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The Capitals and Capitols of Nebraska

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When Europeans visit the Great Plains region of the United States, they are impressed by the newness of the place. Coming from communities that often are filled with physical evidence of great age, they are reminded that here virtually none of the visible marks of Euroamerican culture are more than a mere century old. Before 1854, the year in which Nebraska was legislated into existence, permanent residence in this place was technically illegal. Except for the never-numerous Indians, a few fur trappers and traders, and some soldiers and their camp followers clustered around Fort Kearny, Nebraska had no population. It had no government, no capital city, and hence no capitol building. Yet a mere eighty years passed from that time to the dedication of Nebraska's present magnificent statehouse, the preeminent symbol of the state and the progressive spirit that in past times seemed to characterize its people.

There had been no clamor in Nebraska for the creation of a territorial government. That came instead from politicians in the national capital who wished to build a transcontinental railroad across the vast and empty spaces of the Great Plains. Recognizing the need for some sort of government in the area where

the projected transportation link between East and West was to be constructed, Congress enacted the bill establishing the territories of Kansas and Nebraska in May 1854, and by the end of June treaties with Indians had opened lands along the Missouri River for private ownership. Immediately thereafter hundreds of settlers poured into the territory. Within weeks several new "towns" sprang up on the west bank of the Missouri River, including Omaha, Nebraska City, and Brownville. But only Bellevue, a few miles north of the mouth of the Platte River, bore any resemblance to a settled community before that fateful summer, when it was home to not more than fifty persons.

The Politics of Capital Location

Which settlement was to serve as the capital of the fledgling territory? No one knew for sure because the law did not specify where the seat of government was to be located. In effect, the capital would be located wherever the governor of Nebraska Territory decided to conduct the business of his office. President Franklin Pierce, in conformance with the law, appointed Francis Burt, an undistinguished politician from South Carolina, to the governorship, but Burt did not arrive until early October 1854.

In the meantime people streamed into the territory to establish more or less permanent residence. What kind of persons were they? Most were young, vigorous, aggressive; males were in the majority, though not overwhelmingly so. Few were men of means, and although most were literate, a large proportion had only the rudiments of formal education. Most were from the states directly east: Iowa, Illinois, Indiana, Ohio, and Pennsylvania. Others hailed from the South, but relatively few originated in New England or upstate New York. Immigrants from Europe, chiefly England, Ireland, and Germany, were also among the earliest Nebraskans. Most of these diverse folk came up the river from Missouri or across the river from Iowa. Often willing to take significant risks, they came to Nebraska hoping to get rich as quickly as possible and with minimal regard for the niceties of established procedures.

Nebraska's founding fathers, unlike those who gathered in Philadelphia in 1776 to declare the nation's independence, were not a distinguished group. They were ordinary people looking for ways to get ahead in a competitive world. An election was held in the autumn of 1854 to choose the first members of the territorial legislature. To no one's surprise, almost all were connected in some way with town-site specula-

tion or promotion, either directly or indirectly, such as a newspaper editor of a weekly sheet created to publicize a new community and to facilitate the sale of lots. For persons of such interests, the location of the new territorial capital was a matter of supreme importance. If a person had invested much in a town—for example, Brownville—he could enhance the possibilities for success significantly by getting his town selected as the capital. In that case, his town, unlike many others founded in those hectic months, would probably survive. Growth would be virtually guaranteed; business ventures of many kinds were likely to succeed. Carpenters and masons would find much employment; storekeepers would find business brisk; printers would secure government contracts; lawyers would be attracted like bees to honey. Thus, for the first years of Nebraska's existence as a political entity, capital location was the dominant issue, just as politics was the lifeblood of territorial town-site speculators.

This was all the more so because the national political-party system was in a state of flux during the 1850s. As a matter of fact, it was the Kansas-Nebraska Act of 1854 that administered the coup de grace to the old Whig party, which then ceased to function effectively as a force in national politics. The Democratic party, though deeply split by the slavery issue, dominated national politics in the 1850s, especially in the territories, where government jobs were usually tied to loyalty to the party in power. For Nebraska in the 1850s that caused most persons interested in politics to claim membership in the Democratic party, regardless of what they might have been before they arrived in this place. More significantly, it meant that partisanship was relatively unimportant in territorial Nebraska, compared with the question of capital location.

