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Section 33, Pages 961 - 990

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July 14 pegged wheat loans at the legal minimum of 59 to 60 cents a bushel in order to encourage the greatest use of the bumper crop of 1938 and to discourage overproduction in 1939.[42]

As bad as the low pegging of wheat loans, their payment was thoughtlessly slow. Application blanks for the loans had not arrived in county offices by early August. McGill was irate and exerted further pressure on the Department of Agriculture to act. Farmers were expressing great dissatisfaction concerning the handling of the loan program as many of them were forced to take short-term private loans at high interest rates. Moreover, the government refused to make loans on wheat it deemed to be of marginal quality. The loan checks began to arrive in September, but, as Cong. Clifford Hope observed, "It certainly has been terrible the way they have delayed making these loans" when the agriculture department knew in June they would have to be made.[43]

McGill had to conduct both primary and general election campaigns. His primary foe, Joe Dohner, a Peabody farmer, ran little more than a nominal campaign, and the senator easily defeated him in August. More important was that the four candidates for the Republican senatorial nomination received some 248,000 votes while the two Democrats attracted only about 137,000. Yet McGill's forces were looking beyond the primary to the general election. The Democratic newspaper advertisements began before the primary election and were run often until the November election. In his campaign McGill emphasized his efforts to achieve economic stability and relief in the farm act. He particularly identified himself with its wheat crop insurance and soil conservation provisions. Moreover, he was careful to make vows and promises to a variety of other groups, including oil producers, veterans, youth, labor, and military preparedness advocates as well as defenders of American neutrality. McGill often took to the radio, and he followed a gruelling schedule of speech-making over the state.[44]

Early on the senator received much encouragement. The Wichita *Morning Eagle* contended that Clyde Reed, McGill's Republican opponent, would have trouble rallying the followers of his erstwhile primary election foes, especially those of the right-wing extremist, Gerald Winrod. McGill also got positive assessments from his own supporters who often wrote him as federal Internal Revenue Collector H. D. Baker did that "your campaign is going good." Nevertheless, the senator knew that he was in trouble with many farmers and, as the campaign developed, with Reed. McGill worked hard to expedite wheat loans to farmers, and he conceded that however splendid the farm act was, it needed amendments.[45]

Others recognized McGill's predicaments, too. Republican Congressman Hope saw in the bitterness of farmers encouragement for his party's nominees in Kansas. On September 12 he cautiously predicted to a national Republican official that their party would carry both the governorship and the senatorship. Hope was more positive in his assessment of October 17, though he found it "hard to believe that the situation can actually be as good as it looks." What made McGill's plight worse was that the Democrats, according to Hope, were emphasizing their gubernatorial campaign. Democratic reports paralleled Hope's. In response to an inquiry from Agriculture Secretary Wallace's office, Richard M. Long wrote on September 14 that "things do not look as well as they did. . . . our chief trouble lays with the Farmers [who] apparently are not as well sold on the [farm] program as they should be." As requested by Democratic National Committee Chairman James A. Farley, Omar B. Ketchum assessed the election situation in Kansas toward the end of October. He predicted that Huxman would win handsomely and that McGill "should win easily unless the farm revolt should be much stronger than anticipated." Ketchum also thought the senator might have problems because "there is some

42. Kansas City *Star*, July 6, 1938; McGill to Henry A. Wallace, July 11, 1938, M. L. Wilson to McGill, July 22, 1938, "McGill Collection;" Long to Julien N. Friant, September 17, 1938, "Long Collection;" Wichita *Morning Eagle*, August 8, 1938.

43. Long to Julien N. Friant, September 17, 1938, "Long Collection;" Wichita *Morning Eagle*, August 8, 1938; Hope to Henry A. Wallace, August 4, 1938, Hope to George E. Farrell, August 10, 1938, Hope to H. R. Bennett, August 18, 1938, Farrell to Hope, August 24, 1938, Hope to Fred Sparke, September 20, 1938, "Hope Collection."

44. Wichita *Morning Eagle*, July 17, 31, August 2, 5, 25, September 2, 4, 20, 25, October 13, 16, 18, 23, 29, November 3, 6, 1938.

45. H. D. Baker to McGill, August 24, 1938, "McGill Collection;" Wichita *Morning Eagle*, August 8, 21, September 3, 4, October 30, 1938.

dissatisfaction among Democrats, chiefly over patronage matters." [46]

CLYDE REED definitely posed problems for McGill. The former Republican governor had the reputation of being temperamental. He surprised everyone, however, with his disciplined, moderate campaign. He safely described himself as "standing on the Republican platform and my lifetime record of devotion to the best interests of Agriculture, which is the most important thing to Kansas." He also championed the constitution, and he declared that after six years of the New Deal, the country had not recovered from depression. Real liberalism, he stressed, followed the path between "Big Business" and Roosevelt's "Big Government." Reed's supporters pressed the issue of low farm prices and suggested that the result would be McGill's defeat. Many of them also chided those who "rubber-stamped" the New Deal. Plainly, the Reed campaign, without being nasty, was exploiting McGill's close connections with the 1938 farm act and the New Deal, which were declining in esteem in Kansas, as well as the senator's mild association with the attack on the supreme court in 1937. Reed's campaign was helped by Arthur Capper's criticism of Roosevelt's "yes men" and the senior senator's about face on the farm act, which he condemned for promoting "centralization of authority in Washington." [47]

McGill counterattacked by saying that Reed was vague on farm issues and had been more hostile than himself toward the supreme court in 1937. The senator accused his opponent of being allied with Eastern and reactionary interests to destroy the agricultural program. He went to great lengths to declare that he was an independent-minded senator. This assertion was demolished, however, as War Secretary Woodring and Senate Majority Leader Alben Barkley, trying to be helpful, soon afterward described McGill as a loyal supporter of President Roosevelt! That was not the only late campaign miscalculation made by the senator's backers. For one, there was the large advertisement, entitled "Reed Forgets," which gave the Republican much free exposure and only mentioned McGill's name in small letters at the bottom. For another, the senator's side failed to make arrangements for a special McGill edition of the *Labor* newspaper until it was too late to be fully effective.[48]

The campaign on behalf of George McGill continued energetically, however, until election day. His forces imported Democratic Senators Alben Barkley of Kentucky, Allen Ellender of Louisiana, Carl Hatch of New Mexico, and Josh Lee of Oklahoma to help. Moreover, Democratic National Chairman James Farley and Sen. Lewis B. Schwellenbach of Washington sent last minute telegrams of support. This and much else was to no avail, however. Reed defeated McGill, 419,532 votes to 326,774. Even Governor Huxman was beaten, and the Democrats suffered considerable losses in other election categories.[49] Congressman Hope was proved right about the big swing back to Republicans in Kansas in 1938.

UNHAPPINESS among farmers was the reason most often cited for the Democratic debacle at the polls. Henry Wallace was "shocked," and he pointed out that his party's losses were largest in farm areas, especially in corn and wheat states. One McGill worker proclaimed that "The farmer is the most ungrateful person in the world;" another declared that "Kansas farmers must have been in a stupor." McGill contended that the election results were "due largely to low commodity prices." He believed that the state's farmers "will find they have made a mistake," that it

46. Hope to Earl Venable, September 12, October 17, 1938, "Hope Collection;" Julien N. Friant to Long, September 14, 1938, Long to Friant, September 17, 1938, "Long Collection;" James A. Farley to Ketchum, October 20, 1938, Ketchum to Farley, October 27, 1938, "Omar B. Ketchum Collection," manuscript division, Kansas State Historical Society.

47. Schruben, *Kansas in Turmoil, passim;* McCoy, *Landon of Kansas, passim;* Saloutos and Hicks, *Agricultural Discontent,* p. 523; Clyde M. Reed to Thale P. Skovgard, October 31, 1938, "Hope Collection;" Wichita *Morning Eagle,* September 16, October 9, 12, 1938; Homer E. Socolofsky, *Arthur Capper, Publisher, Politician, and Philanthropist* (Lawrence: University of Kansas Press, 1962), pp. 182-183; Partin, "Senator Arthur Capper," ch. 4.

48. Wichita *Morning Eagle,* October 15, 23, 25, 27, November 1, 2, 6, 1938; Long to H. O. Brenner, October 26, 1938, "Long Collection."

49. Wichita *Morning Eagle,* October 18, 27, 30, November 6, 1938; James A. Farley to McGill, November 4, 1938, L. B. Schwellenbach to McGill, November 4, 1938, "Long Collection;" June G. Cabe and Charles A. Sullivant, *Kansas Votes: National Elections, 1859-1956* (Lawrence: University of Kansas Governmental Research Center, 1957), pp. 76-77; William Frank Zornow, *Kansas, a History of the Jayhawk State* (Norman: University of Oklahoma Press, 1957), pp. 255, 259.

Apparently money was not a crucial factor in the senatorial contest between Clyde Reed and George McGill in 1938. Reed reported general election campaign expenditures of $6,789.17 and McGill $15,172.56.—*See* Clyde M. Reed statement, "Records of Secretary of State," Election Files, Reports of Campaign Expenses—General Election, 1938, archives, Kansas State Historical Society, and George S. McGill statements, Record Group 46, "Records of the United States Senate," Campaign Expense Reports, 1938, National Archives and Records Service, Washington.

was "difficult to get them . . . to be willing to understand the farm measure." Representatives of the Farmers' Union agreed that agriculturalists were responsible for the Democrats' losses. As one group of them wrote Secretary Wallace, what else could one expect given the farmer's financial plight. John Vesecky, the Kansan who had recently been elected president of the National Farmers' Union, told Senator Capper, "We do not expect to ask for repeal of the present agricultural act, but we do believe it needs a lot of amendments and that farmers should be assured a fair exchange price." [50]

There was, however, more behind the election results than agricultural discontent. McGill's associates cited a variety of other problems: some postmasters and other Democratic officials did not cooperate with the campaign; the Republicans worked hard and effectively for their victories; the opposition had taken over the vote of relief workers because they had gotten control of a good deal of patronage; and some voters reacted adversely to Mrs. McGill campaigning with her husband. Omar Ketchum blamed "petty differences" among Democrats and ingratitude on the part of agriculture, labor, and veterans. McGill conceded that "there was a landslide against us and I do not believe anyone could have overcome it." [51]

Certain factors were, however, overlooked in the postmortems and the lamentations over voter ingratitude. The slowness of the Department of Agriculture in making loan payments and the low per bushel price of the loans must have made many farmers even more unhappy than they already were. Moreover, judicial issues probably contributed to the growing adverse reaction to the Roosevelt administration and those, like McGill, who were associated with it. Yet it is clear that there was an at least equally important reason for McGill's defeat. He just did not organize early enough or handle himself astutely enough to enhance his chances for reelection. One can further suggest that the senator suffered from having too little flair for the theater of politics. Indeed even the Wichita *Eagle* concentrated more on Republicans in its news columns, and why not? They were more interesting and better at making news than was McGill. All this suggests that scholars must be careful in citing the reasons for election results. Given what happened in Kansas in 1938, agricultural discontent was probably the chief reason for McGill's loss. It was, however, only one of several reasons, all of which tended to reinforce one another.

What of McGill after the 1938 election? He resumed the practice of law in Wichita, but he did not foresake politics. He ran again, unsuccessfully, as his party's nominee for the senate in 1942, 1948, and 1954. He was also a delegate to the 1944 Democratic National Convention, and he often worked in Democratic campaigns and spoke out on the issues until his death in 1963. Nor was he exiled permanently from Washington, for he served as a member of the U.S. Tariff Commission from 1944 to 1954. In short, for a generation George McGill was an important part of the democratic dialogue in Kansas.[52]

50. Saloutos and Hicks, *Agricultural Discontent*, p. 525; Erna R. Corey to McGill, November 8, 1938, Newell George to McGill, November 9, 1938, McGill to W. P. Waggener, November 11, 1938, McGill to Walter A. Huxman, November 25, 1938, "McGill Collection," Wenzel Neuburger, *et al*, to Henry A. Wallace, November 8, 1938, John Vesecky to Capper, November 26, 1938, "Arthur Capper Collection," manuscript division, Kansas State Historical Society.

51. Erna R. Corey to McGill, November 8, 1938, T. F. Morrison to McGill, November 10, 1938, Faye James to McGill, November 9, 1938, Omar B. Ketchum to McGill, November 10, 1938, McGill to Ketchum, November 11, 1938, "McGill Collection;" Newell George to Long, November 18, 1938, "Long Collection."

52. Wichita *Evening Eagle*, February 4, 1939; Wichita *Morning Eagle*, February 17, 1942, May 29, 1948, January 29, 1949; Wichita *Beacon*, April 16, 1944, June 23, 1944, August 7, 1944; Topeka *Capital*, March 21, 1956; Wichita *Eagle and Beacon*, May 14, 1963.

[In Progress] Kansas history: a journal of the central plains

SEQUENT OCCUPANCE IN KANSAS CITY, KAN.—A HISTORICAL GEOGRAPHY OF STRAWBERRY HILL

JOSEPH MANZO

The view of geography as a succession of stages of human occupance establishes the genetics of each stage in terms of its predecessor.—DERWENT WHITTLESEY

THERE is a small area of land, much of it in slope, near the confluence of the Kansas and Missouri rivers in Kansas City, Kan. (figure 1).[1] Taking its name from the wild strawberries once found there, today the area, called Strawberry Hill, is synonomous with the Slavic individuals and families residing there.[2] However, Strawberry Hill has been home to a variety of people of native American and Euro-American background. This article does not seek to repeat the details of what is already known about these people historically but offers a new perspective on Kansas people in a small part of one of their oldest cities.[3] The purpose of this study is to gain an understanding of why each group chose the strawberry-covered hill for settlement and why each group gave up residence to the next.

