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## The Capital Question in Nebraska, and the Location of the Seat of Government at Lincoln

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more to be regretted in regard to our early historical records than the very general destruction of the old newspaper files. A couple of defective volumes at the state library, a complete file of the *Advertiser* in the possession of ex-Gov. Furnas, carefully preserved files of several papers in the possession of Byron Reed, and a few scattered volumes being kicked about the lumber rooms of the older newspapers, seem to be almost the extent of such records yet in existence, though some of the old settlers have preserved still others.

The State Historical society could very profitably undertake the work of cataloguing these newspaper files, the recording of the names of the owners, and the places of deposit.

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## THE CAPITAL QUESTION IN NEBRASKA, AND THE LOCATION OF THE SEAT OF GOVERN- MENT AT LINCOLN.

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BY HON. C. H. GERE.

[Read before the Society, January 12, 1886.]

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To found a city is a human ambition older than history. The name of the engineer that set the metes and bounds of the first block and street in Jerusalem, or Athens, or Philadelphia, or Minneapolis, may be obliterated by the tides of time, but his work endures to this day, and the man who would tamper with his records or shift his landmarks, is a miscreant by the unanimous voice of the nations. But there are other ambitions almost as exigent. Other than dreams of immortality nerve many a pioneer to make the fight for his rival site for the seat of government of a state, or of a county, or for a railroad station. It is a dream of corner lots, of speculation, of bonds and mortgages, and deeds and commissions, and sudden wealth.

The transformation of a rough pebble to a diamond, of a fragment of dirty looking carbonate, trodden under foot by a hundred prospectors, to a button of shining metal, are realizations of the fairy tales of childhood, no more seductive to the bearded son of the child, than the transformation of a square mile of wilderness, for the present dear enough at the cost of measuring it with compass and chain, by the breath of a law or an ordinance into a realm worth a prince's portion.

Upon the area of a new commonwealth, therefore, are waged incessant contests. The larger armies fight for capital sites, lesser powers war for county seats, and finally small squads here and there struggle over the location of a post-office or a sawmill, and wounds are given and received, and graveyards filled with the politically slaughtered on the field or in the skirmish line, with as much recklessness as though the fate of administrations and the control of empires depended upon the issue.

The first governor of the territory of Nebraska was clothed with imperial powers by the organic act and the appointment of the president in the matter of setting up his official residence. Empowered to select the spot for the political center of his virgin domain, he wielded for a time, in the minds of his fellow citizens, the thunderbolt of Jove, and guided the coursers of Apollo. But hardly had he arrived in October, 1854, at the old mission house at Bellevue, the site of the first white occupation of the territory, before he sickened, and in less than a week he was dead. His last hours were troubled by the delegations on hand and forcing their way to his bedside, who came to urge the respective claims of Omaha, or Florence, or Plattsmouth, or Nebraska City for the seat of government. Bellevue considered herself safe, and the words of the dying Burt are often quoted by old citizens to this day as indicating that she would have won the crown, had the governor lived long enough to issue the necessary proclamation.

His secretary of state, now his acting successor, Gov. Cuming, unembarrassed by the past, pledged to no one, because no one had dreamed of his approaching greatness, had an embarrassment of riches in the shape of eligible sites offered him at once. Bellevue had perhaps the first claim, because she had the largest settlement and the greatest prestige. But all along the muddy banks of the Missouri, above and below her, were other cities, mostly on paper, though some had arrived at the dignity of a few scattering log cabins and dug-outs, that wrestled for the supremacy. Most of their inhabitants lived over in Iowa, but the fact that they intended to elect, and did elect, a goodly portion of the coming territorial legislature, was a sufficient excuse for their pleading, and they made the executive ears warm with their arguments.

By what pathways the acting governor was led to pitch the imperial tent upon the plateaux of Omaha it is not our province to inquire.

If the statesmen of Kaneshville, later Council Bluffs, had a hand in the matter, that city soon had reason to mourn that the nest of the new commonwealth was lined with plumage from her own breast. From its very cradle, her infant despoiled her of her commercial prestige, and now scoffs at her maternal ancestor every time she glances across the four miles of dreary bottom that separates the waxing from the waning metropolis.

