The homestead provision was very strongly and bitterly contested in that convention. It was adopted by a vote of twenty-eight to twenty-one. Two separate protests were filed after its adoption; one of these was signed by a member of the convention from Atchison county, who is now the senior Senator in Congress from Kansas, upon the ground that "he believed its provisions unjust, invidious, and open to fraudulent construction." I suppose to-day all will concede the wise, liberal and enlightened public policy which dictated the incorporation of the homestead exemption in our Constitution. This provision to protect citizens of the State and their families from the miseries and dangers of destitution, supplemented as it has been by the homestead law of Congress, is, in my mind, one of the great causes for the rapid settlement and development of our State. It has greatly assisted to swell our population, in a quarter of a century, from one hundred thousand to over a million and a quarter. It has aided to give us more than a hundred thousand fruitful farms; it has tended to increase towns and villages, vying with each other in prosperity. From this, as much as anything else, now

"Cities grow where stunted birches
Hugged the shallow water-line,
And the deepening rivers twine
Past the factory and the mine,
Orchard slopes and schools and churches."

Chief Justice Kingman's judicial opinions are models of clearness and conciseness; a natural sense of justice permeates them all. Upon the bench as well as off, he has always been noted for unaffected dignity and simplicity. It is a misfortune to the State that ill-health required him to relinquish the duties which otherwise he was so ably fitted to discharge. It is my hope that he will live to a ripe old age, beloved, respected, and honored, as he deserves to be, by every citizen of this great commonwealth.

In conclusion, speaking in general terms, I can unhesitatingly assert that the members of the Judiciary of Kansas have been as learned, able, faithful, fearless and upright as the judges of any of our sister States. Several of them who have, and some who are now filling judicial positions, are men of brilliant abilities and superior legal attainments. They would adorn and dignify any bench, whether Federal or State. If, now and then, a weak, vacillating or unworthy judge has been elected or appointed, he has been speedily retired. The ermine in Kansas has not often been tainted or stained.

ADDRESS OF COL. C. K. HOLLIDAY.

Col. C. K. Holliday, the most prominent among the founders and builders of the Capital City of Kansas, was then introduced, and delivered the following address:

THE CITIES OF KANSAS.

There were very many passengers aboard the elegant steamer, F. X. Aubrey, on her trip from St. Louis to Fort Leavenworth, about the middle of the month of October, 1854.

Among those whose acquaintance I made was an elderly gentleman by the name of McDaniel, whose home was at Weston, Mo., but who took a lively interest in Kansas affairs. He had already invested in the new Territory, and was contemplating making it his future home.

Upon learning that I was going to Kansas, with a view of making a permanent settlement, he was kind enough to give me many valuable hints and suggestions. "Don't make a mistake, young man," he said, "don't make a mistake. Near the
great elbow of the Missouri there is bound to be built the greatest city of the continent, and that city, sir, is Kickapoo."

I mildly suggested that I heard Atchison, Leavenworth, Wyandotte and Kansas City, or rather Westport, well spoken of. But he quickly gave me to understand that, if I would become a part of, and grow up with the great city, I should lose no time in casting my lot among the Kickapoos.

If, however, I could not reconcile myself to living in a large commercial emporium like Kickapoo, he would then recommend that I should "stick my stakes" at Douglas or Tecumseh, both of which were bound to be large interior cities, and one of which would, doubtless, be the capital.

Strange as it may seem to-day, it is true that Kickapoo, situated on the Missouri river, some six or eight miles above Leavenworth, did aspire to be one of the great cities of the Territory, and hoped to become the greatest. And it is equally true that Tecumseh had similar aspirations of becoming the largest interior city. And not without reason. For Tecumseh came within one vote of being made the capital by the first Legislative Assembly, and would doubtless have secured the location, had not the personal interests of a majority of the members influenced them to make the location at Lecompton. The importance, however, of these cities was fully recognized by this same Legislative Assembly, in that it established the county seat of Leavenworth county at Kickapoo, of Douglas county at Douglas, and of Shawnee county at Tecumseh. Nor would the friends of these respective cities for a moment concede that Leavenworth could ever successfully compete with Kickapoo, nor Lawrence with Douglas, nor Topeka, not even founded at the initial period of this history, with Tecumseh.