Evidence indicates that in the case of historic native American groups environmental perception and white influence played major roles in Strawberry Hill settlement decisions. In the case of Euro-American settlements the links between human occupations are more subtle and include proximity to already established settlement, religious affiliation, government influence, and social mobility. An examination of the basis for settlement in the Strawberry Hill area provides a framework through which to view settlement in Kansas City and other urban areas in general.

IN 1830, under the strong Indian policies of Andrew Jackson, the historically indigenous Kansa Indians agreed to a diminution of their range as native Americans east of the Mississippi and north of the Ohio river and were moved into Kansas territory.[4] The feelings of these emigrant Indians toward the Kansas territory were mixed but, generally, the Kansas river valley, of which Strawberry Hill is a part, was thought by most to have a good supply of timber, a rich soil, and adequate water.[5] Thus, when given the opportunity, the Delaware accepted a Kansas river valley reservation. John Quick, a Delaware representative, wrote of the reservation in 1830, "With the country I am well pleased. It is good."[6] The Delaware who relocated modified the oak-hickory forest and prairie openings through settlement and agriculture.

However, in a few short years the Delaware became discouraged by what they viewed as the corruptive influence of their white neighbors on the Missouri side.[7] Delaware settlement began drifting away from the edge of the Indian territory and when approached by the Wyandot to sell the eastern part of their reservation, which included the Strawberry Hill area, they did so. The Delaware cemetery commemorating their residence in Kansas City

1. The theme of this article stems from two sources: James C. Malin, "On the Nature of the History of Geographical Area" (paper prepared for the Nature Conservancy Program, Stillwater, Okla., August 30, 1960); Derwent Whittlesey, "Sequent Occupation," *Annals of the Association of American Geographers*, v. 19 (1929), pp. 162-165.

2. Due largely to the residents of Strawberry Hill, Kansas City, Kan., and Ljubljana, Yugoslavia, became sister cities in 1971.—Kansas City *Kansan*, July 23, 1971.

3. *See* Grant W. Harrington, *Historic Spots or Mile-stones in the Progress of Wyandotte County, Kansas* (Merriam: Mission Press, 1935); Anton Kuhls, *A Few Reminiscences of Forty Years in Wyandotte County, Kansas* (Kansas City: Lane Printing Company, 1904); Peter Beckman, *The Catholic Church on the Kansas Frontier 1850-1877* (Washington: Catholic University of America, 1943); Joseph H. McDowell, *Building a City, a Detailed History of Kansas City, Kansas* (Kansas City: Kansas City *Kansan*, 1970).

4. Ronald N. Satz, *American Indian Policy in the Jacksonian Era* (Lincoln: University of Nebraska Press, 1975). It should be noted that Indians had voluntarily moved west of the Mississippi river prior to 1830. As early as 1818, the Cherokee requested lands west of the Mississippi river for those members of their nation wishing to remain hunters. The majority of Kickapoo had crossed the Mississippi river and settled in southwest Missouri under the treaty signed at Edwardsville in 1819. Furthermore, the Cherokee whose residence was south of the Ohio river held land in southern Kansas.—Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1904), v. 2, pp. 177-183.

5. Joseph Manzo, "Native American Perceptions of the Prairie-Plains Environment" (Ph.D. dissertation, University of Kansas, 1978), p. 77.

6. "Records of the Bureau of Indian Affairs," National Archives, subrecord group M-234, microfilm roll 748. The major drawback to earlier Delaware settlement was the size of the area offered them, which they saw as too small.

7. Representative of Delaware feelings is the Wyandot report of 1831. The Wyandot, asked to accept a reservation in the Platte area of Missouri, described Missourians as "with a few honorable exceptions, the most abandoned, dissolute and wicked class of people we ever saw; . . . Missouri is a slaveholding state, and slaveholders are seldom friendly to Indians. . . . A more worthless and corrupt class of whites to deal with and associate with than is to be found in . . . Ohio."—J. Orin Oliphant, ed., "Report of the Wyandot Exploring Delegation, 1831," *Kansas Historical Quarterly*, Topeka, v. 15 (1947), pp. 256-257.

has come to be recognized as the northwest boundary of today's Strawberry Hill.

The Wyandot, from the upper Sandusky area of Ohio, were one of the last Indian groups to arrive in Kansas.[8] Prolonged contact with the white man had greatly reduced their number, and intermarriage had occurred at such a startling rate that there were very few full-blooded Wyandot by the 1840's when they arrived in Kansas.[9] It was natural, given the extent of white and Wyandot contact, that the Wyandot would refuse a reservation intended for them in western Kansas. Representative of Wyandot feeling toward the Western Plains is a passage from a letter written by Wyandot leader, Joseph Barnett, to Lewis Cass, secretary of war, "Must I give up my pursuits of agriculture and remove my family to western wilderness and commerce supporting by the chase . . . and be excluded from civilized society and be compelled to raise up my children in ignorance and superstition." [10] Thus, favoring land near civilization, the Wyandot negotiated for the easternmost section of the Delaware reservation, of which Strawberry Hill was a part, putting them near white settlements on the Missouri side of the river.

Generally, the Wyandot people prospered in the area by successfully involving themselves in a variety of occupations including farming, milling, and smithing. Yet, despite their success, the Wyandot were, of course, still Indians and as such were subject to demands for their reservation by Euro-Americans with a desire for land. In January, 1855, shortly after the Kansas territory had been opened for settlement, the Wyandot reservation was extinguished in favor of allotments given to responsible tribal members.[11] The Strawberry Hill area was primarily the allotment of Mathias Splitlog, a miller by trade (figure 2). The sale of allotment land was rapid throughout the area and most of the Indians either moved away or were further amalgamated through intermarriage. However, their mark on Strawberry Hill remains commemorated by the cross streets bearing the names Barnett, Splitlog, Northrup, Sandusky, Armstrong, and Ohio.[12]

From the standpoint of historic native American occupation the Kansa and Delaware were drawn to the Strawberry Hill area for the same reason that had drawn the Indian to the eastern prairies since the end of the pleistocene, the assurance of an adequate supply of wood and water, necessities often lacking in the West. The Wyandot, on the other hand, specifically wanted to be close to other settlements. This desire constituted the basis for their settlement of the Strawberry Hill area.

THE FIRST non-Indian groups in the Strawberry Hill area consisted of Irish and German people along with a lesser number of Poles, French, Czechs, Swedes, and Danes.[13] The rate of their arrival, which was primarily from other states, varied with the social and economic condition of the country. The fiscal panics of 1857 and 1873, for example, were accompanied by dips in immigration. Ethnically different, these farmers, laborers, merchants, and craftsmen generally held two traits in common. As a group they possessed a desire to own land and the majority of them were of Catholic persuasion.

So desperate were these people for land that more than one historian has characterized their real estate appetite as "insatiable." [14] In fact, a number of these individuals made their way into the Kansas territory prior to its being opened for settlement. Through the period of illegal and legal settlement people moved out-

8. There are several variations of spelling associated with this group including Wyandot, Wyandotte, Wyandots, and Ouiandot. One spelling has been chosen for consistancy.—*See* "Records of the Bureau of Indian Affairs," National Archives, record group 75.

9. W. E. Connelley, "Kansas City, Kansas: Its Place in the History of the State" (address read at the meeting of the Good Government Club and Wyandotte County Historical Society, April 4, 1918), pp. 4-5.

10. By 1850, feeling secure separated from Missouri by the Kansas river and feeling pressure for removal, the Wyandot viewed eastern Kansas more favorably than they had northwestern Missouri even though the areas were but a few miles apart.—"Records of the Bureau of Indian Affairs," National Archives, subrecord group M-234, microfilm roll 302.

11. Paul W. Gates, *Fifty Million Acres: Conflicts Over Kansas Land Policy, 1854-1890* (Ithaca, N.Y.: Cornell University Press, 1954), pp. 34-35.

12. Hiram Northrup was a white man who married into the tribe. Barnett, Splitlog, and Armstrong were Wyandot. Sandusky and Ohio represent the geographical origins of the Wyandot.—"Early History Signified by Street Names," Kansas City *Kansan*, August 2, 1959.

13. J. Neale Carman, *Foreign Language Units of Kansas: Historical Atlas and Statistics*, v. 1 (Lawrence: University of Kansas Press, 1962), p. 4; "Foreign Language Units of Kansas," v. 2, "Account of Settlement and Settlements in Kansas," pt. 2, p. 507, in "J. Neale Carman Collection," manuscript division, Kansas State Historical Society.

14. The term "insatiable land-hunger" with regard to the white settler was first used by Annie Heloise Abel, in her work *The Slaveholding Indians—The American Indian Under Reconstruction* (Cleveland: Arthur H. Clark Company, 1925), pp. 23-24. Paul Gates concurred with her appraisal of the situation in *Fifty Million Acres: Conflicts Over Kansas Land Policies 1854-1890*, p. 1.

[In Progress] Kansas history: a journal of the central plains

Strawberry Hill—More changes are predicted for this area of Kansas City, Kan., which has been home for a variety of peoples throughout its history.

Irish and German people, mainly from other states, followed the first Indian settlers on Strawberry Hill in Kansas City. They brought a common desire to own their own land. A majority of these new settlers were of Catholic background, and the churches they established attracted another group of immigrants, the Slavs, who found employment in the meat packing industry nearby. At *left* is Holy Family Catholic church in Strawberry Hill.

Strawberry Hill was at one time home to Indians, Swedes, Irish, and Germans. The Slavs began arriving at the start of the 20th century. The new Slavic community brought a period of growth in small single family residences similar to the ones pictured at *left*. After World War II a series of events caused the Slavic people to move out of the area. The homes they built may be a factor in attracting new people to Strawberry Hill.

ward from "the transportation hub of the Missouri River," and quite naturally the Strawberry Hill area was one of the first places to be reached.[15] A small but concentrated population resulted in the establishment of a post office in 1857.[16] Within four years after the opening of the territory the population of the area in and around Strawberry Hill numbered over 1,200, and by 1860, over 2,600.[17] It is under these first groups of mixed ethnic backgrounds, including Indians, that the town of Wyandotte, the forerunner of Kansas City, came into being on the bluffs above the junction of the Kansas and Missouri rivers.[18] By 1869 a similar ethnic mix formed the Kansas City Town Company which established Kansas City on the Kansas river bottoms.[19] The arrival of the railroad and the opening of the first stockyard on the Kansas river bottoms in 1870 further attracted people to the Strawberry Hill area.[20]

Catholic churches were numerous in early Kansas. The Catholic Church, having preceded white settlement in Kansas, was an attraction for Catholic migrants.[21] St. Mary's, the Irish Catholic church, was moved to its present location within the bounds of Strawberry Hill in 1865.[22] In 1880 St. Bridget's, an ethnically mixed Catholic church, was constructed on the Kansas river bottoms.[23] In 1886 the German Catholics, previously served by the Irish St. Mary's church, separated to build St. Anthony's church located at present day Seventh and Barnett. The Poles erected their church, St. Joseph's, at present day Eighth and Vermont in 1887.[24]

15. James R. Shortridge, "The Post Office Frontier in Kansas," *Journal of the West*, Los Angeles, v. 13, no. 3 (July, 1974), p. 87.

16. Beckman, *The Catholic Church on the Kansas Frontier 1850-1877*, p. 48.

17. Camille Ellett, "History of Kansas City, Kansas, Municipal Government," Kansas City *Kansan*, October 14, 1973.

18. McDowell, *Building a City, a Detailed History of Kansas City, Kansas*, pp. 2-4.

19. Wyandotte was later annexed by Kansas City, Kan., as were several other towns.

20. The term Strawberry Hill has not been traced to its origin. Joseph A. Lastelic, who was born in his parents' home on Strawberry Hill and who is now the Washington correspondent for the Kansas City (Mo.) *Star*, tells us the term originated with Slavic settlement. Yet, it is hard to imagine other English-speaking groups ignoring the fruit. It is even reasonable to suppose the Indians took advantage of the strawberries and referred to the area in such terms.—Joseph A. Lastelic, "As Homes Come Down Over Strawberry Hill."—Kansas City *Star*, June 9, 1957, p. 1H.

21. "First Catholic Parish to Mark Centennial."—*Ibid.*, September 22, 1958.

22. *Ibid.*

23. As the name implies, St. Bridget's, although mixed, was predominently Irish.

24. Manuscript in the files of the Kansas City Public Library.

Within a few years after the construction of St. Joseph's church, the country as a whole was invigorated by one of the largest mass movements of people in history. Kansas City would be home to some of the people in this new wave of immigration. The large and attractive brick and frame homes of the first Euro-American residents of Strawberry Hill, which were described by the new immigrants as mansions, would be given up to southern European Slavs.[25] As the new residents moved in, many of the Swedish, Irish, and German families began to move out. (Figure 3 traces the development of Strawberry Hill prior to the arrival of the Slavs.) As can be seen the street grid had assumed its basic pattern by 1899.[26]

THE LATEST occupation of Strawberry Hill, and by far the most influential in terms of population, land tenure, and landscape change, has been that of the Slavs who began settling the area prior to the beginning of the 20th century. This group consists of Croats, Slovenes, and Serbs. The general heading Slav refers to the general patterns exhibited by the three groups, particularly the Croats who have always dominated culturally and numerically.[27]

Initially drawn to Kansas City by employment opportunities in the meat packing industry, Slavic settlement followed the general settlement pattern of all new groups arriving at this time. This pattern consisted of finding available housing near industry. According to David Ward, "The central concentration of urban employment after 1850 strongly influenced the location and characteristics of the residential areas of new immigrants, most of whom sought low cost housing close to their places of employment." [28] Rising property values and the existence of the old Union depot and the Quality Hill neighborhood prohibited settlement on the Missouri side.[29] Given this restriction, there were several Kansas City sites that were suitable for settlement. What drew these people to Strawberry Hill was religion. Already present in the vicinity was the Irish Catholic St. Mary's church, and the ethnically mixed St. Bridget's church on the Kansas river bottoms close to the packing plants. St. Anthony's church and St. Joseph's stood on the periphery of the area. Thus, at the time of their arrival the Slavic immigrants found established Catholic churches in the immediate area. While these were not Croatian Catholic or Slovenian Catholic, one could, nevertheless, attend these churches and worship in the same general manner as in the old country.