Because the Kansas-Nebraska Act had specified

that the first territorial legislature would meet at a time and place designated by the territorial governor, the question of who this man was and what his priorities were was of crucial importance to the town-site speculators. Finally, early in October, President Pierce's appointee, Francis Burt, arrived by steamboat from St. Louis. The trip had been difficult and Burt was deathly ill. He disembarked at Bellevue, went straight to bed, and stayed there until October 16, when he roused himself sufficiently to take his oath of office. He died two days later. It was not an auspicious beginning for Nebraska.

Although Governor Burt never made his plans clear in the matter of the capital location, he almost surely intended that it was to be Bellevue. Had he lived, it is likely that Bellevue would be the capital of Nebraska today and that the city of Lincoln would not exist. But Burt died and into his office as acting governor strode the territorial secretary, a young man of twenty-five named Thomas Cuming, someone who had rather different ideas about the location of the capital.

Cuming was a journalist from Keokuk, Iowa. His appointment as territorial secretary flowed from the political influence of a group of Iowans in Washington, D.C., who were desirous for the Nebraska capital to be located immediately across the Missouri River from Council Bluffs, a town that had been in existence for several years. Several of his supporters in Washington were investors in the Council Bluffs and Nebraska Ferry Company. Obviously, if the Nebraska capital could be located in Omaha, Council Bluffs and everyone who had invested in its success would benefit significantly.

Omaha, the First Territorial Capital

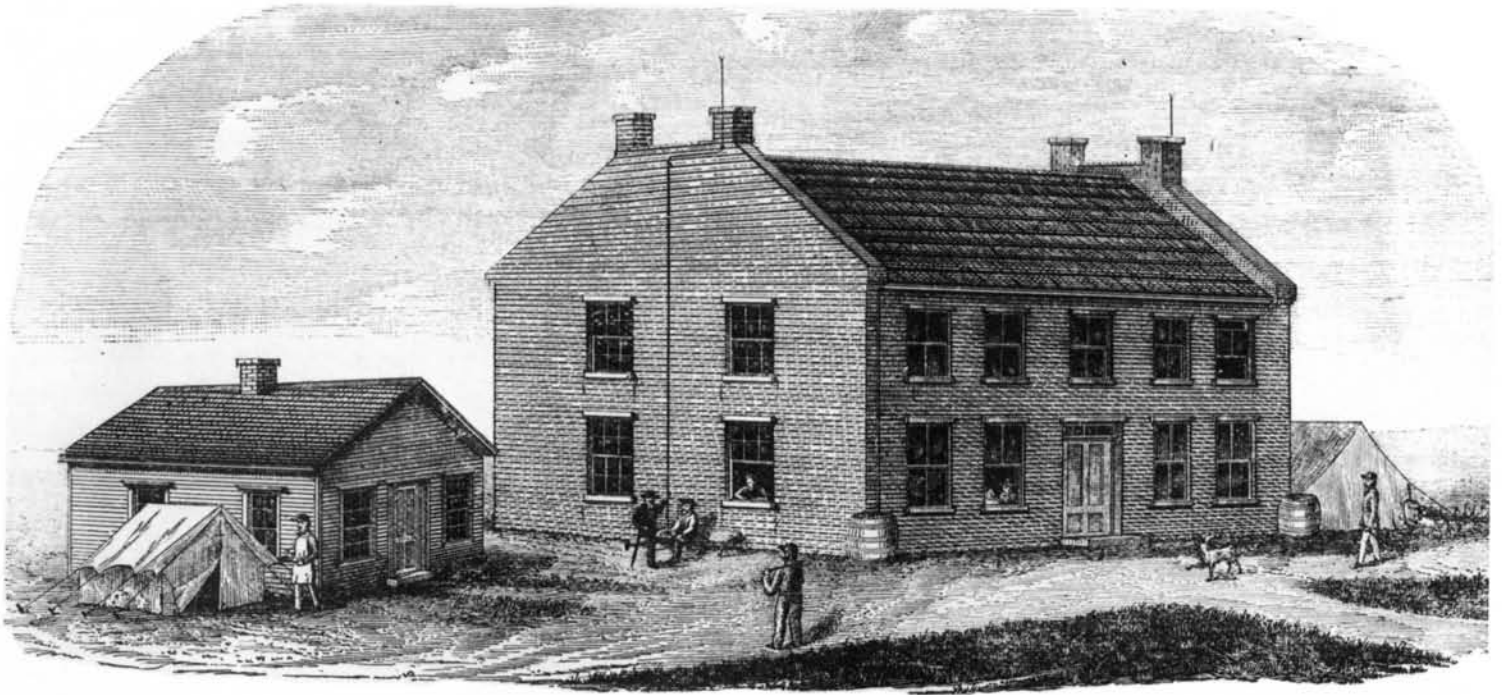
So in the fall of 1854 there was much conniving, prob-

