The First Capitol of Kansas

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On April 16, 1855, Gov. Andrew H. Reeder issued a proclamation calling the territorial legislature to meet in the town of Pawnee on July 2. Governor Reeder had earlier informed the Pawnee Town Association, of which he was a member, of his intention to convene the session there, provided that a suitable building would be available.

Pawnee had been laid out in the fall of 1854 on land adjoining the Fort Riley military reservation. Col. William R. Montgomery, then the commanding officer at the fort, was one of the chief promoters of the new town, which was small in size and of little importance except for its location on a well-traveled military road. When news of the governor's plans for Pawnee became known, however, immigration increased and a "boom" was soon underway. A letter written from Pawnee, February 19, and printed in the Herald of Freedom, Lawrence, March 24, 1855, stated:

The Pawnee Association have . . . men at work on a warehouse . . . to be built of stone. Two saw-mills are about being put into operation. A hotel is in course of erection. . . . It will be a mammoth structure . . . built of stone taken out of the hill right above it.

There is a great demand for laborers here, and good wages will be paid them; but none ought to come at this time unless they have the means of accommodating themselves for some time in the way of bed-clothes, &c.

This warehouse was to serve as the first territorial capitol. Warren Beckwith, who was engaged in the construction, wrote to H. Miles Moore on March 9: "I have about thirty men at work on the warehouse & we are getting along very well. It will be done in time for the first session of the Legislature." Beckwith also wrote that two houses were finished in Pawnee—a boarding house and a hotel—and that a Catholic and an Episcopal church would be built during the year.

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Beckwith was apparently overconfident concerning the completion of the building, judging by the following letter by John Stringfellow, printed in the *Squatter Sovereign*, Atchison, July 17, 1855:

On arriving at Pawnee, I must acknowledge I was disappointed in not finding more improvements, especially as Gov. Reeder thought this the most eligible place for holding the session of the Legislature. The building designed for the Legislative Hall, is a large stone warehouse, which when we arrived on Saturday, had neither floor nor roof, but by working all day Sunday and Sunday night, the roof and floor was finished, but the doors were not completed while we stayed—so we had to legislate with open doors.

The two-story structure, with approximate dimensions of 40 by 80 feet was built of native stone. It was rudely furnished although the governor said that it was well provided with seats and writing tables.¹ The lower floor was used as the house chamber and the council or senate occupied the second floor.

Most of the legislators who came to Pawnee were sympathetic to the Proslavery cause. They had been elected on March 30, 1855, with the aid of many Missourians who had crossed the border to vote. The election had been contested by the Free-State partisans but the fraudulent votes helped to overwhelm them. Because of this illegal selection of representatives, the legislature became known to antislavery Kansans as the “Bogus Legislature” and the laws it passed were called the “Bogus Laws.”

The legislature was described by the *Kansas Free State*, Lawrence, in the following account, printed July 16, 1855:

This redoubtable body met at Pawnee on Monday the 2nd of July. It is composed of a mass of material as heterogenous as were ever thronged together. Its main ingredients are fire-eating residents of Missouri, of whom there are three, equally hot headed residents of Kansas, many of them of Northern origin, and still hotter renegades from the Free Soil Party. The members generally arrived a day or two previously to convening. The pro-slavery portion exhibited a determination to be dissatisfied with everything done by the Governor, and especially with his convening them at Pawnee.

On the other hand, Lucian J. Eastin, editor of the Proslavery *Kansas Weekly Herald*, Leavenworth, took an opposite view. His comment, printed in the July 14 issue of the *Herald*, said:

Thus far everything has passed off smoothly and quietly, without any disturbance or difficulty. Those gentlemen who anticipated a row, have been disappointed. They have found the pro-slavery party to be composed of men actuated and governed by principle and justice.

Most of the members came prepared to camp out. They brought tents, food, cooking utensils, and an ample supply of whisky. They

arrived on horseback and in wagons, and their clothing ranged from buckskins to frock coats. Some brought slaves with them to do their personal work and practically all of them were armed.

The session opened on July 2, 1855, with Daniel Woodson, the Proslavery territorial secretary, presiding at the organization of both houses. John H. Stringfellow of Atchison was elected speaker of the house and J. C. Anderson of Fort Scott speaker pro tem. The Rev. Thomas Johnson, superintendent of Shawnee Methodist Mission, was elected president of the council and R. R. Rees, Leavenworth, president pro tem.