Starting on the east side of Strawberry Hill in an area known as "the patch," Slavic settlement was pushed up the bluffs by the flood of 1903 and the increasing size of their population. Moving into available housing their settlement became a more complete community with the establishment of Slavic oriented parishes. By 1910 St. John the Baptist, the Croatian parish, and Holy Family, the Slovenian parish, were operating and each had its own school. St. George's Orthodox church was organized by the Serbs in 1906, and in 1917, a Russian Orthodox Catholic church was also available for Serbian attendance.[30]

The growth of Slavic settlement can be further correlated with the growth of the meat packing industry. With over five million cattle and hogs slaughtered yearly, by 1923 employment was steady.[31] By 1925 the nine packing houses on the Kansas river bottoms employed over 10,000 workers and constituted the second largest meat packing industry in the country.[32]

The expanding Slavic community grew westward bounded by Minnesota and Central avenues, taking the name Strawberry Hill with it. During this period of growth small, single family residences and Slavic business enterprises began to dot the landscape. Figures 4 and 5 allow us to follow both its spread and

25. Lastelic, "As Homes Come Down Over Strawberry Hill."

26. Several of the streets such as Durango, Third, Orr, and Emerson no longer exist.

27. George Prpic has described Strawberry Hill as a "veritable Little Croatia," *The Croatian Immigrant in America* (New York: Philosophical Library, 1971), p. 188.

28. David Ward, *Cities and Immigrants* (New York: Oxford University Press, 1971), p. 105.

29. Paul H. Giddens, "Eastern Kansas in 1869-1870," *Kansas Historical Quarterly*, Topeka, v. 9 (1929), p. 372; Carman, "Foreign Language Units of Kansas," v. 2, "Account of Settlement and Settlements in Kansas," pt. 2, p. 512.

30. Due to a small, local Serbian congregation, there were periods when St. George's was without a priest. During these periods many Serbs began attending Holy Trinity church, the Russian Orthodox church. Similarly, due to the small Russian population there were periods when Holy Trinity was without a priest, and members of the Russian congregation attended St. George's. Today, St. George's, now located at Bethany and Lowell, is recognized as the Serbian church and Holy Trinity as the Russian church. However, their congregations are somewhat mixed.—Interviews with Father Hilary, Holy Trinity church, July 5, 1974, and Father Bajich, St. George's church, July 9, 1974.

31. Kate L. Cowick, *The Story of Kansas City, Kansas* (Kansas City: Kansas City *Kansan*, 1924), p. 3.

32. *Ibid.*

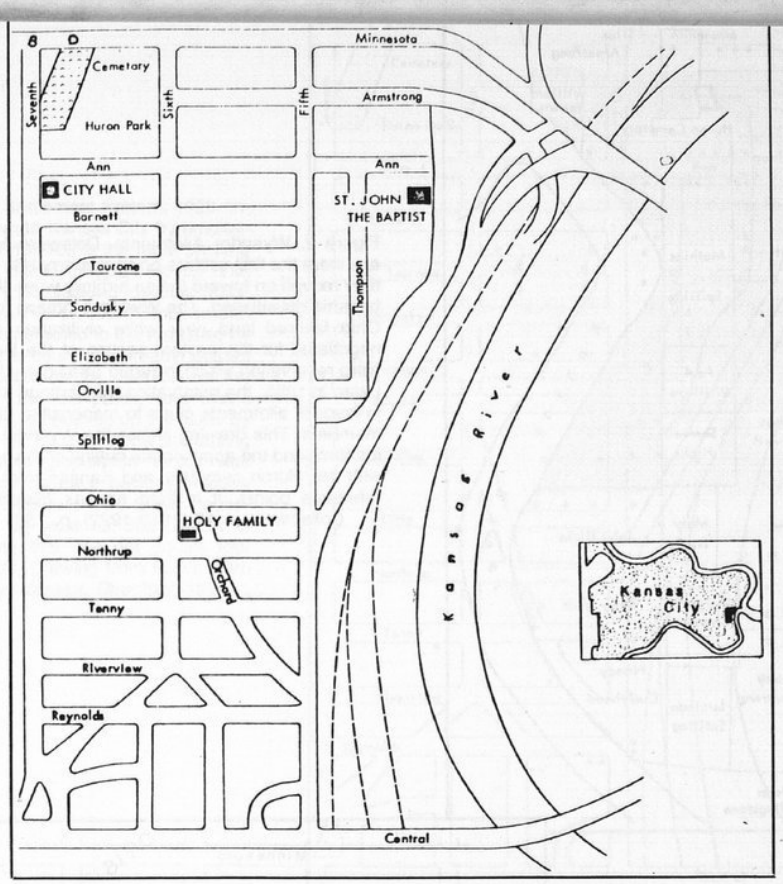


Figure 1. Contemporary Strawberry Hill. Taking its name from the wild strawberries once found there, Strawberry Hill is a small area of land, much of it in slope, near the confluence of the Kansas and Missouri rivers in Kansas City, Kan. This drawing showing the area as it is today is from the Kansas City Planning Department, 1968.

growth as the community weathered the depression and moved into the 1940's.

It was during the latter half of the 1940's that Strawberry Hill reached its peak as an ethnic community, as measured by the number of social clubs, religious attachment, personal investment, and areal extent. In 1947 Holy Family church had a record membership of approximately 250 families, and during the same period, St. John the Baptist became one of the largest Croatian parishes in the country with a membership of 760 families.[33] Moreover, there were six different social clubs and auxiliaries, several schools, and approximately 30 Slavic operated businesses to cater to Slavic residents. There was also a small but steady flow of immigrants to bolster population and serve as models of traditional behavior. In the late 1940's, the potential of the Slavic occupation of the Strawberry Hill area appeared unlimited. However, this was to be its apex:

> A series of events beginning in the Post World War II years, and directed from beyond the community . . . worked toward the dispersal of Slavic population from their original settlement area. The zoning commission continually viewed the single-family residence that predominated on Strawberry Hill as inefficient land use. State Highway construction and an awakening Black community . . . further served to detract and limit the physical size of the neighborhood. This loss of physical size and growth potential, combined with expanding shopping opportunities outside the neighborhood and local government attitude, encouraged families to relocate.[34]

33. "St. John's Church Celebrates 40th Anniversary."—Kansas City *Kansan*, August 23, 1940.

34. Joseph Manzo, "The Role of External Factors in the Decline of the Strawberry Hill Neighborhood," *Ethnicity*, New York, v. 7, no. 1 (March, 1980), pp. 47-55.

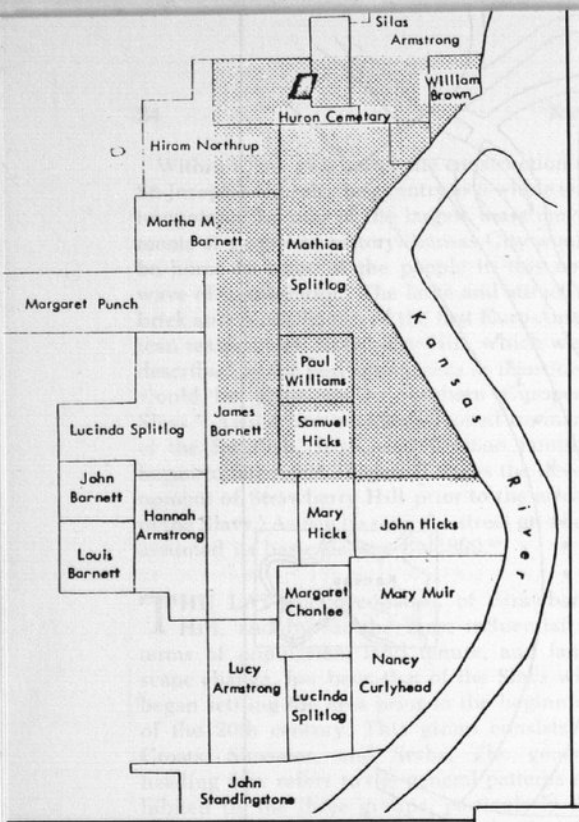


Figure 2. Wyandot Allotments. Delaware Indians were the first settlers on Strawberry Hill, but they moved on toward Indian territory when they became dissatisfied. The Wyandot Indians from Ohio favored land near white civilization and negotiated for the eastern section of the Delaware reservation which included Strawberry Hill. Later, in 1855, the reservation was extinguished in favor of allotments given to responsible tribal members. This drawing shows the Wyandot allotments and the approximate outline of the area with the Huron cemetery and Kansas river as reference points. It is from *Kansas Historical Collections*, v. 15 (1919-1922), p. 158.

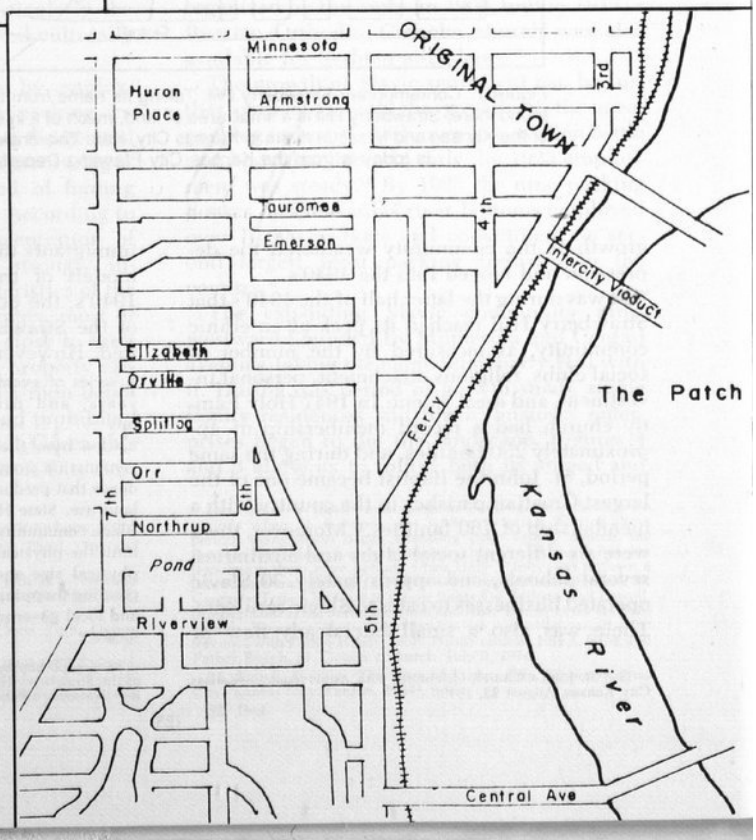


Figure 3. Strawberry Hill, 1899. By 1899 Strawberry Hill had been platted. This drawing shows the development of the area prior to the arrival of the Slavs. As can be seen, the street grid had assumed its basic pattern by this time. Note the pond between Northrup and Riverview, and several streets and street names which no longer exist. Drawing from Sanborn Insurance Index Map, 1899.

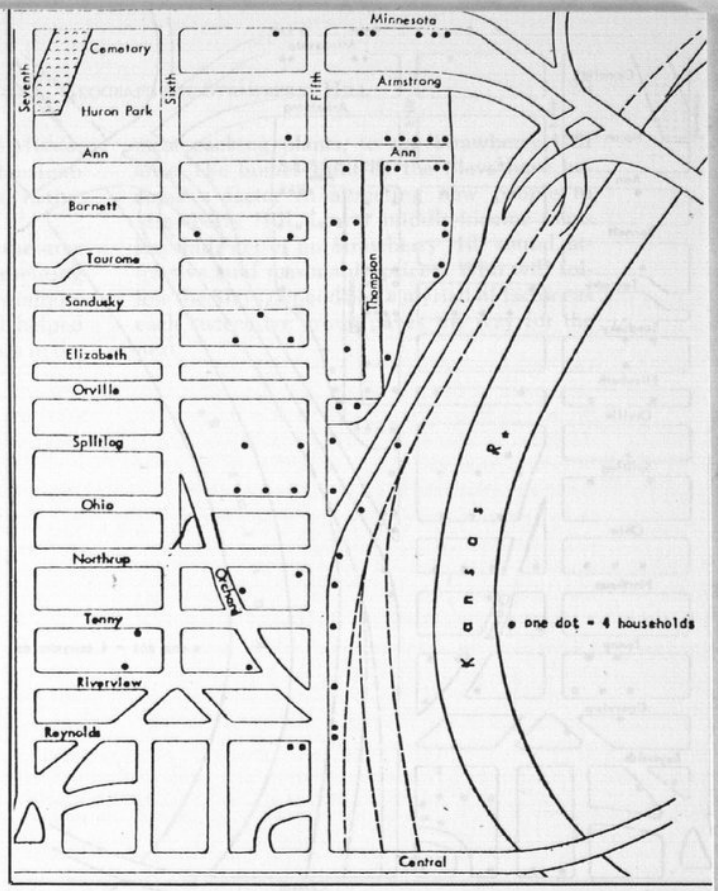


Figure 4. Settlement Pattern, 1920. Initially drawn to Kansas City by employment opportunities in the meat packing industry, Slavic people moved into Strawberry Hill seeking low-cost housing close to their places of employment. They were attracted to the area also by the Catholic churches already located there. Starting on the east side of the hill known as "the patch," the Slavic settlement was pushed up the bluffs by the flood of 1903 and the increasing size of their population which was growing as the meat packing industry grew. This figure shows Slavic households as far west as Sixth street in 1920. Note that one dot equals four households. Drawing from Polk's *Kansas City, Kansas, Directory*, 1920.