ably even bribery, as Acting Governor Cuming decided that the recently elected legislators would convene, not in Bellevue, but in Omaha City, as it optimistically was called. The permanence of this new "city" was by no means guaranteed at that time; it consisted of no more than a score of buildings, including houses, saloons, stores, and so-called hotels.

Cuming's intentions are further revealed by his decisions regarding legislative districts, all of which served to strengthen Omaha at the expense of citizens living south of the Platte River. Thus, even though the population of the country south of the Platte was twice that in the area north of the river, Cuming assigned fourteen seats to Omaha and the North Platters, while the South Platters got only twelve. Similarly, Cuming's appointments to the territorial council (which functioned much like a senate) gave seven seats to the north and six to the south.

By that action, Cuming and the Iowans guaranteed that capital location would continue as a divisive issue in Nebraska politics for years to come. The next step was for the Council Bluffs and Nebraska Ferry Company to donate a hastily constructed building in Omaha to serve as the first territorial capital. Located on Ninth Street between Farnam and Douglas, the building measured seventy-five by thirty-three feet. Having two stories—the first for the use of the assembly and the second for the council—and constructed of brick, it actually was the most impressive structure in the infant city (figure 1.1).

Inevitably the first territorial legislature, stacked as it was to do the bidding of Acting Governor Cuming, followed through with the plan and named Omaha the capital. This was not done, however, without a fight, as much energy was expended to prevent it. There was an investigation of Cuming's role in the affair. Motions



1.1: Wood engraving of the first territorial capitol of Nebraska, which was erected in Omaha in 1854.

were repeatedly introduced to amend the bill that designated Omaha as the capital and to substitute the name of other cities, among them Plattsmouth, Bellevue, and Brownville. Such efforts were always defeated by one or two votes. Finally the opposition gave up and Omaha won, seven to six in the council and fourteen to eleven in the assembly.

The Second Territorial Capitol

Entirely inadequate as it was, the first capitol building was intended to serve only temporarily. In February 1855, Mark Izard, who was President Pierce's replacement for the deceased Francis Burt, assumed his duties as Nebraska's second territorial governor. It was during his administration that the second capitol was planned and constructed.

Now the founding fathers began to think in more grandiose terms as they planned a building suitable

for the new and rapidly growing territory. A reasonably attractive structure done in a manner imitative of the Federal style (of which the White House in Washington and the First Bank of the United States in Philadelphia are the most celebrated examples), the second capitol was erected on a commanding site west of the business district, where it dominated the Omaha skyline (figure 1.2). Designed by a Saint Louis architect named William Rumbold, the plans called for the addition of a decorative row of classical columns. But these were never built, mostly because the building was rushed to completion in time for the 1857–58 session of the territorial legislature. Meanwhile a slight dome was added by Governor Izard, who in high frontier style claimed to have designed the entire structure.

Like so many other public buildings constructed in those frontier times, the second territorial capitol was



1.2: The second territorial capitol of Nebraska, erected in Omaha in 1857–58. Photograph by William Henry Jackson, circa 1868.

built by contractors who were either dishonest or incompetent. By 1870, after the capital had been moved to Lincoln, the hazards of occupancy were so great that the structure was condemned as unsafe, torn down, and replaced by Omaha High School.

Meanwhile the South Platte faction in the territorial legislature continued efforts to move the capital away from Omaha. At one time the legislators actually passed a bill to move the capital to a town called Douglas, which presumably was in Lancaster County. Governor Izard angrily vetoed the measure, charging that Douglas was "a floating town, not only without location but also without inhabitants." Its existence, Izard said, "seems to be confined . . . to the brain of some desperate fortune hunter, and its identity reposes in an indefinable number of certificates of stock for \$500 each, neatly gotten up and handsomely executed."

