First capitol of Kansas

This article, published in The Industrialist, describes the history of the first territorial legislature which met with 28 pro-slavery and 11 free-state men. It urges that the building be preserved. The First Territorial Capitol was added to the National Register of Historic Places in 1970.

Date: November 27, 1900

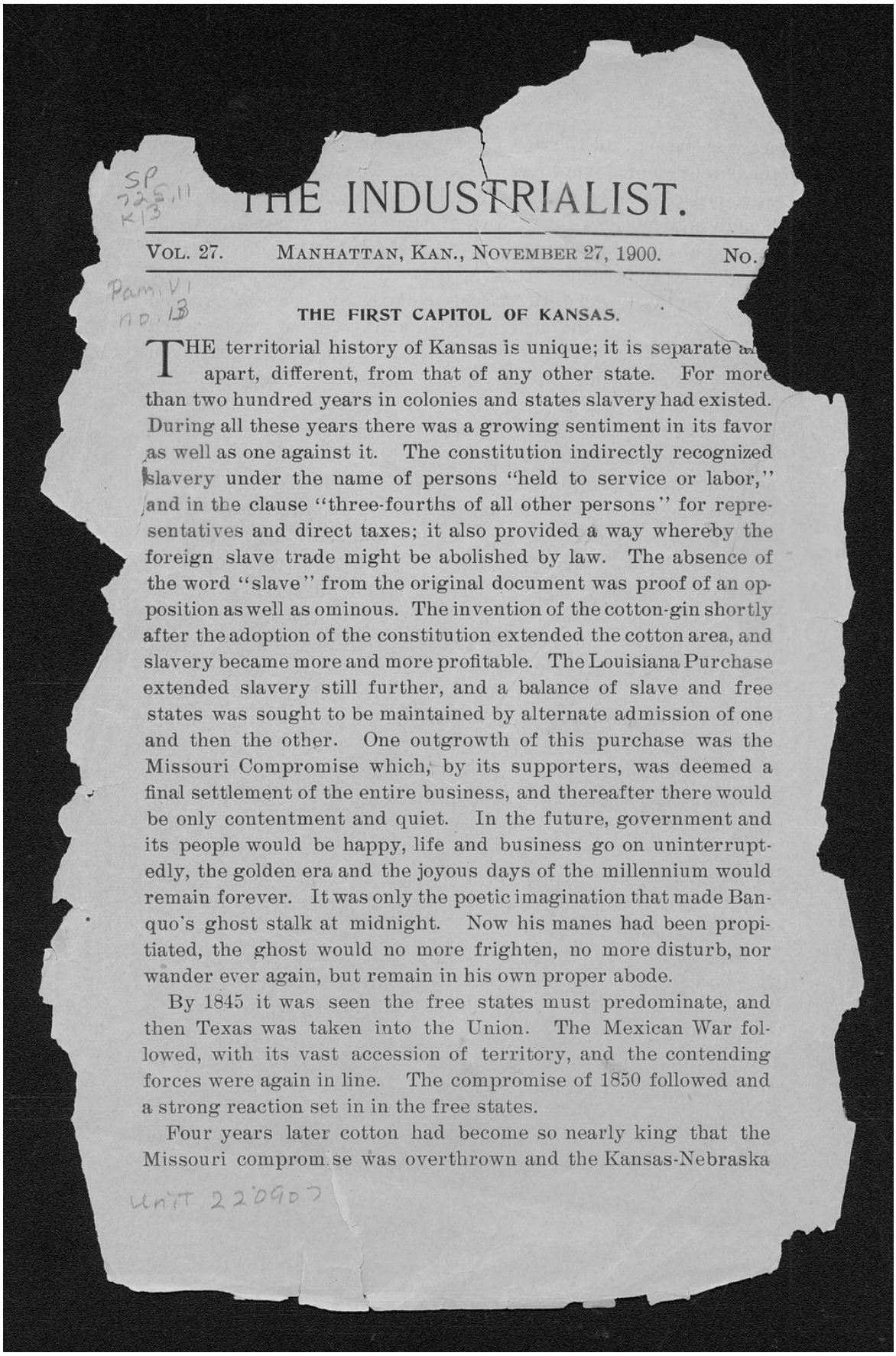
Callnumber: SP 725.11 K13 pam. V.1 no.13

KSHS Identifier: DaRT ID: 220907

Item Identifier: 220907

www.kansasmemory.org/item/220907

First capitol of Kansas



THE INDUSTRIALIST.