For the time being Omaha was the capital, and the first legislature, with ample power to endorse or cancel the governor's location, was the next object of the executive attention, and it was his chiefest care to fortify and defend Omaha. A pretended enumeration of the inhabitants of the territory was made in November, 1854, upon which the governor proceeded to base the representation of the members of the territorial council and house of representatives. Four counties were constructed north of the Platte, named Burt, Douglas, Washington, and Dodge. Four were assigned to the South Platte—Cass, Pierce, Forney, and Richardson. Douglas county extended to the Platte, embracing what is now Sarpy and Pierce, and Forney stood for what are now the counties of Otoe and Nemaha.

To the counties north of the Platte were apportioned seven councilmen and fourteen representatives, and to the southern counties were given six councilmen and twelve representatives. The enumeration made next year showed that the four northern counties contained 2,065 inhabitants, and the four counties south of the Platte contained 2,944. Here was the beginning of the trouble, the inequitable apportionment of the legislative representation, by which the section of the state known thenceforth as the "South Platte" country, was arbitrarily placed in the minority in each branch of the legislature, though greatly preponderating in population and wealth.

It is a matter of tradition that there was no definite eastern boundary of the territory during that first legislative election. The candidates were often residents of Iowa, who had claims on the other side of the great river, whose name as well as birthright had been stolen by a lesser affluent of the Mississippi to the eastward, and were voted for in Pottawatomie, and Mills, and Fremont, as well as in Washington, Douglas, and Cass. Sometimes the electors would form a camp for polling purposes on Nebraska soil, but where this was inconvenient it is rumored that they transacted the necessary business without leaving

their Iowa homes, and merely dated their papers from the new commonwealth.

The governor's location was not disputed by that body, or the next. But when the third annual session of the territorial legislature opened in 1857 the trouble began immediately. The council still numbered seven from the north and six from the south, while the house had been increased to thirty-one members, sixteen from the north, and fifteen from the south. Douglas county absorbed twelve of the sixteen North Platte members. But her delegation was divided against itself. The memory of the lost chances that had stricken Bellevue with dry rot and had blighted the budding hopes of the Florentines, rankled in the bosoms of two representatives, one of whom hailed from the southern, and the other from the northern, extremity of the county. Youthful politicians wear out their hearts with the vain imagining that "to get even" is the chiefest end of statesmanship, and these united with the chafed warriors of the south in a raid on Omaha.

A bill was passed early in the session by both houses locating the seat of government "in the town of Douglas, in the county of Lancaster." It was a curious prophecy of the event ten years later. Stephen A. Douglas was then the rising star of the party that had been dominant for thirty-two out of the forty years last past. He was the idol of the democracy of the north, and was exhausting the resources of an acute and fertile intellect in plans for conciliating his southern brethren without losing his hold upon the affections of the north. He was certain to be a candidate for president, and if the party was united was certain of election. Three years later he and his cunningly devised statesmanship were swept away, his old townsman and hitherto almost unknown competitor, had supplanted him as the great popular leader, and ten years later gave the name to the capital of Nebraska.

Governor Izard, who had in the meantime relieved acting Governor Cuming of the burden of executive honors, promptly vetoed the bill. He explained in his message that it was a sudden movement of the enemies of Omaha, that the question had not been agitated by the people, that the alleged town of Douglas, in the county of Lancaster, was a mere figment of the legislative imagination, invented for the occasion and that its actual location in the county named was problematical, being as yet the football of factions within the faction that had passed the removal bill.

A year later, at a meeting of the fourth legislative assembly, the quarrel broke out afresh. Governor Izard had resigned, and Richardson, his successor, had not arrived, and Secretary Cuming was again in the chair. Nine days prior to the expiration of the session, on the 7th of January, a bill was introduced for the removal of the capital to Florence. The various tactical obstructions in the reach of the minority, engineered by such rising young statesmen as Dr. Geo. L. Miller, president of the council, and A. J. Poppleton and J. Sterling Morton in the house, made it impossible to accomplish the object without strategy. The strategy resorted to was simple, but startling. On the morning of the 8th Mr. Donelan of Cass placidly rose in his place and moved "that we do now adjourn to meet at Florence to-morrow morning at the usual hour." Speaker Decker, who was one of the removers, put the question from the chair, as though it was the most natural thing in the world to meet at Florence to-morrow morning; and the motion prevailed, and the speaker and all but thirteen members of the house picked up their hats and left the chamber. The thirteen held the fort, elected Morton speaker *pro tem.*, and gallantly effected an adjournment to meet again on the morrow at the old stand.