In 1858 the capital fight led to a different strategy. In this instance, a majority of the legislators, mostly from south of the Platte, approved a simple motion to reconvene the next day in the village of Florence, which is now on the north side of Omaha within its city limits. But the new territorial governor, William Richardson, refused to recognize the Florentine legislature, even though it had a majority in both houses. Thus nothing came of either this removal effort or an 1859 threat by the South Platters to secede from Nebraska Territory and join Kansas. As a matter of fact, Kansas would have none of the scheme and in a constitutional convention soundly defeated a measure to annex the South Platte country.

With the advent of the Civil War in 1861, the agitation over capital location abated somewhat as the question of statehood displaced it. This prospect was raised prematurely, it seems, because federal law re-

quired a minimum population of sixty thousand. The census of 1860, however, revealed fewer than thirty thousand inhabitants in Nebraska Territory. As the Civil War ran its course, political pressure developed in Washington for the creation of new states that could be expected to support the reelection of Abraham Lincoln in 1864. Both Nevada and Nebraska territories were possibilities. In January 1864 the Nebraska territorial legislature petitioned Congress to enact a law making statehood possible; Congress responded favorably in April. Meanwhile, opposition to statehood grew, especially among Democrats, and the movement was defeated by the voters of the territory, mostly because they believed statehood would bring higher taxes.

Another major effort at statehood was mounted by Republican leaders in 1866. Employing tactics that were questionable even in that permissive era, advocates for statehood won a narrow victory in a popular election, and a proposed constitution was dispatched to Congress for approval. Congress, however, objected to a provision that limited the right to vote to whites and demanded that the restriction be removed. The legislature, technically still a territorial body but in fact elected as a branch of state government, complied by amending the document appropriately and returning it to Washington for the presidential signature. President Andrew Johnson reluctantly signed the proclamation admitting Nebraska to the Union as the thirty-seventh state on March 1, 1867.

Lincoln Becomes the State Capital

Omaha was still the capital of Nebraska as the legislature reconvened without new elections in May 1867, but not for long. Legislators from the more populous South Platte country were relentless in their determina-

tion to take the prize away from Omaha, even though on practical grounds there were no compelling reasons to do so. Even the allegedly crumbling territorial capitol, only a decade old, could have been repaired satisfactorily. Nevertheless, one of the first bills introduced in the new state legislature called for the removal of the capital from Omaha. Quickly passed by both houses and signed into law by Governor David Butler, the act specified that a commission consisting of the governor, the secretary of state, and the state auditor should select a 640-acre site on state-owned land for the new capital. Furthermore, the site was to be chosen from lands south of the Platte River, somewhere within a tract consisting of Seward County, the northern two-thirds of Lancaster County, and the southern halves of Saunders and Butler counties. Lots in the capital were to be sold to the highest bidders; the money derived from this source was to be used as a state building fund. The new law further required that the state university and agricultural college be combined as one institution located in the capital city and that the state penitentiary also be located in or near it.

An Omaha senator, believing that he might alienate Democratic votes in favor of the measure and thereby prevent the removal, successfully amended the bill to name the new capital after the recently assassinated Republican president, Abraham Lincoln. His scheme failed on June 14, 1867, as the state senate approved the capital-removal bill eight votes to five; the vote in the house of representatives was proportionately the same: twenty-five to fourteen. Omaha legislators, of course, constituted the opposition.

The capital commissioners accomplished their task with considerable speed and a certain lack of discretion. After a hasty tour of possible locations (including Ashland and Yankee Hill) that lay within the specified

tract, the commissioners selected a site, not on state-owned land as the law specified, but on land donated by residents of the hamlet of Lancaster (population thirty) for the purpose. The commissioners were especially attracted by the proximity of the proposed site to well-known saline deposits that, in their mistaken opinion, offered good possibilities for commercial development, thereby affording the new capital an economic base in addition to the governmental. In fact, however, the saline basin subsequently produced more debts than profits and had the effect of forcing urban development in Lincoln south and eastward, away from lands that, until recent decades, were subject to flooding.

