-up institution of Slavery an ample outlet, and restore her power in Congress. If the North secures Kansas, the power of the South in Congress will gradually be diminished; the States of Missouri, Kentucky, Tennessee, Arkansas and Texas, together with the adjacent Territories, will gradually become Abolitionized, and the slave population, confined to the States east of the Mississippi, will become valueless. All depends upon the action of the present moment."

This is an exact statement of the situation as it then appeared, and the predictions only failed of realization in consequence of the suicide of Slavery by the Rebellion, which could not then be known. Here, then, was the stake—not the extension of Slavery to Kansas merely, but its extension indefinitely, or final extinction. Who could be found to enter the lists? Slavery had all the advantages. On its side were billions of dollars and the domestic relations of 8,000,000 people involved. Congress was in favor of the Slavery extension, or it would not have removed the barriers from the west line of the State of Missouri. The Judiciary was on the side of Slavery extension, or it would never have made the Dred Scott decision. The Executive Department of the Government favored Slavery extension, or it could not have been elected, and would not have had Jefferson Davis for Secretary of War. Besides, Kansas had a Slave State extending across its entire eastern border, whose inhabitants were alive to the situation, bold, reckless and defiant, while the opponents of Slavery were to be found chiefly at a distance of hundreds of miles from the field of conflict. Congressmen from the North had been beaten and cowed; the old Anti-Slavery Society had no faith in success, or in the value of victory if achieved, and the Liberty and Free-Soil parties had no machinery that could be useful

in such an encounter. Who, under these disadvantages, would enter the contest for this prize with the slave power of the Nation, that had never known defeat? Individuals and individual effort could do something, as was shown in the person of him who will speak this evening for the pioneers of Kansas. But the whole North must be aroused and organization effected, to stimulate and aid emigration. A heretofore comparatively obscure man, a member of a State Legislature, was seized with inspiration, and he stepped forth in the winter of 1854, when it became evident the Kansas-Nebraska bill would become a law, and organized emigration and preached the crusade till victory was secured. So obnoxious did this man become to the slave power that a price was set upon his head, dead or alive, even before the lands of Kansas were open to settlement. But emigration, while indispensable, was not all that was requisite. A State had to be organized, and this work must be done on the soil of Kansas. This was the work in hand, and the election of a Territorial Legislature was the first step to be taken. The party that should secure this would secure a great, if not decisive, victory. As is well known, this victory perched upon the banners of the South. Was there, then, hope left for a free State? All the machinery for making a State was now in the possession of the enemy. This was in 1855, and there would be no new Legislature elected before 1857. In the meantime "returning boards" could be provided and a constitution inaugurated, which might settle the question in issue irrevocably. Could any power or any agency wrest victory from such a defeat, and under such circumstances? Every statesman, every politician, every student of history, and every person of ordinary information of affairs of government, would have answered, and did answer this question in the negative, but the Free-State party of Kansas answered it in the affirmative and made good their answer, as history has recorded. How this victory was achieved—by what measures or policy—belongs to the history of the Territorial period, and not the State, but as its results have been inherited by the State, some of them may properly be named here.

First. The victory of the Free-State party made Kansas a free instead of a slave State.

Second. According to the *Charleston Mercury*, it put an end to the extension of slavery in every direction, and secured freedom to all other Territories.

Third. It made the Republican party of the Nation. The *Cyclopedia of Political Science* says truly: "The predominance of a moral question in politics, always a portentous phenomenon under a constitutional government, was made unmistakable by the Kansas struggle, and its first perceptible result was the disappearance, in effect, of all the old forms of opposition to the Democratic party, and the first national convention of the new Republican party, June 17, 1856."

Eli Thayer says that "the Kansas fight made the Republican party." Also he adds that it was "a necessary training of the Northern States for subduing the Rebellion."

Fourth. This being conceded, Kansas made the election of Abraham Lincoln possible.

Fifth. Securing a free State in Kansas and the election of Lincoln brought on the Rebellion, which—

Sixth. Was the suicide and end of slavery, in this Nation and prospectively in all nations.

All these results the State of Kansas inherits from the Territorial struggle, as can be abundantly shown. I am aware that an attempt has been made to rob Kansas of some of these laurels, but the attempt will fail. One writer would make it appear that the raid at Harper's Ferry, to which he was a party, destroyed slavery, and not the work in Kansas. What are the facts? Were I to quote all the declarations of Southern politicians during the pending of the elections of 1856 and 1860, saying

that should the Republican candidate for President be elected they would go out of the Union, my time and your patience would be exhausted. I will therefore refer to but two or three statements: Jefferson Davis, in his message to the Confederate Congress, does not mention Harper's Ferry, but gave this as a reason for withdrawing from the Union:

"A great party was organized for the purpose of obtaining the administration of the government with the avowed object of using its power for the total exclusion of the Slave States from all participation in the benefits of the public domain acquired by all the States in common, whether by conquest or purchase, surrounding them entirely by States in which slavery should be prohibited, thus rendering the property in slaves so insecure as to be comparatively worthless, and thereby annihilating, in effect, property worth thousands of millions of dollars. This party, thus organized, succeeded in the month of November last in the election of its candidate for the President of the United States."

I will next quote from a letter attributed to Judah P. Benjamin, Senator from Louisiana, to the British Consul in New York, dated August 11, 1860, as follows:

"The doctrines maintained by the great leaders of the Republican party are so unsuited to the whole South that the election of their candidate (which is almost certain) amounts to a total destruction of all plantation interests, which the South, as sure as there is a God in Heaven, will not submit to. Sooner than yield to the arbitrary dictates of traitorous allies and false friends who have proven recreant to the solemn obligations of the old Constitution, we will either secede from the Union, and form a separate government, or upon certain conditions, at once return to the allegiance of Great Britain, our mother country."

Here again is no allusion to Harper's Ferry, but he proposes to secede because of the success of the Republican party, which was "made" by the Kansas struggle.

The Political Cyclopaedia says that "Kansas, it might be said, cleared the stage for the last act of the drama, the Rebellion;" that the Kansas struggle was the "prelude to the War of the Rebellion." One more question remains to be considered: If the success of the Republican party, made by the Kansas struggle, was the immediate cause of secession, war, and consequent emancipation, did the Harper's Ferry raid contribute to that success? This question must be answered most decidedly in the negative. This same cyclopaedia says that "the North almost unanimously condemned the whole insurrection," while it is well known that from every stump during the Lincoln campaign it was most vehemently denounced. The Republican party, that there might be no mistaking its position, adopted this resolution in its national platform:

"*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depends, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest crimes."

After the election, President Lincoln, in his Inaugural Address, quoted this resolution, and added: "I now reiterate these sentiments, and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the prosperity, peace and security of no section are to be in any wise endangered by the new incoming administration."

Can it be possible that the effect of such a raid as that at Harper's Ferry, almost unanimously denounced by the whole North, especially denounced in the platform of the party, and the denunciations reiterated by its candidate, could be to aid in the election of Mr. Lincoln? To ask such a question is to answer it. Not only did the raid not help the Republicans, but as soon as the facts were developed it did not frighten the South. The Pro-Slavery members of the Senate Investigating Committee, Mason, Davis, Fitch, say that not a single slave could be induced to voluntarily join the raiders, and when arms were put in their hands they refused to use them, and escaped from their captors as soon as they could do so with safety.

The Republican members of this committee, Collamer and Doolittle, said that "the lessons which it teaches furnish many considerations of security against its repetition. The fatal termination of the enterprise in the death and execution of so large a part of the number engaged; the dispersion of the small remainder as fugitives in the land; the entire disinclination of the slaves to insurrection, or to receive aid for that purpose, which was there exhibited; the very limited number and peculiar character of the conspirators, all combine to furnish assurance against the most distant probability of its repetition." It is evident from all the facts in the case, that this raid not only did not help, but hindered the Republican cause, and that it did not have a feather's weight in causing the Rebellion, or the destruction of slavery in consequence of it.

Let us reverse the picture for a moment. Suppose, instead of a Free State a Slave State had been secured in Kansas, with the power to extend the institution at will, into all the Territories. Suppose, as a consequence, the Kansas struggle had not "made" a victorious Republican party in 1860, but had secured the election of Breckinridge, the Southern candidate for President: would the South have then seceded, and would slavery have been abolished? And would either event have transpired in consequence of the Harper's Ferry raid, or five hundred such raids? Cook had been at Harper's Ferry some twelve months, and Brown and his followers four or five months, and yet not a slave had been enlisted for the crusade by either. How much effect would such a raid have to produce secession or the abolition of slavery, with Kansas and the Federal Government in the secure possession of the South?

No, no; the flood-tide of slavery extension received its first permanent check in Kansas, and it was the reflux wave from her borders that carried Abraham Lincoln into the White House, drove the South into rebellion, and buried slavery so deep that for it there can be no resurrection. Not only is the State of Kansas thus indebted to the Territory, but the late slave States, that contended so earnestly to extend their peculiar institution, are doubly indebted. These States have not only been redeemed from a blighting curse, but have been prospered in every way as never before in their history. So general and wide-spread is their prosperity that so far as known not a citizen can be found in the entire South who would reestablish slavery if he could. But the blessings resulting from the Territorial struggle do not stop here, for the Nation itself has been born again, with that birth which brings with it "Peace on earth, and good-will to men." The old contentions, bitterness and irrepressible conflict between the North and South, have given place to mutual respect, love and good-will. The United States now constitute a Union in reality as well as in name, with like institutions, like aspirations, and a common destiny. Our Union thus cemented, has become the envy of all nations, and a terror to all enemies. The freest, happiest and most prosperous people on the globe, we have become a place of refuge for the oppressed of all nations. Such being the result of the Territorial conflict, well may the contestants embrace each other on the twenty-fifth birthday of this wonderful State, and henceforth dwell together in unity, under a Government that knows no North, no South, no East, no West, but that is "one and inseparable, now and forever."

ADDRESS OF GOV. JOHN A. MARTIN.

At the close of his address, and after music by the band, ex-Governor Robinson introduced to the audience Governor John A. Martin, in a few remarks referring to the latter's public career in Kansas to the present time; to his long and useful services as an editor, and to his brilliant military

services during the war. Governor Martin then delivered the following address:

THE DEVELOPMENT OF KANSAS.

Mr. Chairman, and Ladies and Gentlemen: In Grecian mythology it is related that Zeus, warned by an oracle that the son of his spouse, Metis, would snatch supremacy from him, swallowed both Metis and her unborn child. When the time of birth arrived, Zeus felt a violent pain in his head, and in his agony requested Hephaestus to cleave the head open with an ax. His request was complied with, and from the brain of the great god sprang Athena, full-armed and with a mighty war-shout. She at once assumed a high place among the divinities of Olympus. She first took part in the discussions of the gods as an opponent of the savage Ares. She gave counsel to her father against the giants; and she slew Encelâdus, the most powerful of those who conspired against Zeus, and buried him under Mt. Ætna. She became the patron of heroism among men, and her active and original genius inspired their employment. The agriculturist and the mechanic were under her special protection, and the philosopher, the poet and the orator delighted in her favor. The ægis was in her helmet, and she represented the ether—pure air. She was worshipped at Athens because she caused the olive to grow on the bare rock of the Acropolis. She was also the protectress of the arts of peace among women. She bore in her hand the spool, the spindle, and the needle, and she invented and excelled in all the work of women. She was the goddess of wisdom and the symbol of thought; she represented military skill and civic prudence. In war she was heroic and invincible; in peace she was wise, strong, inventive, and industrious.

THE ATHENA OF AMERICAN STATES.

Kansas is the Athena of American States. Thirty-six years ago the Slave Oligarchy ruled this country. Fearing that the birth of new States in the West would rob it of supremacy, the Slave Power swallowed the Missouri Compromise, which had dedicated the Northwest to Freedom. The industrious North, aroused and indignant, struck quick and hard, and Kansas, full-armed, shouting the war-cry of Liberty, and nerved with invincible courage, sprang into the Union. She at once assumed a high place among the States. She was the deadly enemy of Slavery; she gave voice and potency to the demand for its abolition; and she aided in burying Secession in its unhonored grave. The war over, she became the patron, as she had been during its continuance the exemplar, of heroism, and a hundred thousand soldiers of the Union found homes within the shelter of her embracing arms. The agriculturist and the mechanic were charmed by her ample resources and inspired by her eager enterprise. Education found in her a generous patron, and to literature, art and science she has been a steadfast friend. Her pure atmosphere invigorated all. A desert disfigured the map of the Continent, and she covered it with fields of golden wheat and tasseling corn. She has extended to women the protection of generous laws and of enlarged opportunities for usefulness. In war she was valiant and indomitable, and in peace she has been intelligent, energetic, progressive, and enterprising. The modern Athena, type of the great Greek goddess, is our Kansas.

THE CHILD OF A GREAT ERA.

It is not a long lapse of time since the 29th of January, 1861. A boy born during that eventful year cast his first Presidential vote at the last election. But no other period of the world's history has been so fertile in invention, so potential in thought, so restless and aggressive in energy, or so crowded with sublime achievements, as the quarter-century succeeding the admission of Kansas as a State. During that period occurred the greatest war the world has ever known. An industrious, self-

governed, peace-loving people, transfigured by the inspiration of patriotism and freedom, became, within a twelve-month, a Nation of trained and disciplined warriors. Human slavery, entrenched for centuries in law, tradition, wealth, and pride of race, was annihilated, and five million slaves were clothed with the powers and responsibilities of citizenship. The Continent was girdled with railroad and telegraph lines. In 1860 there were only 31,186 miles of railway in the United States; there are now fully 130,000 miles. Less than 50,000 miles of telegraph wires were stretched at the date of the admission of Kansas; there are now nearly 300,000 miles. The telephone and the electric light are fruits of this period, and the improvements and inventions in farm implements, in books and newspapers, in all the appliances of mechanical industry, and in the arts and sciences, have revolutionized nearly every department of human activity.

When this marvelous era dawned upon the world, Kansas was a fiction of the geographers. On the map of our country it was marked as a desert, and the few explorers who had penetrated its vast solitudes described it as an arid and sandy waste, fit only for the wild bison, or the wilder Indian. There it had lain for centuries, voiceless and changeless, waiting for the miracle of civilization to touch and transform it.

The passage of the Kansas-Nebraska bill made Kansas the central figure in a tremendous conflict. It became not only the child of a marvelous epoch, and heir to all the progress, the achievements and the glory of that epoch, but it stood for an idea; it represented a principle; and that idea and principle thrilled the heart and awakened the conscience of the Nation. That a State cradled amid such events, schooled during such a period, and inspired by such sentiments, should, in its growth and development, illustrate these mighty energies and impulses, was inevitable. The Kansas of to-day is only the logical sequence of the influences and agencies that have surrounded, shaped and directed every step and stage of the State's material and administrative progress.

NOT THE HISTORIAN.

I am not, however, the historian of this occasion. Very properly the committee assigned to my honored predecessor, the first Governor of the State—who has been with and of it during all the lights and shadows of thirty-one revolving years—the duty of presenting an historical sketch of the difficulties and dangers through which Kansas was “added to the stars,” and became one of the brightest in the constellation of the Union. To me was allotted another task—that of presenting, as briefly and as clearly as I am able, the material development of Kansas, and her present condition and position. It is at once a delightful and a difficult task. The growth of Kansas is a theme which has always enlisted my interest and excited my pride. But I cannot hope to present any adequate picture of the Kansas you know so well—the Kansas of your love and of your faith; the imperial young State, at once the enigma and the wonder of American commonwealths.

THREE PERIODS OF DEVELOPMENT.

The development of Kansas, it seems to me, has had three periods, which may properly be called the decades of War, of Uncertainty, and of Triumph. From 1855 to 1865, Kansas was an armed camp. The border troubles, outbreaks late in 1854, continued until the Rebellion was inaugurated. Kansas, in fact, began the war six years before the Nation had fired a shot, and the call to arms in 1861 found here a singularly martial people, who responded with unparalleled enthusiasm to the President's demands for men. In less than a year ten full regiments were organized, and before the close of the war Kansas had sent over twenty thousand soldiers to the field, out of a population of but little more than a hundred thousand. Fields,

workshops, offices and schools were deserted, and the patient and heroic women who had kept weary vigils during all the dark and desolate days of the border troubles, now waited in their lonely homes for tidings from the larger field of the civil war.

It is doubtful whether Kansas increased, either in population or wealth, from 1861 to 1864. But the young State grew in public interest and reputation, and when the heroic men, whose valor and patriotism had saved the Republic, began to be mustered out, Kansas offered an inviting field for their energy, and they came hither in great numbers. The population of the State, which was 107,206 in 1860, had increased to 140,179 in 1865. The assessed value of its property increased from \$22,518,232 to \$36,110,000 during the same period, and the land in farms from 1,778,400 to 3,500,000 acres. It was not a "boom," nor was it stagnation and decay. Yet it is probable that nearly the whole of the growth shown by these figures dates from the spring of 1864.

The real development of Kansas began in 1865, and it has known few interruptions since. The census of 1870 showed a population of 364,399—an increase of 124,220 in five years, or nearly double the population of 1865. Railroad building also began in 1865, and 1,283 miles were completed by 1870. The home-returning soldiers and the railroads came together. Immigrants to other States came in slow-moving canal boats or canvas-covered wagons, but they came to Kansas in the lightning express, and most of them went to their claims in comfortable cars, drawn by that marvel of modern mechanism, the locomotive. Our State has never had a "coonskin-cap" population. It is the child of the prairies, not of the forest. It has always attracted men of intelligence, who knew a good thing when they saw it. They brought with them the school, the church, and the printing press; they planted an orchard and a grove as soon as they had harvested their first crop; and if they were compelled to live in a dug-out the first year or two, they were reasonably certain to own a comfortable house the third.

THE PERIOD OF UNCERTAINTY.

The period from 1865 to 1875 was, however, a period of uncertainty. Kansas remained an experiment. The drouth and grasshopper invasion of 1860, a menacing memory for many years, had just begun to grow dim when the drouth of 1873 and the still more disastrous drouth and locust invasion of 1874 revived its recollection, and intensified the uncertainty it had inspired. The intervening years were not, it is true, without their exaltation and triumphs. Luxuriant harvests followed the disaster of 1860, year after year in unbroken succession, until 1873, and we indulged in much jubilant boasting and self-gratulation over our fruitful soil, our benign climate, and our gracious seasons. But over and through it all brooded and ran a feeling of question or uncertainty, which manifested itself in many ways. The newspapers, while affecting to sneer at those who did not believe Kansas to be a country where rains always came just when they were wanted, nevertheless recorded every rain with suspicious prominence. Even the corner-lot speculator watched the clouds while he was denouncing the slanderers who asserted that Kansas was "a dry country." "Me-thinks the lady doth protest too much," might have been said of the Kansans who, from 1865 to 1875, vehemently maintained that the normal condition of Kansas was that of a quagmire.

And in the midst of it all, came 1873 and 1874, with their twin devastations and calamities. A fierce sun rose and set for months in a cloudless sky; the parched earth shrank and cracked; and the crops withered and shriveled in winds as hot as the breath of a furnace. But as if the destruction thus wrought was not enough, out from the northwest came clouds of insects, darkening the sun in their baleful flight, and leaving the very abomination of desolation wherever they alighted. It was then

that the bravest quailed, and our sturdiest farmers abandoned all hope. Thousands of people, now among our most prosperous citizens, would have sold everything they possessed for one-sixth of its value, during the year 1874, and abandoned the State forever. But they could find no purchasers, even at such a price.

Somehow—and I mention the fact to their everlasting credit—many of the newspapers of Kansas never lost heart or hope during that distressful season. They lauded the State more earnestly, if possible, than ever before. They asserted, with vehement iteration, that the season was exceptional and phenomenal. They exhorted the people to keep up courage, and confidently predicted abundant harvests next year. And to their influence more than any other, is due the fact that Kansas survived the drouth and grasshopper invasion of 1874 with so little loss of population.

THE PERIOD OF TRIUMPH.

The period of triumph began in 1875. While the world was still talking of our State as a drouth-powdered and insect-eaten country, Kansas was preparing for the Centennial, and getting ready for a great future. And in 1876, she sprang into the arena of Nations with a display of her products and resources which eclipsed them all, and excited the wonder and admiration of the whole civilized earth.

From that time to this the development of Kansas has never known a halt, nor have the hopes of our citizens ever been troubled by a doubt. More permanent and costly homes have been built, more stately public edifices have been reared, more substantial improvements have been made on farms and in towns, more wealth has been accumulated, during the decade beginning in 1875, than during the two previous decades. No citizen of Kansas, from that day to this, has ever written a letter, made a speech, or talked at home or abroad, with his fellow-citizens or with strangers, without exalting the resources and glorifying the greatness of the State. No Legislature, since that time, has ever doubted the ability of the State to do anything it pleased to do.

A new Kansas has been developed during that period. The youth of 1875 has grown to the full stature and strength of confident and intelligent manhood. The people have forgotten to talk of drouths, which are no more incident to Kansas than to Ohio or Illinois. They no longer watch the clouds when rain has not fallen for two weeks. The newspapers no longer chronicle rains as if they were uncommon visitations. A great many things besides the saloons have gone, and gone to stay. The bone-hunter and the buffalo-hunter of the Plains, the Indian and his reservations, the jayhawkers and the Wild Bills, the Texas steer and the cowboy, the buffalo grass and the dug-outs, the loneliness and immensity of the unpeopled prairies, the infinite stretching of the plains, unbroken by tree or shrub, by fence or house—all these have vanished, or are rapidly vanishing. In their stead has come, and come to stay, an aggressive, energetic, cultured, sober, law-respecting civilization. Labor-saving machines sweep majestically through fields of golden wheat or sprouting corn; blooded stock lazily feed in meadows of blue-stem, timothy, or clover; comfortable houses dot every hill-top and valley; forests, orchards and hedge-rows diversify the loveliness of the landscape; and where isolation and wildness brooded, the majestic lyric of prosperous industry is echoing over eighty-one thousand square miles of the loveliest and most fertile country that the sun, in his daily journey, lights and warms. The voiceless Sphinx of thirty years ago has become the whispering-gallery of the continent. The oppressed Territory of 1853, the beggared State of 1874, has become a prince, ruling the markets of the world with opulent harvests.

THE FACTS OF THE CENSUS.

I am not, in thus exalting the growth and prosperity, of Kansas, speaking recklessly, as I shall show by statistics compiled from the census and agricultural reports

of the United States and our own State. Figures are always dry, I know. But when they tell the pleasant story of the march of civilization into and over a new land, surely they cannot fail to interest men and women who have themselves marched with this conquering army of industry and peace.

THE GROWTH OF KANSAS WITHOUT PARALLEL.

The growth of Kansas has had no parallel. The great States of New York and Pennsylvania were nearly a hundred and fifty years in attaining a population Kansas has reached in thirty years. Kentucky was eighty years, Tennessee seventy-five. Alabama ninety, Ohio forty-five, and Massachusetts, New Jersey, Georgia, and North and South Carolina each over a hundred years, in reaching the present population of Kansas. Even the marvelous growth of the great States of the West has been surpassed by that of Kansas. Illinois was organized as a Territory in 1810, and thirty years later had only 691,392 inhabitants, or not much more than one-half the present population of this State. Indiana was organized in 1800, and sixty years later had a population of only 1,350,428. Iowa was organized as a Territory in 1838, and had, at that date, a population of nearly 40,000. In 1870 it had only 1,194,020 inhabitants. Missouri was organized in 1812, with a population of over 40,000, and fifty years later had only 1,182,012. Michigan and Wisconsin, after fifty years of growth, did not have as many people as Kansas has to-day; and Texas, admitted into the Union in 1845, with a population of 150,000, had, thirty-five years later, only 815,579 inhabitants.

In 1861, Kansas ranked in population as the thirty-third State of the Union: in 1870 it was the twenty-ninth; in 1880 the twentieth; and it is now the fifteenth. During the past quarter of a century Kansas has outstripped Oregon, Rhode Island, Delaware, Florida, Arkansas, Vermont, New Hampshire, Connecticut, Maine, Minnesota, Maryland, Mississippi, California, North and South Carolina, Alabama, Wisconsin, and New Jersey — all States before the 29th of January, 1861. Of the Northern States only eight, New York, Pennsylvania, Ohio, Illinois, Indiana, Massachusetts, Michigan, and Iowa, and of the Southern States only six, Georgia, Kentucky, Tennessee, Missouri, Virginia, and Texas, now outrank Kansas in population. At the close of the present decade Kansas will, I am confident, rank as the eleventh State of the American Union, and will round out the Nineteenth Century as the sixth or seventh.

In the following table the population of Kansas, as shown by the first census of the Territory, taken in January, 1855, and the official enumerations made every five years thereafter, is shown. The figures also exhibit the proportion of white and colored, and of native and foreign-born inhabitants; the increase of population every five years, and the density of population per square mile of territory at the close of each period. The State census taken in 1865, however, did not show the proportion of native and foreign-born citizens:

Year.	Total population.	Increase.	Density of population.	White population.	Colored.	Native population.	Foreign-born.
1855.....	8,601						
1860.....	107,206	98,605	1.3	106,390	816		
1865.....	140,179	32,973	1.6	127,270	12,909	94,512	12,694
1870.....	364,399	224,220	4.4	346,377	18,022	316,067	48,332
1875.....	528,249	163,950	6.5	493,005	35,244	464,682	63,667
1880.....	996,096	467,747	12.2	952,105	43,941	886,019	110,086
1885 *.....	1,268,562	272,466	15.4	1,229,355	48,297	1,135,887	132,675

* Census of March, 1885.

TOWNS AND CITIES.

In 1860 there were only ten towns and cities in Kansas having a population in excess of 500 each; only three having over 1,000 each; and only one having 5,000 inhabitants. In 1880, ninety-nine towns each had a population in excess of 500; fifty-five towns and cities had each over 1,000 inhabitants; six had each over 5,000; and three had over 15,000 each. In 1885, each of one hundred and fifty-four towns had over 500 population; ninety-one towns and cities had each over 1,000; twelve had each over 5,000; six had each over 10,000; four had each over 15,000; and two had each more than 20,000.

ORIGIN AND CHARACTER OF THE POPULATION.

The origin and character of the population in Kansas is, in this connection, worthy of special note. Every State in the Union, and every Territory except Alaska, contributed to the population of this State. The United States census of 1880 shows that 233,066 persons born in Kansas were then living in the State. The singular fact that native-born Kansans were then living in every State and Territory, is shown by the same authority. Illinois contributed 106,992 to our population; Ohio, 93,396; Indiana, 77,096; Missouri, 60,228; Pennsylvania, 59,236; Iowa, 55,972; New York, 43,779; and Kentucky, 32,979. Three other States—Tennessee, Virginia, and Wisconsin—each contributed over 15,000; and all others less than that number.

The same authority shows that the so-called "exodus" from the South has been greatly exaggerated, Louisiana and Mississippi furnishing only 4,067 of our colored population, while nearly 19,000 came from the three States of Kentucky, Missouri, and Tennessee.

The colored people constitute, at the present time, less than four per cent. of our total population, and the inhabitants of foreign birth a little more than ten per cent. of the total.

THE MATERIAL RESOURCES OF KANSAS.

The growth of our State in population has not, however, equaled the development of its material resources. The United States census of 1880 shows that while Kansas, at that date, ranked as the twentieth State in population, it was the eighth State in the number and value of its live stock, the seventeenth in wealth, the thirteenth in value of farm products per capita, the twentieth in value in farm products, the fourteenth in education, the seventeenth in the amount of its indebtedness—State and municipal—and the twenty-fourth in manufactures. Only one State—Nebraska—shows a smaller proportion of persons unable to read and write. And in twenty-eight of the forty-seven States and Territories, taxation, per capita, was greater than it is in Kansas.

In 1880 Kansas was the sixth corn-producing State of the Union. Only Illinois, Iowa, Missouri, Indiana, and Ohio then produced larger crops of this cereal. But the corn product of Kansas, that year, was only 101,421,718 bushels, while for the year 1885 it was 194,130,814 bushels, or nearly double the crop of 1880.

AGRICULTURAL PRODUCTS.

In the following table the aggregate of the corn, wheat, oats, potato, and hay products of Kansas, for the years 1860 and 1865, and for each year thereafter, is given. The figures, prior to 1875, are compiled from the reports of the United States Department of Agriculture; those following, from the reports of the Secretary of our own State Board of Agriculture:

Year.	Corn, bushels.	Wheat, bushels.	Oats, bushels.	Potatoes, bushels.	Hay, tons.
1860.....	6,150,727	194,173	88,325	296,325	56,232
1865.....	6,729,236	191,519	155,290	276,720	113,343
1866.....	6,527,358	260,465	200,000	243,000	123,082
1867.....	8,159,000	1,250,000	236,000	314,000	162,000
1868.....	6,487,000	1,537,000	247,000	850,000	118,000
1869.....	16,685,000	2,343,000	1,500,000	1,500,000	250,000
1870.....	17,025,525	2,391,197	4,097,925	2,342,988	490,289
1871.....	24,693,000	2,694,000	4,056,000	3,452,000	687,000
1872.....	46,667,451	2,062,941	6,081,000	3,797,000	728,000
1873.....	29,683,843	3,994,044	9,360,000	3,000,000	977,000
1874.....	13,699,078	9,881,383	7,847,000	1,116,000	590,000
1875.....	80,798,769	13,209,403	9,794,051	4,668,939	1,156,412
1876.....	82,308,176	14,620,225	12,386,216	5,611,895	809,149
1877.....	103,497,831	14,316,705	12,768,488	3,320,507	1,228,020
1878.....	89,323,971	32,315,358	17,411,473	4,525,419	1,507,988
1879.....	108,704,927	26,550,936	13,326,637	3,521,526	1,551,321
1880.....	101,421,718	25,279,884	11,483,796	5,310,423	1,534,221
1881.....	80,760,542	20,479,679	9,000,768	2,055,202	2,122,263
1882.....	157,005,722	35,734,846	21,946,284	5,081,865	2,293,186
1883.....	182,084,526	30,024,936	30,987,864	6,812,420	6,002,041
1884.....	190,870,686	48,030,431	20,087,294	7,861,404	7,105,132
1885.....	194,130,814	10,839,401	30,148,060	7,398,465	7,685,840

In presenting these figures it is worthy of note that while, as already stated, the U. S. census reports for 1880 show that Kansas ranked as the twentieth State in population and the sixth in its corn product, it was also the eleventh wheat-producing State of the Union, the eleventh in its oats product, sixteenth in barley, tenth in rye, eighth in hay, and seventeenth in potatoes. Thus the rank of Kansas, in agricultural products, was far ahead of her rank in population.

THE AREA OF KANSAS.

The total area of Kansas is 52,288,000 acres. In 1865 only 243,712 acres of this vast territory were under cultivation; in 1870 the area aggregated 1,360,000 acres; in 1875, 4,749,900 acres; in 1880, 8,868,884 acres; and in 1885, 14,252,815 acres. In the following table I have compiled figures showing the area under cultivation, and the value of the crops produced in Kansas each year, from 1865 to 1885, inclusive:

Year.	Acres in crops.	Value of crops.	Year.	Acres in crops.	Value of crops.
1865.....	243,712	\$5,347,875	1876.....	5,055,697	\$45,581,926
1866.....	273,903	6,023,849	1877.....	5,595,304	45,597,051
1867.....	397,622	8,129,590	1878.....	6,538,727	49,914,454
1868.....	562,120	10,467,163	1879.....	7,769,926	60,129,760
1869.....	855,801	15,807,550	1880.....	8,868,884	63,111,634
1870.....	1,360,000	18,870,260	1881.....	9,802,719	91,910,439
1871.....	1,322,734	17,335,120	1882.....	11,043,379	108,177,520
1872.....	1,735,505	15,498,770	1883.....	11,364,040	106,707,520
1873.....	2,530,769	28,311,200	1884.....	13,011,333	104,297,010
1874.....	3,179,616	30,842,630	1885.....	14,252,815	92,392,815
1875.....	4,749,900	43,970,494			

VALUE OF FARM CROPS.

The value of the farm crops of Kansas, for the five years ending with 1870, aggregated \$59,298,414; for the next succeeding five years their value was \$135,958,214; for the next five years, \$264,334,824; and for the five years ending with 1885 the farm crops of Kansas aggregated in value \$503,485,316. Thus during the past twenty years the farmers of Kansas have produced crops whose aggregate value reached the enormous sum of \$963,076,768.

FARMS AND FARM PRODUCTS.

The increase in the value of farms, of farm implements, and of farm products, (including farm crops, products of live stock, and market garden, apianian and horti-

cultural products,) is shown in the following table. It will be seen that these values have generally doubled every five years:

<i>Year.</i>	<i>Value of farms.</i>	<i>Value of farm implements.</i>	<i>Value of farm products.</i>
1860.....	\$12,258,239	\$727,694	\$1,878,850
1865.....	24,796,535	1,200,720	10,653,235
1870.....	90,327,040	4,053,312	27,630,651
1875.....	123,852,466	7,935,645	43,970,414
1880.....	235,178,936	15,652,848	84,521,486
1885.....	408,073,454	9,604,117	143,577,018

The value of the farm products of Kansas, from 1876 to 1880, inclusive, aggregated \$356,557,802, while their value from 1881 to 1885, inclusive, aggregated the enormous sum of \$733,676,912.

TAXABLE ACRES.

The steady development of the State is further illustrated by the figures showing the increase of taxable acres. In 1860 only 1,778,400 acres were subject to taxation; in 1865 this area had been enlarged to 3,500,000 acres; in 1870 to 8,480,839 acres; in 1875 to 17,672,187 acres, in 1880 to 22,386,435 acres; and in 1885 to 27,710,981 acres.

LIVE STOCK.

In the number and value of its live stock, Kansas ranked, in 1880, as the eighth State of the Union. In 1860 the live stock of Kansas aggregated in value only a little over three million dollars; in 1865 it aggregated over seven millions; in 1870, over twenty-three millions; in 1875, nearly twenty-nine millions; in 1880, over sixty-one millions; and in 1885, nearly one hundred and eighteen million dollars. The following table gives the number of horses, mules, cows, cattle, sheep, and swine, and their aggregate value, for the years 1861 and 1865, and every year thereafter to and including 1885:

<i>Year.</i>	<i>Horses.</i>	<i>Mules.</i>	<i>Cows.</i>	<i>Cattle.</i>	<i>Sheep.</i>	<i>Swine.</i>	<i>Value of live stock.</i>
1861.....	20,344	1,496	28,550	74,905	17,569	138,224	\$3,332,450
1865.....	32,469	2,490	71,996	130,307	82,662	95,429	7,324,639
1866.....	38,963	2,863	82,075	139,428	108,287	127,875	9,127,306
1867.....	39,963	2,936	85,120	140,560	106,287	132,750	10,081,330
1868.....	42,859	2,405	89,461	146,899	101,789	140,662	9,962,311
1869.....	50,573	2,597	109,142	165,430	107,896	137,848	12,502,830
1870.....	117,785	11,786	123,440	250,527	109,088	206,587	23,173,185
1871.....	156,000	14,900	162,000	345,000	115,000	304,800	31,823,484
1872.....	180,900	16,300	191,100	397,400	116,100	381,000	28,488,704
1873.....	198,900	17,400	214,000	457,000	123,000	457,200	30,013,898
1874.....	220,700	19,100	231,000	507,200	141,000	481,600	31,134,058
1875.....	207,376	24,964	225,028	478,295	106,224	292,658	28,610,257
1876.....	214,811	26,421	227,274	473,350	143,962	330,355	32,489,293
1877.....	241,208	32,628	261,642	519,346	205,770	704,862	33,015,647
1878.....	274,450	40,564	286,241	586,002	243,760	1,195,044	36,913,534
1879.....	324,766	51,981	322,020	654,443	311,862	1,264,494	44,775,497
1880.....	367,589	58,303	366,640	748,672	426,492	1,281,630	61,533,956
1881.....	383,805	58,789	406,706	839,751	806,323	1,173,199	69,814,334
1882.....	398,678	56,654	433,381	971,116	978,077	1,228,683	83,569,169
1883.....	423,426	59,262	471,548	1,133,154	1,154,196	1,393,908	104,539,888
1884.....	461,138	64,889	530,904	1,328,021	1,206,297	1,953,144	115,645,050
1885.....	513,507	75,165	575,887	1,397,131	875,193	2,461,520	117,881,699

THE WEALTH OF AN AGRICULTURAL STATE.

Kansas is an agricultural State. It has no gold or silver, no iron, and just coal enough to furnish fuel. It is the farmers' and stockmen's State. Its development simply shows what good old Mother Earth, when in her happiest vein, can do. "Agriculture," says Colton, "is the most certain source of strength, wealth, and independence; commerce, in all emergencies, looks to agriculture both for defense and

for supply." The growth and prosperity of Kansas afford a striking illustration of what intelligent farmers, with a productive soil and a genial climate for their workshop, can accomplish—what wealth they can create, what enterprise they can stimulate.

It is difficult, however, to comprehend what the figures I have given, showing the amounts and values of Kansas products, really represent. When we read that Kansas produced, last year, 194,130,000 bushels of corn, the nine figures set down do not convey any adequate idea of the bulk and weight of this crop. But when it is stated that the corn crop of Kansas for 1885 would fill 485,000 freight cars, and load a train 2,847 miles long—reaching from Ogden, Utah, to Boston—we begin to comprehend what the figures stand for.

The wheat crop of the State, last year, was called a failure. It was, for Kansas. And yet it would fill 31,939 grain cars, and load a train 189 miles in length. The oats crop of the State, for the same year, would fill 44,335 cars, and load a train 260 miles long; while the hay crop would load 768,534 cars, making a train 4,510 miles long.

