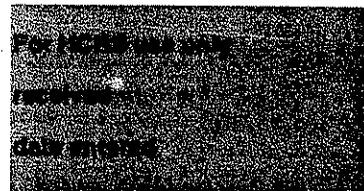


**United States Department of the Interior
Heritage Conservation and Recreation Service**

**National Register of Historic Places
Inventory—Nomination Form**

See instructions in *How to Complete National Register Forms*
Type all entries—complete applicable sections



1. Name COUNCIL GROVE NATIONAL HISTORIC LANDMARK

historic

RECEIVED

and/or common

MAY 10 1985

2. Location

Kansas Historic Preservation Dept.

street & number _____ not for publication _____

city, town Council Grove _____ vicinity of _____ congressional district Fifth

state Kansas code 20 county Morris code 127

3. Classification

| Category | Ownership | Status | Present Use |
|---|---|---|--|
| <input type="checkbox"/> district | <input type="checkbox"/> public | <input checked="" type="checkbox"/> occupied | <input type="checkbox"/> agriculture |
| <input checked="" type="checkbox"/> building(s) | <input type="checkbox"/> private | <input checked="" type="checkbox"/> unoccupied | <input checked="" type="checkbox"/> commercial |
| <input type="checkbox"/> structure | <input checked="" type="checkbox"/> both | <input type="checkbox"/> work in progress | <input type="checkbox"/> educational |
| <input checked="" type="checkbox"/> site | Public Acquisition | Accessible | <input type="checkbox"/> entertainment |
| <input type="checkbox"/> object | <input type="checkbox"/> in process | <input type="checkbox"/> yes: restricted | <input type="checkbox"/> government |
| | <input type="checkbox"/> being considered | <input checked="" type="checkbox"/> yes: unrestricted | <input type="checkbox"/> industrial |
| | | <input type="checkbox"/> no | <input type="checkbox"/> military |
| | | | <input type="checkbox"/> museum |
| | | | <input type="checkbox"/> park |
| | | | <input type="checkbox"/> private residence |
| | | | <input type="checkbox"/> religious |
| | | | <input type="checkbox"/> scientific |
| | | | <input type="checkbox"/> transportation |
| | | | <input type="checkbox"/> other: |

4. Owner of Property

name Public and Private Owners (see continuation sheet)

street & number _____

city, town _____ vicinity of _____ state _____

5. Location of Legal Description

courthouse, registry of deeds, etc. Morris County Assessor's Office

street & number Morris County Courthouse, Main Street

city, town Council Grove state Kansas

6. Representation in Existing Surveys

title The National Survey of Historic Sites and Buildings has this property been determined eligible? yes no

date 1963 federal state county local

depository for survey records U.S. Department of the Interior, National Park Service

city, town Washington, state D.C.

7. Description

| Condition | | Check one | Check one |
|--|--|---|---|
| <input type="checkbox"/> excellent | <input checked="" type="checkbox"/> deteriorated | <input checked="" type="checkbox"/> unaltered | <input checked="" type="checkbox"/> original site |
| <input checked="" type="checkbox"/> good | <input type="checkbox"/> ruins | <input checked="" type="checkbox"/> altered | <input type="checkbox"/> moved date _____ |
| <input type="checkbox"/> fair | <input type="checkbox"/> unexposed | | |

Describe the present and original (if known) physical appearance

Council Grove is situated on the Neosho River in Eastern Kansas, about one hundred miles southwest of Kansas City. The following historic resources constitute the National Historic Landmark:

127-
180-
1). Trail Ruts, beginning from about 1821: The ruts, which are the only remnants of the actual trail still existing in Council Grove, are located approximately one mile east of the city limits at the end of Main Street.

0030 2). Council Oak, date unknown: Located on the north side of Main Street next to the Missouri Pacific Railroad tracks and depot, the tree is sheltered by a small concrete pavilion. In July, 1958, a violent wind storm toppled the oak, with only six feet of the stump remaining upright. The stump has been sprayed with a preservative and now stands on a concrete foundation. A sign was placed next to the pavilion which describes the events which took place under the oak tree in 1825.

0029 3). Post Office Oak, believed to be approximately three hundred years old: Located near the intersection of Kansas Highway 177 and Main Street, on the north side of the street, is one of only a few remaining oak trees still standing in the grove. Vine-covered and barely visible from the street, the tree stands next to a stone house built in 1864 as a brewery. A sign near the tree tells of its importance to travelers on the Santa Fe Trail.