The sale of lots in the new capital city began a month later on September 18, 1867. The fate of Lincoln as a city, like the political prospects of its backers, was inseparably linked to the success of the auction. If sales were slow or the bids low, there would be insufficient money for the construction of the capitol. The three capital commissioners, David Butler, Thomas Kennard, and John Gillespie, were frankly worried. If Lincoln failed to come into existence as a city, the Omahans were sure to abort the removal process. The *Omaha Republican* declared that a city founded on fiat was destined to fail. "Nobody will ever go to Lincoln," it predicted, "who does not go to the legislature, the lunatic asylum, the penitentiary, or some of the state institutions." Certainly it was in the interest of this newspaper to ignore the successful precedents established by the national capital in Washington and by Madison, the state capital of Wisconsin. Still, it was clear that as a city Lincoln might die at birth. As the *Republican* was pleased to point out, Lincoln lacked all the advantages offered by location on a river or a railroad.



1.3: The first state capitol of Nebraska, erected in Lincoln in 1867–68.

The results of the first sales were dreadful and produced a mere tenth of what the commissioners hoped for. Few potential buyers were willing to risk being the first to invest. Something had to be done quickly. Not above resorting to "irregularities," the commissioners secretly plotted with a group of investors from Nebraska City to force the bidding to prices higher than the appraised value of the lots. Reversing an earlier decision, they also agreed to join individually in the bidding, thereby hoping to generate new confidence in the enterprise. The logjam was thus broken and within several weeks more than fifty thousand dollars

had been raised. For the moment Lincoln's future seemed assured. Thomas Kennard, for one, demonstrated his confidence in the future of Lincoln by building a lovely mansion for himself just one block east of the capitol square. Gracefully done in an Italianate Revival style, the structure stands today as a well-preserved and charming remnant of Lincoln's turbulent and uncertain beginnings.

The First State Capitol Building

Meanwhile the legislature continued to meet in Omaha as it waited for the completion of the first state capitol

building on the four-block square set aside for that purpose in Lincoln. The capital commissioners advertised in several Nebraska newspapers for the submission of plans and specifications for the new structure, which was to cost forty thousand dollars. At first there was no response to their call. Finally, after the commissioners placed a notice in the *Chicago Tribune*, a submission was received from a Chicago architect named James Morris. Characterized by one historian of the time as "a fifth-rate architect," Morris proposed a structure so unattractive that, one suspects, had any other plan been submitted, his would never have been realized.

Construction of Nebraska's first state capitol began in November 1867. An ungainly building, it measured 160 by 70 feet and faced west. Its unimaginative façade was dominated by a disproportionately large tower 120 feet high (figure 1.3). Not a memorable achievement, the two-story structure was to be faced with native limestone. Since none of suitable quality could be found locally, Morris, as supervisor of construction, successfully appealed to the commissioners for permission to use stone from Gage County, some forty miles to the south. Denounced by some critics as an unwarranted extravagance, this raised the cost to more than seventy-five thousand dollars, not including an additional ten thousand dollars for furnishings. Erected in great haste by the only contractor (another Chicagoan) to submit a bid, the building was ready for occupancy in December 1868, about a month before the new legislature was to convene.

With a brand-new capitol in use, it would seem that Lincoln's inhabitants could rest assured that they had successfully weathered the storm, but the statehouse had been built so shabbily that, just like the territorial capitol in Omaha, it began to reveal its structural in-

adequacies immediately. By 1875, only seven years after its completion, it was "in danger of falling down," according to one account. To many Nebraskans this was clear evidence that Lincoln was a sink of official corruption at least as bad as Omaha. It is not surprising, therefore, that during the 1870s there were repeated efforts to remove the capital from Lincoln to a place that was presumably more centrally located in the state, such as Columbus or Kearney.

Several bills for this purpose were introduced at various times, but the Lincoln politicians always managed to play off one faction against another and kill such measures in committee. In one instance, Kearney interests were mollified with a road from their city southward to the Kansas state line; in other cases potential competitors were bought off with grants of state land for the construction of railroads.

The best way of fending off such threats was to proceed with the repair or replacement of the first capitol. In 1879, in his official message to the legislature, Governor Silas Garber reported that the north wall was in danger of collapsing, that other portions of the building were unsafe, that major repairs were necessary, and that the time had come to consider the construction of a new building large enough to house the functions of state government.