A similar scene was transpiring in the council. Dr. Miller, in the chair, refused to put the motion to adjourn to Florence, and it was put by Reeves of Otoe, declared carried, and eight councilmen stalked out into the cold world and prepared themselves for an eternal exodus to the village up the river. As to this emigration Douglas county was again divided against herself. Bowen and Allen, the one representing Florence, and the other standing for that cruel Juno, Bellevue, whose lofty mind still revolved vengeance for the judgment of Paris and her injured beauty, were the leaders in the race, and behind the twain marched Bradford and Reeves of Otoe, Kirkpatrick of Cass, Safford of Dodge, and Furnas of Nemaha.

Governor Richardson arrived about this time, to find two capitals and two legislatures in full blast, and himself the unwilling arbitrator of the war. He promptly refused to recognize the Florence legislature, though it had the majority in both houses. The forty days limit of the session broke up both bodies, and they each adjourned, leaving the business of the session undone, and the territory without a code of criminal law, and thus ended the first and last attempt recorded in history to attach the removal of a seat of government to a motion to adjourn until to-morrow morning.

The consequence was an extra session not long after, in 1859, at which much business was done, and in which Mr. Daily of Nemaha introduced a bill to abolish slavery in the territory, but during which the capital agitation slumbered and slept.

Then there was an interregnum. The civil war quenched sectional bickerings, and the ambitions of leaders had objects more alluring than the founding of cities. But the war came to an end, and when the last territorial legislature of 1867 met, the old question of unfair apportionment came to the front again. The population of the South Platte section had increased until it was about double that of the counties north of the troublesome stream. But the superior tactics of the Douglas county leaders held down its representation to such an extent that it had but seven of the thirteen councilmen, and twenty-one of the thirty-seven representatives. Two threads of policy had intertwined to make the resistance to a re-apportionment, based upon actual population, sufficiently strong to overcome the justice supposed to be latent in the minds of statesmen.

The first was the fear entertained by Douglas county of the re-opening of the capital agitation. The North Platte was now about a unit in favor of Omaha, as against a southern competitor. The second was a political consideration. A re-apportionment meant a cutting down of the representation from Otoe as well as Douglas counties, both democratic strongholds. These counties, with the assistance of some lesser constituencies in the north of the Platte, which sent democratic delegations, were able to hold a very even balance in the legislature against the republicans, though the latter had an unquestionable majority in the territory. Now that statehood was imminent, and there were two United States senators to be elected by a state legislature soon to be called, in case President Johnson should succeed in his plan of defeating our admission under the enabling act of 1864, it was of immense importance to stave off a re-apportionment.

Hence for capital reasons the republicans from the North Platte, and the democrats from the South Platte, worked in harmony with Douglas county members in preserving a basis of representation in its original injustice. The usual bill for a new apportionment had been introduced and passed the senate, and came to the house, but the four votes from Otoe county being solid against it, it was sleeping the sleep of the just. In the speaker's chair was Wm. F. Chapin of Cass, an ex-

pert parliamentarian, cool, determined, watchful, and untiring. The session was drawing to a close, and it was Saturday; the term expired at 12 o'clock, midnight, on the following Monday, and as usual the results of pretty much all the toil and perspiration of the forty days depended upon a ready and rapid dispatch of business during the remaining hours of the session.

There was something sinister in the air. It was whispered about that morning that the re-apportionment bill had at last a majority in case Deweese of Richardson, who was absent on leave, should put in an appearance. A vote or two had been brought over from some of the northern districts, remote from Omaha, and anxious for republican domination. "Fun" was therefore expected. It came very soon after the roll was called in the opening of the session. The credentials of D. M. Rolfe of Otoe, who had not been in attendance during the session, but who was an anti-re-apportionist, were called up, and it was moved that they be reported to a special committee. The ayes and nays were demanded. Pending roll call, it was moved that a call of the house be ordered. The call was ordered, and the doors closed. All the members answered to their names but Deweese of Richardson, and Dorsey of Washington. Then the other side made a motion that further proceedings under the call be dispensed with. The ayes and nays were demanded, and there were seventeen ayes and sixteen nays. Speaker Chapin announced that he voted "no," and that being a tie, the motion was lost. An appeal was taken from the decision of the chair, and the vote resulted in another tie, and the appeal was declared lost. The rule is, that an affirmative proposition cannot be carried by a tie vote, but that all questions are decided in the negative. The usual form of putting the question by the speaker is, "Shall the decision of the chair stand as the judgment of the house?" The negative would be that it should not so stand. But in that case a decision of the chair is reversed by less than a majority of the members voting, which is of course absurd. It was a deadlock. The house still refused to suspend proceedings under the call, and there was no recourse except by revolution. The result was a curious demonstration of the absurdity of manipulating a proposition by the use of misleading formulas so that the negative side of a question may appear to be in the affirmative.