These four crops of Kansas, for 1885, would fill 1,329,808 grain cars, and load a train 7,804 miles in length. In other words, the corn, wheat, oats, and hay produced in Kansas last year would load a train reaching from Boston to San Francisco by the Union Pacific route, and back again from San Francisco to Boston by the Atchison, Topeka & Santa Fé route.

COMPARATIVE VALUES.

In speaking of the value of the farm crops and farm products of Kansas, I can present a clearer idea of the wealth our farmers have digged out of the earth by some comparisons. In 1881 the products of all the gold and silver mines in the United States aggregated only \$77,700,000; for 1882 they aggregated \$79,300,000; for 1883 \$76,200,000; and for 1884, \$79,600,000—making a total for those four years, of \$312,800,000. The value of the field crops of Kansas, for the same years, aggregated \$411,092,498; and the farm products of the State for the same period aggregated in value \$595,099,894—or very nearly double the aggregate of all the gold and silver products of all the mines of the country.

The gold and silver products of the world average about \$208,000,000 per annum. The farm products of Kansas for 1885 aggregated \$143,577,018, or nearly three-fourths the value of the gold and silver product of the world.

For the past four years the farm products of Kansas have aggregated in value each year more than double the annual yield of all the gold and silver mines of the United States.

The gold and silver products of Colorado, for 1883, aggregated only \$20,250,000; those of California, \$16,600,000; of Nevada, \$9,100,000; of Montana, \$9,170,000; of Utah, \$6,920,000; of Arizona, \$5,430,000; and of New Mexico, \$3,300,000. The corn crop of Kansas for the same year was alone worth more money than the combined gold and silver products of Colorado, California and Nevada; the oat crop of Kansas was worth \$705,000 more than the gold and silver product of Arizona; and the Irish potato crop of Kansas was worth more than the gold and silver product of New Mexico.

PROPERTY VALUATIONS.

The property valuations of Kansas have increased in steady proportion with the growth of the State in population and productions. In 1860 the true valuation of all the property of the State was estimated at \$31,327,891; in 1865 it was estimated at \$72,252,180; in 1870 it had increased to \$188,892,014; in 1875 to \$242,555,862; in

1880 to \$321,783,387; and for 1885 the true valuation, at a very moderate estimate, was \$550,000,000.

The following table presents the assessed valuation of all the property of the State for the years mentioned, and also the assessed valuation of all the real, personal, and railroad property. It will be seen that the increase in the total assessed values from 1865 to 1875 was \$85,434,344, while from 1875 to 1885 it was \$127,300,928:

<i>Year.</i>	<i>Total.</i>	<i>Real estate.</i>	<i>Personal.</i>	<i>Railroad.</i>
1860.....	\$22,518,232	\$16,088,602	\$6,429,630	
1865.....	36,126,090	28,133,276	*7,992,814	
1870.....	92,100,820	65,499,365	*26,601,455	
1875.....	121,476,352	89,775,784	19,422,637	\$12,277,931
1880.....	160,891,689	108,432,049	31,911,838	20,547,802
1885.....	248,845,276	161,791,641	56,685,518	30,568,117

*In 1865 and 1870, the railroad property was assessed as personal, and is included under that head.

KANSAS MANUFACTURES.

Kansas is not a manufacturing State. Its prosperity is based upon the plow. It has, however, coal deposits equal to the needs of its population, valuable lead mines in the southeast, and salt and gypsum in abundance. But the manufacturing establishments of the State are steadily increasing in importance as well as in number. In its flouring and grist mills Kansas ranked, in 1880, as the thirteenth State of the Union; in meat packing, as the twelfth; and in cheese products, as the fourteenth.

In the following table the number of manufacturing establishments, including mines and railroad shops, their capital, products, etc., is given for the years named:

<i>Year.</i>	<i>Establishments.</i>	<i>Capital.</i>	<i>Employés.</i>	<i>Wages.</i>	<i>Value of products.</i>
1860.....	344	\$1,084,935	1,735	\$880,346	\$4,357,408
1870.....	1,470	4,319,060	6,844	2,377,511	11,775,883
1880.....	2,803	11,191,315	10,062	3,995,010	30,848,777
1885*.....	3,900	19,000,000	16,000	6,300,000	48,000,000

*Partly estimated.

TRANSPORTATION FACILITIES.

The transportation facilities of Kansas are unsurpassed. Only seven States of the Union—New York, Pennsylvania, Ohio, Illinois, Indiana, Iowa, and Missouri—have within their borders more miles of completed railway than has Kansas. For fully two hundred miles west of our eastern border, every county except one is traversed by from one to six lines of railway. There are eighty-six organized and eleven unorganized counties in the State, and of these all except fourteen organized and seven unorganized counties have railways within their limits. In 1864, Kansas had not a mile of completed railroad. In 1870 we had 1,283 miles; in 1875 over 1,887 miles; in 1880 an aggregate of 3,104 miles, and there are now 4,750 miles of completed railway in Kansas.

THE SCHOOLS OF KANSAS.

Education has gone hand in hand with the material growth of Kansas. It has been the boast of our people, for twenty years past, that the best building in every city, town or hamlet in the State was the school house. The census of 1880 revealed the fact that only 25,503 inhabitants of Kansas, over ten years age, were unable to read. The growth of our school system is shown by the following figures:

<i>Year.</i>	<i>Scholars enrolled</i>	<i>School houses.</i>	<i>School districts.</i>	<i>Teachers.</i>	<i>Amount paid to teachers.</i>	<i>Value of school houses.</i>
1860.....	5,915	154	.....	189	.....	.....
1865.....	26,341	640	721	899	\$86,898	\$122,822
1870.....	63,218	1,501	1,950	2,210	318,596	1,520,041
1875.....	141,606	3,715	4,560	5,383	689,906	3,742,507
1880.....	231,434	5,315	6,134	7,780	1,088,504	4,040,212
1885.....	335,538	6,673	7,142	8,219	1,989,169	6,704,176

In 1861 the amount expended for the support of common schools was only \$1,700, while the expenditures for the same purpose, during the year 1885, aggregated \$2,977,763. For the five years ending with 1865, the expenditures for public schools aggregated \$262,657.21; for the next succeeding five years they aggregated \$2,259,497.89; for the next five, \$7,552,191.43; for the next five, \$7,509,375.23; and for the five years ending with 1885 the expenditures for public schools aggregated \$12,630,480.64. Thus Kansas has expended for the support of her common schools, during the past quarter of a century, the enormous sum of \$30,214,202.40.

The table following shows the expenditures each year, from 1861 to 1885, inclusive, and illustrates not only the growth of Kansas, but the general and generous interest of its citizens in public education:

<i>Year.</i>	<i>Expenditures.</i>	<i>Year.</i>	<i>Expenditures.</i>
1861.....	\$1,700 00	1875.....	\$1,478,998 64
1862.....	11,894 45	1876.....	1,165,638 80
1863.....	26,867 03	1877.....	1,394,188 11
1864.....	84,221 30	1878.....	1,541,417 12
1865.....	137,974 43	1879.....	1,589,794 39
1866.....	225,426 27	1880.....	1,818,336 99
1867.....	364,402 50	1881.....	1,996,335 64
1868.....	431,316 54	1882.....	2,194,174 65
1869.....	565,311 17	1883.....	2,579,243 62
1870.....	673,941 41	1884.....	2,882,963 53
1871.....	1,074,946 09	1885.....	2,977,763 23
1872.....	1,701,950 44		
1873.....	1,657,318 27	Total.....	\$30,214,202 40
1874.....	1,638,977 99		

CHURCHES AND NEWSPAPERS.

Churches have multiplied and newspapers increased as have the schools. In 1860 there were only 97 church buildings in Kansas, and they had cost only \$143,950. In 1870 the number of churches had increased to 301, valued at \$1,722,700; and in 1880 they numbered 2,514, costing an aggregate of \$2,491,560.

There were only 27 newspapers published in Kansas in 1860, and of these only three were dailies. In 1870 the number had increased to 97, of which 12 were dailies. In 1880 there were 347 newspapers, including 20 dailies. During the year just closed 581 journals, of which 32 were dailies, were published in Kansas. The aggregate circulation of our newspapers, in 1860, was 21,920, while for 1885 their circulation aggregated 395,400. Every organized county has one or more newspapers, and, as a rule, our journals are creditable to their publishers and to the State.

WHAT OF THE FUTURE?

And now, having sketched the growth of Kansas during the past quarter of a century, it is proper to ask, what of the future? I answer with confidence that Kansas is yet in the dawn of her development, and that the growth, prosperity and triumphs of the next decade will surpass any we have yet known. Less than one-fifth of the area of the State has been broken by the plow—ten million of fifty-two million acres. Multiply the present development by five, and you can perhaps form some idea of

the Kansas of the year 1900. The light of the morning is still shining upon our prairie slopes. The year just closed witnessed the first actual, permanent settlements in the counties along our western frontier—not settlement by wandering stockmen or occasional frontiersmen, but by practical, home-building farmers and business men. The line of organized counties now extends four hundred miles, from the Missouri river to the Colorado line. The scientists, I know, are still discussing climatic changes, and questioning whether the western third of Kansas is fit for general farming. But the homesteader in Cheyenne or Hamilton counties entertains no doubt about this question. He has no weather-gauge or barometer, but he sees the buffalo grass vanishing and the blue-joint sending its long roots deep into the soil; he sees the trees growing on the high divides; he watches the corn he has planted springing up, and waving its green guidons of prosperity in the wind; he sees the clouds gathering and drifting, and he hears the rain pattering on his roof—and he knows all he cares to know about climatic changes. He is going to stay.

A PROPHECY FULFILLED.

On the 7th of May, 1856, a great American, learned, sagacious, and confident in his faith that right and justice would at last prevail, said, in a speech delivered in the city of New York:

"In the year of our Lord 1900, there will be two million people in Kansas, with cities like Providence and Worcester—perhaps like Chicago and Cincinnati. She will have more miles of railroad than Maryland, Virginia, and both the Carolinas can now boast. Her land will be worth twenty dollars an acre, and her total wealth will be five hundred millions of money. Six hundred thousand children will learn in her schools. What schools, newspapers, libraries, meeting-houses! Yes, what families of educated, happy and religious men and women! There will be a song of Freedom all around the Slave States, and in them Slavery itself will die."

Read in the light of the present, these eloquent words of Theodore Parker seem touched with prophetic fire. The ideal Kansas he saw, looking through the mists of the future, is the real Kansas of to-day. The marvelous growth, the splendid prosperity, the potent intellectual and moral energies, and the happy and contented life he predicted, are all around us. At the threshold of the year A. D. 1886, fifteen years before the limit of his prophecy, Kansas has cities like Providence and Worcester; has more than double the railway mileage Maryland, Virginia, and both the Carolinas could then boast; has land worth, not twenty, but fifty and a hundred dollars an acre; has wealth far exceeding five hundred million dollars; has schools, newspapers, libraries and churches rivaling those of New England; and has 1,300,000 happy, prosperous and intelligent people.

The prophecy has been fulfilled, but the end is not yet. The foundations of the State, like those of its Capitol, have just been completed. The stately building, crowned with its splendid dome, is yet to be reared. Smiling and opulent fields, busy and prosperous cities and towns, are still attracting the intelligent, the enterprising and the ambitious of every State and country. The limits that bound the progress and development of Kansas cannot now be gauged or guessed. We have land, homes, work, and plenty for millions more; and for another quarter of a century, at least, our State will continue to grow. For we are yet at the threshold and in the dawn of it all. We are just beginning to realize what a great people can accomplish, whom "love of country moveth, example teacheth, company comforteth, emulation quickeneth, and glory exalteth."

ADDRESS OF HON. BENJAMIN F. SIMPSON.

Hon. Benjamin F. Simpson, a member of the Wyandotte Constitutional Convention, and the first Attorney General of Kansas, was then introduced, and delivered the following address:

THE WYANDOTTE CONVENTION.

We are here at this silver wedding, not as historians, but as annalists. We paint pictures from recollection, rather than solve problems. The great problem to which many of those present gave their earliest and best efforts, has been solved ever since the 29th day of January, A. D. 1861—ever since Kansas was admitted into the sisterhood of States with a constitution forbidding slavery and involuntary servitude. The solution of that problem for Kansas was the “beginning of the end” of slavery throughout the Union. Let no man undertake to write the history of that great preliminary struggle for freedom unless he lived within the circle of the endeavor, or so near its circumference that he felt its momentum and caught its spirit. A stranger to it may wander along the banks and note the drift-wood that clings to the shore or is tossed about on its eddies; these but represent the bickerings of the leaders, or the timid souls who shrank in fright from the fury of the contest. To appreciate the depth of the tide of sublime sentiment that made Kansas free, he who records it must have waded to the center of the stream, felt the force of the current and the vigor of the undertow. Alphabetical tinkering, word-tinting and phraseological architecture, are but poor tributes to the earnest minds and willing hands that built on everlasting rocks a great State.

I remember the earlier part of the night of the 29th day of January, 1861, very distinctly. I was at the Eldridge House, in Lawrence, a member of the last Territorial Legislature, that was then holding its session in that dearly beloved Free-State city. There were from three to four inches of snow on the ground, (an unusual sight in Kansas in those days,) and the night was windy and cold. It must have been as late as 9 o'clock when D. R. Anthony, the same Anthony who is now President of our Historical Society, came into the hotel with sturdy stride and flashing eyes and told us that the President of the United States had that day signed and approved the bill admitting Kansas into the Union. He brought with him and scattered around extras issued by a newspaper published at Leavenworth, called the *Conservative*, announcing the joyful tidings in flaring headlines. The leading spirits in this newspaper were D. R. Anthony and D. W. Wilder. Just think of it, Web. Wilder and Dan. Anthony editing a conservative newspaper! It was the most impudent example of sarcastic misnomerature that ever was perpetrated. You might as well try to think of old John Brown of Osawatimie (God bless his memory!) as a Pro-Slavery Border Ruffian, as these two knights militant of the Free-State party as conservatives. There was a “sound of revelry” that night in Lawrence, for the news ran through the town like wild-fire. Houses were lighted, doors were thrown open, (and some were broken open,) the people gathered in public places. Old Sacramento was taken from his resting-place and emphasized with hoarse throat the good tidings: toasts were drank; songs were sung; speeches were made, and—well, the truth is that my recollection is not good after midnight. You must recollect that the main question then was admission, not prohibition.

The next day, however, a very curious question arose with the members of the Territorial Legislature as to whether the admission of the State had not taken the life of that body, and hence had destroyed its power to pass laws. The session, however, continued for some days, and many acts of a general nature were passed, and the validity of some of these laws was subsequently affirmed by a decision of the

Supreme Court of the State of Kansas; and as I see before me representatives of every branch of the State Government, I want to remind them of the logic of that decision, and it is this: that however often a mourning State may be bereft of its Executive and Judicial branches, the Legislative branch is immortal. It is well, perhaps, to add here, in justice to the absent members of the Wyandotte Constitutional Convention, that the present spasmodic session of the Legislature is not the fault of the members of that body, but is attributable to some of those carefully prepared and studiously worded amendments, that destroy the harmony and defeat the wisdom of original provisions. Another incident of that last Legislature must not be forgotten. Some of its members conceived the idea, that by the admission of the State while the Territorial Legislature was in session, that body became the first State Legislature, and had the right to elect United States Senators; and a resolution passed both houses to go into joint convention on the first day of February for that purpose. There was no election, however, because the friends of the various candidates became somewhat suspicious that the movement was intended as a slaughter-pen for fond hopes and bright ambitions, and when the time came there were no victims.

When we come to review the history and proceedings of the Wyandotte Constitutional Convention after it has been the subject of legal interpretation and supplementary legislation for twenty-five years, two important considerations first claim notice and comment, and these are the circumstances of its origin, and the class of men that composed it. How can I describe the five years of organized usurpation in the interests of slavery that hung over the Territory like a funeral pall? Organized bands from neighboring slave States raided through the Territory: they shot down unarmed men in cold blood; they burned and sacked towns: they burned the cabins of the first settlers: they committed the most outrageous and unblushing frauds on the ballot-box; they intimidated voters and drove them from the polls; they hunted Free-State leaders like bloodhounds; they imprisoned men for opinion's sake; they filled both branches of the Territorial Legislature with ruffians, who were residents of Missouri; and in all this were protected and encouraged by a National Administration as devoted to the propagation of slavery as were the vile instruments they employed to drive the Free-State settlers from the Territory. During these cruel years several attempts were made by the Free-State men to relieve their condition, and relief could only come by admission as a State, or a change of National Administration. The Topeka and the Leavenworth Constitutional Conventions were attempts in that direction, but the time for deliverance was not ripe; yet through all these cruel years, angels of hope sat upon the hearthstone of the Kansas cabins, singing:

"For Freedom's battle once begun,
Bequeathed by bleeding sire to son,
Though baffled oft, is ever won."

Time aided the persistence and patience of the Free-State settlers; immigration was coming in from the North: the Legislature and local offices were now controlled by the *bona fide* residents, and the friends of Kansas were about to control the lower house of Congress, and were gaining in the Senate. Encouraged by these good indications, the Legislature of 1859, on the 11th day of February, passed an act authorizing a vote of the people to be taken on the question of the formation of a Constitution and State Government. The vote was taken on the 28th day of March, and resulted four to one in its favor. An election for delegates was then ordered on the 4th day of June. At that election there were more than 14,000 votes cast. The convention met on the 5th day of July. It was bravely right that it should meet at Wyandotte, within sight and hearing of slave soil.

The personal composition of this body of men was peculiar, and it may be that it was this peculiarity that made their work a success. For causes that are unnecessary and unprofitable to here discuss, not a single one of the numerous and worthy men who were by common consent regarded as leaders in the Free-State movement, had a seat in the Convention. It was composed of that great middle class, who are the strength and wisdom of a political organization. It was a class of men who acted from conviction with a sense of their responsibilities, and not from any hope of their personal advancement. These members had more or less local prominence, or they would not have been selected as delegates, but not one of them, with the possible exception of Winchell, was possessed of that influence, standing and general acquaintance through the Territory that would entitle them to be considered in any sense as leaders. They were strangers to each other, and when they assembled in Wyandotte, on the 5th day of July, I personally knew but four of them, and many members were more unfortunate in that respect than I was. They had no personal ambition to gratify, no animosities to resent, no friends to favor. Their sole aim and object seemed to be (and in this connection I speak of them as individuals and as an organized body), to frame a fundamental law that embodied every safeguard to the citizen, that was abreast with the progressive sentiment of the Nation, in favor of human freedom and human rights, and was adapted to the wants and conditions of the people of Kansas. They worked conscientiously and with great industry, and completed their labors in twenty-one working days. Of course there were schemes and jobs and old claims and special provisions that were sought to be engrafted on that instrument, but there is not a paragraph or section of that Constitution within which lurked any suspicion of a scheme or job. That Convention was singularly free from political manipulation and figuring, as to State officers and other positions that were so soon to follow if the work was ratified by the people. On the 4th day of October it was ratified by the people. There were about 16,000 votes polled at the election, and more than two-thirds of them were for the Constitution. On the 6th day of December an election for State officers, a member of Congress and members of the Legislature was held. On the 14th day of February, 1860, it was presented to the Senate of the United States. On the 29th of February, Senator W. H. Seward made a strong speech in favor of the admission of the State. On the 29th day of March, Mr. Grow, of Pennsylvania, from the Committee on Territories in the House of Representatives, made a report recommending admission. On the 11th day of April the House voted to admit Kansas—one hundred and thirty-four for and seventy-three against. On the 7th day of May, Senator Wade, of Ohio, moved to take up the House bill admitting Kansas, but was beaten by a vote of twenty-six for and thirty-two against. On the 4th day of June Charles Sumner made a speech in favor of admission, after a silence of four years, caused by the brutal assault of Preston S. Brooks. After the discussion, Hunter, of Virginia, moved a postponement of the Kansas bill, and it carried by a vote of thirty-three for and twenty-seven against. On the 21st day of January, 1861, the bill for the admission of Kansas passed the Senate by a vote of thirty-six for and sixteen against. On the 29th, President Buchanan signed the bill. Kansas became a State, the struggle was over, the battle was won; and the good people of Kansas are to-day enjoying the fruits of the victory. I have on another occasion given personal sketches of the members of that Convention, but the subject is not exhausted. Columns might be written about Thacher, Kingman, Stinson, McDowell, Ingalls, Winchell, Blunt, and others. Two members of that Convention have represented the State in the United States Senate. John J. Ingalls is now serving, as senior Senator, his third term in that illustrious body. E. G. Ross, now Governor of New Mexico, served by appointment and election nearly five years as Senator. S. A.

Kingman was on the Supreme Bench of the State for many years, first as Associate and then as Chief Justice of that Court. S. O. Thacher, W. C. McDowell and John T. Burris have adorned the bench of the District Court in their respective judicial districts. Thacher has gradually grown in public estimation since his brilliant service in that Convention, until now he is a man of established national reputation, an honored citizen at home, a respected representative of his country abroad. The youthful Secretary of that Convention, whose years numbered only twenty-one, is now the Chief Magistrate of this marvelous Commonwealth. But the list is too long. I forbear, for your sake, further citation to the fact that the subsequent lives and services of the members of that body fully justify what I have claimed for them.

When we turn to the several articles and sections of that instrument that have been the subject of amendment, it will be found that most of the amendments thereof were not necessitated by the inherent defects of the instrument, but because of the rapidly changing condition of the State itself. The first amendment, adopted November, 1861, was that allowing banking institutions to issue circulating notes of the denomination of one dollar, the original section forbidding an issue of less than \$5 notes—an amendment that is practically useless now. The next amendment was made in November, 1864, and by it section 12 of article 2, that required that "All bills shall originate in the House of Representatives, and be subject to amendment or rejection by the Senate," was made to read, "Bills may originate in either house, but may be amended or rejected by either." And this was a decided practical improvement of the original text. Section 3 of article 5 was amended in November, 1864, the main object of the amendment being to confer on citizens who were serving in the volunteer army of the United States the right to vote, and authorizing the Legislature to make provision for taking the votes of the absent electors. Section 2 of that same article was amended in November, 1867, so as to withhold the right to vote or hold office from those who had been dishonorably discharged from the service of the United States; who had been found guilty of defrauding the Government; who had been guilty of giving or receiving a bribe, or offering to give or receive a bribe; who had borne arms voluntarily against the Government, or aided or abetted the attempt to overthrow the Government.

Section 4 of article 15 was adopted in November, 1868. This is a change from letting the public printing to the lowest responsible bidder to the establishment of the office of State Printer, who receives a stated compensation for the work done. This change is perhaps an improvement on the method devised by the convention, and its success may be fairly attributed to the three faithful old Kansans who have successively been elected to that office—S. S. Prouty, George W. Martin, and T. Dwight Thacher. It can be truly said of them and of their work as State Printers: "Well done, thou good and faithful servants." In November, 1873, came the amendment increasing the number of Senators to 40, and the Representatives to 125. At the November election, 1875, the amendment providing for biennial sessions of the Legislature, commencing with the session of 1877, was adopted. The next that followed was the amendment prohibiting the manufacture and sale of intoxicating liquors, except for specified purposes. This was the introduction of new matter into the composition of the State Government—the constitution as adopted and existing up to that time having made no reference to the "liquor traffic." This completes the amendments made to this time. I make no reference to those now pending, except to express the wish that they may be adopted. I claim for the members of that body, who framed a fundamental law which has governed a State for twenty-five years—years of marvelous growth and unexampled development—that time has demonstrated that they had a very fair conception of the wants, con-

ditions and necessities of the people for whom they acted; and, notwithstanding the wonderful increase in population and production, that instrument has accelerated rather than retarded the growth that has never been equaled on the American continent. There are to-day within the boundaries of Kansas, 1,400,000 people. Even the most enthusiastic citizen of Kansas would not, a quarter of a century ago, have ventured to predict such a result; and yet an ardent admirer, an enthusiastic but philosophical lover of Kansas, Horace Greeley, peace to his ashes, said at Osawatomie on the 18th day of May, 1859, "The child is now born on Kansas soil that will live to see this State the fifth in agricultural production in the Union." When the Federal census of 1880 was taken, only twenty-one years had elapsed since the date of that prophecy, and the State was nearer the sixth than the seventh in rank, in the amount of agricultural products, including live stock, to which its soil is adapted, and if we take those conventional thirty years which are loosely supposed to constitute the space of time covered by one generation, as the life of that child, we have only to await the census of 1890 to verify the prophecy. I doubt whether the men of to-day, any more than those of twenty-five years ago, have given a thought or entertain a conception of what a grand, glorious, and prosperous commonwealth is building up among them; how this influx of people, how this blending of blood, how this everyday intercourse between people of different nationalities, and different sections of our own widespread domain, how this exchange of ideas and methods, how all these things, animated and dominated by the Anglo-Saxon blood, are producing on the prairies of Kansas a race of people and a condition of government and society that will make the State the "chosen land" of the best type of American civilization; and will ever keep green and fresh the memory of the noble pioneers whose blood will bring "God-like fruition" to the hopes, aspirations and ultimate destiny of the glorious young Commonwealth.

ADDRESS OF CHIEF JUSTICE A. H. HORTON.

Hon. Albert H. Horton, Chief Justice of the Supreme Court, was then introduced, and delivered the following address:

THE JUDICIARY OF KANSAS:

It is quite usual for the newspapers, and, indeed, for very many people, especially when displeased with a decision of the Supreme Court, to designate its members as a set of "stupid owls;" or, if milder language is employed, they are denominated "old grandmothers." Oftentimes, when a district judge is mentioned in a case where his decision is contrary to popular feeling, he is referred to as "an old granny," having some legal learning, but utterly destitute of common sense and knowing nothing of justice. Frequently, when a member of the bar is defeated in the trial court, and upon appeal to the Supreme Court is unsuccessful, he adjourns to the nearest hotel or other convenient resort, and compliments the members of the court with a red-hot vocabulary of "cuss" words. Speaking more elegantly, he violates extravagantly the third commandment. Even our State judges are not the sole victims of ridicule and wrath, as the Federal judges are also subject, now and then, to language not wholly complimentary, and their decisions are often reversed by the first newspaper published after judgment has been announced.

I am called upon this afternoon to say something of the "old owls," the "grandmothers" and the "grannies" of the courts; about those who are often "cussed" and "discussed" by disgruntled editors, by defeated lawyers, as well as others, in anything but favorable terms. You will therefore perceive that my remarks cannot be very entertaining. Many have been appointed to address you on this occasion, upon more interesting topics. They should be better able to delight and gratify

you, and I have no doubt they will awaken within your hearts those pleasurable emotions that musical eloquence ever excites. In my appearance, however, I have followed an old maxim of the law, that "A good court always extends its own jurisdiction."

For fifteen minutes, at least, my jurisdiction is exclusive here. It has been extended from the court room, with its few listeners, to this opera house, with its vast audience. For the extension of my jurisdiction at this time, I fall back upon the maxim just quoted as good authority, for it rests upon a decision of Chief Justice Marshall, of the Supreme Court of the United States. It was rendered by him at chambers, in the presence of his learned and distinguished associates, and came about in this way: Chief Justice Marshall, though a temperate man, was a very great lover of a good glass of wine. In those days, I need not say, prohibition was unknown. During the sessions of the United States Supreme Court at Washington, the members dined together daily at the old National Hotel. When the dessert was served, it was the habit of the Chief Justice to turn to Judge Story and say: "Will Brother Story please go to the window and ascertain the condition of the weather; if it is rainy, or threatening, a bottle of wine will be ordered, to protect the health of the court." If Judge Story reported rainy or stormy weather outside, the wine was ordered, and drank with exceeding zest; but if Brother Story reported the sun shining, or the weather tolerably fair, Chief Justice Marshall would reply: "The jurisdiction of the Supreme Court is so extensive and embraces so many different sections of the country, surely it must be raining or threatening a storm somewhere; therefore, the only safe way is to have the wine brought in at once." Seriously, however, when I remember I have been requested to speak of the State Judiciary, a coördinate branch of the Government, a branch which, with its supreme power, can stay the hand of the Governor and annul acts of the Legislature. I accept the invitation with extreme diffidence, because it is utterly impossible for anyone, in the few minutes allowed me, to do justice to such an important subject.

When Kansas donned the robes of statehood, the Constitution of the State ordained, as now, that the judicial power should be vested in the Supreme Court, district courts, probate courts, justices of the peace, and such other courts inferior to the Supreme Court, as might be provided by law; the Supreme Court consisted then, as now, of one chief justice and two associate justices, whose term of office, after the first, was six years, the justices having the authority to appoint a reporter and clerk. The State was divided into five judicial districts, with a district judge for each, holding his office for the term of four years.

Hon. Thomas Ewing jr. was the first Chief Justice; Hon. Samuel A. Kingman and Hon. Lawrence D. Bailey the first Associate Justices. Andrew Stark was the first Clerk appointed for the court, and Preston B. Plumb, now United States Senator, the first Reporter. The following were the first District Judges of the State: Hon. William C. McDowell, of Leavenworth county; Hon. Albert L. Lee, of Doniphan; Hon. Jacob Safford, of Shawnee; Hon. Solon O. Thacher, of Douglas; and Hon. O. E. Learnard, of Coffey.

Chief Justice Ewing held his office from the first organization of the court in 1861, until his resignation on November 28, 1862, to accept the colonelcy of the Eleventh Regiment of Kansas Volunteers.

Hon. Nelson Cobb was appointed by Governor Charles Robinson, on December 23, 1862, to succeed him. He continued in office one year, and was followed by Hon. Robert Crozier, who was elected November 3, 1863. He held the office for about three years, his successor being Hon. Samuel A. Kingman, who was elected as Chief Justice November 6, 1866, and continued in office until his resignation in December 1876, on account of ill-health. Your speaker was then appointed Chief Justice by

Governor Thomas A. Osborn, and I first took my seat upon the Supreme Bench in January, 1877. Hon. Lawrence D. Bailey served as Associate Justice for eight years, giving place to Hon. Daniel M. Valentine, who was first elected Associate Justice November 3, 1868, and has continued to fill the office from that time. Hon. Samuel A. Kingman served as Associate Justice from 1861 to 1865, his successor being Hon. Jacob Safford, who held the office for one term, being succeeded by Hon. David J. Brewer, elected November 8, 1870; he continued in office as Associate Justice until his resignation, on April 8, 1884. He was succeeded by Hon. T. A. Hurd, by appointment of Governor George W. Glick, who in turn gave place to Hon. W. A. Johnston, elected as Associate Justice on November 4, 1884.

Ex-Chief Justice Ewing returned to Ohio at the close of the war, and served for a time as a member of Congress from that State. He is now a successful lawyer in New York city. Hon. Nelson Cobb is engaged in the practice of his profession at Kansas City. Ex-Chief Justice Kingman resides in Topeka, enjoying the retrospects incident to a serene old age. Ex-Judge Bailey, since leaving the bench, has engaged in various pursuits—mostly in journalism. He resides in Finney county. Judge David J. Brewer is ably and acceptably filling the office of United States Judge for the Eighth Circuit. Ex-Judge T. A. Hurd is in the practice of the law at Leavenworth.

Andrew Stark was succeeded as Clerk of the Supreme Court by E. B. Fowler, who was appointed in 1868. He was succeeded by Abram Hammatt, appointed in July, 1870. He resigned in June, 1879, and died a few months later, his successor being C. J. Brown, the present occupant. Andrew Stark and E. B. Fowler have removed from the State. The first, I understand, lives in Chicago, and the latter in California.

Preston B. Plumb was succeeded as Reporter by Louis Carpenter, who was killed in the massacre at Lawrence on August 21, 1863, by guerrillas under Quantrill. His successor was Elliot V. Banks, whose term expired March 31, 1871. He has since deceased. His successor was Hon. W. C. Webb, the present Judge of the Superior Court of Shawnee county. He resigned in March, 1879, and was succeeded by A. M. F. Randolph, the present Reporter.

Judge William C. McDowell died July 16, 1867, in St. Louis, Mo., from an injury received from falling from the top of a coach while riding from the Southern Hotel to the railroad depot, one wheel passing over his body.

Judge Albert L. Lee resigned the Judgeship of the Second District in October, 1861, to accept the position of Major in the 7th Regiment of Kansas Volunteers. On May 17, 1862, he was promoted to the colonelcy of that regiment, and on November 29, 1862, was made Brigadier General of Volunteers. After the close of the war, he settled and married in New Orleans, where he now resides, spending, however, much of his time abroad.

Judge Solon O. Thacher has lately returned to his home at Lawrence from a very extensive tour over the States of South America, which he visited under appointment from President Arthur to investigate and report concerning the commercial relations between the United States and those of that country. He finds it difficult to retire from the practice, and is still engaged, more or less, in the active work of his profession.

Judge O. E. Learnard resigned the judgeship of the Fifth Judicial District on July 14, 1861, to accept the lieutenant-colonelcy of the First Regiment of Kansas Volunteers. He is now one of the leading officers of the Southern Kansas Railway Company, residing at Lawrence.

In addition to the persons named, seventy-three others have been elected or appointed District Judges of the State, some of whom, however, held their positions

only a few months, others have been elected and reelected. Time will not permit me to recite their names.

The judicial districts have been increased from five to twenty-one, with a Superior Court in operation in Shawnee county, having equal jurisdiction with the District Court of that county, save in a few excepted cases. Bills are now before the Legislature to make a further increase of judicial districts. The number of members of the Supreme Court is the same as 1861. A constitutional amendment is pending before the people, to be voted on at the next general election, to add more members to the Supreme Bench, so that it may promptly and properly dispatch the business with which it is flooded.

It is often facetiously remarked that "judges scarcely ever die, and none resign." This is hardly applicable to Kansas. The following is the death-roll of judges: McDowell, Ruggles, Watson, Graham, Goodin, Price, Canfield, Voss, Broadhead, Banta, Lowe, Stephens, and Safford—thirteen in all.

The following judges have resigned judicial positions: Ewing, Kingman, Lee, Learnard, Horton, Thacher, Lowe, Goodin, Humphrey, Brown, Price, Peters, two Webbs, Morton, Brewer, and Orner—seventeen in number. Lowe, Goodin, Brown, and Peters resigned to serve as members of Congress. At the session of the State Legislature in 1874, owing to the resignation of Hon. Alexander Caldwell as United States Senator, a vacancy existed. The friends of Chief Justice Kingman obtained his consent to present him as a candidate for the office. Being a member of the House of Representatives, I was selected to place him in nomination. He was not successful, as Hon. James M. Harvey came out of the contest victorious. Without disparaging the merits of the Senator elected, I am more than satisfied that if Chief Justice Kingman had then acquired a seat in the National Senate, he would have achieved fame for himself and the State, greatly exceeding his fortunate competitor.

Although section thirteen of article three of the State Constitution ordains that the judges of the supreme and district courts shall not hold any other office of profit or trust under the authority of the State or the United States, during the term of office for which they are elected, this constitutional inhibition has been nugatory to prevent the judges of the State from being Senatorial or Congressional candidates, or from accepting positions upon the Federal judiciary, simply because the government of the State of Kansas has no control over the eligibility or qualifications of officers of the United States. If a judge of the State accepts a seat in Congress, or any office under the United States, the tribunals of the State are powerless over the matter, for Congress passes upon the qualifications of its members, and the State cannot interfere with the tenure of office which the United States may prescribe for its officers. As the provision is wholly without force to render a judge ineligible to Congress, or to an office under the United States, it were better, perhaps, that it had been omitted from the constitution, and no attempt made to reach a jurisdiction beyond its power to assail. There are some limits, even to a State constitution, and some precincts where its mandates are impotent.

Two courts of record, not specifically named in the constitution, have been created by legislative enactment since the admission of Kansas as a State, viz.: The Criminal Court of Leavenworth county, and the Superior Court of Shawnee county. The Criminal Court of Leavenworth county, established March, 1862, had conferred upon it the same criminal jurisdiction that had been conferred upon the District Court of that county. The probate judge of the county was *ex officio* the judge of the court. The court, however, was abolished March 18, 1875. During its existence, the following persons were the judges thereof: Hon. D. J. Brewer, Hon. Peter McFarland, Hon. Barzillai Gray, and Hon. Byron Sherry. The Superior Court of Shawnee county was

created by the Legislature March 7, 1885, for the period of two years, and Governor John A. Martin appointed Hon. W. C. Webb its presiding judge.

Of two of the district judges who have died, I purpose to speak more fully. They are Nathan Price and David P. Lowe. I knew them intimately and well. The first resided in the northeastern, and the other in the southeastern part of the State. They were of different temperaments, and possessed very different qualities and talents—yet both were lawyers and judges of much more than average ability.

Price was a member of the Osawatomie Convention, held May 18, 1859. After the commencement of the great Rebellion, he enlisted, and was commissioned Captain in one of the companies of the 10th Regiment of Kansas Volunteers. He remained with his regiment until it was mustered out of service, August 19, 1864. On November 3, 1868, he was elected Judge of the Second Judicial District over Hon. A. G. Otis, after a most violent and bitter contest. On March 1, 1872, he resigned his position as Judge, to enter again upon the practice of the law. Subsequently, he was a member of the State Senate, and was always, while living, an important factor in the politics of his county and the State. In general learning he was somewhat deficient. He was, so to speak, a diamond in the rough. By whom, or by what circumstances, his attention was first turned to legal studies at his time of life, I do not know. Possibly, an inward consciousness of superior native endowments may have supplied the needed motive power. He had a remarkable memory, and was thoroughly conversant with the law books he had read; in person he was large and commanding, but generally dressed without much regard to taste, and somewhat negligently. His geniality of temper; his rare talent for relating anecdotes; his kind and unassuming manners; and his well-known sincerity and devoted friendship, made him a great favorite. He was a vigorous reasoner; a winning and impressive advocate before a jury; and an admirable campaigner upon the hustings. As a general thing, he was able to encounter any speaker in his section of the State, in a manner creditable to himself, upon any of the questions which he was called to discuss. He could be witty and amusing, as the nature of the case which he had in hand would admit of, and could talk when he pleased in melting strains of heart-moving pathos. Humanity was his God, and the human race the Supreme Being. He possessed more native ability than most of his rivals at the bar, but unfortunately he lacked industry and application. He was unlucky in some of his business enterprises, and was wholly destitute of what we call "thrift." His social nature finally led him into dissipated ways; the love of drink grew upon him, and he became his own worst enemy. At last, on April 11, 1883, in his law office in Troy, maddened by the cup which had made time a curse, he drained the poisoned chalice, and opened, unbidden, the portals of eternity. Amidst a vast concourse of friends, I read the ritual of the Masonic Order over his coffin at the church, and also beside his open grave when his body was committed to Mother Earth.