0003 4). Hays Tavern, 1857: This building has been renovated and now houses a restaurant. The facade is covered with wood siding and bears the name, HAYS HOUSE 1957 across the top. A covered porch with balustrade, supported by columns, extends over the first floor entrance. Several wooden doors open onto the roof of the porch of the second floor. Windows are wood frame, double-hung sash. The interior has been altered somewhat to meet the needs of a modern restaurant.

0031 5). Seth Hays House, c. 1855: This small home is located two blocks south of Main Street on the southwest corner of Wood Street. It is a one-story, brick structure, L-shaped with shutters, six over six double-hung sash windows, and a wood-shingled, pitched roof.

5003 6). Last Chance Store, 1857: Located on the northwest corner of Main Street and Chatauqua Street, the store has remained basically the same since it was built. Shaded by a number of trees, the building is a small, one-story structure with pitched roof and wooden double-hung sash windows. It was built of native stone cut in rectangular blocks. The store now houses an antiques shop.

MAP KEY (see attached map)

- A). Trail Ruts
- B). Council Oak
- C). Post Office Oak
- D). Hays Tavern
- E). Seth Hays House
- F). Last Chance Store

8. Significance

| Period | Areas of Significance—Check and justify below | | | |
|---|---|---|---|--|
| <input type="checkbox"/> prehistoric | <input type="checkbox"/> archeology-prehistoric | <input type="checkbox"/> community planning | <input type="checkbox"/> landscape architecture | <input type="checkbox"/> religion |
| <input type="checkbox"/> 1400-1499 | <input type="checkbox"/> archeology-historic | <input type="checkbox"/> conservation | <input type="checkbox"/> law | <input type="checkbox"/> science |
| <input type="checkbox"/> 1500-1599 | <input type="checkbox"/> agriculture | <input type="checkbox"/> economics | <input type="checkbox"/> literature | <input type="checkbox"/> sculpture |
| <input type="checkbox"/> 1600-1699 | <input type="checkbox"/> architecture | <input type="checkbox"/> education | <input type="checkbox"/> military | <input type="checkbox"/> social/ |
| <input type="checkbox"/> 1700-1799 | <input type="checkbox"/> art | <input type="checkbox"/> engineering | <input type="checkbox"/> music | <input type="checkbox"/> humanitarian |
| <input checked="" type="checkbox"/> 1800-1899 | <input checked="" type="checkbox"/> commerce | <input type="checkbox"/> exploration/settlement | <input type="checkbox"/> philosophy | <input type="checkbox"/> theater |
| <input type="checkbox"/> 1900- | <input type="checkbox"/> communications | <input type="checkbox"/> industry | <input type="checkbox"/> politics/government | <input checked="" type="checkbox"/> transportation |
| | | <input type="checkbox"/> invention | | <input type="checkbox"/> other (specify) |

Specific dates 1825-1869 **Builder/Architect** n/a

Statement of Significance (in one paragraph)

Council Grove, situated on the Neoshō River where the rolling prairies meet the Great Plains 150 trail miles west of the Missouri River, was a natural stopping place with water, abundant grass, and timber. It was an important way-point on the route to Santa Fe.

Council Grove was named in 1825 when the Government Survey Commissioners made treaties with the Osage Indians which guaranteed the Santa Fe Trail caravans safe passage through Osage Territory. Later, when Council Grove became the point where the caravans assembled and prepared for the journey to Santa Fe, the name referred to the grand councils of the traders. Here, caravan captains and division lieutenants were selected as the caravans organized in a quasi-military manner. In 1864, the Mormon Battalion, on the way to fight in the Mexican War, stopped and regrouped in Council Grove.

West of Council Grove there was no hardwood; thus it was common practice to cut axles, wagon tongues, and other spare parts before proceeding farther. From the time of the Mexican War when the first army repair depot was organized there, Council Grove was the last outpost of civilization westbound on the Trail. With the founding of the town of Council Grove in 1857, the trader and travelers found it their last chance to buy supplies.

The railroad arrived in Council Grove in 1867, and by 1869 the Santa Fe Trail no longer passed through the town; rather, it assembled at points progressively west. With the passing of the Trail's importance to the town, the period of national significance came to a close.