I should not omit in this enumeration of the earliest established cities of our Territory, still another, whose hopes, or the hopes of its friends, soared high above those of Kickapoo, Douglas, or Tecumseh. I allude, of course, to the very first prospective capital—the city of Pawnee. This city was founded by a number of prominent and influential gentlemen, chiefly from Pennsylvania, and who were supposed to be near the administrative authority of the Territory. At this place the first Legislative Assembly was convened, and it was hoped that an act would speedily be passed making Pawnee the permanent capital. But the political fires which swept and devastated the Territory for the next three years, had already been kindled. The Assembly, therefore, not only did not make Pawnee the capital, but refused to do any business whatever there, other than to organize, and then adjourn to the Shawnee Mission, where the remainder of its session was held.

Pawnee was situated upon a beautiful plateau on the north bank of the Kansas river, about a mile eastward from Fort Riley.

A large and substantial stone building was erected, by private means, in which the two houses of the Assembly might hold their sessions, and other buildings for the accommodation of the officers and members. Upon investigation, however, it was ascertained that Pawnee was located upon the Fort Riley military reservation. This was construed as an invasion of the reserved territory of the United States; and, upon the facts being made known at Washington, the President ordered the army to expel the citizens, and, if need be, to bombard and destroy the city.

The city was ever afterwards known, until it passed from the recollections of the people, as "Pawnee on the Reserve."

The bombardment of "Pawnee on the Reserve," and of Greystown, in Nicaragua, were the two great military achievements which gave fame and renown to the Pierce administration.

I should perhaps add, as a third, the expulsion, at the point of the bayonet and
at the mouth of shotted cannon, of the Legislature under the Topeka Constitution, at Topeka, on the 4th day of July, 1856.

In these modern days, when we wish to express, 'in the superlative degree, any great movement in trade, in manufacture, in real estate, in the rapid growth of cities, or what not, we call it a "boom." The biggest boom that Kansas ever had in the city line, or perhaps ever will have, took place in 1857, continuing into 1858. The causes of this movement were too numerous and lengthy to be enumerated in detail, within the time allotted to this address. Principally, however, a great panic was prevailing in the Eastern States, and the many persons falling there, strove to place the remnants saved from the wrecks of their fortunes where they would best escape the vigilance of creditors, and at the same time be most remunerative.

Kansas having been extensively advertised through our "Border Russian troubles," and by the Buchanan-Fremont campaign of 1856, peace being at last assured and large and valuable bodies of public lands being offered for sale, the rush of people to our Territory was most extraordinary. Unlike those who had come the three preceding years, those who came in 1857 were possessed of considerable means.

The result was that both lands and city lots—especially the latter—were in the greatest demand. All sales were made for cash. The older and really more substantial cities and towns having been sold and resold, and the demand being still unsatisfied, new towns or cities—everything was a city then—were being daily organized, surveyed, platted and sold.

Lots or groups of lots were seldom sold. The plan was almost universal, to issue certificates of shares in the new city, and sell the certificates. The city would be divided into from one hundred to, say four or five hundred shares—according to its size and the sanguine temperaments of its founders, and each share would represent from two to twenty lots. The avidity with which these certificates of shares in the cities were bought, was something startling. The standard average price for city shares was about $500 each, some favorites, of course, commanding more, others, perhaps, less.

It was not merely the new-comers who were enthused, and lost self-control in this new city movement, but the old settlers were equally infected and carried along by the tide. Many who had valuable properties in the old and well-established towns, such as Leavenworth, Wyandotte, Lawrence, Topeka and others, sold the same, and with the proceeds bought certificates of shares in the new cities. In the county of Shawnee alone, I call to mind the five cities of Avoca, Camina, Essex, Dayton, and Kansas City—there were many others—whose lots to-day are doubtless parts of some fine corn-field or orchard, and whose sites the oldest inhabitant would try in vain to determine.

To a half-dozen of the most prominent of these cities, I wish to invite your special attention: Quindaro, Delaware, Summit, Doniphan, Palermo, and Elwood.

These cities were organized almost simultaneously, and their early progress was most extraordinary. Large hotels, and fine business blocks, and valuable stock of goods, could be found at each; and the population of each increased with astonishing rapidity, especially when the sparseness with which the Territory was then settled is taken into consideration. In fact, I question whether, with our present large population, and the mania that has again broken out among our people for the building of new towns—I say I question whether any city at the present time has been built so thoroughly, or has increased in population so rapidly, as some of these cities to which I am now calling your attention.