The hours passed, but "No Thoroughfare" was written on the faces



of the re-apportionists. They said that until they had some assurance that a re-apportionment bill would be passed before the adjournment, they would prevent the transaction of any more business. Secretly they expected Dewcese, who was rumored to be well enough to attend, and they waited for his appearance. But he did not come. The door-keeper and the sergeant at arms had orders to let no man out, and when noontide passed and the shadows lengthened, the members sent for refreshments and lunched at their desks. The night came. Some of the refreshments had been of a very partisan character, and there was blood on the horizon. Many became hilarious, and the lobby was exceedingly noisy. From hilarity to pugnacity is but a short step. Arms and munitions of war were smuggled in during the evening by the outside friends of both sides, and it was pretty confidently whispered about that the conclusion was to be tried by force of revolvers.

A little after 10 o'clock P.M., Augustus F. Harvey of Otoe rose and moved that Speaker Chapin be deposed, and that Dr. Abbott of Washington be elected to fill the vacancy. He then put the question to a *viva voce* vote, and declared the motion adopted and Dr. Abbott elected speaker of the house. The stalwart form of Mr. Parmelee, the fighting man of the faction, immediately lifted itself from a desk near by, and advanced, with Dr. Abbott, toward the chair, backed up by Harvey and a procession of his friends. As he placed his foot upon the first step of the dais, Speaker Chapin suddenly unlimbered a Colt's navy duly cocked, and warned him briefly to the effect that the Pythagorean proposition that two bodies could not occupy the same space at the same time was a rule of the house, and would be enforced by the combined armament, at the command of the proper presiding officer. Daniel paused upon the brink of fate, and hesitated upon his next step. To hesitate was to be lost. The speaker announced that in accordance with the rules of the house in cases of great disorder, he declared the house adjourned until 9 o'clock Monday morning, and sprang for the door. The Omaha lobby had promised faithfully when the crisis came to guard that door, and permit no rebel from the South Platte to escape. The first man to reach the door was said to be Kelley of Platte, who had joined the forces of the re-apportionists, and it is a tradition that he leaped over the legislative stove to get there on time. The door was burst open, and before the volunteer guard could recover its equilibrium, the seceders had escaped

and were out of the building, scattering to the four quarters of the globe. But they had a rendezvous agreed upon in a secret place, and in a half an hour they were safely entrenched and on guard against any sergent-at-arms and posse that might be dispatched to return them to durance vile.

The Abbott house immediately organized, admitted Rolfe of Otoe to full membership, and proceeded to clear the docket of accumulated bills. Members of the lobby trooped in and voted the names of the absent, and everything proceeded in a unanimous way that must have astonished the walls of the chamber, if they had ears and memory. About dawn, however, the situation began to lose its roseate hue and an adjournment was had till Monday morning.

Before that time arrived, the hopelessness of the situation dawned on both factions. They perceived that nothing whatever would come of the deadlock. Neither party had a quorum. Deweese of Richardson could not be brought in to cast his vote for re-apportionment, and by common consent a peace was concluded, and Monday was spent in an amicable settlement of the arrearages of routine business.

But this episode created a sensation all over the state, and intensified partisan and sectional feeling. The adjournment took place on the 18th of February, and two days later, on the 20th, the state legislature chosen at the same time, under the enabling act, met at a call of Governor Saunders, to accept or reject the "fundamental condition" insisted on by congress as a condition precedent to the admission of the state. The condition was that the word "white" in the constitution theretofore passed by the legislature, and ratified by the people, should not be construed as debarring from the franchise any citizen of Nebraska, on account of color or race.

The state legislature promptly ratified the "fundamental condition," and declared that white meant in their constitution any color whatever. Ten days later and the president's proclamation had been issued declaring Nebraska a state in the union. The state officers were sworn in immediately after official notice had been given, and Governor Butler began at once to prepare his call for a special session of the legislature to put the machinery of state in motion.