My attention was first called to David P. Lowe on reading a notice of his nomination as Attorney General by the convention held at Lawrence September 29, 1862, which selected as its gubernatorial candidate Hon. W. R. Wagstaff. Mr. Lowe declined the nomination, and Hon. Louis Carpenter, of Lawrence was substituted. In November of that year, he was elected a Senator from the Thirteenth District. In October, 1864, he succeeded Hon. Solon O. Thacher as Judge of the Fourth Judicial District. Upon the expiration of his term of office he was succeeded by Judge D. M. Valentine. On March 4, 1867, he was appointed Judge of the Sixth Judicial District, and continued judge of that District until after his election to Congress on November 5, 1870. He was renominated as a candidate for Congress September 1, 1872, and again elected on November 5th of that year. Upon leaving Congress, of which body he was an able and faithful member, he was appointed Chief Justice of the Supreme

Court of Utah Territory. Subsequently, he returned to Fort Scott, and succeeded in 1880 Hon. W. C. Stewart, as Judge again of his old district—the Sixth. He continued to hold the office of Judge until his death, on April 10, 1882.

At the session of the Legislature of the State for 1877, a United States Senator was to be elected to succeed Hon. James M. Harvey. The friends of Lowe presented him as a candidate, and upon the sixteenth ballot the vote cast was: For Preston B. Plumb, 89; for Lowe, 63. Thereupon Preston B. Plumb was declared elected.

Judge Lowe was a man of much intellectual culture, and had a judicial mind, with all the term implies. He had a distaste for partisan politics, and was far removed from political intrigue. To him, the duties of the bench were much more attractive than the labors attending Congressional life. As a rule, he made the most ample preparations for argument in court, or for a speech elsewhere; but when he did speak, it was with a clearness and precision that might well defy criticism. He was eminently a safe and honest legal adviser, not very hopeful in the trial of cases, but always, as a judge, able, profound and popular. He was well proportioned in size, of fine appearance, and always well dressed; he never seemed to forget the proprieties of his position, or indulged, to the least extent, in unseemly affectation or triviality. He was anxious for a seat upon the Federal Bench in this State, and when a successor was appointed to Hon. Mark W. Delahay, upon his retirement from the United States District Court of Kansas, Judge Lowe was greatly disappointed in not having been selected. He had few superiors upon the District Bench, and was deserving of a wider field for the exercise of his eminent judicial qualities. He was a man of spotless integrity, and universally beloved. By his death, the State lost a useful citizen, the bar one of its brightest ornaments, and the bench a wise and just judge.

Of the persons who have served as Chief Justices of the Supreme Court, it is safe to say, with full appreciation of the abilities of others, that Hon. Thomas Ewing jr. and Hon. Samuel A. Kingman are preëminent.

Thomas Ewing jr. came to the Territory of Kansas at an early day, seeking fame and fortune. In his favor he had the influence of the name of a distinguished family, and was the possessor of brilliant talents. He seemed to have been born with indomitable confidence in his own capacity for self-advancement. Speaking of him as I knew him when a citizen of this State, he was a very prince in personal appearance, gentlemanly and dignified in his demeanor, and a forcible and impressive speaker. He was deemed by some reserved and cold in his manner, but those most intimate with him credit him with great social qualities and an intense devotion to his friends. He had the quality of attaching persons to him "with hooks of steel," and ever afterwards they were not only his ardent supporters, but earnest admirers. He was a member of the Free-State Convention at Lawrence in 1857, and in 1858 of the Territorial Commission which exposed in detail the fraudulent votes cast for the Lecompton Constitution. He was one of the officers of the Free-State Convention held at Topeka in 1858, and in the same year was a member of the Leavenworth Constitutional Convention. He was one of the vice presidents of the Osawatimie Convention held in 1859, and as a member of that convention greatly assisted in organizing the Republican party in Kansas. He was nominated Chief Justice by acclamation at the Republican State Convention held in Lawrence October 12, 1859. After the admission of the State, he served as Chief Justice less than two years, resigning his judicial position on November 28, 1862, to enter the military service of his country, as before stated. On March following, he was made Brigadier General, and on August 22, 1863, issued his celebrated Order No. 11, requiring all persons living in Jackson, Cass, and Bates counties, Missouri, to remove from their places of residence within fifteen days. Upon leaving the army, in 1865, General

Ewing returned to Ohio to reside. He there became identified with the Democratic party, and at the National Democratic Convention held in New York in July, 1868, was a prominent candidate for the Vice-Presidency. His Order No. 11 circulated among the members of that convention, was prejudicial to his success, and he was finally defeated by General Frank P. Blair, of Missouri. As illustrative of his style as a speaker, and the great changes in travel and mail facilities from the early days of Kansas, I quote the following extract from one of his speeches delivered in Congress: "I have lived on the border, and know how exigent and imperative is the need of good facilities—what social joy and business life the quick coach is freighted with, and how saddening and destructive of business is the laggard mail. I was present when the first fleet horse of the pony express started—that splendid achievement by Ben. Holladay—the most characteristic of all the American enterprises of this century. I was present when the courser flung the dust of Missouri from his feet and sped away to the desert amid the Godspeeds and acclaims of all Kansas; and I remember, too, how his reception on the Pacific coast thrilled the continent. A grander and more loving welcome was given to horse and rider, begrimed with soil and sweat, than was ever accorded there to hero or statesman; for the hearts of our brethren on that far coast leaped with joy to know that they were brought within a fortnight-mail communication with their kindred in the East. That spider's thread swung across the desert has drawn after it railroad and telegraph, city and State; vast fields of wheat and herds of cattle, and the pulses of this great artery of commerce now throb throughout our continent."

In the time allotted me, I cannot do justice to ex-Judge Samuel A. Kingman, one of the fathers and founders of the State, and for fourteen years upon the Supreme Bench as Chief Justice and Associate Justice. He was an active member of the Wyandotte Constitutional Convention, and was chairman of the Committee on the Judiciary. In that convention he was eloquent in debate, as well as wise; or rather he was eloquent by his wisdom. His name is entitled in Kansas to enviable immortality for his support of the homestead provision incorporated in the State Constitution. If not the author of the provision, he was its most able defender and successful advocate. I have time for only a few of his words uttered in the debate upon that question. Against an attempt to limit the value of the homestead to \$2,000, he said: "A true homestead law has always laid very near my heart. A home is a home—good or bad, valuable or valueless. It is simply the home, the hearthstone, the fire-side, around which a man may gather his family, with the certainty of assurance that neither the hand of the law, nor any nor all of the uncertainties of life, can eject them from the possession of it. To limit the value, is to say to the owner, 'So long as your land remains unimproved, so long as it shall remain poor and sterile, it is yours, but the moment you put your labor upon it, the moment you improve and adorn it and make it habitable and beautiful, it shall be taken away from you for the payment of your debts.' This limitation tells him that his labor shall be in vain; tells him to keep away the hand of improvement, for if you advance its value beyond the limit proposed, your homestead and your reliance for the support of your family is forever gone." Upon another occasion he said in the convention: "It is within the recollection of many when it was the settled policy of many 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."

The homestead provision was very strongly and bitterly contested in that convention. It was adopted by a vote of twenty-eight to twenty-one. Two separate protests were filed after its adoption; one of these was signed by a member of the convention from Atchison county, who is now the senior Senator in Congress from Kansas, upon the ground that "he believed its provisions unjust, invidious, and open to fraudulent construction." I suppose to-day all will concede the wise, liberal and enlightened public policy which dictated the incorporation of the homestead exemption in our Constitution. This provision to protect citizens of the State and their families from the miseries and dangers of destitution, supplemented as it has been by the homestead law of Congress, is, in my mind, one of the great causes for the rapid settlement and development of our State. It has greatly assisted to swell our population, in a quarter of a century, from one hundred thousand to over a million and a quarter. It has aided to give us more than a hundred thousand fruitful farms; it has tended to increase towns and villages, vying with each other in prosperity. From this, as much as anything else, now

"Cities grow where stunted birches
Hugged the shallow water-line,
And the deepening rivers twine
Past the factory and the mine,
Orchard slopes and schools and churches."

Chief Justice Kingman's judicial opinions are models of clearness and conciseness: a natural sense of justice permeates them all. Upon the bench as well as off, he has always been noted for unaffected dignity and simplicity. It is a misfortune to the State that ill-health required him to relinquish the duties which otherwise he was so ably fitted to discharge. It is my hope that he will live to a ripe old age, beloved, respected, and honored, as he deserves to be, by every citizen of this great commonwealth.

In conclusion, speaking in general terms, I can unhesitatingly assert that the members of the Judiciary of Kansas have been as learned, able, faithful, fearless and upright as the judges of any of our sister States. Several of them who have, and some who are now filling judicial positions, are men of brilliant abilities and superior legal attainments. They would adorn and dignify any bench, whether Federal or State. If, now and then, a weak, vacillating or unworthy judge has been elected or appointed, he has been speedily retired. The ermine in Kansas has not often been tainted or stained.

ADDRESS OF COL. C. K. HOLLIDAY.

Col. C. K. Holliday, the most prominent among the founders and builders of the Capital City of Kansas, was then introduced, and delivered the following address:

THE CITIES OF KANSAS.

There were very many passengers aboard the elegant steamer, *F. X. Aubrey*, on her trip from St. Louis to Fort Leavenworth, about the middle of the month of October, 1854.

Among those whose acquaintance I made was an elderly gentleman by the name of McDaniel, whose home was at Weston, Mo., but who took a lively interest in Kansas affairs. He had already invested in the new Territory, and was contemplating making it his future home.

Upon learning that I was going to Kansas, with a view of making a permanent settlement, he was kind enough to give me many valuable hints and suggestions. "Don't make a mistake, young man," he said, "don't make a mistake. Near the

great elbow of the Missouri there is bound to be built the greatest city of the continent, and that city, sir, is Kickapoo."

I mildly suggested that I heard Atchison, Leavenworth, Wyandotte and Kansas City, or rather Westport, well spoken of. But he quickly gave me to understand that, if I would become a part of, and grow up with the great city, I should lose no time in casting my lot among the Kickapoos.

If, however, I could not reconcile myself to living in a large commercial emporium like Kickapoo, he would then recommend that I should "stick my stakes" at Douglas or Tecumseh, both of which were bound to be large interior cities, and one of which would, doubtless, be the capital.

Strange as it may seem to-day, it is true that Kickapoo, situated on the Missouri river, some six or eight miles above Leavenworth, did aspire to be one of the great cities of the Territory, and hoped to become the greatest. And it is equally true that Tecumseh had similar aspirations of becoming the largest interior city. And not without reason. For Tecumseh came within one vote of being made the capital by the first Legislative Assembly, and would doubtless have secured the location, had not the personal interests of a majority of the members influenced them to make the location at Leecompton. The importance, however, of these cities was fully recognized by this same Legislative Assembly, in that it established the county seat of Leavenworth county at Kickapoo, of Douglas county at Douglas, and of Shawnee county at Tecumseh. Nor would the friends of these respective cities for a moment concede that Leavenworth could ever successfully compete with Kickapoo, nor Lawrence with Douglas, nor Topeka, not even founded at the initial period of this history, with Tecumseh.

I should not omit in this enumeration of the earliest established cities of our Territory, still another, whose hopes, or the hopes of its friends, soared high above those of Kickapoo, Douglas, or Tecumseh. I allude, of course, to the very first prospective capital—the city of Pawnee. This city was founded by a number of prominent and influential gentlemen, chiefly from Pennsylvania, and who were supposed to be near the administrative authority of the Territory. At this place the first Legislative Assembly was convened, and it was hoped that an act would speedily be passed making Pawnee the permanent capital. But the political fires which swept and devastated the Territory for the next three years, had already been kindled. The Assembly, therefore, not only did not make Pawnee the capital, but refused to do any business whatever there, other than to organize, and then adjourn to the Shawnee Mission, where the remainder of its session was held.

Pawnee was situated upon a beautiful plateau on the north bank of the Kansas river, about a mile eastward from Fort Riley.

A large and substantial stone building was erected, by private means, in which the two houses of the Assembly might hold their sessions, and other buildings for the accommodation of the officers and members. Upon investigation, however, it was ascertained that Pawnee was located upon the Fort Riley military reservation. This was construed as an invasion of the reserved territory of the United States; and, upon the facts being made known at Washington, the President ordered the army to expel the citizens, and, if need be, to bombard and destroy the city.

The city was ever afterwards known, until it passed from the recollections of the people, as "Pawnee on the Reserve."

The bombardment of "Pawnee on the Reserve," and of Greytown, in Nicaragua, were the two great military achievements which gave fame and renown to the Pierce administration.

I should perhaps add, as a third, the expulsion, at the point of the bayonet and

at the mouth of shotted cannon, of the Legislature under the Topeka Constitution, at Topeka, on the 4th day of July, 1856.

In these modern days, when we wish to express, in the superlative degree, any great movement in trade, in manufacture, in real estate, in the rapid growth of cities, or what not, we call it a "boom." The biggest boom that Kansas ever had in the city line, or perhaps ever will have, took place in 1857, continuing into 1858. The causes of this movement were too numerous and lengthy to be enumerated in detail, within the time allotted to this address. Principally, however, a great panic was prevailing in the Eastern States, and the many persons failing there, strove to place the remnants saved from the wrecks of their fortunes where they would best escape the vigilance of creditors, and at the same time be most remunerative.

Kansas having been extensively advertised through our "Border Ruffian troubles," and by the Buchanan-Fremont campaign of 1856, peace being at last assured and large and valuable bodies of public lands being offered for sale, the rush of people to our Territory was most extraordinary. Unlike those who had come the three preceding years, those who came in 1857 were possessed of considerable means.

The result was that both lands and city lots—especially the latter—were in the greatest demand. All sales were made for cash. The older and really more substantial cities and towns having been sold and resold, and the demand being still unsupplied, new towns or cities—everything was a city then—were being daily organized, surveyed, platted and sold.

Lots or groups of lots were seldom sold. The plan was almost universal, to issue certificates of shares in the new city, and sell the certificates. The city would be divided into from one hundred to, say four or five hundred shares—according to its size and the sanguine temperaments of its founders, and each share would represent from two to twenty lots. The avidity with which these certificates of shares in the cities were bought, was something startling. The standard average price for city shares was about \$500 each, some favorites, of course, commanding more, others, perhaps, less.

It was not merely the new-comers who were enthused, and lost self-control in this new city movement, but the old settlers were equally infected and carried along by the tide. Many who had valuable properties in the old and well-established towns, such as Leavenworth, Wyandotte, Lawrence, Topeka and others, sold the same, and with the proceeds bought certificates of shares in the new cities. In the county of Shawnee alone, I call to mind the five cities of Avoca, Canema, Essex, Dayton, and Kansapolis—there were many others—whose lots to-day are doubtless parts of some fine corn-field or orchard, and whose sites the oldest inhabitant would try in vain to determine.

To a half-dozen of the most prominent of these cities, I wish to invite your special attention: Quindaro, Delaware, Sumner, Doniphan, Palermo, and Elwood.

These cities were organized almost simultaneously, and their early progress was most extraordinary. Large hotels, and fine business blocks, and valuable stocks of goods, could be found at each; and the population of each increased with astonishing rapidity, especially when the sparseness with which the Territory was then settled is taken into consideration. In fact, I question whether, with our present large population, and the mania that has again broken out among our people for the building of new towns—I say I question whether any city at the present time has been built so thoroughly, or has increased in population so rapidly, as some of these cities to which I am now calling your attention.

Perhaps their great prosperity is not to be marveled at, when we remember who were the founders of these cities, or who early became their champions. The most distinguished citizen of our Territory at that time, and afterwards Governor of our

Commonwealth, and who has been the foremost among all our people for the whole thirty-one years of our history, was among the leading spirits of Quindaro. A Lieutenant-Governor and many others of distinction championed the prosperity of Delaware. A gentleman of wide literary fame, and who has since honored both his State and the Nation upon the floor of the United States Senate, was the special friend of Sumner. The great military chieftain of our Territorial days, and afterwards a distinguished Senator in Congress, was the leader of the hosts and of the enterprise at Doniphan. Gentlemen of almost equal prominence and ability were directing affairs at Palermo. But it was reserved for Elwood to be especially blessed with a list of names as its founders and friends, of which any city might well be proud. One, afterwards often honored by his friends with a seat in the State Legislature, and other civil offices; another, afterwards a high literary authority and an accomplished State officer; another, afterwards a distinguished General in the Union Army, and subsequently holding high positions in the civil service at New Orleans; another, afterwards the leading citizen of a neighboring State, a millionaire, and member of the United States Senate; and still another, greater than all, who afterwards held many civil offices, then Governor of our State, and more recently Envoy Extraordinary and Minister Plenipotentiary to a powerful but friendly empire. Yet, notwithstanding all this great array of talent and ability, the fates seemed to be against these cities. Their "boom" continued but for a year or two, and, like some of the other cities to which I first referred, it would be difficult to-day to determine even the sites upon which some of these last named cities were erected.

As there may be persons present to-night who have never heard of the cities about which I am speaking, and who do not know where they were located, and, as the enthusiastic exhumists of cities, after they shall have gotten through with Pompeii and Herculaneum, and Babylon, and Troy, and others of the Old World, may want to try their hands upon the lost cities of this continent, it might be well for me to state, that they were all situated upon the Missouri river. Quindaro, some three miles above Wyandotte; Delaware, about half-way between Wyandotte and Leavenworth; Sumner, four or five miles below Atchison; Doniphan, as many miles above Atchison; Elwood, immediately opposite the city of St. Joseph; and Palermo, about midway between Elwood and Doniphan.

Two great causes contributed to bring about the collapse of these cities:

First. Being located but a few miles apart, along the Missouri river, which already had upon its banks the large and prosperous cities of Atchison, Leavenworth and Wyandotte, they necessarily became rivals, and greatly antagonized each other's interests.

Second. They were unquestionably far in advance of the times. The business of the Territory, with its small population, could not sustain so many large places, crowded into such close proximity.

Viewed from the standpoint of to-day, and with all the disastrous results before us, it is a matter of supreme regret to me, and I doubt not to all the people of our State, that the great talents employed and the large means expended in building up so many antagonistic cities on our eastern border, were not combined to build one really great, magnificent city within the limits of our State—a city capable of evoking the largest State pride, at which the commercial and financial business of the State might be transacted, and whose wealth would augment and aggrandize the wealth of our own State, instead of suffering such a city to be built in a neighboring State, to exhaust the resources and drain the life-blood of all our people for all time to come.

Two other cities of our Territorial days should claim our attention for a moment—Lecompton and Minneola. Both of these cities had the loftiest aspirations, each

striving to be the great political center—the capital of our great Commonwealth. Nor were these aspirations by any means groundless, for Lecompton was chosen as the capital by the first Legislative Assembly, or what was known as the “Border Ruffian Assembly,” while Minneola was chosen as the capital by the Free-State Legislative Assembly, at its first regular session. Soon after the first of these locations, Congress made an appropriation of \$50,000 with which to erect the capitol building at Lecompton, and which was duly expended for that purpose.

After Kansas became a State, one of the first official acts of Governor Robinson was to sell that capitol building at public auction, and strange as it may seem, so little were capitol buildings in demand at that particular season, that the net proceeds of the sale only amounted to \$216. I quote from recollection, but think I am correct.

At Minneola, a large and commodious building was erected for capital purposes, by private enterprise, and good hotels for the accommodation of members, Territorial officers, and others.

But they were doomed never to be occupied for the purposes for which they were erected. The Legislative Assembly which located the capital at Minneola, also provided for a Constitutional Convention, to assemble at the same place. It met, but refused to entertain any motion, or do any business, other than organize, and adjourn to Leavenworth, where the constitution designated by that name was framed.

The fate of both Lecompton and Minneola as capitals was plainly discerned from the beginning. The political revolution then taking place sealed the fate of the former. The latter—Minneola—was largely owned by the members of the Assembly which located the capital at that place. This savored too much of the “job” to be tolerated by the people. Besides, it was forestalling the popular judgment upon so important a matter as the location of their capital. The people became indignant. Their condemnation was swift as the lightning and as destructive as the cyclone. And the prospects of Minneola becoming a great city quickly

“Melted into air, into thin air,
And left not a rack behind.”

To show the feeling that was aroused upon this subject, I will state, that during the consideration of the bill establishing the capital at Minneola, in the Council one of the members opposed to the location said: “I have to say to the friends of this measure that, appropriating the language of Mr. Webster, the lightning has its power, the tempest has its power, the earthquake has its power, but there is something more powerful than the lightning and the tempest and the earthquake combined, and that is public opinion; and public opinion will brand this outrage as a swindle, and its champions as swindlers.” “You are flattering yourselves,” said he, “that you are locating a capital. It is a mistake; it will prove to be simply a graveyard, in which every member who votes for this bill will be politically buried.”

The prediction was almost literally fulfilled, for but few of those who voted for the “Minneola swindle,” as it was afterwards called, were ever again intrusted by the people with public confidence, or public places.

This much, I felt, was due to the cities of our early Territorial days; to the cities “that were, but are not.” To the cities, to employ the language of our spiritualistic friends, which did not fully materialize; to the cities of ’54, and to the cities of ’57.

Having said so much concerning the cities of the past, what shall I say, what can I say, concerning the cities of the present? What should I say? Or rather, why should I say anything concerning them? Are they not all there to speak for themselves? And, if they cannot speak, have they not all steadfast friends and stalwart champions to speak for them? Aye, and if needs be, to fight for them. Has their light at any time been placed under a bushel? Could any description of mine

do justice to our cities? Could I, by painting, beautify the rose? "Behold them, and judge for yourselves." There are Atchison, and Leavenworth, and Wyandotte, and Lawrence, and Fort Scott, and Ottawa, and Topeka, and Emporia, and Wichita, Winfield, Wellington, and Newton, and Manhattan, and Junction, and Salina, and Great Bend, and Hutchinson, and Dodge, and Garden City, and a hundred others which would exhaust both the poet and the painter, as well as the historian, to portray them in all their effulgent glories. What the jewels are to the crown, what the stars are to the firmament, so are our cities to the broad and splendid domain of our commonwealth. And as the stars give life and light, and beauty, and glory and effulgence to the sky above, so do our cities give life and light, and beauty, and glory and effulgence to the earth beneath.

ADDRESS OF HON. JAMES HUMPHREY.

Hon. James Humphrey, member of the State Board of Railroad Commissioners, was then introduced, and delivered the following address:

THE RAILROADS OF KANSAS.

If, at the date of the admission of Kansas into the Union as a State, the whole population then existing upon her soil had been so grouped as that all her traffic or commerce could have been carried over railroads, four hundred miles of road would have been the utmost which that traffic would have supported. At that time, for several reasons, Kansas did not present the most promising field for the display of railroad enterprise. It was remote from the far East, the most populous regions of the country, whence the chief stream of immigration was expected to flow to people the West. The great controversy which had lent stimulus to the tide of immigration hither in the Territorial days had been settled, and this inducement had ceased to operate. Besides, while sufficient was known to afford reasonable assurance that the eastern half of the State would sustain an agricultural population, the western half was universally believed to be subject to climatic conditions that rendered it insusceptible to cultivation. Yet, in that early stage of the State's career, and amidst unpromising surroundings, there were men in Kansas who possessed a faith as to her future that was prophetic, and a courage that seemed the inspiration of the wildest hopes. There were companies already incorporated whose projects involved the building of 1,320 miles of railroads within the State, every mile of which, and 486 miles in addition, were built within twelve years from the date of the act of admission. Two of the lines thus projected had penetrated the savage wilds of the far-western border, disputing the hitherto undisturbed possession of the red man of that comparatively unknown country. These last embraced an ambition that could not be circumscribed by State lines. They were enterprises founded upon bold and far-reaching ideas, which sought to bind together the material interests of this State to those of the vast Territories beyond, reaching out with hands of steel to gather the swelling traffic of mountain and plain, and pour over the highways of this central State the commerce of half a continent. Those conceptions have reached a practical realization, and railroad projects conceived, commenced and matured in Kansas, have spread their arms over intervening States and Territories to the Mexican line and the Pacific main, and are numbered among the gigantic achievements of the present age.

The growth of that part of the country west of the Missouri river the past quarter of a century in population, business and wealth is fairly represented by the development of its railroads. In all the vast country now traversed by the Pacific Railroad systems there was at the date of admission of Kansas into the Union but about twenty miles of railroads. At the present time the railroad mileage in that

territory exceeds that of Great Britain and Ireland by 4,000 miles, that of France by 3,000 miles, and is equal to the constructed railroads of the German Empire, being in round numbers 23,000 miles.

It is estimated that the total railroad mileage of the world at the present time is near 300,000 miles. Of this total, 128,492 miles are within the limits of the United States—only 21,508 miles less than one-half of all the railroads on the face of the globe.

The railroads operated in this State, including those portions of the Kansas system operated beyond its boundaries in adjoining States and Territories, embrace a mileage of 9,417 miles. These employ an army of workmen, exclusive of the general officers and their immediate assistants, of 33,438 men, or nearly one-third as many as the whole population of Kansas at the date of its admission. At that time, in all the region served by these roads, there was but little internal traffic; that which existed was conducted by means of river and teams. For the year ending June 30, 1885, the roads named carried over their lines 15,555,395 tons of freights, consisting of grain and other agricultural products, flour, provisions, manufactures, animals, lumber, coal, mineral products, merchandise, etc. This enormous mass of freight was hauled great distances; and when reduced to the one-mile unit it represents 2,811,141,671 tons hauled one mile. If this volume of freight had to be moved by the primitive means of transportation existing prior to the advent of railroads over the same distance, it would require the services of 234,283 men, and would cost \$210,755,126. The cost of moving it over railroads was \$42,537,943.22.

The multiplication of railroads over the earth's surface, which has proceeded at a rapid rate the past few years, and which is still going on in every quarter of the globe, economizing and cheapening the methods of distribution of the products of land and labor from place to place, withdrawing from unproductive utilities an increasing proportion of the labor formerly absorbed by this species of service, is now being profoundly felt in every department of productive industry, not in this country only, but all over the civilized world. The cheapening of the process of transportation reduces the prices of commodities and secures their more equal distribution, and this is an unmixed blessing. The turning of an immense increment of labor from the business of transportation to the work of direct production, or the increase of material objects, involves the reduction of wages and profits, and this result is justly contemplated with alarm. The process of eliminating labor by machinery will go on increasingly with its concomitant results of lowering prices, wages and profits. The great problem in political economy is to maintain a just relative equality in these three elements.

At the present time there are 5,000 miles of railroads in Kansas, inclusive of side-tracks. In the eastern half of the State for two hundred miles west of the east line, there is not a farm more distant than twenty miles from a railroad, and not many that far distant. Nearly every road that has been projected and built in the State has been pushed along faster than the increase of population and business seemed to warrant, yet ultimately the State caught up and business came to the support of the road. But this constant pushing out of railroad construction upon the verge of the frontier settlements has had the effect of rendering the lands accessible and attractive to the immigrant, and has crowded the frontier with unexampled rapidity to the Colorado border.

There is no State better equipped with railroads than Kansas is to-day. Measured by her population, she has a greater relative mileage than either of the New England or the Middle States; than either of the great States of the West except Iowa and Minnesota, and her railroad facilities are equal to those existing in the last-named States.

It is quite impossible to estimate the value to the people of the State of these agencies. We who pioneered in Kansas before the advent of the railroad, have a lively recollection of being jolted along over rough roads five miles an hour at the rate of twelve cents per mile, and with what longing we looked for the arrival of the mail, carried in the boot of the coach. Unless the distance was too great, we preferred to walk in those days.

During the last year the railroads of Kansas carried over their lines 4,182,810 passengers, and transported them an aggregate distance of 161,066,607 miles, at three cents per mile, and at an average speed of twenty-five miles an hour. This, too, without an accident resulting in the death of a passenger. Two only were killed, and these not through train accidents, but by their own carelessness.

There are no figures from which precise deductions can be made as to the amount of business and traffic carried on in the State at the time of its admission into the Union, but a pretty close approximate estimate may be made based on analogies, and such an estimate would be represented by 630,000 tons of freight moved, including surplus productions carried out and supplies brought in. I estimate from reliable data that for the year ending last June, the movement of freight in Kansas amounted to 6,744,000 tons, representing an increase of production, business and traffic, of nearly eleven-fold in twenty-five years. The actual increase in population has been in very nearly the same ratio, and assuming that 400 miles of railroads would have been a proper proportion to the population and business of the State twenty-five years ago, it will be seen that the present mileage shows an increase but slightly in advance of the ratio of increase of traffic and population. If the same ratio of increase and growth were to continue, Kansas would double her present population and productive capacity within another decade. He would be a very sanguine man who should expect such a result. As the settlements recede from the eastern border, it is to be expected that development will be slower, and be attended with greater difficulty. It is, however, certain that the eagerness with which cheap lands are being sought for, and the great tide of emigration that is bearing itself westward, will rapidly fill up the remaining unsettled portion of the State with an industrious and enterprising population. There will be room and business for considerable more railroad mileage in the near future, not, however, for all the chartered projects which exist on paper, for it is to be presumed that a portion of the State will be needed for other purposes besides ground upon which to plant railroads.

Heretofore there has been, in their material aspects, a harmonious development of the railroads of the State, and the interests upon which they must depend for support; the building of these works has kept pace with the increase of population and the growth of business. It will be well for the State if these conditions shall be maintained in the future. Although railroads are a good thing, and necessary, it is possible to have too many of them. It is not wise to invest in the business of transportation or other unproductive utilities a larger capital than can be reasonably supported, since these agencies must be maintained by those industries that are directly concerned with production. The undue multiplication of railroads, instead of having the effect of creating competition and reduction of rates of charges, as is popularly supposed, has the contrary effect of forcing combinations and the maintenance of rates. An examination of railroad statistics shows that the rate of charge made for moving a ton of freight in different parts of the country bears a pretty even ratio to the volume of business done over railroads. It is the lowest where the volume of traffic is the heaviest in proportion to the number of miles operated. In the great Middle States the rates are lowest and the traffic the greatest, both in freight and passengers; the rate of population to each mile of railroad in those States being 700, in Kansas 260. This point can be better illustrated by a compari-

son of the railroad systems of Ohio and Kansas. The railroad system of Ohio, including the mileage within the State, and that which, though extending into adjoining States, is operated in connection with and forms a part of the system of the State, embraces 9,205 miles. The number of miles of railroad in the Kansas system, *i. e.*, the mileage in the State and that connected with it, though extending beyond its boundaries, is 202 miles in excess of the mileage of the Ohio system. The tonnage carried over the two systems, respectively, is represented as follows: Over the Ohio system, 6,373,953,214 tons hauled one mile; over the Kansas system, 2,811,141,661 tons hauled one mile. The relative population to mileage in Ohio is 450 to each mile, 190 per mile in excess of that which obtains in Kansas.

The rule that the rate of charge upon railroad freights is very largely determined by the volume of traffic relatively to the number of miles of road to be operated, holds true everywhere. For example, the volume of business done over the English railways is greater than that carried over the railways of Germany, and the rate is correspondingly lower in England, notwithstanding the English railways are capitalized for \$204,000 per mile, and the German for one-half that sum, and notwithstanding the former are owned and operated by private companies, and the latter by a paternal government.

The unnecessary multiplication of agencies in the work of transportation involves increased expenses to be borne and capital to be supported, and this can only be done by maintaining the transportation tax at a higher rate than would otherwise be necessary. The supposition that by this means competition is stimulated, is delusive, and is based upon the notion that it is the interest of railroads when built to engage in the work of mutual destruction. There is no more philanthropy in the motive that underlies the railroad than in that which moves to the building of workshops and the establishment of the various industries, avocations and professions. Each supports his own because it supports him. When it is profitable to compete, there will be competition, and when it is not, combination will rule; and as a rule it is more profitable to combine than to compete when the agencies employed in any particular line are more numerous than the business to be done requires.

The rapid growth and development of Kansas—a growth that is marvelous even among American States—has furnished, and still offers an inviting field for railroad enterprise. That railroad expansion will keep fully abreast with the advancement of the State, we may rest assured; that the railroads and the public may coöperate harmoniously to secure the highest attainable degree of local prosperity, is a consummation devoutly to be wished.

ADDRESS OF GEN. D. W. WILDER.

Governor Robinson then introduced D. Webster Wilder, the veteran editor and eminent historical writer, who delivered the following address:

THE NEWSPAPERS OF KANSAS.

That saying of Governor Berkeley has been worn threadbare by quotation, because it shows the spirit of a people. In 1671, long after books had been printed in Catholic Mexico and Protestant New England, the Governor of Virginia said: "I thank God we have not free schools nor printing, and I hope we shall not have these hundred years." Virginia has 255 newspapers now, and Kansas 617. Her sons brought revolvers to Kansas; the revolving cylinders brought here by Yankees carried the lead on the outside, in an impressive way, and were long-distance, paper-wad shooters—1,000 an hour at the slowest. We made the other kind, too, and Gatling himself matured his invention in Doniphan county, Kansas.

In 1775, the thirteen American Colonies had thirty-seven newspapers. Imperial

New York had four—about the number they now have in Dodge City. The average circulation of these three dozen colonial sheets was 600, or the same as that of the Kansas papers of to-day, including the “patents,” or coöperative and auxiliary papers.

In 1784, 102 years ago, the first daily newspaper appeared, the *American Daily Advertiser*, of Philadelphia. There were only four dailies in the country in 1798. Kansas now has thirty-two. In 1800, the whole Union had 150 papers; in 1810, 359. In 1824, when the Republic was half a century old, the whole country had no more newspapers than Kansas has now. And yet they say we are a boastful people. Why, so much modesty and so much progress never met before to boom a State. Modesty’s “no name for it,” as the saying goes. No young State has ever equaled Kansas in the number of its papers; none in preserving its history. Every issue of every paper in Kansas is bound and preserved by the State Historical Society.

Prof. North says the “American press is the freest, the most self-reliant, the most loyal to home and vicinity interest in the world,” and these traits our papers have in the superlative degree—for we have the most of them, taking in all vicinities. Newspapers are not to be sneered at by Presidents, politicians or moralists. The reading matter in one issue of all the papers and periodicals published in the United States is equal to the contents of a library of 1,500 octavo volumes, of 500 pages each. All Kansas families have a library. In 1880, the mail matter passing through all the offices in the United States was counted, and Kansas led twenty-three States.

In 1885 (last year), twenty-eight States had less newspapers than Kansas: we are the tenth in the list headed by such States as New York, Pennsylvania, Massachusetts, Ohio, and Illinois, but we have gone higher in the list every year; twenty-eight States passed in twenty-five years, including the State founded nearly three centuries ago. The Central State will “get there.”

In 1860, Kansas had 27 papers; in 1870, 97; in 1880, 347; in 1885, 617. In 1880, we had 20 dailies; in 1885, 32. There are now eighty-six organized counties; and papers probably in a hundred. Before the courier could reach the capital with the returns, one or two more papers would be started. Do you say that these papers are ephemeral and transient? Oh, no! papers die, but others are born, and the number is doubled every decade. When the fever and strife of immigration and early settlement have passed away, and every county has a stable population—say in about 1900—the papers will cease to increase in numbers, and gain in size and quality. They are now telling the world where to come; that part of our mission will soon be ended. The true pioneer looks forward to that day of a finished State with a sigh. It is such fun to start new papers, to see them, and to read them. We have got used to it—like the miner who couldn’t go to sleep with any satisfaction unless there was a roaring row in the next room. Every day I look for new papers.

The *Cheyenne County Rustler* is six months old; the county is not yet organized.

The *Sod House* is doing duty in snug quarters on the Cimarron, in Ford county—playing a game of “freeze-out,” as it were.

The *Border Ruffian*, a term originated by a Pro-Slavery man, who still lives, is the name of a paper, now for the first time, in the unorganized county of Hamilton.

The *Thomas Cat*, at Colby, preceded by about a year the organization of Thomas county. The New York *Sun* has an office cat; our *Cat* has the office. It is “a fighter from way back,” and “whoops it up” in a most lively manner.

The *Buffalo Chip* was burned—some years ago.

The newspaper starter and the killer—they are one—is a cheerful person. He is a rustler, and keeps up the fun as long as he can pay for coal and rent: and when he dies his last words are as chipper as the first. He don’t use “salutatory” or “valedictory” when he steps on to the platform or when he is “dropped off,” but plain

United States words—"Here we are," "Will see you later," and captions of that sort. And he has no notion that the world is going to stop, or he himself cease to "bob up serenely," because his subscribers in Raubelt or Greeley Center did not come down with the dust.

