

## The Original Lecompton Constitution Returns To Kansas After 100 Years

THE original Lecompton constitution, historic Proslavery document of Kansas territory which inflamed the nation 100 years ago, has been returned to the area of its origin. In September, 1957, the Kansas State Historical Society received the constitution as a gift from the New Brunswick Historical Club of New Brunswick, N. J. For many years this priceless Kansas item has been held for the New Jersey organization by the library of Rutgers University. Dr. Richard P. McCormick of the club and of the Rutgers history department, and Donald A. Sinclair of the library were instrumental in returning it to Kansas.

The circumstances of the constitution's removal to the Eastern seaboard still are not known. On October 29, 1875, the constitution was presented to the New Brunswick Historical Club by Col. Alfred W. Jones, then of Woodbridge, N. J.<sup>1</sup> Jones, one of the members of the Lecompton constitutional convention, was a delegate from Douglas county. Since he was neither president nor secretary of the convention, it can only be surmised why the constitution remained in his possession for the years between the adjournment of the convention and the presentation to the New Brunswick group.

Jones first arrived in Kansas in 1855 as a member of an emigrant party from Virginia and on May 3, 1856, with C. A. Faris, began publication of the Lecompton *Union*. He continued in that capacity for nearly a year, publishing his "valedictory" in the April 11, 1857, number of the newspaper. He remained in Lecompton for several months and engaged in the practice of law but it cannot be established definitely when he ceased to be a resident of the town. The advertisement for his law office does not appear in the Lecompton newspaper, then the *National Democrat*, after the issue of January 28, 1858, but it is possible that he remained in the territory beyond that date.

Jones was one of the more conservative members of the Lecompton convention—an assemblage which contained some of the arch Proslaveryites of the territory. His party affiliation was given as "Democrat" rather than "Ultra States Rights" or "Proslavery" but

1. Ethan Ellis, "The Lecompton Constitution," *The Journal of the Rutgers University Library*, v. 3 (June, 1940), pp. 57-61.

even so he came in for his share of criticism from the rabid Free-State press.

Preston B. Plumb, editor of *The Kansas News*, Emporia, in the issue of November 21, 1857, labelled the movement "the traitors' convention." He published a "Roll of Infamy," and wrote brief sketches of some of the members. While Jones was not as roughly denounced as men like John Calhoun, president of the convention, Plumb did write the following paragraph about him:

A. W. Jones, of Lecompton, formerly of Virginia—a lawyer, ex-editor of the defunct *Union*, and a sound National Democrat. Jones is good looking, twenty-three, talented, very ambitious, cunning and reserved. A pretty good speaker—his aim seemed to be to impress upon the Free State reporters who were present, the fact that he was in favor of submitting the whole Constitution to the people for adoption or rejection. In reality he was most active in pushing through the dodge submission, being the secret log-roller of that party. He will be heard from again.

The "dodge submission" mentioned by Plumb was the provision that the constitution be submitted to a popular vote, with the ballots marked "Constitution with Slavery," and "Constitution with no Slavery." This meant that the people were not to be allowed to vote on the constitution itself. Neither would a victory for the second alternative mean what it said, for only the *extension* of slavery was to be prohibited. Slave property already in Kansas in either case was *not to be interfered with*. So the 200 or 300 slaves then in Kansas, and their descendants, were consigned to continued servitude, no matter whether Kansas voted for or against slavery.<sup>2</sup> No wonder, then, that the howls which arose in Kansas reverberated throughout the nation and in the halls of congress. This furor, coupled with the persistent efforts of the Buchanan administration to persuade Kansas to accept the constitution, explains why all United States political histories inevitably mention the Lecompton constitution.

Jones apparently moved to Missouri soon after the close of the convention. On March 23, 1858, at Independence, Mo., he married Julia Lawrence of that city where he engaged in the practice of law.

On May 18, 1861, Jones was made a lieutenant colonel in the Missouri state guard on Sterling Price's staff. It was later stated by Jones' political supporters in New Jersey that he had deserted the Confederate cause in October, 1861. However, Confederate records show that he was still with the Missouri forces in December, 1861, and probably through the first few months of 1862. In

2. *Ibid.*, p. 60.

February, 1863, he was in Union custody and was investigated by Gen. B. F. Loan, commanding the central district of Missouri. Loan, who had known Jones before the Civil War, decided that he no longer had any sympathy with the "rebel cause" and paroled him.<sup>3</sup>

In 1868 he appeared as an editorial partner in the *Middlesex County Democrat*, Perth Amboy, N. J. In November of that same year he was elected to the New Jersey state assembly from Middlesex county. In April, 1876, he started *The Independent Hour*, a newspaper at Woodbridge, N. J., which he published until the summer of 1879.<sup>4</sup>

Jones, in his letter of presentation to the New Brunswick Historical Club which accompanied the constitution, did not explain why the document was in his possession. He addressed the club on the subject of the constitutional convention and its aftermath on November 4, 1875, and the New Brunswick *Daily Fredonian* carried a lengthy article about his speech the following day.

It reported that Col. Jones was a "very fine orator, and his speech . . . was an excellent production." The newspaper went on to say that Jones was planning to deliver the speech in New England, presumably on a tour of some sort, and the reporter felt that it would not offend the New Englanders because it did not have any of the "hot-headed Southern in it." Although the *Fredonian* reported extensively on the Kansas situation of 1857 and mentioned Brown, Lane, Pomeroy, Calhoun and numerous other prominent names of the territorial period it neglected to shed further light on Colonel Jones' career between 1858 and 1868.

There is one course of conjecture which might explain Jones' possession of the manuscript. Someone possibly had to take the constitution to Washington, D. C., in late 1857 or early 1858 for presentation to President Buchanan and the Congress. The Lecompton *National Democrat* files in the Kansas State Historical Society are not complete but the issues are representative of December, 1857, and January and February, 1858, and no mention is made in them of anyone acting as a courier for the constitution. Neither does the *Congressional Globe* list any Kansas names on February 2, 1858, the day that Buchanan sent the constitution to Congress for con-

3. Information about Jones' marriage and his service with Price and the Missouri state guard is taken from a letter written to Robert W. Richmond, state archivist, by Donald A. Sinclair of the Rutgers University library, September 20, 1957. Sinclair has been a student of Jones' career for several years and obtained his information from newspapers and Confederate records in the National Archives.

4. Ellis, *loc. cit.*, p. 61.

sideration. It is possible that Jones was the messenger—or one of the messengers—to Washington and that after the constitution's rejection he retained custody of the document.

The constitution is written on eight large sheets of parchment each of which are approximately  $23\frac{1}{2}$  by  $27\frac{1}{2}$  inches. The ink has faded with the passage of a century but the writing remains legible. The final page of the document bears the signatures of the delegates to the convention—including, of course, that of Mr. Jones.