Members of this first legislature were young men. Only five of the 39 were over 50 while 11 were under 30. One, Alexander Johnson, was a native of Kansas—a real rarity in 1855. He was a son of the president of the council, and had been born at Shawnee Methodist Mission in 1832. Only two members were listed as being outside the Proslavery party. A lawyer named Chapman from Lawrence was on the record as a Democrat, while Samuel D. Houston, a resident of Pawnee, was a Free-Soiler. It is interesting to note that the one Free-State legislator called the capital his home, and that on July 23 he resigned his position, thus leaving the body with no Free-State members.

On the morning of July 3 the governor's message was read to both houses, but it was not well received and his remarks concerning slavery were completely ignored by the legislators. On that day the Squatter Sovereign, Atchison, a strong Proslavery newspaper, had the following comment to make about Governor Reeder: "Nine-tenths of the citizens of Kansas would rather see him hanging to a tree, than filling the gubernatorial chair."

The primary objective of the legislature was to have the seat of government moved to the eastern part of the territory. Since most of the members were from the border towns with interests in Missouri they wanted the administrative center located where their strength lay. On July 4 the legislature passed a bill providing for the temporary establishment of the capital at the Shawnee Methodist Mission in present Johnson county. The bill also stated that the governor and secretary were to maintain their offices there until a permanent capital could be decided by law. The bill was vetoed by Reeder on July 6 on the grounds that the legislature was acting outside the power conferred upon it by congress. However, both houses promptly passed it over his veto and then adjourned to meet at Shawnee Mission on July 16. It was also on July 6 that
John T. Brady, Tecumseh, was elected public printer and it was he who supervised the printing of the “Bogus Laws.”

Immediately following adjournment the legislators gathered up their belongings, saddled their horses, hitched up their teams and headed east. Pawnee was no longer the capital of Kansas territory and the capitol building was put to various uses. The lower story was used as a combination carpenter shop and lodging place. Half of the second floor was used as a residence and a bachelors’ club occupied the other half. Church services were occasionally held in the building too. In September, 1855, an election was held there and again Missourians invaded the town and tried to control the voting. A poll tax was levied on the spot but the Free-State men refused to pay and held their own election on the following day.

The town declined rapidly after its abandonment as the territorial capital. The War Department had ordered a new survey made of the boundaries of the Fort Riley reservation and when they were readjusted the townsite came within them. In September, 1855, United States troops arrived with orders to see that the settlement was vacated. Many of the residents strenuously objected to being moved out of their homes but their objections were to no avail. By October 10 only a few families remained. These were forcibly evicted by the army and those buildings still standing were razed. The capitol was the only one left intact and it was put into service as an army storehouse.

In 1877 the roof was torn off by a windstorm and the interior of the building suffered from the weather for many years afterwards. Roofless, and with no whole windows or doors, this once important structure was almost forgotten until 1900 when some Kansans began working for its preservation. In 1907 Samuel F. Woolard of Wichita started a fund raising campaign, the proceeds of which were to be used by the Kansas State Historical Society for the restoration of the walls. The money collected through Woolard’s efforts was enough to replace the missing stone in the walls, to repair the windows and doors, and to reinforce the walls.

Nothing more was done until 1927 when the legislature appropriated $1,000 for strengthening and repairing walls and for cleaning up the grounds. The Union Pacific railroad, on whose right of way the building partly stands, became interested in the restoration and expressed a desire to aid in the work. Under the guidance of the Historical Society the Union Pacific spent approximately $20,000 to reconstruct the capitol so that it resembled as nearly as possible the
original of 1855. Fifty-foot beams, two-inch plank flooring, old-fashioned iron nails and wooden pins, and hand forged hardware all went into the restoration and the interior was furnished with items representative of the territorial period.

At the time the restoration was arranged for, the Historical Society applied to the War Department for a revocable license to enter and occupy the land on which the capitol stands and to maintain the building. The license was granted and is in effect for an indefinite period.

On August 1, 1928, the restored first Kansas capitol was formally presented to the state of Kansas by the Union Pacific railroad, and the Kansas State Historical Society, as trustee for the state, now operates it as a museum.