The pioneer Free-State press of Kansas showed what it was by the enemies it made. The Ruffians destroyed the presses—Judge Delahay's at Leavenworth, two at Lawrence, and all again at Lawrence when Quantrill's assassins came in. The Parkville *Luminary*, a Kansas paper on the other side of the river, the paper of the staunch Presbyterians, George Parke and Frederick Starr, was destroyed. The first Free-State paper in St. Joseph, further up the river, started by our Doniphan county boys, and edited by your present talker, was ruined by Ruffians a few years later, and its owners left penniless, indicted as criminals. Let those apologize who come after us! Those who were there don't buy whitewash brushes.

When your friend is away from home you want to get a letter—don't you? Want one every day. And when the letter comes, how happy you are; in what a friendly state of mind and heart! Well, that is the paper, the weekly paper and the daily, and that is what they do for the mind and heart of Kansas; they make us pleasant persons and helpful neighbors.

Some men take a paper for no other purpose than to growl while they read it, and to them the newspaper is a beneficent visitor; if they did not growl at the paper the wife and children would be pouted at. But this subscriber, who reads the articles aloud, who reads everything in the paper, and finds fault with every line and syllable, is one of our best patrons. He really enjoys the paper: he would no more miss a number than the constitutional candidate would do so. He calls promptly on the first of January and pays his bill like a little man, saying the while, "Your blamed paper gets worse and worse every year, but my wife wants to see it, and long as we take it I'm blamed if I don't pay for it."

The *Congressional Globe*, of Wednesday, January 30, 1861, under the sub-head, "Messages from the President," announced the approval of "An act for the admission of Kansas." The *Globe* was a paper that recorded the talk of others, but made no talk on its own account; and yet, on this occasion, the *Globe* said: "The announcement of the approval of the bill for the admission of Kansas was received with slight applause on the floor and in the galleries." That little ripple of applause, begun on the Potomac, has been gradually deepening and broadening until it is now a tidal wave of joy, good-cheer and enthusiasm, flooding the whole earth.

Kansas is the child of the North, not of the Union; the Union was her enemy until she made it. And she is the child of the newspapers. Before we had an influential press, the editors Horace Greeley, Joseph Medill, Chas. A. Dana, Dr. Ray, Henry Ward Beecher, John Wentworth, Chas. T. Congdon, Wm. C. Bryant, Parke Godwin, the aggressive Republican editors of the North, made our cause their own, fought for us, raised money for us, and sent us men, clothing and rifles. During the darkest days of '56, Greeley published daily in the *Tribune* a Kansas fund; it reached more than \$20,000, and was one of the newspaper gifts to us. The present was repeated during the drouth of 1860. These gifts from so many persons, like Gerrit Smith, George L. Stearns and Horace B. Clafin, saved the life of Kansas, and made us a kindly, charitable people—saved us from ruffians and from locust plagues, and taught us to pay back in kind when other people were afflicted. Now Kansas sends money to yellow fever Memphis, to inundated Cincinnati, to burned Boston and Chicago, and to suffering Ireland and Germany. The Kansas editor's long ears are joked about, but they do not flap above his head without hearing the cry of distress raised anywhere on God's green earth. A kindly people, these to whom so much

was given; good to each other, good to foreigners; and the evangel to spread the glad tidings and to put the red blood of love into the hearts of the people.

High upon the roll of writers for Kansas must ever remain the names of two editors and brave men who had no papers—William A. Phillips, correspondent of the *New York Tribune*, and James Redpath, of the *St. Louis Democrat* and of the *Boston press*. Phillips, a Scotchman, Redpath, an Englishman, but both Kansas men in the heart; much abused once as foreigners, they have made bright American names.

The Kansas man may be born anywhere, of any race or color; he makes good his abstract of title, and secures his heritage when he comes to Kansas. Though blind in both eyes, his heart will lead him here, if he is a Kansas man.

He might have been a Rooshun, a Spaniard, or a Prooshun, or an Italian, but in spite of all temptations, to belong to other nations, he is a Kansas man! They are all glad to get here, and they can't see each other too often. From the first of July to the first of January there are institutes, fairs, reunions, grand lodges, conventions, associations—six months of sociability—the glad and happy meetings of Kansas men and women.

"That which binds us, friend to friend,
Is that soul with soul can blend,
Soul-like were the days of yore:
Let us walk in soul once more."

It is the meeting together, hand to hand, eye to eye; the warm sympathy of brotherhood. And, when we can't meet, we read the report of the last meeting, in the paper, and the call for the next meeting in the paper. The paper binds; stronger than iron are paper wheels. When the paper does not come around at its accustomed hour, then the Kansas man bursts forth in the words of Pope:

"Lo, thy dread empire, Chaos, reappears!"

Who wants to be alone? Solitude is a prison. Kansas talks, and writes, and reads, and advertises.

"In civilized epochs," says Michelet, "men write histories, in barbarous days they act them." First, John Brown, then John Ingalls. The barbarous age was brave and risked its life. Trot out any kind of an age—beginning, middle, or end—and the Kansas man—king of men—vaults into the saddle.

"We are the Ancients of the earth,
And in the morning of the times."

And when some outsider meddles with our kettle of fish, he is made to exclaim with Byron: "Methinks I have lived in some olden time, and that this is hell—the best that it's not eternal!"

The Kansas editor, going to a new field, with a "patent outside and a shirt-tail full of type," as Prentiss has it, makes a name in that county and State that will live while the world turns round. The millionaire, when he dies, is cut off from his money; he "gets left."

All that editing could do for Kansas was done by Editor Greeley. The overt act was done by John Brown. Through his own blood he obtained the Territorial and National redemption. "And almost all things are by the law cleansed with blood; and without shedding of blood is no remission." Captain Brown was quite other than an editor—was the only personage who has trodden these prairies and lived in our cabins who bore about with him a divine message and mission. When our people build statues, Brown and Greeley will enter the pantheon—the doer of the word and its predictor and recorder. The greatest editor, though he creates or embodies the spirit and purpose of a period, is not equal to the executive mind of a Lincoln, or to the prophetic and divinely-driven Osawatimie Brown. If Brown was insane, then he was also sacred, as the ancients had it. Some university professors, who took

only a partial course in the humanities, think that Lincoln and Brown were failures; but their ads. are marked "tf." for the ages; and were paid for in advance, in sacrificial blood—an expensive offering; it "comes high," and is not appreciated by pedants; no pedant has ever spent a drop of it, and he does not know it when he sees it.

It may be remarked in passing, that it took two decades—from 1863 to 1885—for Quantrill to receive an honorary mantle of whitewash. No Kansas editor held the brush; the oldest Kansas editor, who will speak to you to-day, may not have enjoyed the picture, for two sons of John Speer were murdered by Quantrill, and their bodies burned to ashes. But, as Mr. Toots said, "it's of no consequence." The "revaluation" of history is of more importance.

The man who has the biggest chance to talk to people, without any possibility of a reply, is the barber, and that is the reason that he is a barber. If you talk back to a barber you cut your own throat. For a similar reason men become editors. They want to write. If any man talks back he cuts his own throat, in full view of the public. And the editor sleeps well that night. "Ought to have known better than to write a card," he smiles in his dreams.

We can get along without rain and enjoy it; make fun of the rain, and say it don't amount to much; but Kansas cannot get along without newspapers, and lots of them. The press is the iron, the editor the blood; they are the first things on every town site. The editor is harmless; sometimes instructive and amusing. He invents words and phrases for us, and fills the place of the Homeric balladist and the middle-age troubadours. The editor is usually insolvent, but his paper is the universal solvent—thaws the ice and dissolves, not devours, the fluids in all societies which it enters. It is the good-natured man, who makes every person feel at ease soon as he comes into the room. Jack Downing, George Isbell, Eugene Ware, Noble Prentiss, Ham. Dennis, Bill Hutchison, George McLane, Sol. Miller, Jim Steele, Henry King, Ed. Howe, Aleck Butts—Kansas has never passed an instant without the wit, humor, originality, quaintness, of these peculiar men of genius. It was thought that prohibition would be fatal to them, but they are its most taking and attractive friends. They take that dry drink and turn it into a healthful and sparkling champagne. We have prohibition because we want to save the boys—want to save the boys—they are too good to lose. The best society is "over there;" called up because they are the brightest; but we who have Kansas to live in find such earthly attractions around us that there is one procession that we do not join with unseemly alacrity. We believe in the procession, have a pass, and like the lay-out up there—but Kansas is going to be very lively in the spring. It is different in Texas. Whisky is a remedial measure down there, in that climate, and with that citizenship.

Suppose Alabama should sit down to the game with us now! The old lady would not know what cards were out; would not know what to lead. Bless her old soul, she never will know! It is too late for her to take a hand in the game. It is short whist now; two hands as one, with Kansas heads behind them. Many a year is in its grave, Alabama, since your long-haired sons came up here and tried to turn these prairies into a slave-and-lash-plantation—years of decay and death to you, of life and growth for us. The books were closed at Montgomery, five-and-twenty years ago. The Rebel Government was formed in your town just ten days after the day we celebrate—after Kansas marched into the Union and made the stars and stripes the banner of the free.

The editor sometimes closes his remarks, but he never takes his seat. Rising with the sun and following the hours, his lead pencil encircles the earth with a continuous column of notes and news. Kansas, at twenty-five, has as many papers as the

country, starting in 1607, had in 1825, after two centuries. That is the time it took the Colonies and the United States to catch up with Kansas. We don't blow, brag or bluster, but that is the cold fact. Kansas has only made a beginning. A thousand years scarce serve to form a state. Her papers have been brave, true, hopeful, helpful, like the people they represent. As the years go by, they will be abler, richer, but never more representative of the people than they have been in the pioneer period. Let us hope that the big and rich papers of the future will make as brave a fight for equal rights, for sound morals, for manly men and noble women.

The *New York Tribune* of Tuesday, January 29, 1861, copied from the *Rome (Georgia) Courier* a poem beginning in this way:

"Come, Mr. Greeley, come to the South —
The land you have lied and re-lied on,
You can lower your chin, and open your mouth,
When your neck strains the rope you're tied on.

"Bring old Granny Giddings, and blustering Hale,
Fred. Douglass, and Henry Ward Beecher,
And Negro-thief Hyatt, from Washington jail,
And Sumner, the Devil's own preacher."

The *Tribune* of that morning, our *Tribune*, our Greeley, contained the following editorial paragraph:

3 The House yesterday passed the Senate bill for the admission of Kansas, which thus becomes the thirty-fourth State of the Union, and the nineteenth Free State. This act not only opportunely adds to the Confederation a sound and loyal member, untainted by the pestiferous blight of Slavery, but does rightful though tardy justice to a State which has suffered for five years greater wrongs and outrages from Federal authority than all the Slave States together have endured since the beginning of the Government, even if their own clamor about imaginary oppression be admitted as well-founded.

"The present generation is too near to these events to see them in their true proportions, but in the future, in impartial history, the attempt to force Slavery upon Kansas, and the violations of law, of order, and of personal and political rights, that were perpetrated in that attempt, will rank among the most outrageous and flagrant acts of tyranny in the annals of mankind."

EVENING MEETING.

Col. Daniel R. Anthony, President of the State Historical Society, presided during the evening exercises. At the opening of the meeting he read the names of persons from whom letters had been received by the Committee of Arrangements in response to invitations to attend the meeting. Colonel Anthony then, in a brief address, congratulated the audience and the people of Kansas on the strides which had been made in the growth and prominence of the State in the twenty-five years of its existence. It had been his privilege, twenty-five years ago to-day, to carry on horseback from Leavenworth to the Territorial Legislature, then in session at Lawrence, intelligence of the admission of Kansas into the Union. At an earlier date, in August, 1854, he had arrived at Lawrence as a member of the first party which came to Kansas under the auspices of the New England Emigrant Aid Society. He came to help to make Kansas a Free State. He came because, under the teachings of Garrison, Sumner, Gerrit Smith, and Thad. Stevens, he had been brought up to detest Slavery, and to detest the methods by which the political Slave Power of the country was seeking to rob this

free Government of its birthright of free territory, and to blast it with the withering curse of Human Slavery. Through the Territorial period he was a witness of the struggle which culminated in the triumph of free principles, in the admission of Kansas under the Wyandotte Constitution, on the 29th of January, 1861. Simultaneous with the occurrence of that event, he, with General Web. Wilder and others, had succeeded in establishing a Free-State newspaper at Leavenworth, *The Leavenworth Daily Conservative*. It was an extra of that paper which he was enabled to take with him to Lawrence to announce to the Territorial Legislature the signing of the act of admission. Everywhere in the Territory the rejoicing of the people was intense. At Leavenworth the old cannon, "Kickapoo," was placed upon the esplanade, and loaded with copies of the "bogus statutes;" and they were fired across the river into Missouri, or as far in that direction as gunpowder would carry them. It is now in every way appropriate that the people of Kansas should meet to rejoice in the fact that the State has, in its first twenty-five years, achieved a distinction worthy the trials and sacrifices of its founders.

ADDRESS OF LIEUTENANT GOVERNOR A. P. RIDDLE.

Colonel Anthony then introduced Hon. A. P. Riddle, Lieutenant Governor of the State, who delivered the following historical address:

THE SENATE OF KANSAS.

Mr. Chairman, Ladies and Gentlemen: The force of custom compels me to say, as all other speakers say, that it is with great reluctance that I appear here in response to the invitation of your committee, to address you upon the subject of "The Senate of the State of Kansas;" but I am almost tempted to rejoice at the opportunity afforded to me to in part revenge myself upon the honorable Senators for days of eloquence with which they have deluged me: for, unlike the presiding officer of the more numerous body of our State Legislature, I am debarred from the privilege of addressing the body over which I have the honor to preside. I hope they will be as orderly under the infliction they are about to suffer as it is possible for them to be, and not interrupt the proceedings by appeals to the chair, or to "ask the gentleman a question."

The subject assigned to me is one upon which I feel myself incompetent to do justice in the short time at my command. I can but briefly allude to a few of the most striking points.

The Wyandotte Constitution, framed in 1859, under which the State was admitted, provided that Topeka should be the temporary seat of government. Pursuant to proclamation of the Governor, the first Legislature assembled at 12 o'clock, noon, on March 26, 1861. The Senate met in the third story of what was then called the Ritchie block, corner of Sixth street and Kansas avenue, where Rowley's drug store now stands. The House met in the Congregational church. The Governor's office was in a room on the second floor, immediately under the Senate chamber. This building was burned in 1870.

The Senate was called to order by the first Lieutenant Governor of the State, Joseph P. Root, of Wyandotte. Mr. Root was a native of Massachusetts, came to the State during the time of the border troubles, was several times a member of the Territorial Council, was a member of the Topeka Constitutional Convention, and a

delegate to the first Republican convention held in the State, at Osawatimie, in 1859, and which was addressed by Horace Greeley. He was subsequently a surgeon in the army, and United States Minister to Chili. He died during the past year, at his home in Wyandotte.

There were twenty-five members of that first Senate. They were mostly chosen from among those responsible for the existence of the young State under whose Constitution they had assembled. The greater number were immigrants of '56 — men who come here under the impulse of the anti-slavery agitation, whose purpose was to assist the Free-State cause. In this respect they differed from the immigrants of later years, whose ruling motive was a desire to better their own circumstances. It is a remarkable fact that very few of the immigrants of '56 ever became wealthy. Those who are yet living are nearly all poor men, and except as their names are connected with the events of the Free-State troubles, most of them have been forgotten.

Among the members of that first Senate was Thomas A. Osborn, then of Doniphan county, a native of Pennsylvania, and at that time but twenty-four years of age. One of the first indications of his coming greatness of which I can find any trace in our history, is that, while foreman of the *Herald of Freedom* at Lawrence, he had ably filled the editor's chair during a temporary absence of his chief. This was in 1858. Soon afterward he was elected a member of the Territorial Council from the First District. Subsequent to his service as a member of the first Senate, he was elected the second Lieutenant Governor; he was appointed United States Marshal for the District of Kansas, in 1864, became Governor in 1873, and subsequently served his country creditably as United States Minister to Chili, and afterward in the same capacity to Brazil. That he escaped drowning by shipwreck on his return home from that country, we hope does not have the grim significance alluded to in *The Tempest*.

Another member of that Senate was John A. Martin, then, as now, of Atchison county, a native of Pennsylvania, and but twenty-three years of age. He, too, received his first lessons in statecraft in that great school, the print shop. After one year's service he resigned, to enter the army. That Senator Martin subsequently earned a Colonel's commission, and more lately became Governor of the State, are facts now become a part of well-known history.

The vacancy occasioned by the resignation of Senator Martin, was filled by the election of John J. Ingalls, who up to this time had been Secretary of the body of which he was chosen a member. He was a native of Massachusetts, but twenty-six years of age, a lawyer by profession; but having served for three years in the sanctuary of the *Atchison Champion*, it is no wonder that he achieved subsequent distinction, and is now serving his State for the third term in the Senate of the United States, and is enjoying the reputation of having been one of the most brilliant contributors to the *Kansas Magazine*.

P. P. Elder was Senator from Franklin county, and has many times since been a member of the Legislature, and was once Speaker of the House of Representatives, and once President of the Senate.

S. N. Wood, one of the earliest and most active of the Free-State settlers, represented the Thirtieth District, then the most western in the State, his residence being at Council Grove. He, too, has been somewhat addicted to the newspaper business, and he, too, has figured in politics for a considerable share of his spare time since '61, and was at one time Speaker of the House of Representatives.

Samuel Lappin was Senator from Nemaha, subsequently became State Treasurer; has been the theme of much newspaper writing, and is now a resident of Norton county.

Otis B. Gunn, of Wyandotte, Senator from the Eighth District, was afterward Major of the 10th Kansas, and more lately one of the earliest organizers of what is now the greatest corporation in the State, the Santa Fé Railroad Company.

J. C. Burnett, Senator from the Ninth District, hailed from the old town of Marmaton, in Bourbon county. He was a native of Vermont, a lawyer, thirty-five years of age, and had previously been a member of the Wyandotte Convention. He is now employed in the office of the State Treasurer.

E. P. Bancroft, who represented the Twelfth District, Emporia being his home, was a native of New York, and 32 years of age. This, I believe, is the first instance where that truthful and useful class of citizens known as land agents, was represented in the Legislature. Mr. Bancroft was nominated for Lieutenant Governor under the Leavenworth Constitution in 1858. Subsequent to his service as Senator, he served in the army, attaining the rank of Major in the Ninth Kansas. For many years he was prominent in the politics of the State, and has seen much service in the newspaper field. The seat of Senator Bancroft was one of those declared vacant on March 1, 1862, because he had accepted a commission in the volunteer service. Mr. Bancroft, as secretary of the town company, also made the first map of what is now the great city of Wichita.

John F. Broadhead, Senator from the Ninth District, lived in Mound City, came from New York, and was a lawyer. He afterwards served as Captain in the Tenth Kansas. His was one of the seats declared vacant on March 1, 1862. In subsequent sessions of the Legislature he appears as a farmer—one of the many indications handed down to us by history to show that "practicing at the law" was not always profitable, and that the peaceful pleasures of the farm afford allurements which even lawyers at times must yield to.

Samuel D. Houston, of Manhattan, Senator from the Fourth District, was a farmer, hailing from Ohio. He had been a member of the first Territorial House of Representatives, and was a member of the Wyandotte Convention.

At the next session of the Legislature, the Senate assembled at the same place, on January 14, 1862. Some changes had occurred in the Senate by this time. One of these, the election of Ingalls, has already been alluded to. Another change was the election of Cyrus K. Holliday, one of the founders of Topeka. During Territorial days he was several times a member of the Legislature, and a prominent man in Free-State circles. He was afterwards Adjutant General, and his report for 1864 contains an ably written history of the Price Raid. He has since been a member of the Legislature, and has filled other political trusts. He is now probably the most wealthy and prominent railroad magnate of Kansas.

In 1862 the Topeka Town Company offered the State twenty acres of land on which to build a Capitol, which offer was accepted.

On June 2, 1862, the Senate met as a court of impeachment for the trial of Charles Robinson, Governor, John W. Robinson, Secretary of State, and George S. Hillyer, Auditor of State. Upon the assembling of the Senate, Stephen A. Cobb became a member of the Senate as successor to Otis B. Gunn. Mr. Cobb's first advent into Kansas politics, was as editor of the Wyandotte department of the *Quindaro Tribune*. Mr. Cobb also served in the Senate of 1869, and saw service in the army. He was subsequently member of Congress from the Second District, and is now dead. The impeachment trial, for which the Senate assembled at this time, was on account of alleged illegal sale of State bonds. Governor Robinson was acquitted, but the others were convicted, and removed from office. The Secretary of State died at Fort Smith, Ark., on December 11, 1863, being then Surgeon of the Second Kansas. It has been said of him that he was the only Kansas politician who ever died of a broken heart.

For the session of the Legislature which assembled January 13th, 1863, the Senate still occupied the room in the Ritchie block. Thomas A. Osborn was Lieutenant Governor and President of the Senate.

Of this Senate, Gen. W. H. M. Fishback, of Johnson county, was a member. He is best remembered by many of the old settlers on account of the Indian story having reference to his title.

David P. Lowe, then of Linn county, but afterward of Bourbon, was another member. He subsequently became District Judge, then member of Congress, and afterwards Judge for the Territory of Utah. He is now dead.

Another member was Solomon Miller, of Doniphan county. Mr. Miller was a member of the first House of Representatives, and has several times since been a member of the State Senate, and is a member of the present Senate. He also enjoys the distinction of publishing the oldest newspaper in the State, the celebrated *Chief*, for many years published at White Cloud, but now at Troy.

D. M. Valentine, then of Franklin county, was a member. In 1864 he was elected Judge of the Fourth Judicial District, and in 1868 Associate Justice of the Supreme Court, a position he has ever since held.

John Francis, of Olathe, was Secretary.

On March 2, 1863, a law was passed by the Legislature authorizing the Secretary of State to enter into contracts with certain parties to erect buildings for the accommodation of the Legislature and State officers. Under this arrangement, the buildings called "State House Row," on Kansas avenue, were erected. The State officers moved in on December 25th, 1863, and the Legislature first met there in 1864. This building was used six years.

The Legislature of 1864 met on January 12th, the Senate occupying the room known as "Constitution Hall." Among the Senators' names are those of Sol. Miller, of Doniphan; C. G. Foster, of Atchison, now United States District Judge; Byron Sherry, W. H. M. Fishback, David P. Lowe, D. M. Valentine, and S. M. Strickler.

The Senate of 1865 met in the same place, and James McGrew was Lieutenant Governor and President of the Senate. Some of the members were A. Danford, afterwards Attorney General; C. V. Eskridge, D. W. Houston, Daniel H. Horne, one of Topeka's earliest friends, and lately removed to California; James F. Legate, for many years one of the most "rampageous" figures in Kansas politics, and now enjoying the emoluments of a land office in the far Northwest.

James McGrew, of Wyandotte, was President of the Senate for the session of 1866. Some of the members were D. B. Emmert, C. V. Eskridge, D. W. Houston, D. H. Horne, J. F. Legate, and Sol. Miller.

The first appropriation to erect a State House was passed at this session. The sum appropriated was \$42,000. On October 17th, 1866, the corner-stone was laid, by the Masons.

Nehemiah Green, of Manhattan, was President of the Senate which met in 1867, he being recorded as a minister, native of Ohio, and aged 29. He is by no means the only pious political representative hailing from that part of the State. Some of the members were D. B. Emmert, of Fort Scott; Lew. F. Green, of Baldwin City; James M. Harvey, of Riley county, who afterwards became Governor and United States Senator, and who is recorded as a farmer, aged 33, and a native of Virginia; John M. Price, of Atchison; Samuel A. Riggs, of Lawrence; Benjamin F. Simpson, of Paola, afterward United States Marshal; Geo. W. Veale, of Topeka, now connected with the Union Pacific Railroad; and Samuel N. Wood, of Cottonwood Falls.

Mr. Green was also President of the Senate of 1868. At this session several new members were added to fill vacancies, among them being P. P. Elder, of Franklin county; W. M. Matheny, of Baxter Springs; Isaac B. Sharp, of Wyandotte; and Oscar

E. Learnard, of Lawrence. Mr. Learnard was President of the first Republican convention held in the State, was several times a member of the Territorial Legislature, and subsequently several times a member of the State Legislature. He is now connected with the management of the Kansas City, Fort Scott & Gulf Railroad.

C. V. Eskridge, of Emporia, became President of the Senate in 1869. There are many familiar names in this Senate. Some of them were J. F. Broadhead, of Mound City; John C. Carpenter, of Neosho county, afterward United States Collector; Stephen A. Cobb, of Wyandotte; O. E. Learnard, of Lawrence; M. M. Murdock, then of Burlingame, Osage county, but now of the Great Wonder of the Great Arkansas Valley; W. H. Smallwood, then of Doniphan county, afterwards Secretary of State, and now of Washington Territory; and M. V. Voss, of Fort Scott, afterwards District Judge, and now dead.

In 1869, the east wing of the State Capitol was so far completed as to enable the State officers to move in on December 25th, and the Legislature of 1870 assembled in the third story of that structure. What is now the Senate Chamber, together with some of the space occupied by other rooms, was then divided by a partition running east and west. On the north side of this partition, in a room that was narrow and long like a railroad track and tall like a shot tower, met the Senate. The body then had, as it had at the first session, but twenty-five members, and by compact arrangement, it was possible to find room for the pages and others to move from one part of the room to another; but when the number had increased to forty, as was the case in 1877, there was scarcely room to seat the members, even though their backs were crowded against those exquisite instruments of torture known as the steam heaters, which were placed underneath the windows, and which as a rule whistled and sang a tune of their own that ran like a thread through all the proceedings, but which sometimes swelled to the pleasant melody of a boiler factory, especially when there was something of importance before the body. High up on the wall to the west yawned the cavernous mouth of what was with grim humor styled "the visitor's gallery," but which no visitor ever entered the second time if he could help. Away up above the heads of members, in the dim and hazy light of the upper atmosphere, on medallions surrounded by arabesque tracery, were pictures said to represent the fathers of the Republic and the young Commonwealth. C. V. Eskridge was President of the Senate this year, and every member of the previous session answered to the roll-call, something which has not happened at any other session of the body, except the session of 1876.

In 1871, P. P. Elder, of Franklin county, became President of the Senate, and some of the members were Sol. Miller, of Doniphan; M. M. Murdock, of Osage; John M. Price, of Atchison; T. C. Sears, of Franklin; James D. Snoddy, of Linn; E. S. Stover, of Morris, afterward Lieutenant-Governor; Jacob Stotler, of Lyon; and L. J. Worden, of Douglas.

P. P. Elder was also President at the session of 1872. At this session a new member took his seat — C. R. Jennison, of Leavenworth. He at one time gained much public attention as a jayhawker, was afterward a gallant soldier, and subsequently gained notoriety by a course of life not exactly in harmony with the laws of the State. He is now dead.

E. S. Stover was President of the Senate of 1873. This year the number had increased to thirty-three, and some of the members were Henry Brandley, of Chase county, afterward, for several years, Secretary of the body; J. H. Crichton, of Labette; N. C. McFarland, of Shawnee, afterwards United States Land Commissioner; Thomas Moonlight, of Leavenworth, a gallant Kansas soldier; E. N. Morrill, of Brown, now a member of Congress; M. M. Murdock, of Osage; Nathan Price, of Doniphan, one of the most able lawyers the State has known, and now dead; Walter

L. Simons, of Neosho; John P. St. John, of Johnson county, then making his first advent into Kansas politics, and afterwards Governor of the State; Samuel Walker, of Douglas, a prominent man in the border troubles; V. P. Wilson, of Dickinson; and A. M. York, of Montgomery county, who gained some prominence in a Senatorial election, and who is now engaged in the nursery business at Fort Scott.

During 1873 the east wing was completed, at a cost of about \$480,000.

E. S. Stover was also President of the Senate at the session of 1874. There were three new members at this session, to fill vacancies.

M. J. Salter, of Neosho, was President of the Senate of 1875.

Some of the members were John A. Halderman, of Leavenworth, afterwards United States Minister to Siam; J. H. Crichton, of Labette; Walter L. Simons, of Neosho; Chas. Robinson, of Douglas, who had been first Governor of the State; Wm. Sims, of Shawnee, now Secretary of the State Board of Agriculture; D. W. Finney, of Woodson, afterward Lieutenant Governor; Samuel R. Peters, of Marion, afterward District Judge, and now a member of Congress. At this session the dangerous precedent was set, of allowing a life-insurance agent to take his seat — C. G. Bridges, of Doniphan.

In 1876, M. J. Salter was still President of the Senate. No changes had occurred in the Senate.

M. J. Salter was again chosen Lieutenant Governor, and was President of the Senate for the session of 1877. Among the members were R. M. Williams, of Doniphan, probably the most eccentric member the body ever had; W. W. Guthrie, of Atchison; E. N. Morrill, of Brown; Wm. J. Buchan, of Wyandotte, who has ever since remained in the body; Benj. F. Simpson, of Miami; P. I. B. Ping, of Crawford, afterward in the employment of the Interior Department; J. R. Hallowell, of Cherokee, afterward United States District Attorney; John C. Carpenter, of Neosho, afterward United States Revenue Collector; H. M. Greene, of Douglas, now Superintendent of the School for Idiotic and Imbecile Youth; Charles Robinson, D. C. Metsker, D. W. Finney; S. S. Benedict, of Wilson, afterward Inspector of Indian Agencies; Almerin Gillett, of Emporia, now Railroad Commissioner; C. J. Brown, of Marshall, now Clerk of the Supreme Court; W. A. Johnston, of Ottawa county, afterward Attorney General, and now Associate Justice of the Supreme Court; and John Kelley, now a member of the present Senate. This seems to have been an unusually able Senate, if we may be allowed to judge from the large number of promotions made by the electors of the State or by Federal appointment. The present presiding officer of the Senate began his connection with legislative matters as Journal Clerk of this Senate. The amendment to the Constitution providing for biennial sessions took effect this year.

Lyman U. Humphrey, of Montgomery county, was President of the Senate at the session of 1879. There were five changes in the body on assembling, the new members being Leonard Bradbury, of Miami, to succeed Simpson; Geo. W. Spurgeon, of Neosho, to succeed Carpenter; L. E. Finch, of Osage, to succeed O. H. Sheldon; T. C. Henry, of Dickinson, to succeed H. P. Dow; and H. C. Sluss, of Sedgwick, to succeed John Kelley. T. C. Henry afterward removed to Colorado, where he has been engaged in large financial operations; and H. C. Sluss was afterwards District Judge.

At this session of the Legislature, the first appropriation was made to erect the west wing, being the amount to be raised by a half-mill tax upon the assessable property of the State.

At the session of 1881, D. W. Finney, of Woodson county, was President of the Senate; and some of the members were Case Broderick, of Jackson, now Territorial Judge for Idaho; R. W. Blue, of Linn, still a member of the body; E. F. Ware, of Bourbon, more widely known as author of "The Washerwoman's Song;" A. P. Riddle, now President of the body; E. H. Funston, of Allen county, previously Speaker of

the House of Representatives, and now a member of Congress; A. W. Benson, of Franklin, now District Judge; Solon O. Thacher, of Douglas, afterwards a Special Commissioner of the United States to the South American States; Albert R. Greene, who hailed from the historic city of Leocompton, and who was afterwards United States Land Office Inspector; R. M. Crane, of Marion, still a member of the body; Geo. H. Case, of Jewell, still a member of the body; A. L. Patchin, of Rooks, now Register of a United States land office; J. C. Strang, now a District Judge; H. C. Sluss, R. M. Williams, Aaron S. Everest, W. J. Buchan, S. S. Benedict, and W. P. Hackney.

In 1881 the west wing had reached such a stage of completion as to allow the House of Representatives to occupy its hall, though the room was not quite finished. The Senate then moved to the south side of the partition, and the old chamber was devoted to the enrolling department. The west wing was wholly completed during this year, at a cost of about \$300,000.

In 1883 D. W. Finney was still President of the Senate, and three changes had occurred in the Senate: J. Z. Sexton, of Wilson, to succeed Benedict; John Johnitz, of Dickinson, to succeed F. H. Burris; Simon Motz, of Ellis, to succeed Strang.

When the Senate of 1883 assembled, the partition between the old hall and the new had been removed, and the Senate then occupied the vast plain, which seemed bounded only by the imagination. In times of interest the greater portion of this area was occupied by a restless, swaying, surging mass of humanity, around the borders of which the officers could maintain only an approach to quiet. At other times this vast open space was utilized as a parade-ground by the weary Senator, and from the murky confines it was only possible to lure the absentee by a writ of arrest placed in the hands of the Sergeant-at-Arms, on a call of the Senate.

The vacancy in the Thirtieth District was occasioned by the removal of Senator Burris to New Mexico, and I have heard that he since died in Omaha.

Owing to the outbreak of a virulent and mysterious disease among cattle in Woodson county, the Governor called a special session of the Legislature, which assembled on March 18th, 1884, and adjourned on March 24th. Senators Funston, Greene, Patchin, and Sluss, were not present at this session.

The west wing of the Capitol was completed during 1883, the total cost of the same being about \$300,000.

A. P. Riddle, then of Crawford, but now of Ottawa county, was President of the Senate which assembled on January 13th, 1885, that being the present Senate. Of this Senate, Senators Buchan, Blue, Crane, and Case, had been members of the previous Senate. Senators Miller, Humphrey, and John Kelley had been members of former Senates, and ten others had had legislative experience in the House. Not long after the adjournment of this session, Senator R. S. Hick, of Pottawatomie, removed to California, and the vacancy thus created was filled by the election of Senator J. S. Codding.

Another special session of the Legislature was made necessary by the constitutional requirement to reapportion the State for legislative purposes, and one was called by the Governor, to meet on January 19th, 1886. This session has not yet adjourned.

At the session of 1885, provision was made to remodel the Senate Chamber, and when this special session was called together they found the work partially completed. When the Hall of the House of Representatives was finished, the eye of every Kansan who looked upon it was brightened by the fire of pride for the State, for it is indeed a beautiful interior. But in the Senate Chamber, I think we have the culmination of artistic effort in architectural display. I doubt if there is another legislative chamber in the country which can compare with this, either in elegance.

in harmony, or in convenience, unless, possibly, it may be the Senate Chamber at Albany. It is, too, like the Kansan's character ought to be—genuine and honest. There is nothing in the whole chamber which is not what it pretends to be. Bronze is bronze, and marble is marble; there is no painted wood to represent either. I hope it symbolizes the solid and enduring character of our government, and that to our children's children may go down as a legacy of wisdom and justice, the work to be accomplished in that chamber.

When our first Legislature met, the population of the State was 50,000. When the Legislature first met in the State House, the population was but little over 300,000. Now it exceeds the latter number by a round million. Great as has been our architectural progress, it has not kept pace with the growth in population and wealth. I am not among those who look upon our costly State buildings as wild and unnecessary extravagance. It may serve the purpose of wandering and savage tribes to make their few rude laws in wigwams of bark or the hides of wild beasts, but the place of assemblage of the supreme power in a great commonwealth, filled with an educated and cultivated people, should be dignified by all the evidence of progress which the art of architecture can furnish, and which the prosperity of that people can afford.

When the first Senate met, the Senators represented a people living along a narrow strip of territory bordering the eastern frontier. As heretofore stated, the most western Senator was S. N. Wood of Council Grove, and I do not doubt that he then talked, as Senators now talk, of the Great Southwest. To use an illustration suggested by an ex-Senator from southeastern Kansas, the map of the State of Kansas might be fitly represented by a barn door; the inhabited territory by the lock on the door, and the district from which public officers were chosen was the key-hole. This he facetiously denominated "the key-hole system."

I have already alluded to the cause which brought to our State its first population—the Anti-Slavery and Free-State agitation. Those who came in later years were mostly men from the Eastern States and foreign countries, seeking homes on our fertile prairies. A very large proportion of them had been soldiers of the Republic in the War for the Union. This fact has moulded and emphasized the genius of the Commonwealth to such a degree that its laws and institutions have placed it among the most progressive in the world. I cannot close without, in this connection, referring to a statement which lately appeared in a historical work which read: "John Brown was a parenthesis in Kansas history." Now a parenthesis is something which may be left out without injuring the sense. Is this true of John Brown? I think no one doubts that the War for the Union was an outgrowth of the slavery agitation and the contest to make Kansas a Free State. I think it also true that the heart of a nation finds expression in its songs. I therefore conclude that John Brown's place in the history of Kansas and the Union has been fixed by the soldiers of the Union armies, when on every camp-ground, and in every march, they filled the air with the martial music of that grand hymn of liberty:

"John Brown's body lies mouldering in the ground,
But his soul goes marching on."

ADDRESS OF HON. J. B. JOHNSON.

The next speaker introduced was Hon. J. B. Johnson, Speaker of the House of Representatives, who delivered the following address:

THE NEW KANSAS.

Reviewing the record of the genesis of States, we who meet here to-night, and the more than a million of people who comprise our population, know how admirably our beloved Kansas is fitted to be the central star in the Union's phenomenal galaxy.