There are six historic sites still extant in Council Grove that represent the historic period of the Santa Fe Trail, and it is these six discontinuous sites which collectively constitute the National Historic Landmark:

- 1). Trail Ruts. The ruts, located approximately one mile east of town, are the only known evidence of the trail's existence that have been discovered to date in the area. The route of the trail changed several times due, in part, to the platting of Council Grove, which forced the trail on to Main Street.
- 2). Council Oak. The Council Oak received its name and recognition from the council of the three U.S. Commissioners and the chiefs of the Great and Little Osage Indians which took place underneath this tree August 10, 1825. It was also at this time that Council Grove received its name.

9. Major Bibliographical References

See continuation sheet.

10. Geographical Data

Acreeage of nominated property n/a (six discontiguous sites)

Quadrangle name Council Grove, Kansas

Quadrangle scale 1:24000

UMT References Six sites, each assigned one reference point:

| | | | | | | | |
|---|-----------|---------------|----------------|---|-----------|---------------|----------------|
| A | <u>13</u> | <u>721700</u> | <u>4281980</u> | B | <u>13</u> | <u>719600</u> | <u>4282030</u> |
| | Zone | Easting | Northing | | Zone | Easting | Northing |
| C | <u>13</u> | <u>718840</u> | <u>4282030</u> | D | <u>13</u> | <u>718550</u> | <u>4281960</u> |
| E | <u>13</u> | <u>718680</u> | <u>4281710</u> | F | <u>13</u> | <u>718100</u> | <u>4281790</u> |
| G | | | | H | | | |

Verbal boundary description and justification

See continuation sheet.

List all states and counties for properties overlapping state or county boundaries

| state | code | county | code |
|-------|------|--------|------|
| | | | |
| | | | |

11. Form Prepared By

name/title Boundary Review Task Force (updated by S. Pearce, Historian, 9/23/83, and N. Witherell, Historian, 8/6/84)

organization HCRS (National Park Service-RMRO)

street & number 440 G Street, NW (655 Parfet Street, Denver, CO 80225)
telephone

city or town Washington, DC (303-234-2560)
state

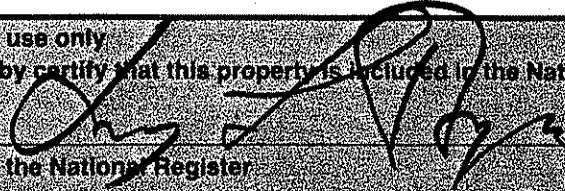
12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

national state local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the Heritage Conservation and Recreation Service.

State Historic Preservation Officer signature

| | |
|--|---------------------------|
| title | date |
| <p>For HCRS use only</p> <p>I hereby certify that this property is included in the National Register</p>  | <p>date <u>5/6/82</u></p> |
| Keeper of the National Register | date |
| Attest: | date |
| Chief of Registration | |

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Continuation sheet

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OWNERSHIP:

- 1) Mr. and Mrs. John Amos
Rural Route 1
Council Grove, KS 66846 (Trail Ruts)
- 2) City of Council Grove
Main Street
Council Grove, KS 66846 (Council Oak)
- 3) Bill Young
324 Union Street
Council Grove, KS 66846 (Post Office Oak)
- 4) Mr. and Mrs. Charles Judd
Main Street
Council Grove, KS 66846 (Hays Tavern)
- 5) Morris County Historical Society
Thomas F. Cosgrove
Council Grove, KS 66846 (Seth Hays House)
- 6) Mrs. Helen Prater
19 North Chatauqua Street
Council Grove, KS 66846 (Last Chance Store)

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SIGNIFICANCE (con't.)

In March, 1825, the Congress of the United States passed an act that authorized the president to cause a road to be marked from the western frontier of Missouri to Santa Fe, New Mexico, and also authorized the president to appoint three commissioners to carry out the act. President Joh Quincy Adams appointed Benjamin Reeves, George C. Sibley, and Thomas Mathers to this commission.

The three left St. Louis in June, 1825, and on August 10, met with the chiefs of the Great and Little Osages at Council Grove on the Neosho River. The U.S. Government paid \$800 to the Osage Indians for the right-of-way through their territory for the road to New Mexico. The treaty was signed by the commissioners; the secretary; surveyor; interpreter and fifteen other white men; and by Pa-hu-skah (White Hair), head chief of the Great Osages; Watonga, head chief of the Little Osages; five other chiefs and nine warriors.