It was insisted upon by the leaders of the republican party in the south and west, that a re-apportionment of members of the legislature should be one of the objects of legislation enumerated in the call. This

was bitterly opposed by many republicans in Douglas and other northern counties. It was also asked, this time by democrats as well as republicans from Otoe, as well as from Cass and Richardson, and the south-western counties, that a clause should be inserted making the location of the seat of government of the state one of the objects of the special session. The Governor was averse to commencing his administration with a capital wrangle, but thought it would be good policy to make use of the suggestion, for the purpose of securing re-apportionment, without a repetition of the bitter struggle of the winter. He therefore opened negotiations with the Douglas county delegation to the coming legislature, and promised them that he would leave out the capital question, provided they would pledge themselves to sustain a re-apportionment. They flatly refused. They claimed that the legislature could not constitutionally re-apportion the representation until after the next census, and as for capital removal, they were not brought up in the woods to be scared by an owl. The Otoe delegation, however, had changed its base. The senators had been elected and seated, and political considerations had lost their force with the democrats in that county. They wanted the capital removed south of the Platte, and they promised if the governor would "put that in" they would march right up and vote for apportionment.

His excellency had gone too far to retreat, and when his call was issued it embraced both capital removal and re-apportionment, having consulted a distinguished constitution constructor, Judge Jamison of Chicago, on the latter point, and obtained an elaborate opinion that it was not only in the power of the legislature, but its bounden duty, under the constitution, to re-apportion the representation at its first session.

The legislature met on the 18th of May, and the lines were quickly drawn for the emergency. Re-apportionment was a fixed fact, and after a few days spent in reconnoitering, a solid majority in both houses seemed likely to agree upon a scheme for capital location. Mr. Harvey, who had led the assault upon re-apportionment at the late session of the territorial legislature, was an active leader of his late antagonists for relocation. Party affiliations were ruptured all along the line, and the new lines were formed on a sectional basis. The bill was prepared with deliberation, much caucusing being required before it would satisfy the various elements in the movement, and it was

introduced in both houses on the 4th of June. It was entitled "An act to provide for the location of the seat of government of the state of Nebraska, and for the erection of public buildings thereat." It named the governor, David Butler, the secretary of state, Thomas P. Kennard, and the auditor, John Gillespie, commissioners, who should select, on or before July 15, a date changed by a supplementary bill to September 1, 1867, from lands belonging to the state lying within the county of Seward, the south half of the counties of Saunders and Butler, and that portion of Lancaster county lying north of the south line of township nine, a suitable site of not less than 640 acres lying in one body, for a town, to have the same surveyed, and named "Lincoln," and declared the same the permanent seat of government of the state.

The bill directed the commissioners, after the site had been surveyed, to offer the lots in each alternate block for sale to the highest bidder after thirty days advertisement, having appraised the same, but that no lots should be sold for less than the appraised value. The first sale should be held for five successive days at Lincoln on the site, after which sale should be opened for the same duration, first at Nebraska City and next at Omaha. If a sufficient number of lots should not by this time be disposed of to defray the expenses of the selection and survey and to erect a building as described in the bill, further sales might be advertised and held in Plattsmouth and Brownville. All moneys derived from these sales, which should be for cash, should be deposited in the state treasury and there held by the treasurer as a state building fund. From the proceeds of these sales the commissioners should proceed to advertise for plans and contracts and cause to be erected a building suitable for executive offices and the accommodation of the two houses of the legislature, that might be a part of a larger building to be completed in the future, the cost of which wing or part of a building should not exceed fifty thousand dollars. The bill passed the senate on the 10th day of June. Those voting for it were Jesse T. Davis of Washington, James E. Doom and Lawson Sheldon of Cass, Oscar Holden of Johnson, Thos. J. Majors of Nemaha, Wm. A. Presson of Richardson, and Mills S. Reeves and W. W. Wardell of Otoe. The noes were Harlan Baird of Dakota, Isaac S. Hascall and J. N. H. Patrick of Douglas, E. H. Rogers of Dodge, and Frank K. Freeman of Lincoln.