Through what a strange experience of sunshine and shadow it has passed! Its early struggles and baptism of blood have been told to you on this Twenty-fifth Anniversary of its birth, by men who were prominent actors in those times, in language more eloquent than I can command. Some of those who founded, on Kansas soil, the principles which have made the State what it is to-day, and point to even greater possibilities in the years that are to come, are here present with us to-night, and it appears to me that that noble little army of which they were a part, was destined for their special task—they were anointed as men have never been. And what a completed scroll of historic deeds is theirs! If I were to point to the fact which above all others has been favorable to our growth, it would be to the persistence of those noble men, their hardihood and mighty endurance, their experience of the severe exactions of patience, and that sublime faith in the *right* which alone made it possible for them to raise on the fresh sod of a wilderness, a civilization whose inestimable blessings you and I enjoy to-day. "Firm and faithful, they kept at their work in those years of dark despair, intent on the present, yet more mindful of the future; like Abraham, reading their posterity in the stars of heaven, content for the sure mercies of time to vindicate their sacred trust." And what a vindication it has been! The glory of Kansas answers. But I propose on this occasion to speak of the State in its incipient manhood of to-day—the accession of its majority. Unconscious prophecies of its future were made years ago that were ridiculed: deemed idle dreams, or mere picturesque anticipations not possible in material nature. But we know now, and the world knows, that they were truthful foreshadowings by inspired men of a condition which we to-day realize, but which have not yet reached their calm and completed whole. History shows us on every page that wherever pilgrimage has taken a westward direction new empires have sprung up; and Kansas, with its marvelous progress, and still more wonderful possibilities, is but another emphatic verification of this historic fact.

Our more recent people, I mean the pioneers in the central and western portions of the State, the *New Kansas*, have had much to contend with; but theirs has been a physical struggle, in contradistinction to the preëminently severe moral trials of the founders of Kansas—those noble and long-suffering men to whom I have referred, and to whom, above all others, we owe what we are. The pioneers of our central and western civilization of to-day, by the fickle mutations of the climate of our intro-continent region, had to suffer, but by suffering became strong; they had to wait, but by waiting they have triumphed. Incongruous elements, or what were deemed such by the scientific world, have, in our "New West," been brought together by a before unknown affinity, and to-day on our once-arid plains, are harmonized into a system, producing now-seeming natural results. These newer pioneers have, as it were, "built another empire from the deep of ages, and entered on the circuit of its shining." Their progress in developing the material resources of their once strange locality, has been unexampled. Over bald, bleak hills, and on dunes of sand, in the alkali dust of the desert and on the deep-fissured upland, they have planted forests; where the stunted and sapless grass struggled for existence, broad fields of corn and golden cereals wave in the sunlight. The rains and the summer dews have come, and nature has assisted to make the Great Plains fit for the abode of man. What a contrast between the tornadoes, the grasshoppers and the drouths of a few years ago, and the rich harvests and happy homes of to-day! Time has apparently put all things right. Our early opinions of the possibilities of the western portion of our State were prejudiced and distrustful; but the lapse of a quarter of a century since the birth of Kansas has made us to realize that those who condemned that great area to perpetual sterility, were false prophets. "Year after year God's disposing hand has been rearranging the physical materials of that portion of

our State, and they are compelled to subserve the end intended." What was once in reality a mighty desert, has been redeemed by the magic touch of agriculture, and prosperous towns have sprung up where utter silence once reigned save when disturbed by the heavy tread of the buffalo in vast herds or by the dismal cry of the wolf. For a time there was, it is true, a period of suspense and of fluctuating hopes. The change did not come at once; crops were many times sown and germinated, then came the blasting sun and scorching air, crisping the half-grown fields of grain and changing all to brown vegetation. The corn leaves withered till in July they gave the dry rustling sound of October. When autumn seemed to breathe coolly again over the burnt-up country, then came poverty, dragging down those hardy pioneers in the dust, crushing the aspirations of the heart, and condemning them to the companionship of sorrow and suffering, to such a degree that the State had to interpose its paternal hand and give relief from its treasury. The whole region was condemned as the theater of blasted hopes, fit only as the race-course of the winds and the arena of the tornado. Now all that has passed away, and through a beneficent Providence and the courage and industry of man, the knell of that era has been rung. There is no more prosperous section of our State—nowhere does immigration more madly rush, till unoccupied lands are scarcely to be found by the home-seeker.

Bad seasons may come again, and they doubtless will, for that is the fate of all agricultural areas the world over; but the once dreadful spell of hopelessness is broken, and few now doubt that as the years roll on our western frontier region will, only as broken by usual vicissitudes, continue to blossom as the rose. The rifle has dispersed the buffalo and the antelope, and the plow piercing the soil and exposing its fertile elements to the sunshine and the air, has enticed the clouds to drop their life-giving moisture. Thus the barren and desolate wilderness has been changed to the fruitful abode of man. The chemistry of the seasons has been changed. There are now thousands of happy homes; common schools and the college dispense knowledge and virtue to the children; the press reports the current events and transactions of busy communities; and the pulpit proclaims "Peace on earth, goodwill to all men." Above all, there are, hidden from the public eye, and sheltered within the calm retreat of the dug-out, the sod house, and the more pretentious cottage, thousands of noble women, sharing the hardships of their husbands and giving example to daughters that are to be the mothers of the coming and even more noble generations of the people of Kansas. And now, on this the twenty-fifth anniversary of Kansas as a State, we plant our feet on the glorious achievements of the past, and press firmly on with steadfast purpose to the golden shores of the future.

ADDRESS OF REV. RICHARD CORDLEY, D.D.

Rev. Dr. Cordley, who was then introduced, delivered the following address:

THE SCHOOLS OF KANSAS.

The schools of Kansas are a part of her very structure. They began with her life and have grown with her growth, and have been woven into all her history. The planting of schools was not an incident, nor an afterthought, but a part of the original purpose of her first settlers. It was truth, as well as poetry, that—

"They came to plant the common school
On distant prairie swells."

Schools sprang up as soon as they touched the soil, almost before there were children to attend them. Lawrence was settled in September, 1854, and in less than four months, January 2, 1855, a school was opened by Mr. E. P. Fitch, of Massachu-

setts. March 7, 1857, the "Quincy High School" was established, and she has hardly had a better school since. Topeka was settled late in November, 1854, and early the next summer a school was opened by Miss Sarah Harland, and the "Topeka Academy" was established January 2, 1856. What happened in these two places was repeated in one form or another in every town and hamlet in the Territory. These were all voluntary movements, as there were as yet no provisions of law to aid in the matter. But these local and voluntary movements sprang from the same popular convictions which afterwards created our splendid school system, and were prophetic of what was coming. As soon, and as fast as possible, even in Territorial days, provision was made by law for public education. But although schools were everywhere, and interest was universal, it could not be said that Kansas had a *system* of public schools until after her admission into the Union.

The Wyandotte Constitution, under which the State was admitted twenty-five years ago to-day, provides that the Legislature shall establish "a uniform system of common schools, and schools of higher grade, embracing normal, preparatory, collegiate, and university departments."

In accordance with this constitutional provision the Legislature has, at different times, passed laws looking to the development of a complete system of schools, and these laws have been carried out by school officials elected under them. These laws provide for a State Superintendent of Public Instruction, who shall supervise the schools of the State, and for County Superintendents, who shall supervise the schools of the county. The State has been divided into school districts small enough to make a school accessible to all the children, yet not so small as to make the maintenance of a school burdensome.

Every district is encouraged to sustain a school at least three months in the year, and every parent is required by law to send his children to school at least three months each year. Cities and larger towns are authorized to establish graded schools, including primary, grammar, and high-school departments. Every child who wishes, may secure, not only the rudiments of learning, but a good English and business education, and also prepare for further study in higher institutions of learning.

Beyond the common schools, there have been established schools of a higher grade and for special study.

At Emporia is the Normal School, for training teachers in the art of teaching. It was founded by a grant of nearly 40,000 acres of land, which is being sold to establish a fund for its support. It employs eleven professors and two assistants, and has an attendance of 597 students, making it the largest school in the State. It has a small endowment, but a grand and growing work, and it is to be hoped that the Legislature will hereafter supplement its endowment by appropriations equal to its opportunity.

At Manhattan is the State Agricultural College, for instruction in agriculture and the industrial arts. It is based upon a Congressional grant of 82,000 acres of land. The sale of these lands has been admirably managed, and has produced a permanent fund of about half a million of dollars. The College is doing a grand service in elevating the industries of the State. It now employs twelve instructors and assistants, and seven superintendents of different branches of industry, and gives instruction to 404 students.

At Lawrence is the State University, designed to give to all citizens the opportunity for professional study, and for the pursuit of all branches of higher learning. It employs some twenty instructors and assistants, and at the last report had an attendance of about 500 students. It is hoped that here a fully-equipped university may be developed, with schools of literature and art, of philosophy and science, and schools for professional study. It is hoped also to gather here libraries and

cabinets, and museums and galleries of art, and to establish learned professorships and lectures, so that persons desiring to pursue any branch of learning may here find facilities to any extent desired. The University has the beginnings of a noble system of buildings, and a very enthusiastic and industrious faculty. It has a very small endowment in money and lands, but an unlimited endowment in the growing confidence and affection of the people.

The maintenance of the common schools is both State and local. The act of Congress admitting the State set apart the sixteenth and thirty-sixth sections of each township for school purposes. This will aggregate nearly 3,000,000 acres of land, and Superintendent Speer estimated four years ago that it could be made to yield a permanent school fund of \$15,000,000. The fund already amounts to \$3,500,000, and is increasing rapidly. This fund is invested in good securities, and the interest apportioned among the districts.

But the main dependence of our public schools is the local tax, which districts impose upon themselves. While the public moneys distributed annually are only about \$300,000, the cost of maintaining our schools is over \$3,000,000. If the State school fund should reach the highest sum suggested, it would give our schools only a very meager and partial support. The tax now assumed by districts is ten-fold the amount given by the State. If the State aid should be withheld, a very slight additional tax would supply the deficiency. The schools of a State do not depend on its public school fund, but on the interest of the people in them. One State with no public fund may have better schools than another State with an enormous fund.

A large fund is no substitute for an interested people. The largest fund ever named is no match for a people whose love for education makes them willing to tax themselves for its support.

The hearts of the people are a larger and surer dependence than the State treasury, however full that may be.

We have but to look over Kansas and see her school houses, built by a self-imposed tax, and her troops of teachers paid by a self-imposed assessment, to see that we have the most enduring foundation for an effective system of public schools.

The growth of our public schools has so exactly kept step with the growth of the State as to show that they are a part of its very life—bone of its bone, flesh of its flesh. The reports of the first two or three years of the State history were so incomplete that they afford no fair basis of comparison. But we may take the report of 1866 and measure the growth of the last twenty years with a good degree of accuracy. In 1866 the school population of the State was 54,725. It is now 461,000. The number of children enrolled in the schools then was 31,528. The number now is 335,538. The number of teachers employed then was 1,086. The number now is 8,219. The number of school houses was not reported that year, but in 1867 it was 703. The number now is 6,673. The amount paid then for teachers' salaries was \$115,924. The amount now paid is \$1,989,169. The value of school property was then \$318,897. The value now is \$6,904,176. The whole amount expended for public schools in 1866 was \$253,926. The amount being expended this year will be about \$3,000,000.

The school population has increased about eight and a half fold, from 54,000 to 461,000, indicating a growth in population from about 161,000 to about 1,400,000. In nearly every other respect the schools have increased over ten fold.

But there has been growth in other things as well as in numbers. There has been improvement in quality as well as enlargement in quantity. We have better school houses, better teachers, and better methods of teaching. There is coming to be, among our teachers and among the friends of education, an enthusiasm for the best that may be had in facility and in methods. Every new town takes pride in making

its school house the best building in the place. The people will wait for comforts around their homes, but the school must be sheltered and equipped. It is a heavy tax which the support of our schools imposes. But no tax is more willingly borne. Sometimes the small politician thinks to make a point with the burdened tax-payers, by clamoring about the immense cost of our schools. But the people have a way of laying these gentlemen on the shelf and leaving them there to rest and think. And even this class of men do learn wisdom in time, as, they say, a child learns about fire. They learn that the people will permit no trifling with the common schools, the colleges of the common people. Our school system is by no means complete. Nor are our schools perfected. There are missing links to be supplied, and room for improvement along the whole line. But we have the elements of an admirable system, and there is under it, and in it, and through it, that spirit of life which creates systems, and transforms them to its will. It is the settled policy of our people to plant a school wherever there are children to need it. "A school for every child, and every child in school," is the motto of our progress, and the end toward which we move.

ADDRESS OF REV. F. S. McCABE, D. D.

Col. Anthony, in introducing the next speaker, humorously remarked, that, as the editor of the leading religious and prohibition newspaper of the State, he took pleasure in introducing to the audience the leading minister and prohibitionist in Kansas. Rev. Dr. McCabe then delivered the following address:

THE CHURCHES OF KANSAS.

Pre-Territorial Era.

In the pre-Territorial era, viz., prior to 1854, missionary enterprises were vigorously prosecuted on this soil among the Indian tribes, by several denominations of Christians.

The Baptists established a mission among the Shawnees in 1831. The station was about four miles from the Missouri river, in the present county of Wyandotte. The first printing press ever on Kansas soil was brought by Mr. Jotham Meeker, in 1833, for a Baptist mission located near the present site of the city of Ottawa.

The Catholics started a mission among the Osage Indians in 1827, near the present site of Osage Mission.

The Methodist Episcopal Church began its work among the Delawares and Shawnees, on the south side of the Kansas river, and it organized its first church among them in 1832, Rev. Thomas Johnson having established a school in 1829.

The Presbyterians founded their first mission in Kansas in 1835, among the Wea Indians, who lived near where Ottawa now is. In 1837 a mission was founded by them for the benefit of the Iowas, near what is now Highland, in Doniphan county.

The Society of Friends started a school, and held meetings, among the Shawnees in Johnson county, soon after the removal of the tribe to Kansas.

Schools and churches were organized by the Moravians, and perhaps by other bodies of Christian people.

Territorial Era—1854-61.

The fierce political and border strifes, which chiefly made up the history of the Territorial era from 1854 to 1861, were unfavorable to the planting and nurture of churches. Yet during this period foundations were laid by various denominations, in order to meet the needs of the people, and especially in anticipation of the prospective settlement of the Territory.

The Baptists organized in June, 1855, and their first house of worship was built at Atchison.

The first Catholic congregation of white people was organized in Leavenworth City, August 15, 1855. Their first church building for the use of a white congregation was erected at Leavenworth in the same year.

The first church organized by the Congregationalists was at Lawrence, in October, 1854, perhaps the first white man's church in the Territory. Their first church edifice was built at that place in 1857.

The Protestant Episcopal Church began its work at Leavenworth, in 1856, and its first church edifice was erected there in 1858.

The first Evangelical Lutheran organization was at Leavenworth, October 28, 1855. The house of worship was built in Leavenworth in the summer preceding the organization, and it was probably the first building in Kansas for church purposes, outside of Indian missions and Government forts.

Rev. W. H. Goode, presiding elder of the Methodist Episcopal Church, preached in a log cabin at Hickory Point, on the Santa Fé road, July 9, 1854. Rev. A. Still, Rev. J. M. Chivington, and Mr. Mendenhall, a missionary of the Society of Friends, being present and participating in the services—probably the first sermon to white settlers in the State. The first church building was erected in Lawrence, in 1856, and the same year a small slab church was built in Leavenworth. The first church for whites was organized near Tecumseh, by Rev. Mr. Goode. The first session of the Kansas and Nebraska Conference was held in a tent in Lawrence, commencing October 23, 1856.

The Presbyterians organized their first church January 1, 1856, at Leavenworth.

The United Presbyterians made their first organization at Berea, Franklin county, in 1857, and their first church was erected at that place in 1858.

The Society of Friends held meetings on Fall creek, near its mouth at Stranger creek, in Leavenworth county, about February 15, 1856. The first meetings were in the cabins of settlers until the spring of 1857, when a log house was erected, which gave place to a good frame building in September, 1859.

The German Methodists were organized in 1860, in Dickinson county, and the German Lutherans in 1861, at Leavenworth.

Before the admission of the State, several other denominations besides those mentioned, had made beginnings in the way of organizing and securing places of worship.

The Era of the Civil War—1861-65.

The State of Kansas had been a member of the Union but seventy-four days when the assault upon Fort Sumter began. The war that followed almost wholly engrossed the interest and the energies of the people of Kansas. For four years a very large portion of the able-bodied men of the State were in the Union service.

Probably the effect of the war upon general church work is fairly represented by the following report, made by the M. E. Church for the years indicated:

<i>Year.</i>	<i>No. of Ministers.</i>	<i>No. of Churches.</i>	<i>Year.</i>	<i>No. of Ministers.</i>	<i>No. of Churches.</i>
1860.....	85	17	1862.....	72	30
1861.....	74	43	1863.....	68	33

The Territorial era and the war era, embracing a period of eleven years, brought to the church builders of Kansas, in common with other citizens, trials and sacrifices as heavy as have ever fallen on any people on this continent since the days of Jamestown and Plymouth—and the trials and sacrifices were met by all, women as well as men, with a spirit of patience and heroism surpassed by nothing in the annals of the world.

The Era of Peace—1865-85.

The current of immigration that began to flow into Kansas after the close of the

war contained from the first a very large per cent. of persons who had been members of churches, and also of those who, though not communicants, were decidedly favorable to the establishment of churches. The natural result was at once realized. Churches and Sunday schools were rapidly formed, and this work was prosecuted, not merely in the larger towns and villages, but throughout the country districts, and in sparsely-settled regions. Wherever the hardy pioneer built his claim shanty, or sod house, there the congregation was gathered and services were held.

Of course the denominations that were early on the ground vigorously sought to reap the advantage of their priority; and those who came later were not wanting in energy and zeal.

For the past twenty years most of the religious sects elsewhere known in the country have been at work here, each according to its chosen and accustomed methods. It may be said with truth and emphasis, that the work done by the churches has been successful in the highest degree. Even if full and complete figures representing results were accessible, they would very inadequately show the best products of Christian effort, since of necessity these can be neither counted nor estimated. An important feature in our church work is the active interest taken in it by considerable bodies of intelligent foreign-born citizens, notably the Germans, the Swedes and Norwegians, the French, and the Welsh.

The fourth biennial report of the State Board of Agriculture contains reports from fifteen of the denominations in the State. From a portion of these I have been able to secure later statistics. I have obtained figures from some denominations not furnishing statements in the biennial report. Taking the report as a basis, and using all reports obtained, and making safe estimates in cases in which returns were not within reach, I think that the following statements may be regarded as reasonably correct in the particulars specified:

There are in Kansas 2,671 church organizations. There are 1,630 church edifices. Most of the buildings are plain and inexpensive; yet within the past few years, in the larger towns, spacious and elegant houses of worship have been erected. There are about 200,000 church members. Of these, 135,000 are connected with Protestant churches and 65,000 with the Catholic church, whose statistics include the entire church population, while other denominations report only communicants. The value of church property is \$4,750,000.

The roll of churches contains the following names, and perhaps others should be added: Adventist, African M. E., Baptist, Catholic, Congregational, Christian, Protestant Episcopal, Free Methodist, Society of Friends, German Lutheran, German M. E., Evangelical Lutheran, Hebrew, Methodist Episcopal, New Jerusalem, Presbyterian, Cumberland Presbyterian, United Presbyterian, Swedish Baptist, Swedish Lutheran, Unitarian, United Brethren, Universalist, Wesleyan Methodist.

It should be borne in mind that many congregations, made up of colored people, are included in the reports presented by the denominations to which they are respectively attached.

Characteristics of the Churches of Kansas.

To understand the position of the churches in the State, it is necessary to consider not merely the number of organizations and of members, but equally the peculiarities of church character and life that impress themselves on individuals, and on the general tone of society.

The churches of Kansas are marked by a legitimate spirit of propagandism. The only justification of its existence that a sect can present to the community is, that it claims to hold with special clearness some phase of truth, or to practice with special fidelity some form of duty and charity. A church, therefore, that does not give work and money, in order to grow, ought to die. It has begun to die.

The churches of Kansas, generously assisted by those outside of their organizations, are working with activity and liberality in promoting moral and social reforms, establishing Sunday schools, building houses of worship, supporting benevolent and charitable enterprises, and in extending their influence among the people.

In all this work none are more zealous and self-denying than the women in the various congregations and communities.

Fourteen religious newspapers are published in the State.

The active interest taken in Sunday schools is indicated by the fact that last year, besides county and township conventions, two meetings for the State at large were held for instruction and stimulus in Sunday school work—that of the S. S. Assembly and Normal Institute, M. E. Church of Kansas, held at Bismarck, and that of the Inter-State Sunday School Assembly, held at Ottawa. The former had an estimated daily attendance of 2,000 persons and a largest attendance of 7,000. At the latter, the largest attendance on one day was 10,000, and the estimated attendance during the entire session was 30,000.

The following comparisons illustrate the progress that has been made in this department: In 1863, the M. E. church reported their number of Sunday schools in the State as 100, and their number of Sunday school scholars as 3,674. On June 14, 1885—Children's Day—the Sunday school of the First M. E. Church of Topeka had a membership attendance of 788, and, adding 408 visitors, a total attendance of 1,196—equal to one-third of the whole number of scholars in the M. E. Sunday schools in 1863. This school had in 1885 a total average attendance of 630. The Presbyterians have over seventy Sunday schools, with a membership ranging from 100 to 200 each, and twelve schools with a membership ranging from 200 to 450 each, and a total reported membership of over 20,000. If figures were at hand from other denominations, they would doubtless show a similar rate of growth.

Denominational bigotry is at the minimum point in Kansas. Bigotry is the product of ignorance—and dyspepsia. The zealot who supposes that all virtue and piety are in his own sect, needs to read, and to travel, and to use aperients. The antecedents and history of this State, and all her traditions, are favorable to the growth of churches, but they are hostile to the development of sectarian bigotry and intolerance. No sect holds in Kansas a monopoly of influence and popular confidence—no sect can ever secure such monopoly. Any denomination whose affairs are judiciously and vigorously managed, finds friends and adherents. It is fortunate that this is the fact. All churches are better than any church.

The highest degree of fraternity and sympathy characterizes the various churches and their ministers in their intercourse with one another. The lion and the lamb of Calvinism and Arminianism here lie down together, (I do not intimate an opinion as to which is the lion and which is the lamb,) and the little child, mutual good-will, is leading them.

If Servetus and Calvin were in Kansas, it is not probable that they would be engaged in arranging for a conflagration. It is more likely that they would be employed as joint managers of a Sunday School Assembly, or of a Temperance Union, or possibly in settling the details of a plan to raise funds for a hospital or an asylum.

Perhaps it may be said that we have gone to the extreme of personal independence and intense individualism. If this be so, e'en our failing leans to virtue's side. It is a fact that here you may express your mind freely on religious topics, as on secular topics, with the assurance that your words will do as little harm and as little good, as in any other part of the globe.

We believe in belief, yet we also believe in freedom of belief and of unbelief, in freedom of discussion, in freedom of worship, and in the spiritual responsibility of

each man, not to the State, nor to his neighbor, but before the bar of his own conscience, and the tribunal of his God. No man's creed is worth so much as the freedom to reject any man's creed.

In no part of the country is the relation existing between the churches and the general community more friendly and cordial than in this State. Specially is there a good understanding between the churches and the newspaper press. This amicable relation between the proprietors and editors of newspapers, and the churches and ministers, is creditable to the liberality and the practical good-sense of both parties. Editors and clergymen are natural allies, devoting their labors to the welfare of the community, and fighting their common enemy, "the devil."

As a body, the ministers of the several denominations are regarded with respect and confidence by the people, on account of their qualifications, character, and devotion to their proper work.

If we should ever inscribe a supplementary motto on our coat-of-arms, and if the clergy should be allowed to select the legend, I believe it would be the golden phrase that has come down to us from the seventeenth century: "*In necessariis unitas, in dubiis libertas, in omnibus caritas*"—In things essential, unity; in things doubtful, liberty; in all things charity.

ADDRESS OF COL. SAMUEL N. WOOD.

In introducing the next speaker, Col. Anthony said: "Thirty years ago I rode from Lawrence to Kansas City with a gentleman who is now in this house. At Westport we stopped at what might now be called a saloon, and took a drink—of water—and watered our horses. On the wall of this saloon was a poster offering \$1,000 reward for Eli Thayer, the founder of the New England Emigrant Aid Company, dead or alive. We asked what they would do with Eli Thayer if they had him; the reply was that he would be hanged. This gentleman who was with me stepped up and said: 'I am Eli Thayer. Proceed to hang.' He was not hanged, but I have the honor this evening of introducing him to you. He was one of the truest of the pioneers in the great struggle. His name is a household word; he is better known as 'Sam Wood.'" Colonel Wood then delivered the following address:

THE PIONEERS OF KANSAS.

Mr. President, Ladies and Gentlemen: My heart fails me when I attempt to speak for the pioneers of Kansas. No tongue or pen will ever be able to do justice to the memory of the old Kansas pioneers.

The Puritans left England for Holland, and finally came to America, in pursuit of religious freedom. They were the pioneers of New England, and sought freedom for themselves, not others. The first settlers or pioneers of the older States cleared away the forests, built houses, redeemed the prairies from silent monotony, made homes for themselves and children, and prepared the way for a more progressive civilization. Theirs was a noble purpose; they bore hardships and privations bravely; looking forward to beautiful homes in the near future, they were cheered, upheld and strengthened by the good-will and sympathy of their neighbors, and above all by the protection of the Government. The pioneers of some of the older States had to band together and live in forts and block-houses, and work with arms by them, for protection from the Indians, while they cleared away the forests or broke up the soil.

The pioneers of Kansas came here for all this, and more. They came here seeking that freedom, not only for themselves, that the Puritans had sought two hundred and thirty-four years before, but freedom for a race. They came, it is true, to make homes for themselves and their children, but for something more. A critical period in our nation's history was upon us. The great question of Freedom or Slavery was being agitated. Was slavery the rule and freedom the exception, or freedom the rule and slavery the exception? Yes, it was a decisive period, for good or ill, to unborn generations. The Territories of Kansas and Nebraska had been thrown open for settlement by the passage of the Kansas-Nebraska bill, after a long and desperate struggle against the infamous provision of that bill which tore down the barrier against human slavery, made by the Missouri compromise thirty-four years before. The success of this measure emboldened still more the aggressive spirit of the slave power, and shocked and alarmed every friend of human freedom. It was evident that the great question "Shall freedom or slavery become national?" was to be settled upon the plains of Kansas. The spirit of Liberty, which had seemed to slumber, if not really dead, awoke, was resurrected, and called her sons to action. This call was reëchoed through every village and hamlet in the North. The result was, the pioneers came here with their lives in their hands, as it were, to battle for freedom. It was for a show of fairness that slavery and freedom were invited here to contend for the mastery; but it was well known that the projectors of the Kansas-Nebraska bill expected and intended that Northern men were to go to Nebraska, while the South, with slavery, would have a clear field in Kansas. That the political party then in power deliberately planned this result, no one acquainted with the history of that time can doubt. The slave power had controlled both of the old political parties—Whig and Democratic—and at that time had full control of the Government. Kansas was almost surrounded by slavery—slavery in Missouri, Arkansas, Indian Territory, Texas, and New Mexico. No sooner was Kansas opened to settlement than the minions of the slave power swarmed across the border, seemingly determined to occupy the whole Territory. Leavenworth, Atchison, Kickapoo, Iowa Point, Doniphan and other places were occupied. These were the pioneers of the slave power. But another class of pioneers was pouring into the Territory. The emigrants from Ohio, Indiana, Illinois, Iowa, and the real emigrants from Missouri, came largely in their own wagons, with household goods, seeds, and farming utensils. They came unorganized and unannounced. These were the real pioneers of Kansas. They prepared the way, and their coming inspired those who followed with confidence and courage.

The Kansas-Nebraska bill became a law on May 30, 1854; and on the 6th of June, with my family and team and wagon, I left my Ohio home and was en route to Kansas. My wife's parents and family were already on the border; awaiting us at Independence, Mo. We traveled most of the way by water, reaching Independence about June 20. Soon afterward I made a trip into the Territory with my wife and eldest child, camping out on the way. We traveled and camped with White and Yates, old settlers and pioneers of Douglas county, who settled near Bloomington. The 4th of July, 1854, we spent in Kansas Territory. On one of these trips we went by way of Westport and the Shawnee Mission. Crossing the Shawnee Reservation, we reached the site of the city of Lawrence, where we found a solitary settler, Mr. Stearns, a Western pioneer. We passed up the valley to what was then known as Coon Point, then down the California road to Miller's Springs, where we found in camp our first squatter pioneer judge, John A. Wakefield, from Iowa, with a large family, mostly boys. Also B. W. Miller and family, from Indiana, and others. All of these settlers were for a Free State, and I shall ever remember them as among the real pioneers of Kansas.

At this early day emigrants from every Western State were pouring in. We had not yet heard of the New England Emigrant Aid Society; and while I do not wish to detract, in the least, from the noble work of this society, candor compels me to say that freedom would have triumphed, and Kansas would have been a Free State, had it never been organized.

The Pro-Slavery men from Missouri had met in Kansas and adopted a code of squatter laws, and the whole Territory seemed staked into claims. They had a register of claims, with an office at Westport, Missouri. One law of this remarkable code provided that Nebraska was for the North and Kansas for the South. One provision was, that every white-livered abolitionist who dared to set foot in Kansas should be hung; and, that there might be no mistake, they added, "Every man north of Mason and Dixon's line is an abolitionist." But emigrants from the Free States poured in, and they came to stay. A large number of these from Missouri were for a "Free White State." They wanted no negroes, bond or free.

Our first squatter meeting was held at the house of B. W. Miller, about two miles southwest of the present city of Lawrence. John A. Wakefield, as I said, was our first and only Squatter Judge. The New England Emigrant Aid Society was organized, and the first pioneers sent out by that society reached the Territory early in August. Hon. C. H. Branscomb was the leader, or pilot, of this first party. They pitched their tents on Mt. Oread, where the State University is now located. Dr. Charles Robinson had selected this site for a city, and for the headquarters of the Emigrant Aid Society in Kansas. Dr. Robinson himself came with the second party, which reached Mt. Oread in September, and the city of Lawrence was founded. I was then living on the California road, some three miles southwest of Lawrence, on what was afterwards known as Judge Spicer's place. As soon as I learned that this first New England party were on Mt. Oread, I visited them. Among those whom I met were Hon. D. R. Anthony, Dr. John Doy, S. F. Tappan, J. C. Archibald, Dr. Fuller, A. H. Mallory, Morgan, Goss and others—I think twenty-nine all told. They came to stay—came in the right time, and were a most welcome reinforcement to the Free-State men already here. I need not tell you how our hearts went out to them at this trying time in our early history. You who have since come to Kansas, you who were emigrants and not pioneers, can scarcely understand the hardships, privations and dangers of our early pioneer life.

Among the earliest pioneers' houses I think ours was the best. It was not planned, however, by Haskell & Wood. Four forks were set in the ground, poles were laid from one to the other; these were crossed by other poles, and all covered with hay. The sides were inclosed with the wagon cover and blankets, and thus our first Kansas home was complete. I will not describe its interior, further than to say that our floor was solid, and we had no fear that the foundation would give way. The last rain of 1854 fell on the 12th day of August. It was a terrible storm, almost a hurricane. Our mansion was torn to fragments and scattered far and wide over the prairie. All the novelty and romance of that kind of life went with the house. We never recovered the pieces, either of the novelty and romance, or of the house. We were drenched with rain, but it was dry enough the rest of the season. As I now remember it, not another drop of rain fell after that day.

I have spoken of the pioneers of the West. The pioneers of the East came with their New England culture and Yankee enterprise, but with very little idea of our rough Western pioneer life. They came, however, as true friends of Freedom; ready to do and dare. They trusted in God and Beecher's Bibles. They came to help establish freedom in Kansas; and were determined to have peace even at the cost of fighting for it. They also came to stay, and for a purpose as noble as ever animated the breast of man. Our first State Governor, Charles Robinson, was the recognized

leader of these New England pioneers; a man well fitted for the position. Born and educated in Massachusetts, he was among the early pioneers of California; was in the squatters' riots at Sacramento, contending for the rights of the settlers against a lot of land thieves; was shot through the body, and for a long time lay at death's door. A man of convictions; good in diplomacy, and without fear, he was just the man to lead these New England pioneers.

The pilgrims of the Mayflower sought the wild shores of America that they might be free to worship God in their own way; free to believe in religious matters whatever seemed right to their own consciences. They sought freedom for themselves. But the pioneers of Kansas—both Western and Eastern—heard the call which in every age has thrilled the souls of men with heroic power. At this critical period when the hosts of slavery and freedom were marshaling for this great and decisive encounter, in their inmost souls they heard the divine voice calling for defenders of liberty; and they obeyed the signal that pointed to Kansas as the great battleground. The pioneers who became trusted leaders among the Free-State hosts were men who could not rest in their old comfortable homes when the demon of Human Slavery was clutching at Freedom's rightful heritage. Many of them were sons of the old anti-slavery agitators, and had learned from childhood to hate slavery and to love freedom, and claim it as the right of all men, races and conditions. These men, meeting upon our prairies for the first time, recognized each other as kindred spirits. They spoke the same language, and were working for the same grand purpose. Prominent among these, and true from the first, were Charles Robinson, who presided this afternoon, and D. R. Anthony, our chairman this evening. I might name hundreds of others. I wish that I had time to do their memory that justice to which their noble work so justly entitles them.

When I look back over the almost thirty-two years of my residence in Kansas, I am astonished at the mighty changes wrought in the moral and political, as well as in the physical world. The Great American Desert of my school days has been converted into a very garden of Eden, and our prairies have been made to bloom and blossom as the rose. With a million and a quarter of population, we have become the third corn and fourth wheat State in the Union. We are now raising more beef and pork than all New England. Our fruit is the marvel of the world. Whisky is no longer sold as a beverage, but only as a medicine, and is a drug in the market.

Freedom has been established not only in Kansas, but in the whole country. When Kansas was admitted into the Union as a free State, twenty-five years ago, slave State after slave State seceded and went out of the Union with slavery; but after four years of bloody war, came back begging admission into the sisterhood of States, without slavery. Freedom became national, and slavery had not even a local habitation. There is not a man or woman in this whole nation who now advocates chattel slavery, or would restore the institution if they could. How my heart swells with emotion when I contemplate this mighty change!

Some of the individual changes are no less marked. As I have said, in our first struggle the Government and the party in power were on the side of slavery. Hon. A. H. Reeder, our first Territorial Governor, came here prepared to do the slaveholders' bidding. He betrayed the actual settlers of Kansas by giving certificates of election to our first Border-Ruffian Legislature, when he knew he was legalizing a fraud of the blackest dye. Well do I remember going to the Shawnee Mission, the temporary seat of Government, in company with two wagon-loads of well-armed men, hoping to stiffen the Governor's backbone, but we failed, and Kansas, bound and chained for a short time, passed into the hands of the slave power! Governor Reeder afterwards saw his error, and became our friend. The slave power became so incensed that he was obliged to escape from the Territory in disguise.

Stanton, a slaveholder, afterwards had the courage to do what Reeder had failed to accomplish. That is, to restore the Territorial Government to the control of the actual citizens of Kansas.

General James H. Lane was a member of Congress from Indiana when the Kansas-Nebraska bill passed. He voted to pull down the barriers of freedom, and establish slavery in Kansas. When Congress adjourned, instead of returning to his constituents, he came to Kansas. At first he was a Pro-Slavery man, but afterwards joined the Free-State party, and from that time labored and worked as but few others did, or could, to make Kansas a free State.

The Stringfellows of Atchison — lawyer and doctor — were among the most violent slavery propagandists. They counseled and helped to send Rev. Pardee Butler down the Missouri river on a raft. Judge Lecompte, who became famous during our Territorial days, and under whose instructions the Free-State hotel at Lawrence and Blanton's bridge were indicted as nuisances and destroyed, and Charles Robinson, Andrew H. Reeder, James H. Lane, George W. Brown, George W. Deitzler, George W. Smith, S. N. Wood and Gaius Jenkins were indicted for treason, has also experienced a change. I am happy to say that the Stringfellows, as well as Judge Lecompte, are now good citizens and ardent Republicans.

The Squatter Sovereign, at Atchison, one of the most violent Pro-Slavery, Border-Ruffian sheets in our pioneer days, is now the Republican, Prohibition Atchison *Champion*. Instead of being edited by the Border Ruffian, R. S. Kelley, it is now edited by our present Governor, John A. Martin.

Samuel J. Jones, our Westport postmaster, and bogus sheriff of Douglas county, who battered down the walls of the Free-State hotel at Lawrence, also experienced a change; and in the war that followed became an ardent Union man, and I believe a Republican.

Milt. McGee, whom all of our old pioneers will remember as among the most violent Pro-Slavery men, also became an ardent Union man during our late war, and spent his time and money for the Union cause.

I mentioned those, a moment ago, indicted for treason. I am proud that my name was included among the number. We were charged with fighting the whole United States. To oppose human slavery in those days, was to subvert the Government and destroy the Union, or at least to remove its corner-stone. Reeder, Lane, Deitzler, Smith and Jenkins have already passed over to the land of flowers: Robinson, Brown and myself are the only ones left of these traitors to the institution of slavery. This indictment shows whom the Pro-Slavery men regarded as their most dangerous enemies. Had we been arrested and tried at that time, we would have been convicted and hanged. Then our bodies, too, would have been "mouldering in the grave," and our "souls would have been marching on." Kansas was the great school of freedom, and our early pioneers were the great teachers. Yes, the early Kansas pioneers made way for liberty. They made straight the paths for to-day!

With all the power of the General Government against them, and sorely harassed by murderous incursions from hostile neighbors, they stood their ground with brave and patient endurance, and with steadfast faith in the final triumph of the right. They did their work well — each working in his own or her own way; and these old pioneers have left their mark upon the page of time, and the civilization of the age. History will never do them justice. This is no time to find fault with any who took part in this great struggle. As to myself, I did what I believed right at the time, with the light that I then had, and I have no apology to make to the present or to posterity for the part I then took. I concede the same honesty of purpose to others. If any erred, let us throw the mantle of charity over their acts, for not until we reach that better country to which we are one by one surely emigrating, and in which

will be emigrants and not pioneers, will the motives of all, and the whole work of the pioneers of Kansas, be justly estimated.