VOL. 27. MANHATTAN, KAN., NOVEMBER 27, 1900. NO.

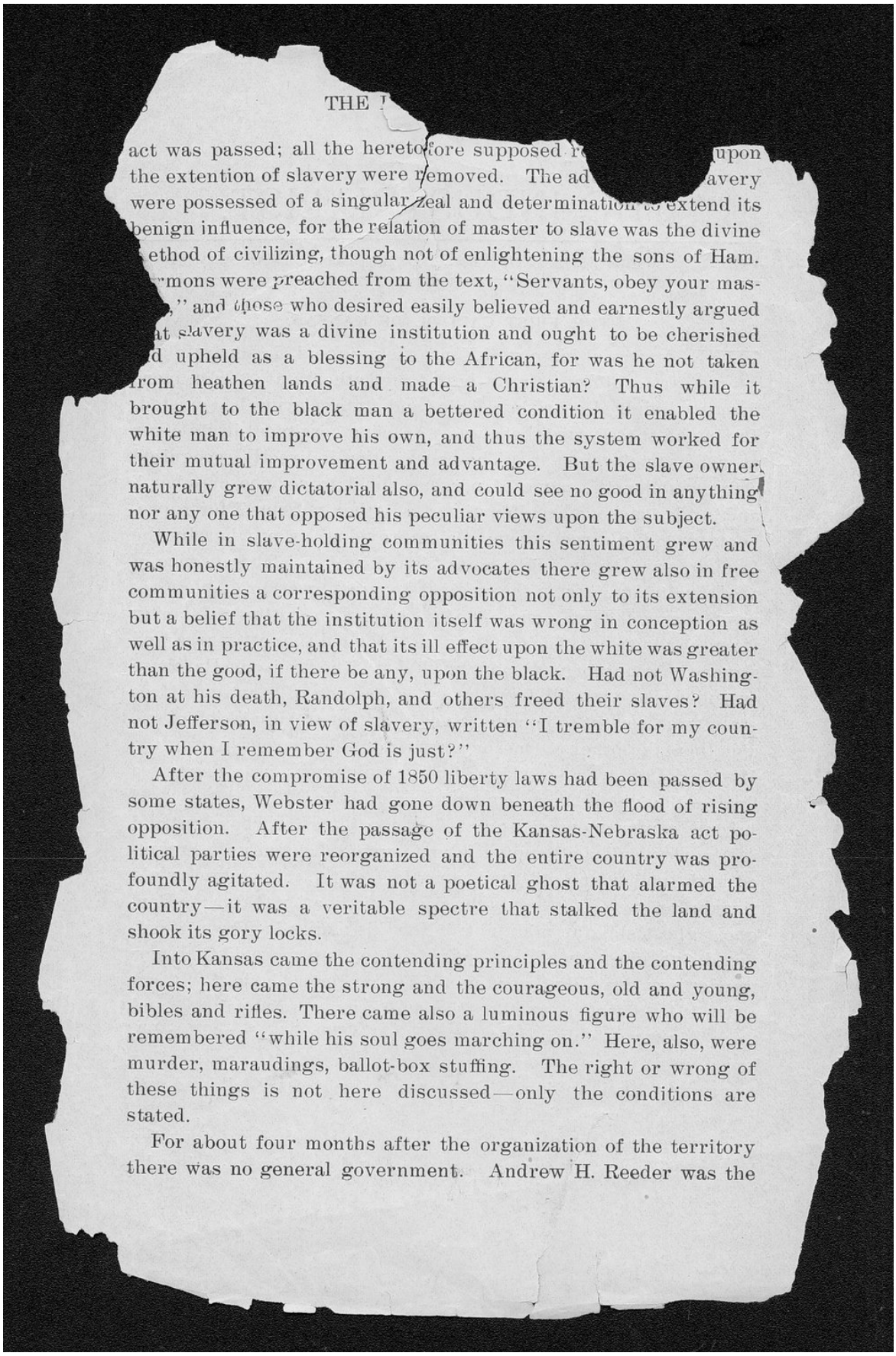
THE FIRST CAPITOL OF KANSAS.