The Second State Capitol

The construction of the second state capitol was not the product of a carefully devised plan. In contrast to states, such as Illinois and Iowa, or the territory of Wyoming, all of which erected monumental structures during the 1880s that are still in use today, Nebraska built its new capitol piecemeal. It was the product of series of stopgap decisions forced upon the legislature by necessity. Like the present statehouse, it was built in

stages, but under rather different circumstances. Because the old structure had a north-south orientation, east and west wings could be added to the old structure and occupied before it was razed. These two sections were separately completed by 1883 at a cost of \$191,000. Construction of the central portion followed immediately. By 1889 the second state capitol was completed at an additional cost of \$450,000. Altogether its total length was 320 feet. The depth of the central portion was 180 feet; that of the wings was 95.

Not an ugly building like its predecessor, this capitol was reasonably attractive, given the haphazard character of its evolution (figure 1.4). In terms of its architectural style, it may be judged at best as competent. Designed by another Chicago architect, B. H. Wilcox, it was another unimaginative manifestation of the neoclassical style patterned on the national capitol with its dominating dome. In that respect it was like virtually all the other state capitols erected in the latter part of the nineteenth century, though on a more modest scale (New York's amalgam of classical elements with the Second Empire style being a major exception). The tower, with its dome and cupola, displays the verticality or elongation typical of so much architecture of the late Victorian era. Its lower part was surrounded by a square of columns, a decorative feature that tended to distract the eye from the main part of the building. The second capitol certainly was not a distinguished structure; several of Nebraska's county courthouses of this era—the years in which the brilliant Henry Hobson Richardson dominated American architecture—are clearly superior in design.

Within two decades of its dedication this building also began to display the symptoms of the disease that afflicted most of Nebraska's public buildings in the nineteenth century: settling foundations and crum-

bling limestone walls. Like its predecessor, it had not been built for the ages. By the turn of the century there was general agreement in the state that it would have to be replaced soon. It was simply inadequate—too small for the many functions assigned to it.

The Third State Capitol

The movement to erect a new monumental statehouse worthy of Nebraska's aspirations received much impetus with the election of Samuel R. McKelvie as governor in November 1918 just a week before the signing of the armistice that ended World War I. A Republican, this young, aggressive, thirty-seven-year-old publisher the *Nebraska Farmer* was a classic progressive of that era. Determined to modernize everything in sight, he sought in the pages of his magazine to convert farmers from yeomanry to the latest business methods of agricultural management. Similarly, he campaigned with a promise to introduce concepts of business efficiency in state government. He was convinced that Nebraska needed a new state constitution, one that would, among other things, centralize governmental power and authority in the office of the governor. Not surprisingly, he also favored strongly the construction of a new state capitol. It was to be a memorial to the sons of Nebraska who had offered their lives in the unimaginable slaughter of the Great War.

It would be a mistake, however, to attribute the construction of Nebraska's present capitol exclusively to the leadership of this man, outstanding though he was. There was a strong consensus in its favor. Thus, when the new legislature convened in January 1919, a bill to erect a new capitol sailed through. Happily signed by Governor McKelvie, the bill became law on February 20, 1919.