The treaty was signed beneath the Council Oak, one of the many trees of the oak grove. Prior to this treaty, this oak was the camping place of the wagon trains at the "Neosho Crossing". Here the trains found adequate shelters, plenty of good water, and plentiful oak for wagon repairs before the long trip west. It was in 1827 that Kit Carson nailed the buffalo hide carved with the name Council Grove on the Council Oak, thus showing travelers the name of the town.

In July, 1958, a violent storm toppled the Council Oak to the ground so that only six feet of the stump remained. Since that time, a shelter has been erected over the stump for protection. The property upon which the tree stood was given by Margaret Crimm on August 19, 1958, to the City of Council Grove, for a park area. Since her death, the remaining Crimm property has been included in the park.

3). Post Office Oak. This vine-covered oak tree, believed to be over three hundred years old, served an important purpose for travelers on the Santa Fe Trail between 1825 and 1840. It became an unofficial post office during the days of heavy travel on the trail, as passing caravans could leave messages for future travelers in a stone cache located next to the tree. The tree stands next to a stone building erected in 1864 by Frederick Hebrank for use as a brewery.

4). Hays Tavern. This establishment is the second oldest tavern on the Santa Fe Trail. Seth Hays, who was the first white settler in the area, opened a trading post at this location in 1847 to meet the needs of caravans on their way to Santa Fe. The log cabin was replaced by the present frame structure in 1857 and has served as a home, saloon, blacksmith shop, supply house, courthouse, and hotel.

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5). Seth M. Hays House. Built during the mid-1850's, this was the second home of Seth M. Hays, the first white settler in the Morris County area. Arriving in 1847, he built a log cabin and trading post, the first structure in the county, and began serving the needs of travelers on the Santa Fe Trail. A great grandson of Daniel Boone, and a cousin of Kit Carson, Hays built this small brick structure on Wood Street to live in as his business on Main Street continued to grow.

6). Last Chance Store. One of the last remaining stores that dates from the era of the Santa Fe Trail in Council Grove, this one-story building was built of native stone by Tom Hill in 1857. During the early days of the trail, stores lined the main street of Council Grove, providing supplies needed for the long trip ahead. Until 1869, the town was the last chance for travelers to obtain provisions before reaching Santa Fe. This building, listed separately in the National Register of Historic Places in 1971, represents the importance of commerce in Council Grove as an outfitter for caravans on the Santa Fe Trail.

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- Garrard, Lewis H. Wah-to-Yah and the Taos Trail. Norman, 1955.
- Gregg, Josiah. Commerce of the Prairies., ed. Max T. Moorhead, Norman, 1954.

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While Council Grove retains sites which serve as reminders of its importance as a supply stop on the Santa Fe Trail, the fabric of the town today reflects a later period in its history. Of the period of Council Grove's national significance, 1825-1869, six sites remain. Three buildings, two oak trees, and a series of visible wagon ruts are listed as six non-contiguous sites which give evidence to the town's commercial outfitting and assembling activity which developed out of the flow of wagon caravans through Council Grove to Santa Fe. A nomination of the entire downtown area in order to include the Trail sites would be inappropriate in light of the preponderance of later architectural styles and buildings which are not related to the history of the Santa Fe Trail.

The six sites are:

- 1) Trail ruts, located approximately one mile east of the beginning of Main Street, Council Grove; NE $\frac{1}{4}$, Section 18, T.16S., R.9E.
- 2) Council Oak, north of Main Street, NE $\frac{1}{4}$, Section 14, T.16S., R.9E.
- 3) Post Office Oak, north of Main Street, NE $\frac{1}{4}$, Section 14, T.16S., R.9E.
- 4) Hays Tavern, north of Main Street, NE $\frac{1}{4}$, Section 14, T.16S., R.9E.
- 5) Seth Hays House, located on SW corner of the intersection of Hall and Wood Streets in SW $\frac{1}{4}$, Section 14, T.16S., R.8E.
- 6) Last Chance Store, located at NW corner of the intersection of Main and Chatauqua Streets in NW $\frac{1}{4}$, Section 14, T.16S., R.9E.