THE territorial history of Kansas is unique; it is separate and apart, different, from that of any other state. For more than two hundred years in colonies and states slavery had existed. During all these years there was a growing sentiment in its favor as well as one against it. The constitution indirectly recognized slavery under the name of persons "held to service or labor," and in the clause "three-fourths of all other persons" for representatives and direct taxes; it also provided a way whereby the foreign slave trade might be abolished by law. The absence of the word "slave" from the original document was proof of an opposition as well as ominous. The invention of the cotton-gin shortly after the adoption of the constitution extended the cotton area, and slavery became more and more profitable. The Louisiana Purchase extended slavery still further, and a balance of slave and free states was sought to be maintained by alternate admission of one and then the other. One outgrowth of this purchase was the Missouri Compromise which, by its supporters, was deemed a final settlement of the entire business, and thereafter there would be only contentment and quiet. In the future, government and its people would be happy, life and business go on uninterruptedly, the golden era and the joyous days of the millennium would remain forever. It was only the poetic imagination that made Banquo's ghost stalk at midnight. Now his manes had been propitiated, the ghost would no more frighten, no more disturb, nor wander ever again, but remain in his own proper abode.

By 1845 it was seen the free states must predominate, and then Texas was taken into the Union. The Mexican War followed, with its vast accession of territory, and the contending forces were again in line. The compromise of 1850 followed and a strong reaction set in in the free states.

Four years later cotton had become so nearly king that the Missouri compromise was overthrown and the Kansas-Nebraska

First capitol of Kansas



THE

act was passed; all the heretofore supposed r upon the extention of slavery were removed. The ad avery were possessed of a singular zeal and determination to extend its benign influence, for the relation of master to slave was the divine ethod of civilizing, though not of enlightening the sons of Ham. rmons were preached from the text, "Servants, obey your mas-," and those who desired easily believed and earnestly argued at slavery was a divine institution and ought to be cherished d upheld as a blessing to the African, for was he not taken rom heathen lands and made a Christian? Thus while it brought to the black man a bettered condition it enabled the white man to improve his own, and thus the system worked for their mutual improvement and advantage. But the slave owner naturally grew dictatorial also, and could see no good in anything nor any one that opposed his peculiar views upon the subject.