Perhaps their great prosperity is not to be marveled at, when we remember who were the founders of these cities, or who early became their champions. The most distinguished citizen of our Territory at that time, and afterwards Governor of our
Commonwealth, and who has been the foremost among all our people for the whole thirty-one years of our history, was among the leading spirits of Quindaro. A Lieutenant-Governor and many others of distinction championed the prosperity of Delaware. A gentleman of wide literary fame, and who has since honored both his State and the Nation upon the floor of the United States Senate, was the special friend of Sumner. The great military chieftain of our Territorial days, and afterwards a distinguished Senator in Congress, was the leader of the hosts and of the enterprise at Doniphan. Gentlemen of almost equal prominence and ability were directing affairs at Palermo. But it was reserved for Elwood to be especially blessed with a list of names as its founders and friends, of which any city might well be proud. One, afterwards often honored by his friends with a seat in the State Legislature, and other civil offices; another, afterwards a high literary authority and an accomplished State officer; another, afterwards a distinguished General in the Union Army, and subsequently holding high positions in the civil service at New Orleans; another, afterwards the leading citizen of a neighboring State, a millionaire, and member of the United States Senate; and still another, greater than all, who afterwards held many civil offices, then Governor of our State, and more recently Envoy Extraordinary and Minister Plenipotentiary to a powerful but friendly empire. Yet, notwithstanding all this great array of talent and ability, the fates seemed to be against these cities. Their "boom" continued but for a year or two, and, like some of the other cities to which I first referred, it would be difficult to-day to determine even the sites upon which some of these last named cities were erected.

As there may be persons present to-night who have never heard of the cities about which I am speaking, and who do not know where they were located, and, as the enthusiastic exhumists of cities, after they shall have gotten through with Pompeii and Herculaneum, and Babylon, and Troy, and others of the Old World, may want to try their hands upon the lost cities of this continent, it might be well for me to state, that they were all situated upon the Missouri river. Quindaro, some three miles above Wyandotte; Delaware, about half-way between Wyandotte and Leavenworth; Sumner, four or five miles below Atchison; Doniphan, as many miles above Atchison; Elwood, immediately opposite the city of St. Joseph; and Palermo, about midway between Elwood and Doniphan.

Two great causes contributed to bring about the collapse of these cities:

First. Being located but a few miles apart, along the Missouri river, which already had upon its banks the large and prosperous cities of Atchison, Leavenworth and Wyandotte, they necessarily became rivals, and greatly antagonized each other's interests.

Second. They were unquestionably far in advance of the times. The business of the Territory, with its small population, could not sustain so many large places, crowded into such close proximity.

Viewed from the standpoint of to-day, and with all the disastrous results before us, it is a matter of supreme regret to me, and I doubt not to all the people of our State, that the great talents employed and the large means expended in building up so many antagonistic cities on our eastern border, were not combined to build one really great, magnificent city within the limits of our State—a city capable of evoking the largest State pride, at which the commercial and financial business of the State might be transacted, and whose wealth would augment and aggrandize the wealth of our own State, instead of suffering such a city to be built in a neighboring State, to exhaust the resources and drain the life-blood of all our people for all time to come.

Two other cities of our Territorial days should claim our attention for a moment—Lecompton and Minnecola. Both of these cities had the loftiest aspirations, each
striving to be the great political center—the capital of our great Commonwealth. Nor were these aspirations by any means groundless, for Lecompton was chosen as the capital by the first Legislative Assembly, or what was known as the "Border Ruffian Assembly," while Minneola was chosen as the capital by the Free-State Legislative Assembly, at its first regular session. Soon after the first of these locations, Congress made an appropriation of $50,000 with which to erect the capitol building at Lecompton, and which was duly expended for that purpose.

After Kansas became a State, one of the first official acts of Governor Robinson was to sell that capitol building at public auction, and strange as it may seem, so little were capitol buildings in demand at that particular season, that the net proceeds of the sale only amounted to $216. I quote from recollection, but think I am correct.

Minneola, a large and commodious building was erected for capital purposes, by private enterprise, and good hotels for the accommodation of members, Territorial officers, and others.

But they were doomed never to be occupied for the purposes for which they were erected. The Legislative Assembly which located the capital at Minneola, also provided for a Constitutional Convention, to assemble at the same place. It met, but refused to entertain any motion, or do any business, other than organize, and adjourn to Leavenworth, where the constitution designated by that name was framed.

The fate of both Lecompton and Minneola as capitals was plainly discerned from the beginning. The political revolution then taking place sealed the fate of the former. The latter—Minneola—was largely owned by the members of the Assembly which located the capital at that place. This favored too much of the "job" to be tolerated by the people. Besides, it was foretelling the popular judgment upon so important a matter as the location of their capital. The people became indignant. Their condemnation was swift as the lightning and as destructive as the cyclone. And the prospects of Minneola becoming a great city quickly

"Melted into air, into thin air,  
And left not a rack behind."