While the remaining Slavs are still socially strong, they are, by virtue of their age structure, which is dominated by older individuals, beginning to give way to a new population.[35]

PREDICTING the future is hazardous. However, in this case speculation based on local and national trends may provide some insight regarding the next residents of the Strawberry Hill area. Thus, the question asked is the following: with a decline in the strength of the Slavic community, what population or populations will take their place and what will draw the new residents to the region? A clue to the future lies in current national trends.

Since the early 1970's inner city residential historic preservation has been increasing in popularity, scope and scale in many American cities. Historic preservation has generated gentrification; a process in which higher income populations buy and move into houses in working class or low income neighborhoods.[36]

Gentrification is part of the Kansas City Planning Department's master plan for the Strawberry Hill area. It envisions people of higher income being drawn downtown to be nearer business and government agencies. Of course, the downtown area has also traditionally offered more amenities in terms of social and cultural pursuits. Should there not be enough available housing, the city is lending its support to any individual or group seeking to invest in the construction of housing, particularly medium-density, medium-priced units.

The major problem with this projection is finding well-educated, predominently childless families in medium-to-upper income

35. Joseph Manzo, "Strawberry Hill, an Ethnic Urban Neighborhood" (M. A. thesis, University of Kansas, 1975).

36. Richard Fusch, "Historical Preservation and Gentrification: A Search for Order in the Urban Core" (paper presented at the Association of American Geographers, April, 1978).

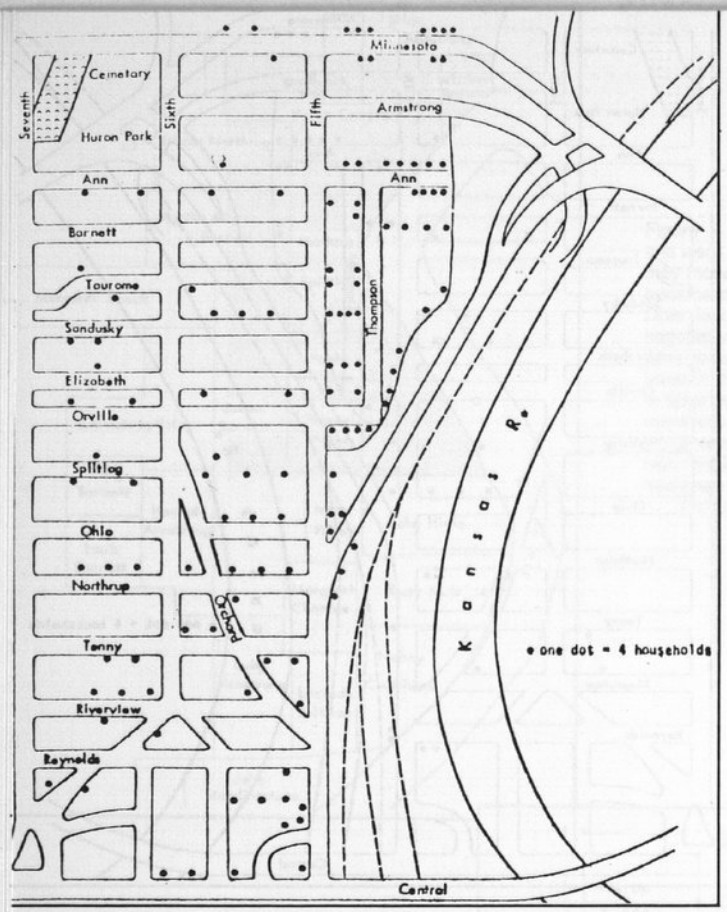


Figure 5. Settlement Pattern, 1940. The expanding Slavic community grew westward bounded by Minnesota and Central avenues on the north and south and taking the name Strawberry Hill with it. During this period of growth small, single family residences and Slavic businesses began to dot the landscape. This drawing shows the spread of Slavic households between Fifth and Seventh streets as the community weathered the depression and moved into the 1940's. A series of forces in the latter years of the decade worked toward the dispersal of Slavs from the area. Strawberry Hill is in a transitional stage now and the future of the area is uncertain. Drawing from Polk's *Kansas City, Kansas, Directory*, 1940.

brackets to move to Kansas City.[37] While there is reasonable assurance that municipal and state employees might relocate in the area, one must keep in mind that Kansas City suffers from that most difficult to measure affliction, "image." [38] Kansas City is more than a river's width away from Kansas City, Mo., in terms of population, shopping, and entertainment.

While it is too early to tell whether or not gentrification will take place, field work indicates the area is moving into a transitional phase. The new people are a mix of black, Mexican-American, and individuals who consider their ethnic backgrounds to be American.[39] These individuals and families are of a lower socio-economic bracket than those groups projected by the city's master plan. They are spilling over from adjacent parts of the city, drawn by the relatively low priced, single family housing and low apartment rents. To these new home buyers, the single family housing represents a step up the ladder of social mobility.

Which group or groups will be successful in establishing residence in the Strawberry Hill area is, as previously noted, difficult to predict. What we can be sure of is that subtle links are developing between current and future residents.

STRAWBERRY HILL has served as a base to people of varying backgrounds. To the earliest Indian groups the Strawberry Hill area was a small part of better wooded and watered prairies. To the last group, the Wyandot, the area was as close as they could get to the

37. *Ibid.*

38. J. Neale Carman's statement that "Any reader of an account of Kansas City, Kansas, must remember that it is overshadowed by Kansas City, Missouri" appears to be a true one.—"Foreign Language Units of Kansas," v. 2, "Account of Settlement and Settlements in Kansas," pt. 2, p. 512.

39. *Ibid.*

civilization they had known east of the Mississippi river. Certainly the Euro-American played a role in the departure of the later native American groups.

The first non-Indians to reside in the area spilled over from the East. While representing an ethnic mix they held religion in common. The Catholic landscape they created helped bring the southern Slav, who found work in the meat packing plants, to the Strawberry Hill area. The homes built by the Slavs have become a factor in attracting new people to Strawberry Hill. Lower middle-income families find houses on Strawberry Hill sound, attractive, and reasonably priced. Who will follow the Slavs depends on a myriad of factors as each successive group paves the way for the next.

[In Progress] Kansas history: a journal of the central plains

THE WOBBLIES AND FISKE *V.* KANSAS: VICTORY AMID DISINTEGRATION

RICHARD C. CORTNER

THE INDUSTRIAL WORKERS of the World are perhaps nostalgically remembered most for a few ballads and their irreverent and insouciant brand of industrial syndicalism. But the Wobblies are not generally known to have been responsible for a leading decision of the United States supreme court which significantly contributed to the establishment of freedom of speech as a right protected against interference by the states under the 14th amendment. Indeed, it is probably accurate to say that many, if not most, of the old Wobblies would not have wished to be remembered as having established a leading constitutional precedent in the "capitalist courts." That, nonetheless, is what was accomplished by the IWW General Defense Committee in the case of Fiske *v.* Kansas, decided by the supreme court in 1927.[1]

The Wobblies and Legal Defense

ALTHOUGH there were apparently numerous local legal defense committees established by the IWW in several parts of the country prior to 1917, the nationwide federal raids on the IWW during 1917 led to the establishment of a central IWW General Defense Committee in Chicago for the purpose of defending those arrested and prosecuted as a result of the raids. The General Defense Committee was especially concerned with defending the Wobblies arrested in Chicago and charged with violating the federal espionage act.[2] Included among those arrested in Chicago was William D. "Big Bill" Haywood, general secretary of the IWW, who characterized the litigation involving the Chicago Wobblies as "the greatest labor case in the annals of American jurisprudence."[3]

After having been convicted in U. S. district court, Haywood served as secretary of the General Defense Committee while free on bail and succeeded in raising substantial sums for the committee.[4] But when the appeals in the Chicago IWW case were exhausted in 1920, Haywood and eight of his codefendants forfeited $80,000 in bail by failing to surrender to federal authorities, and Haywood fled to the Soviet Union. This episode undoubtedly contributed to an already simmering dispute within the IWW regarding the appropriateness of legal defense activities.[5]

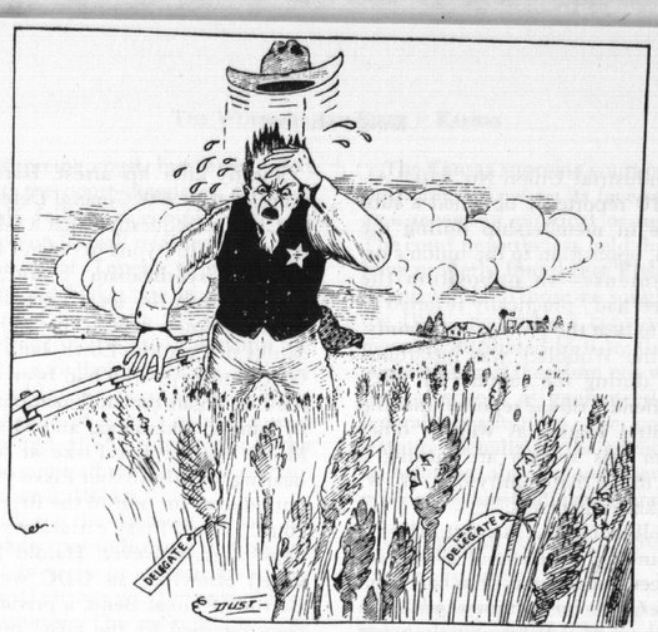
To the purists within the ranks of the Wobblies, the only legitimate activity for the IWW was "economic" activity, while "political" activity was regarded as not only useless but also as a betrayal of the purposes of the union. For those holding these views, the capitalist industrial and political system could be overthrown only through organizing workers into industrial unions and preparing them to operate the industrial society when the capitalist industrial and political system crumbled. By engaging in "political" activities such as electoral politics or litigation in the "capitalist courts," it was argued, the IWW wasted its time and resources, diverting them from the primary task of industrial organizing, and played into the hands of the "bosses" who controlled the apparatus of the state including the courts.

Writing in the summer of 1919, one Wobbly thus declared that the IWW

> as an organization have been bled more through lawyers than any other in existence. When have we ever gone into court even with the best of legal talent and really won out as shown by after results? Isn't it clear by this time that when we spend time, energy and money upon lawyers and court procedure, thus diverting same, as we have been doing, away from agitating, organizing and taking action in industry, that that thing is just what the masters wanted us to do and is the reason they put some of us in jail? Don't we see that by reliance on lawyers we become a race of cowards, just what the masters want?[6]

Some of the research reported in this article was supported by a grant from Project '87, a joint study of the United States constitution sponsored by the American Historical Association and the American Political Science Association.

1. Fiske *v.* Kansas, *U. S. Reports*, v. 274, pp. 380-387.
2. John S. Gambs, *The Decline of the I. W. W.* (New York: Columbia University Press, 1932), pp. 56-57.
3. *One Big Union Monthly*, Chicago, v. 2, no. 7 (July, 1920), p. 16.
4. Gambs, *The Decline of the I. W. W.*, p. 57.
5. *Ibid.*, p. 60.
6. *One Big Union Monthly*, v. 1, no. 5 (July, 1919), p. 31.



This cartoon showing a county sheriff aghast at the Wobbly invasion of a Kansas wheat field was reproduced in *The I.W.W. Case in the District Court of Butler County, Kansas*, a pamphlet published by Richard J. Hopkins, Kansas attorney general, July 24, 1920. The Butler county case had resulted in a district court restraining order June 24, 1920, enjoining all members of the I.W.W. from carrying out in any way their "unlawful practices" in Kansas. Three years later an I.W.W. organizer in Rice county, Harold B. Fiske, was convicted under the state Criminal Syndicalism act. This was one of a series of cases which resulted in the application of freedom of speech and freedom of the press as restrictions on the powers of the states via the 14th amendment.

And another disgruntled opponent of IWW legal defense activities argued that the capitalists

> like to have the IWW exhaust its financial resources and waste its energies on legal defense without any results great enough so you might notice them. They like all this because they know that if only they can induce the IWW to adhere to this policy long enough the time will not be far off when the organization, through exhaustion in all directions, will lose its effectiveness as an instrument in the hands of the workers to gain better conditions and to put the capitalists to work.[7]

Supporters of the legal defense activities of the IWW, however, argued that it had been because of the Wobblies' "ability to defend all victims of the Class War that we have inspired the workers with confidence and have given them the courage necessary to carry on the fight." [8] "It might be fine reading for students of history about 200 years after the revolution," another proponent of legal defense activities declared,

> to come across the pages telling of how the IWW let thousands go to the gallows and prisons by spurning legal defense in capitalists' courts, but many have been saved by legal defense in those courts, and as long as there is a possibility of saving more we will keep on with legal defense.