In conclusion, Mr. Chairman, let me express the hope that all our old pioneers who were here twenty-five years ago, who helped to free not only Kansas but a race; all those who lived through the drouth of 1860 and grasshoppers of 1874, with you, Mr. Chairman, may continue to live in this beautiful State, and enjoy the good things of this earth, until the good angels, with the Goddess of Liberty at their head, at the great day of judgment, shall do what the Border Ruffians failed to do in their day—that is, remove them and you from earth, and transplant you all bodily to realms of eternal bliss.

ADDRESS OF HON. JOHN SPEER.

In introducing Mr. Speer, Col. Anthony spoke of him as one of the ablest and most faithful of those who struggled for the Freedom of Kansas. As a pioneer editor and publisher, he dealt stalwart blows against the slave power in the Territory. He was likewise one of those who suffered most at the atrocious hands of the minions of slavery. Mr. Speer then delivered the following address:

THE TERRITORIAL GOVERNMENTS.

Mr. President, Ladies and Gentlemen: I feel truly grateful for the compliment paid me by the committee in the place assigned me on the programme; but I have just got out of a snow-drift in western Kansas, after six days spent in reaching the Capital, which otherwise would have taken but about half a day, and a snow-bank is not a propitious place for preparing an address of this kind.

The American Government was originally based upon the principle of the universality of freedom, and the Declaration of Independence was an emphatic, succinct declaration that "all men were created equal, and entitled to certain inalienable rights," life and liberty being the most essential of all the rights of man. The Saviour of all declared that upon the commandment, "Whatsoever ye would that men should do unto you, do ye even so unto them," hang all the law and the prophets. The fathers of the Republic recognized the principle, and it was embraced by Jefferson in the original draft of American independence; but upon so slender a thread hung the hopes of victory in the desperate struggle for free government, that it was stricken out without inserting a single sentence which could be construed against the sentiment. After more than half a century of toleration of a system accursed of God and condemned by the advanced civilization of man, a struggle commenced, which only reached its climax in the discussion of the Congressional enactment which was destined to break the fetters of tyranny, and to make us in fact, as well as in theory, a nation of freemen. That was the organic act, which declared that the people of Kansas Territory should be perfectly free to regulate their institutions in their own way.

Upon this essential principle the great struggle, not only for Kansas rights, but that for universal freedom, was inaugurated, and the "Territorial Government" became the instrument in precipitating the country into a war which has no parallel in the history of any government which the world ever saw. Inaugurated by fraud and injustice, the very acts intended for our oppression became the instruments in arousing the people—the source of all just government—to throw off a yoke which had borne down the American Nation, and made its pretensions to justice the mock and scoff of the advanced civilization of the world. "Whom the gods will to destroy they first make mad;" and in the light of the present age, we look back at an attempt at tyranny so glaring, so damnable, that at the close of a quarter of a century

it is hard to realize that any respectable portion of the people could possibly have contemplated measures so aggressive and tyrannical.

The infant Territorial Government was seized by usurpation and fraud. Such was the aroused public sentiment, that after the usurpation of the reins of government by a fraudulently elected Legislature, the people arose spontaneously, even before a single enactment was framed, and by speech and by resolution, publicly declared they would not have these usurpers and tyrants to rule over them. The "irrepressible conflict" at this epoch became defined, as a fixed fact. From a theory of statesmen it became a struggle of arms.

This sentiment was voiced by the advanced statesmanship of Franklin. Jefferson and other bold spirits, even in the days of the revolution; but slavery grew into such an oligarchy as to silence or drive to private life every statesman of an earlier period.

Even good men feared the results of such a conflict, as calculated to so weaken the Government as to endanger its existence against an internal commotion and possible foreign war. Finally, however, its aggressions brought out the thundering denunciations of Garrison, Thaddeus Stevens, Sumner, Giddings, Greeley and others, whose voices were never silenced until the whole nation had been aroused against a system no longer tolerable, and which threatened alike the freedom of the white as well as the black. But in the history of the early struggle, but a single Governor broke out in exclamations against it—Governor Ritner, of Pennsylvania, who strongly advocated the abolition of slavery in all territory over which Congress had jurisdiction, and denounced Northern submission as "basely bowing the knee to the dark spirit of slavery," a sentiment, the utterance of which has done more to immortalize his name than all the other acts of his life, through the memorable lines of freedom's poet, Whittier:

"Thank God for the token—one lip is still free—
One spirit untrammell'd—unbending one knee;
Like the oak of the mountain, deep-rooted and firm,
Erect, when the multitude bends to the storm;
When traitors to freedom and honor and God,
Are bowed to an idol polluted with blood;
When the recreant North has forgotten her trust,
And the lip of her honor is low in the dust."

The organization of Kansas and Nebraska renewed the excitements which had been time and again suppressed by various "compromise measures," from the admission of Missouri in 1820 till the era of the Kansas imbroglio. The lovers of freedom in the East and the North rallied by organizations, and emigrated in companies as well as by individuals. The new Territory attracted men of enterprise and adventure as no country in American history, except the gold fields, had ever attracted them. The Free-State men had distances of 500 to 1,500 miles' travel before them, while the borders of the Pro-Slavery host were but divided from the fields of conflict by a mere imaginary line. Unequal as were their advantages, the Free-State men, though greatly in the minority at first, stood manfully for the cause of the oppressed, and in defense of the freedom of speech and the rights of man.

The first struggle for ascendancy was in the election of a Delegate to Congress, in which the Pro-Slavery faction was in the ascendant, and a most ultra partisan was elected. But the frauds perpetrated even at this election, the beginning of the struggle, inspired the vanquished with such courage as to make the first election of members of the Legislature, March 30, 1855, one of great interest. Full tickets were nominated on both sides, and the Free-State men entered into the canvass inspired with the strongest hopes of victory. This victory could only be averted by an invasion from Missouri, the parallel to which has never been witnessed at any election in

the history of the Republic. The district of which Lawrence was a prominent part, containing a clear Free-State majority, was invaded by nearly 1,000 Missourians, portions of whom went to and overran other districts; and thus by fraud and violence succeeded in securing the Legislature, and afterwards overrode the honest decision of the brave-hearted, incorruptible Governor Reeder, who set aside the fraudulent elections and gave certificates to a number of Free-State men.

Thus outraged, the people soon rallied in resistance to this usurpation, and your speaker had the honor to preside at the first meeting pledged in advance to resist pretended laws, a meeting addressed with great eloquence and power by Hon. Martin F. Conway, who publicly threw up his commission as a member of the Legislature, and declared that he would not sit in a body thrust upon the people by fraud and violence.

The anticipations of the Free-State men in the acts of a Legislature thus elected, were more than realized. It not only passed the entire barbaric code of Missouri, but it added to all the infamy of the most infamous legislative bodies by making the acts of the commonest humanity towards a despised race a capital offense, and the mere declaration that slavery "did not legally exist in Kansas," punishable with not less than two years in the penitentiary. At that period there were but three pronounced Free-State papers in the Territory. The law was made to take effect on the 15th day of September, 1855; and this audience will pardon the apparent egotism if I present and read my own denunciation of that law as published in the *Kansas Tribune* on the very day that it took effect, in large letters, on a full page of that paper, as follows:

"THE DAY OF OUR ENSLAVEMENT.—To-day, September 15, 1855, is the day on which the iniquitous enactment of the illegitimate, illegal and fraudulent Legislature has declared commences the prostration of the right of speech and the curtailment of the liberty of the press. To-day commences an era in Kansas which, unless the sturdy voice of the people, backed, if necessary, by 'strong arms and the sure eye,' shall teach the tyrants who attempt to enthrall us, the lesson which our fathers taught the kingly tyrants of old, shall prostrate us in the dust, and make us the slave of an oligarchy worse than the veriest despotism on earth.

"To-day commences the operation of a law which declares:

"SEC. 12. If any free person, by speaking or by writing, assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate or cause to be introduced into this Territory, written, printed, published or circulated in this Territory any book, paper, magazine, pamphlet or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony and punishment by imprisonment at hard labor for a term of not less than two years."

"Now we do assert and declare, despite all the bolts and bars of the iniquitous Legislature of Kansas, 'that persons have not the right to hold slaves in this Territory,' and we will emblazon it upon our banner in letters so large and in language so plain that the infatuated invaders who elected the Kansas Legislature, as well as that corrupt and ignorant Legislature itself, may understand it, so that, if they cannot read they may spell it out, and meditate and deliberate upon it; and we hold that the man who fails to utter this self-evident truth, on account of the insolent enactment alluded to, is a poltroon and a slave—worse than the black slaves of our persecutors and oppressors.

"The Constitution of the United States—the great Magna Charta of American liberties—guarantees to every citizen the liberty of speech and the freedom of the press. And this is the first time in the history of America that a body claiming legislative powers has dared to attempt to wrest them from the people. And it is not only the right, but the bounden duty of every freeman to spurn with contempt and trample under foot an enactment which thus basely violates the rights of freemen. For our part we do, and shall continue to, utter this truth so long as we have the power of utterance, and nothing but the brute force of an overbearing tyranny can prevent us.

"Will any citizen—any free American—brook the insult of an insolent gag law, the work of a Legislature elected by bullying ruffians who invaded Kansas with arms, and whose drunken revelry and insults to our peaceable, unoffending and comparatively unarmed citizens were a disgrace to manhood, and a burlesque upon popu-

lar republican government? If they do, they are slaves already, and with them freedom is but a mockery."

This denunciation was followed by bold utterances by the *Free State* and the *Herald of Freedom*. The little band of settlers had thus presented to them the alternative of resistance or of slavery. The same body required every voter to swear to support this very law, as well as all the enactments of that body, and all fugitive slave laws.

The day of conflict was not long delayed. The murder of Charles W. Dow, a Free-State man, by Franklin N. Coleman, Pro-Slavery, and the arrest of Branson and his rescue by Free-State men, were followed by an invasion of 1,200 men from Missouri, threatening death, destruction and extermination to every man who dared to resist the enforcement of the tyrannical enactments referred to; but the scattered settlers rallied to the defense of the doomed city of Lawrence, and, while less than half the number of their enemies, gallantly defended the town for a full week, when a compromise was effected through Governor Shannon with Generals Robinson and Lane. During this siege, Thomas W. Barber, one of the purest and best of Kansas men, was murdered by a band of guerrillas—a portion of the invading hosts. Thence onward war really existed in Kansas almost continually till the commencement of the Rebellion.

R. P. Brown, a Free-State man of Leavenworth county, was cruelly murdered on the 20th day of December, and with his mortal wounds was carried to his wife with merely strength to say before his death, "I have been cruelly murdered without cause," and then he died. A short cessation followed during a part of the winter, but was renewed in early spring, the arrest of Colonel S. N. Wood by Sheriff Jones being the exciting cause. Hoyt, Stewart, Jones, and others, of moderate Free-State men, became martyrs to freedom, and a system of robbery, rapine and murder unparalleled followed.

After these outrages old John Brown, of Osawatomie fame, executed five of the leading spirits in the murderous war which had preceded. Terrible as the retribution was, its effect was almost magic; the spirit of murder was checked, but large bodies were subsequently organized, and Forts Saunders, Titus, Hickory Point, Franklin, Lecompton and other places became the fortifications and rendezvous of the Pro-Slavery forces. Robinson, John Brown jr., G. W. Brown of the *Herald of Freedom*, G. W. Smith, H. H. Williams, Gaius Jenkins and others were made prisoners on charges of treason. The Free-State forces captured Titus, Saunders, Hickory Point, Franklin, and other strongholds.

Within the next year, 1857, the friends of free institutions gathered such strength that they carried the Legislature, changing the Territorial Government from a propaganda of slavery to a government supporting and sustaining the inalienable rights of man. That government abolished slavery, already a proclaimed institution of Kansas, and the slave and the slave-master, as such, were seen no more within our borders. The master fled with his slave, or the slave fled without his master.

The conflicts of the Territorial Government had only practically ended when the result of the check of slavery was followed by the War of the Rebellion. Indeed, war had been raging—the same war, for the same reasons—for nearly the whole period of our Territorial existence, and it was only because the blood on the frontier had not stained the lintels of Eastern homes, and the lurid flames of Kansas cabins had not cast their shadows in the far-off civilization, that it had scarcely been realized.

There were giants in those days—giants in physical valor and giants in intellect I am afraid to name them, for fear of disparagement. Lane, Robinson, John Brown, W. Y. Roberts, Holliday, James Redpath, W. A. Phillips, Charles Lenhart, J. B. Abbott, S. N. Wood, Dan. Horne, John Ritchie, Frank B. Swift, G. W. Deitzler, Geo. W.

Smith, Gaius Jenkins, H. Miles Moore, Mark W. Delahay, Charles F. Garrett and hosts of others will live long in the memory of the men of the times, and will have their rewards in history. I have not spoken of the several Governors who constituted a part—perhaps I might say a small part—of the Territorial Government. It was a trite saying of the times, that Kansas was “the grave of Governors.” In our short Territorial career of six years there were six of them, three of whom were almost driven from the Territory. They were all sent to subjugate the Territory, and to curse us: but of some of them, notably Reeder and Geary, it might be said as of the prophet sent to curse Israel: “Thou altogether blesseth them.”

The Territorial struggle in Kansas was the incipient struggle of the war. It led onward to the universality of freedom, and justified the prophecy of Abraham Lincoln, in his great debate with Stephen A. Douglas, that this Nation must be all slave or all free territory. Till after the election of Abraham Lincoln the whole American mind had been absorbed in the arts of peace. But in Kansas nearly all citizens had been trained to the arts of war under General Lane, whose large experience as a leader of two regiments in the Mexican war made his services invaluable in resistance of the aggressions of the Territorial Government. The administration of Lincoln was ushered in amidst a tumult of threats and menaces. Early in the winter preceding the inauguration, General Lane tendered to Lincoln a regiment of Kansas men for his protection; but that just man, who had injured no human being himself, could see no reason to fear others, and respectfully declined the offer. But when he was afterward compelled to pass through Baltimore in disguise, to avoid assassination, and met Lane at the White House, he gratefully accepted his aid; and for several weeks a company of about fifty Kansas men camped in the celebrated east room of the Presidential mansion, under General Lane's command. Probably so distinguished an honor was never before conferred upon any body of men in halls of king, emperor, or president.

For long years the nations of Europe reproached us with the stigma that “republics were ungrateful,” and even De Tocqueville, the most liberal of European writers upon American institutions, represented us as lacking centrality of ideas—no great central object to hold us together—a giant without bones. The last generation has demonstrated that the giant had bones, muscle, and brains, making it the leading nation of the earth. Its central idea is, “That all just governments derive their powers from the consent of the governed,” and they commemorate the men who in all ages have been the heroes of that sentiment, and to them all their errors lie buried. It is related of Lafayette that while he was on shipboard, nearing the harbor of New York on a visit, after a half-century since his deeds of valor in the Revolution, he made the acquaintance of a New York gentleman, and the little old French hero, bowed down with age, in his simplicity and modesty, unable to realize his own merits, said to his new-made friend: “I lived in New York at —— hotel, and I have heard that it is still a public house, and I think I will go there; but things are so changed, if Monsieur will be so kind as to conduct me there, I will be greatly obliged.” Soon he reached the harbor, and such a scene had never been witnessed on the American continent. All the armaments of the Nation thundered their salutations; houses, public and private, were decorated with flags; the vessels of war and the vessels of commerce vied with each other in their demonstrations of welcome, and he was the Nation's guest.

There was a beautiful superstition among the Helvetians, that the Helvetic Fathers but slept, and that when their liberties were endangered they would arise from the dead.

“When Uri's beachen woods wave red
In the burning hamlet's light,
Then from the caverns of the dead
Shall the sleepers wake in night.”

Ours is a better hope — the hope of an immortality, and that the good deeds of our heroes and martyrs shall so live that their example shall be the best guaranty for the actions of future generations in the perpetuation of free institutions.

It seems but yesterday that a scene occurred around the grave of an humble American, illustrative of the patriotism of our race. His bones had lain for three-quarters of a century in a foreign land. What had he done? Who can tell? He had won no battles; he was not illustrious as a statesman or a philosopher; he was not even one of the recognized American poets. But he had written "Home, Sweet Home," which touched a chord in the American heart; and presidents and cabinets and ministers bowed in homage over his grave.

Fifty years ago President Jackson ordered his secretary to remove the Government deposits; the secretary refused; and he removed him, and selected an officer who obeyed his mandates. A United States Congress passed resolutions of censure. The people, always grateful to their country's defenders, never rested till the censors were out of power, and then their servants in Congress drew black lines around the resolutions of censure, and wrote across their face in deep black the word "Expunged." Why? Not because they approved of his act — many of them did not. But he had stood in the face of the British lion; with a greatly inferior force he had met Packenham; he had improvised the cotton bales as breastworks; he had ordered the nabobs of New Orleans into their country's army; he had imprisoned a judge who had interfered with a writ, paid his fine, but kept the judge in prison; and he had fought and won the ensanguinary battle of New Orleans, and sustained American valor and American rights. Who knows the judge's name or cares for the deposits? But above all, when nullification, disunion and rebellion threatened, he had faced the arch-traitor in the Senate, and told him if he dared institute rebellion in Congress he would hang him higher than Haman; he had sent General Scott with an army to Charleston, and he had sworn a great oath that "By the Eternal, the Union must and shall be preserved!"

Pigmies who write censures of dead heroes and martyrs may learn lessons from experience. The people know that "to err is human — to forgive divine," and will allow the errors of the past to lie buried, while the good deeds of the dead shall be celebrated and made immortal. Kansas has placed in tablets upon her legislative halls such names as those of John Brown, Lane, and Barber, and has named counties in their honor, and will write in everlasting black, the word "EXPUNGED" over the defamations of the men who made Kansas free.

ADDRESS OF HON. T. DWIGHT THACHER.

Mr. Thacher was introduced as one who had been a member of one of the four Kansas constitutional conventions, and as one of those early citizens who had done much to shape the policy and history of the State. The subject of Mr. Thacher's address was —

THE REJECTED CONSTITUTIONS.

The Constitutions of Kansas were an outgrowth of the struggle between Freedom and Slavery for the control of the inchoate commonwealth. Their genesis was altogether political; they were citadels around which the storm of battle surged, and were occupied or abandoned, as the varying fortunes of the great contest demanded. No study of these constitutions, or indeed of the history of Kansas generally, can be successful, or do the slightest justice to the subject, which does not recognize in the beginning, and at every step of the discussion, the great controlling fact that the master motive of the whole business was the determination on the one side to make Kansas a slave State, and on the other a free State. Any other view degrades the subject, and in effect falsifies the history.

The overthrow of popular sovereignty in the Territory by the Missouri invasion of March 30, 1855, left to the people two courses to take: either to condone the immeasurable outrage by acquiescing in the result and conceding the validity of the bogus Territorial Legislature, or to indignantly repudiate the whole thing. Fortunately the people chose the latter course. It would have been a sorry day for Republican institutions could any considerable number of the American people have been found ready to yield their local sovereignty to insolent invasion and overmastering force without protest and resistance, and the most efficient measures to regain their lost rights. To have conceded the validity of the Missouri-elected Legislature would have been to confirm the robber in the possession of his booty, and to admit that the pirate was the rightful owner of the ship he had captured. Acquiescence would have been surrender in advance, the giving up a campaign because the enemy had captured an outpost. This feeling found expression in the following extracts from a series of resolutions adopted by the first Free-State convention at Big Springs, and written by Governor Reeder:

“*Resolved*, That the body of men who for the past two months have been making laws for the people of our Territory, moved, counseled and dictated to by the demagogues of Missouri, are to us a foreign body, representing only the lawless invaders who elected them, and not the people of the Territory; . . . that we owe no allegiance or obedience to the tyrannical enactments of this spurious Legislature; . . . that we will resist them primarily by every peaceable and legal means in our power, and will resist them to a bloody issue as soon as we ascertain that peaceable remedies shall fail and forcible resistance shall furnish any reasonable prospect of success.”

But there were grave practical difficulties in the way of carrying out the policy of repudiating the bogus Legislature. Infamous as was its origin, it was still recognized as valid by the Government at Washington. It was *de facto* exercising the powers and functions of a Legislature. The necessities of a civil government of some sort were imminent and increasing daily, and unless some more positive policy than that of mere negation were adopted, there was great danger that the people would finally succumb from the very inertia of the situation, and accept the Pro-Slavery government on the theory that any government is better than none. The leaders of the Free-State people saw this danger, and at once inaugurated the movement for a Constitutional Convention. Undoubtedly this scheme originated in the fertile and sagacious brain of Charles Robinson, who at that time was by common consent the chief leader of the Free-State party. He had but recently returned from California, where an independent constitutional movement, without the sanction of an enabling act of Congress, had been successfully carried through to the admission of the State. He was firm and enthusiastic in the conviction that an independent movement in Kansas would meet with similar success. The situation at Washington was not without encouragement. The political revolution of 1854 had sent to the lower house of Congress a majority of “Anti-Nebraska” members thoroughly arrayed against the Pierce administration. They would undoubtedly give to a Free-State constitution from Kansas a hearty reception. There were those, too, who indulged in the delusive hope that there still lingered in the bosom of the Northern Democracy sense enough to make them welcome any measure that promised an honorable and safe exit from the political quagmire into which they had been plunged by the fateful and ill-starred repeal of the Missouri compromise. The movement had in it, therefore, sufficient probabilities of success to make it much more than a forlorn hope in the struggle. And it was at once adopted with great unanimity by the Free-State party. A convention was called to meet at Topeka on the 19th of September, 1855, to take measures to form a State Constitution. At this convention an election was ordered to be held on the 9th of October following, for the choice of delegates to a

constitutional convention. At the election forty-seven members were chosen, and the number of votes cast was 2,710.

The convention met at Topeka, October 23d. The list of members included many of the prominent Free-State men in the Territory: Robinson, Lane, Conway, Parrott, C. K. Holliday, W. Y. Roberts, G. W. Smith, Judge Schuyler, Judge Wakefield, J. S. Emery, J. K. Goodin and others; while among the clerks, reporters, etc., were Redpath, Phillips, the two Speers, C. A. Foster, and S. F. Tappan, all of whom were then or afterward more or less prominent in Kansas affairs. James H. Lane was chosen President of the Convention, his opponents being W. Y. Roberts and J. A. Wakefield. Lane had made his appearance in Kansas only a few months before, but had already gone to the front as a Free-State leader. He had at first endeavored to organize a National Democratic party in the Territory, but, speedily recognizing that there was but the single issue of freedom or slavery involved in Kansas politics, accepted the logic of the situation, heartily embraced the Free-State cause, and never to the end of the struggle failed in his devotion to it. By the 11th of November the convention had finished its labors and submitted a constitution to the people, to be voted upon December 15 following. There was nothing remarkable about the constitution which they had framed. It followed in its main provisions the precedents of other State constitutions at that time. The boundaries of the State as defined in it were those of the Territory, the western limit being the eastern boundary of the Territory of Utah. The bill of rights simply provided that there should be no slavery nor involuntary servitude in the State, except as a punishment for crime. The elective franchise was confined to white males, and civilized Indians who had adopted the habits of white men. A motion was made in the convention to strike out the word "white," but it received only seven votes. The times were not yet ripe for so great a forward step, but the educating process had begun. The names of the seven men who thus anticipated the final fruits of a great movement, and had even then reached a moral and political altitude which the country at large was to reach only after a great war and the destruction of slavery, were Charles Robinson, R. H. Crosby, G. S. Hillyer, Amory Hunting, O. C. Brown, Richard Knight, and Philip C. Schuyler.

Another subject which caused some discussion, was the question of excluding free negroes from the State. This was finally settled by its submission to the people with the constitution as a separate question. Later-day critics have professed to find in this action cause for animadversion. It is easy after a lapse of thirty years—after the abolition of slavery and the enfranchisement of the negro—to find fault with our pioneer politicians and statesmen for not acting up to a higher standard. But it is well to remember that at the time we are speaking of, the negro was not only enslaved at the South, but ostracised over the greater part of the North.

Less than three years before, Anthony Burns had been dragged back to bondage from the shadow of Bunker Hill monument, and within sight of Faneuil Hall, and Boston had to submit to the outrage. Fugitive slaves were hunted with comparative impunity all over the North; free negroes at that time, and for ten years thereafter, were not allowed to ride with white people in the street cars in New York and Philadelphia, while nearly every Western State had laws excluding them from settlement within their bounds. The National Republican party had not yet been organized; the great religious bodies of the country were still wrangling over the question whether slavery were *per se* a sin or not, while the American Tract Society was carefully emasculating its publications lest they should give offense to Southern slaveholders. It was hardly to be expected, therefore, that the handful of pioneers of the first year's settlement in Kansas—recruited largely from the Western States—should at the first bound vault to the moral leadership of the whole coun-

try. Upon the vital, practical question of the hour, namely the making of Kansas a free State, they were eminently sound, and we can afford to look with leniency upon their comparative short-comings, and their failure at the first glance to perceive the full bearings, moral and political, of the great contest on which they had entered. Especially is this so in view of their subsequent growth in grace, which was so rapid and radical that in less than three years thereafter they framed a constitution without the word "white" in it.

The Topeka Constitution was voted upon and adopted by the people December 15, 1855, and State officers under it were elected January 15, 1856. The Legislature met March 4, organized, listened to an able message from Charles Robinson, the Governor-elect, elected James H. Lane and Andrew H. Reeder United States Senators, memorialized Congress for admission to the Union, and adjourned till July 4. The movement had already attracted wide attention, and the slave power was alarmed at it. Although every step had as yet been merely formal, and the necessity of admission to the Union by Congress, to give vital power to the Constitution and State Government, had been continually recognized and avowed, President Pierce, in a special message to Congress, January 24, stigmatized the movement as revolutionary and rebellious, and the Atchison *Squatter Sovereign* expressed the cheerful conviction that the only way to correct the troubles that existed, was "to hang up to the nearest tree the very last traitor who had participated in the Topeka convention."

Notwithstanding all this, the constitution was sent to Congress, and presented to the Senate by Lewis Cass, of Michigan, and to the House of Representatives by Daniel Mace, of Indiana. Meanwhile the Pro-Slavery courts of the Territory began their infamous work of vexation and oppression, by finding indictments for treason against the prominent supporters of the constitution. June 17th the first National Republican convention was held in Philadelphia, and in its trumpet-toned resolutions declared 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 that Territory." On the 25th of June Galusha A. Grow introduced a bill in the House of Representatives for the admission of Kansas, and the 3d of July the House passed it by a vote of 99 to 97. The next day—July 4th—Colonel Sumner, under special orders from President Pierce, with a force of United States dragoons, dispersed the Free-State Legislature at Topeka; an act of eternal infamy to all who participated in it. On the 8th of July, Senator Stephen A. Douglas reported a substitute for the House bill admitting Kansas into the Union. It authorized the people to frame a new constitution. Douglas's substitute passed the Senate the same day by a vote of 30 to 13, and thus the Topeka Constitution was rejected by Congress.

The movement, however, was not abandoned by the people of Kansas. Their eyes were now turned with the intensest anxiety to the great Presidential campaign which was convulsing the country, and in which the freedom of Kansas was the overshadowing issue. From ten thousand platforms, and by twice ten thousand speakers and writers, all over the land, the Kansas question was now being discussed. The tide of immigration from the free States was already rising. The slave power blockaded the Missouri river, but the living stream of freemen hastening to the relief of their beleaguered brethren west of the great stream, flowed around the State of Missouri to the north, through Iowa and Nebraska, and spread out upon the plains and valleys of Kansas. The mighty North was already beginning to pour forth from her populous loins, not a horde of robbers and vandals to ravage and

destroy some Italy of civilization, but a host of intelligent freemen bound to rescue the garden-spot of the American continent from the blasting and withering curse of human bondage.

It was already beginning to be perceived by those who had eyes to see, that a greater power than that of Presidents and Congresses was about to intervene in the strife, and that go as the Presidential election might, the destiny of Kansas was virtually fixed. The special movement which had taken form in the Topeka Constitution and State Government might run its course and give place to something else, but the great end for which that movement had been inaugurated—the freedom of Kansas—would be achieved. And so it proved. The friends of free Kansas were defeated in the Presidential election of 1856, and one of the most heartless, cold-blooded and treacherous of their enemies was elected President; but the people of the North had been so thoroughly aroused and informed by the campaign, that an emigration to Kansas of phenomenal proportions at once ensued. The Legislature under the Topeka Constitution met in January, 1857, memorialized Congress for the admission of the State, and took a recess to the second Tuesday in June. On the 9th of June it again met, and remained in session until June 13th. At this meeting Governor Robinson read an elaborate message, and laws were passed for taking a census and apportioning the State; for a State election in August to fill vacancies; locating the Capital at Topeka; establishing the State University at Lawrence; and a joint resolution was passed asking Congress to admit the State under the Topeka Constitution. This meeting was held without molestation from any source. At the special election in August for filling vacancies, the constitution itself was again submitted to a popular vote, and received 7,257 votes to 34 against it. In October, 1857, the people for the first time obtained possession of the Territorial Legislature. As Reeder and Geary had done before them, Walker and Stanton now found themselves obliged by the enormities of the Pro-Slavery conspirators to side with the people. Their fidelity to justice was rewarded by dismissal from office; but the people could not be dislodged from the “coign of vantage” which the honorable conduct of these officers had enabled them to occupy. Their grasp upon the Territorial Government was not to be loosened. January 5, 1858, the Legislature under the Topeka Constitution met at Topeka, organized, and listened to a message from Governor Robinson, in which he urged the keeping up of the State organization. On the 7th the Legislature adjourned to Lawrence, where the Territorial Legislature was then in session. There was a proposition at this time for the Territorial Legislature to abdicate and allow the State Government under the Topeka Constitution to go into actual operation, but in view of the hostile attitude of the Government at Washington, and the manifest risk of losing what had already been gained, the Territorial Legislature declined to enter upon the experiment, and the project was abandoned. The State Legislature soon adjourned. This was the end of the Topeka movement.

If the question be asked what useful purpose the Topeka constitutional movement subserved, the obvious answer is that it served as a nucleus, the rallying point, the bond of union of the Free-State party during the most trying and dangerous period of our Territorial history. Without it the Free-State forces must have drifted, been demoralized, and probably beaten. The prospects of success were sufficiently flattering to supplement devotion to the Free-State cause with the personal ambition of a large number of able men who would be called to official position under it. Lane and Reeder would be United States Senators; M. W. Delahay, member of Congress; Robinson, Governor; W. Y. Roberts, Lieutenant Governor; P. C. Schuyler, Secretary of State; J. A. Wakefield, Treasurer; M. F. Conway, S. N. Latta and Morris Hunt, Judges of the Supreme Court; H. Miles Moore, Attorney General, G. A. Cutler, Auditor; John Speer, State Printer; S. B. Floyd, Clerk of the Supreme

Court, and E. M. Thurston, Reporter of the Supreme Court. Among the members and officers of the Legislature were such active and influential men as Henry J. Adams, J. B. Abbott, James Blood, John Hutchinson, Columbus Hornsby, M. C. Dickey, J. M. Arthur, H. H. Williams, John Brown jr., Abram Barry, Thomas J. Addis, A. Jamieson, Wm. Crosby, Adam Fisher, Asaph Allen, J. E. Cummings, T. A. Minard, Joel K. Goodin, Samuel F. Tappan, and C. H. Lovejoy.

These were the strong men of the Territory, representing every shade and phase of the Free-State sentiment, and capable of carrying the people with practical unanimity. During the memorable campaign of 1856 many of them championed the cause of free Kansas upon the stump in the Northern States, and did much to arouse public sentiment, and to send men and money to aid their brethren in the Territory during the fearful trials of that eventful year. Preëminent among these were Governor Reeder and General Lane. Each of them had been reared in the Democratic party, and had risen to eminence in its councils. Each had gone to Kansas a Democrat, and had been forced by the infamies and outrages of the slave power to espouse the cause of the people against their oppressors. Governor Reeder had a very wide and favorable acquaintance in Democratic circles, and his speeches and letters produced a profound impression upon the country. Lane was in his element—a grand and glorious cause to champion; wrongs and outrages to expose and denounce; a suffering and down-trodden people to vindicate: the threatening, bullying, murdering slave power to anathematize and execrate. With such themes as these to talk about, and listening thousands hanging on his lips and cheering his words, Lane was one of the most magnetic, dramatic, imposing, rousing and crowd-swaying orators that this country has ever produced.

The year 1856 was the critical year for Kansas. During its trying months the slave power, wielding the force of the United States Government, was most rampant, proscriptive and murderous. Had not the friends of freedom, both in Kansas and out of it, put forth the most active and sagacious efforts, the cause would have been lost. That critical period past, the magnificent inflowing wave of immigration of 1857 made the preponderance of numbers on the Free-State side so great that the era of violence and bloodshed—except in a few sporadic cases—closed.

The Topeka constitutional movement held the people together through a stormy and trying period. When the occasion of its usefulness had passed, they turned to other plans suggested by the changing phases of the contest. In the eloquent words of a historical writer, who, though a stranger to Kansas, has correctly appreciated the spirit of her people, "It had for three years been the shrine at which the whole Free-State party had worshipped, and the citadel of liberty that had never been surrendered to the foe. No truer nor braver band of freemen ever fought the desperate fight for freedom against such appalling odds as did those who defended it. Their names will go down the ages in imperishable renown as the unconquerable defenders of free institutions, under the ægis of the Topeka Constitution."

The Leavenworth constitutional movement originated with the first Free-State Legislature, elected in October, 1857. There had been no general demand for it on the part of the people, although the hostile attitude of both branches of Congress made the acceptance of the Topeka Constitution hopeless. Indeed, with the seizure of the Territorial Legislature by the Free-State party, it was generally felt that the Topeka constitutional movement had run its course, a feeling which found expression in the refusal, we have just noted, of the Territorial Legislature to abdicate in favor of the Topeka State Government. Probably a large majority of the people, could they have been assured of peace and quiet, would have been quite content to live under the Territorial form of government for an indefinite period, at least until the growth of the community in population and wealth had made it better able to

sustain the burdens of a State Government. But events moved rapidly and ominously in those days. The session of the Territorial Legislature would expire by limitation on the 12th day of February, 1858. Ten days before that date President Buchanan sent the Lecompton Constitution to Congress with a special message urging its acceptance. In that message he bitterly maligned the Free-State people, and announced the monstrous proposition that, by virtue of the United States Constitution, Kansas was at that moment as much a slave State as South Carolina or Georgia. The acceptance of that constitution seemed imminent in both houses of Congress. This was the situation February 2.

It was grave enough to excite the most serious apprehensions of the Legislature. The admission of the State under the Lecompton Constitution would undoubtedly lead to the most disastrous consequences. The temper of the people was such that they would not tolerate the existence of any State Government under that constitution. This would lead to Federal interference and probably open war. Under these circumstances the Free-State people would be at a great disadvantage without a State organization. The most speedy method of improving the situation seemed to be to at once call a new convention, frame a constitution, elect officers under it, and have a State organization around which to rally. Accordingly an act was passed three days before the expiration of the session, providing for the election of delegates to a constitutional convention. The election was to be held March 9, and the convention to assemble March 23 at Minneola, the newly-established capital of the Territory. Governor Denver, whose sympathies were not with the Free-State people or cause, attempted to thwart the movement by the pretense, or claim, that the bill had not been properly passed; but the people of Kansas in those days paid but little attention to the opinions of Federal Governors against any action they had determined on, and went ahead with the movement uninfluenced by Denver's opposition. The election was held March 9; the convention assembled at Minneola March 23, adjourned to Leavenworth March 24, reconvened at Leavenworth March 25, framed a constitution, finished its labors and adjourned April 3. A State convention to nominate officers under the constitution was held at Topeka April 28, and the constitution was adopted and officers elected under it May 18. Before this latter date, however, the great contest in Congress over the admission of the State under the Lecompton Constitution, had come to an end by the passage of the English bill, which referred that constitution back to the people of Kansas to be voted upon the next August, and provided that if the vote should be against the constitution, delegates to a new convention should not be chosen until the Territory had a population equal to the ratio of a Representative in Congress, or 94,560. Thus the great crisis had passed and further prosecution of the Leavenworth movement was unnecessary and soon abandoned. It had come into being suddenly, as a strategic necessity in the great fight which the Free-State people were waging, and when the occasion for it had passed, it, too, passed away.

The Lecompton Constitution has an immortality of infamy. It was the child of fraud, and finally died smitten by the mailed hands of an indignant and outraged people. It is remembered just as any other great crime against humanity lives in the execrating remembrance of mankind. From first to last the movement was tainted with fraud. It began in the old bogus, Missouri-elected Legislature of 1855, which professed to submit the question of calling a convention to an election to be held in October, 1856. No Free-State men voted at that election. The bogus Legislature at its second session, begun in January, 1857, passed an act providing for the taking of a census and the election of delegates to frame a constitution. The delegates were to assemble in Lecompton the first Monday in September, 1857. The law was cunningly framed to exclude the spring immigration from voting, as no person could

vote who arrived later than the 15th of March. All the preliminary proceedings were placed in the hands of Pro-Slavery officials, and no provision was made for submitting the constitution to a vote of the people. Governor Geary protested against these provisions, and especially demanded the submission of the constitution. The leaders refused, and said that to submit it "would defeat the only object of the act, which was to secure, beyond any possibility of failure, the Territory of Kansas to the South as a slave State." Geary then vetoed the bill, and the Legislature promptly passed it over his veto. The pretended census of voters and of population, upon which the apportionment of delegates was to be made, was completed during the month of April. In nineteen of the thirty-four counties of the Territory, no census whatever was taken. From every county bordering on Missouri, and from every Pro-Slavery county, returns were made. The disfranchised counties were mainly occupied by Free-State settlers. The object of this partial and unfair census was apparent. It was to put the convention beyond a peradventure in the hands of the Pro-Slavery men.