In its main provisions, the act established a capitol



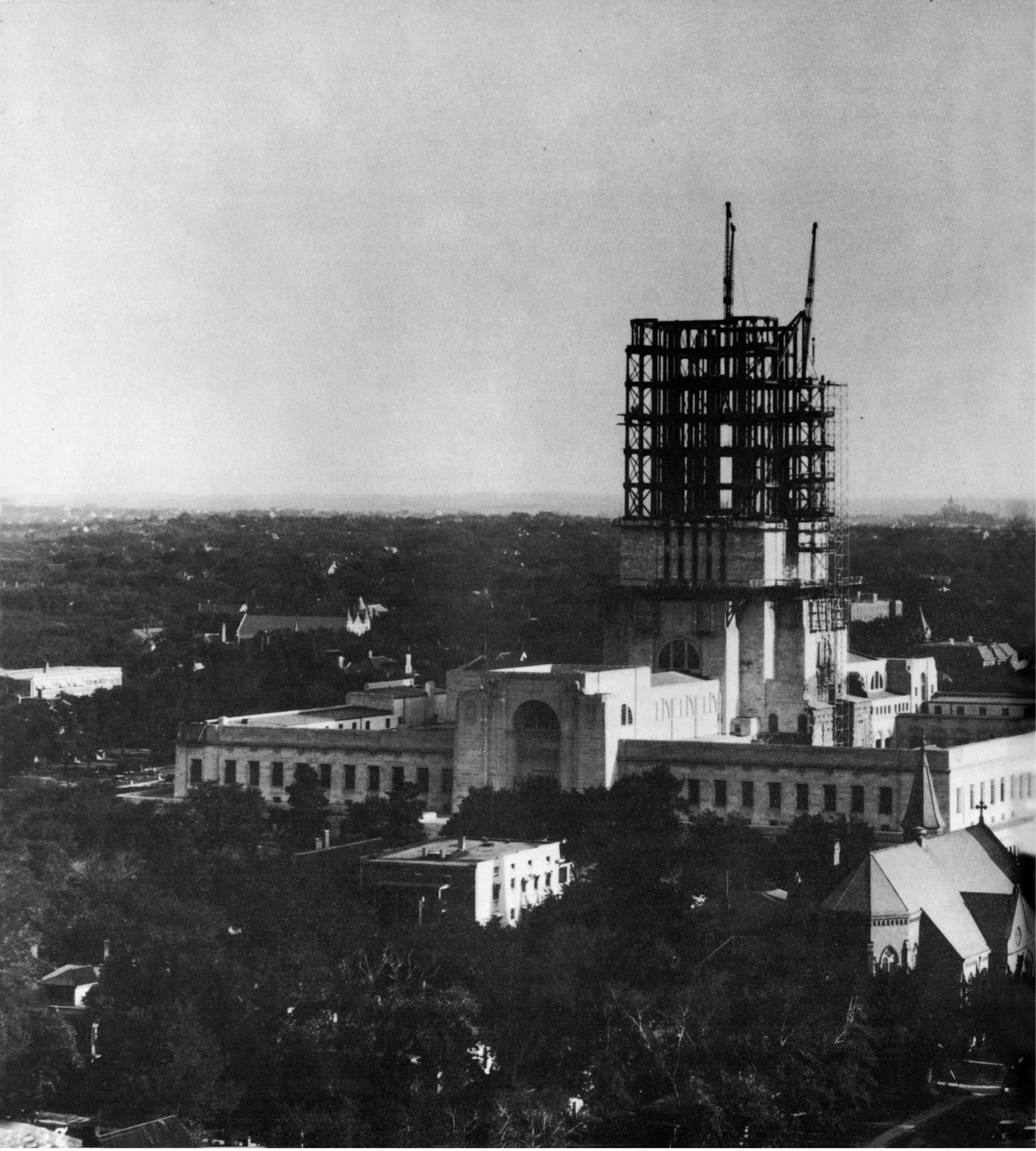
1.4: The second state capitol of Nebraska, erected by stages from 1880 to 1889.