One would hate to stay in prison, he continued, until the spirit shown by the opponents of legal defense developed "enough power to tear down the walls and the knots in the steel bars. Hell will be frozen over pretty well by that time, to say the least." [9]

The Genesis of the Fiske Case

IT WAS amid such debates over the propriety of the IWW's legal defense activities that the litigation in Fiske *v.* Kansas began in the wheat fields of western Kansas. Harold B. Fiske was a 26-year-old native of Clinton, Wash., and during the summer of 1923, he was working as an organizer for the IWW Agricul-

7. *Ibid.*, v. 3, no. 1 (January, 1921), p. 52.
8. *Ibid.*, v. 1, no. 7 (September, 1919), pp. 10-11.
9. *Ibid.*, pp. 12-13.

tural Workers Industrial Union No. 110.[10] Although the AWIU reportedly obtained a substantial increase in membership during the summer of 1923, opposition to the union's organizers was intense—an opposition the Wobblies claimed had "practically resorted to slavery in order to beat the IWW." [11] Certainly, organizing for the Wobblies was hazardous duty in Kansas during the summer of 1923, since the Great Bend *Tribune* reported that the "sheriffs of central Kansas as well as other peace officers in this section are making a strenuous effort to rid the country of I. W. W. sympathesizers and organizers." [12]

Apparently following the harvest, Harold Fiske had encountered his share of difficulties with law enforcement officials. He had been arrested in Enid, Okla., for vagrancy and held a week in jail without trial before finally being fined two dollars, and he had also been arrested in Goodman, Mo., "for being an IWW. . . ." [13] Fiske arrived in Geneseo on the night of June 30, 1923, but was arrested on July 2 by Rice county authorities and lodged in the jail at the county seat in Lyons. He was described upon his arrest as "a regular walking roll top desk, his pockets serving for pigeon holes" for the abundance of IWW literature he was carrying, and he readily admitted that he was a Wobbly organizer.[14]

Fiske was charged with violating the Kansas Criminal Syndicalism act which prohibited the advocacy of force or violence as a means of political or industrial change.[15] Prosecutions against Wobblies under the criminal syndicalism act were not foreign to Rice county, since another IWW organizer had been prosecuted and convicted under the act in the county previously, despite the intervention of IWW General Defense Committee attorneys.[16]

Shortly after his arrest, Harold Fiske telegraphed the IWW General Defense Committee in Chicago requesting that a GDC attorney be dispatched to Lyons to defend him against the criminal syndicalism charge, and it was speculated in the local press that Fiske's defense attorney would be either Harold O. Mulks or Caroline Lowe, both of whom were GDC attorneys who had been engaged in defending organizers and members of the AWIU in Kansas, Oklahoma, and Missouri.[17] Harold Mulks represented Fiske at his preliminary hearing on July 18, but Fiske was nevertheless bound over for trial in the Rice county district court.[18] When Fiske's trial date arrived in mid-September, however, Harold Mulks was engaged elsewhere in GDC work. Charles L. Carroll of Great Bend, a private attorney, had been retained by the GDC previously as defense counsel for Wobbly defendants in western Kansas, and when Mulks was unable to appear for Fiske's trial, Carroll was again retained by the GDC to defend Fiske. In response to appeals from Carroll and the GDC, the American Civil Liberties Union posted bail for Fiske pending his trial.[19]

Although the defense denied that Fiske was guilty of advocating violence as a means of political or industrial change as prohibited by the criminal syndicalism act, Fiske did testify at his trial that he understood the teachings and constitution of the IWW and asserted that the IWW would "in time rule the labor situation and overpower the capitalists of the United States." [20] After deliberating for two hours, the jury found Fiske guilty of violating the criminal syndicalism act, and on September 20, Judge C. R. Douglass of the Rice county district court sentenced him to serve from one to 10 years in the Kansas state prison.[21]

Charles Carroll appealed Fiske's conviction

10. Fiske v. Kansas, "Record of Appeal" (1927), pp. 7, 21. The Agricultural Workers Industrial Union had previously been No. 440, but the AWIU's number was changed to 110 in a general renumbering of the IWW industrial unions in 1920.—*See One Big Union Monthly*, v. 2, no. 10 (October, 1920), p. 37.

11. *Industrial Pioneer*, Chicago, v. 1, no. 5 (September, 1923), p. 6.

12. Great Bend *Tribune*, July 3, 1923.

13. Fiske v. Kansas, "Record of Appeal," p. 22.

14. Lyons *Daily News*, July 3, 1923.

15. On the movement to adopt criminal syndicalism legislation within the states, *see* Eldridge Foster Dowell, *A History of Criminal Syndicalism Legislation in the United States (Johns Hopkins University Studies in Historical and Political Science*, Series 57, no. 1, Johns Hopkins University Press, Baltimore, 1939).

16. Lyons *Daily News*, July 5, 1923; *One Big Union Monthly*, v. 2, no. 12 (December, 1920), p. 60; In re William Danton, *Petitioner, Kansas Reports*, v. 108, pp. 451-455.

17. Lyons *Daily News*, July 5, 1923; *One Big Union Monthly*, v. 2, no. 8 (August, 1920), p. 16; v. 3, no. 1 (January, 1921), pp. 56-57; v. 2, no. 12 (December, 1920), p. 60.

18. Lyons *Daily News*, July 14, 18, 1923.

19. *Ibid.*, September 17-18, 1923; interview with Charles L. Carroll, July 14, 1976, Great Bend. The Lyons *Daily News*, January 17, 1925, indicated that the bail for Fiske was furnished by the IWW-GDC. Materials in the ACLU archives, Seeley Mudd Library, Princeton University, however, clearly show that the ACLU furnished bail for Fiske throughout the litigation. These bail funds subsequently became a source of serious controversy between Charles L. Carroll and the ACLU. *See* especially, "Memorandum re Fiske Supersedeas Bond by Forrest Bailey," ACLU archives, v. 340; A. M. Harvey to ACLU, February 27, 1928, *ibid.*, v. 344.

20. Lyons *Daily News*, September 19, 1923.

21. *Ibid.*, September 19-20, 1923; Fiske v. Kansas, "Record of Appeal," p. 3.

to the Kansas supreme court, but mishandled the appeal, and the court dismissed the case because Carroll failed to comply with its rules.[22] At that point, Carroll retained A. M. and Randal C. Harvey of Topeka to obtain the reinstatement of the Fiske case in the Kansas supreme court and to handle the further appellate proceedings in the case.[23] Despite the Harveys' efforts, and their argument that the criminal syndicalism act as applied to Fiske violated his freedom of speech as guaranteed by the Kansas and U. S. constitutions, the Kansas supreme court affirmed Fiske's conviction on November 8, 1924.[24]

The only evidence the prosecution had introduced at Fiske's trial indicating that he had advocated force or violence as a means of political or industrial change was the preamble of the IWW constitution. The preamble read as follows:

> That the working class and the employing class have nothing in common, and that there can be no peace so long as hunger and want are found among millions of the working people and the few, who make up the employing class, have all the good things of life.
>
> Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.
>
> We find that the centering of the management of industries into fewer and fewer hands makes the trade unions unable to cope with the ever growing power of the employing class. The trade unions foster a state of affairs which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping to defeat one another in wage wars. Moreover, the trade unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.
>
> These conditions can be changed and the interest of the working class upheld only by an organization formed in such a way that all its members in any one industry, or in all industries if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.
>
> Instead of the conservative motto, "A fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system."
>
> It is the historic mission of the working class to do away with capitalism. The army of production must be organized not only for the everyday struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

22. Lyons *Daily News*, January 17, 1925; A. M. Harvey to ACLU, February 27, 1928, ACLU archives, v. 344.
23. *Ibid.*
24. State of Kansas v. Harold B. Fiske, *Kansas Reports*, v. 117, p. 73.

The Kansas supreme court conceded that the preamble did not on its face advocate violence as a means of political or industrial change. The court nevertheless held that the jury could have properly found that Fiske, in explaining the preamble to those he sought to recruit into the IWW, could have conveyed "the sinister meaning attributed to it by the state." Fiske's conviction had therefore not violated his freedom of speech as guaranteed by the state or federal constitutions, the court held, since statutes "penalizing the advocacy of violence in bringing about governmental changes do not violate constitutional guarantees. . . ."[25]

THE APPEAL TO THE U.S. SUPREME COURT

THIS WAS a remarkable holding by the Kansas supreme court, given the fact that the preamble of the IWW constitution was widely circulated, including through the U. S. mails, and indeed had been printed in a prominent western Kansas newspaper at approximately the time of Fiske's arrest.[26] And there had been no evidence introduced by the prosecution at Fiske's trial indicating that he had interpreted the preamble to support violence in his attempts to recruit members for the IWW.

Acting on behalf of the GDC, however, Charles Carroll continued to retain the Harveys, and they filed a writ of error on behalf of Fiske in the U. S. supreme court on January 16, 1925. The American Civil Liberties Union was also induced to post a $400 appeal bond for Fiske, allowing him to remain free pending the appeal to the supreme court. As the press in Lyons noted, the Fiske case had become a

> test case which will finally go to the United States supreme court. The case will affect the laws against syndicalism and sabotage adopted by several of the states of the Union after the world war as a means of circumventing "red" activities in this country.[27]

Fiske v. Kansas was appealed to the supreme court at a crucial stage in the process that would later be called the nationalization of the Bill of Rights; that is, the application by the court of most of the rights in the Bill of Rights as restrictions on the powers of the states via the due process clause of the 14th amendment.

25. *Ibid.*, pp. 71-73; Great Bend *Tribune*, July 3, 1923.
26. *Ibid.*
27. Lyons *Daily News*, January 19, 1925; "Memorandum re Fiske Supersedeas Bond by Forrest Bailey," ACLU archives, Princeton University, v. 340.

GOT AN ORGANIZER.

Herold B. Fiske, an organizer for the I. W. W. who admits it, was arrested by the city marshal of Geneseo yesterday afternoon and Sheriff Ward went to that city and got him last night, lodging him in the Rice county jail. Fiske had a paid up red card for himself, application blanks, blank cards and report blanks. He was a regular walking roll top desk, his pockets serving for pigeon holes. His blanks and literature were neatly folded and arranged, being held together with rubber bands.

SENDS FOR LAWYER

Harold Fiske, I. W. W. organizer in the Rice county jail, has wired to Chicago for an attorney to defend him and his preliminary has been set for Monday, July 9, in Justice Porter's court. He is charged with a felony under the state anti-syndicalism law and if convicted can be sentenced to the penitentiary for not less than one year or more than ten years or fined $1,000. It is presumed the attorney will be Harold Mulks or Caroline Lowe, both of whom appeared here last year in defense of Danton, a similar character, who obtained release from the supreme court because the lower court did not establish an overt act. In the case of Fiske, County Attorny Quinlan declares, there is evidence that he took applications for membership in the I. W. W. in Rice county.

LATEST TELEGRAPH NEWS BY THE ASSOCIATED PRESS

THE LYONS DAILY NEWS

THE ONLY DAILY PAPER IN RICE COUNTY

THE LARGEST CIRCULATION OF ANY PAPER IN RICE COUNTY

LYONS, KANSAS, WEDNESDAY, SEPT. 13, 1922. VOLUME 18, NUMBER 176.

LY EXCEPT SUNDAY

I. W. W. GUILTY

Jury Out Two Hours In Fiske Syndicalism Case

Harold B. Fiske, alleged I. W. W. organizer and solicitor, was convicted last night at 9:30 of charges made against him following his arrest in Geneseo on July 7, 1922.

After the state witnesses had testified a motion for demurrer was made by Attorney Carroll for the defense. At this time the jury was dismissed. After consideration the demurrer was overruled by Judge Douglass and the jury was recalled. The defendant, Harold B. Fiske, was then called to the stand by the defense. He stated that he was 26 years of age; that his home is in Clinton, Washington; that up to one year ago, he was a seaman; that after that time he worked in the harvest in Oklahoma and that he worked three months in Idaho in the lumber for an English logging company; two months in Idaho in the state of Missouri and in the state of Kansas for a period of 14 days for W. W. Brown on a farm. He stated that on the 20th day of June he arrived in Geneseo, Kansas, at 8 o'clock in the evening; that previous to this time he was in Haven, Kansas, for one day and while there, he solicited and wrote three members to the Industrial Workers of the World, to Earl Summers, George Kelly, and Henry Lang; that he has not seen these men since that time. He also stated that he had a conversation with Sheriff Ward at the city jail in Geneseo, and told him that he was an I. W. W. and had been since October 2, 1921; that he had been arrested two times previous to this, once in Missouri for being an I. W. W. and once in Oklahoma, for vagrancy. He stated that both charges were dismissed for insufficient evidence. He stated he was also a solicitor for Agricultural Workers Industrial Union Number 110 which is a branch of the Industrial Workers of the World.

On cross examination by County Attorney Quinlan, Fiske stated that the I. W. W. organization expected to rule the world some time in the future; that they would take possession of all the world and all classes; that all people would be socialized.

When asked by the county attorney just how he would explain the rules and regulations of this organization to prospective members, he stated that he would show them the preamble to the constitution. The defendant had on his person at the time of his arrest, a song. He said that he sang it in his leisure time and the song contained words explaining the teachings of the I. W. W. The defendant throughout the entire period of direct and cross examination never denied that he was an I.W. W. organizer and solicitor. He stated several times that he understood the teachings and constitution of his organization and that it would in time rule the labor situation and overpower the capitalists of the United States. After Fiske's testimony, both sides rested and the case was given to the jury at 7:30 o'clock. They returned in two hours with the verdict of guilty. Judge Douglass will pass sentence some time this week.