The house passed the bill two days later, under suspension of the

rules, forwarding it to its third reading. As in the senate, so in the house, the opponents of the bill resorted to strategy for stampeding the friends of the measure, and offered numerous amendments to locate the capitol or the university or the agricultural college at Nebraska City, or in the boundaries of Cass or Nemaha counties. But all amendments were steadily voted down by a solid phalanx. The gentlemen in the house voting "aye" on its final passage were David M. Anderson, John B. Bennett, Wm. M. Hicklin, Aug. F. Harvey and George W. Sroat of Otoe, J. R. Butler of Pawnee, John Cadman of Lancaster, E. L. Clark of Seward, W. F. Chapin, D. Cole, A. B. Fuller and Isaac Wiles of Cass, Geo. Crowe, Wm. Dailey, Louis Waldter and C. F. Haywood of Nemaha, J. M. Deweese, Gustavus Duerfeldt, T. J. Collins and J. T. Hoile of Richardson, Henry Morton of Dixon, Dean C. Slade and John A. Unthank of Washington, Oliver Townsend of Gage, and George P. Tucker of Johnson—25.

The "noes" were O. W. Baltzley of Dakota, Henry Beebe of Dodge, Geo. N. Crawford and A. W. Trumble of Sarpy, Geo. W. Frost, Joel T. Griffin, Martin Dunham, J. M. Woolworth and Dan S. Parmalee of Douglas, and John A. Wallichs of Platte—10.

It will be observed that several votes were cast for the bill from the northern counties. Tied up with the capitol removal was a bill engineered by the secretary of state, Mr. Kennard, then a resident of Washington county, and Senator Davis, appropriating seventy-five sections of state internal improvement lands for the building of a railroad, now a part of the Fremont, Elkhorn & Missouri Valley line, running from the river near Blair to Fremont. It was then called "The North Nebraska Air Line." Another measure was also attached to these two to make the syndicate solid in Nemaha, the only county that had sent up a remonstrance against the removal of the capital. It was a bill accepting for the state the tender of the Methodist Episcopal seminary at Peru for a state normal school, and donating twenty sections of state lands for the endowment of the same. The three bills and the re-apportionment bill received virtually the same support in both houses and all passed about the same time.

The plans of the capital movers so far had not met with the determined resistance that had been anticipated, although the parliamentarians from Douglas and other counties had exhausted the resources of ordinary tactics at the command of the minority. The fact was that

for several months Omaha had been making such a rapid commercial growth, owing to the extension of the Union Pacific railroad to the frontier and the incoming of the Chicago & Northwestern road from central Iowa to Council Bluffs, that her business men had their hands full. Their ambition had expanded. The capital question was dwarfed by the prospect of becoming in the near future a great commercial metropolis. Real estate was going up like a rocket. Capitalists were crowding in every day, and the faces of the new comers seen on the streets greatly outnumbered the familiar physiognomies of the old settlers of 'fifty-four and 'sixty. What had Omaha to fear even if the utopian scheme of founding a "city fifty miles from anywhere," as they called it, should succeed? It was too far away from the Union Pacific and the Missouri to be of any importance. The lobby was therefore conspicuous for its absence. There was more money to be made in a day in trading lots and securing railroad contracts than in a month of wrestling with the fads of rural legislators. Just at that time, it is due to historical truthfulness to say that Omaha cared little for the questions that were taking up the attention of the law makers at the state house.

The departure of the capital commission to hunt a site for Lincoln was a subject of merriment to the newspapers of the old capital. Not until after much traveling to and fro, looking at the sites through the length and breadth of the territory defined by the act, the commissioners on the 29th of July having issued their order locating Lincoln, in Lancaster county, on and about the site of Lancaster, its county seat, and commenced to survey the same into blocks, lots, reservations, streets and alleys, did the press of Omaha wake to the realities of the situation.

Then there was music in the air. The act provided that within ten days after its passage the commissioners should qualify and give bonds to be approved by a judge of the supreme court. The bonds were to be filed with the state treasurer. Now it had been ascertained that though the commissioners had sent in their bonds to the chief justice, and he had approved them in the stipulated time, they had not been filed with the treasurer inside of the ten days. It was announced, therefore, that they had no authority to do anything under the law, and that if they sold what purported to be lots in the town site of Lincoln, the treasurer, Hon. Augustus Kountze of Omaha, would re-

ceive the money and hold it for future disposition, but he wouldn't pay out any of it as a capitol building fund. At any rate injunction would be applied for to prevent him. The announcement was calculated to discourage those intending to become purchasers of Lincoln lots. It did have a very depressing effect. The commissioners said that to be forewarned was to be forearmed, and as they had determined to avoid litigation and the possible tying up of the money until the meeting of the next legislature, they should keep it in their own hands and pay it out without the intervention of the treasurer. This promise was faithfully kept. The next legislature formally legalized this and other departures from the strict letter of the law made by them in the pursuit of success, but for the time being it was a very serious embarrassment.