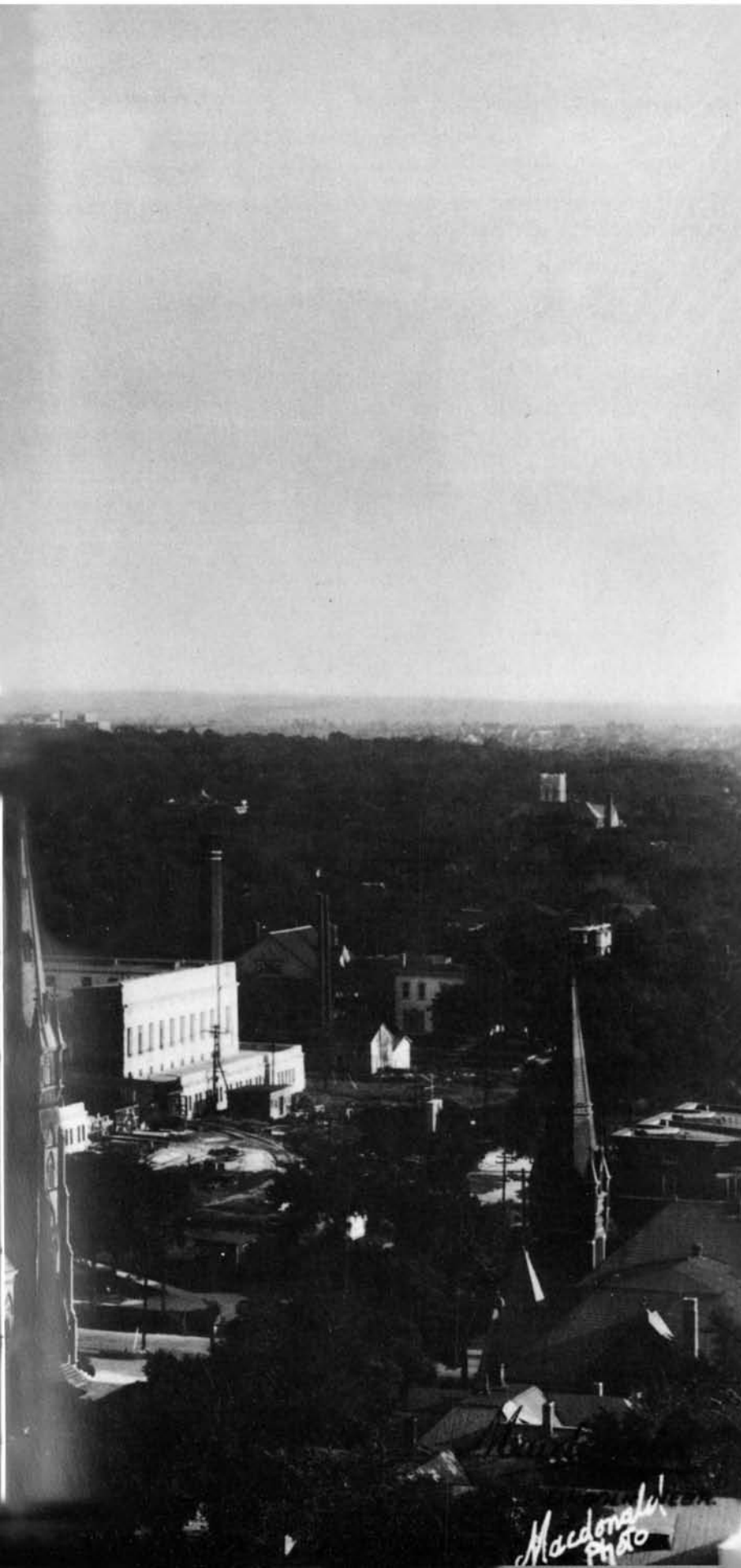
commission to conduct the planning and construction of the new statehouse and levied an annual property tax of one and one-half mills per dollar of valuation to defray the cost of this grand enterprise. Appointed immediately, the commission chose the distinguished Nebraska architect Thomas R. Kimball as its professional adviser. He developed and the commission approved an elaborate procedure for a national competition that was to attract submissions from the nation's best architectural firms and, at the same time, guard carefully the anonymity of the competitors. A procedure was devised for the selection of a jury of

three distinguished American architects who were to choose the winning design.

In January 1920 the Capitol Commission issued its announcement for the final stage of competition. The commissioners were keenly sensitive to the symbolic role Nebraskans would assign to the new building. They declared that since the capitol would be "the outward sign of the character of [the state's] people," it should express "their respect for its traditions and history, their belief in its importance and worth, and their love of its fair name."

The competition stimulated a lively nationwide inter-





est and in June 1920 the jury reported its decision to the commission. The winner was "number 4," whose identity, still unknown to the jury, was Bertram Grosvenor Goodhue of New York. His design, considered to be strikingly modern by his contemporaries, represented a fascinating departure from the vocabulary architects traditionally had used for such public structures. Dispensing with columns, cornices, pediments, and all the other customary elements of neo-classical architecture, Goodhue had produced a design that, in the words of the jury, is "as free from binding traditions as it is from prejudice." Nebraskans were as pleased then as they are today.

Ground was broken on April 15, 1922, in the last year of McKelvie's two terms as governor. It was a momentous occasion. Many dignitaries, including the aging Marshal Joseph Joffre of France, who had served as commander in chief of Allied forces in World War I, were present as Governor McKelvie broke ground, not with a shovel, but with two horses drawing a plow.

A dozen years were to pass before the building was completed, but on that day in 1922 Nebraskans began what remains today a remarkable accomplishment: the construction of a capitol totally unlike its predecessors, a dignified, graceful, carefully constructed monument that expresses the values, hopes, and aspirations of its builders, as it does of the generations who have followed (figure 1.5). It is, as Nebraskans like to think, one of America's great architectural achievements of the twentieth century.

1.5: The third state capitol of Nebraska, under construction in 1928.