TO FEDERAL COURT

Harold Fiske, convicted in the Rice county court of criminal syndacilism and sentenced to the penitentiary, which finding was affirmed in the Kansas supreme court, has been granted the right to appeal to the United States circuit court of appeals and on Saturday, at Topeka, furnished a $400 bond to guarantee the costs of his appeal. He is a member and organizer of the I. W. W. and is being backed financially by that organization in a test case which will finally go to the United States supreme court. The case will affect the laws against syndicalism and sabotage adopted by several of the states of the Union after the world war as a means of circumventing "red" activities in this country.

With but one 19th-century exception,[28] the court had until 1925 consistently refused to hold that the 14th amendment applied any of the rights in the Bill of Rights as restrictions on state power. Indeed, as late as 1922, the court had declared that "the Constitution of the United States imposes upon the States no obligation to confer upon those within their jurisdiction . . . the right of free speech. . . ." Neither "the Fourteenth Amendment nor any other provision of the Constitution . . ." the court continued, "imposes upon the States any restrictions about 'freedom of speech'. . . ." [29]

During the "red scare" in New York, however, Benjamin Gitlow had been convicted of violating the New York Criminal Anarchy act of 1902 by circulating a left wing socialist document called the "Left Wing Manifesto." Although the New York appellate courts affirmed his conviction, the American Civil Liberties Union carried an appeal of the Gitlow case to the U. S. supreme court. And Walter Pollak, Gitlow's ACLU attorney, argued before the court that it had previously held that the 14th amendment protected the fundamental rights of the individual. The question of whether "freedom of opinion and expression on matters of public concern" was such a fundamental right, Pollak argued, "can be answered in only one way." [30]

28. Chicago, Burlington & Quincy Railroad Company v. Chicago, *U. S. Reports*, v. 166, pp. 226-263, in which the court held that the due process clause of the 14th amendment protects a right to just compensation, a right also guaranteed by the Fifth amendment.

29. Prudential Insurance Company of America v. Cheek, *U. S. Reports*, v. 259, pp. 530, 538, 543.

30. Gitlow v. People of New York, "Brief for the Plaintiff in Error" (1925), pp. 11, 18.

Harold B. Fiske, a native of Clinton, Wash., was working as an organizer for the Industrial Workers of the World Agricultural Workers Industrial Union in Rice county in June, 1923. Arrested in Geneseo July 2, he was charged with violating the Kansas Criminal Syndicalism act which prohibited the advocacy of force or violence as a means of political or industrial change. In September, 1923, he was found guilty in the Rice county district court, a decision that was appealed to the Kansas supreme court and eventually to the U.S. supreme court. The Lyons *Daily News* reported Fiske's arrest and the progress of the case through the courts.

While the court affirmed Gitlow's conviction in Gitlow *v.* New York in 1925,[31] in the course of his opinion for the majority, Justice Sanford indicated that the court was making a famous and momentous "assumption" in the case. "For present purposes we may and do assume," Sanford said, "that freedom of speech and of the press—which are protected by the 1st Amendment from abridgment by Congress—are among the fundamental personal rights and 'liberties' protected by the due process clause of the 14th Amendment from impairment by the states." [32] Although they lost the case on the issue of the validity of Gitlow's conviction, Walter Pollak and the ACLU had thus persuaded the court to state more explicitly than ever before the concept that the 14th amendment might guarantee to individuals against impairment by the states some of the rights in the Bill of Rights.

Coming to the court hard on the heels of the Gitlow case, Fiske *v.* Kansas provided the opportunity for the court to affirm that its assumption in the Gitlow case was indeed reality, and that the 14th amendment did protect freedom of speech against impairment by the states. Interestingly enough, in their arguments before the court counsel for Fiske and for Kansas only fleetingly discussed the issue of whether the 14th amendment guaranteed freedom of speech. The primary focus of the opposing counsel in the Fiske case was rather on the question of whether the preamble of the IWW constitution advocated violence or other unlawful means of political and industrial change.

Counsel for Kansas of course argued strenuously that the preamble did advocate violence, and that

> utterances inciting . . . the accomplishment or effecting of industrial or political ends, change or revolution by unlawful means, present a sufficient danger of substantive evil to bring their punishment within the range of legislative discretion. . . . Such utterances by their very nature involve danger to the public peace and to the security of the state, threaten breaches of the peace and revolution.[33]

Counsel for Fiske, on the other hand, contended that there was nothing in the preamble of the IWW constitution "which says anything

31. Gitlow v. People of New York, *U. S. Reports*, v. 268, pp. 652-673.

32. *Ibid.*, pp. 652, 665-666.

33. Fiske v. Kansas, "Brief for Defendant in Error" (1927), p. 25.

about crime, physical violence, arson, destruction of property, sabotage or other unlawful acts." Harold Fiske, his counsel argued,

> advocated nothing unlawful, directly or indirectly, specifically or generally, immediately or remotely. He advocated political and industrial change, it is true, but he proposes no means to bring these changes about, except by industrial organization, and this court has upheld the right to organize so many times that it would be superfluous to cite authorities.[34]

Only toward the end of their brief did counsel for Fiske allude to the question of whether the due process clause of the 14th amendment guaranteed a right of free speech against state interference. "We assume from the decision in Gitlow *v.* New York . . .," they said,

> and former decisions of this court, that freedom of speech and of the press are among the fundamental personal rights and liberties protected by the due process clause of the Fourteenth Amendment from impairment by the states, and therefore have not discussed this question at length.[35]

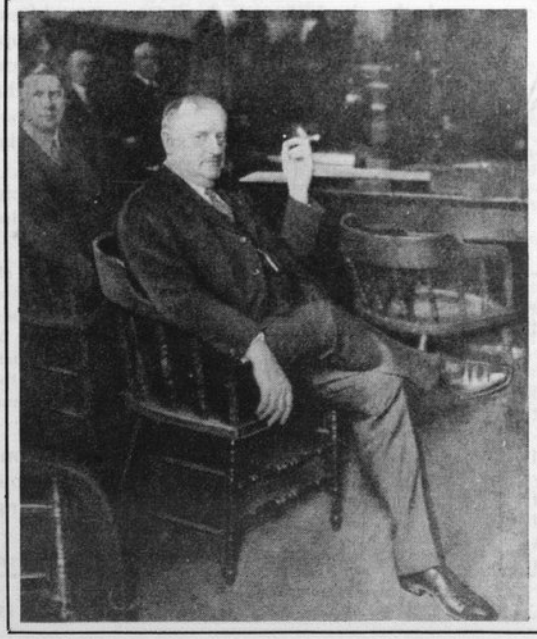
The central issue raised by the Fiske case therefore went largely undiscussed either by counsel for Fiske or for Kansas in their arguments before the court. The assumption of the Gitlow case was treated by both sides as a reality, and both sides proceeded on the premise that the 14th amendment did protect freedom of speech from impairment by the states.

34. Fiske *v.* Kansas, "Brief for Plaintiff in Error" (1927), pp. 11, 26.
35. *Ibid.*, p. 27.

THE SUPREME COURT DECIDES

ON MAY 16, 1927, the supreme court announced its decision in Fiske *v.* Kansas unanimously reversing Harold Fiske's conviction. Writing for the court as he had in the Gitlow case, Justice Sanford noted that the preamble of the IWW constitution was the only evidence offered by the state of Kansas to prove that Fiske advocated force, violence, or other unlawful acts as means of political or industrial change. But upon its own independent examination of the preamble, Sanford said, the court found that the preamble did not advocate force or violence as a means of political or industrial change. Sanford concluded that:

> The result is that the Syndicalism Act has been applied in this case to sustain the conviction of the defendant without any charge or evidence that the organization in which he secured members advocated any crime, violence or other unlawful acts or methods as a means of effecting industrial



Alexander M. Harvey (1867-1928) and his son, Randal C. Harvey, represented Fiske in his appeals to the Kansas and U.S. supreme courts. Retained by the I.W.W. general defense committee, the Topeka attorneys argued that the Kansas Criminal Syndicalism act as applied to Fiske violated his freedom of speech as guaranteed by both the state and federal constitutions. This photograph, which is reproduced from *In Memoriam, Alexander Miller Harvey* (Topeka: Shawnee County Bar Association, 1928), shows Col. A. M. Harvey in court. Active in Populist politics, Harvey was elected lieutenant governor in 1896 on the Democ-Populist fusion ticket.

or political changes or revolution. Thus applied the Act is an arbitrary and unreasonable exercise of the police power of the State, unwarrantably infringing the liberty of the defendant in violation of the due process clause of the Fourteenth Amendment.[36]

Although the principal issue in the Fiske case was that of freedom of speech, and that issue had been squarely decided by the supreme court of Kansas, in his opinion for the court, Justice Sanford did not once mention a violation of Fiske's freedom of speech as the grounds for the court's reversal of his conviction. The result has been continued disagreement among both constitutional scholars and the justices themselves as to the significance of the court's decision in the Fiske case.

Some scholars, for example, argue that the Fiske case was a confirmation of the reality of the assumption in the Gitlow case and that freedom of speech was therefore applied to the states via the 14th amendment in the Fiske case. Zechariah Chafee, Jr., in his classic work, *Free Speech in the United States*, indicates that the Fiske case made the Gitlow assumption a reality,[37] and Henry Abraham concurs, arguing that the supreme court "confirmed unanimously the nationalization of *freedom of speech* in the case of Fiske *v.* Kansas."[38] Others, however, have concluded that the Fiske case left the assumption in the Gitlow case unconfirmed, because of the court's failure to mention freedom of speech as the basis for its decision in Fiske. Many constitutional scholars thus hold the view that freedom of speech was not definitely confirmed by the court to be a 14th amendment right until Stromberg *v.* California in 1931.[39]

Disagreements over the significance of the Fiske case have not been confined to those occurring among scholars, but may also be found among the justices themselves. Responding to an inquiry from Justice Felix Frankfurter, Justice Harlan F. Stone asserted that "Free speech was held to be guaranteed by the 14th Amendment in Fiske *v.* Kansas by a unanimous Court, Sanford writing in 1926."[40] Stone's date was of course incorrect, but he was on the court when the Fiske case was decided in 1927. Stone's assessment of the significance of the Fiske case is, however, disputed by a memorandum in the autobiographical notes of Chief Justice Hughes. Citing the court's decisions in Stromberg *v.* California and Near *v.* Minnesota in 1931, Hughes stated that it "fell to my lot as Chief Justice . . . to write the opinions of the Court . . . holding that freedom of speech and of the press was embraced by the Fourteenth Amendment."[41] Hughes thus clearly felt that the Fiske case had not applied freedom of speech to the states in 1927, but rather that the Stromberg case had accomplished that objective four years later.

Given the scholarly and judicial disagreement over the significance of the Fiske case, perhaps it is most accurate to say that it was one of a series of cases, beginning with the Gitlow case in 1925 and culminating with Near *v.* Minnesota in 1931, that resulted in the application of freedom of speech and freedom of the press as restrictions on the powers of the states via the 14th amendment.[42] Through their much debated and disputed legal defense activities, the Wobblies had through their Legal Defense Committee made a significant contribution to a fundamental change in the protection of freedom of expression under the constitution.

THE DISINTEGRATION OF THE WOBBLIES

WHILE the Wobblies were in the process of achieving their victory in the Fiske case, it is ironic that their organization suffered an internal schism from which it never recovered and which led to the eclipse of the IWW as a factor in American labor history. This precipitous decline of the IWW began with a conflict over control of the leadership of the organization in Chicago that led to a dissension-ridden convention of the membership in the fall of 1924. The principal dissident group among the Wobblies, called the Emergency Program or EP group, was expelled by a

36. Fiske *v.* Kansas, *U. S. Reports*, v. 274, pp. 380, 387.

37. Zechariah Chafee, Jr., *Free Speech in the United States* (Cambridge: Harvard University Press, 1954), p. 352.

38. Henry Abraham, *Freedom and the Court*, 3d ed. (New York: Oxford University Press, 1977), p. 62.

39. Stromberg *v.* California, *U. S. Reports*, v. 283, pp. 359-376; Klaus H. Heberle, "From Gitlow to Near: Judicial 'Amendment' by Absent-Minded Incrementalism," *Journal of Politics*, Gainesville, Fla., v. 34 (May, 1972), pp. 458, 477.

40. *Ibid.*, p. 470.

41. David J. Danelski and Joseph S. Tulchin, eds., *The Autobiographical Notes of Charles Evans Hughes* (Cambridge: Harvard University Press, 1973), appendix 3, p. 341.

42. Compare Justice Sutherland's statement regarding the Gitlow-Fiske-Stromberg-Near line of cases in Grosjean *v.* American Press Co., *U. S. Reports*, v. 297, pp. 233, 244.

vote of the convention, but the resulting rift in the organization led to its permanent decline.

As the leading scholar of the decline of the Wobblies, John S. Gambs, points out, there were numerous reasons for the irreparable division of the IWW into warring factions in 1924.[43] But in light of the IWW General Defense Committee's victory in the Fiske case, it is ironic that one of the leading causes of the 1924 split was the legal defense activities of the organization. As Gambs notes, to large numbers of Wobblies legal "defense (construed as *political* activity) was irrevocably distinct from organization work (construed as *economic* activity)," and several members of the IWW indicated that "the conflict of organization work and defense activities led to the split of 1924." [44]

To the purists within the ranks of the Wobblies, legal defense activities thus continued to be viewed as illegitimate, leading to charges that "those who enthusiastically supported legal defense activities were 'politicians.' And to the I.W.W. 'politician' is a word which expresses fundamental contempt." [45] This attitude was clearly expressed by the delegates to a convention held by the expelled EP faction in 1925. "The delegates . . .," one of the convention resolutions declared, "know that recourse to legal technicalities, crawling petitions, kow-towing to master class courts, and the building up of funds to keep a lot of worthless pie-cards in office has proved its uselessness. . . ." [46] To large numbers of Wobblies, therefore, the IWW's supreme court victory in Fiske *v.* Kansas was the product of illegitimate activities that prostituted the true purposes of the organization and was one of the leading factors contributing to its disintegration.