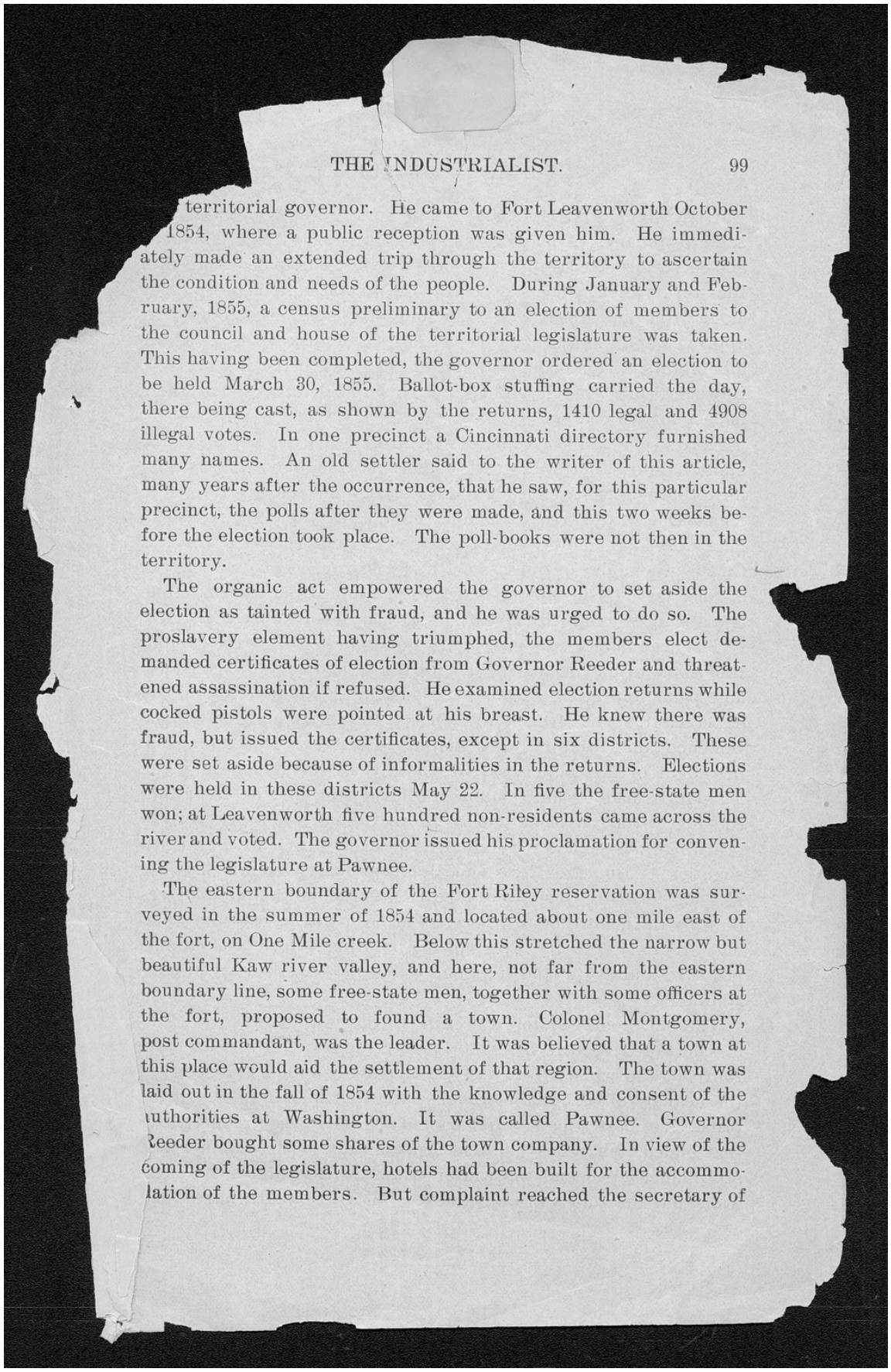
While in slave-holding communities this sentiment grew and was honestly maintained by its advocates there grew also in free communities a corresponding opposition not only to its extension but a belief that the institution itself was wrong in conception as well as in practice, and that its ill effect upon the white was greater than the good, if there be any, upon the black. Had not Washington at his death, Randolph, and others freed their slaves? Had not Jefferson, in view of slavery, written "I tremble for my country when I remember God is just?"

After the compromise of 1850 liberty laws had been passed by some states, Webster had gone down beneath the flood of rising opposition. After the passage of the Kansas-Nebraska act political parties were reorganized and the entire country was profoundly agitated. It was not a poetical ghost that alarmed the country—it was a veritable spectre that stalked the land and shook its gory locks.

Into Kansas came the contending principles and the contending forces; here came the strong and the courageous, old and young, bibles and rifles. There came also a luminous figure who will be remembered "while his soul goes marching on." Here, also, were murder, maraudings, ballot-box stuffing. The right or wrong of these things is not here discussed—only the conditions are stated.

For about four months after the organization of the territory there was no general government. Andrew H. Reeder was the