A recent writer on Kansas affairs has endeavored to shoulder a portion of the odium of this infamous census upon the Free-State party. After stating that "apportionment of delegates depended on population, but nobody could vote whose name did not appear on the registry lists: and that in only sixteen of the thirty-four organized counties was there any registration," he adds: "For this condition of things the Pro-Slavery party was not wholly responsible. Free-State men perplexed the enumeration by embarrassments of omission and commission, and were not ill-pleased at the starved and skeleton returns." It is difficult to see why the Free-State men should be held responsible for something with which they had absolutely nothing to do. The act calling the convention intrusted the taking of the census to the sheriffs of the various counties, and the returns were to be made to the probate judges for inspection and revision, and the corrected lists returned to the Governor, who was to make the apportionment of the delegates. Every sheriff and probate judge, as well as every other county officer in the Territory, was an appointee of the bogus Legislature and a Pro-Slavery man. There were no Free-State officers. There had been no election of county officers by the people, and would be none until long after the delegates to the Constitutional Convention had been chosen. No Free-State man in the Territory had any authority or legal power to add a single name to the census or the registry. How they could "perplex an enumeration by embarrassments of commission and omission" when there was absolutely nothing for them either to commit or to omit, passes comprehension. The "starved and skeleton returns" were no particular pleasure to them, except as they foreboded, or ought to have foreboded, the downfall of the infamous plot to make Kansas a slave State. Secretary Stanton afterwards avowed that had he known at the time the full extent of the scoundrelism of that census and registry he would have refused to make an apportionment under it, and suffered the whole movement to fail; and the Free-State men, knowing what Stanton did *not* know, may have rejoiced to see the Lecompton conspirators piling up infamy upon infamy in their mad course, and thus making more certain their final failure.

Stanton made the apportionment on the census as returned, assigning, of course, no delegates to the nineteen disfranchised counties. At this point the leading Free-State men of the Territory united in a letter to Stanton, offering to "overlook the past," and go into the election for delegates, provided a new and honest census should be taken, the delegates apportioned on that, and the Free-State men given an equal representation with the Pro-Slavery men on the boards of election judges. Stanton replied that he had no power to do so. The Free-State party thereupon refused to have anything to do with the election. The election took place June 15, and of

course none but the Pro-Slavery delegates were chosen. The total vote cast was only 2,071, which was probably very nearly the actual strength of the Pro-Slavery faction in the Territory. The total population by this time must have exceeded 50,000.

On the 7th of September the convention assembled at Lecompton, and organized on the 8th, choosing as its President, John Calhoun, Surveyor General of the Territory. All eyes were now turned to the election to be held October 5, for members of the Territorial Legislature in which the two parties would, for the first time, measure strength at the polls. The convention therefore adjourned without further action, until the 19th of October. The election of October 5 took place, and resulted in a sweeping triumph of the Free-State party. The exposure of the enormous frauds perpetrated at Oxford and in McGee county, whereby the slave power had made a last desperate venture to hold possession of the Territorial Legislature, followed. These frauds were no more glaring and outrageous, and were less violent, than those of March 30, 1855, by which the first Territorial Legislature had been seized, and which the Administration and the slave power had claimed were the very perfection of squatter sovereignty. They were perpetrated for the same purpose and by the same men. The Administration at Washington evidently expected Governor Walker and Secretary Stanton to wink at the wholesale forgery and keep the Pro-Slavery faction in control of the Legislature. But these officials had come too closely in contact with the people, had made too many promises of a fair and honest election, and were too thoroughly disgusted with the huge sham and imposture of the whole business, to connive at it. They accordingly threw out the forged returns, and gave the Legislature over into the hands of the people. Meanwhile the intelligence of these new Pro-Slavery frauds had spread, and aroused the people to a high pitch of indignation. The Free-State men felt not only strong in the justice of their cause, but in numbers and physical strength. They felt solemnly called upon to clean out the entire Lecompton gang. A Free-State mass meeting was called to meet at Lecompton on the 19th of October, the very day to which the Lecompton Constitutional Convention had adjourned from its session in September. The air was full of rumors, threats and portents. When the day came a great crowd assembled. Philip C. Schuyler was chosen President, and Richard Realf and O. E. Learned Secretaries. Lane was there in all his glory. Nothing suited him better than an excited crowd and an exciting occasion. His speech was full of a noble enthusiasm for the Free-State cause and of terrific denunciation of the frauds and villainies that had characterized the Pro-Slavery programme. Resolutions were passed denouncing the frauds at the recent election, declaring that the convention about to assemble in no sense whatever represented the people and must adjourn *sine die*. A committee, with Lane at the head, was appointed to call upon the members of the convention, and convey to them the mandate of the people. The result was that for four days the members sneaked around Lecompton in the brush, afraid to assemble, and a quorum could not be obtained. At last Governor Walker sent over to Fort Leavenworth for a body of United States troops with a section of artillery, and with their protection a quorum was got together and the convention went on with its predestined business.

Thus surrounded by United States troops, and protected from the assaults of an indignant and outraged people by United States cannon, the Lecompton convention proceeded to frame the Lecompton Constitution. All the glory had now departed from the Pro-Slavery movement. It existed only in force. Had the United States troops been withdrawn, the Lecompton convention would have fled the Territory within an hour. However, its members, assured of protection, pushed straight ahead with their work. Their inspiration came not from Kansas, but from Washington.

The slave power had determined to make Kansas a slave State at whatever cost, and Mr. Buchanan was its willing and conscious instrument. The fellows at Leecompton were but puppets who danced as their masters pulled the wires. The constitution was soon framed. Its substance deserves notice only as its provisions indicate the high-water mark of Pro-Slavery fanaticism in this country. Its preamble asserts that the State to be created by it is a free, independent and *sovereign* State. A whole article is devoted to slavery. The right of *property* is declared to be 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. The elective franchise is confined to "male citizens" of the United States, apparently on the theory that colored men could not be citizens of the United States. All civil officers of the State are required to use due diligence to apprehend and deliver up fugitive slaves. The bill of rights asserts that "all *free-men* when they form a social compact are equal in rights;" also that no "freeman" shall be deprived of life, liberty or property but by the judgment of his peers or the law of the land. In the same bill of rights it is provided that "free negroes shall not be permitted to live in this State under any circumstances." In the section providing for revisions of the constitution, the saving clause is inserted that "no alteration shall be made to affect the rights of property in the ownership of slaves."

The constitution framed, the question arose in the minds of the convention: What shall we do with it? The document was intensely Pro-Slavery; the people for whom it was ostensibly made were intensely Anti-Slavery. To submit it to an honest vote was to see the whole movement collapse like a soap bubble in the air. To refuse to submit it was to violate the pledges given before their election by Calhoun and many other members of the convention, to stultify the express promises of the Administration through Governor Walker, and to hazard its rejection by Congress. In this dilemma a scheme for a sort of bogus submission was hit upon, or imported ready made from Washington. Apparently, and on its face, the constitution was submitted to the white male inhabitants "for approval or disapproval," but in reality nothing but the question of Slavery was submitted, and in fact it was doubtful whether even that was meant to be fairly and honestly submitted. The form of vote was, "Constitution with Slavery," and "Constitution with no Slavery." In either form the vote was for the constitution; but the juggle in the pretended submission of the Slavery question was seen, when the provision of the latter part of the section was read, to this effect: That in the event it should appear that a majority of the legal votes had been cast for the "Constitution with no Slavery," "then the article providing for Slavery shall be stricken from the constitution, and Slavery shall no longer exist in the State of Kansas, *except* that the right of property in slaves now in the Territory shall in no manner be interfered with." But what *was* the right of property in the slaves then in the Territory? As defined by the constitution itself, in the words we have already quoted, it was the "right of the owner of a slave to such slave, and its *increase*." This right was "in no manner to be interfered with." The State was therefore to have remained a slave State so long as the slaves then living in Kansas, or any of their descendants ("increase") should exist. It was also provided — apparently with the intention of excluding the Free-State men from voting — that at the election on the constitution each voter should be required to take an oath to support the constitution, under the penalties of perjury under the Territorial laws. The precaution, however, was unnecessary, as the Free-State people with entire unanimity refused to take part in the election. Two elections were provided for by the convention — the one just alluded to, on the 21st of December, and the other on the 4th of January following, for the election of State officers under the constitution.

The convention adjourned on the 7th day of November. In its action it had violated every one of the solemn pledges made in its behalf by Governor Walker, and according to his repeated statement, made, too, on the authority of President Buchanan himself, that the people should have a free and fair vote upon the constitution. It was evident that the crowning outrage of a long course of villainy was about to be attempted. The Territory flamed with excitement. Public meetings were held in every city, village, and hamlet. The pressure to put the State Government under the Topeka Constitution in immediate operation, was immense. A convention was held in Topeka, presided over by Col. C. K. Holliday, at which resolutions were passed, requesting Governor Robinson to at once call together the Free-State Legislature. A vigilance committee was appointed. A few days afterwards a large mass convention was held in Leavenworth, at which Judge Latta presided, and which formally requested Acting Governor Stanton to call the recently-elected Territorial Legislature together in special session, and which, on motion of General Lane, asserted that in case Acting Governor Stanton should decline to do so, no other course would be open to the people but to put the Topeka Government in motion, and pledging themselves to adopt that course, and stand or fall by it. A great delegate convention of the whole Territory had been called, and was about to assemble at Lawrence. Finally, a petition was presented to Mr. Stanton, signed by a majority of the members of the Legislature, and accompanied by a letter signed by Robinson, Lane, and many other prominent Free-State men, requesting him to call the Legislature together as the only means of averting violence and bloodshed. The crisis was imminent. To comply, as Governor Stanton well knew, meant a final break with the malevolent, unscrupulous and vindictive slave power at Washington. To refuse meant tumult, convulsion, irreparable wrong, and the torch-light of civil war at home in Kansas. But emergencies are the occasions which reveal great men, and Frederick P. Stanton was a great man. He called the Legislature. For this brave, manly, and statesman-like act, he was summarily dismissed from office by the President. Before he could be removed, however, he had time to meet the Legislature, give them his reasons for calling them together, and consult with them as to the proper course to pursue. The Legislature remained in session only a few days. Its most important work was to provide by law for the submission of the Lecompton Constitution to a vote of the people on the 4th of January following—the same day that had been fixed by the Lecompton Convention for the election of State officers under the Lecompton Constitution. It was of course known that the constitution would be voted down by an overwhelming majority of the people, and it was hoped, vainly, as the sequel showed, that the Administration at Washington would not have the colossal stupidity and wickedness to champion a constitution which, at a fair and legal election, held by the regular authorized and recognized Territorial authorities, had been demonstrated to be *not* the choice of the people. But the capacity of the Buchanan Administration—that decaying dynasty of the slave power—for pure, unadulterated meanness, and high-handed, outrageous villainy, had at that date been vastly underestimated.

The election of December 21 was a one-sided affair, the Free-State people refusing to take part in it. The total vote was 6,143 for the Constitution with Slavery, and 569 for the Constitution with no Slavery. Of this vote, over 3,000 were subsequently shown to be purely fraudulent. In Kickapoo the Cincinnati directory was boldly copied to the extent of nearly a thousand names. In Oxford the fraud rivaled that of the previous October election, which Walker and Stanton had kicked out. No motive could be assigned for these frauds, except it was to swell the total vote into something like respectable dimensions for effect at Washington.

The elections of January 4, 1858, which followed, presented a curious phase of

complication. First, there was an election for State officers under the Lecompton Constitution, and under officers appointed by the president of the convention; and, secondly, there was on the same day, an election upon the Lecompton Constitution, under the regular Territorial authorities, provided for by the Legislature at its special session. This latter election the Pro-Slavery party ignored. A large vote, however, was cast, resulting in: For the Constitution without Slavery, 23; for the Constitution with Slavery, 138; against the Constitution, 10,226.

The Free-State body, as a party, had resolved not to commit themselves by voting for State officers under the Lecompton Constitution. An independent ticket, however, had been nominated in opposition to the Pro-Slavery ticket, and was supported by a portion of the Free-State people. The total vote on Governor, as returned for this election, and now on record in the Secretary of State's office gives for the Pro-Slavery ticket 4,375, and for the Free-State ticket 3,966. This, however, was only a partial return. The vote as reported to the Legislature by C. W. Babcock and George W. Deitzler was for Smith, Free-State, 6,875; for Marshall, Pro-Slavery, 6,545; a Free-State majority of 330. Of the Pro-Slavery vote they reported as fraudulent from Oxford, Shawnee, Kickapoo and other places 3,000 votes. They also reported the election of a majority of Free-State members in each branch of the Legislature. The returns however of the election were made to Mr. Calhoun, President of the Lecompton Convention, who was authorized to grant certificates of election. It was generally believed that in case the State was admitted under the Lecompton Constitution, Calhoun would give certificates to the Pro-Slavery candidates for State officers and to a majority of Pro-Slavery candidates for the Legislature.

The contest now drifted from Kansas to Washington, where the slave power, with President Buchanan at its head, espoused the Lecompton Constitution and endeavored to force the admission of the State with it. But the incessant protesting of the Free-State men had produced a visible effect. Moderate men in the Democratic party began to halt. The Northern constituencies were muttering with rage. Reeder, Geary, Walker, Stanton—all Democratic appointees—were knifing the infamous fraud at every opportunity. The great Democratic Senator from Illinois, Stephen A. Douglas, who had championed the repeal of the Missouri compromise, and had fought the battle of the South by the light of his own burning effigies, all over his own State, now threw the weight of his magnificent powers into the scale against the Lecompton fraud, and in some small measure atoned for his past career, and the injuries he had done to Kansas, by fighting one splendid and masterly fight in her behalf. Meanwhile the Free-State men in Kansas were not idle. The Legislature fully investigated the frauds of the late elections, took a census of the hamlets like Oxford, that had been returning Pro-Slavery votes by the thousand, and showed that it had less than fifty voters all told; discovered the fraudulent Delaware Crossing returns concealed under a wood-pile in Lecompton; began making arrests of the guilty parties, and in short, made it so hot for the rascals that the most of them fled from the Territory never to return. But blind, obstinate, unreasoning, the slave power in Congress pressed relentlessly onward. They carried the Lecompton Constitution through the Senate by a vote of 33 to 25, and pressed for victory in the House. Here, however, the storm raged in vain. The House defeated the Senate bill, and adopted a substitute sending the constitution back to Kansas to be again voted on. The Senate rejected the substitute, and voted for a committee of conference. The committee of conference reported the English bill. On April 3d it passed both houses, and on the 4th of May, 1858, the President signed it. The essence of this bill was that the State was admitted under the Lecompton Constitution, but not with the ordinance of that constitution, but with a special and exceed-

ingly liberal grant of public lands, made by the bill itself, subject to the condition of a popular vote to be hereafter taken, at which the ballots were to read "For proposition of Congress and admission," and "Against proposition of Congress and admission." This virtually finished the business, for nobody expected the people in their then temper of mind to vote for admission under the Lecompton Constitution, even though the bribe to do it had rivaled the Satanic offer to our Saviour, of all the kingdoms of the earth. The vote took place August 2, 1858, and resulted as follows: For the proposition, 1,788; against the proposition, 11,300; majority against it, 9,512.

Thus the great Lecompton struggle was ended, and thenceforward the Kansas ship of State sailed on comparatively unruffled seas toward the final haven of admission into the Union.

HON. EUGENE F. WARE'S POEM.

Col. Anthony now introduced Hon. E. F. Ware, ("Ironquill,") who in an impressive manner read the following poem, which was received with enthusiastic applause by the audience:

JOHN BROWN.

States are not great
 Except as men may make them.
 Men are not great except they do and dare.
 But States, like men,
 Have destinies that take them—
 That bear them on, not knowing why or where.

The why repels
 The philosophic searcher—
 The why and where all inquiries defy.
 Until we find
 Far back in youthful nurture,
 Prophetic facts that constitute the why.

All merit lies
 'In daring the unequal.
 All glory comes from daring to begin.
 Fame loves the State
 That, reckless of the sequel,
 Fights long and well, though it may lose or win.

Than in our State
 No illustration apter
 Is seen or found of faith, and hope, and will.
 Take up her story:
 Every leaf and chapter
 Contains a record that conveys a thrill.

And there is one
 Whose faith, whose fight, whose failing.
 Fame yet shall placard on the walls of Time.
 He dared BEGIN.
 Despite the unavailing,
 He dared begin, when failure was a crime.

When over Africa
 Some future cycle
 Shall sweep the lake-gemmed uplands with its
 surge;
 When as with trumpet
 Of Archangel Michael
 Culture shall bid a colored race emerge;
 When busy cities
 There, in constellations,
 Shall gleam with spires and palaces and domes,
 With marts wherein
 Is heard the noise of nations;
 With summer groves surrounding stately homes:
 There, future orators
 To cultured freemen
 Shall tell of valor and recount with praise,
 Stories of Kansas,
 And of Lacedæmon,
 Cradles of freedom, then of ancient days.
 From boulevards
 O'erlooking both Nyanzas,
 The statued bronze shall glitter in the sun,
 With rugged lettering:
 "JOHN BROWN, OF KANSAS,
 HE DARED BEGIN.
 HE LOST,
 BUT, LOSING, WON."

ADDRESS OF HON. WILLIAM SIMS.

The Secretary of the State Board of Agriculture, Hon. William Sims, was then introduced, and delivered the following address:

THE AGRICULTURE OF KANSAS.

Mr. President: Agriculture in Kansas, like the settlement of the Territory, was commenced under very unfavorable circumstances. The controversy between the people of the North and the South for the possession of the country, and the control of its political affairs, was such as to clog the wheels of progress and hold in check the development of the agricultural resources of the Territory until 1860, when the drouth of that year, immediately preceding the organization of the State, seemed to verify the prediction of those who, at an earlier day, had pronounced the country entirely unfit for agricultural purposes. But the home-seekers of those days, the men who had braved dangers and endured hardships to secure the Territory to free labor, were not to be discouraged by the failure of a single year. They were men of energy, courage and determination, who comprehended the value of the country as an agricultural district, remained with their homes and realized their anticipations.

In January, 1861, amid the dangers and excitements of an impending civil war, Kansas was admitted into the Union as a State. The War of the Rebellion followed within a few months, and for four years but little progress was made; but with the restoration of peace in 1865 our prosperity fairly commenced, and for twenty years

no State in the Union has grown in population and wealth, or increased in agricultural importance, with the rapidity of Kansas.

As will be seen by the following table, our increase in population, rapid as it has been, has at all times been followed by a corresponding increase in value of farm products—the value *per capita* for 1885 being largely in excess of any former period:

Year.	Population.	Assessed valuation.	Area under cultivation.	Total value of farm products.
1860.....	107,206	\$24,737,459 09	405,468	.....
1870.....	364,399	92,528,099 83	1,971,003	\$27,630,651 00
1875.....	528,349	121,544,344 07	4,749,900	43,970,494 28
1880.....	996,096	160,570,761 43	8,868,884	84,521,485 00
1885.....	1,263,562	248,845,277 27	14,252,815	133,577,918 00

The following tables, showing the acres and product of wheat, corn, and oats, together with the number and value of horses, cattle, sheep, and swine, for the years 1860, 1870, 1875, 1880, and 1885, will, I think, clearly indicate the progress and importance of the State as an agricultural and stock-raising district:

YEAR.	WHEAT.		CORN.		OATS.	
	Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.
1860.....	.....	194,173	.....	6,150,727	.....	88,325
1870.....	156,206	2,391,198	595,892	17,025,625	117,079	4,067,925
1875.....	743,204	13,209,493	1,932,860	80,798,769	289,437	9,794,051
1880.....	2,444,434	25,273,884	3,554,896	101,421,718	477,827	11,453,796
1885.....	1,891,977	10,772,181	5,266,035	177,350,703	905,192	31,561,499

YEARS.	HORSES, MULES AND ASSES.		CATTLE.		SHEEP.	
	Number.	Value.	Number.	Value.	Number.	Value.
1860.....	21,840	.....	93,455	.....	17,569	.....
1870.....	129,572	\$9,619,076 96	373,967	\$11,471,038 25	109,088	\$230,175 68
1875.....	232,340	11,497,905 12	703,323	14,786,900 62	106,224	247,501 92
1880.....	425,892	24,514,046 00	1,115,312	27,867,408 00	426,492	1,402,722 00
1885.....	588,672	47,845,410 00	1,973,018	53,516,843 00	875,193	1,750,386 00

YEARS.	SWINE.		Total number of live stock.	Total value of live stock.
	Number.	Value.		
1860.....	138,224	.....	271,088	.....
1870.....	206,587	\$1,456,438 35	819,214	\$22,806,729 24
1875.....	292,658	2,077,871 80	1,331,545	28,610,269 46
1880.....	1,281,630	7,689,780 00	3,249,326	61,563,956 00
1885.....	2,461,510	14,769,060 00	5,898,393	117,881,699 00

Now, Mr. President, a few words as to the past, present, and prospective future of agriculture in Kansas, and I am through.

Twenty years ago, after all question as to the adaptability of eastern Kansas to agricultural purposes had been settled, the propriety of attempting the cultivation of crops in what was then known as the central or middle belt, was very seriously questioned. Those who knew the country best recommended it for grazing purposes, but discouraged all attempts at cultivation. The time soon came, however,

when the pioneer, ignoring all theories, and disregarding all unfavorable reports, determined to make the experiment, and at once commenced breaking the prairie and cultivating the soil in what is now known as the "wheat belt"—as fine an agricultural district as can be found in this or any other State.

This brings us to the third and last belt, and while I have no disposition whatever to encourage anyone to "go west and grow up with the country," I will say, that while failures and reverses, common to all new countries, may be expected, the time is not far distant when good farms, happy homes, and prosperous communities will be found dotted all over western Kansas.

ADDRESS OF HON. ALEXANDER CALDWELL.

Hon. Alexander Caldwell was introduced, as a gentleman who served as a soldier in the Mexican war, and who came to Kansas at an early day, and aided to organize one of the overland transportation companies, long before the time of railroads in Kansas, and one who had been a leading promoter of the establishment of manufactories in this State. Mr. Caldwell then delivered the following address:

KANSAS MANUFACTURES AND MINES.

Mr. President: I appreciate the compliment intended by your committee in assigning to me the subject of "Kansas Manufactures and Mines," but, Mr. President, when I see present so many able gentlemen, distinguished in the annals of our State, I must express my sincere regret that your committee did not select from this number some one more competent than I to do justice to the subject.

My life has been too busy with the pressing and absorbing cares incident to trade and manufactures, to afford the necessary preparation for such an occasion.

However, in deference to the request of your committee, I come fresh from the workshop and factory, with the smoke and smut of the forge upon my brow, to contribute my mite to the exercises of the evening.

Twenty-five years ago I was somewhat extensively engaged in the business of transporting military stores across the Plains in wagons.

Mr. President, I am aware that an allusion to this business is barely germane to the subject, but a request from members of your committee that I should make some reference to this primitive mode of transportation is my apology for referring to it.

To those who lived here prior to the construction of railroads west of the Missouri, I cannot say much that will be new. Yet, even twenty-five years ago, there were comparatively few who realized the magnitude of that business.

The great development in Kansas from 1861 to 1886 will be better appreciated by keeping in mind the fact that one-third of a century ago the most intelligent people of the country had but an imperfect knowledge of this fertile land. As school children, we knew of it only upon the maps as part of the "Great American Desert," the solitude of which was only broken by the war-whoop of the Indian and the howling of the coyotes. To maintain possession of this territory and all that vast country acquired by the war with Mexico, military posts were established in what is now Kansas, Colorado, New Mexico, Utah, and California.

The troops stationed at these points, and thousands of civilians who had gone west in search of fortune, were dependent for support upon supplies from east of the Missouri, the only means of getting which were by wagon transportation.

Prior to the war of the great Rebellion, the starting or outfitting places were Kansas City, Independence and St. Joseph, Missouri; but during and after the war, Leavenworth, Atchison, Nebraska City and Omaha were the principal points of

departure. Leavenworth, however, was the point at which the great bulk of the stores were concentrated.

It is desirable that some record should be left of what at one time was the principal if not the only occupation on the Plains.

The magnitude of that business will be better understood by referring to what was done in this line by one company having then its headquarters at Leavenworth. The amount of supplies required annually for the military alone amounted to from thirty-five to fifty million pounds. I know that except to those who are engaged in the business of transportation by rail, the task of handling fifty million pounds will not be readily understood. Our expert and intelligent railroad men, accustomed as they are to the business of the day, will scarcely realize what it was twenty-five years ago to perform this service. It would have been a commerce of no mean proportion for the great Santa Fé or the Union Pacific Railroads to carry.

A train of twenty-five wagons, starting from the Missouri river on the 1st of May, would not reach Salt Lake City until about the 1st of October, or in four or five months. Now a train of twenty-five or more cars will make the journey in four or five days.

Then a passenger traveling by stage night and day, if unmolested by Indians, or not delayed by storms, could reach Salt Lake in twelve or fifteen days. Now he can ride there comfortably in the palace car in less than three.

Such, Mr. President, has been the progress of the times.

Now let us see what kind of an undertaking it was to transport 50,000,000 of pounds by wagon. Usually trains were composed of twenty-six teams, each wagon loaded with about 6,000 pounds, and drawn by six yoke of cattle or four to six mules. Oxen were generally used, because the first cost was less than that of mules, and they could subsist on the grass alone, while mules or horses required grain to keep them in serviceable condition. Another advantage in the use of cattle was, that when they became foot-sore or disabled, they could be left at stations to recruit for use in succeeding trains, or killed for beef, as the occasion might require.

With each train of twenty-six wagons there were three hundred head of cattle, twenty-five drivers, a captain, (or, as we then called him, a wagon-master,) an assistant, and three extra men; in all, thirty men.

In times of imminent danger four or more of these trains were massed, and in cases of attack the wagons were drawn into a circle, forming a corral, if possible, near a stream of water. The animals were driven inside the corral so formed, and the wagons used for barricades.

To transport 50,000,000 pounds in this manner required 10,000 wagons, 12,000 men, and 120,000 head of stock. These trains of "prairie schooners," as they were then called, traveled westward along the Arkansas to Colorado and New Mexico, and in the valley of the Platte to Wyoming, and beyond to Utah and the shores of the Pacific. Had they been formed into one continuous line, in the ordinary way of traveling, we should have had a column more than 1,000 miles long.

This was an expensive mode of transportation. The investment in a single train of twenty-six wagons was about \$35,000, and the means of transportation necessary to carry 50,000,000 of pounds would cost more than \$5,000,000. The cost of subsisting and moving these caravans was enormous, and therefore large rates of transportation were paid. It may be surprising to the railroad men of the present to know that as late as 1865 the Government paid \$2.25 per 100 pounds per 100 miles. The distance to Leavenworth from Salt Lake City being 1,200 miles, made the cost per 100 pounds \$27, or \$540 per ton. At this rate a train of twenty-five wagons would earn \$45,500. To-day the same amount of freight is taken by rail at a cost of \$1,500. Nothing better than such a comparison demonstrates what the railroads

have accomplished towards annihilating distance, and bringing the remote parts of this country in closer relation.

While it might have been to my pecuniary benefit twenty years ago, had I possessed the power to have said to the builders of railroads, when they reached the banks of the Missouri, "Thus far; no farther shalt thou go," yet the progress of the age demanded the roads, and "westward the star of empire took its way."

Those of us who lived in the river towns twenty years ago, have a vivid recollection of the busy and exciting scenes upon the departure and return of these caravans of the Plains.

Frequently a whole twelve months was consumed in making the round trip, wintering in the snows of the Rocky Mountains, and returning in the spring, the men clothed in the skins of the buffalo, bears and wolves; faces unshaven and hair uncut; some with hats, others with none at all; no two dressed alike, but all arrayed in the most fantastic manner, and some of them as wild and savage as the animals in whose skins they were so strangely clad.

But among them were many brave and faithful men. One instance will be sufficient to show the character of the men generally selected as captains or wagon-masters. One of the first trains organized by myself in 1861 started from Leavenworth, destined for Fort Union, New Mexico, under the charge of Tom Atkins, a character subsequently well known in the frontier towns of the West. The employes of this train were citizens of the western border of Missouri, and as soon as they learned of the fall of Sumter, were restless to return and join the Rebel army.

During the journey they conceived the idea of stealing the entire train and its cargo. Their plan was to run it into Texas, dispose of it for cash, and join the Confederacy. All except Atkins, his assistant, and one other, were engaged in the conspiracy. It was agreed that if Atkins opposed the plan he should be killed.

One night, in the Raton mountains, soon after getting into camp, and when within a few miles of a military post, the plan was submitted. Atkins suggested that after supper they would gather around the camp fire and talk it over. He so managed as to get them seated some distance from the wagon and their weapons, and listened to their proposals. Suddenly springing to his feet, he and his assistants covered the party with their revolvers, while the extra man was dispatched to the fort for assistance.

"And they crouched before him, for he had skill
To warp and wield their vulgar will."

The mutineers were taken to the fort as prisoners, while soldiers were sent to take the train through to its destination. Thus did the courage and decision of Tom Atkins save to our company, and to the United States, thousands of dollars of valuable property.

Card-playing was one of the amusements of the Plains, as it appears to be here. I received a letter from a ranchman demanding \$100 for a horse furnished Atkins. I referred the claim to him, and he returned it with the indorsement that he did not owe that man "a cent."

He insisted that he had gotten the horse on the square; that he had enjoyed the game, and with the poet might well exclaim:

"Oh, the dear pleasures of the velvet plain,
The painted tablets dealt and dealt again."

Subsequently, while engaged in my office in settling the business of his six-months trip, I was startled to find him quietly slipping his pistol from its holster, and then, without a word, and as quick as a flash, wheel around, covering with his weapon a man who had just entered the door. The stranger replied, "All right; you have the

drop on me now, but the next time we meet we shoot on sight, and don't you forget it."

This man was one of the mutineers whom Tom had put in irons, and who had sworn to shoot him. He had followed him to my office for that purpose, but was not quick enough for the occasion. Atkins subsequently killed his man, and he in turn was assassinated and died with his boots on in a Kansas town.

Twenty-five years ago the professional "bull-whacker" was a hard citizen. Profanity was a part of his nature—the cattle even appearing to do their level best, pulling in proportion to the energy and fluency with which the driver delivered himself of his most familiar expressions.

I have known of praiseworthy efforts at reform.

One distinguished freighter, whose name a quarter of a century ago was known west of the Missouri, perhaps better than any other, went so far as to furnish his "whackers" with Bibles, but the effort was a religious and financial failure. The men declared no mortal man could drive six yoke of cattle from the Missouri river to the Rocky Mountains without an occasional swear. The Bibles were traded off to the Indians, and within twelve months the firm went into bankruptcy.

Mr. President, of course you will not understand me as intimating that financial disaster overtook this firm because of its commendable effort to improve the vernacular of the Plains, nor do I admit that it is impossible to make cattle pull without the usual amount of profanity. But in those days there were times when it did appear difficult to dispense with the familiar code. In wet seasons, for example, trains would become mud-bound, and it was not unusual to see a wagon in the mud up to the axle, and the cattle in the mire almost to their backs.

Now this is a bad situation, and it did require real lively talk to get the load to move.

I was passing by a train upon such an occasion, in company with the late Thomas A. Scott, the railroad magnate, who had a moneyed interest in the enterprise.

We passed by one wagon which had sunk down to the axle. Scott, addressing the driver, said: "Well, my man, you are in a bad fix." "Oh, no," he replied, "I am all right, but there are two wagons below mine, and those fellows down there are having a h—l of a time!"

But much progress has been made since those days of prairie schooners; then there was not a mile of railroad in the State, now there are more than 4,000 miles in operation, and as many more projected.

Then not a school house or a church in the Territory, now we have more of both in proportion to our population than any other State in the Union.

Thirty-five years ago the Territory was unknown to the world of agriculture. In the past two years we have produced nearly 400,000,000 bushels of corn, 100,000,000 bushels of wheat, and all other products of the field in proportion.

In 1861 we had a population of 107,000, now we have not far from 1,250,000, and yet this is only our quarter-centennial.

But, Mr. President, it is not alone in agriculture that Kansas has made such rapid development; and now if it is not too late, and if I have not already taxed your indulgence too much, I shall proceed briefly with the subject assigned me.

Thirty-five years ago there was not a factory in the Territory, not a single smoke-stack to obscure the ethereal atmosphere. Human hands had not wrought in the virgin soil, and the curious and frisky prairie dog was undisturbed in his system of mining and subterranean exploration.

Now our young State is known from the frozen lakes of the North to the warm waters of the Gulf, and even to the golden sands of the Pacific, for the numbers and excellence of her manufactures.

In Atchison, Leavenworth, Topeka, Wyandotte, Lawrence, Fort Scott, Emporia, Wichita, and indeed in all parts of the State, the never-ceasing hum of machinery may be heard. In the brief time allotted it will be impossible to refer in detail to the manufacturing enterprises of various cities and towns, but I may speak of one of them as an illustration of what is being accomplished.

Leavenworth is the chief manufacturing center of the State. To dwell upon the subject without making that town a prominent factor in it, would be like attempting the play of Hamlet with that important character left out. I trust, therefore, that I am warranted in selecting that city, my home, as an example for the rise and progress of manufacturing and mining in Kansas.

Up to the year of the war, 1861, and during its continuance, slow progress was made, but since 1865 the development has been rapid.

Mr. President, you are familiar with the business of Leavenworth, but even you may not know that last year the aggregate of manufactures was about \$20,000,000. Prominent among these industries are stove works, producing about 60,000 stoves per annum, about 200 per day, or a complete stove in about every four minutes of working-time.

A single wagon factory with a capacity of 10,000 per year, or thirty-three per day, or a complete farm wagon of the best material, substantially and beautifully finished, turned out every twenty minutes; flour mills with a capacity of 2,500 barrels per day, or 100 barrels every hour of running-time; a glucose factory which consumes daily ten car-loads of coal for fuel, and converts 5,000 bushels of corn into syrup.

An extensive factory for the manufacture of iron bridges.

Factories for the manufacture of furniture, steam engines, and hundreds of others, which time will not permit me to mention.

What I have said of the progress at Leavenworth will apply in a proportionate degree to other cities and towns of the State.

I know, Mr. President, that a classification of facts and figures is not a very entertaining theme, but the subject assigned me is an eminently practical one, and figures cannot be dispensed with. The records show that there are in this State 300 mills, producing annually \$15,000,000 worth of flour, a product of \$50,000 per day, or \$2,000 per hour; and that there are more than 100 saw mills in operation in this prairie State. The aggregate value of wagons and carriages manufactured in this State is more than \$1,500,000; furniture, \$1,000,000; manufactures in iron and brass, \$5,000,000; sorghum, \$200,000; and besides these there are woolen mills, broom factories, lead and zinc works, canning factories, linseed oil works, packing houses, paper mills, organ factories, patent medicines, and other enterprises too numerous to mention, aggregating more than \$40,000,000 of manufactured articles each year.

This, together with the value of field crops of more than one hundred millions, and live stock to the value of forty millions, makes a good showing for our young commonwealth. Mr. President, chance does not govern the world; there is a cause for all things. The fertile soil and excellent climate is the cause of the phenomenal development of our agricultural resources, and the real source and great factor in the wonderful growth of our manufactures is our coal.

It is important then once more to inflict upon you some facts and figures as to the permanency of our supply. At Leavenworth we have a coal mine with ponderous engines, and in its equipment unsurpassed by any in the country. There several hundred men are constantly employed, and from a depth of more than seven hundred feet the shining mineral is brought to the surface at the rate of five hundred tons per day, or one ton per minute at hoisting-time.

At the Penitentiary, four miles south and three miles west of Leavenworth, is an-

other mine of equal depth, and striking the same vein, from which the output is now about 250 tons per day, and which is being rapidly developed to much greater capacity.

From these mines coal is shipped to all parts of the State. The quality is the best bituminous, and has contributed largely to the encouragement of manufacturing.

In regard to the permanency of the supply, Judge F. Hawn, who has given the subject much study, in a report made to the Leavenworth Board of Trade, says:

"Is this supply of coal permanent? If not, our prestige as a manufacturing center will depart. A few facts will show. The shaft of the Leavenworth Coal Co. is situated on the Fort Leavenworth reservation, on the northern edge of the city, and on the bank of the Missouri river; the Penitentiary shaft, some four miles south of the southern city limits, and about three miles west of the other shaft, making the distance between them about seven miles. The rock and formations cut in sinking these shafts are the same, and there is no perceptible difference in the thickness or quality of the coal either; so that both the shafts are working in the same coal basin. There being no diminution in the thickness of this coal-bed, in the distance of seven miles south and three miles west, it is safe to say and certain that our coal basin is at least twelve miles square and covers an area of at least 144 square miles."

Now, Mr. President, let us see what supply we have in this twelve miles square. Practical tests in both mines demonstrate that in this vein of two feet in thickness 70,000 bushels are obtained per acre, equal to 44,800,000 bushels, or about 1,800,000 tons per square mile, or for the 144 square miles 259,000,000 tons.

One thousand good miners will take out about 40,000 bushels, or 1,500 tons, per day. At this rate it will require the labor of 1,000 men for 576 years, or 5,000 men 115 years, to work out this area of twelve miles square.

It will be seen, therefore, that the supply of coal in Leavenworth county is practically inexhaustible, even were one hundred more shafts to be sunk.

But the coal deposit of Kansas is not limited by counties.