43. Gambs, *The Decline of the I. W. W.*, pp. 101-118.
44. *Ibid.*, p. 60.
45. *Ibid.*, p. 65.
46. *Ibid.*, p. 102.

STANDARDIZED RAILROAD STATIONS IN KANSAS: THE CASE OF THE ATCHISON, TOPEKA & SANTA FE

CHARLES W. BOHI and H. ROGER GRANT

IN AN AGE of jetports and interstate highways the crucial role that railroads once played is often forgotten. In past years Kansans depended heavily upon the rails. Since most residents in the preinternal-combustion era lacked access to either suitable water transportation or all-weather roads, they willingly made their state a center for rail construction. By 1890 Kansas claimed the second greatest railroad network in America with 8,797 miles of trackage.[1]

Understandably, railroads opened up huge sections of land and similarly established scores of towns. These communities appeared at frequent intervals, largely to accommodate farmers, who, dependent on horse-drawn transport, found it burdensome to journey long distances over poor-quality roads to market their crops. While perhaps bearing imaginative and colorful names, a majority of Kansas towns, whether or not founded by railroads, shared similar layouts and even looked alike. The overall importance of depots became readily apparent: communities commonly boasted stations at the head of main street, with buildings designed to serve travelers, hotels and cafes, for example, clustered around them. Usually, too, the principal local businesses—grain elevators, coal, stock and lumber yards—were found nearby. In a very real sense railroads were the communities' link to the outside world and depots their gateway.[2]

The ubiquitous stations were vital to their owners' economic well-being. They were foremost a place of business: passengers could buy

Title-page photo: This frame station at Alden is a good example of the standardized architectural style developed by the Santa Fe in the late 19th century. Like other inexpensive wooden depots it retains the gable roof, beveled bay, and roof overhangs. While still spartan, it has a distinct structural feature—a gabled dormer over the office bay. This styling was utilized widely by the Santa Fe and became as distinctive a feature of the railway's depots as the "golden arch" of today's McDonald's restaurants. It is appropriate that a few Kansas communities, like Alden, are seeking to preserve their depots as museums and monuments to both a fading era and a type of country station architecture. Charles W. Bohi photograph.

The authors wish to thank W. C. Burk, vice-president, public relations, Atchison, Topeka & Santa Fe Railway, Chicago, for supplying plans used in the preparation of this study.

1. A. Bower Sageser, "The Rails Go Westward," *Kansas: The First Century*, ed. by J. D. Bright (New York: Lewis Publishing Company, 1956), v. 1, p. 228.

2. For a detailed account of the role once played by the depot in small-town America, *see* H. Roger Grant and Charles W. Bohi, *The Country Railroad Station in America* (Boulder: Pruett Publishing Company, 1978), pp. 3-15.

tickets and wait for trains; freight, baggage, express, and mail could be stored until shipped or delivered; and agents could take and send public messages. In fact, each depot functioned much like an outlet of a modern chain operation; a facility where a large commercial corporation served local patrons.

More than that, the depot played an integral role in railroad operations. An army of agents served literally as the eyes and ears of divisional dispatchers. By reporting train movements past their stations on the chattering telegraph, safe and efficient meeting and passing points could be planned. In a time of heavy rail volume and lacking such modern devices as centralized traffic control and two-way radios, agents were essential.

Midwestern carriers usually met their business and operating needs by erecting combination stations. Containing a waiting room, office, and freight-baggage house under one roof, these structures adequately served most communities. In Kansas few towns grew large enough to warrant separate buildings for freight and passengers. Urban terminals in Kansas were virtually nonexistent, for as late as 1910, Kansas City, the largest community, claimed fewer than 83,000 residents.[3]

The design of these combination or country stations was a matter of great importance to the railroads. While they wanted to minimize costs, they also faced local demands for attractive structures. Community boosters were unwilling to accept an unadorned shack when they knew they deserved better. Railroads could not ignore these pressures. By the populist-progressive era bitter disputes over rates, services, and political activities made the industry extremely sensitive to consumer wrath. If attractive depots could help quiet the antirailroad clamor, it would be money well spent. Observed one railroad official: "[It will] show that a railroad may be something other than a mere sordid, money-making machine it is often credited with being."[4]

Railroading, moreover, was frequently highly competitive. Communities were served often by more than one carrier. Kansas was no exception. If a company were to hold its own, erecting an unattractive depot when the road across town was constructing something more pleasing simply would not do.

Nevertheless, railroads in Kansas resisted civic demands and competitive pressures that might unduly raise construction costs. Railroading was expensive, and the industry seemed singularly vulnerable to economic downswings. Money was not available to erect overly ornate stations in hamlets and villages. During the town-building period especially, rail officials never knew for certain which communities would ultimately prosper and which would merely survive. Most carriers as a result relied extensively on standardized building designs. Such plans allowed structures to be constructed quickly and cheaply, while still permitting modification to meet local requirements. Furthermore, if properly conceived, carbon copy depots could become an architectural corporate logo. Specifically, the public would automatically associate certain stations with a particular road, hopefully in a positive way.[5]

THERE EXISTS no better example of a railroad that effectively employed carbon copy depots than the Atchison, Topeka & Santa Fe Railway. This premier Kansas road with its massive network of trackage built uncomplicated yet usually attractive stations in more than 500 communities. From Abbyville to Zenith, the Santa Fe's wooden buildings seemed ever present. The company, however, willingly replaced them with more substantial brick ones when heavier traffic justified the investment. The consistently pleasing form of most Santa Fe depots and the obvious attention paid their design make them an especially significant part of the state's architectural history.[6]

To service smaller Kansas towns the Santa Fe developed combination station plans that

3. U.S. Department of Commerce, Bureau of the Census, *Thirteenth Census of the United States, 1910, Population* (Washington: Government Printing Office, 1913), v. 2, p. 663.

4. Walter Gilman Berg, *Buildings and Structures of American Railroads* (New York, 1893), p. 252.

5. Perhaps the most successful example of a railroad using depots as three-dimensional trademarks was the Canadian Northern in western Canada. Now part of the Canadian National system, the Canadian Northern developed a distinctive roofline that it employed on urban terminals, important division-point depots, and on nearly 300 small-town combination stations.—*See* Charles W. Bohi, *Canadian National's Western Depots: The Country Stations in Western Canada* (Toronto, 1978), and Charles W. Bohi and H. Roger Grant, "The Standardized Railroad Station in Saskatchewan: The Case of the Canadian National System," *Saskatchewan History*, Saskatoon, v. 29 (Autumn, 1976), pp. 81-102.

6. By the end of World War I the Santa Fe operated 1,241 miles of mainline in Kansas and another 1,373 miles of branches. The next largest carrier in the state was the Missouri Pacific which owned 651 fewer miles than the Santa Fe.—*See* Kansas State Public Utilities Commission, *Sixth Biennial Report* (Topeka: State Printer, 1923), p. 274.

[In Progress] Kansas history: a journal of the central plains

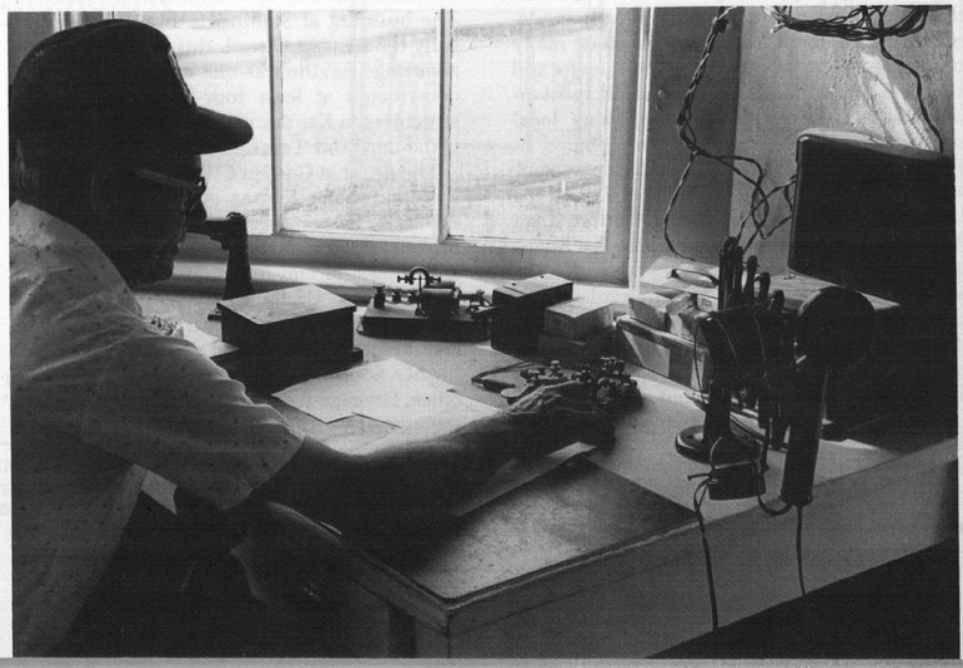
are strikingly plain. The firm initially opted for several styles that omitted major structural and at times even minor decorative ornamentation. The depot at Conway, west of McPherson, represents this general architectural format. Of primitive boards and batten construction, this simple gabled-roof building lacks characteristics that could easily distinguish it from stations on a number of other Midwestern roads. (Indeed, the Chicago, Burlington & Quincy, the Great Northern, and the Chicago Great Western commonly used a similar plan.) Only two minor structural features add distinction: a beveled bay that helps to soften the effect of the unbroken walls, and the roof overhangs that give the structure a somewhat larger look Both the bay and the overhangs, however, have practical uses. The former makes it possible for the agent to enjoy a full view of the main track and yards, and the latter provides relief from the hot summer sun. Furthermore, the Conway depot lacks minor decoration; for example, gable bargeboards, ornate door and window moldings, and fancy chimney brickwork.[7]

The station at Burlingame, near Topeka, is another example of an early Santa Fe depot design. This structure, in spite of its beveled bay, decorative brackets, and artistic window trim, is really quite plain. The Burlingame building, moreover, could easily be mistaken for one built by other granger roads. Simply put, it is just another combination structure with few interesting architectural characteristics. Clearly, when the Santa Fe constructed this station and others like it, the company opted for spartan simplicity.

While the Santa Fe remained wedded to inexpensive wooden depots, it developed by the

7. The Santa Fe devised a simple classification for its wooden depots. For example, a 24′ × 48′ frame building was designated "Frame Depot No. 2 for Main Lines." If it had a smaller bay window, the Santa Fe intended it for branchline operations. It is difficult to know how firmly the company adhered to these plans because of the erection of additions to depots and local variations that were used. As the stations got larger so did their numerical designations. A "No. 4," for instance, was bigger than a "No. 2."—*See System Standards: Volume Two* (Dallas, 1978), pp. 133-172.

The depot played an integral role in railroad operations where agents served literally as the "eyes and ears" of divisional dispatchers. By reporting train movements past their stations on the chattering telegraph, agents made it possible for safe and efficient meeting and passing points to be planned. At Santa Fe stations the beveled bay was an architectural characteristic, and in addition to softening the effect of an unbroken wall, the bay provided the agent with a full view of the main track and yards. Operating his telegraph the depot agent was generally the first person in the community to know the news. Commercial messages, election returns, weather reports, sporting events, and other information came over the telegraph wires before long-distance telephones and radios were in use. Charles W. Bohi photograph.



late 19th century a more pleasing and hence more identifiable style. The frame station at Alden, northwest of Sterling, which is presently being restored as a museum, is a superb illustration. Resembling both the Conway and Burlingame structures, this particular depot retains the gable roof, beveled bay, and roof overhangs. After all, the latter two components have significant practical applications. While still spartan, it is the effective use of a major structural feature—in this case a gabled dormer over the office bay—that enhances the Alden depot's appearance and makes it distinct. The dormer unquestionably breaks a monotonous roof line. This styling proved so satisfactory that the Santa Fe utilized it widely throughout the state. While exterior dimensions and interior floor plans vary (one hallmark of standardized plans is flexibility), the dormer bay marks these stations as Santa Fe, as surely as if the company herald were painted on the gable ends. Buildings containing this architectural feature were erected repeatedly from the 1880's to the 1920's, and dot the Central and Southern Plains. Just as the "golden arches" today denote McDonald's Family restaurants, this distinctive dormer bay likewise labeled Santa Fe depots for travelers during the railroad age.

Railroad officials viewed wooden structures as expendable; they could be replaced if business developed. Traffic volume at county seats, in particular, frequently grew to such an extent that initial frame depots were woefully inadequate. Since these communities were many times the homes of prominent politicians and shippers, it also made sense to build substantial stations there. And on occasions local pressures forced replacement. For instance, A. Frank Kearns, mayor of Lecompton, marshalled forces to convince the Santa Fe that his town deserved a more substantial station. In an August 3, 1901, petition filed before the Board of Railroad Commissioners, Mayor Kearns successfully sought an order to replace Lecompton's original frame depot. Later an undoubtedly elated mayor wrote commission members that the "Atchison, Topeka & Santa Fe Railway Company has put us up a new [brick] depot, consisting of two waiting-rooms and one freight-room. . . . We appreciate what the company has done for us here." [8]

8. Kansas State Board of Railroad Commissioners, *Seventeenth Report* (Topeka: State Printer, 1902), pp. 174-175.

Whatever the rationale, the Santa Fe erected some extremely handsome combination brick stations. They shared enough characteristics to be called standardized, even if usually built to custom drawings. Like the dormer-bay frame ones, travelers knew the ownership of these county-seat depots.