First capitol of Kansas

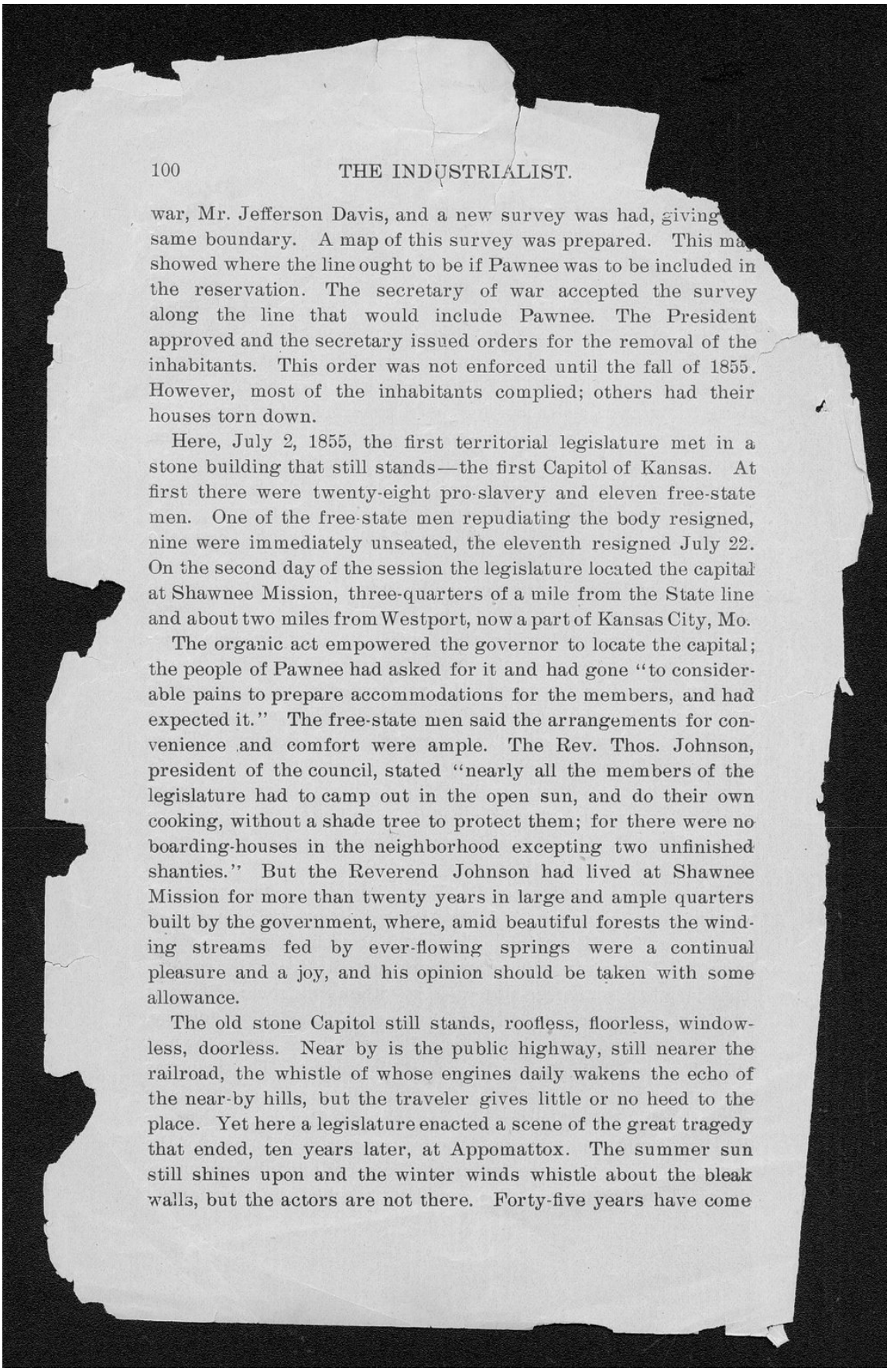


territorial governor. He came to Fort Leavenworth October 1854, where a public reception was given him. He immediately made an extended trip through the territory to ascertain the condition and needs of the people. During January and February, 1855, a census preliminary to an election of members to the council and house of the territorial legislature was taken. This having been completed, the governor ordered an election to be held March 30, 1855. Ballot-box stuffing carried the day, there being cast, as shown by the returns, 1410 legal and 4908 illegal votes. In one precinct a Cincinnati directory furnished many names. An old settler said to the writer of this article, many years after the occurrence, that he saw, for this particular precinct, the polls after they were made, and this two weeks before the election took place. The poll-books were not then in the territory.

The organic act empowered the governor to set aside the election as tainted with fraud, and he was urged to do so. The proslavery element having triumphed, the members elect demanded certificates of election from Governor Reeder and threatened assassination if refused. He examined election returns while cocked pistols were pointed at his breast. He knew there was fraud, but issued the certificates, except in six districts. These were set aside because of informalities in the returns. Elections were held in these districts May 22. In five the free-state men won; at Leavenworth five hundred non-residents came across the river and voted. The governor issued his proclamation for convening the legislature at Pawnee.