The sale of lots opened on the new site in October. The commissioners were on the spot with quite a number of possible purchasers. The auctioneer was a handsome man and had a good voice. There was a band of music in attendance, and it played as well as any band ought to play so far away from civilization. But not a bid could be coaxed from a single soul. The commissioners had decided, upon consideration, that they would not personally invest. It was deemed proper to observe the proprieties very strictly, and to avoid future scandals they would keep out. But this was a matter of suspicion to the crowd present. If the commissioners haven't enough confidence in the new city to purchase a residence or a business lot, why should we venture any investment? Night came on and not a lot had been sold.

A council of war was summoned in the evening in the Donovan House, and the commissioners and certain gentlemen from Nebraska City were in attendance. The Nebraska City capitalists said that the commissioners ought to bid on lots, and the commissioners said that the Nebraska City men who were so much responsible for the scheme ought to bid. Finally it was conceded that both ought to bid. The Nebraska City men formed a syndicate that agreed to bid the appraised value on every lot as it was offered and as much more in case of competition as they thought safe, until they had taken ten thousand dollars worth of lots. But there was a proviso that in case the sales did not amount in five days to twenty-five thousand dollars, including the syndicate's ten thousand, the whole business should be

declared "off," the enterprise abandoned, and no money be paid in. The commissioners also rescinded their compact against becoming personal bidders, for they saw that matters were in a very precarious condition and they had to imbue the people present with some confidence in Lincoln. The next day business began in earnest. When the five days had passed \$44,000 had been realized, and the prospects were considered certain for the erection of a capitol building. By the time the sales at Nebraska City and Omaha had been finished \$53,000 had been taken in, and no supplementary sales at Plattsmouth and Brownville were held, though comparatively few lots had been disposed of, to realize the necessary amount.

Lancaster, the site of which had been swallowed up by Lincoln after the proprietors had decided it to the state in consideration of the location of the capital, was a hamlet of five dwellings, a part of one being used as a store, and the stone walls of a building commenced as a seminary by the Methodist church, but which had partly burned before completion and had been temporarily abandoned. The residents on the original plat of Lincoln were Captain W. T. Donovan, whose house stood on the corner of Ninth and Q, on the site now occupied by the Peoria House; Jacob Dawson, whose log dwelling was on the south side of O, between Seventh and Eighth, and who had commenced the foundations of a residence on the corner of Tenth and O, where the State National Bank now stands; Milton Langdon, who lived in a small stone house east of Dawson's, between O and P; Luke Laverder, whose log cabin stood in Fourteenth, just south of O, and John McKesson, who was constructing a frame cottage two or three blocks north of the University. Scattered about just outside the city limits as then established, on premises that have since been brought in in the shape of additions, were the residences of Rev. J. M. Young, Wm. Guy, Philip Humerick, E. T. Hudson, E. Warnes, and John Giles. Between the date of the location and the first sale of lots a number of buildings were erected on the site, the owners taking their chances at the sales of securing their titles by purchase. There were two frame stores, one occupied by Pflug Brothers, and another by Rich & Co., a law office by S. B. Galey, a shoe shop by Robert and John Monteith, a stone building, afterwards rented to the *Commonwealth*, the predecessor of the *State Journal*, by Jacob Drum, a hotel called the "Pioneer House," by Col. Donovan. These buildings were located



on or in the vicinity of the public square and fixed the business center of Lincoln.

As soon as the sale was finished the commissioners proceeded to advertise for plans for a capitol building. John Morris was the successful architect, and Joseph Ward secured the contract for its construction on his bid of forty-nine thousand dollars.

The excavation was commenced in November, and by the first of December of the following year, 1868, was sufficiently completed for occupancy, and the governor issued his proclamation transferring the seat of government to Lincoln and for the removal of the state offices and archives to the new building. The first capitol was constructed of sandstone, quarried at various points within Lancaster county, with a facing of magnesian limestone from a quarry near Beatrice. This stone was hauled the forty miles over roads and bridges in part constructed by the contractor.