To show the feeling that was aroused upon this subject, I will state, that during the consideration of the bill establishing the capital at Minneola, in the Council one of the members opposed to the location said: "I have to say to the friends of this measure that, appropriating the language of Mr. Webster, the lightning has its power, the tempest has its power, the earthquake has its power, but there is something more powerful than the lightning and the tempest and the earthquake combined, and that is public opinion; and public opinion will brand this outrage as a swindle, and its champions as swindlers." "You are flattering yourselves," said he, "that you are locating a capital. It is a mistake; it will prove to be simply a graveyard, in which every member who votes for this bill will be politically buried."

The prediction was almost literally fulfilled, for but few of those who voted for the "Minneola swindle," as it was afterwards called, were ever again intrusted by the people with public confidence, or public places.

This much, I felt, was due to the cities of our early Territorial days; to the cities "that were, but are not." To the cities, to employ the language of our spiritualistic friends, which did not fully materialize; to the cities of '54, and to the cities of '57.

Having said so much concerning the cities of the past, what shall I say, what can I say, concerning the cities of the present? What should I say? Or rather, why should I say anything concerning them? Are they not all there to speak for themselves? And, if they cannot speak, have they not all steadfast friends and stalwart champions to speak for them? Aye, and if needs be, to fight for them. Has their light at any time been placed under a bushel? Could any description of mine
do justice to our cities? Could I, by painting, beautify the rose? "Behold them, and judge for yourselves." There are Atchison, and Leavenworth, and Wyandotte, and Lawrence, and Fort Scott, and Ottawa, and Topeka, and Emporia, and Wichita, Winfield, Wellington, and Newton, and Manhattan, and Junction, and Salina, and Great Bend, and Hutchinson, and Dodge, and Garden City, and a hundred others which would exhaust both the poet and the painter, as well as the historian, to portray them in all their effulgent glories. What the jewels are to the crown, what the stars are to the firmament, so are our cities to the broad and splendid domain of our commonwealth. And as the stars give life and light, and beauty, and glory and effulgence to the sky above, so do our cities give life and light, and beauty, and glory and effulgence to the earth beneath.

ADDRESS OF HON. JAMES HUMPHREY.

Hon. James Humphrey, member of the State Board of Railroad Commissioners, was then introduced, and delivered the following address:

THE RAILROADS OF KANSAS.

If, at the date of the admission of Kansas into the Union as a State, the whole population then existing upon her soil had been so grouped as that all her traffic or commerce could have been carried over railroads, four hundred miles of road would have been the utmost which that traffic would have supported. At that time, for several reasons, Kansas did not present the most promising field for the display of railroad enterprise. It was remote from the far East, the most populous regions of the country, whence the chief stream of immigration was expected to flow to people the West. The great controversy which had lent stimulus to the tide of immigration hither in the Territorial days had been settled, and this inducement had ceased to operate. Besides, while sufficient was known to afford reasonable assurance that the eastern half of the State would sustain an agricultural population, the western half was universally believed to be subject to climatic conditions that rendered it insusceptible to cultivation. Yet, in that early stage of the State's career, and amidst unpromising surroundings, there were men in Kansas who possessed a faith as to her future that was prophetic, and a courage that seemed the inspiration of the wildest hopes. There were companies already incorporated whose projects involved the building of 1,320 miles of railroads within the State, every mile of which, and 486 miles in addition, were built within twelve years from the date of the act of admission. Two of the lines thus projected had penetrated the savage wilds of the far-western border, disputing the hitherto undisturbed possession of the red man of that comparatively unknown country. These last embraced an ambition that could not be circumscribed by State lines. They were enterprises founded upon bold and far-reaching ideas, which sought to bind together the material interests of this State to those of the vast Territories beyond, reaching out with hands of steel to gather the swelling traffic of mountain and plain, and pour over the highways of this central State the commerce of half a continent. These conceptions have reached a practical realization, and railroad projects conceived, commenced and matured in Kansas, have spread their arms over intervening States and Territories to the Mexican line and the Pacific main, and are numbered among the gigantic achievements of the present age.

The growth of that part of the country west of the Missouri river the past quarter of a century in population, business and wealth is fairly represented by the development of its railroads. In all the vast country now traversed by the Pacific Railroad systems there was at the date of admission of Kansas into the Union but about twenty miles of railroads. At the present time the railroad mileage in that