The eastern boundary of the Fort Riley reservation was surveyed in the summer of 1854 and located about one mile east of the fort, on One Mile creek. Below this stretched the narrow but beautiful Kaw river valley, and here, not far from the eastern boundary line, some free-state men, together with some officers at the fort, proposed to found a town. Colonel Montgomery, post commandant, was the leader. It was believed that a town at this place would aid the settlement of that region. The town was laid out in the fall of 1854 with the knowledge and consent of the uthorities at Washington. It was called Pawnee. Governor eeder bought some shares of the town company. In view of the coming of the legislature, hotels had been built for the accommolation of the members. But complaint reached the secretary of

First capitol of Kansas



war, Mr. Jefferson Davis, and a new survey was had, giving the same boundary. A map of this survey was prepared. This map showed where the line ought to be if Pawnee was to be included in the reservation. The secretary of war accepted the survey along the line that would include Pawnee. The President approved and the secretary issued orders for the removal of the inhabitants. This order was not enforced until the fall of 1855. However, most of the inhabitants complied; others had their houses torn down.

Here, July 2, 1855, the first territorial legislature met in a stone building that still stands—the first Capitol of Kansas. At first there were twenty-eight pro-slavery and eleven free-state men. One of the free-state men repudiating the body resigned, nine were immediately unseated, the eleventh resigned July 22. On the second day of the session the legislature located the capital at Shawnee Mission, three-quarters of a mile from the State line and about two miles from Westport, now a part of Kansas City, Mo.

The organic act empowered the governor to locate the capital; the people of Pawnee had asked for it and had gone "to considerable pains to prepare accommodations for the members, and had expected it." The free-state men said the arrangements for convenience and comfort were ample. The Rev. Thos. Johnson, president of the council, stated "nearly all the members of the legislature had to camp out in the open sun, and do their own cooking, without a shade tree to protect them; for there were no boarding-houses in the neighborhood excepting two unfinished shanties." But the Reverend Johnson had lived at Shawnee Mission for more than twenty years in large and ample quarters built by the government, where, amid beautiful forests the winding streams fed by ever-flowing springs were a continual pleasure and a joy, and his opinion should be taken with some allowance.

The old stone Capitol still stands, roofless, floorless, windowless, doorless. Near by is the public highway, still nearer the railroad, the whistle of whose engines daily wakens the echo of the near-by hills, but the traveler gives little or no heed to the place. Yet here a legislature enacted a scene of the great tragedy that ended, ten years later, at Appomattox. The summer sun still shines upon and the winter winds whistle about the bleak walls, but the actors are not there. Forty-five years have come

First capitol of Kansas

; at Chicamaugua, at Missionary Ridge, at Gettysburg, ments have been erected to commemorate heroic actions of r countrymen. But here stands as truly a monument that marks the pathway to Harper's Ferry in 1859, and thence to many a bloody battlefield thereafter, as any that have since been erected. Recently there came into the hands of the Kansas State Historical Society eleven acres of ground at Pike's Pawnee village, in Republic county. Here, ninety-four years ago, Captain Zebulon Pike hauled down the Spanish flag and first hoisted the flag of our country. That spot ought to be preserved. Equally proper would it be for the society to obtain possession of the first Capitol, preserve it and the remains of the few buildings still left. The hope is expressed that some measure, with this end in view, will be taken by the incoming legislature or by the Historical Society.

B. S. McFARLAND.

LATERAL CURVATURE OF THE SPINE.

IN THE many hundred measurements taken by me of girls between the age of twelve and twenty-six years about two-thirds of them have had a curvature of the spine; a fact which very few mothers had noticed.

Lateral curvature of the spine—Scoliosis—a deformity which is characterized by lateral deviation and distortion or rotation of the spinal column, nearly always accompanied more or less by exaggeration of the normal antero-posterior curves.

A very much larger proportion of the curvatures are found in the female than the male. Messrs. Bradford and Lovett, in their "Orthopædic Surgery," 1890, collected 2342 cases of lateral curvatures, 363 of which were male and 1979 female. The much larger proportion of girls than boys affilicted, aside from being handicapped by their dress, do not have enough physical exercise, such as hockey, tennis, cricket and such outdoor sports. The muscles of the girl either never develop as they should or become weak. They have not sufficient strength to hold themselves erect and to restore the equilibrium of their curved backs out of school hours. The ages at which the greater proportion of the curvatures develop are between five and sixteen years, the greater number developing at the age of twelve years.