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received
date entered

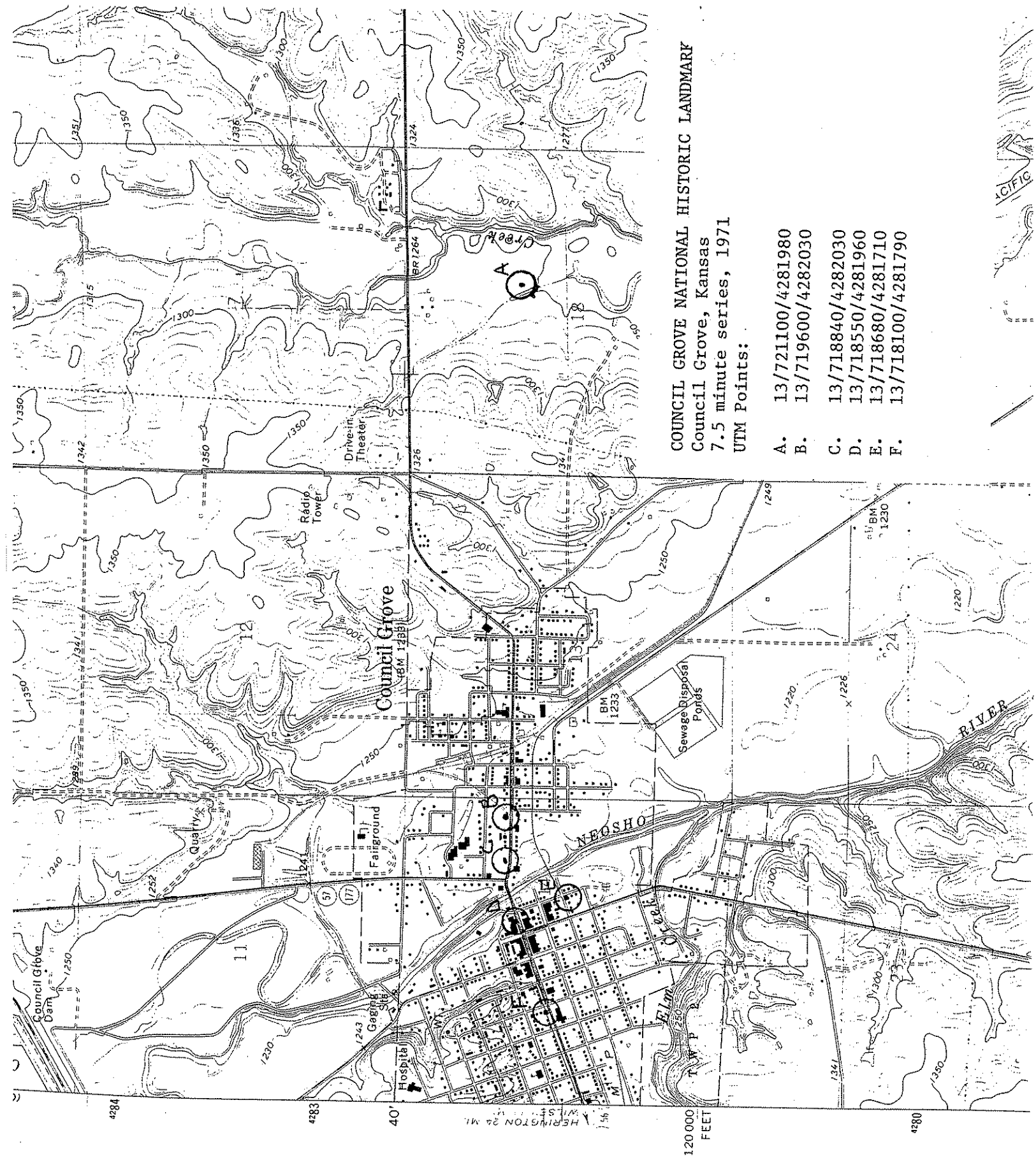
Continuation sheet

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Legal Descriptions:

1. Hays Tavern--Lot 13 and west half of lot 14, block 7
2. Seth Hays--North half of lots 1 & 2, block 4
3. Council Oak--East 10 feet of lot C, west 26 feet of lot B, block 1--Mosiers Second Addition. Also lot B, west 26 feet, part sold to R.R. Block 1, Mosiers Second Addition.
4. Post Office Oak--West 289 feet of lot E, Mosiers Second Addition.
5. Last Chance Store--South half of lots 15 & 16, block 47.



COUNCIL GROVE NATIONAL HISTORIC LANDMARK
 Council Grove, Kansas
 7.5 minute series, 1971

UTM Points:

- A. 13/721100/4281980
- B. 13/719600/4282030
- C. 13/718840/4282030
- D. 13/718550/4281960
- E. 13/718680/4281710
- F. 13/718100/4281790