The considerations that led the commissioners to select Lincoln in preference to the sites offered at Ashland, Milford, Camden, and other points, were, first, the fact that in the several preliminary surveys made from various points on the Missouri river from Plattsmouth down to Falls City, all had this place as a common point: It was the natural railroad center, to all appearances, for the large and irregular parallelogram running west from the Missouri, between the Platte on the north, and the Kansas or Kaw on the south, to the plains of eastern Colorado. The eastern portion of this parallelogram was even then alleged by enthusiastic Nebraskans to be the garden spot of the continent. It has produced the largest average of corn to the acre of any equal and continuous area reported by our census gatherers. At that time, though its capacity for corn was not fully appreciated, it was regarded as a wonderful wheat growing section. It has lost its prestige in spring wheat, but it holds its own in corn, oats, grass and fruit, and is all that the fancy of the fathers of '67 painted it.

The second consideration was the proximity of the great salt basin, in which all the salt springs of the state that gave promise of future importance were located. It was generally believed that the salt manufacture alone would build a stirring city. The third reason was that it was about as far from the Missouri river as it was advisable to go. To take it twenty miles further west would be to remove it from any immediate expectation of rail communication, and so increase the ex-

pense of building that it would be impossible to dispose of the lots or to erect a capitol with the proceeds within the two years, and hence the enterprise would fail. It was furthermore generally believed that the site selected was about midway between the western limit of arable land, and that it would always be the center of population.

The legislature met in January, '69, in the new capitol, approved the acts of the commissioners without very much criticism, provided for the erection of a state university and agricultural college on the site reserved, and for an insane hospital on state lands secured by the commission on Yankee Hill, and ordered the sale of the remaining lots and blocks belonging to the state to furnish the funds for such buildings in connection with certain lands available for the purpose. They also made appropriations amounting to about sixteen thousand dollars for completing the capitol building with a dome, and for defraying the expense of "extras" ordered by the commissioners on the state house to make it comfortable and habitable. Several thousand dollars were used in grading the grounds, fencing the same, planting them with trees, and erecting outbuildings. The total cost of the building, fittings and grounds, is finally stated at \$83,000.

Under the various acts and appropriations of that legislature the sale of lots continued at intervals during '69 and '70. Three hundred and sixteen thousand dollars was the sum realized from these sales, making a sum total of about \$370,000 that the original site of Lincoln brought into the state. It was not a bad investment for young Nebraska, but its success as a real estate speculation was almost wholly due to the energy and pluck of the commissioners, that led them from time to time to overleap technical obstacles and defects in the law, and take desperate political and financial chances as the alternative of the ignominious failure of the schemes. They were applauded and honored in '69 and '70, but a reaction set in in '71 and they met a Nemesis that for a time threatened them not only with disgrace but absolute destruction.

But for three years these men played the star parts on the political stage in the infant state, and they have left a monument to the efficiency of their work, to their business sagacity, and to their political courage, that bids fair to be as enduring as history.

In its first year, Lincoln grew to be a village of about 800 inhabitants. In 1870 the census revealed a population of 2,400. In 1875

it was the second city in the state and numbered 7,300. In 1880 it had 13,000 people, and in 1885 it had reached and passed twenty thousand.

When it was surveyed the nearest railroad connecting with the eastern markets was at Omaha and St. Joseph, Missouri. In 1880 it had eight diverging lines to all points of the compass, and in 1890 it bids fair to have a round dozen spokes to its commercial wheel. In *this remarkable progress, she is but an exemplar of her state and her people.* A century of improvement in twenty years is the rule in Nebraska, and has been from the day she took her place in the galaxy of the union.

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## HOW THE KANSAS-NEBRASKA LINE WAS ESTABLISHED.

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BY HON. HADLEY D. JOHNSON.

[Read before a meeting of the Society, Tuesday, Jan. 11, 1887.]

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When I received a letter from the President of your society, the Honorable Robert W. Furnas, asking me to so time a contemplated visit to Nebraska as to meet you on this occasion, although the visit had only been spoken of as likely to occur, but not positively decided on, my thoughts naturally reverted to the past; and indeed I have proved the saying to be true, at least in my own case, that in youth we are always looking forward to the future, while in old age our thoughts are more intent upon a review of the past. I recalled to mind early days in Nebraska, and many of the incidents occurring in the struggles of her earlier settlers to build up a new state appeared fresh in my memory; there came trooping up before the gaze of my mind's eye the men who were my friends and co-laborers in the work of rescuing this beautiful land from the possession of the wild animals infesting it, and to build upon its broad bosom a commonwealth of which we could feel proud, and one which would add to the material wealth, comfort, and happiness of unborn generations as well as of the people then in existence.