The eastern part of the State, from Marshall, Brown and Doniphan counties on the north to Osage, Cherokee, Crawford and Bourbon on the southeast, is to a great extent underlaid with coal.

Mining, perhaps, is prosecuted more vigorously in the four last-named counties. There extensive mines have been opened, from which immense quantities of the best quality of bituminous coal are shipped daily.

Now, Mr. President, while it is generally known that we have coal in Kansas, I do not believe that the quantity and value of this mineral deposit is generally understood and appreciated by our own people. I confess, until I had made some calculation upon the subject, I did not fully realize myself the perpetual source of wealth we have in our coal mines. In Cherokee, Crawford, Bourbon and Osage counties it is safe to assume there is a coal belt covering an area of seventy by twenty miles, or 1,400 square miles. A vein averaging two feet in thickness will give us 1,800,000 tons to a square mile, equal to 2,520,000,000 of tons. One ton of coal is equal to about two cords of wood; so that the coal in this area of 1,400 square miles is equal to 5,000,000,000 cords of wood. Kansas comprises about 50,000,000 of acres. If one-half of it was covered with a forest, we might say that there was a good supply of timber in sight. Yet if one-half of the entire State was covered with a forest of two hundred cords to the acre, we would have 5,000,000,000 of cords, a supply of fuel not exceeding that contained in the coal-beds of four counties; so that the farmers or the manufacturers now here, or those who may come for generations hereafter, may rest assured that in Kansas the supply of coal will not fail them.

But it is not in coal alone that the mineral wealth of Kansas consists. Her lead

and zinc mines are practically as inexhaustible as her coal, and of a richness and quality that have already established them in the markets of the world.

In various parts of the State, salt works are in operation, and large quantities of salt are procured from wells, the brine of which is of more than ordinary richness.

Chalk and gypsum abound in paying quantities, and the deposits of limestone and sand-stone are so immense that all the houses and fences of Kansas might be built of stone without exhausting the supply.

Mr. President, with such a wealth of mineral, and from the geographical position of our State, as the center of the Union, I can see no reason why, within the next twenty-five years, we shall not be among the chief manufacturing States of the Nation.

To the press of Kansas, more than to any other agency, we are indebted for the knowledge the world has obtained of our agricultural resources. We trust now that those brainy, enterprising editors will devote as much energy and ability to set forth the advantages that exist here for manufactories.

Let it be known that immense quantities of farm implements are distributed from points on the Missonri river: that more than two-thirds of them are used upon farms west of the State of Missouri; and that we have all the advantages for manufacturing these articles in Kansas. Why, then, should we continue to pay tribute to the East?

Let us manufacture these articles ourselves, and build up within the borders of our own State the Pittsburgh of America, and thus will we bring the consumer close to the door of the producer, affording to the Kansas farmer the option of a home or a foreign market for the products of his labor.

In connection with this subject, we must not lose sight of the fact that natural gas, because of its convenience and cheapness, has become a great factor in manufacturing in Pittsburgh and other cities of the East. Already about one-third of all the establishments in Pittsburgh and vicinity are using it, and if the discovery and development continue, it will be but a short time until all the machinery of that busy city will be kept in motion by gas.

Manufacturers from other parts of the country, attracted by it, are locating there, and that city will not only be the great manufacturing center of the East, but through the agency of gas is rapidly being transformed from the blackest to the cleanest and brightest in the country.

Kansas should ever be in the van of progress, and action should be taken at once to ascertain what there is for us 4,000 or 5,000 feet below.

A few thousand dollars judiciously expended in the line of geological survey might result in adding untold millions to the wealth of the State.

Let our legislators consider this matter.

Mr. President, every Kansan should feel proud of the progress already made in manufactures.

Even now, as he journeys westward or eastward, he may cross in safety the great rivers spanned by a Kansas iron bridge.

He may travel to the warm waters of the Gulf, or even to the golden sands of the Pacific, and eat bread of Kansas flour baked upon Kansas stoves.

In the forests of Puget Sound he will hear the shrill whistle of a Kansas steam engine. He may tramp his way over mountain and plain, comfortably shod with Kansas shoes; or at any point in the western country a Kansas wagon may be at his command.

If the development of Kansas during the first twenty-five years of Statehood has been so wonderful, to what proportions may not this young athlete attain before you and I are called upon to attend its Semi-Centennial?

I am, sir, not much of an enthusiast, and I do not wish to deceive myself or you by an exaggerated description of what this State may attain to.

I do not think, sir, that I indulge in wild flights of fancy, when I predict here and now, that before another quarter of a century shall have rolled by, this Commonwealth will have more than 4,000,000 people; that it will be the leading agricultural State of the Union, and among the greatest in manufactures.

Here will be the center of pork and beef packing, and the imperial granary of the world; and from the banks of the Missouri, upon the borders of Kansas, streams of traffic will flow, as great and resistless as are the currents of the mighty river itself.

ADDRESS OF NOBLE L. PRENTIS.

Colonel Anthony then introduced Mr. Noble L. Prentis, as the closing speaker. Though the hour was very late, the large audience with eager interest remained to listen to the address upon the subject—

THE WOMEN OF KANSAS.

Ladies and Gentlemen: The women of Kansas, to whom we give to-night, not only the praise of our lips and the loud plaudits of our hands, but the grateful homage of our hearts, is she who sought Kansas from afar, who gave up what man resigns almost without a thought, but to woman is most dear—the home where she was born. Who left the spots her girlhood knew and loved, made precious by hope and sorrow, the altar where she was wed; the grave, perchance, of her first-born, to come to this land, then full to her gentle heart of known and of imagined terrors.

The woman we pledge to-night, whose name and fame is linked with that of Kansas in all the gathered glories of a quarter-century, is she, who, brought face to face with all that was appalling, bore it all, not with the passive, silent endurance of a slave, but with the high resolution of a heroine. Amid the noonday raid and midnight burning, she bravely stood; she heard the ruffian's oath, the Indian's yell, the wolf's hungry cry, and still she stayed by Kansas, and like Deborah, of old, prophesied the future triumphs of her people. She faced not only visible, but more terrible, because invisible, enemies. She sat pale but undaunted in her lowly home amid the parched and desolated fields, while gaunt Famine stood on the threshold or looked in at the window.

She not only saw and suffered, but she was her own and our historian. Before the destroying angel had passed, or the blood on the lintels was dry, she wrote the story down, and among the first and brightest and clearest of the many books in which the wonderful record of Kansas is set forth, is that of a Kansas woman, Mrs. Sara T. L. Robinson, who wrote all that she saw and part of which she was.

The Kansas woman was our first teacher. She is not an old woman yet, as years are counted, but she is older than the Agricultural College, or the Normal School, or the State University. She gathered the children in an academy, the walls of which were of sod and the roof of brush and earth, and taught them to spell such words as truth, liberty, freedom, independence, and instructed them in their geography that the earth revolves every twenty-four hours around its center—which is Kansas. In consideration of her services to the cause of education in those early days, the law of Kansas allows her to act as county superintendent—if she can get votes enough.

The Kansas woman has manifested at all times that highest quality of the mind, endurance of daily ills, hourly discomforts, petty and perpetual annoyances. She has lived in a dug-out; she has existed in a claim shanty, with a stove-pipe for a chimney. She has cooked without wood or coal, and she has battled with the Kansas zephyr. Every Kansas woman who has run a cooking stove with corn-stalks, straw,

or buffalo chips, or who has seen her clothes-line snatched bald a thousand times by the Kansas wind, ought to have a homestead for nothing, and a pension for life. But that same wind has developed the grace and muscle of the Kansas woman. Talk about your yachts—your Puritans and Genestas! A more inspiring sight than ocean ever saw, is a Kansas woman beating up Kansas avenue in the teeth of a roaring gale.

But the worst is over; gone are border ruffians and drouth and privation; gone danger and difficulty. The sunflowers are growing on the roof of the abandoned dug-out and within the roofless walls of the old sod house. The claim is a farm with broad green, or golden, or russet acres now. The family is sheltered in a stately mansion now. Having brought Kansas about where she wanted it, the Kansas woman is devoting attention to culture, to literature, to music, to art. She discusses all the artists from Henry Worrall to Praxiteles; all the musicians from Nevada to the piper who, according to Irish tradition, played before Moses. She belongs to the Kansas Social Science Club, and traverses the fields of human knowledge and investigation, from hired girls to the most abstruse problems of society and government. In the summer she goes to Long Branch and Saratoga, and is accompanied by her daughter, born in Kansas, a girl who has caught in the meshes of her hair the light of the Kansas sun, and in her eyes the violet shadow that girts the Kansas sky at evening. With this beauteous companion she goes about the world, blessed with that calm serenity which characterizes people who have an assured position; who do not want the earth, because they already possess all of it worth having. But if you would disturb this dignified repose; if you would see the frown of Juno, and hear something like the thunder of Jupiter, just intimate to her that Kansas is not the best country in the world, or that it was ever anything else.

It was a Kansas woman who was the first of her sex to climb to the summit of Pike's Peak. Long before there was a bridle-path—much less a railroad—she clambered on her little woman's feet over rocks, through snows, up into the rare, cold atmosphere—up higher than the bird's wing beats the air, up to the very crest, and there saw what no woman's eyes ever saw before. And to-day in Kansas song and story stands the Kansas woman. She has climbed through difficulties to the realms of the stars. Below her lower the dark clouds, and mutter the reverberating thunders of civil strife; below her are the mists of doubt and difficulty; below her are the cold snows and bleak winds of adversity; above her God's free heaven, and before her Kansas as she shall be in the shining, golden to-morrow.

LETTERS RECEIVED BY THE COMMITTEE OF ARRANGEMENTS.

FROM EX-GOVERNOR J. M. HARVEY.

LONDON BRIDGE, VIRGINIA, January 22, 1886.

Secretary of Committee of Arrangements for Quarter-Centennial Celebration—DEAR SIR: Please tender my thanks to the chairman and all the other members of the committee, for the invitation to be present and participate in the celebration.

I regret that feeble health makes it impossible to travel so far at this time of the year, but I will be with you in spirit, for I shall always rejoice in every thing that tends to the honor and prosperity of Kansas.

Very respectfully,

JAMES M. HARVEY.

FROM HON. R. S. HICK.

SAN DIEGO, CAL., February 2, 1886.

Hon. F. G. Adams, Secretary Kansas Historical Society, Topeka, Kansas—DEAR SIR: I thank you for your kind letter of January 14th, inclosing an invitation to the quarter-centennial celebration at Topeka.

Owing to the demoralized condition of the roads and mails, it only reached me a few days ago, but that made no difference; for while nothing would have pleased me more than to have met with my old friends in Kansas on that occasion, it would have been impossible for me to have attended, even if I had received the invitation in time; but I hope to be back in Kansas a month or two in the spring or early summer. Very truly yours,

R. S. HICK.

FROM SAM'L K. FORSYTH.

WASHINGTON, D. C., January 15, 1886.

Secretary Committee of Arrangements, Topeka, Kansas—DEAR SIR: I am in receipt of your letter of invitation to attend the quarter-centennial celebration of Kansas. Nothing would give me more pleasure than to be with you, but my business is so that it is not possible.

You can rest assured that I have a full appreciation of the historical importance of the event you are to celebrate.

I am yours truly,

SAMUEL K. FORSYTH.

FROM DR. W. R. DAVIS.

VINLAND, DOUGLAS CO., KANSAS, January 13, 1886.

Hon. D. R. Anthony, Gov. John A. Martin and others—DEAR SIRS: Your cordial invitation to me to be present and participate in the twenty-fifth anniversary of the admission of Kansas into the Union, to be held at Topeka, has been received, and be assured it will afford me great pleasure to be present and greet the surviving members and officers of that convention.

I remember affectionately and with high respect, the founders of our State and of our civil and religious institutions—such men as Simpson, Burnett, Ingalls, John A. Martin, Kingman, Greer, S. O. Thacher, Blood, Ritchie, Ross, and Burris.

Yours truly,

WEBSTER R. DAVIS.

FROM GEO. B. GILL.

AFTON, IOWA, January 25, 1886.

Hon. F. G. Adams, Topeka, Kansas—DEAR SIR: I see by the papers that the twenty-fifth anniversary of the admission of Kansas is to be celebrated at the Capital on the 29th of January. If I remember correctly it was also on the 29th of January, 1859, that John Brown bade a last and hurried farewell to Topeka, on his way north. It was the 31st that the passage across Spring creek, near Holton was made, usually called "The Battle of the Spurs." I am almost certain that I am correct, and unless some well-sustained record will place it on a different date, I will feel sure that he left Topeka on the 29th of January, which if correct, might in some kind of a theological way be construed into a coincidence.

Yours sincerely,

GEO. B. GILL.

[John Brown's Secretary of the Treasury.]

FROM EX-GOVERNOR CRAWFORD.

WASHINGTON, D. C., January 25, 1886.

Hon. D. R. Anthony, Chairman of Committee on Quarter-Centennial Celebration—MY DEAR SIR: I have the honor to acknowledge the receipt of your kind invitation

to be present and participate in the proceedings at the celebration of the twenty-fifth anniversary of the admission of Kansas into the Union.

It would afford me great pleasure to be with you on that occasion, and learn anew the history, trials, tribulations and achievements of our proud young State, but business of a pressing nature will prevent my coming.

The history of Kansas is the history of stirring, thrilling events. While the whole North was in deep sleep, unconscious of danger, and in profound ignorance of the movements of the powerful enemy, Kansas was awake; on the picket line, and first to sound the reveille. As her sons were brave and magnanimous in war, they have proven themselves just and generous in peace. With open hearts and outstretched hands, they welcomed to hospitable homes and good neighborhoods the people from every State, North and South, and foreigners from every civilized country.

As a result, we have to-day a great State, composed of honest, intelligent, progressive, contented and prosperous people; people who own their homes and have the facilities for educating their children; people who are true to each other and loyal to their Government.

For these blessings we all should be thankful. Our people ought to celebrate and rejoice over the magnificent structure which they, with their own hands, have carved out and erected in the midst of the "Great American Desert."

With its institutions, its homes and farms, its schools, colleges and churches, its roads and public buildings, its credit at home and abroad, the State of Kansas stands prominently in the front rank of States, the pride and admiration of all. It has furnished homes to many homeless people.

England, Ireland and Scotland, with a population of thirty-five millions, are said to contain less than thirty thousand land-owners. Kansas, with a population of twelve hundred and fifty thousand, has more than two hundred thousand land-owners. Kansas is a free State under a republican form of government; the other is a despotism, administered by despotic hands. Hence the difference. These things should be kept steadily in view, and impressed upon the minds of future generations.

I trust that this celebration may be preëminently successful, and go far toward renewing the ties and friendships which have heretofore characterized our people, and made Kansas what it is.

With good wishes for all, I remain sincerely,

SAMUEL J. CRAWFORD.

FROM GEN. C. W. DARLING.

THE ONEIDA HISTORICAL SOCIETY, }
UTICA, N. Y., January 19, 1886. }

D. R. Anthony, Esq., Chairman — DEAR SIR: I regret that it will not be in my power to accept your courteous invitation to attend the celebration of the twenty-fifth anniversary of the admission of Kansas into the Union, and to participate in the proceedings. With thanks for the invitation, I remain yours respectfully,

C. W. DARLING,

Corresponding Secretary.

FROM DR. GEO. W. BROWN.

ROCKFORD, ILL., January 20, 1886.

GENTLEMEN: Your kind letter of the 11th instant, inviting me to attend the twenty-fifth anniversary of the admission of Kansas into the Union as a State, and participate in the proceedings, came duly to hand. Please accept my thanks for your kind remembrance.

Having shared with you in all the events connected with the early history of Kansas, to the close of the great Rebellion, and subsequently watched from a distance

the growth of the Central Commonwealth, with the interest akin to that of the parent for a loved son, allow me to extend to each of you, and to all my old compatriots, my hearty congratulations that you and they have survived to witness the grand consummation of our early wishes and labors, to see its virgin soil densely populated with a great, prosperous and free people, uncorrupted by the blight of slavery, and leading in the great reforms which mark the progress of the race. I ardently wish circumstances were such as to enable me to be present on the interesting occasion, but they are not: so I must forego the pleasure.

I trust the convention will be a grand success, and hope many of the participants in it will survive to share in the half-century celebration, and that the future growth and prosperity of the State will be commensurate with that we have witnessed in the twenty-five years now closed.

Please convey to all the actors in your early history my assurance of high regards.

Sincerely yours,

G. W. BROWN.

Cols. D. R. Anthony, S. N. Wood, and others.

FROM HON. THOS. P. FENLON.

LEAVENWORTH, KANSAS, January 12, 1886.

D. R. Anthony, Esq., Chairman Quarter-Centennial Celebration — DEAR SIR: Yours of the 11th inst., inviting me to the twenty-fifth anniversary of the admission of our State into the Union, to be held at Topeka on the 29th inst., is received. I thank you for this kind remembrance, and, if possible, I will be on hand and do what little I can to add to the festivities of that memorable anniversary.

I remember well the 29th of January, 1861. Tom Ewing, Jim McCahon, myself and others (I cannot now remember them all) took the old "Kickapoo" cannon about where you now live, and fired it time and time again in honor of our admission. "Without regard to race, color or previous condition of servitude," and without regard to politics, I will be glad to meet the old boys of the 29th of January, 1861.

Truly yours,

THOS. P. FENLON.

FROM HON. SAMUEL R. PETERS.

HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., January 14, 1886.

Committee of Arrangements, Topeka, Kansas — GENTLEMEN: I have your invitation of the 9th inst., asking me to be present at the Quarter-Centennial Celebration of the admission of Kansas into the Union.

It would afford me great pleasure to comply, but I fear my duties here will prevent my going. I can assure you, however, that I realize the importance as well as the anticipated pleasure of this celebration, and were it possible for me to be present without neglecting interests confided to my care, I should endeavor to be with you.

The contrast between 1861 and now, in the condition of our country, as well as in the condition of Kansas, is most remarkable. In the last twenty-five years our Government successfully passed through its last crucial test. Prior to that time it was, at least to some extent, an experiment.

When I take into consideration the virtue, intelligence, and advancement of our people, I feel satisfied that our existence as a Nation will be as lasting as time. In securing this permanency, Kansas has wrought a very important part. Her progress, prosperity and wealth have been phenomenal. Her influence is felt everywhere, and her future is unclouded. As the most visionary prophet fell far short of foretelling her wonderful progress in the first twenty-five years of her growth, so now the most vivid imagination would fall short of portraying what the next twenty-five years has in store for our beloved State.

Let us all discharge our various duties to the best of our ability, with an honest

and conscientious fidelity, and thereby assist in placing her at the very front of the sisterhood of States in this Union.

Wishing you and all interested a pleasant and profitable celebration,

I am very truly yours,

S. R. PETERS.

FROM HON. C. F. MANDERSON.

SENATE CHAMBER, WASHINGTON, January 15, 1886.

Messrs. D. R. Anthony and others, Topeka, Kansas—GENTLEMEN: I have your letter of invitation to be present on the occasion of the twenty-fifth anniversary of the admission of Kansas. The event certainly recalls to the memory of thousands, an epoch in our history of great political significance, in the light, especially, of what preceded and followed the coming of Kansas into the Union.

It would afford me pleasure to be with you and those who will attend, but my official duties here will prevent, which I greatly regret.

Very respectfully,

CHARLES F. MANDERSON.

FROM R. C. COLEMAN.

GOSHEN, N. J., January 2, 1886.

D. R. Anthony, Esq., Chairman, &c.—DEAR SIR: Your invitation to attend the celebration of the twenty-fifth anniversary of the admission of Kansas into the Union on the 29th day of January, inst., has been received.

I should be very much pleased to attend, but official duties will require me to be in Orange county at that time.

The celebration of an anniversary of this event, so rich in historical incidents, must certainly prove a very interesting occasion. But I shall have to content myself with reading an account of it. I remain yours,

R. C. COLEMAN.

FROM JOHN BROWN, JR.

PUT-IN-BAY ISLAND, LAKE ERIE,)
OTTAWA CO., OHIO, January 25, 1886. }

To Committee of Quarter-Centennial Celebration, Topeka, Kansas—GENTLEMEN: Your invitation to attend the twenty-fifth anniversary of the admission of Kansas into the Union awoke me out of a kind of "Rip-Van-Winkle" sleep. Not in a cave of the "Kauterskills," but in an island in Lake Erie, have I for a quarter of a century been dreaming?

Surely it was but yesterday since there assembled on the high ground south of the "Kaw river," in a low, broad, two-story stone building a body of resolute men. Having, it seemed to me, more than an average share of intelligence—men full of magnetic fire, not their lips merely, but their entire being "touched with a live coal from off the altar of freedom;" men whom neither swollen streams filled with running ice, nor threats of bodily harm, could hinder from meeting to do their duty in a legislative capacity under the Topeka Constitution.

Passing before my mental view, I see the leading men of those days, and though military titles were plenty, and their honors borne with becoming modesty, the title of "Honorable," suddenly acquired by a few of our citizens as representatives of the people and authorized to sit as legislators on the upper or lower floors of that State House, was a distinction felt, though it could not be seen. From the Senate Chamber I see the tall form of Henry J. Adams, he of dark complexion, clear-cut features and bright eyes; of calm exterior, yet when speaking having the power of an oracle.

At that time in Topeka many were assembled who were members of the "third house;" yet, as all seemed desperately in earnest, it would be invidious to say who were and who were not of the "honorables." There was positive, impetuous S. N. Wood; strong, deliberate, determined, energetic Captain Sam. Walker; the sunny-

haired, silver-tongued Martin F. Conway; Father Tuton, of "blue-jeans" memory; John Speer, "State Printer," anxiously working for the common good; G. W. Brown, of sinuous nature and manner "child-like and bland;" H. H. Williams, who, rather than fail of being present and taking the oath as a legislator under the Topeka Constitution, made the entire journey on foot from the valley of the Pottawatomie to Topeka, and returned by the same conveyance, as I have good reason to know; Charles A. Foster, and O. C. Brown, of Osawatimie, and David Starr Hoyt, soon afterwards stealthily killed on the Wakarusa.

Time and space will not allow of my wandering far from the pretty hamlet which General Lane, on the occasion of his being elected with Governor Reeder, United States Senator, under the Topeka Constitution, in an open-air speech near the Garvey House, called the "beautiful city of Topeko."

Yes, as "the chromos are turned on," there comes into view the "Garvey House" and its proprietor, E. C. K. Garvey, the plump, rosy, garrulous little Irishman. His house was the headquarters of what Lane called "skulduggery."

The night before the election of Lane as Senator, he asked me to come to his room in the Garvey House. In the darkness of midnight, (for he lighted no lamp,) he said:

"Brown, I want to talk with you, and as we must not be heard, come and lie down on my bed here, with me. Now, Brown, I know you and you know me, and you know I am not the man to forget my friends. To come to the point at once, I want you to vote for me to-morrow."

I replied: "I am sorry, General Lane, that you have said this, for it looks as if you suppose I am in the market for sale."

"Excuse me," he said; "I should have been more thoughtful; have you anything against me that would deprive me of your vote?"

"Gen. Lane, I will frankly tell you that I have not, at least during a part of our acquaintance, had a good opinion of you."

"Why?"

"Well, do you remember the speech you made last summer in Lawrence, in which you said that, 'so far as the rights of property are concerned, I know no difference between a negro and a mule.' I heard you say that."

"Well, Brown, I've felt like kicking myself ever since."

"General, I determined this morning, some hours before you invited me to call on you here, that James H. Lane would get my vote to-morrow."

He threw his arms around me and hugged me like a brother.

"Brown, you are a man after my own heart, and I want you in our secret order."

"Is it the same that G. W. Brown gave my brother and me some knowledge of last fall, soon after Barker was killed?"

"I don't know, but you are just the man I want. Now, Brown, stand up, and I will put you through the first degree; but before proceeding I will explain its objects and obligations, from which you can conscientiously join our order. Its object is to unite our Free-State men, enable them to recognize each other in the dark as well as in the light; in short, to make each member of the order know the other, and make him feel that the other is in full sympathy with him, and can be depended upon under all circumstances to aid to the best of his ability in promoting the common cause, which is to save Kansas from the curse of slavery. You can see at once," said he, "that through this we can come to feel each other's shoulders; you understand me?"

"Yes, yes."

"Of course you do. Upon honor, I assure you, that a man who loves freedom,

his country, and the government of his fathers, will find nothing in this order to object to. Are you ready for the obligation?"

"Yes; but wait a moment. Do Governor Robinson, and our other good and true men belong to or favor this, as G. W. Brown did last fall?"

"Well, I cannot tell you everything pertaining to the order at this stage. Wait a little." He said: "Robinson, and others I might name, are all right, but working chiefly, (as I understood him,) in the higher degrees."

"I am ready, I said."

Never can I forget the weird eloquence of his whisper as he breathed into my ear the words of the ritual of the first degree of the order, gave me its sign, grip and password, and its grand hailing-sign of distress, which in the night-time was "Ho! Kan-s-a-s," uttered in loud voice, with accent on the last syllable, long drawn out.

Next morning he duly invested me with the emblem of my degree, which was a narrow, black ribbon, worn in the button-hole of the shirt-collar. He added, "When you return home, begin at once the work of organizing in your own neighborhood."

My rifle company, previously organized, of men living on Pottawatomie creek and vicinity, a few miles from Osawatomie, met for drill near an old log house not far from Partridge's, on a claim, I believe, of Judge James Hanway. In that old log house we deposited our arms and adjourned in a body to attend the opening of Judge Cato's court, held at Dutch Henry's house. After his charge to the grand jury we all returned and resumed our drilling exercises near that old log hut, a picture of which (misnamed "John Brown's cabin") Governor St. John presented to me in the Governor's room in the State House at Topeka, in the summer of 1879, when I was there in the interests of the colored refugees from the South.

At that drilling exercise father was present. He, Judge Hanway, James Townsley, my brother and brother-in-law, William Thompson, August Bondi, (and his near friend, whose name I cannot this moment recall,) the Partridges, H. H. Williams, Cochrane and others, were then members of my company, having signed my muster-roll soon after the adjournment of the Topeka Legislature.

At the close of the drill I said to several of my men that I wanted to see them privately in a ravine in the woods, (I think it was a little northeast of the house where William Partridge, his wife and his sister Mary Partridge lived;) and one at a time I initiated them into that eminently practical order, whose animating spirit was General James H. Lane.

That order in its infancy (it had no other life) died of inanition, through lack of being properly nourished by the then "Major General of Kansas Volunteers."

After the ball held in the chamber of the lower house, which Lane and many even from Lawrence attended, (headed by a delegation of "Stubs" known also as "Company A,") I saw him no more. He had my heart and hand; he has them still; I would not be divorced.

Where shall I stop reeling off these threads of reminiscences? I will close by referring to one incident merely, which I ought to mention as a testimony to my friend ex-Governor Robinson. Around him in those days there lingered a subtle air of mystery quite captivating to young men and to most women, and well calculated to inspire devotion. I write from experience. After thirty years, I cannot even now, in spite of some part of that experience, check some heart-throbs of old-time loyalty. My unrequited love for him, alas, is not singular in having "wasted its fragrance on the desert air." With vivid clearness, I recall my emotions on meeting Governor Robinson within a few hours after my release on bail as treason prisoner, at Leecompton, by Judge Leecompte.

We met on the east side of Massachusetts street in Lawrence, nearly opposite

where Mr. Thacher (I believe) published a paper in 1879. Gov. Robinson was going south, I north—he on the sidewalk, I on the street, when he hailed me, saying:

“John, stop a minute; I’ve some money for you.”

He then handed to me a twenty-dollar gold-piece.

I said, “How does this happen?”

“It’s money that has come to me from the East to aid needy Free-State people, you and the rest of us, and I don’t know of anybody to whom it would likely be of more use than to you and some of your folks.”

“I certainly feel very grateful to some one,” I said, “and if you know who it is that has sent the money, please let him or her know of my gratitude; I will step in and write you a receipt for this money.”

“No, I haven’t time now; it’s all right as it is, and you need not bother your head about it.”

Perhaps my venerable friend has to me and to others often done good by stealth, taking no receipt, on the principle “Let not your left hand know what your right hand doeth.” However, it affords me a genuine pleasure to let it be known even to the new generation, where twenty dollars went of that fund of which Gov. Charles Robinson (under the Topeka Constitution) had the handling. I would also hereby acknowledge the receipt of sundry “blessings” from my Governor Robinson, all of which, I trust, are duly appreciated. I am sure that I would not willingly deprive my old-time idol of even the least jewel in his crown; for towards him in his declining years, I cherish no animosity, but instead will ever keep in view the Governor Robinson as he appeared to me in my days of unsophisticated greenness.

In the spring of 1862 I had the privilege of looking from Mount Oread, near Lawrence, over the valleys of the Kaw and Wakarusa, and again from the same standpoint in 1879, seventeen years later. What may have been the growth of Kansas in seven years, since I was there last, I can only judge by comparing the Kansas of 1856 with that of 1879, covering a period of twenty-three years. When I saw her last her “gates were ajar” to the colored refugees from the South, many of whom (from the mud and filth where for a time they were compelled to tarry outside the walls) caught only a glimpse of their Canaan, and closed their eyes forever.

Truly, “the destruction of the poor is their poverty.”

Thanks to the Infinite Providence, the priests and Levites were outnumbered by the Samaritans. Some of these, notably Governor St. John, Chief Justice Horton, F. G. Adams, the *Commonwealth* newspaper, J. C. Hebbard and others, it was my privilege to know and to never forget.

Permit me in conclusion to offer this sentiment: WONDERFUL! GLOBIOUS KANSAS! *her phenomenal success, the natural fruit of the tree of righteousness, planted and growing in her soil.*

JOHN BROWN, JR.

FROM HON. P. P. WILCOX.

DENVER, COL., January 24th, 1886.

To D. R. Anthony, Chairman; F. G. Adams, Secretary; S. N. Wood, John Martin and others of Committee—GENTLEMEN: I have received your invitation to be present at the celebration of the twenty-fifth anniversary of the admission of Kansas into the Union, to be held at Topeka on the 29th instant, and regret that my engagements are such as to render my acceptance impossible.

But though I cannot be with you in person, I beg to assure you that I shall be no more forgetful of the day, and the old friends who will clasp hands and mingle congratulations on that occasion, than I am of the stirring events in which they and I were actors, and through whose successful issue, a State was founded in the wilderness and has grown to conspicuous prominence and influence in the great sisterhood.

Pardon the pride of a pioneer of '55 which prompts me to recall some of the experiences of those early days. I went from Missouri to Atchison, Kansas, in company with about five hundred other Democrats, on the 30th of March, 1855, to assist a scattered population in depositing a sufficient number of votes to make the numerical strength of the Territory appear respectable, possibly to help the cause of slavery a little; but finding the country in that vicinity very attractive. I devoted the day to locating a claim adjoining the town-site, and through my eagerness to become the owner of 160 acres of the public domain, I lost the chance to do some of the tallest voting ever heard of at any other election in the history of Missouri. Although at that time Atchison could scarcely boast a single permanent citizen, there were about 3,500 votes in that precinct that day, and I am quite certain the number of votes cast represented the majority, as I heard of no one being killed.

On the 7th day of May following, I removed to my claim, and from that time until 1860 I took an active part in the political affairs of the Territory, helping to undo what the Pro-Slavery invasion, of which I had been in some measure a part, had accomplished at that election. I remained long enough to see freedom established, and Kansas, on the high road to her present wonderful prosperity. Leaving her, I only went out from the mother to assist in rearing her child, in whose vigorous growth my early hopes have been fully realized. And now, from my mountain home in Colorado, I send greeting to the friends of my earlier years on the plains of Kansas, congratulating "Border-Ruffians" and "Jayhawkers" alike on the prosperity wrought by their efforts, and the harmony and good-will that now prevail among them.

Very respectfully,

P. P. WILCOX.

FROM FRANK B. SANBORN.

CONCORD, MASS., January 25, 1886.

To the Quarter-Centennial Celebration Committee, Topeka, Kansas—GENTLEMEN: Your note of the 11th inst., inviting me to participate in the celebration of the admission of Kansas into the Union, on the 29th, found me too much occupied with engagements to accept the invitation, as I would gladly have done.

I remember that event well, and for three or four years previous had been doing what I could to secure the admission of Kansas as a Free State. That victory was worth all that it cost, and without it the great contest for freedom in the civil war might have had a different immediate issue, though none can doubt that slavery would have died at last. Its first deadly wound was given on the prairies of Kansas in 1856; though a four-years war was necessary to complete its destruction. I thank God that I had some share in piercing its rhinoceros hide, when it was trampling down the rights of white men in Kansas, with the National Government doing what it could to help the beast, and hold its victims still. I thank God that John Brown and other brave men were on the spot to chase and finally to drive him back into the Platte Purchase, where he was hunted to death a few years later by General Lane and the Union soldiers. It was no time for moral suasion, and I rejoice that the men of Kansas did not rely upon that alone, nor upon political management; but were ready to fight for their cabins and their ideas. The result is, that you have a State where freedom means something to every citizen, and a history of which you have a right to be proud. I have seen some recent attempts to write this history in such a way that if the historian told the truth, you ought to be ashamed of yourselves; but it is easier for one man to be mistaken than for a whole people to be in ignorance of their own annals; and I look to the men who have known Kansas from first to last, of whom there are many still living, for such a history of Kansas as shall be good reading for you and for me, and for our children after us.

Such gatherings as that of the 29th instant will promote the work of the historian, and give a new impulse to your excellent Historical Society, which is doing so much good work. I am indebted to it for many agreeable hours when I visited Kansas in 1882, and I shall never cease to be interested in all the institutions of your noble State.

Truly yours,

F. B. SANBORN.

FROM GEN. W. T. SHERMAN.

912 GARRISON AVENUE, ST. LOUIS, MO., January 27, 1886.

Col. D. R. Anthony, Leavenworth, Kansas—MY DEAR FRIEND: I was very much gratified yesterday by the receipt of your kind letter of the 25th, inclosing me a certificate of membership of the State Historical Society, and by you will assure the members thereof that I appreciate the honor, and would be only too happy to share in their meeting, were it at all practicable.

It seems to me but yesterday when all of Kansas was occupied by Indians, except Leavenworth Fort and a few missions, and now it ranks among the first of the food-producing States of our Union. Even yet the great mass of our people hardly recognize the magical change wrought in the past thirty-five years. Yet little by little the truth will be made manifest, and the pioneers or their children will realize that they have been rewarded for the toil and trials of 1855-6, as also the more serious struggle of 1861-5.

Last summer Mr. Bayard, Secretary of State, who had just come from your State University, at Lawrence, where he had made an oration, asked me in the presence of several gentlemen, if I had ever been there, and if I had ever seen a more beautiful rural landscape than the one from the college hill up the valley of the Wakarusa? Of course I had been there many times, and admitted it was, beyond question, a most lovely view, justly entitled to a fair comparison with that from Pilot Knob, near Leavenworth; that from the Soldiers' Home, at Washington, looking down the Potomac; or, the most famous of all, that looking up the Valley of the Thames from Richmond Hill, above London.

Wishing you and your association all honor, and again thanking you for the valued compliment,

I am sincerely your friend,

W. T. SHERMAN.

FROM HON. P. B. PLUMB.

SENATE CHAMBER, WASHINGTON, January 25, 1886.

Col. D. R. Anthony, Hon. John Martin, Hon. A. H. Horton, and others, Committee, &c., Topeka, Kansas—GENTLEMEN: Your invitation to participate in the exercises which you have arranged for the 29th inst., I would gladly take advantage of did not the stress of official duties imperatively forbid.

The event to be commemorated properly holds the first place among the numberless stirring incidents which have punctuated the history of Kansas. Many of these will doubtless be vividly recalled by distinguished men who bore a part in them, and the result of your deliberations will necessarily be to brighten and perpetuate historical associations of great value.

The rapidity with which momentous results and conspicuous achievements succeed each other, and the wonderful developments that are compassed within a comparatively brief period, are emphasized by the fact that many of the men who participated most notably in the struggles which preceded the formal establishment of the commonwealth are yet either in the meridian of life or but little advanced beyond it.

The earlier history of Kansas is as unique as its later annals have been singular in their record of successful progress. The influence of the local contentions and trials of those first years pervaded the whole country, divided political parties, fanned

partisan excitement to an unparalleled pitch, and planted the seeds of civil war, so formidable as to astonish the world. And when those local trials were happily ended by the act of admission, the prophecy of Mr. Sumner was fulfilled, and Kansas became indeed a "ministering angel to the Republic."

It was a felicitous preference which selected as the first Chief Magistrate of the infant State a man whose devotion to the interests of Freedom had been consistently conspicuous, and who had attested that devotion by personal dangers and sacrifices; nor can it be denied that each one in the lengthening line of his successors has guided the commonwealth not only safely through dangers, but by prudently progressive steps has led her towards the realization of the dreams of a model government.

I cannot doubt that your meeting will prove eminently successful, and my regret that I cannot personally share in the enjoyment of the occasion is earnest and profound.

Very truly yours,

P. B. PLUMB.

FROM FRED. LAW OLMSTED.

BROOKLINE, MASS., January 15, 1886.

F. G. Adams, Secretary—DEAR SIR: I much regret that my engagements will not permit me the pleasure of attending the celebration of the twenty-fifth anniversary of the admission of Kansas into the Union, to which I have had the honor to be invited by your note of the 11th inst. on behalf of the committee of arrangements.

Very respectfully,

FRED. LAW OLMSTED.

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NOTE.—In the orthography of names in this index, in some instances, the spelling differs from that in the text. This has arisen from an effort to correct erroneous spellings in the record from which a portion of the text has been copied.

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