The station at Girard typifies one group of Santa Fe county-seat buildings found in Kansas after the turn of the century. Of brick rather than wood, it reflects a contemporary fascination with mission architecture. Topped by a gable roof with slate shingles, this depot sports massive brackets that brace the roof overhangs, thus retaining that highly utilitarian feature of the earlier generation wooden stations. A smart bracket-supported awning covers the end elevations. Decorative stonework, including stylized concrete company heralds, is also used. The building features the traditional office, baggage room, and freight house, and like the replacement depot at Lecompton, it boasts two waiting rooms, one for men and the other for women and children. (When financially feasible, railroad officials, reflecting current attitudes, believed that the "fairer sex" and children required protection from "coarse and vile" males.) A half-dozen Girard structures were built in Kansas. Four other states on the system claimed similar ones.

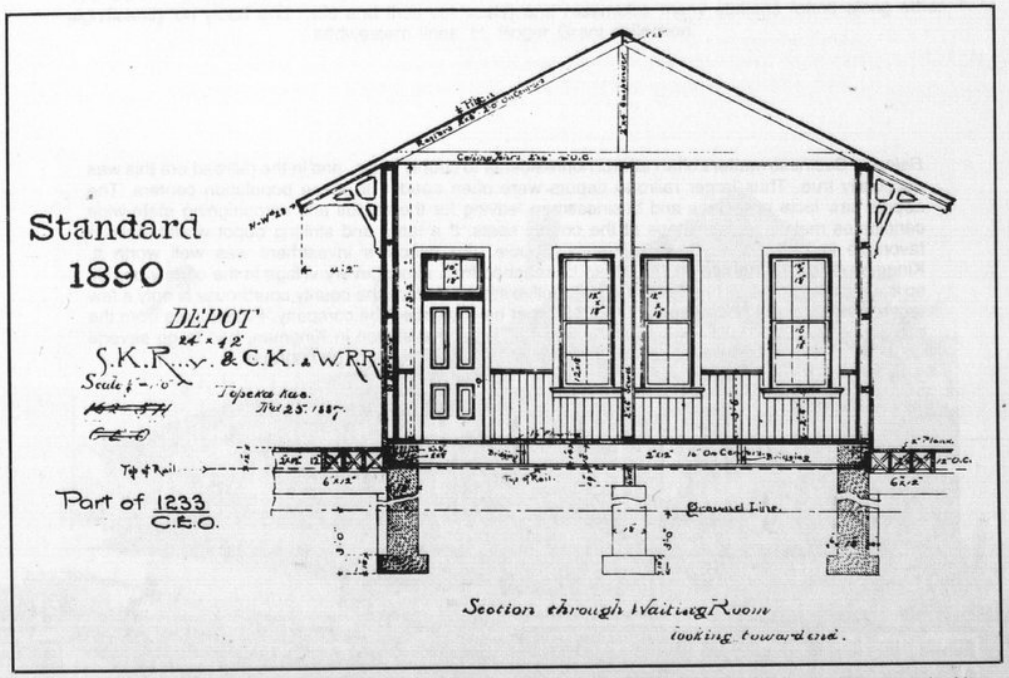
The Santa Fe employed a larger version of the Girard station at several Kansas locations. The building at Stafford is an example. Basically the same as Girard, this one once sported a carriage pavilion at one end. The company constructed at least four of these beautiful structures in Kansas, and they also appeared in Oklahoma and Texas.

The depot at Garden City is representative of a second major Kansas county-seat design of the 20th century. Covered by a hip roof that is broken by hexagonal bay dormers on the end and trackside elevations, it exudes that substantial look. Undoubtedly its presence must have endeared the Santa Fe to the local populace. Wide overhangs and decorative glass add further adornment. The interior contains the office, baggage-freight house, and two sexually segregated waiting rooms.

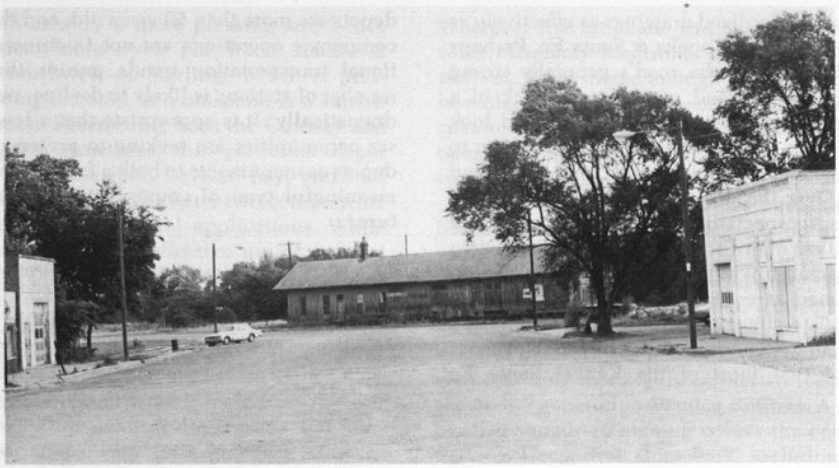
WHILE OTHER Kansas railroads used carbon-copy building designs and devised interesting replacement stations, none

utilized standardized drawings as effectively as did the Atchison, Topeka & Santa Fe. Perhaps a combination of the road's generally strong earning power, good management, lack of a plethora of predecessor companies, and luck enabled this mighty transcontinental carrier to develop and execute such well-conceived plans. Over the decades the care given these buildings, especially the county-seat ones, has meant that many still remain at a time when other small-town depots are rapidly being abandoned as communities decline, railroads consolidate, lines disappear, and agents are placed in radio-equipped vehicles. However, the fact that most of the Kansas Santa Fe depots are more than 50 years old, and that the company's operations are not immune to national transportation trends, means that the number of stations is likely to decline, perhaps dramatically. It is appropriate that a few Kansas communities are seeking to preserve their depots as monuments to both a fading era and a meaningful type of country station architecture.[9]

9. While the passenger train in Kansas is today virtually extinct, its demise was a relatively recent phenomenon. In fact, many of the Santa Fe's branchlines saw passenger service for several years after World War II. An exhaustive study of such travel is given in John B. McCall, *The Doodlebugs* (Dallas, 1977). An extensive account of the mechanical development of gas-electric cars, and how they were used, as well as a fine selection of photographs make this a valuable work for anyone interested in rural Kansas railroading.



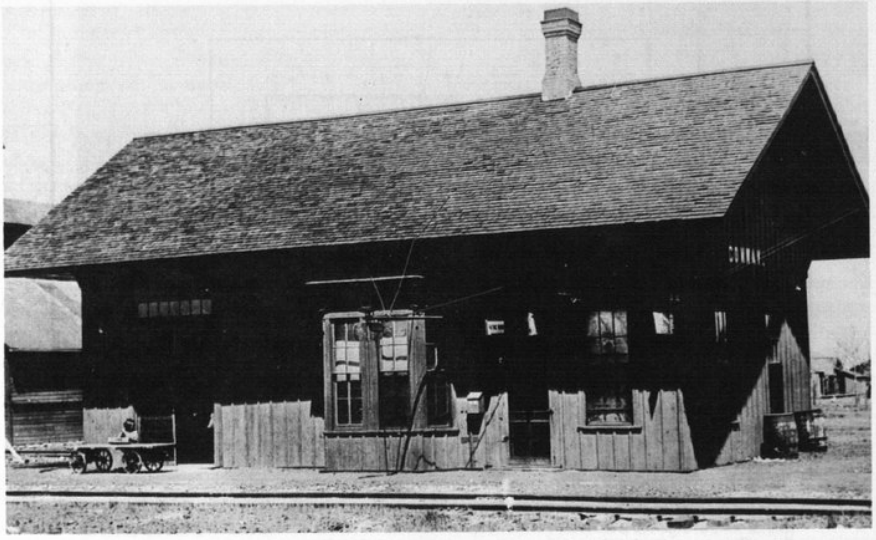
This drawing of the Santa Fe's standard 1890 "country station" shows a cross section of the waiting room looking toward the end. In this plan the waiting room is entered through an end door. The drawing also shows the distinctive roof overhang seen in the frame depots built by the Santa Fe in the late 19th century. Drawing *courtesy* of the Atchison, Topeka & Santa Fe Railway Company.



Above.—This station at Madison is but one of many railroad depots that stood at the head of Kansas main streets. Often Midwestern towns made special efforts to pave the roadway that led to the depot. The railway station was literally the gateway to a rural community, so quite naturally it was often located on the town's most important street. Charles W. Bohi photograph.

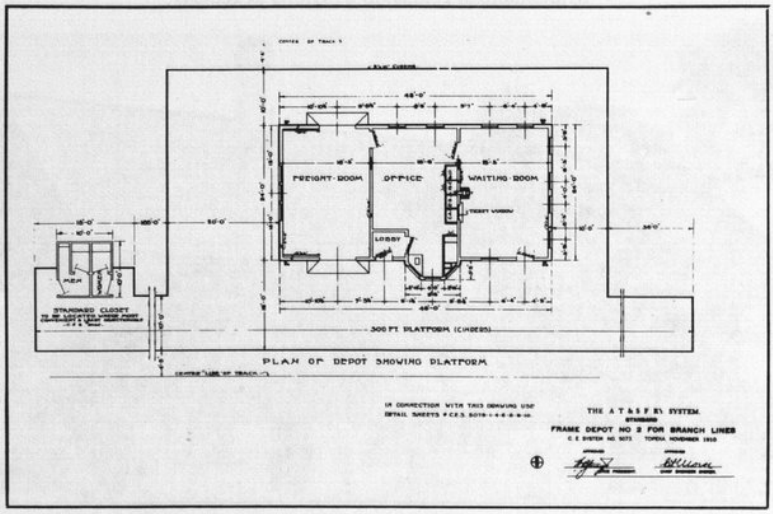
Below.—Business matters often attract nonresidents to county seats, and in the railroad era this was especially true. Thus larger railroad depots were often needed in these population centers. The depots saw local politicians and businessmen leaving for the capital and campaigning state-wide candidates making whistle-stops at the county seats. If a large and striking depot would make a favorable impression on these influential people, the railroad's investment was well worth it. Kingman, seat of Kingman county, could be reached from almost every village in the county by rail, so it is no wonder the Santa Fe built this attractive station. In fact, the county courthouse is only a few feet to the left of the photographer, and this must have pleased the company. Passengers from the competing Missouri Pacific, which also owned an attractive station in Kingman, had to go several blocks to reach the courthouse. Charles W. Bohi photograph.

[In Progress] Kansas history: a journal of the central plains

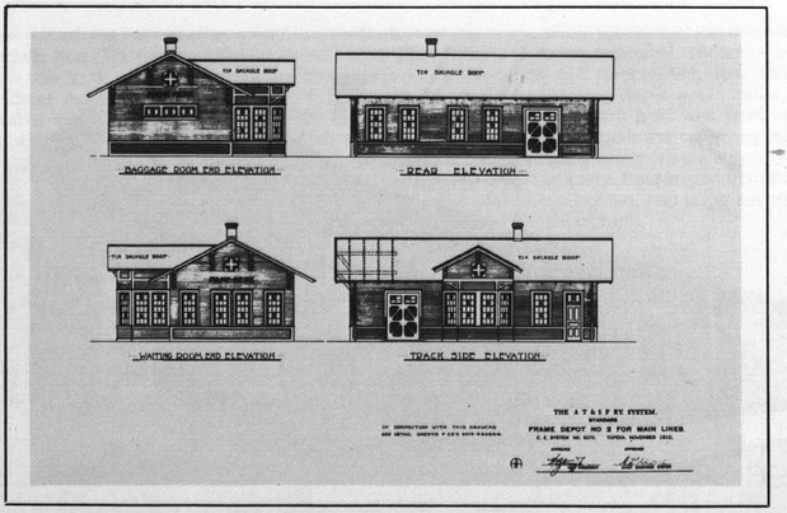


The Santa Fe depot at Conway is of simple boards and batten (a construction method that saved significantly on wood and nails and thus cut costs) and resembles many stations found along other Midwestern lines. H. Roger Grant collection.

More elaborate than the Conway depot, the Santa Fe station at Burlingame is still of plain design. Yet on this early structure, the company included attractive roof-support brackets that in this photograph are highlighted by a contrasting paint scheme. Charles W. Bohi photograph.



The floor plan of the Santa Fe's "Frame Depot No. 2 for Branch Lines" is typical of those used for thousands of combination stations in North America. The lobby area of the office was likely planned so that trainmen could talk to the agent without going through either the waiting room or freight room. In addition the layout allowed the agent quick access from his office to trackside. This was an important feature because dispatchers sometimes sent train orders to the agent just in the "nick of time" for him to relay to an oncoming train. Also note that even the outdoor privy was built to a standard plan. Drawing *courtesy* of the Atchison, Topeka & Santa Fe Railway Company.



At mainline points where the Santa Fe needed extra signaling devices, the bay window was greatly enlarged. Notice, however, that the bracket on the bay and the overall design remain the same as on branchline depots. The floor plan inside is also identical to the branchline stations. The "Name Here" written on the end elevation drawings is probably the best evidence that these buildings were designed for reproduction wherever needed. While the authors know of no stations like this in Kansas, the plan is a good example of the flexibility of standard designs and the length to which the Santa Fe would go to include its unique dormer-bay on its frame depots. Drawing *courtesy* of the Atchison, Topeka & Santa Fe Railway Company.